
ASSEMBLY BILL NO. 359—ASSEMBLYWOMAN KIRKPATRICK
(BY REQUEST)

MARCH 22, 2005

Referred to Committee on Judiciary

SUMMARY—Revises certain provisions relating to juvenile justice. (BDR 5-833)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to juvenile justice; authorizing a juvenile court to impose certain penalties on a child who disobeys the terms of certain orders of disposition made by the juvenile court; authorizing a juvenile court to impose certain penalties on a child who violates a term or condition of his parole from a state facility for the detention of children; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 62E of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Except as otherwise provided in this section, if a child*
4 *commits an offense described in subsection 1 of NRS 62E.040, a*
5 *juvenile court may order the child to:*

6 (a) *Pay a fine, not to exceed \$500; or*

7 (b) *If the child:*

8 (1) *Is less than 18 years of age, be placed in a facility for*
9 *the detention of children for not more than 25 days; or*



1 (2) *Is at least 18 years of age but less than 21 years of age,*
2 *be placed in the county jail for not more than 25 days,*
3 *↪ or both.*

4 2. *If a child commits an offense described in subsection 1 of*
5 *NRS 62E.040, a juvenile court may order the child to be placed in*
6 *a facility for the detention of children or to be placed in the county*
7 *jail, as appropriate, for more than 25 days if:*

8 (a) *The child has committed an offense described in subsection*
9 *1 of NRS 62E.040 by refusing to perform an act and the child has*
10 *the power to perform the act; and*

11 (b) *The juvenile court specifies the act the child must perform*
12 *in the warrant of commitment.*

13 3. *A child detained in a facility for the detention of children*
14 *or imprisoned in the county jail pursuant to subsection 2 may be*
15 *detained in a facility for the detention of children or imprisoned in*
16 *the county jail, as appropriate, until the child performs the act*
17 *specified in the warrant of commitment.*

18 **Sec. 2.** NRS 62E.040 is hereby amended to read as follows:

19 62E.040 1. ~~Any person, except a child,~~ *Except as otherwise*
20 *provided in section 1 of this act, a person* who willfully violates,
21 neglects or refuses to obey the terms of any order of disposition
22 made by the juvenile court under the provisions of this title is guilty
23 of a misdemeanor and may be punished for contempt.

24 2. Except as otherwise provided in this section, if the juvenile
25 court determines that a person is guilty of contempt, the person may
26 be punished by:

27 (a) A fine, not to exceed \$500; or

28 (b) Imprisonment ~~in~~ *in the county jail*, not to exceed 25 days,

29 ↪ or both.

30 3. The juvenile court may punish a person who is guilty of
31 contempt by imprisonment *in the county jail* for more than 25 days
32 if:

33 (a) The person is guilty of contempt for refusing to perform an
34 act and the person has the power to perform the act; and

35 (b) The juvenile court specifies the act the person must perform
36 in the warrant of commitment.

37 4. A person punished pursuant to subsection 3 may be
38 imprisoned *in the county jail* until the person performs the act
39 specified in the warrant of commitment.

40 **Sec. 3.** NRS 62E.100 is hereby amended to read as follows:

41 62E.100 Except as otherwise provided in NRS 62E.100 to
42 62E.300, inclusive ~~in~~, *and section 1 of this act:*

43 1. The provisions of NRS 62E.100 to 62E.300, inclusive, *and*
44 *section 1 of this act* apply to the disposition of a case involving any
45 child who is found to be within the purview of this title.



1 2. In addition to any other orders or actions authorized or
2 required by the provisions of this title, if a child is found to be
3 within the purview of this title:

4 (a) The juvenile court may issue any orders or take any actions
5 set forth in NRS 62E.100 to 62E.300, inclusive, *and section 1 of*
6 *this act* that the juvenile court deems proper for the disposition of
7 the case; and

8 (b) If required by a specific statute, the juvenile court shall issue
9 the appropriate orders or take the appropriate actions set forth in the
10 statute.

11 **Sec. 4.** NRS 62E.710 is hereby amended to read as follows:

12 62E.710 The juvenile court may order any child who is:

13 1. Less than 18 years of age and who has been adjudicated
14 delinquent and placed on probation by the juvenile court *or released*
15 *on parole from a state facility for the detention of children* to be
16 placed in a facility for the detention of children for not more than 30
17 days for ~~the~~ a violation of *a term or condition of his* probation ~~or~~
18 *or parole.*

19 2. At least 18 years of age but less than 21 years of age and
20 who has been placed on probation by the juvenile court *or released*
21 *on parole from a state facility for the detention of children* to be
22 placed in a county jail for ~~the~~ a violation of *a term or condition of*
23 *his* probation ~~or~~ *or parole.*



