

ASSEMBLY BILL NO. 528—COMMITTEE ON JUDICIARY

MARCH 29, 2005

Referred to Committee on Judiciary

SUMMARY—Revises crime of intimidating or threatening public officers and employees and certain other persons. (BDR 15-1371)

FISCAL NOTE: Effect on Local Government: No.  
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 crimes; revising the crime of intimidating or threatening public officers and employees and certain other persons; 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.** NRS 199.300 is hereby amended to read as follows:  
2     199.300 1. A person ~~{who}~~ *shall not*, directly or indirectly,  
3     ~~{addresses}~~ *address* any threat or intimidation to a public officer,  
4     public employee, juror, referee, arbitrator, appraiser, assessor or any  
5     person authorized by law to hear or determine any controversy or  
6     matter, with the intent to induce him, contrary to his duty to do,  
7     make, omit or delay any act, decision or determination, ~~{shall be~~  
8     ~~punished:}~~ *if the threat or intimidation communicates the intent,*  
9     *either immediately or in the future:*  
10     (a) *To cause bodily injury to any person;*  
11     (b) *To cause physical damage to the property of any person*  
12     *other than the person addressing the threat or intimidation;*  
13     (c) *To subject any person other than the person addressing the*  
14     *threat or intimidation to physical confinement or restraint;*  
15     (d) *To falsely accuse any person of a crime or wrongfully*  
16     *cause criminal charges to be instituted against any person,*  
17     *knowing such accusations are false;*



1 (e) *To expose a secret or publicize an asserted fact, whether*  
2 *true or false, tending to subject any person other than the person*  
3 *addressing the threat or intimidation to hatred, contempt or*  
4 *ridicule;*

5 (f) *To reveal any information sought to be concealed by the*  
6 *person threatened;*

7 (g) *To testify or provide information or withhold testimony or*  
8 *information with respect to another's legal claim or defense;*

9 (h) *To take any wrongful action as an official or wrongfully*  
10 *withhold official action, or cause such action or withholding;*

11 (i) *To bring about or continue a strike, boycott or other similar*  
12 *collective action to obtain property which is not demanded or*  
13 *received for the benefit of the group which the person addressing*  
14 *the threat or intimidation purports to represent; or*

15 (j) *To do any other act which is not otherwise authorized by*  
16 *law and is intended to harm substantially any person other than*  
17 *the person addressing the threat or intimidation with respect to his*  
18 *health, safety, business, financial condition or personal*  
19 *relationships.*

20 2. *The provisions of this section must not be construed as*  
21 *prohibiting a person from making any statement in good faith of*  
22 *an intention to report any misconduct or malfeasance by a public*  
23 *officer or employee.*

24 3. *A person who violates subsection 1 is guilty of:*

25 (a) If physical force or the immediate threat of physical force is  
26 used in the course of the intimidation or in the making of the threat:

27 (1) For a first offense, ~~for~~ a category C felony *and shall be*  
28 *punished* as provided in NRS 193.130.

29 (2) For a second or subsequent offense, ~~for~~ a category B  
30 felony *and shall be punished* by imprisonment in the state prison  
31 for a minimum term of not less than 2 years and a maximum term of  
32 not more than 10 years, and may be further punished by a fine of not  
33 more than \$10,000.

34 (b) If no physical force or immediate threat of physical force is  
35 used in the course of the intimidation or in the making of the threat,  
36 ~~for~~ a gross misdemeanor.

37 ~~2-~~ 4. As used in this section, "public employee" means any  
38 person who performs public duties for compensation paid by the  
39 State, a county, city, local government or other political subdivision  
40 of the State or an agency thereof, including, without limitation, a  
41 person who performs a service for compensation pursuant to a  
42 contract with the State, county, city, local government or other  
43 political subdivision of the State or an agency thereof.

