

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; or*

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

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

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

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

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

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

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

33 ~~2-~~ 4. As used in this section, "public employee" means any
34 person who performs public duties for compensation paid by the
35 State, a county, city, local government or other political subdivision
36 of the State or an agency thereof, including, without limitation, a
37 person who performs a service for compensation pursuant to a
38 contract with the State, county, city, local government or other
39 political subdivision of the State or an agency thereof.

