

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; or*
15 (d) *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*



1 *health, safety, business, financial condition or personal*
2 *relationships.*

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

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

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

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

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

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

20 ~~2.~~ 4. As used in this section, "public employee" means any
21 person who performs public duties for compensation paid by the
22 State, a county, city, local government or other political subdivision
23 of the State or an agency thereof, including, without limitation, a
24 person who performs a service for compensation pursuant to a
25 contract with the State, county, city, local government or other
26 political subdivision of the State or an agency thereof.

