
ASSEMBLY BILL NO. 450—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 25, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to the apportionment of districts for certain offices. (BDR 17-1105)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 incarcerated persons; revising the manner in which certain incarcerated persons are counted for purposes of the apportionment of the population for legislative districts, congressional districts and the districts of the Board of Regents; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 9** of this bill requires the State Demographer, employed by the
2 Department of Taxation, to, upon completion of the decennial census, revise the
3 population counts for every block, block group and census tract to count certain
4 inmates in the block, block group and census tract of the inmate’s last known
5 residential address before incarceration. **Sections 3, 7 and 10** of this bill require the
6 population counts as revised by the State Demographer to be used in the
7 apportionment of legislative districts, congressional districts and districts of
8 the Board of Regents, respectively.
9 **Section 6** of this bill requires the Director of the Department of Corrections to
10 compile the last known residential address of each offender immediately before the
11 offender was sentenced to imprisonment in a facility or institution of the
12 Department.



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

1 **Section 1.** Chapter 218B of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** *“State Demographer” means the demographer*
4 *employed by the Department of Taxation pursuant to*
5 *NRS 360.283.*

6 **Sec. 3.** *The population counts for every block, block group*
7 *and census tract as revised by the State Demographer pursuant to*
8 *section 9 of this act must be used for the apportionment of*
9 *legislative districts.*

10 **Sec. 4.** NRS 218B.010 is hereby amended to read as follows:
11 218B.010 As used in this chapter, unless the context otherwise
12 requires, the words and terms defined in NRS 218B.020 to
13 218B.050, inclusive, and *section 2 of this act* have the meanings
14 ascribed to them in those sections.

15 **Sec. 5.** NRS 218B.050 is hereby amended to read as follows:
16 218B.050 “Census voting district” means the voting district:
17 1. Based on the geographic and population data bases compiled
18 by the Bureau of the Census of the United States Department of
19 Commerce as *revised by the State Demographer pursuant to*
20 *section 9 of this act and* validated and incorporated into the
21 geographic information system by the Legislative Counsel Bureau
22 for use by the Legislature; and

23 2. Designated in the maps filed with the Office of the Secretary
24 of State pursuant to NRS 218B.180.

25 **Sec. 6.** NRS 209.131 is hereby amended to read as follows:
26 209.131 The Director shall:

27 1. Administer the Department under the direction of the Board.

28 2. Supervise the administration of all institutions and facilities
29 of the Department.

30 3. Receive, retain and release, in accordance with law,
31 offenders sentenced to imprisonment in the state prison.

32 4. Be responsible for the supervision, custody, treatment, care,
33 security and discipline of all offenders under his or her jurisdiction.

34 5. Ensure that any person employed by the Department whose
35 primary responsibilities are:

36 (a) The supervision, custody, security, discipline, safety and
37 transportation of an offender;

38 (b) The security and safety of the staff; and

39 (c) The security and safety of an institution or facility of the
40 Department,

41 ↪ is a correctional officer who has the powers of a peace officer
42 pursuant to subsection 1 of NRS 289.220.



1 6. Establish regulations with the approval of the Board and
2 enforce all laws governing the administration of the Department and
3 the custody, care and training of offenders.

4 7. Take proper measures to protect the health and safety of the
5 staff and offenders in the institutions and facilities of the
6 Department.

7 8. Take proper measures to protect the health and safety of
8 persons employed by a school district to operate a program of
9 education for incarcerated persons in an institution or facility
10 pursuant to chapter 388H of NRS.

11 9. Cause to be placed from time to time in conspicuous places
12 about each institution and facility copies of laws and regulations
13 relating to visits and correspondence between offenders and others.

14 10. Provide for the holding of religious services in the
15 institutions and facilities and make available to the offenders copies
16 of appropriate religious materials.

17 *11. Compile the last known residential address of each*
18 *offender immediately before the offender was sentenced to*
19 *imprisonment in a facility or institution of the Department.*

20 **Sec. 7.** Chapter 304 of NRS is hereby amended by adding
21 thereto a new section to read as follows:

22 *The population counts for every block, block group and census*
23 *tract as revised by the State Demographer pursuant to section 9 of*
24 *this act must be used for the apportionment of congressional*
25 *districts.*

26 **Sec. 8.** NRS 304.060 is hereby amended to read as follows:

27 304.060 As used in NRS 304.060 to 304.120, inclusive, *and*
28 *section 7 of this act*, unless the context otherwise requires:

29 1. "Block" means the smallest geographical unit whose
30 boundaries were designated by the Bureau of the Census of the
31 United States Department of Commerce in its topographically
32 integrated geographic encoding and referencing system.

33 2. "Block group" means a combination of blocks whose
34 numbers begin with the same digit.

35 3. "Census tract" means a combination of block groups.

36 4. "Census voting district" means the voting district:

37 (a) Based on the geographic and population databases compiled
38 by the Bureau of the Census of the United States Department of
39 Commerce as *revised by the State Demographer pursuant to*
40 *section 9 of this act and* validated and incorporated into the
41 geographic information system by the Legislative Counsel Bureau
42 for use by the Nevada Legislature; and

43 (b) Designated in the maps filed with the Office of the Secretary
44 of State pursuant to subsection 3 of NRS 304.070.



1 5. *“State Demographer” means the demographer employed*
2 *by the Department of Taxation pursuant to NRS 360.283.*

3 **Sec. 9.** Chapter 360 of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 1. *Upon the completion of the national decennial census*
6 *conducted by the Bureau of the Census of the United States*
7 *Department of Commerce, the State Demographer shall revise the*
8 *population counts for every block, block group and census tract as*
9 *set forth in the census to count every inmate who was a resident of*
10 *the State before incarceration in the block, block group and*
11 *census tract of which an inmate was a resident before his or her*
12 *incarceration.*

13 2. *The Department of Corrections shall, upon request,*
14 *provide to the State Demographer all available information*
15 *requested by the State Demographer in carrying out the provisions*
16 *of subsection 1.*

17 3. *As used in this section:*

18 (a) *“Block” means the smallest geographical unit whose*
19 *boundaries were designated by the Bureau of the Census of the*
20 *United States Department of Commerce in its topographically*
21 *integrated geographic encoding and referencing system.*

22 (b) *“Block group” means a combination of blocks whose*
23 *numbers begin with the same digit.*

24 (c) *“Census tract” means a combination of block groups.*

25 (d) *“Inmate” means a person who was determined to be*
26 *incarcerated in a facility or institution of the Department of*
27 *Corrections at the last preceding national decennial census*
28 *conducted by the Bureau of the Census of the United States*
29 *Department of Commerce.*

30 (e) *“State Demographer” means the demographer employed by*
31 *the Department of Taxation pursuant to NRS 360.283.*

32 **Sec. 10.** Chapter 396 of NRS is hereby amended by adding
33 thereto a new section to read as follows:

34 *The population counts for every block, block group and census*
35 *tract as revised by the State Demographer pursuant to section 9 of*
36 *this act must be used for the apportionment of districts of the*
37 *Board of Regents.*

38 **Sec. 11.** NRS 396.031 is hereby amended to read as follows:

39 396.031 As used in NRS 396.031 to 396.046, inclusive, *and*
40 *section 10 of this act*, unless the context otherwise requires:

41 1. *“Block” means the smallest geographical unit whose*
42 *boundaries were designated by the Bureau of the Census of the*
43 *United States Department of Commerce in its topographically*
44 *integrated geographic encoding and referencing system.*



1 2. “Block group” means a combination of blocks whose
2 numbers begin with the same digit.

3 3. “Census tract” means a combination of block groups.

4 4. *“State Demographer” means the demographer employed*
5 *by the Department of Taxation pursuant to NRS 360.283.*

6 **Sec. 12.** This act becomes effective on July 1, 2019.

