

Assembly Bill No. 450—Committee on
Legislative Operations and Elections

CHAPTER.....

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:

Section 9 of this bill requires the State Demographer, employed by the Department of Taxation, to, upon completion of the decennial census, revise the population counts for every block, block group and census tract to count certain inmates in the block, block group and census tract of the inmate’s last known residential address before incarceration. **Sections 3, 7 and 10** of this bill require the population counts as revised by the State Demographer to be used in the apportionment of legislative districts, congressional districts and districts of the Board of Regents, respectively.

Section 6 of this bill requires the Director of the Department of Corrections to compile the last known residential address of each offender immediately before the offender was sentenced to imprisonment in a facility or institution of the Department.

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

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

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

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

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

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

Sec. 5. NRS 218B.050 is hereby amended to read as follows:
218B.050 “Census voting district” means the voting district:



1. Based on the geographic and population data bases compiled by the Bureau of the Census of the United States Department of Commerce as *revised by the State Demographer pursuant to section 9 of this act and* validated and incorporated into the geographic information system by the Legislative Counsel Bureau for use by the Legislature; and

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

Sec. 6. NRS 209.131 is hereby amended to read as follows:

209.131 The Director shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

5. "State Demographer" means the demographer employed by the Department of Taxation pursuant to NRS 360.283.

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

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

2. The Department of Corrections shall, upon request, provide to the State Demographer all available information



requested by the State Demographer in carrying out the provisions of subsection 1.

3. *As used in this section:*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

