

ASSEMBLY BILL NO. 350—ASSEMBLYMEN HARDY AND LEAVITT

MARCH 22, 2021

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to certain crimes against animals. (BDR 50-977)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
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 animals; requiring the Director of the State Department of Agriculture to select a nonprofit organization to establish and maintain an animal abuser registry website; setting forth certain requirements for the establishment and maintenance of the animal abuser registry website; requiring persons convicted of certain offenses against animals to register with the animal abuser registry website; requiring courts to notify certain defendants of the requirements for registration; increasing the penalties for certain crimes against animals; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 3** of this bill requires the Director of the State Department of
2 Agriculture to select a nonprofit organization to establish and maintain a statewide
3 animal abuser registry website. **Section 3** also: (1) sets forth the qualifications for a
4 nonprofit organization to be selected by the Director to establish and maintain the
5 animal abuser registry website; and (2) provides that the Director may terminate the
6 authority of the selected nonprofit organization and select another nonprofit
7 organization if the selected nonprofit organization fails to meet the requirements of
8 **sections 2-7** of this bill.

9 **Section 2** of this bill requires a person convicted of a felony against an animal
10 to register with the animal abuser registry website and keep his or her registration
11 current. **Section 2** also prohibits a person who is registered with the animal abuser
12 registry website from owning an animal, living in the same dwelling as an animal
13 or working with an animal. **Section 2** additionally provides that a person who
14 intentionally fails to register as required, provides false information when
15 registering or violates the prohibition against owning an animal, living in the same



16 dwelling as an animal or working with an animal is guilty of a misdemeanor.
17 Finally, **section 2** establishes the period of registration for a person required to
18 register with the animal abuser registry website.

19 **Section 4** of this bill: (1) sets forth the information a person required to register
20 must provide; and (2) provides that such information is limited to only that
21 information which is a public record as a result of the person's conviction. **Sections**
22 **5 and 7** of this bill provide certain prohibitions against misuse of the information
23 on the animal abuser registry website. **Section 6** of the bill requires the nonprofit
24 organization selected to establish and maintain the animal abuser registry website to
25 prepare and submit reports containing certain information to the Director of the
26 Legislative Counsel Bureau for transmittal to the Legislature.

27 **Section 8** of this bill: (1) adds necessary definitions for the purposes of **sections**
28 **2-7** relating to the animal abuser registry website; and (2) indicates the placement
29 of **sections 2-7** within the Nevada Revised Statutes. **Section 10** of this bill requires
30 a court, upon the conviction and sentencing of a defendant for a felony offense
31 against an animal for which registration is required, to provide the defendant with
32 notice of the requirements of registration.

33 **Sections 9, 11 and 12** of this bill increase the penalties for certain offenses.
34 **Section 9** of this bill increases the penalty for torturing, maiming, mutilating or
35 killing a cat or dog or any animal that is kept for companionship or pleasure from a
36 category D felony to a category C felony, unless the act is committed in order to
37 threaten, intimidate or terrorize a person, in which case the penalty is increased
38 from a category C felony to a category B felony. **Section 9** also increases the
39 penalty for killing or abusing an animal that is not a cat or dog and not kept for
40 companionship or pleasure: (1) from a misdemeanor to a category D felony for a
41 first offense; (2) from a misdemeanor to a category C felony for a second offense;
42 and (3) from a category C felony to a category B felony for a third or subsequent
43 offense. (NRS 574.100) Finally, **section 9** provides that a person who is subject to
44 these increased penalties must be punished by a mandatory minimum fine of at
45 least \$2,500 and is not eligible for probation or a suspended sentence.

46 **Section 11** of this bill: (1) increases the penalty for killing, maiming or
47 disfiguring an animal belonging to another person or exposing an animal belonging
48 to another person to a poison or noxious substance from a category D felony to a
49 category C felony with a mandatory minimum fine of at least \$2,500; and (2)
50 provides that a person who is convicted of such an offense is not eligible for
51 probation or a suspended sentence. (NRS 206.150)

52 **Section 12** of this bill: (1) increases the penalty for harming a service animal or
53 service animal in training from a category E felony to a category C felony and for
54 killing a service animal or service animal in training from a category D felony to a
55 category B felony; and (2) provides that a person who is convicted of such an
56 offense must be punished by a mandatory minimum fine of at least \$2,500 and is
57 not eligible for probation or a suspended sentence. (NRS 426.790)

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

1 **Section 1.** Chapter 574 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 7, inclusive, of this
3 act.

4 **Sec. 2. 1. A person who is convicted of a felony against an**
5 **animal shall register with the animal abuser registry website**
6 **established and maintained pursuant to sections 2 to 7, inclusive,**



1 of this act, and keep his or her registration current as required
2 pursuant to this section until the expiration of the period of
3 registration.

4 2. A person required to register pursuant to this section shall
5 register not later than 3 business days after:

6 (a) The date on which the person is released from
7 incarceration or confinement for the offense; or

8 (b) If the person is not sentenced to a term of imprisonment for
9 the offense, the date on which the person was sentenced for the
10 offense.

11 3. A person required to register pursuant to this section who
12 changes his or her name or residence shall, not later than 3
13 business days after the change of name or residence, notify the
14 animal abuser registry website of the change.

15 4. A person who is registered with the animal abuser registry
16 website shall not:

17 (a) Own an animal;

18 (b) Live in the same dwelling as an animal; or

19 (c) Work with an animal.

20 5. A person who intentionally:

21 (a) Fails to register as required;

22 (b) Provides false information when registering; or

23 (c) Violates any provision of subsection 4,

24 ↪ is guilty of a misdemeanor.

25 6. The period of registration for a person who is required to
26 register pursuant to this section is 10 years, beginning on the date
27 of entry of a judgment of conviction for a felony against an
28 animal, but not including any period for which the person is
29 incarcerated or confined for the felony against an animal.

30 **Sec. 3. 1.** The Director of the State Department of
31 Agriculture shall, on behalf of the Department, select a nonprofit
32 organization to establish and maintain an animal abuser registry
33 website which meets the requirements of sections 4 and 5 of this
34 act.

35 2. To be selected by the Department pursuant to subsection 1,
36 a nonprofit organization must:

37 (a) Be bonded in the amount required by the Director.

38 (b) Have demonstrated the ability to:

39 (1) Work with towns, cities and other local governmental
40 entities on issues related to animals; and

41 (2) Carry out the provisions of sections 2 to 7, inclusive, of
42 this act.

43 (c) Agree to carry out the provisions of sections 2 to 7,
44 inclusive, of this act at no cost to the Department or this State.



1 3. *If the nonprofit organization selected by the Director*
2 *pursuant to this section fails to meet the requirements of sections 2*
3 *to 7, inclusive, of this act, the Director may terminate the authority*
4 *of the nonprofit organization to establish and maintain an animal*
5 *abuser registry website and seek another nonprofit organization to*
6 *select for the establishment, if necessary, and maintenance of the*
7 *animal abuser registry website.*

8 **Sec. 4. 1.** *A nonprofit organization selected pursuant to*
9 *section 3 of this act must:*

10 (a) *Establish and maintain an animal abuser registry website*
11 *which must be organized so that:*

12 (1) *A person required to register pursuant to section 2 of*
13 *this act may provide the information required in subsection 2.*

14 (2) *The animal abuser registry website meets the*
15 *requirements of section 5 of this act.*

16 (b) *Ensure that the information contained in the animal*
17 *abuser registry is, to the greatest extent practicable, accurate and*
18 *current.*

19 2. *Except as otherwise provided in subsection 3, a person*
20 *required to register pursuant to section 2 of this act must provide,*
21 *upon registration:*

22 (a) *His or her full legal name.*

23 (b) *A recent photo of the person.*

24 (c) *Each offense for which the person was convicted that*
25 *resulted in the requirement to register pursuant to section 2 of this*
26 *act.*

27 3. *Any information provided by a person pursuant to*
28 *subsection 2 is a public record. The provisions of this section must*
29 *not be construed to require the person to provide any information*
30 *that is not a public record as a result of the person's conviction for*
31 *an offense which resulted in the requirement to register pursuant*
32 *to section 2 of this act.*

33 **Sec. 5.** *A nonprofit organization that establishes an animal*
34 *abuser registry website pursuant to section 4 of this act shall*
35 *maintain the animal abuser registry in a manner that:*

36 1. *Allows the public to obtain information for each person in*
37 *the animal abuser registry in accordance with subsection 3 of*
38 *section 4 of this act.*

39 2. *Includes instructions on the manner in which a person*
40 *may obtain a correction of information that the person contends is*
41 *erroneous.*

42 3. *Includes a warning that the information on the animal*
43 *abuser registry website may not be used unlawfully to injure,*
44 *harass or commit a crime against any person named in the animal*
45 *abuser registry website or in a way that violates the provisions of*



1 *subsection 1 of section 7 of this act, and that any such action may*
2 *result in a civil or criminal penalty.*

3 *4. Does not allow the public access to information about a*
4 *person in the animal abuser registry other than the information*
5 *the person is required to provide pursuant to subsection 2 of*
6 *section 4 of this act.*

7 **Sec. 6.** *A nonprofit organization selected by the State*
8 *Department of Agriculture pursuant to section 3 of this act shall,*
9 *on or before January 15 of each odd-numbered year and upon*
10 *approval by the Director, prepare and submit to the Director of the*
11 *Legislative Counsel Bureau for transmittal to the Legislature a*
12 *report concerning the animal abuser registry website. The report*
13 *must include, without limitation:*

14 *1. The number of persons registered on the animal abuser*
15 *registry website each year; and*

16 *2. The number of times the animal abuser registry website*
17 *was viewed each year.*

18 **Sec. 7.** *1. Information obtained from the animal abuser*
19 *registry website may not be used for any purpose relating to any of*
20 *the following:*

21 *(a) Insurance, including, without limitation, health insurance.*

22 *(b) Loans.*

23 *(c) Credit.*

24 *(d) Employment.*

25 *(e) Education, scholarships or fellowships.*

26 *(f) Housing or accommodations.*

27 *(g) Benefits, privileges or services provided by any business*
28 *establishment.*

29 *2. Any person who uses information from the animal abuser*
30 *registry website in violation of the provisions of subsection 3 of*
31 *section 5 of this act or this section is liable in a civil action*
32 *brought by or on behalf of a person injured by the violation, for*
33 *damages, attorney's fees and costs incurred as a result of the*
34 *violation.*

35 *3. The State Department of Agriculture, its officers and*
36 *employees and any nonprofit organization selected by the*
37 *Department pursuant to section 3 of this act to establish and*
38 *maintain the animal abuser registry website and its officers,*
39 *employees and volunteers are immune from criminal or civil*
40 *liability for an act or omission relating to information obtained,*
41 *maintained or disclosed pursuant to the provisions of sections 2 to*
42 *7, inclusive, of this act, including, without limitation, an act or*
43 *omission relating to:*

44 *(a) The accuracy of information in the animal abuser registry*
45 *website; or*



1 *(b) The disclosure of or the failure to disclose information in*
2 *the animal abuser registry website.*

3 **Sec. 8.** NRS 574.050 is hereby amended to read as follows:

4 574.050 As used in NRS 574.050 to 574.200, inclusive ~~[3]~~ ,
5 *and sections 2 to 7, inclusive, of this act:*

6 1. "Animal" does not include the human race, but includes
7 every other living creature.

8 2. *"Animal abuser registry website" means the registry*
9 *website established and maintained pursuant to section 3 of this*
10 *act.*

11 3. *"Felony against an animal" means a felony conviction for*
12 *any of the following offenses:*

13 (a) *A violation of NRS 206.150, 426.790, 574.060, 574.070,*
14 *574.100, 574.105, 574.107, 574.120 or 574.150; or*

15 (b) *An attempt to commit an offense listed in paragraph (a).*

16 4. "First responder" means a person who has successfully
17 completed the national standard course for first responders.

18 ~~[3]~~ 5. "Police animal" means an animal which is owned or
19 used by a state or local governmental agency and which is used by a
20 peace officer in performing his or her duties as a peace officer.

21 ~~[4]~~ 6. "Torture" or "cruelty" includes every act, omission or
22 neglect, whereby unjustifiable physical pain, suffering or death is
23 caused or permitted.

24 **Sec. 9.** NRS 574.100 is hereby amended to read as follows:

25 574.100 1. A person shall not:

26 (a) Torture or unjustifiably maim, mutilate or kill:

27 (1) An animal kept for companionship or pleasure, whether
28 belonging to the person or to another; or

29 (2) Any cat or dog;

30 (b) Except as otherwise provided in paragraph (a), overdrive,
31 overload, torture, cruelly beat or unjustifiably injure, maim, mutilate
32 or kill an animal, whether belonging to the person or to another;

33 (c) Deprive an animal of necessary sustenance, food or drink, or
34 neglect or refuse to furnish it such sustenance or drink;

35 (d) Cause, procure or allow an animal to be overdriven,
36 overloaded, tortured, cruelly beaten, or unjustifiably injured,
37 maimed, mutilated or killed or to be deprived of necessary food or
38 drink;

39 (e) Instigate, engage in, or in any way further an act of cruelty to
40 any animal, or any act tending to produce such cruelty; or

41 (f) Abandon an animal in circumstances other than those
42 prohibited in NRS 574.110. The provisions of this paragraph do not
43 apply to a feral cat that has been caught to provide vaccination,
44 spaying or neutering and released back to the location where the
45 feral cat was caught after providing the vaccination, spaying or



1 neutering. As used in this paragraph, “feral cat” means a cat that has
2 no apparent owner or identification and appears to be unsocialized
3 to humans and unmanageable or otherwise demonstrates
4 characteristics normally associated with a wild or undomesticated
5 animal.

6 2. Except as otherwise provided in subsections 3 and 4 and
7 NRS 574.210 to 574.510, inclusive, a person shall not restrain a
8 dog:

9 (a) Using a tether, chain, tie, trolley or pulley system or other
10 device that:

11 (1) Is less than 12 feet in length;

12 (2) Fails to allow the dog to move at least 12 feet or, if the
13 device is a pulley system, fails to allow the dog to move a total of 12
14 feet; or

15 (3) Allows the dog to reach a fence or other object that may
16 cause the dog to become injured or die by strangulation after
17 jumping the fence or object or otherwise becoming entangled in the
18 fence or object;

19 (b) Using a prong, pinch or choke collar or similar restraint; or

20 (c) For more than 14 hours during a 24-hour period.

21 3. Any pen or other outdoor enclosure that is used to maintain
22 a dog must be appropriate for the size and breed of the dog. If any
23 property that is used by a person to maintain a dog is of insufficient
24 size to ensure compliance by the person with the provisions of
25 paragraph (a) of subsection 2, the person may maintain the dog
26 unrestrained in a pen or other outdoor enclosure that complies with
27 the provisions of this subsection.

28 4. The provisions of subsections 2 and 3 do not apply to a dog
29 that is:

30 (a) Tethered, chained, tied, restrained or placed in a pen or
31 enclosure by a veterinarian, as defined in NRS 574.330, during the
32 course of the veterinarian’s practice;

33 (b) Being used lawfully to hunt a species of wildlife in this State
34 during the hunting season for that species;

35 (c) Receiving training to hunt a species of wildlife in this State;

36 (d) In attendance at and participating in an exhibition, show,
37 contest or other event in which the skill, breeding or stamina of the
38 dog is judged or examined;

39 (e) Being kept in a shelter or boarding facility or temporarily in
40 a camping area;

41 (f) Temporarily being cared for as part of a rescue operation or
42 in any other manner in conjunction with a bona fide nonprofit
43 organization formed for animal welfare purposes;

44 (g) Living on land that is directly related to an active agricultural
45 operation, if the restraint is reasonably necessary to ensure the safety



1 of the dog. As used in this paragraph, “agricultural operation”
2 means any activity that is necessary for the commercial growing and
3 harvesting of crops or the raising of livestock or poultry; or

4 (h) With a person having custody or control of the dog, if the
5 person is engaged in a temporary task or activity with the dog for
6 not more than 1 hour.

7 5. A person shall not:

8 (a) Intentionally engage in horse tripping for sport,
9 entertainment, competition or practice; or

10 (b) Knowingly organize, sponsor, promote, oversee or receive
11 money for the admission of any person to a charreada or rodeo that
12 includes horse tripping.

13 6. A person who willfully and maliciously violates paragraph
14 (a) of subsection 1:

15 (a) Except as otherwise provided in paragraph (b), is guilty of a
16 category ~~D~~ C felony and shall be punished as provided in NRS
17 193.130 ~~;~~, *and shall be further punished by a fine of at least*
18 *\$2,500 but not more than \$10,000. A court shall not grant*
19 *probation to or suspend the sentence of a person convicted*
20 *pursuant to this paragraph.*

21 (b) If the act is committed in order to threaten, intimidate or
22 terrorize another person, is guilty of a category ~~C~~ B felony and
23 shall be punished ~~[as provided in NRS 193.130.]~~ *by imprisonment*
24 *in the state prison for a minimum term of not less than 1 year and*
25 *a maximum term of not more than 6 years, and shall be further*
26 *punished by a fine of at least \$2,500 but not more than \$20,000. A*
27 *court shall not grant probation to or suspend the sentence of a*
28 *person convicted pursuant to this paragraph.*

29 7. Except as otherwise provided in subsection 6, a person who
30 violates subsection 1, 2, 3 or 5:

31 (a) For the first offense within the immediately preceding 7
32 years, is guilty of a ~~[misdemeanor]~~ *category D felony* and shall be
33 ~~[sentenced to:~~

34 ~~—— (1) Imprisonment in the city or county jail or detention~~
35 ~~facility for not less than 2 days, but not more than 6 months; and~~

36 ~~—— (2) Perform not less than 48 hours, but not more than 120~~
37 ~~hours, of community service.~~

38 ~~→ The person shall be further punished by a fine of not less than~~
39 ~~\$200, but not more than \$1,000. A term of imprisonment imposed~~
40 ~~pursuant to this paragraph may be served intermittently at the~~
41 ~~discretion of the judge or justice of the peace, except that each~~
42 ~~period of confinement must be not less than 4 consecutive hours and~~
43 ~~must occur either at a time when the person is not required to be at~~
44 ~~the person’s place of employment or on a weekend.] *punished as*~~
45 ~~*provided in NRS 193.130, and shall be further punished by a fine*~~



1 *of at least \$2,500 but not more than \$5,000. A court shall not*
2 *grant probation to or suspend the sentence of a person convicted*
3 *pursuant to this paragraph.*

4 (b) For the second offense within the immediately preceding 7
5 years, is guilty of a ~~[misdemeanor]~~ *category C felony* and shall be
6 ~~sentenced to:~~

7 ~~— (1) Imprisonment in the city or county jail or detention~~
8 ~~facility for not less than 10 days, but not more than 6 months; and~~

9 ~~— (2) Perform not less than 100 hours, but not more than 200~~
10 ~~hours, of community service.~~

11 ~~→ The person shall be further punished by a fine of not less than~~
12 ~~\$500, but not more than \$1,000.] punished as provided in NRS~~
13 ~~193.130, and shall be further punished by a fine of at least \$2,500~~
14 ~~but not more than \$10,000. A court shall not grant probation to or~~
15 ~~suspend the sentence of a person convicted pursuant to this~~
16 ~~paragraph.~~

17 (c) For the third and any subsequent offense within the
18 immediately preceding 7 years, is guilty of a category ~~[C]~~ *B felony*
19 and shall be punished ~~[as provided in NRS 193.130.]~~ by
20 *imprisonment in the state prison for a minimum term of not less*
21 *than 1 year and a maximum term of not more than 6 years, and*
22 *shall be further punished by a fine of at least \$2,500 but not more*
23 *than \$20,000. A court shall not grant probation to or suspend the*
24 *sentence of a person convicted pursuant to this paragraph.*

25 8. In addition to any other fine or penalty provided in
26 subsection 6 or 7, a court shall order a person convicted of violating
27 subsection 1, 2, 3 or 5 to pay restitution for all costs associated with
28 the care and impoundment of any mistreated animal under
29 subsection 1, 2, 3 or 5 including, without limitation, money
30 expended for veterinary treatment, feed and housing.

31 9. The court may order the person convicted of violating
32 subsection 1, 2, 3 or 5 to surrender ownership or possession of the
33 mistreated animal.

34 10. The provisions of this section do not apply with respect to
35 an injury to or the death of an animal that occurs accidentally in the
36 normal course of:

37 (a) Carrying out the activities of a rodeo or livestock show; or

38 (b) Operating a ranch.

39 11. As used in this section, “horse tripping” means the roping
40 of the legs of or otherwise using a wire, pole, stick, rope or other
41 object to intentionally trip or intentionally cause a horse, mule,
42 burro, ass or other animal of the equine species to fall. The term
43 does not include:

44 (a) Tripping such an animal to provide medical or other health
45 care for the animal; or



1 (b) Catching such an animal by the legs and then releasing it as
2 part of a horse roping event for which a permit has been issued by
3 the local government where the event is conducted.

4 **Sec. 10.** Chapter 176 of NRS is hereby amended by adding
5 thereto a new section to read as follows:

6 *1. If a defendant is convicted of a felony against an animal,*
7 *the court shall, following the imposition of a sentence:*

8 *(a) Inform the defendant of the requirements for registration,*
9 *including, without limitation:*

10 *(1) The duty to register with the animal abuser registry*
11 *website pursuant to section 2 of this act.*

12 *(2) If the defendant changes his or her name or residence,*
13 *the duty to notify the animal abuser registry website pursuant to*
14 *section 2 of this act.*

15 *(3) The full period of registration required pursuant to*
16 *section 2 of this act.*

17 *(b) Require the defendant to read and sign a form stating that*
18 *the requirements for registration have been explained and that the*
19 *defendant understands the requirements for registration.*

20 *2. The failure to provide the defendant with the information*
21 *or the confirmation form required by paragraphs (a) and (b) of*
22 *subsection 1 does not affect the duty of the defendant to register*
23 *and to comply with all other provisions for registration pursuant to*
24 *sections 2 to 7, inclusive, of this act.*

25 *3. As used in this section, "felony against an animal" has the*
26 *meaning ascribed to it in NRS 574.050.*

27 **Sec. 11.** NRS 206.150 is hereby amended to read as follows:

28 206.150 1. Except as otherwise provided in subsections 2 and
29 3, any person who willfully and maliciously kills, maims or
30 disfigures any animal belonging to another, or exposes any poison
31 or noxious substance with intent that it should be taken by the
32 animal is guilty of a category ~~FD~~ C felony and shall be punished as
33 provided in NRS 193.130, and ~~[may be further punished by a fine of~~
34 ~~not more than \$10,000.] shall be further punished by a fine of at~~
35 ~~least \$2,500 but not more than \$10,000. A court shall not grant~~
36 ~~probation to or suspend the sentence of a person convicted~~
37 ~~pursuant to this paragraph.~~

38 2. Except as otherwise provided in NRS 205.220, a person who
39 willfully and maliciously kills an estray or one or more head of
40 livestock, without the authority to do so, is guilty of a category C
41 felony and shall be punished as provided in NRS 193.130.

42 3. The provisions of subsection 1 do not apply to any person
43 who kills a dog pursuant to NRS 575.020.

44 **Sec. 12.** NRS 426.790 is hereby amended to read as follows:

45 426.790 1. A person shall not:



1 (a) Without legal justification, interfere with, or allow a dog or
2 other animal the person owns, harbors or controls to interfere with,
3 the use of a service animal or service animal in training by
4 obstructing, intimidating or otherwise jeopardizing the safety of the
5 service animal or service animal in training or the person using the
6 service animal or service animal in training.

7 (b) Willfully and maliciously beat a service animal or service
8 animal in training.

9 (c) Willfully and maliciously kill a service animal or service
10 animal in training.

11 2. Unless a greater penalty is provided in NRS 206.150, a
12 person who violates:

13 (a) Paragraph (a) of subsection 1 is guilty of a gross
14 misdemeanor.

15 (b) Paragraph (b) of subsection 1 is guilty of a category ~~HE~~ C
16 felony and shall be punished as provided in NRS 193.130 ~~H~~, and
17 *shall be further punished by a fine of at least \$2,500 but not more*
18 *than \$10,000. A court shall not grant probation to or suspend the*
19 *sentence of a person convicted pursuant to this paragraph.*

20 (c) Paragraph (c) of subsection 1 is guilty of a category ~~HD~~ B
21 felony and shall be punished ~~as provided in NRS 193.130.~~ by
22 *imprisonment in the state prison for a minimum term of not less*
23 *than 1 year and a maximum term of not more than 6 years, and*
24 *shall be further punished by a fine of at least \$2,500 but not more*
25 *than \$20,000. A court shall not grant probation to or suspend the*
26 *sentence of a person convicted pursuant to this paragraph.*

27 3. A person who violates paragraph (a), (b) or (c) of subsection
28 1 is, in addition to any criminal penalty that may be imposed, civilly
29 liable to the person against whom the violation was committed as
30 provided in NRS 426.820.

31 4. In addition to any other penalty, the court shall order a
32 person convicted of a violation of paragraph (a), (b) or (c) of
33 subsection 1 to pay restitution to the person who has the disability or
34 the person who has custody or ownership of the service animal or
35 service animal in training for any veterinary bills, and for the
36 replacement cost of the service animal or service animal in training
37 if it was killed or disabled or has become mentally or physically
38 unable to perform its duties. The restitution must cover all costs for
39 aides, assistance, transportation and other hardships incurred during
40 the absence, and until the replacement, of the service animal or
41 service animal in training.

42 **Sec. 13.** The provisions of subsection 1 of NRS 218D.380 do
43 not apply to any provision of this act which adds or revises a
44 requirement to submit a report to the Legislature.



1 **Sec. 14.** 1. Except as otherwise provided in subsection 2, the
2 amendatory provisions of this act do not apply to offenses
3 committed before July 1, 2021.

4 2. The amendatory provisions of this act apply to offenses
5 committed before July 1, 2021, for the purpose of determining
6 whether a person is subject to the provisions of paragraph (b) or (c)
7 of subsection 7 of NRS 574.100, as amended by section 9 of this
8 act.

9 **Sec. 15.** 1. This section becomes effective upon passage and
10 approval.

11 2. Sections 1 to 7, inclusive, of this act become effective:

12 (a) Upon passage and approval for the purpose of performing
13 any preparatory administrative tasks that are necessary to carry out
14 the provisions of this act; and

15 (b) On July 1, 2021, for all other purposes.

16 3. Sections 8 to 14, inclusive, of this act become effective on
17 July 1, 2021.

