

SUMMARY—Revises provisions relating to the crime of hazing. (BDR 15-1043)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: Yes.

AN ACT relating to crimes; increasing the penalty for engaging in hazing on the property of a college or university; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits engaging in hazing at all high schools, colleges and universities in this State. Existing law sets forth that a person who engages in hazing is guilty of: (1) a misdemeanor if there is no substantial bodily harm resulting from the hazing; and (2) a gross misdemeanor if there is substantial bodily harm resulting from the hazing. (NRS 200.605) This bill makes it a category E felony to engage in the act of hazing on the property of a college or university in this State.

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

Section 1. NRS 200.605 is hereby amended to read as follows:



200.605 1. ~~[A]~~ *Unless a greater penalty is provided pursuant to subsection 2, a* person who engages in hazing is guilty of:

- (a) A misdemeanor, if no substantial bodily harm results.
- (b) A gross misdemeanor, if substantial bodily harm results.

2. *A person who engages in hazing on the property of a college or university in this State is guilty of a category E felony and shall be punished as provided in NRS 193.130.*

3. Consent of a victim of hazing is not a valid defense to a prosecution conducted pursuant to this section.

~~[3.]~~ 4. For the purposes of this section, an activity shall be deemed to be “forced” if initiation into or affiliation with a student organization, academic association or athletic team is directly or indirectly conditioned upon participation in the activity.

~~[4.]~~ 5. As used in this section, “hazing” means an activity in which a person intentionally or recklessly endangers the physical health of another person for the purpose of initiation into or affiliation with a student organization, academic association or athletic team at a high school, college or university in this State. The term:

(a) Includes, without limitation, any physical brutality or brutal treatment, including, without limitation, whipping, beating, branding, forced calisthenics, exposure to the elements or forced consumption of food, liquor, drugs or other substances.

(b) Does not include any athletic, curricular, extracurricular or quasi-military practice, conditioning or competition that is sponsored or approved by the high school, college or university.

