
ASSEMBLY BILL NO. 452—COMMITTEE ON NATURAL
RESOURCES, AGRICULTURE, AND MINING

MARCH 25, 2013

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Prohibits a person from stealing a lawfully placed trap or similar device used in the commercial taking of crayfish or any other taking of aquatic life in this State. (BDR 45-746)

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

~

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

AN ACT relating to theft; prohibiting a person from stealing a lawfully placed trap or similar device used in the commercial taking of crayfish or any other taking of aquatic life in this State; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing regulations authorize a person to take crayfish commercially from the
2 waters of Lake Tahoe if the person obtains a permit from the Department of
3 Wildlife. (NAC 503.540) Under existing law, a person commits petit larceny if the
4 person intentionally steals, takes and carries away any personal goods or property
5 owned by another person and the value of the personal goods or property is less
6 than \$650. A person who commits petit larceny is guilty of a misdemeanor and is
7 subject to an order to pay restitution. (NRS 205.240) A misdemeanor is punishable
8 by imprisonment in the county jail for not more than 6 months, or by a fine of not
9 more than \$1,000, or by a fine and imprisonment, unless the statute in force at the
10 time of the commission of the misdemeanor prescribed a different penalty. (NRS
11 193.150) Existing law also provides that, if a person is guilty of committing a
12 category C felony, the person is subject to: (1) imprisonment in the state prison for
13 a minimum term of not less than 1 year and a maximum term of not more than 5
14 years; and (2) in addition to any other penalty, the imposition of a fine of not more
15 than \$10,000, unless a greater fine is authorized or required by statute. (NRS
16 193.130) **Section 1** of this bill prohibits a person from stealing a lawfully placed
17 trap or similar device used in the commercial taking of crayfish or any other taking
18 of aquatic life in this State. **Section 1** provides that, unless a greater penalty is



* A B 4 5 2 *

19 provided by a specific statute, a person who violates that prohibition is guilty of a
20 category C felony.

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

1 **Section 1.** Chapter 501 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***1. A person shall not steal a lawfully placed trap or similar***
4 ***device used in the commercial taking of crayfish or any other***
5 ***taking of aquatic life in this State. Unless a greater penalty is***
6 ***provided by a specific statute, a person who violates a provision of***
7 ***this section is guilty of a category C felony and shall be punished***
8 ***as provided in NRS 193.130.***

9 ***2. As used in this section, "aquatic life" means live***
10 ***amphibians, crustaceans, mollusks, fish and all other animals***
11 ***which grow in, live in or frequent water.***

12 **Sec. 2.** NRS 205.240 is hereby amended to read as follows:

13 205.240 1. Except as otherwise provided in NRS 205.220,
14 205.226, 205.228 and 475.105, ***and section 1 of this act***, a person
15 commits petit larceny if the person:

16 (a) Intentionally steals, takes and carries away, leads away or
17 drives away:

18 (1) Personal goods or property, with a value of less than
19 \$650, owned by another person;

20 (2) Bedding, furniture or other property, with a value of less
21 than \$650, which the person, as a lodger, is to use in or with his or
22 her lodging and which is owned by another person; or

23 (3) Real property, with a value of less than \$650, that the
24 person has converted into personal property by severing it from real
25 property owned by another person.

26 (b) Intentionally steals, takes and carries away, leads away,
27 drives away or entices away one or more domesticated animals or
28 domesticated birds, with an aggregate value of less than \$650,
29 owned by another person.

30 2. Unless a greater penalty is provided pursuant to NRS
31 205.267, a person who commits petit larceny is guilty of a
32 misdemeanor. In addition to any other penalty, the court shall order
33 the person to pay restitution.

