

SENATE BILL NO. 209—SENATOR SCHEIBLE

MARCH 2, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to community service.
(BDR 14-815)

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

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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 sentencing; revising provisions relating to community service; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes a court to order a convicted person to perform
2 supervised community service under certain circumstances. Under existing law, the
3 court is required to provide a credit of \$10 or the amount of the state minimum
4 wage if health insurance is not offered, whichever is greater, toward the payment of
5 any fine that was imposed against the person for the commission of the offense for
6 which community service was ordered. (NRS 176.087) This bill instead provides
7 that such credit provided must be equal to at least \$10 or the amount of the state
8 minimum wage if health insurance is not offered, whichever is greater.

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

Section 1. NRS 176.087 is hereby amended to read as follows:

176.087 1. Except where the imposition of a specific criminal
penalty is mandatory, a court may order a convicted person to
perform supervised community service:

(a) In lieu of all or a part of any fine, administrative assessment,
fee or imprisonment that may be imposed for the commission of a
misdemeanor; or

(b) As a condition of probation granted for another offense.

2. The community service must be performed for and under the
supervising authority of a county, city, town or other political



1 subdivision or agency of the State of Nevada or a charitable
2 organization that renders service to the community or its residents.

3 3. The court may require the convicted person to deposit with
4 the court a reasonable sum of money to pay for the cost of policies
5 of insurance against liability for personal injury and damage to
6 property or for industrial insurance, or both, during those periods in
7 which the person performs the community service, unless, in the
8 case of industrial insurance, it is provided by the authority for which
9 the person performs the community service.

10 4. The following conditions apply to any such community
11 service imposed by the court:

12 (a) The court must fix the period of community service that is
13 imposed as punishment or a condition of probation and distribute
14 the period over weekends or over other appropriate times that will
15 allow the convicted person to continue employment and to care for
16 the person's family. The period of community service fixed by the
17 court must not exceed, for a:

- 18 (1) Misdemeanor, 200 hours;
- 19 (2) Gross misdemeanor, 600 hours; or
- 20 (3) Felony, 1,000 hours.

21 (b) A supervising authority listed in subsection 2 must agree to
22 accept the convicted person for community service before the court
23 may require the convicted person to perform community service for
24 that supervising authority. The supervising authority must be located
25 in or be the town or city of the convicted person's residence or, if
26 that placement is not possible, one located within the jurisdiction of
27 the court or, if that placement is not possible, the authority may be
28 located outside the jurisdiction of the court.

29 (c) Community service that a court requires pursuant to this
30 section must be supervised by an official of the supervising
31 authority or by a person designated by the authority.

32 (d) The court may require the supervising authority to report
33 periodically to the court or to a probation officer the convicted
34 person's performance in carrying out the punishment or condition of
35 probation.

36 5. For each hour of community service that is performed by a
37 person pursuant to this section, the court must provide a credit ~~for~~
38 *that is equal to at least* \$10 or the amount of the state minimum
39 wage if health insurance is not offered, whichever is greater, toward
40 the payment of any fine that was imposed against the person for the
41 commission of the offense for which the person was ordered to
42 perform community service.

43 **Sec. 2.** This act becomes effective on July 1, 2023.

