

SENATE BILL NO. 7—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE OFFICE OF THE MILITARY)

PREFILED NOVEMBER 15, 2016

Referred to Committee on Government Affairs

SUMMARY—Revises provisions of the Nevada Code of Military Justice. (BDR 36-169)

FISCAL NOTE: Effect on Local Government: No.
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 the military; revising provisions of the Nevada Code of Military Justice governing certain offenses subject to court-martial proceedings; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law, as set forth in the Nevada Code of Military Justice, provides that
- 2 a person may be tried or punished for certain offenses under the Code if the person
- 3 committed the offense while the person was in a duty status. (NRS 412.452)
- 4 **Section 1** of this bill removes the requirement that such an offense must be
- 5 committed while the person was in a duty status. **Section 1** instead requires that the
- 6 offense was committed while the person was subject to jurisdiction under certain
- 7 provisions of the Code.
- 8 Existing law provides that a person who is subject to the Code commits the
- 9 offense of waste, spoilage or destruction of property other than military property
- 10 only if the person committed the offense while in a duty status. (NRS 412.532)
- 11 **Section 2** of this bill removes the requirement that the offense must have been
- 12 committed while the person was in a duty status. Thus, **section 2** provides that a
- 13 person who is subject to the Code commits that offense regardless of whether the
- 14 person was in a duty status at the time he or she committed the offense.

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

- 1 **Section 1.** NRS 412.452 is hereby amended to read as follows:
- 2 412.452 No person may be tried or punished for any offense
- 3 provided for in NRS 412.454 to ~~412.558.~~ **412.562**, inclusive,



- 1 unless it was committed while the person was ~~in a duty status.~~
2 *subject to jurisdiction under this Code in accordance with NRS*
3 *412.254, 412.2545 and 412.256, as applicable.*
4 **Sec. 2.** NRS 412.532 is hereby amended to read as follows:
5 412.532 Any person subject to this Code who ~~is, while in a duty~~
6 ~~status,~~ willfully or recklessly wastes, spoils or otherwise willfully
7 and wrongfully destroys or damages any property other than
8 military property of the United States or of the State shall be
9 punished as a court-martial may direct.
10 **Sec. 3.** This act becomes effective on July 1, 2017.

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