
ASSEMBLY BILL NO. 303—ASSEMBLYMEN MONROE-MORENO,
OHRENSCHALL, CARRILLO, DIAZ, YEAGER; ARAUJO,
BILBRAY-AXELROD, COHEN, DALY, FRIERSON, FUMO,
MCCURDY II, MILLER, NEAL AND THOMPSON

MARCH 16, 2017

JOINT SPONSORS: SENATORS SEGERBLOM,
SPEARMAN, FORD; AND CANCELA

Referred to Committee on Corrections,
Parole, and Probation

SUMMARY—Requires that core correctional services be provided
only by the State or a local government.
(BDR 16-1103)

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 corrections; requiring core correctional services
to be provided only by the State or a local government;
repealing provisions relating to the operation of private
facilities and institutions that house prisoners; and
providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 1** of this bill requires: (1) state and local prisons, jails and detention
2 facilities which house prisoners to be under the direct operational control of the
3 State or a local government, as applicable; and (2) core correctional services to be
4 performed by employees of the State or local government. **Section 1** also prohibits
5 the performance of core correctional services by private entities. **Section 5** of this
6 bill repeals provisions which relate to the operation of private facilities and
7 institutions that house prisoners.



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

1 **Section 1.** Chapter 208 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Each prison that houses prisoners who are in the custody*
4 *of the State or a local government must be under the direct*
5 *operational control of the State or local government, as applicable.*
6 *The core correctional services at each such prison must be*
7 *performed only by employees of the State or local government, as*
8 *applicable.*

9 2. *The core correctional services of a prison must not be*
10 *performed by a private entity.*

11 3. *A condition, stipulation or provision in a contract that*
12 *conflicts with this section is against the public policy of this State*
13 *and is void and unenforceable.*

14 4. *As used in this section, "core correctional services" means*
15 *the housing, safeguarding, protection and disciplining of*
16 *prisoners.*

17 **Sec. 2.** NRS 209.141 is hereby amended to read as follows:

18 209.141 The Director may, with the approval of the Board ~~†~~
19 *and except as otherwise provided pursuant to section 1 of this act,*
20 enter into agreements with other governmental agencies and with
21 private organizations to carry out the purposes of this chapter.

22 **Sec. 3.** NRS 209.4889 is hereby amended to read as follows:

23 209.4889 1. ~~The~~ *Except as otherwise provided in section 1*
24 *of this act, the* Director may enter into one or more contracts with
25 one or more public or private entities to provide any of the
26 following services, as necessary and appropriate, to offenders or
27 parolees participating in a correctional or judicial program:

- 28 (a) Transitional housing;
29 (b) Treatment pertaining to substance abuse or mental health;
30 (c) Training in life skills;
31 (d) Vocational rehabilitation and job skills training; and
32 (e) Any other services required by offenders or parolees who are
33 participating in a correctional or judicial program.

34 2. The Director may consult with the Division before
35 entering into a contract with a public or private entity pursuant to
36 subsection 1.

37 3. The Director shall, as necessary and appropriate, provide
38 referrals and information regarding:

- 39 (a) Any of the services provided pursuant to subsection 1;
40 (b) Access and availability of any appropriate self-help groups;
41 (c) Social services for families and children; and
42 (d) Permanent housing.



1 4. The Director may apply for and accept any gift, donation,
2 bequest, grant or other source of money to carry out the provisions
3 of this section. Money received pursuant to this subsection may be
4 deposited with the State Treasurer for credit to the Account for
5 Reentry Programs in the State General Fund created by
6 NRS 480.810.

7 5. A contract entered into between the Director and a public or
8 private entity pursuant to subsection 1 must require the entity to:

9 (a) Provide a budget concerning all services the entity will
10 provide during the duration of any grant received.

11 (b) Provide all services required by any grant received.

12 (c) Provide to the Department for its approval a curriculum for
13 any program of services the entity will provide.

14 (d) Provide to the Division, if appropriate, a list of the parolees
15 who have completed or are currently participating in a program of
16 services provided by the entity pursuant to any grant received.

17 (e) Provide to any offender or parolee who completes a program
18 of services provided by the entity a certificate of completion, and
19 provide a copy of such a certificate to the Division or the
20 Department, as appropriate.

21 (f) To the extent financially practicable and necessary, assess the
22 risk levels and needs of offenders and parolees by using a validated
23 assessment tool.

24 (g) Share with the Director information concerning assessments
25 of the risk levels and needs of offenders and parolees so the Director
26 can ensure that adequate assessments are being conducted.

27 (h) While the entity is providing services pursuant to the
28 contract, meet annually with the Director, a representative of the
29 Division, and other entities that have entered into a contract with
30 the Director pursuant to subsection 1 to discuss, without limitation:

31 (1) The services provided by the entities, including the
32 growth and success of the services, any problems with the services
33 and any potential solutions to such problems;

34 (2) Issues relating to the reentry of offenders and parolees
35 into the community and reducing the risk of recidivism; and

36 (3) Issues relating to offenders and parolees who receive
37 services from an entity and are subsequently convicted of another
38 crime.

39 6. As used in this section, "training in life skills" includes,
40 without limitation, training in the areas of:

41 (a) Parenting;

42 (b) Improving human relationships;

43 (c) Preventing domestic violence;

44 (d) Maintaining emotional and physical health;

45 (e) Preventing abuse of alcohol and drugs;



- 1 (f) Preparing for and obtaining employment; and
2 (g) Budgeting, consumerism and personal finances.
3 **Sec. 4.** The provisions of section 1 of this act apply to a
4 contract or agreement entered into before, on or after July 1, 2017.
5 **Sec. 5.** NRS 209.083, 209.116, 209.354 and 212.1895 are
6 hereby repealed.
7 **Sec. 6.** This act becomes effective on July 1, 2017.

LEADLINES OF REPEALED SECTIONS

209.083 "Private facility or institution" defined.

209.116 Board to adopt regulations establishing maximum number of prisoners who may be incarcerated in private facility or institution.

209.354 Department to monitor each private facility or institution which houses prisoners who are incarcerated pursuant to authority of another state; reimbursement for costs of such monitoring.

212.1895 Applicability of certain provisions to custodian and prisoner assigned to private facility or institution; training to perform duties of correctional officer at private facility or institution; reimbursement to State for expenses relating to prisoner who escapes from private facility or institution.

