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FIRST REPRINT

A.B. 518

ASSEMBLY BILL NO. 518—COMMITTEE ON WAYS AND MEANS

MAY 19, 2023

JOINT SPONSOR: SENATE COMMITTEE ON FINANCE

Referred to Committee on Ways and Means

SUMMARY—Revises provisions relating to indigent defense. (BDR 14-1194)

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 ~~for mitted material~~ is material to be omitted.

AN ACT relating to indigent defense; establishing the maximum amount that certain counties are required to pay for the provision of indigent defense services for Fiscal Year 2023-2024; establishing a formula for determining the maximum amount that such counties may be required to pay for the provision of indigent defense services in subsequent fiscal years; establishing a formula for determining the maximum amount that other counties may be required to pay for the provision of indigent defense services; prohibiting a county from seeking state contributions for the provision of indigent defense services in excess of the maximum county contribution for the costs of capital improvement projects relating to the provision of indigent defense services; establishing the procedure by which a county may seek state contributions for the provision of indigent defense services in excess of the maximum county contribution; authorizing the designee of a board of county commissioners to perform certain actions relating to corrective action plans; revising the date on which certain reports related to the provision of indigent defense services must be submitted to the Department of Indigent Defense Services; making an appropriation to the Interim Finance Committee for allocation to the Department for the reimbursement of counties for costs in excess of their maximum contribution amounts for the provision of indigent defense services and for the funding of certain other costs relating to the provision of indigent defense services; making an appropriation to the Department for certain costs related to pretrial release hearings that are or may be conducted on a weekend or holiday; and providing other matters properly relating thereto.



**Legislative Counsel's Digest:**

1 Existing law requires the Board on Indigent Defense Services to adopt  
2 regulations to establish a formula for determining the maximum amount that a  
3 county may be required to pay for the provision of indigent defense services.  
4 (NRS 180.320) **Section 5** of this bill removes that requirement, and **section 2** of  
5 this bill instead establishes: (1) the maximum amount that each county whose  
6 population is less than 100,000 (currently all counties other than Clark and Washoe  
7 Counties) is required to pay for the provision of indigent defense services for Fiscal  
8 Year 2023-2024; and (2) a statutory formula for determining the maximum amount  
9 that such a county may be required to pay for the provision of indigent defense  
10 services for each fiscal year after Fiscal Year 2023-2024. **Section 2** also establishes  
11 a statutory formula for determining the maximum amount that each county whose  
12 population is 100,000 or more (currently Clark and Washoe Counties) is required to  
13 pay for the provision of indigent defense services. **Section 2** additionally provides  
14 that a county may seek state contributions for the provision of indigent defense  
15 services in excess of the maximum county contribution after the county has  
16 exceeded its maximum contribution but prohibits a county from seeking such state  
17 contributions for the costs of any capital improvement projects relating to the  
18 provision of indigent defense services. **Sections 4 and 6** of this bill make  
19 conforming changes by replacing references to the maximum county contribution  
20 being determined by the formula set forth in regulation with references to the  
21 maximum county contribution being determined in accordance with **section 2**.

22 **Section 3** of this bill establishes the procedure by which a county may seek  
23 state contributions for the provision of indigent defense services in excess of the  
24 maximum county contribution on a quarterly basis.

25 **Section 6** of this bill authorizes the designee of a board of county  
26 commissioners to perform certain actions otherwise performed by the board of  
27 county commissioners with regard to certain corrective action plans.

28 Existing law requires the board of county commissioners of each county with a  
29 public defender or which contracts for indigent defense services to provide an  
30 annual report concerning the provision of indigent defense services to the  
31 Department of Indigent Defense Services on or before May 1 of each year. (NRS  
32 260.070) **Section 6.5** of this bill changes the required date of the submission of the  
33 report to on or before May 31 of each year, unless the Department requires the  
34 report to be provided on a quarterly basis.

35 **Section 7** of this bill makes an appropriation from the State General Fund to the  
36 Interim Finance Committee for allocation to the Department to fund the: (1)  
37 reimbursement of counties for costs in excess of their maximum contribution  
38 amounts for the provision of indigent defense services; (2) costs of the Department  
39 related to compliance with the *Davis v. State* (Nev. First Jud. Dist. Ct. Case No.  
40 170C002271B (Aug. 11, 2020)) consent judgment; (3) costs of the Office of the  
41 State Public Defender for contracting for legal services for complex cases; and (4)  
42 costs for training and pay parity for attorneys who provide indigent defense  
43 services.

44 **Section 7.3** of this bill makes an appropriation from the State General Fund to  
45 the Department for certain costs related to pretrial release hearings that are or may  
46 be conducted on a weekend or holiday. A portion of the appropriation must be  
47 allocated to counties whose population is less than 100,000 for the payment of  
48 stipends to: (1) prosecuting attorneys for being available to serve or serving as the  
49 prosecuting attorney in a pretrial release hearing conducted on a weekend or  
50 holiday; and (2) magistrates for being available to conduct or conducting a pretrial  
51 release hearing on a weekend or holiday. The remaining portion of the  
52 appropriation must be used by the Department for the payment of stipends to  
53 attorneys for being available to represent or representing a defendant in a pretrial



54 release hearing conducted on a weekend or holiday in a county whose population is  
55 less than 100,000.

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

1 **Section 1.** Chapter 180 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1.** *The maximum amount that a county may be*  
4 *required to pay for the provision of indigent defense services*  
5 *during a fiscal year is:*

6 (a) *In a county whose population is less than 100,000:*

7 (1) *For Fiscal Year 2023-2024, the applicable amount set*  
8 *forth in the table below, as determined by the calculated maximum*  
9 *contribution amount for the county for providing indigent defense*  
10 *services for Fiscal Year 2022-2023, increased by the percentage*  
11 *equal to the lesser of:*

12 (I) *The cost of inflation, as measured by the Consumer*  
13 *Price Index for All Urban Consumers, West Region (All Items), as*  
14 *published by the United States Department of Labor for the*  
15 *immediately preceding calendar year or, if that index ceases to be*  
16 *published by the United States Department of Labor, the published*  
17 *index that most closely resembles that index, as determined by the*  
18 *Department; or*

19 (II) *Five percent.*

20	
21	<i>Carson City..... \$1,903,177</i>
22	<i>Churchill..... 375,706</i>
23	<i>Douglas..... 892,658</i>
24	<i>Elko..... 1,946,335</i>
25	<i>Esmeralda..... 94,702</i>
26	<i>Eureka..... 41,808</i>
27	<i>Humboldt..... 493,319</i>
28	<i>Lander..... 102,569</i>
29	<i>Lincoln..... 187,530</i>
30	<i>Lyon..... 851,690</i>
31	<i>Mineral..... 95,963</i>
32	<i>Nye..... 866,049</i>
33	<i>Pershing..... 258,163</i>
34	<i>Storey..... 93,593</i>
35	<i>White Pine..... 461,448</i>
36	

37 (2) *For each fiscal year after Fiscal Year 2023-2024, an*  
38 *amount equal to the calculated maximum contribution amount for*  
39 *the county for providing indigent defense services for the*



1 *immediately preceding fiscal year, increased by the percentage*  
2 *equal to the lesser of:*

3 (I) *The cost of inflation, as measured by the Consumer*  
4 *Price Index for All Urban Consumers, West Region (All Items), as*  
5 *published by the United States Department of Labor for the*  
6 *immediately preceding calendar year or, if that index ceases to be*  
7 *published by the United States Department of Labor, the published*  
8 *index that most closely resembles that index, as determined by the*  
9 *Department; or*

10 (II) *Five percent.*

11 (b) *In a county whose population is 100,000 or more:*

12 (1) *The actual costs to the county for providing indigent*  
13 *defense services for the immediately preceding fiscal year; and*

14 (2) *The percentage equal to the lesser of:*

15 (I) *The cost of inflation, as measured by the Consumer*  
16 *Price Index for All Urban Consumers, West Region (All Items), as*  
17 *published by the United States Department of Labor for the*  
18 *immediately preceding calendar year or, if that index ceases to be*  
19 *published by the United States Department of Labor, the published*  
20 *index that most closely resembles that index, as determined by the*  
21 *Department; or*

22 (II) *Five percent.*

23 2. *If a county whose population is less than 100,000 chooses*  
24 *to transfer to the State Public Defender the responsibility of*  
25 *providing representation in:*

26 (a) *Direct appeals to the appellate court of competent*  
27 *jurisdiction, the cost of providing representation in those cases is a*  
28 *charge against the State and is excluded from the required*  
29 *maximum contribution of the county.*

30 (b) *Death penalty cases, the State Public Defender shall submit*  
31 *to the county an estimate for the representation. The county is*  
32 *responsible for paying 25 percent of the estimate and shall make*  
33 *such a payment in accordance with NRS 180.110. Such payments*  
34 *count towards the maximum contribution of the county.*

35 3. *Except as otherwise provided in subsection 4, a county may*  
36 *seek state contributions for the provision of indigent defense*  
37 *services in excess of the maximum contribution of the county, as*  
38 *determined pursuant to this section, after the county has exceeded*  
39 *its maximum contribution.*

40 4. *A county may not seek state contributions for the provision*  
41 *of indigent defense services in excess of the maximum*  
42 *contribution of the county, as determined pursuant to this section,*  
43 *for the costs of any capital improvement projects relating to the*  
44 *provision of indigent defense services, including, without*  
45 *limitation, costs relating to the construction of a room or area in a*



1 *courthouse in which an attorney who provides indigent defense*  
2 *services may consult with a client or any other capital*  
3 *improvement project that is indirectly related to the provision of*  
4 *indigent defense services.*

5 *5. Nothing in this section limits a county from expending*  
6 *more than its maximum contribution for the provision of indigent*  
7 *defense services, as determined pursuant to this section.*

8 **Sec. 3. 1.** *A county may seek state contributions for the*  
9 *provision of indigent defense services in excess of the maximum*  
10 *contribution of the county, as determined pursuant to section 2 of*  
11 *this act, as follows:*

12 *(a) For a county whose population is less than 100,000, the*  
13 *Executive Director shall include the estimated state contribution*  
14 *for the county for the provision of indigent defense services, based*  
15 *upon the annual reporting of the county pursuant to NRS 260.070,*  
16 *in the budget for the Department to help support the indigent*  
17 *defense services provided by the county.*

18 *(b) For a county whose population is 100,000 or more, if the*  
19 *county intends to seek state contributions for the provision of*  
20 *indigent defense services in excess of the maximum contribution*  
21 *of the county, as determined pursuant to section 2 of this act, the*  
22 *board of county commissioners for the county, or its designee,*  
23 *shall notify the Department in writing of the intention of the*  
24 *county to seek such contributions in the upcoming biennium, on a*  
25 *form prescribed by the Department, on or before March 1 of the*  
26 *next odd-numbered year. The Executive Director shall include the*  
27 *state contribution for the county in the next budget for*  
28 *the Department to help support the indigent defense services*  
29 *provided by the county.*

30 *2. If a county seeks state contributions pursuant to subsection*  
31 *1, the board of county commissioners for the county, or its*  
32 *designee, shall submit a financial status report to the Department*  
33 *on a form prescribed, and in accordance with the timeline*  
34 *established, by the Department.*

35 **Sec. 4.** NRS 180.110 is hereby amended to read as follows:

36 180.110 1. Each fiscal year the State Public Defender may  
37 collect from the counties amounts which do not exceed those  
38 authorized by the Legislature for use of the State Public Defender's  
39 services during that year. The amount that a county may be required  
40 to pay must not exceed the maximum amount determined ~~using the~~  
41 ~~formula established by the Board pursuant to NRS 180.320.] in~~  
42 *accordance with section 2 of this act.*

43 2. The State Public Defender shall submit to the county an  
44 estimate on or before the first day of May and that estimate becomes  
45 the final bill unless the county is notified of a change within 2 weeks



1 after the date on which the county contribution is approved by the  
2 Legislature. The county shall pay the bill:

3 (a) In full within 30 days after the estimate becomes the final  
4 bill or the county receives the revised estimate; or

5 (b) In equal quarterly installments on or before the 1st day of  
6 July, October, January and April, respectively.

7 ↪ The counties shall pay their respective amounts to the State  
8 Public Defender who shall deposit the amounts with the Treasurer  
9 of the State of Nevada and shall expend the money in accordance  
10 with the State Public Defender's approved budget.

11 **Sec. 5.** NRS 180.320 is hereby amended to read as follows:

12 180.320 1. The Board on Indigent Defense Services shall:

13 (a) Receive reports from the Executive Director and provide  
14 direction to the Executive Director concerning measures to be taken  
15 by the Department to ensure that indigent defense services are  
16 provided in an effective manner throughout this State.

17 (b) Review information from the Department regarding  
18 caseloads of attorneys who provide indigent defense services.

19 (c) Direct the Executive Director to conduct any additional  
20 audit, investigation or review the Board deems necessary to  
21 determine whether minimum standards in the provision of indigent  
22 defense services are being followed and provided in compliance  
23 with constitutional requirements.

24 (d) Work with the Executive Director to develop procedures for  
25 the mandatory collection of data concerning the provision of  
26 indigent defense services, including the manner in which such  
27 services are provided.

28 (e) Provide direction to the Executive Director concerning  
29 annual reports and review drafts of such reports.

30 (f) Review and approve the budget for the Department.

31 (g) Review any recommendations of the Executive Director  
32 concerning improvements to the criminal justice system and  
33 legislation to improve the provision of indigent defense services in  
34 this State.

35 (h) Provide advice and recommendations to the Executive  
36 Director on any other matter.

37 2. In addition to the duties set forth in subsection 1, the Board  
38 shall:

39 (a) Establish minimum standards for the delivery of indigent  
40 defense services to ensure that such services meet the constitutional  
41 requirements and do not create any type of economic disincentive or  
42 impair the ability of the defense attorney to provide effective  
43 representation.

44 (b) Establish a procedure to receive complaints and  
45 recommendations concerning the provision of indigent defense



1 services from any interested person including, without limitation,  
2 judges, defendants, attorneys and members of the public.

3 (c) Work with the Department to develop resolutions to  
4 complaints or to carry out recommendations.

5 (d) Adopt regulations establishing standards for the provision of  
6 indigent defense services including, without limitation:

7 (1) Establishing requirements for specific continuing  
8 education and experience for attorneys who provide indigent  
9 defense services.

10 (2) Requiring attorneys who provide indigent defense  
11 services to track their time and provide reports, and requiring the  
12 State Public Defender and counties that employ attorneys or  
13 otherwise contract for the provision of indigent defense services to  
14 require or include a provision in the employment or other contract  
15 requiring compliance with the regulations.

16 (3) Establishing standards to ensure that attorneys who  
17 provide indigent defense services track and report information in a  
18 uniform manner.

19 (4) Establishing guidelines to be used to determine the  
20 maximum caseloads for attorneys who provide indigent defense  
21 services.

22 (5) Requiring the Department of Indigent Defense Services  
23 and each county that employs or contracts for the provision of  
24 indigent defense services to ensure, to the greatest extent possible,  
25 consistency in the representation of indigent defendants so that the  
26 same attorney represents a defendant through every stage of the case  
27 without delegating the representation to others, except that  
28 administrative and other tasks which do not affect the rights of the  
29 defendant may be delegated. A provision must be included in each  
30 employment or other contract of an attorney providing indigent  
31 defense services to require compliance with the regulations.

32 (e) Establish recommendations for the manner in which an  
33 attorney who is appointed to provide indigent defense services may  
34 request and receive reimbursement for expenses related to trial,  
35 including, without limitation, expenses for expert witnesses and  
36 investigators.

37 (f) Work with the Executive Director and the Dean of the  
38 William S. Boyd School of Law of the University of Nevada, Las  
39 Vegas, or his or her designee, to determine incentives to recommend  
40 offering to law students and attorneys to encourage them to provide  
41 indigent defense services, especially in rural areas of the State.

42 (g) Review laws and recommend legislation to ensure indigent  
43 defendants are represented in the most effective and constitutional  
44 manner.



1 3. ~~[The Board shall adopt regulations to establish a formula for~~  
2 ~~determining the maximum amount that a county may be required to~~  
3 ~~pay for the provision of indigent defense services.~~

4 ~~—4.]~~ The Board shall adopt any additional regulations it deems  
5 necessary or convenient to carry out the duties of the Board and the  
6 provisions of this chapter.

7 **Sec. 6.** NRS 180.450 is hereby amended to read as follows:

8 180.450 1. If a corrective action plan is recommended  
9 pursuant to NRS 180.440, the deputy director and the board of  
10 county commissioners , *or its designee*, must collaborate on the  
11 manner in which the county will meet the minimum standards for  
12 the provision of indigent defense services and the time by which the  
13 county must meet those minimum standards. Any disagreement  
14 must be resolved by the Board. Each corrective action plan must be  
15 submitted to and approved by the Board.

16 2. If the plan established pursuant to subsection 1 will cause  
17 the county to expend more money than budgeted by the county in  
18 the previous budget year plus inflation for the provision of indigent  
19 defense services, the Executive Director shall include the additional  
20 amount needed by the county in the next budget for the Department  
21 of Indigent Defense Services to help support the indigent defense  
22 services provided by the county. If additional money is needed to  
23 carry out the plan before the next budget cycle, the Executive  
24 Director shall submit a request to the Interim Finance Committee for  
25 an allocation from the Contingency Account pursuant to NRS  
26 353.266 to cover the additional costs.

27 3. For any county that is not required to have an office of  
28 public defender pursuant to NRS 260.010, if the additional amount  
29 included in the budget of the Department pursuant to subsection 2 is  
30 not approved, the board of county commissioners for the county to  
31 which the amount applies may determine whether to continue  
32 providing indigent defense services for the county or enter into an  
33 agreement with the Executive Director to transfer responsibility for  
34 the provision of such services to the State Public Defender.

35 4. If a county does not meet the minimum standards for the  
36 provision of indigent defense services within the period established  
37 in the corrective action plan for the county, the deputy director shall  
38 inform the Executive Director.

39 5. Upon being informed by the deputy director pursuant to  
40 subsection 4 that a county has not complied with a corrective action  
41 plan, the Executive Director must review information regarding the  
42 provision of indigent defense services in the county and determine  
43 whether to recommend establishing another corrective action plan  
44 with the board of county commissioners of the county ~~H~~ , *or its*  
45 *designee*. For a county that is not required to have an office of





1 public defender pursuant to NRS 260.010, the Executive Director  
2 may instead recommend requiring the board of county  
3 commissioners to transfer responsibility for the provision of all  
4 indigent defense services for the county to the State Public  
5 Defender. The recommendation of the Executive Director must be  
6 submitted to and approved by the Board. Once approved, the board  
7 of county commissioners shall comply with the decision of the  
8 Board.

9 6. If a county is required to transfer or voluntarily transfers  
10 responsibility for the provision of all indigent defense services for  
11 the county to the State Public Defender:

12 (a) The board of county commissioners for the county, *or its*  
13 *designee*, shall notify the State Public Defender in writing on or  
14 before November 1 of the next even-numbered year and the  
15 responsibilities must transfer at a specified time on or after July 1 of  
16 the odd-numbered year following the year in which the notice was  
17 given, as determined by the Executive Director.

18 (b) The board of county commissioners for the county shall pay  
19 the State Public Defender in the same manner and in an amount  
20 determined in the same manner as other counties for which the State  
21 Public Defender has responsibility for the provision of indigent  
22 defense services. The amount that a county may be required to pay  
23 must not exceed the maximum amount determined ~~[using the~~  
24 ~~formula established by the Board pursuant to NRS 180.320.]~~ *in*  
25 *accordance with section 2 of this act.*

26 **Sec. 6.5.** NRS 260.070 is hereby amended to read as follows:

27 260.070 1. The public defender shall make an annual report  
28 to:

29 (a) The board of county commissioners covering all cases  
30 handled by his or her office during the preceding year.

31 (b) The Department of Indigent Defense Services created by  
32 NRS 180.400 which includes any information required by the  
33 Department.

34 2. The board of county commissioners of each county with a  
35 public defender or which contracts for indigent defense services  
36 shall provide an annual report to the Department on or before  
37 May ~~31~~ of each year ~~31~~, *unless the Department requires the*  
38 *report to be provided on a quarterly basis.* The report must include  
39 any information requested by the Department concerning the  
40 provision of indigent defense services in the county and must  
41 include, without limitation, the plan for the provision of indigent  
42 defense services for the county for the next fiscal year ~~31~~ *or, if the*  
43 *Department requires the report to be provided on a quarterly basis,*  
44 *for the next quarter.*



1 3. As used in this section, “indigent defense services” has the  
2 meaning ascribed to it in NRS 180.004.

3 **Sec. 7.** 1. There is hereby appropriated from the State  
4 General Fund to the Interim Finance Committee the sum of  
5 \$6,306,880 in Fiscal Year 2023-2024 and the sum of \$6,613,033 in  
6 Fiscal Year 2024-2025 for allocation to the Department of Indigent  
7 Defense Services to fund:

8 (a) The reimbursement of counties for costs in excess of their  
9 maximum contribution amounts for the provision of indigent  
10 defense services, including, without limitation, the costs of  
11 compliance with workload standards;

12 (b) The costs of the Department related to compliance with the  
13 *Davis v. State* (Nev. First Jud. Dist. Ct. Case No. 170C002271B  
14 (Aug. 11, 2020)) consent judgment;

15 (c) The costs of the Office of State Public Defender for  
16 contracting for legal services for complex cases; and

17 (d) The costs for training and pay parity for attorneys who  
18 provide indigent defense services.

19 2. Money appropriated by subsection 1 may only be allocated  
20 by the Interim Finance Committee upon recommendation of the  
21 Governor, and upon submittal by the Department of Indigent  
22 Defense Services of documentation of the costs.

23 3. The sums appropriated by subsection 1 are available for  
24 either fiscal year. Any remaining balance of those sums must not be  
25 committed for expenditure after June 30, 2025, by the entity to  
26 which the appropriation is made or any entity to which money from  
27 the appropriation is granted or otherwise transferred in any manner,  
28 and any portion of the appropriated money remaining must not be  
29 spent for any purpose after September 19, 2025, by either the entity  
30 to which the money was appropriated or the entity to which the  
31 money was subsequently granted or transferred, and must be  
32 reverted to the State General Fund on or before September 19, 2025.

33 **Sec. 7.3.** 1. There is hereby appropriated from the State  
34 General Fund to the Department of Indigent Defense Services for  
35 certain costs related to pretrial release hearings that are or may be  
36 conducted on a weekend or holiday the following sums:

37 For the Fiscal Year 2023-2024 ..... \$1,474,200

38 For the Fiscal Year 2024-2025 ..... \$1,474,200

39 2. The sums appropriated pursuant to subsection 1 must be  
40 allocated as follows:

41 (a) On or before August 1, 2023, and August 1, 2024, the  
42 Executive Director of the Department of Indigent Defense Services  
43 shall pay \$982,800 to the counties in this State whose population is  
44 less than 100,000, with each county receiving the following  
45 applicable amount:



1	Carson City.....	\$46,800
2	Churchill.....	46,800
3	Douglas.....	93,600
4	Elko .....	93,600
5	Esmeralda .....	46,800
6	Eureka.....	46,800
7	Humboldt.....	46,800
8	Lander.....	46,800
9	Lincoln.....	93,600
10	Lyon .....	93,600
11	Mineral .....	46,800
12	Nye .....	93,600
13	Pershing.....	46,800
14	Storey.....	46,800
15	White Pine .....	93,600

16

17 (b) The remaining \$491,400 must be distributed to the  
18 Department of Indigent Defense Services for the purposes set forth  
19 in subsection 4.

20

3. Money allocated pursuant to paragraph (a) of subsection 2:

21

(a) Must be used only to pay a stipend of \$450 per day to a:

22

(1) District attorney, assistant district attorney, deputy district  
23 attorney or other attorney employed by a district attorney for being  
24 available on a weekend or holiday to serve as the prosecuting  
25 attorney in a pretrial release hearing required by NRS 178.4849 or  
26 for serving as the prosecuting attorney in any such pretrial release  
27 hearing conducted on a weekend or holiday in a county whose  
28 population is less than 100,000; or

29

(2) Magistrate for being available on a weekend or holiday to  
30 conduct a pretrial release hearing required by NRS 178.4849 or for  
31 conducting any such pretrial release hearing on a weekend or  
32 holiday. As used in this subparagraph, "magistrate" means a judicial  
33 officer who presides over a pretrial release hearing.

34

(b) Except as otherwise provided in paragraph (a), must not be  
35 used to pay any other staffing costs, including, without limitation,  
36 any staffing costs attributable to the courts, district attorneys, public  
37 defenders or sheriffs.

38

4. Money distributed to the Department of Indigent Defense  
39 Services pursuant to paragraph (b) of subsection 2 must be used  
40 only to provide a stipend of \$450 per day to a public defender, the  
41 State Public Defender or any other attorney employed by the public  
42 defender or State Public Defender for being available on a weekend  
43 or holiday to represent a defendant in a pretrial release hearing  
44 required by NRS 178.4849 or to represent a defendant in any such



1 pretrial release hearing conducted on a weekend or holiday in a  
2 county whose population is less than 100,000.

3 5. The expenditure of money allocated pursuant to paragraph  
4 (a) of subsection 2 by a county is subject to an annual audit of the  
5 county. Each county that receives money allocated pursuant to  
6 paragraph (a) of subsection 2 shall provide, on or before October 1,  
7 2024, and October 1, 2025, a report to the Director of the  
8 Legislative Counsel Bureau, for transmittal to the Legislature and  
9 the Department of Indigent Defense Services, that sets forth the  
10 expenditure of such money for the immediately preceding fiscal  
11 year.

12 6. Any remaining balance of the allocations made by paragraph  
13 (a) of subsection 2 and the money distributed to the Department of  
14 Indigent Defense Services pursuant to paragraph (b) of subsection 2  
15 from the appropriation made by subsection 1 remaining at the end of  
16 the respective fiscal years must not be committed for expenditure  
17 after June 30 of the respective fiscal years by the entity to which the  
18 appropriation is made or any entity to which money from the  
19 appropriation is granted or otherwise transferred in any manner, and  
20 any portion of the appropriated money remaining must not be spent  
21 for any purpose after September 20, 2024, and September 19, 2025,  
22 respectively, by either the entity to which the money was  
23 appropriated or the entity to which the money was subsequently  
24 granted or transferred, and must be reverted to the State General  
25 Fund on or before September 20, 2024, and September 19, 2025,  
26 respectively.

27 **Sec. 7.7.** The provisions of subsection 1 of NRS 218D.380 do  
28 not apply to any provision of this act which adds or revises a  
29 requirement to submit a report to the Legislature.

30 **Sec. 8.** This act becomes effective on July 1, 2023.

