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SENATE BILL NO. 306—SENATORS FORD, PARKS, CANCELA,  
ATKINSON, FARLEY; DENIS, MANENDO, RATTI,  
SEGERBLOM, SPEARMAN AND WOODHOUSE

MARCH 17, 2017

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to offenders.  
(BDR 16-298)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Contains Appropriation not included  
in Executive Budget.

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

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AN ACT relating to offenders; expanding the authorization for offenders to have access to telecommunications devices under certain circumstances; directing the Board of State Prison Commissioners to create a pilot program of education and training for certain offenders; setting forth the goals and functions of the pilot program; making an appropriation; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law prohibits offenders from having access to telecommunications  
2 devices except under certain circumstances. (NRS 209.417) **Section 1** of this bill  
3 authorizes: (1) an offender to use a telecommunications device for visits and  
4 correspondence under certain circumstances; and (2) the Director of the  
5 Department of Corrections to adopt regulations, with the approval of the Board of  
6 State Prison Commissioners, governing the use of telecommunications devices for  
7 certain purposes related to education and employment.

8 Existing law requires the Board of State Prison Commissioners to adopt  
9 regulations to establish programs of general education, vocational education and  
10 training and other rehabilitation for offenders. (NRS 209.389) **Section 3** of this bill  
11 provides for the development, creation and operation of a pilot program that will  
12 operate in this State from July 1, 2017, through June 30, 2021, and focus its efforts  
13 on a program of education and training for certain offenders.



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

- 1       **Section 1.** NRS 209.417 is hereby amended to read as follows:  
2       209.417 1. Except as otherwise provided in this section, the  
3 warden or manager of an institution or facility shall ensure that no  
4 offender in the institution or facility, or in a vehicle of the  
5 Department, has access to a telecommunications device.  
6       2. *An offender, if authorized pursuant to NRS 209.423, may*  
7 *use a telecommunications device for visits and correspondence*  
8 *between the offender and appropriate friends, relatives and others,*  
9 *subject to the limitations set forth in NRS 209.419.*  
10       3. An offender may use a telephone or, for the purpose of  
11 communicating with his or her child pursuant to NRS 209.42305,  
12 any other approved telecommunications device subject to the  
13 limitations set forth in NRS 209.419.  
14       ~~{3-}~~ 4. The ~~{Department}~~ *Director* may ~~{enter into an~~  
15 ~~agreement with}~~ , *with the approval of the Board, adopt*  
16 *regulations authorizing* an offender who is assigned to transitional  
17 housing, a center for the purpose of making restitution pursuant to  
18 NRS 209.4827 to 209.4843, inclusive, or a specific program of  
19 education or vocational training ~~{authorizing the offender}~~ to use a  
20 telecommunications device:  
21       (a) To access a network, including, without limitation, the  
22 Internet, for the purpose of:  
23       (1) Obtaining educational or vocational training that is  
24 approved by the Department;  
25       (2) Searching for or applying for employment; or  
26       (3) Performing essential job functions.  
27       (b) For any other purpose if a telecommunications device is  
28 required by an employer of the offender to perform essential job  
29 functions.  
30       ~~{4-}~~ 5. As used in this section, “telecommunications device”  
31 means a device, or an apparatus associated with a device, that can  
32 enable an offender to communicate with a person outside of the  
33 institution or facility at which the offender is incarcerated. The term  
34 includes, without limitation, a telephone, a cellular telephone, a  
35 personal digital assistant, a transmitting radio or a computer that is  
36 connected to a computer network, is capable of connecting to a  
37 computer network through the use of wireless technology or is  
38 otherwise capable of communicating with a person or device outside  
39 of the institution or facility.



1       **Sec. 2.** The Legislature finds and declares that:

2       1. It is in the interest of the State to enhance the existing  
3 programs of education and training for certain offenders for the  
4 purpose of:

5       (a) Increasing employment and education opportunities for  
6 offenders who are released from custody; and

7       (b) Reducing the risk of recidivism.

8       2. Offenders convicted of a crime under the laws of this State  
9 and sentenced to imprisonment in the state prison:

10      (a) Should be offered education and training to prepare the  
11 offender for a seamless transition to higher education upon release  
12 from custody; and

13      (b) Who receive such education and training will improve his or  
14 her quality of life.

15      3. It is the intent of the Legislature that resources be provided  
16 for the operation of the pilot program described in section 3 of this  
17 act.

18      4. The purpose of the pilot program described in section 3 of  
19 this act is to reduce future costs to this State and increase the  
20 employability of offenders by enhancing the programs of education  
21 and training for certain offenders.

22       **Sec. 3.** 1. The Board in consultation with the College of  
23 Southern Nevada shall develop, create and administer a pilot  
24 program of education and training for certain offenders with a view  
25 towards increasing the employability of those offenders.

26      2. Under the auspices of the pilot program, the College of  
27 Southern Nevada shall, in cooperation with the Board:

28      (a) Expand opportunities for offenders in Clark County to:

29          (1) Successfully complete the high school equivalency  
30 assessment provided by the State Board of Education;

31          (2) Participate in programs related to college and career  
32 readiness;

33          (3) Receive vocational education and training; and

34          (4) Receive counseling related to the reentry of offenders;

35      (b) Provide job placement assistance to offenders upon release  
36 of custody; and

37      (c) Partner with the Department of Employment, Training and  
38 Rehabilitation, other local agencies and nonprofit organizations  
39 whose purpose is to provide counseling, services and assistance  
40 relating to the reentry of offenders.

41      3. To the extent possible, the pilot program must:

42      (a) Establish the conditions under which an offender may be  
43 selected to participate in the pilot program; and

44      (b) Be conducted with the goal of selecting 50 female offenders  
45 and 50 male offenders to participate in the pilot program.



1 4. As used in this section:

2 (a) "Board" means the Board of State Prison Commissioners as  
3 defined by Section 21 of Article 5 of the Nevada Constitution.

4 (b) "Offender" means any person convicted of a crime under the  
5 laws of this State and sentenced to imprisonment in the state prison.

6 **Sec. 4.** There is hereby appropriated from the State General  
7 Fund to the Nevada System of Higher Education the sum of  
8 \$300,000 to allow the College of Southern Nevada to carry out the  
9 pilot program of education and training for certain offenders  
10 pursuant to section 3 of this act.

11 **Sec. 5.** Any remaining balance of the appropriation made by  
12 section 4 of this act must not be committed for expenditure after  
13 June 30, 2021, by the entity to which the appropriation is made or  
14 any entity to which money from the appropriation is granted or  
15 otherwise transferred in any manner, and any portion of the  
16 appropriated money remaining must not be spent for any purpose  
17 after September 17, 2021, by either the entity to which the money  
18 was appropriated or the entity to which the money was subsequently  
19 granted or transferred, and must be reverted to the State General  
20 Fund on or before September 17, 2021.

21 **Sec. 6.** 1. This act becomes effective upon passage and  
22 approval for the purpose of performing any preparatory  
23 administrative tasks necessary to carry out the provisions of this act,  
24 and on July 1, 2017, for all other purposes.

25 2. Sections 2 and 3 of this act expire by limitation on June 30,  
26 2021.

