

SENATE BILL NO. 55—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED DECEMBER 15, 2010

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing crimes against older persons. (BDR 18-204)

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

~

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

AN ACT relating to older persons; revising the crimes against an older person that are subject to an additional civil penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the Attorney General to bring a civil action to recover a
2 civil penalty against any person who is found guilty of abuse, neglect, exploitation
3 or isolation of an older person. (NRS 228.280) This bill expands the list of crimes
4 that are subject to an additional civil penalty to include certain crimes committed
5 against a person who is 60 years of age or older.

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

1 **Section 1.** NRS 228.280 is hereby amended to read as follows:
2 228.280 1. In addition to any criminal penalty, a person who
3 is ~~found guilty~~ *convicted of a crime against an older person for*
4 *which an additional term of imprisonment may be imposed*
5 *pursuant to paragraph (h), (i) or (j) of subsection 1 of NRS*
6 *193.167 or of the* abuse, neglect, exploitation or isolation of an
7 older person pursuant to NRS 200.5099 or 200.50995 is liable for a
8 civil penalty to be recovered by the Attorney General in a civil
9 action brought in the name of the State of Nevada:
10 (a) For the first offense, in an amount which is not less than
11 \$5,000 and not more than \$20,000.



1 (b) For a second or subsequent offense, in an amount which is
2 not less than \$10,000 and not more than \$30,000.

3 2. The Attorney General shall deposit any money collected for
4 civil penalties pursuant to subsection 1 in equal amounts to:

5 (a) A separate account in the Fund for the Compensation of
6 Victims of Crime created pursuant to NRS 217.260 to provide
7 compensation to older persons who are ~~abused~~:

8 *(1) Victims of a crime for which an additional term of*
9 *imprisonment may be imposed pursuant to paragraph (h), (i) or (j)*
10 *of subsection 1 of NRS 193.167; or*

11 *(2) Abused*, neglected, exploited or isolated in violation of
12 NRS 200.5099 and 200.50995 . ~~and~~

13 (b) The Account for the Unit for the Investigation and
14 Prosecution of Crimes Against Older Persons created pursuant to
15 NRS 228.285.

16 **Sec. 2.** This act becomes effective on July 1, 2011.

