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ASSEMBLY BILL NO. 217—ASSEMBLYMEN TOLLES,  
LEAVITT, KRAMER AND ROBERTS

FEBRUARY 18, 2019

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JOINT SPONSORS: SENATORS PICKARD,  
HARDY AND SEEVERS GANSERT

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Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to firearms.  
(BDR 15-860)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§ 1)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 firearms; requiring a sheriff to give priority in processing an application for a permit to carry a concealed firearm to an applicant who has a temporary order for protection; revising the deadline for submission of certain records to the Central Repository for Nevada Records of Criminal History for inclusion in all appropriate databases of the National Instant Criminal Background Check System; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law generally prohibits a person from carrying concealed upon his or  
2 her person any pistol, revolver or other firearm, with certain exceptions. One such  
3 exception is that a person who has applied to the sheriff of the county in which he  
4 or she resides for a permit to carry a concealed firearm and been issued such a  
5 permit by the sheriff may carry a concealed firearm under certain circumstances.  
6 (NRS 202.350, 202.3653-202.369)

7 **Section 1** of this bill requires a sheriff to give priority in processing an  
8 application for a permit to carry a concealed firearm, including an application for  
9 renewal of a permit, to an applicant who has a temporary order for protection that is  
10 currently in effect, including the following types of orders: (1) a temporary order



11 for protection against domestic violence; (2) a temporary order for the protection of  
12 a child; (3) a temporary order against a person alleged to have committed the crime  
13 of sexual assault; and (4) a temporary order for protection against stalking,  
14 aggravated stalking or harassment.

15 Existing law requires a court, within 5 business days, to transmit to the Central  
16 Repository for Nevada Records of Criminal History a record concerning the  
17 appointment of a guardian for a person who has a mental defect, a plea or finding of  
18 guilty but mentally ill, a verdict acquitting a person by reason of insanity, a finding  
19 that a person is incompetent to stand trial or the involuntary admission of a person  
20 to a mental health facility, along with a statement that the record is being  
21 transmitted for inclusion in all appropriate databases of the National Instant  
22 Criminal Background Check System. (NRS 159.055, 174.035, 175.533, 175.539,  
23 178.425, 433A.310) **Sections 2-7** of this bill require such records to be transmitted  
24 to the Central Repository as soon as practicable, but within 3 business days.

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

1 **Section 1.** NRS 202.366 is hereby amended to read as follows:

2 202.366 1. Upon receipt by a sheriff of an application for a  
3 permit, including an application for the renewal of a permit pursuant to  
4 NRS 202.3677, the sheriff shall conduct an investigation of the  
5 applicant to determine if the applicant is eligible for a permit. In  
6 conducting the investigation, the sheriff shall forward a complete set  
7 of the applicant's fingerprints to the Central Repository for Nevada  
8 Records of Criminal History for submission to the Federal Bureau  
9 of Investigation for its report concerning the criminal history of the  
10 applicant. The investigation also must include a report from the  
11 National Instant Criminal Background Check System. The sheriff  
12 shall issue a permit to the applicant unless the applicant is not  
13 qualified to possess a handgun pursuant to state or federal law or is  
14 not otherwise qualified to obtain a permit pursuant to NRS 202.3653  
15 to 202.369, inclusive, or the regulations adopted pursuant thereto.

16 2. To assist the sheriff in conducting the investigation, any  
17 local law enforcement agency, including the sheriff of any county,  
18 may voluntarily submit to the sheriff a report or other information  
19 concerning the criminal history of an applicant.

20 3. *If the applicant, including an applicant for the renewal of*  
21 *a permit pursuant to NRS 202.3677, provides with the application*  
22 *proof that the applicant has obtained an order for protection that*  
23 *is in effect, the sheriff shall give priority to the applicant in*  
24 *processing the application.*

25 4. Within 120 days after a complete application for a permit is  
26 submitted, the sheriff to whom the application is submitted shall  
27 grant or deny the application. If the application is denied, the sheriff  
28 shall send the applicant written notification setting forth the reasons  
29 for the denial. If the application is granted, the sheriff shall provide



1 the applicant with a permit containing a colored photograph of the  
2 applicant and containing such other information as may be  
3 prescribed by the Department. The permit must be in substantially  
4 the following form:

5  
6 NEVADA CONCEALED FIREARM PERMIT

7		
8	County .....	Permit Number.....
9	Expires.....	Date of Birth .....
10	Height.....	Weight.....
11	Name .....	Address .....
12	City.....	Zip.....
13		Photograph
14	Signature.....	
15	Issued by.....	
16	Date of Issue.....	
17		

18 ~~[4.]~~ 5. Unless suspended or revoked by the sheriff who issued  
19 the permit, a permit expires 5 years after the date on which it is  
20 issued.

21 ~~[5.]~~ 6. As used in this section ~~[ ]~~:

22 (a) "National Instant Criminal Background Check System"  
23 means the national system created by the federal Brady Handgun  
24 Violence Prevention Act, Public Law 103-159.

25 (b) "Order for protection" includes:

26 (1) A temporary order for protection against domestic  
27 violence issued pursuant to NRS 33.020;

28 (2) A temporary order for the protection of a child issued  
29 pursuant to NRS 33.400;

30 (3) A temporary order for protection against domestic  
31 violence issued in an action or proceeding brought pursuant to  
32 title II of NRS;

33 (4) A temporary order issued pursuant to NRS 200.378  
34 against a person alleged to have committed the crime of sexual  
35 assault; and

36 (5) A temporary order for protection against stalking,  
37 aggravated stalking or harassment issued pursuant to  
38 NRS 200.591.

39 Sec. 2. NRS 159.0593 is hereby amended to read as follows:

40 159.0593 1. If the court orders a general guardian appointed  
41 for a proposed protected person, the court shall determine, by clear  
42 and convincing evidence, whether the proposed protected person is  
43 a person with a mental defect who is prohibited from possessing a  
44 firearm pursuant to 18 U.S.C. § 922(d)(4) or (g)(4). If a court makes  
45 a finding pursuant to this section that the proposed protected person



1 is a person with a mental defect, the court shall include the finding  
2 in the order appointing the guardian and cause, ~~[within 5]~~ *as soon as*  
3 *practicable, but not later than 3* business days after issuing the  
4 order, a record of the order to be transmitted to the Central  
5 Repository for Nevada Records of Criminal History, along with a  
6 statement indicating that the record is being transmitted for  
7 inclusion in each appropriate database of the National Instant  
8 Criminal Background Check System.

9 2. As used in this section:

10 (a) "National Instant Criminal Background Check System" has  
11 the meaning ascribed to it in NRS 179A.062.

12 (b) "Person with a mental defect" means a person who, as a  
13 result of marked subnormal intelligence, mental illness,  
14 incapacitation, condition or disease:

15 (1) Is a danger to himself or herself or others; or

16 (2) Lacks the capacity to contract or manage his or her own  
17 affairs.

18 **Sec. 3.** NRS 174.035 is hereby amended to read as follows:

19 174.035 1. A defendant may plead not guilty, guilty, guilty  
20 but mentally ill or, with the consent of the court, nolo contendere.  
21 The court may refuse to accept a plea of guilty or guilty but  
22 mentally ill.

23 2. If a plea of guilty or guilty but mentally ill is made in a  
24 written plea agreement, the agreement must be in substantially the  
25 form prescribed in NRS 174.063. If a plea of guilty or guilty but  
26 mentally ill is made orally, the court shall not accept such a plea or a  
27 plea of nolo contendere without first addressing the defendant  
28 personally and determining that the plea is made voluntarily with  
29 understanding of the nature of the charge and consequences of the  
30 plea.

31 3. With the consent of the court and the district attorney, a  
32 defendant may enter a conditional plea of guilty, guilty but mentally  
33 ill or nolo contendere, reserving in writing the right, on appeal from  
34 the judgment, to a review of the adverse determination of any  
35 specified pretrial motion. A defendant who prevails on appeal must  
36 be allowed to withdraw the plea.

37 4. Upon an unconditional waiver of a preliminary hearing, a  
38 defendant and the district attorney may enter into a written  
39 conditional plea agreement, subject to the court accepting the  
40 recommended sentence pursuant to the agreement.

41 5. A plea of guilty but mentally ill must be entered not less  
42 than 21 days before the date set for trial. A defendant who has  
43 entered a plea of guilty but mentally ill has the burden of  
44 establishing the defendant's mental illness by a preponderance of  
45 the evidence. Except as otherwise provided by specific statute, a



1 defendant who enters such a plea is subject to the same criminal,  
2 civil and administrative penalties and procedures as a defendant who  
3 pleads guilty.

4 6. The defendant may, in the alternative or in addition to any  
5 one of the pleas permitted by subsection 1, plead not guilty by  
6 reason of insanity. A plea of not guilty by reason of insanity must be  
7 entered not less than 21 days before the date set for trial. A  
8 defendant who has not so pleaded may offer the defense of insanity  
9 during trial upon good cause shown. Under such a plea or defense,  
10 the burden of proof is upon the defendant to establish by a  
11 preponderance of the evidence that:

12 (a) Due to a disease or defect of the mind, the defendant was in a  
13 delusional state at the time of the alleged offense; and

14 (b) Due to the delusional state, the defendant either did not:

15 (1) Know or understand the nature and capacity of his or her  
16 act; or

17 (2) Appreciate that his or her conduct was wrong, meaning  
18 not authorized by law.

19 7. If a defendant refuses to plead or if the court refuses to  
20 accept a plea of guilty or guilty but mentally ill or if a defendant  
21 corporation fails to appear, the court shall enter a plea of not guilty.

22 8. A defendant may not enter a plea of guilty or guilty but  
23 mentally ill pursuant to a plea bargain for an offense punishable as a  
24 felony for which:

25 (a) Probation is not allowed; or

26 (b) The maximum prison sentence is more than 10 years,

27 ↪ unless the plea bargain is set forth in writing and signed by the  
28 defendant, the defendant's attorney, if the defendant is represented  
29 by counsel, and the prosecuting attorney.

30 9. If the court accepts a plea of guilty but mentally ill pursuant  
31 to this section, the court shall cause, ~~[within 5]~~ **as soon as**  
32 **practicable, but not later than 3** business days after acceptance of  
33 the plea, on a form prescribed by the Department of Public Safety, a  
34 record of that plea to be transmitted to the Central Repository for  
35 Nevada Records of Criminal History along with a statement  
36 indicating that the record is being transmitted for inclusion in each  
37 appropriate database of the National Instant Criminal Background  
38 Check System.

39 10. As used in this section:

40 (a) "Disease or defect of the mind" does not include a disease or  
41 defect which is caused solely by voluntary intoxication.

42 (b) "National Instant Criminal Background Check System" has  
43 the meaning ascribed to it in NRS 179A.062.



1       **Sec. 4.** NRS 175.533 is hereby amended to read as follows:

2       175.533 1. During a trial, upon a plea of not guilty by reason  
3 of insanity, the trier of fact may find the defendant guilty but  
4 mentally ill if the trier of fact finds all of the following:

5       (a) The defendant is guilty beyond a reasonable doubt of an  
6 offense;

7       (b) The defendant has established by a preponderance of the  
8 evidence that due to a disease or defect of the mind, the defendant  
9 was mentally ill at the time of the commission of the offense; and

10       (c) The defendant has not established by a preponderance of the  
11 evidence that the defendant is not guilty by reason of insanity  
12 pursuant to subsection 6 of NRS 174.035.

13       2. Except as otherwise provided by specific statute, a defendant  
14 who is found guilty but mentally ill is subject to the same criminal,  
15 civil and administrative penalties and procedures as a defendant who  
16 is found guilty.

17       3. If the trier of fact finds a defendant guilty but mentally ill  
18 pursuant to subsection 1, the court shall cause, ~~[within 5]~~ *as soon as*  
19 *practicable, but not later than 3* business days after the finding, on  
20 a form prescribed by the Department of Public Safety, a record of  
21 the finding to be transmitted to the Central Repository for Nevada  
22 Records of Criminal History, along with a statement indicating that  
23 the record is being transmitted for inclusion in each appropriate  
24 database of the National Instant Criminal Background Check  
25 System.

26       4. As used in this section:

27       (a) "Disease or defect of the mind" does not include a disease or  
28 defect which is caused solely by voluntary intoxication.

29       (b) "National Instant Criminal Background Check System" has  
30 the meaning ascribed to it in NRS 179A.062.

31       **Sec. 5.** NRS 175.539 is hereby amended to read as follows:

32       175.539 1. Where on a trial a defense of insanity is  
33 interposed by the defendant and the defendant is acquitted by reason  
34 of that defense, the finding of the jury pending the judicial  
35 determination pursuant to subsection 2 has the same effect as if the  
36 defendant were regularly adjudged insane, and the judge must:

37       (a) Order a peace officer to take the person into protective  
38 custody and transport the person to a forensic facility for detention  
39 pending a hearing to determine the person's mental health;

40       (b) Order the examination of the person by two psychiatrists,  
41 two psychologists, or one psychiatrist and one psychologist who are  
42 employed by a division facility; and

43       (c) At a hearing in open court, receive the report of the  
44 examining advisers and allow counsel for the State and for the



1 person to examine the advisers, introduce other evidence and cross-  
2 examine witnesses.

3 2. If the court finds, after the hearing:

4 (a) That there is not clear and convincing evidence that the  
5 person is a person with mental illness, the court must order the  
6 person's discharge; or

7 (b) That there is clear and convincing evidence that the person is  
8 a person with mental illness, the court must order that the person be  
9 committed to the custody of the Administrator of the Division of  
10 Public and Behavioral Health of the Department of Health and  
11 Human Services until the person is discharged or conditionally  
12 released therefrom in accordance with NRS 178.467 to 178.471,  
13 inclusive.

14 ➤ The court shall issue its finding within 90 days after the  
15 defendant is acquitted.

16 3. The Administrator shall make the reports and the court shall  
17 proceed in the manner provided in NRS 178.467 to 178.471,  
18 inclusive.

19 4. If the court accepts a verdict acquitting a defendant by  
20 reason of insanity pursuant to this section, the court shall cause,  
21 ~~[within 5]~~ *as soon as practicable, but not later than 3* business days  
22 after accepting the verdict, on a form prescribed by the Department  
23 of Public Safety, a record of that verdict to be transmitted to the  
24 Central Repository for Nevada Records of Criminal History, along  
25 with a statement indicating that the record is being transmitted for  
26 inclusion in each appropriate database of the National Instant  
27 Criminal Background Check System.

28 5. As used in this section, unless the context otherwise  
29 requires:

30 (a) "Division facility" has the meaning ascribed to it in  
31 NRS 433.094.

32 (b) "Forensic facility" means a secure facility of the Division of  
33 Public and Behavioral Health of the Department of Health and  
34 Human Services for offenders and defendants with mental disorders.  
35 The term includes, without limitation, Lakes Crossing Center.

36 (c) "National Instant Criminal Background Check System" has  
37 the meaning ascribed to it in NRS 179A.062.

38 (d) "Person with mental illness" has the meaning ascribed to it  
39 in NRS 178.3986.

40 **Sec. 6.** NRS 178.425 is hereby amended to read as follows:

41 178.425 1. If the court finds the defendant incompetent, and  
42 dangerous to himself or herself or to society and that commitment is  
43 required for a determination of the defendant's ability to receive  
44 treatment to competency and to attain competence, the judge shall  
45 order the sheriff to convey the defendant forthwith, together with a



1 copy of the complaint, the commitment and the physicians'  
2 certificate, if any, into the custody of the Administrator or the  
3 Administrator's designee for detention and treatment at a division  
4 facility that is secure. The order may include the involuntary  
5 administration of medication if appropriate for treatment to  
6 competency.

7 2. The defendant must be held in such custody until a court  
8 orders the defendant's release or until the defendant is returned for  
9 trial or judgment as provided in NRS 178.450, 178.455 and  
10 178.460.

11 3. If the court finds the defendant incompetent but not  
12 dangerous to himself or herself or to society, and finds that  
13 commitment is not required for a determination of the defendant's  
14 ability to receive treatment to competency and to attain competence,  
15 the judge shall order the defendant to report to the Administrator or  
16 the Administrator's designee as an outpatient for treatment, if it  
17 might be beneficial, and for a determination of the defendant's  
18 ability to receive treatment to competency and to attain competence.  
19 The court may require the defendant to give bail for any periodic  
20 appearances before the Administrator or the Administrator's  
21 designee.

22 4. Except as otherwise provided in subsection 5, proceedings  
23 against the defendant must be suspended until the Administrator or  
24 the Administrator's designee or, if the defendant is charged  
25 with a misdemeanor, the judge finds the defendant capable of  
26 standing trial or opposing pronouncement of judgment as provided  
27 in NRS 178.400.

28 5. Whenever the defendant has been found incompetent, with  
29 no substantial probability of attaining competency in the foreseeable  
30 future, and released from custody or from obligations as an  
31 outpatient pursuant to paragraph (d) of subsection 4 of NRS  
32 178.460, the proceedings against the defendant which were  
33 suspended must be dismissed. No new charge arising out of the  
34 same circumstances may be brought except upon application by the  
35 prosecuting attorney to the chief judge of the district court, or his or  
36 her designee, and with leave of the court where:

37 (a) The State has a good faith belief, based on articulable facts,  
38 that the defendant has attained competency;

39 (b) The State has a compelling interest in bringing charges  
40 again; and

41 (c) The period, equal to the maximum time allowed by law for  
42 commencing a criminal action for the crime with which the  
43 defendant was charged, has not lapsed since the date of the alleged  
44 offense.



1 ↪ The prosecuting attorney must give notice of an application made  
2 pursuant to this subsection to the attorney for the defendant not less  
3 than 24 hours before the hearing on the application.

4 6. If a defendant is found incompetent pursuant to this section,  
5 the court shall cause, ~~within 5~~ *as soon as practicable, but not later*  
6 *than 3* business days after the finding, on a form prescribed by the  
7 Department of Public Safety, a record of that finding to be  
8 transmitted to the Central Repository for Nevada Records of  
9 Criminal History, along with a statement indicating that the record is  
10 being transmitted for inclusion in each appropriate database of the  
11 National Instant Criminal Background Check System.

12 7. As used in this section, "National Instant Criminal  
13 Background Check System" has the meaning ascribed to it in  
14 NRS 179A.062.

15 **Sec. 7.** NRS 433A.310 is hereby amended to read as follows:

16 433A.310 1. Except as otherwise provided in subsection 2  
17 and NRS 432B.6076 and 432B.6077, if the district court finds, after  
18 proceedings for the involuntary court-ordered admission of a  
19 person:

20 (a) That there is not clear and convincing evidence that the  
21 person with respect to whom the hearing was held has a mental  
22 illness or exhibits observable behavior such that the person is likely  
23 to harm himself or herself or others if allowed his or her liberty or if  
24 not required to participate in a program of community-based or  
25 outpatient services, the court shall enter its finding to that effect and  
26 the person must not be involuntarily admitted to a public or private  
27 mental health facility or to a program of community-based or  
28 outpatient services.

29 (b) That there is clear and convincing evidence that the person  
30 with respect to whom the hearing was held has a mental illness and,  
31 because of that illness, is likely to harm himself or herself or others  
32 if allowed his or her liberty or if not required to participate in a  
33 program of community-based or outpatient services, the court may  
34 order the involuntary admission of the person for the most  
35 appropriate course of treatment, including, without limitation,  
36 admission to a public or private mental health facility or  
37 participation in a program of community-based or outpatient  
38 services. The order of the court must be interlocutory and must not  
39 become final if, within 30 days after the involuntary admission, the  
40 person is unconditionally released pursuant to NRS 433A.390.

41 2. If the district court finds, after proceedings for the  
42 involuntary court-ordered admission of a defendant in a criminal  
43 proceeding pursuant to subsection 3 of NRS 433A.200:

44 (a) That there is not clear and convincing evidence that the  
45 defendant with respect to whom the hearing was held has a mental



1 illness or exhibits observable behavior such that the defendant is  
2 likely to harm himself or herself or others if allowed his or her  
3 liberty or if not required to participate in a program of community-  
4 based or outpatient services, the court shall enter its finding to that  
5 effect and the person must not be involuntarily admitted to a  
6 program of community-based or outpatient services.

7 (b) That there is clear and convincing evidence that the  
8 defendant with respect to whom the hearing was held has a mental  
9 illness and, because of that illness, is likely to harm himself or  
10 herself or others if allowed his or her liberty or if not required to  
11 participate in a program of community-based or outpatient services,  
12 except as otherwise provided in this paragraph, the court shall order  
13 the involuntary admission of the defendant for participation in a  
14 program of community-based or outpatient services and suspend  
15 further proceedings in the criminal proceeding against the defendant  
16 until the defendant completes or is removed from the program. If the  
17 offense allegedly committed by the defendant is a category A or B  
18 felony or involved the use or threatened use of force or violence, the  
19 court may not order the involuntary admission of the defendant for  
20 participation in a program pursuant to this paragraph unless the  
21 prosecuting attorney stipulates to the assignment. The order of the  
22 court must be interlocutory and must not become final if, within 30  
23 days after the involuntary admission, the person is unconditionally  
24 released pursuant to NRS 433A.390. If the defendant successfully  
25 completes a program of community-based or outpatient services to  
26 the satisfaction of the court, the court shall dismiss the criminal  
27 charges against the defendant with prejudice.

28 3. If, pursuant to NRS 176A.400, the district court issues an  
29 order granting probation to a defendant in a criminal proceeding  
30 with a condition that the defendant submit to mental health  
31 treatment and comply with instructions, admission to a program of  
32 community-based or outpatient services may be used to satisfy such  
33 a condition if the Division makes a clinical determination that  
34 placement in a program of community-based or outpatient services  
35 is appropriate.

36 4. A court shall not admit a person to a program of community-  
37 based or outpatient services unless:

38 (a) A program of community-based or outpatient services is  
39 available in the community in which the person resides or is  
40 otherwise made available to the person;

41 (b) The person is 18 years of age or older;

42 (c) The person has a history of noncompliance with treatment  
43 for mental illness;

44 (d) The person is capable of surviving safely in the community  
45 in which he or she resides with available supervision;



1 (e) The court determines that, based on the person's history of  
2 treatment for mental illness, the person needs to be admitted to a  
3 program of community-based or outpatient services to prevent  
4 further disability or deterioration of the person which is likely to  
5 result in harm to himself or herself or others;

6 (f) The current mental status of the person or the nature of the  
7 person's illness limits or negates his or her ability to make an  
8 informed decision to seek treatment for mental illness voluntarily or  
9 to comply with recommended treatment for mental illness;

10 (g) The program of community-based or outpatient services is  
11 the least restrictive treatment which is in the best interest of the  
12 person; and

13 (h) The court has approved a plan of treatment developed for the  
14 person pursuant to NRS 433A.315.

15 5. Except as otherwise provided in NRS 432B.608, an  
16 involuntary admission pursuant to paragraph (b) of subsection 1 or  
17 paragraph (b) of subsection 2 automatically expires at the end of 6  
18 months if not terminated previously by the medical director of the  
19 public or private mental health facility as provided for in subsection  
20 2 of NRS 433A.390 or by the professional responsible for providing  
21 or coordinating the program of community-based or outpatient  
22 services as provided for in subsection 3 of NRS 433A.390. Except  
23 as otherwise provided in NRS 432B.608, at the end of the court-  
24 ordered period of treatment, the Division, any mental health facility  
25 that is not operated by the Division or a program of community-  
26 based or outpatient services may petition to renew the involuntary  
27 admission of the person for additional periods not to exceed 6  
28 months each. For each renewal, the petition must include evidence  
29 which meets the same standard set forth in subsection 1 or 2 that  
30 was required for the initial period of admission of the person to a  
31 public or private mental health facility or to a program of  
32 community-based or outpatient services.

33 6. Before issuing an order for involuntary admission or a  
34 renewal thereof, the court shall explore other alternative courses of  
35 treatment within the least restrictive appropriate environment,  
36 including involuntary admission to a program of community-based  
37 or outpatient services, as suggested by the evaluation team who  
38 evaluated the person, or other persons professionally qualified in the  
39 field of psychiatric mental health, which the court believes may be  
40 in the best interests of the person.

41 7. If the court issues an order involuntarily admitting a person  
42 to a public or private mental health facility or to a program of  
43 community-based or outpatient services pursuant to this section, the  
44 court shall, notwithstanding the provisions of NRS 433A.715, cause,  
45 ~~[within 5]~~ *as soon as practicable, but not later than 3* business days



1 after the order becomes final pursuant to this section, on a form  
2 prescribed by the Department of Public Safety, a record of the order  
3 to be transmitted to:

4 (a) The Central Repository for Nevada Records of Criminal  
5 History, along with a statement indicating that the record is being  
6 transmitted for inclusion in each appropriate database of the  
7 National Instant Criminal Background Check System; and

8 (b) Each law enforcement agency of this State with which the  
9 court has entered into an agreement for such transmission, along  
10 with a statement indicating that the record is being transmitted for  
11 inclusion in each of this State's appropriate databases of information  
12 relating to crimes.

13 8. As used in this section, "National Instant Criminal  
14 Background Check System" has the meaning ascribed to it in  
15 NRS 179A.062.

16 **Sec. 8.** The provisions of NRS 354.599 do not apply to any  
17 additional expenses of a local government that are related to the  
18 provisions of this act.

19 **Sec. 9.** This act becomes effective upon passage and approval.

