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HABITUAL CRIMINALS, HABITUAL FELONS AND HABITUALLY FRAUDULENT FELONS

NRS 207.010 Habitual criminals: Definition; punishment.

1. Unless the person is prosecuted pursuant to [NRS 207.012](#) or [207.014](#), a person convicted in this State of:
 - (a) Any felony, who has previously been two times convicted, whether in this State or elsewhere, of any crime which under the laws of the situs of the crime or of this State would amount to a felony is a habitual criminal and shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years.
 - (b) Any felony, who has previously been three times convicted, whether in this State or elsewhere, of any crime which under the laws of the situs of the crime or of this State would amount to a felony is a habitual criminal and shall be punished for a category A felony by imprisonment in the state prison:
 - (1) For life without the possibility of parole;
 - (2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or
 - (3) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served.
2. It is within the discretion of the prosecuting attorney whether to include a count under this section in any information or file a notice of habitual criminality if an indictment is found. The trial judge may, at his or her discretion, dismiss a count under this section which is included in any indictment or information.
[1911 C&P § 27; RL § 6292; NCL § 9976]—(NRS A 1961, 446; [1965, 250](#); [1967, 217, 516](#); [1971, 173](#); [1977, 360](#); [1981, 1647](#); [1985, 1026, 1643](#); [1995, 856, 1238, 1358, 2392](#); [1997, 1184](#); [2009, 567](#))

NRS 207.012 Habitual felons: Definition; punishment.

1. A person who:
 - (a) Has been convicted in this State of a felony listed in subsection 2; and
 - (b) Before the commission of that felony, was twice convicted of any crime which under the laws of the situs of the crime or of this State would be a felony listed in subsection 2, whether the prior convictions occurred in this State or elsewhere,
È is a habitual felon and shall be punished for a category A felony by imprisonment in the state prison:
 - (1) For life without the possibility of parole;
 - (2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or
 - (3) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served.
2. The district attorney shall include a count under this section in any information or shall file a notice of habitual felon if an indictment is found, if each prior conviction and the alleged offense committed by the accused constitutes a violation of subparagraph (1) of paragraph (a) of subsection 1 of [NRS 193.330](#), [NRS 199.160](#), [199.500](#), [200.030](#), [200.310](#), [200.340](#), [200.366](#), [200.380](#), [200.390](#), [200.464](#), [200.465](#), [200.467](#), [200.468](#), subsection 1, paragraph (a) of subsection 2 or subparagraph (2) of paragraph (b) of subsection 2 of [NRS 200.508](#), [NRS 200.710](#), [200.720](#), [201.230](#), [201.450](#), [202.170](#), subsection 2 of [NRS 202.780](#), paragraph (b) of subsection 2 of [NRS 202.820](#), paragraph (b) of subsection 1 or subsection 2 of [NRS 202.830](#), [NRS 205.010](#), subsection 4 of [NRS 205.060](#), subsection 4 of [NRS 205.067](#), [NRS 205.075](#), [207.400](#), paragraph (a) of subsection 1 of [NRS 212.090](#), [NRS 453.3325](#), [453.333](#), [484C.130](#), [484C.430](#) or [484E.010](#).
3. The trial judge may not dismiss a count under this section that is included in an indictment or information.
(Added to NRS by [1995, 1237](#); A [1997, 1185](#); [2001, 1140](#); [2003, 388](#); [2005, 88, 165, 1059](#); [2007, 1268](#); [2009, 22](#); [2013, 1855](#))

NRS 207.014 Habitually fraudulent felons: Definition; punishment.

1. A person who:
 - (a) Has been convicted in this State of any felony committed on or after July 1, 1995, of which fraud or intent to defraud is an element; and
 - (b) Has previously been two times convicted, whether in this State or elsewhere, of any felony of which fraud or intent to defraud is an element before the commission of the felony under paragraph (a),
È is a habitually fraudulent felon and shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years, if the victim of each offense was an older person, a person with a mental disability or a vulnerable person.
2. The prosecuting attorney shall include a count under this section in any information or shall file a notice of habitually fraudulent felon if an indictment is found, if the prior convictions and the alleged offense committed by the accused are felonies of which fraud or intent to defraud is an element and the victim of each offense was:
 - (a) An older person;
 - (b) A person with a mental disability; or
 - (c) A vulnerable person.
3. The trial judge may not dismiss a count under this section that is included in an indictment or information.
4. As used in this section:
 - (a) “Older person” means a person who is:
 - (1) Sixty-five years of age or older if the crime was committed before October 1, 2003.

- (2) Sixty years of age or older if the crime was committed on or after October 1, 2003.
- (b) "Person with a mental disability" means a person who has a mental impairment which is medically documented and substantially limits one or more of the person's major life activities. The term includes, but is not limited to, a person who:
- (1) Suffers from an intellectual disability;
 - (2) Suffers from a severe mental or emotional illness;
 - (3) Has a severe learning disability; or
 - (4) Is experiencing a serious emotional crisis in his or her life as a result of the fact that the person or a member of his or her immediate family has a catastrophic illness.
- (c) "Vulnerable person" has the meaning ascribed to it in [NRS 200.5092](#).
(Added to NRS by [1995, 855](#); A [1995, 1338](#); [1997, 1185](#); [2003, 2568](#); [2005, 1114](#); [2013, 690](#); [2015, 813](#))

NRS 207.016 Procedure; trial of primary offense; prior convictions.

1. A conviction pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) operates only to increase, not to reduce, the sentence otherwise provided by law for the principal crime.
2. If a count pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) is included in an information charging the primary offense, each previous conviction must be alleged in the accusatory pleading, but no such conviction may be alluded to on trial of the primary offense, nor may any allegation of the conviction be read in the presence of a jury trying the offense or a grand jury considering an indictment for the offense. A count pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) may be filed separately from the indictment or information charging the primary offense, but if it is so filed, the count pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) must be filed not less than 2 days before the start of the trial on the primary offense, unless an agreement of the parties provides otherwise or the court for good cause shown makes an order extending the time. For good cause shown, the prosecution may supplement or amend a count pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) at any time before the sentence is imposed, but if such a supplement or amendment is filed, the sentence must not be imposed, or the hearing required by subsection 3 held, until 15 days after the separate filing.
3. If a defendant charged pursuant to [NRS 207.010](#), [207.012](#) or [207.014](#) pleads guilty or guilty but mentally ill to, or is found guilty or guilty but mentally ill of, the primary offense but denies any previous conviction charged, the court shall determine the issue of the previous conviction after hearing all relevant evidence presented on the issue by the prosecution and the defendant. At such a hearing, the defendant may not challenge the validity of a previous conviction. The court shall impose sentence:
 - (a) Pursuant to [NRS 207.010](#) upon finding that the defendant has suffered previous convictions sufficient to support an adjudication of habitual criminality;
 - (b) Pursuant to [NRS 207.012](#) upon finding that the defendant has suffered previous convictions sufficient to support an adjudication of habitual felon; or
 - (c) Pursuant to [NRS 207.014](#) upon finding that the defendant has suffered previous convictions sufficient to support an adjudication of habitually fraudulent felon.
4. Nothing in the provisions of this section, [NRS 207.010](#), [207.012](#) or [207.014](#) limits the prosecution in introducing evidence of prior convictions for purposes of impeachment.
5. For the purposes of [NRS 207.010](#), [207.012](#) and [207.014](#), a certified copy of a felony conviction is prima facie evidence of conviction of a prior felony.
6. Nothing in the provisions of this section, [NRS 207.010](#), [207.012](#) or [207.014](#) prohibits a court from imposing an adjudication of habitual criminality, adjudication of habitual felon or adjudication of habitually fraudulent felon based upon an agreement of the parties.
(Added to NRS by [1995, 1238](#); A [1997, 519, 524, 1186](#); [2003, 1483](#); [2007, 1441](#); [2013, 1373](#))

VAGRANTS

NRS 207.030 Prohibited acts; penalty.

1. It is unlawful to:
 - (a) Offer or agree to engage in or engage in lewd or dissolute conduct in any public place or in any place open to the public or exposed to public view;
 - (b) Offer or agree to engage in, engage in or aid and abet any act of prostitution;
 - (c) Be a pimp, panderer or procurer or live in or about houses of prostitution;
 - (d) Seek admission to a house upon frivolous pretexts for no other apparent motive than to see who may be therein, or to gain an insight of the premises;
 - (e) Keep a place where lost or stolen property is concealed;
 - (f) Loiter in or about any toilet open to the public for the purpose of engaging in or soliciting any lewd or lascivious or any unlawful act; or
 - (g) Lodge in any building, structure or place, whether public or private:
 - (1) Where a notice of default and election to sell has been recorded, unless the person is the owner, tenant or entitled to the possession or control thereof;
 - (2) Which has been placed on a registry of vacant, abandoned or foreclosed property by a local government, unless the person is the owner, tenant or entitled to the possession or control thereof; or
 - (3) Without the permission of the owner or person entitled to the possession or in control thereof.
2. A person who violates a provision of subsection 1 shall be punished:
 - (a) For the first violation of paragraph (a), (b) or (c) of subsection 1 and for each subsequent violation of the same paragraph occurring more than 3 years after the first violation, for a misdemeanor.
 - (b) For the second violation of paragraph (a), (b) or (c) of subsection 1 within 3 years after the first violation of the same paragraph, by imprisonment in the county jail for not less than 30 days nor more than 6 months and by a fine of not less than \$250 nor more than \$1,000.
 - (c) For the third or subsequent violation of paragraph (a), (b) or (c) of subsection 1 within 3 years after the first violation of the same paragraph, by imprisonment in the county jail for 6 months and by a fine of not less than \$250 nor more than \$1,000.
 - (d) For a violation of any provision of paragraphs (d) to (g), inclusive, of subsection 1, for a misdemeanor.
3. The terms of imprisonment prescribed by subsection 2 must be imposed to run consecutively.
4. A local government may enact an ordinance which regulates the time, place or manner in which a person or group of persons may beg or solicit alms in a public place or place open to the public.
[1911 C&P § 354; A 1915, 32; 1923, 224; NCL § 10302]—(NRS A 1963, 696; [1967, 517](#); [1971, 2025](#); [1973, 1061](#); [1979, 353](#); [1985, 749, 931](#); [1993, 808](#); [2013, 2988](#))

NRS 207.040 Employment on public works. All persons having the physical ability to work, convicted of violating [NRS 207.030](#) and imprisoned therefor, may be required to perform labor on the public works, buildings, grounds or ways in the county, and the sheriff or other person having them in charge while performing such labor may employ any usual, reasonable, humane and sufficient means to guard against and prevent any such prisoner escaping from custody while being so employed.

[1911 C&P § 355; RL § 6620; NCL § 10303]—(NRS A [1979, 206](#); [1995, 1082](#))

NRS 207.050 Credit for work performed. For each day's work willingly and faithfully performed by a person convicted of violating [NRS 207.030](#), the person must receive credit for 2 days' time, which must be applied upon and deducted from the term of imprisonment by the sheriff.

[1911 C&P § 356; RL § 6621; NCL § 10304]—(NRS A [1995, 1082](#))

NRS 207.070 Sheriff to procure employment. The sheriff shall, during fair and reasonable weather, when the same can be done without extra expense to the county, procure employment for and set at work such persons convicted of violating [NRS 207.030](#) who are serving out their term of imprisonment; and to this end, upon application of any road supervisor, superintendent, foreman or other overseer or custodian of any public works, buildings or grounds, the sheriff may deliver into the custody and charge of such person making the application such prisoners, to do labor as required, who after working hours of the day, or after suspension of labor from any cause, must be returned into the custody of the sheriff of the county for safekeeping until again required for labor.

[1911 C&P § 358; RL § 6623; NCL § 10306]—(NRS A [1995, 1083](#))

INTERFERENCE WITH EMERGENCY COMMUNICATIONS

NRS 207.161 Definitions. As used in [NRS 207.163](#):

1. “Emergency call” means a situation in which property or human life is in jeopardy and the prompt summoning of aid is essential.
2. “Public telephone” means a telephone which is made available to the public upon the deposit of a coin, currency or other monetary instrument or through the use of a calling card, credit card or debit card.

(Added to NRS by [1973, 718](#); A [2003, 326](#))

NRS 207.163 Refusal to relinquish public telephone for emergency call unlawful; false declaration of emergency to obtain use of public telephone unlawful.

1. It is unlawful for a person to refuse to relinquish a public telephone immediately when the person has been informed that it is needed for an emergency call and in fact the line is needed for an emergency call and there is no other reasonably apparent and immediately accessible telephone from which to make the call.

2. It is unlawful for a person to secure the use of a public telephone by falsely stating that it is needed for an emergency call.

(Added to NRS by [1973, 718](#); A [2003, 326](#))

NRS 207.165 Telephone directory must contain warning notice of offense provided in [NRS 207.163](#).

1. It is unlawful for a person, firm or corporation providing telephone service to distribute or cause to be distributed in this State copies of any telephone directory if such directory fails to contain the notice required by this section.

2. Every telephone directory published and distributed after September 1, 1973, in this State which lists the telephone numbers of any telephone exchange located in this State shall contain a notice of the offense provided in [NRS 207.163](#), as follows:

(a) The notice shall be printed in type which is at least as large as other type on the page; and

(b) The notice shall be preceded by the word “warning” printed in type which is at least as large as other type on the page,

È except that telephone directories distributed solely for business purposes, commonly known as classified directories, need not contain such notice.

(Added to NRS by [1973, 718](#))

NRS 207.167 Interference with emergency transmission on Citizens’ Radio Service unlawful; presumptions.

1. As used in this section “emergency” means a situation in which a natural person is or is reasonably believed by the person transmitting the communication to be in imminent danger of serious bodily injury or in which property is or is reasonably believed by the person transmitting the communication to be in imminent danger of damage or destruction.

2. Except as provided in subsection 3, any person who intentionally, knowingly, recklessly or with criminal negligence interrupts, impedes or otherwise interferes with the transmission of a communication over a radio channel assigned to the Citizens’ Radio Service, the purpose of which is to inform or inquire about an emergency, is guilty of a misdemeanor.

3. If any person suffers serious bodily injury or if property damage in excess of \$1,000 occurs as a result of a violation of the provisions of subsection 2, the offender is guilty of a gross misdemeanor.

4. A person is presumed to have intentionally, knowingly or with criminal negligence interrupted, impeded or interfered with a transmission if the person:

(a) Interrupted, impeded or interfered with the transmission of a communication on a channel which was dedicated to use for emergency communications; or

(b) Operated equipment capable, by itself or with a linear amplifier, of producing power which exceeds limits set by a regulation of the Federal Communications Commission.

(Added to NRS by [1981, 650](#))

DECEPTIVE ADVERTISING

NRS 207.170 “False, deceptive or misleading advertising” defined. As used in [NRS 207.170](#) to [207.177](#), inclusive, “false, deceptive or misleading advertising” as applied to a telephone communication includes, but is not limited to, any communication which is so made with the intent to solicit any person to purchase any merchandise, property or services, without initially disclosing such intent to the person.

[1:201:1917; A 1955, 191] + [2:201:1917; 1919 RL p. 3390; NCL § 10530]—(NRS A [1965, 122](#); [1967, 520](#); [1971, 129](#); [1973, 209](#))

NRS 207.171 False, deceptive or misleading advertising and other sales practices. It is unlawful for any person, firm, corporation or association or any agent or employee thereof to use, publish, disseminate, display or make or cause directly or indirectly to be used, published, disseminated, displayed or made, in any newspaper, magazine or other publication, by any radio, television or other advertising medium, or by any advertising device, or by public outcry, proclamation, or declaration, or by any other manner or means, including but not limited to solicitation or dissemination by mail, telephone or door-to-door contacts, any statement which is known or through the exercise of reasonable care should be known to be false, deceptive or misleading in order to induce any person to purchase, sell, lease, dispose of, utilize or acquire any title or interest in any real or personal property or any personal or professional services or to enter into any obligation or transaction relating thereto, or to include such statement as part of a plan or scheme which intentionally misstates cost or price for the purposes of producing an erroneous belief by any person that the actual cost or price is the same as stated therein.

(Added to NRS by [1973, 210](#))

NRS 207.172 Exemption of advertising media. [NRS 207.170](#) to [207.177](#), inclusive, do not apply to:

1. Any radio or television broadcasting station which broadcasts; or

2. Any publisher, printer, distributor or owner of any newspaper or magazine, billboard or other advertising medium, or to any owner, operator, agent or employee of any advertising agency or other business engaged in preparing or disseminating advertising for public consumption on behalf of any other person, firm, corporation, association or other business entity, who publishes, prints, distributes, prepares or disseminates,

È such advertising in good faith without knowledge of its untrue or deceptive or misleading character.

(Added to NRS by [1973, 210](#))

NRS 207.173 Actual deception unnecessary to create liability. It is sufficient in bringing any action pursuant to [NRS 207.170](#) to [207.177](#), inclusive, that any statement referred to in [NRS 207.171](#) has a tendency to deceive or mislead the public because of its false or

deceptive or misleading character even though no member of the public is actually deceived or misled by such statement.

(Added to NRS by [1973.211](#))

NRS 207.174 Civil penalties; action by Attorney General or district attorney. Any person, firm, corporation or association or any other organization which violates any provision of [NRS 207.170](#) to [207.177](#), inclusive, is liable for a civil penalty not to exceed \$2,500 for each violation, which shall be recovered in a civil action brought in the name of the State of Nevada by the Attorney General or by any district attorney in a court of competent jurisdiction. As used in this section, the term, “each violation” includes, as a single violation, a continuous or repetitive violation arising out of the same act.

(Added to NRS by [1973.211](#))

NRS 207.175 Criminal penalties. Any person, firm, or any officer or managing agent of any corporation or association who knowingly and willfully violates the provisions of [NRS 207.171](#) shall be punished:

1. For the first or second offense, for a misdemeanor.
2. For the third offense and all subsequent offenses, for a gross misdemeanor.

(Added to NRS by [1973.211](#))

NRS 207.176 Injunctions. The Attorney General or any district attorney may bring an action in any court of competent jurisdiction in the name of the State of Nevada on his or her own complaint or on the complaint of any board, officer, person, corporation or association to enjoin any violation or proposed violation of the provisions of [NRS 207.170](#) to [207.177](#), inclusive.

(Added to NRS by [1973.211](#))

NRS 207.177 Penalty for violation of injunction or order. Any person, firm, or any officer or managing agent of any corporation or association who violates any order or injunction issued pursuant to [NRS 207.170](#) to [207.177](#), inclusive, is guilty of a gross misdemeanor.

(Added to NRS by [1973.211](#))

MISCELLANEOUS

NRS 207.180 Threatening or obscene letters or writings.

1. Any person who knowingly sends or delivers any letter or writing:

(a) Threatening to accuse another of a crime or misdemeanor, or to expose or publish any of the other person’s infirmities or failings, with intent to extort money, goods, chattels or other valuable thing; or

(b) Threatening to maim, wound, kill or murder, or to burn or destroy the house or other property of another person, or to accuse another of a crime or misdemeanor, or expose or publish any of the other person’s infirmities, though no money, goods, chattels or other valuable thing be demanded,

is guilty of a misdemeanor.

2. Any person who:

(a) Writes and sends, or writes and delivers, either through the mail, express, by private parties or otherwise, any anonymous letter, or any letter bearing a fictitious name, charging any person with crime; or

(b) Writes and sends any anonymous letter or letters bearing a fictitious name, containing vulgar or threatening language, obscene pictures, or containing reflections upon his or her standing in society or in the community,

is guilty of a misdemeanor.

[1911 C&P § 173; RL § 6438; NCL § 10120]—(NRS A [1967.521](#); [1991.1010](#); [1997.2504](#))

NRS 207.185 Penalty for commission of certain unlawful acts by reason of actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of another person or group of persons. Unless a greater penalty is provided by law, a person who, by reason of the actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of another person or group of persons, willfully violates any provision of [NRS 200.471](#), [200.481](#), [200.5099](#), [200.571](#), [200.575](#), [203.010](#), [203.020](#), [203.030](#), [203.060](#), [203.080](#), [203.090](#), [203.100](#), [203.110](#), [203.119](#), [NRS 205.0832](#) which is punishable as a misdemeanor, [NRS 205.240](#), [205.2715](#), [205.274](#), [205.2741](#), [206.010](#), [206.040](#), [206.125](#), [206.140](#), [206.200](#), [206.310](#), [NRS 206.330](#) which is punishable as a misdemeanor, [NRS 207.180](#), [207.200](#) or [207.210](#) is guilty of a gross misdemeanor.

(Added to NRS by [1989.898](#); A [1993.511](#); [1995.2706](#); [2013.64](#))

NRS 207.190 Coercion.

1. It is unlawful for a person, with the intent to compel another to do or abstain from doing an act which the other person has a right to do or abstain from doing, to:

(a) Use violence or inflict injury upon the other person or any of the other person’s family, or upon the other person’s property, or threaten such violence or injury;

(b) Deprive the person of any tool, implement or clothing, or hinder the person in the use thereof; or

(c) Attempt to intimidate the person by threats or force.

2. A person who violates the provisions of subsection 1 shall be punished:

(a) Where physical force or the immediate threat of physical force is used, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

(b) Where no physical force or immediate threat of physical force is used, for a misdemeanor.

[1911 C&P § 475; RL § 6740; NCL § 10424]—(NRS A [1967.522](#); [1979.1455](#); [1995.1239](#))

NRS 207.193 Coercion: Hearing to determine whether sexually motivated.

1. Except as otherwise provided in subsection 4, if a person is convicted of coercion or attempted coercion in violation of paragraph (a) of subsection 2 of [NRS 207.190](#), the court shall, at the request of the prosecuting attorney, conduct a separate hearing to determine whether the offense was sexually motivated. A request for such a hearing may not be submitted to the court unless the prosecuting attorney, not less than 72 hours before the commencement of the trial, files and serves upon the defendant a written notice of the intention to request such a hearing.

2. A hearing requested pursuant to subsection 1 must be conducted before:

(a) The court imposes its sentence; or

(b) A separate penalty hearing is conducted.

3. At the hearing, only evidence concerning the question of whether the offense was sexually motivated may be presented. The prosecuting attorney must prove beyond a reasonable doubt that the offense was sexually motivated.

4. A person may stipulate that his or her offense was sexually motivated before a hearing held pursuant to subsection 1 or as part of an agreement to plead nolo contendere, guilty or guilty but mentally ill.

5. The court shall enter in the record:

(a) Its finding from a hearing held pursuant to subsection 1; or

(b) A stipulation made pursuant to subsection 4.

6. For the purposes of this section, an offense is “sexually motivated” if one of the purposes for which the person committed the offense was his or her sexual gratification.

(Added to NRS by [1997_1681](#); A [1997_2510](#); [2003_1484](#); [2007_1441](#))

NRS 207.195 Use of monetary instrument proceeding or derived from unlawful activity; conducting financial transaction with intent to evade regulation governing records of casinos.

1. If a monetary instrument represents the proceeds of or is directly or indirectly derived from any unlawful activity, it is unlawful for a person, having knowledge of that fact:

(a) To conduct or attempt to conduct a financial transaction involving the instrument:

(1) With the intent to further any unlawful activity;

(2) With the knowledge that the transaction conceals the location, source, ownership or control of the instrument; or

(3) With the knowledge that the transaction evades any provision of federal or state law that requires the reporting of a financial transaction.

(b) To transport or attempt to transport the monetary instrument:

(1) With the intent to further any unlawful activity;

(2) With the knowledge that the transportation conceals the location, source, ownership or control of any proceeds derived from unlawful activity; or

(3) With the knowledge that the transportation evades any provision of federal or state law that requires the reporting of a financial transaction.

2. It is unlawful for any person to conduct or attempt to conduct a financial transaction with the intent to evade a regulation adopted pursuant to [NRS 463.125](#).

3. A person who violates any provision of subsection 1 or 2 is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

4. Each violation of subsection 1 or 2 involving one or more monetary instruments totaling \$10,000 or more shall be deemed a separate offense.

5. As used in this section:

(a) “Financial transaction” means any purchase, sale, loan, pledge, gift, transfer, deposit, withdrawal or other exchange involving a monetary instrument. The term does not include any instrument or transaction for the payment of assistance of counsel in a criminal prosecution.

(b) “Monetary instrument” includes any coin or currency of the United States or any other country, any traveler’s check, personal check, money order, bank check, cashier’s check, stock, bond, precious metal, precious stone or gem or any negotiable instrument to which title passes upon delivery. The term does not include any instrument or transaction for the payment of assistance of counsel in a criminal prosecution.

(c) “Unlawful activity” includes any crime related to racketeering as defined in [NRS 207.360](#) or any offense punishable as a felony pursuant to state or federal statute. The term does not include any procedural error in the acceptance of a credit instrument, as defined in [NRS 463.01467](#), by a person who holds a nonrestricted gaming license.

(Added to NRS by [1991_181](#); A [1995_430](#), [1240](#), [1332](#))

NRS 207.200 Unlawful trespass upon land; warning against trespassing.

1. Unless a greater penalty is provided pursuant to [NRS 200.603](#), any person who, under circumstances not amounting to a burglary:

(a) Goes upon the land or into any building of another with intent to vex or annoy the owner or occupant thereof, or to commit any unlawful act; or

(b) Willfully goes or remains upon any land or in any building after having been warned by the owner or occupant thereof not to trespass,

is guilty of a misdemeanor. The meaning of this subsection is not limited by subsections 2 and 4.

2. A sufficient warning against trespassing, within the meaning of this section, is given by any of the following methods:

(a) If the land is used for agricultural purposes or for herding or grazing livestock, by painting with fluorescent orange paint:

(1) Not less than 50 square inches of the exterior portion of a structure or natural object or the top 12 inches of the exterior portion of a post, whether made of wood, metal or other material, at:

(I) Intervals of such a distance as is necessary to ensure that at least one such structure, natural object or post would be within the direct line of sight of a person standing next to another such structure, natural object or post, but at intervals of not more than 1,000 feet; and

(II) Each corner of the land, upon or near the boundary; and

(2) Each side of all gates, cattle guards and openings that are designed to allow human ingress to the area;

(b) If the land is not used in the manner specified in paragraph (a), by painting with fluorescent orange paint not less than 50 square inches of the exterior portion of a structure or natural object or the top 12 inches of the exterior portion of a post, whether made of wood, metal or other material, at:

(1) Intervals of such a distance as is necessary to ensure that at least one such structure, natural object or post would be within the direct line of sight of a person standing next to another such structure, natural object or post, but at intervals of not more than 200 feet; and

(2) Each corner of the land, upon or near the boundary;

(c) Fencing the area; or

(d) By the owner or occupant of the land or building making an oral or written demand to any guest to vacate the land or building.

3. It is prima facie evidence of trespass for any person to be found on private or public property which is posted or fenced as provided in subsection 2 without lawful business with the owner or occupant of the property.

4. An entryman on land under the laws of the United States is an owner within the meaning of this section.

5. As used in this section:

(a) “Fence” means a barrier sufficient to indicate an intent to restrict the area to human ingress, including, but not limited to, a wall, hedge or chain link or wire mesh fence. The term does not include a barrier made of barbed wire.

(b) “Guest” means any person entertained or to whom hospitality is extended, including, but not limited to, any person who stays overnight. The term does not include a tenant as defined in [NRS 118A.170](#).

[1911 C&P § 500; RL § 6765; NCL § 10447]—(NRS A [1969_96](#); [1975_1169](#); [1987_2086](#); [1989_997](#); [2005_930](#); [2007_981](#); [2009_141](#))

NRS 207.203 Unlawful trespass upon licensed gaming establishment by person previously convicted of prostitution or solicitation for prostitution.

1. Unless a greater penalty is provided pursuant to [NRS 200.603](#), any person who commits a violation of [NRS 207.200](#) by trespassing on the premises of a licensed gaming establishment and who has previously been convicted of three violations of [NRS 201.354](#) within the immediately preceding 5 years is guilty of a misdemeanor and shall be punished by:

(a) A fine of \$1,000;

(b) Imprisonment in the county jail for not more than 6 months; or

(c) Both fine and imprisonment.

È In lieu of all or a part of the punishment which may be imposed pursuant to this subsection, the person may be sentenced to perform a fixed period of community service pursuant to the conditions prescribed in [NRS 176.087](#).

2. The court, without entering a judgment of conviction and with the consent of the accused, may suspend further proceedings and place the person on probation upon terms and conditions that must include attendance and successful completion of a counseling or educational program or, in the case of a person dependent upon drugs, of a program of treatment and rehabilitation pursuant to [NRS 453.580](#).

3. Upon violation of a term or condition, the court may enter a judgment of conviction and punish the person as provided in subsection 1.

4. Upon fulfillment of the terms and conditions, the court shall discharge the accused and dismiss the proceedings against him or her.

5. Except as otherwise provided in subsection 6, discharge and dismissal under this section is without adjudication of guilt and is not a conviction for purposes of this section or for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose, but is a conviction for the purpose of additional penalties imposed for second or subsequent convictions or the setting of bail. Discharge and dismissal restores the person discharged, in the contemplation of the law, to the status occupied before the arrest, indictment or information. The person may not be held thereafter under any law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge that arrest, indictment, information or trial in response to an inquiry made of the person for any purpose. Discharge and dismissal under this section may only occur once with respect to any person.

6. A professional licensing board may consider a proceeding under this section in determining suitability for a license or liability to discipline for misconduct. Such a board is entitled for those purposes to a truthful answer from the applicant or licensee concerning any such proceeding with respect to the applicant or licensee.

7. Before the court assigns a person to a program pursuant to this section, the person must agree to pay the cost of the program to which the person is assigned and the cost of any additional supervision required, to the extent of the financial resources of the person. If the person does not have the financial resources to pay all of the related costs, the court shall, to the extent practicable, arrange for the person to be assigned to a program at a facility that receives a sufficient amount of federal or state funding to offset the remainder of the costs.

8. As used in this section, "licensed gaming establishment" has the meaning ascribed to it in [NRS 463.0169](#).

(Added to NRS by [2011.305](#))

NRS 207.204 Jumping or removal from fixed structure by parachute or other airborne means or assisting another person in doing so deemed to be trespass; penalty; exceptions.

1. A person shall not:

(a) Jump or otherwise remove himself or herself, by parachute or by other airborne means, from a fixed structure owned by another person or any fixture or appurtenance attached thereto; or

(b) Knowingly and intentionally deliver or retrieve another person who intends to commit, is committing or has committed an act specified in paragraph (a).

2. A person who violates any provision of subsection 1:

(a) Shall be deemed to be a trespasser for the purposes of [NRS 41.515](#).

(b) Is guilty of a category E felony and shall be punished as provided in [NRS 193.130](#).

3. This section does not apply to:

(a) An emergency involving public safety or damage to property, loss of life or injury to any person; or

(b) An act committed pursuant to the terms and conditions of a lawfully issued permit.

(Added to NRS by [2015.1528](#))

NRS 207.205 Posting land without permission of owner or occupant.

1. It is unlawful for any person to post such land within the meaning of subsection 2 of [NRS 207.200](#) unless the person has:

(a) Obtained written authorization from the owner or occupant of the land, or any building thereon, to do so unless the person is the owner or occupant.

(b) Placed the name and address of the owner or occupant on each sign.

2. Any person violating any of the provisions of subsection 1 is guilty of a misdemeanor.

(Added to NRS by [1973.1116](#))

NRS 207.210 Destruction of signs or notices forbidding trespass. It shall be a misdemeanor for any person maliciously to tear down, mutilate or destroy any sign, signboard or other notice forbidding trespass within an enclosure.

[Part 1911 C&P § 503; RL § 6768; NCL § 10450]

NRS 207.220 Penalty for not closing gates.

1. Any person or persons opening and passing through gates or bars when gates or bars are placed in fences enclosing fields, or in fences partly enclosing lands, and not shutting and fastening the same, shall be deemed guilty of a misdemeanor.

2. The provisions of this section shall not apply to gates in towns and cities nor gates necessary in the approach to any building or works where the passing through or into fields or lands is not contemplated.

[1911 C&P § 504; RL § 6769; NCL § 10451]

NRS 207.225 Unlawful diversion of irrigation water. Any person who knowingly diverts or causes to be diverted to his or her own or some other person's use any irrigation water to which another person has a vested right, without such rightful user's permission, is guilty of a misdemeanor.

(Added to NRS by [1977.883](#))

NRS 207.230 Acting without lawful authority. Every person who shall, in any case not otherwise specially provided for, do any act for the doing of which a license or other authority is required by law, without having such license or other authority as required by law, shall be guilty of a misdemeanor.

[1911 C&P § 543; RL § 6808; NCL § 10489]

NRS 207.235 Dog racing as gaming activity. A person who conducts dog racing as a gaming activity in this State is guilty of a misdemeanor.

(Added to NRS by [1997.3130](#))

NRS 207.245 Use of system providing telephone number to be used in emergency when no actual or perceived emergency exists; calling nonemergency telephone line to report emergency when no actual or perceived emergency exists; penalties.

1. It is unlawful for any person knowingly or willfully to make or cause to be made:

(a) Any telephonic access to a system; or

(b) A nonemergency telephone call to report an emergency on any nonemergency telephone line maintained by a governmental entity, if no actual or perceived emergency exists.

2. Except as otherwise provided in subsection 3, a person who violates any provision of this section is guilty of a gross misdemeanor.

3. A person who violates any provision of this section is guilty of a category E felony and shall be punished as provided in [NRS 193.130](#) if:

(a) The person intended to initiate an emergency response by law enforcement, firefighting, emergency medical care or public safety personnel when no actual emergency exists; and

(b) The emergency response initiated by the person results in the death or serious bodily injury of another.

4. A person who is convicted of a category E felony pursuant to subsection 3 is liable for any costs incurred by any governmental entity as a result of his or her conduct.

5. If a defendant who is charged with a violation of this section suffers from a mental illness or is intellectually disabled, the court may, if appropriate, take any action authorized by law for the purpose of having the defendant assigned to a program established pursuant to [NRS 176A.250](#).

6. As used in this section:

(a) "Emergency" means a situation in which immediate intervention is necessary to protect the physical safety of a person or others from an immediate threat of physical injury or to protect against an immediate threat of severe property damage, or any other situation which is likely to cause a governmental entity to provide services related to law enforcement, firefighting, emergency medical care or public safety.

(b) "Governmental entity" means an institution, board, commission, bureau, council, department, division, authority or other unit of government of this State, including, without limitation, an agency of this State or of a political subdivision.

(c) "System" means a system established to provide a telephone number to be used in an emergency.

(Added to NRS by [1991, 17](#); A [2015, 1013](#))

NRS 207.260 Unlawful contact with child or person with mental illness.

1. A person who, without lawful authority, willfully and maliciously engages in a course of conduct with a child who is under 16 years of age and who is at least 5 years younger than the person which would cause a reasonable child of like age to feel terrorized, frightened, intimidated or harassed, and which actually causes the child to feel terrorized, frightened, intimidated or harassed, commits the crime of unlawful contact with a child.

2. A person who, without lawful authority, willfully and maliciously engages in a course of conduct with a person with mental illness which would cause a person with mental illness of like mental condition to feel terrorized, frightened, intimidated or harassed, and which actually causes the person with mental illness to feel terrorized, frightened, intimidated or harassed, commits the crime of unlawful contact with a person with mental illness.

3. The penalties provided in this section do not preclude the victim from seeking any other legal remedy available.

4. Unless a greater penalty is provided by specific statute, a person who commits the crime of unlawful contact with a child or unlawful contact with a person with mental illness is guilty of:

(a) For the first offense, a gross misdemeanor.

(b) For the second and each subsequent offense, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000.

5. As used in this section:

(a) "Course of conduct" means a pattern of conduct which consists of a series of acts over time that evidences a continuity of purpose directed at a specific person.

(b) "Person with mental illness" means a person who has any mental dysfunction leading to impaired ability to maintain himself or herself and to function effectively in his or her life situation without external support.

(c) "Without lawful authority" includes acts that are initiated or continued without the victim's consent. The term does not include acts that are otherwise protected or authorized by constitutional or statutory law, regulation or order of a court of competent jurisdiction, including, but not limited to:

(1) Picketing which occurs during a strike, work stoppage or any other labor dispute.

(2) The activities of a reporter, photographer, camera operator or other person while gathering information for communication to the public if that person is employed or engaged by or has contracted with a newspaper, periodical, press association or radio or television station and is acting solely within that professional capacity.

(3) The activities of a person that are carried out in the normal course of his or her lawful employment.

(4) Any activities carried out in the exercise of the constitutionally protected rights of freedom of speech and assembly.

(Added to NRS by 1963, 41; A [1967, 523](#); [1975, 79](#); [1979, 1456](#); [1995, 1240](#); [2001, 2789](#); [2003, 1377](#))

NRS 207.270 Loitering about school or public place where children congregate. Any person who, without legitimate reason to supervise any of such children or other legitimate reason to be at leisure in such place, loiters about any school or public place at or near which children attend or normally congregate is guilty of a misdemeanor.

(Added to NRS by 1963, 41; A [1967, 523](#))

NRS 207.280 False reporting of crimes unlawful. Every person who deliberately reports to any police officer, sheriff, district attorney, deputy sheriff, deputy district attorney or member of the Department of Public Safety that a felony or misdemeanor has been committed, which causes a law enforcement agency to conduct a criminal or internal investigation, knowing such report to be false, is guilty of a misdemeanor.

(Added to NRS by [1965, 409](#); A [1967, 523](#); [2005, 939](#))

NRS 207.285 Making false or misleading statement to cause activation of Statewide Alert System for the Safe Return of Abducted Children or Statewide Alert System for the Safe Return of Missing Endangered Older Persons.

1. A person who intentionally makes any false or misleading statement, including, without limitation, any statement that conceals facts, omits facts or contains false or misleading information concerning any material fact, to any police officer, sheriff, district attorney, deputy sheriff, deputy district attorney or member of the Department of Public Safety to cause the Statewide Alert System for the Safe Return of Abducted Children created by [NRS 432.340](#) or the Statewide Alert System for the Safe Return of Missing Endangered Older Persons created by [NRS 427A.867](#) to be activated is guilty of a category E felony and shall be punished as provided in [NRS 193.130](#).

2. The Attorney General or the district attorney of the county in which a person made a false or misleading statement may investigate and prosecute any violation of the provisions of this section.

(Added to NRS by [2007, 428](#); A [2011, 831](#))

NRS 207.290 Giving or accepting bribe to influence outcome of sporting event. A person who:

1. Gives, offers or promises to give, or attempts to give or offer, any compensation, gratuity or thing of value, or any promise thereof, to any participant or player or any judge, referee, manager or other official of a sporting event or contest; or

2. Asks or receives or offers to receive directly or indirectly any compensation, gratuity, reward or thing of value or any promise thereof, as a participant or player, or as a judge, referee, manager or other official of a sporting event or contest,

with the intention, understanding or agreement that the player or participant or judge, referee, manager or other official of the sporting event will not use best efforts to win, or will so conduct himself or herself as to limit his or her or his or her team's margin of victory, or will corruptly judge, referee, manage or otherwise officiate the sporting event or contest with the intention or purpose that the result of the sporting event will be affected thereby, is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

(Added to NRS by [1965, 553](#); A [1967, 523](#); [1995, 1240](#))

NRS 207.295 Commercial bribery. Any person who, with corrupt intent:

1. Offers, confers or agrees to confer any benefit upon any employee, agent or fiduciary without the consent of the employer or principal of that employee, agent or fiduciary in order to influence adversely that person's conduct in relation to the commercial affairs of his or her employer or principal; or

2. While an employee, agent or fiduciary, solicits, accepts or agrees to accept any benefit from another person upon an agreement or understanding that the benefit will influence adversely his or her conduct in relation to the commercial affairs of his or her employer or principal,

E commits commercial bribery and is guilty of a misdemeanor.

(Added to NRS by [1979, 345](#))

NRS 207.297 Discrimination: Definitions. As used in [NRS 207.300](#) and [207.310](#):

1. "Disability" means, with respect to a person:

- (a) A physical or mental impairment that substantially limits one or more of the major life activities of the person;
- (b) A record of such an impairment; or
- (c) Being regarded as having such an impairment.

2. "Familial status" means the fact that a person:

- (a) Lives with a child under the age of 18 and has:
 - (1) Lawful custody of the child; or
 - (2) Written permission to live with the child from the person who has lawful custody of the child;
- (b) Is pregnant; or
- (c) Has begun a proceeding to adopt or otherwise obtain lawful custody of a child.

3. "Sexual orientation" means having or being perceived as having an orientation for heterosexuality, homosexuality or bisexuality.

(Added to NRS by [1991, 1981](#); A [1995, 1988](#); [2011, 870](#); [2013, 65](#))

NRS 207.300 Discrimination: Transactions involving real property. It is unlawful for any person to refuse to rent, lease, sell or otherwise convey any real property solely because of race, religious creed, color, national origin, disability, sexual orientation, gender identity or expression, ancestry, familial status or sex.

(Added to NRS by [1971, 732](#); A [1973, 195](#); [1985, 335](#); [1991, 1981](#); [2011, 870](#))

NRS 207.310 Discrimination: Loans for dwellings.

1. As used in this section:

(a) "Customer" means a person who applies for a loan or other financial assistance to purchase, construct, improve or repair a dwelling. The term includes a person who does not intend to enter into a transaction for a loan or other financial assistance, but applies for the loan or financial assistance as if the person intended to enter into the transaction.

(b) "Lender" means a bank, savings and loan association, insurance company or other person whose business consists in whole or in part of making commercial real estate loans.

2. It is unlawful for any lender to deny a loan, or other financial assistance rendered by the lender, to any customer or to discriminate against any customer in fixing the amount, conditions, duration, rate of interest or other terms of a loan or other financial assistance or to refuse to purchase a loan from another lender because of the race, color, religious creed, national origin, disability, sexual orientation, gender identity or expression, ancestry, familial status or sex of:

(a) The customer;

(b) Any person associated with the customer in connection with the loan or other financial assistance or with the purpose of the loan or other financial assistance; or

(c) The present or prospective owners, lessees, tenants or occupants of the dwelling in relation to which the loan or other financial assistance is to be made or given.

3. A person who violates the provisions of this section is guilty of:

(a) A misdemeanor for the first and second offenses.

(b) A gross misdemeanor for the third and subsequent offenses.

(Added to NRS by [1971, 732](#); A [1975, 829](#); [1989, 10](#); [1991, 1981](#); [1995, 1988](#); [1997, 52](#); [2011, 870](#))

NRS 207.320 Preparation or sale of academic writings. Any person who prepares for sale or sells any term paper, thesis, dissertation or similar writing intending such writing to be submitted to an academic institution as the work of any person not the author in fulfillment of a requirement for completion of a course of study, award of a degree or other academic credit is guilty of a misdemeanor.

(Added to NRS by [1973, 1161](#))

NRS 207.325 Unsolicited transmission of advertisement to facsimile machine.

1. Except as otherwise provided in subsection 2, a person shall not make or cause to be made an unsolicited electronic or telephonic transmission to a facsimile machine to solicit a person to purchase real property, goods or services.

2. The provisions of subsection 1 do not apply to an unsolicited electronic or telephonic transmission sent to a person who has a preexisting business relationship with the person who makes or causes the transmission to be made.

3. Any person who violates the provisions of subsection 1 is guilty of a misdemeanor.

4. As used in this section, "facsimile machine" means a device which receives and copies a reproduction or facsimile of a document or photograph which is transmitted electronically or telephonically by telecommunications lines.

(Added to NRS by [1991, 126](#))

NRS 207.330 Sale of identifying card or document. It is unlawful for any person to sell to another any card or other document purporting to establish the identity of the holder unless the purchaser appears personally before the seller and declares his or her identity in writing under the penalty of perjury. This section does not apply to any governmental agency.

(Added to NRS by [1975, 1461](#))

NRS 207.335 Counterfeiting or forging registry identification card or letter of approval issued for engaging in acts relating to medical use of marijuana; possessing counterfeit or forged registry identification card or letter of approval; penalty.

1. It is unlawful for any person to:

(a) Counterfeit or forge or attempt to counterfeit or forge a registry identification card or letter of approval; or

(b) Have in his or her possession with the intent to use any counterfeit or forged registry identification card or letter of approval.

2. Any person who violates the provisions of subsection 1 is guilty of a category E felony and shall be punished as provided in [NRS 193.130](#).

3. As used in this section:

(a) "Letter of approval" has the meaning ascribed to it in [NRS 453A.109](#).

(b) "Registry identification card" has the meaning ascribed to it in [NRS 453A.140](#).

(Added to NRS by [2013, 3697](#); A [2015, 3085](#))

NRS 207.340 Acts concerning federal food stamps; prosecution by district attorney or Attorney General.

1. As used in this section, unless the context otherwise requires:

(a) "Access device" means any card, plate, account number or other means of access that can be used, alone or in conjunction with another access device, to obtain payments, allotments, benefits, money, goods or other things of value, or that can be used to initiate a transfer of funds pursuant to the Act.

(b) "Act" means the Food Stamp Act of 1977, as amended (7 U.S.C. §§ 2011 et seq.) and regulations adopted thereunder.

(c) "Authorization to purchase" means a document issued by the United States Department of Agriculture or by a state agency which permits the holder to purchase coupons or otherwise receive benefits under the Act.

(d) "Coupon" means a food stamp, coupon, certificate or access device issued by the United States Department of Agriculture as provided in the Act.

2. A person who knowingly uses, transfers, sells, purchases, acquires, alters or possesses coupons and who is not authorized by the Act to do so, or who knowingly presents or causes to be presented coupons which are received, transferred or used in a manner not authorized by the Act, shall be punished:

(a) If the value of the coupons is less than \$650, for a misdemeanor, and be sentenced to restore the amount of the value so obtained.

(b) If the value of the coupons is \$650 or more, for a category E felony as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

3. A district attorney or the Attorney General may commence proceedings to enforce the provisions of this section in any court of competent jurisdiction.

4. If a person is convicted of violating any of the provisions of this section, the prosecuting attorney shall report the sentence imposed by the court for that person to the Division of Welfare and Supportive Services of the Department of Health and Human Services within 60 days after the imposition of the sentence.

5. The value of all coupons misappropriated in separate acts of fraud involving coupons must be combined for the purposes of imposing punishment for the offense charged if:

(a) The separate acts were committed within 6 months before the offense;

(b) None of the individual acts is punishable as a felony; and

(c) The cumulative value of all the coupons misappropriated is sufficient to make the offense punishable as a felony.

6. At the time of sentencing, a court may accept as a partial mitigation of the offense satisfactory evidence that a person convicted of violating any of the provisions of this section sold or transferred the coupons for cash to buy necessities which may not be lawfully obtained with coupons.

(Added to NRS by [1977.608](#); A [1981.1028](#); [1989.1440](#); [1995.1241](#), [2692](#); [2011.172](#))

NRS 207.345 Impersonation of officer or employee of utility.

1. A person shall not:

(a) Impersonate an officer or employee of a utility or, without authority, assume any characteristic, such as a uniform or insignie, or any identification by which an officer or employee of a utility is distinguished, known or identified; and

(b) Use the impersonation or the assumed characteristic or identity to commit or attempt to commit any unlawful act or any act in which the person purports to represent the utility or an officer or employee of the utility.

2. A person who violates any provision of this section is guilty of:

(a) A gross misdemeanor; or

(b) A category C felony and shall be punished as provided in [NRS 193.130](#) if the person acted with the intent to:

(1) Commit, cause, aid, further or conceal, or attempt to commit, cause, aid, further or conceal, any unlawful act involving terrorism or sabotage; or

(2) Assist, solicit or conspire with another person to commit, cause, aid, further or conceal any unlawful act involving terrorism or sabotage.

(Added to NRS by [1987.405](#); A [2003.2463](#))

RACKETEERING

NRS 207.350 Definitions. As used in [NRS 207.350](#) to [207.520](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 207.360](#) to [207.390](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1983.1495](#))

NRS 207.360 "Crime related to racketeering" defined. "Crime related to racketeering" means the commission of, attempt to commit or conspiracy to commit any of the following crimes:

1. Murder;

2. Manslaughter, except vehicular manslaughter as described in [NRS 484B.657](#);

3. Mayhem;

4. Battery which is punished as a felony;

5. Kidnapping;

6. Sexual assault;

7. Arson;

8. Robbery;

9. Taking property from another under circumstances not amounting to robbery;

10. Extortion;

11. Statutory sexual seduction;

12. Extortinate collection of debt in violation of [NRS 205.322](#);

13. Forgery;

14. Any violation of [NRS 199.280](#) which is punished as a felony;

15. Burglary;

16. Grand larceny;

17. Bribery or asking for or receiving a bribe in violation of [chapter 197](#) or [199](#) of NRS which is punished as a felony;

18. Battery with intent to commit a crime in violation of [NRS 200.400](#);

19. Assault with a deadly weapon;

20. Any violation of [NRS 453.232](#), [453.316](#) to [453.3395](#), inclusive, except a violation of [NRS 453.3393](#), or [NRS 453.375](#) to [453.401](#), inclusive;

21. Receiving or transferring a stolen vehicle;

22. Any violation of [NRS 202.260](#), [202.275](#) or [202.350](#) which is punished as a felony;

23. Any violation of subsection 2 or 3 of [NRS 463.360](#) or [chapter 465](#) of NRS;

24. Receiving, possessing or withholding stolen goods valued at \$650 or more;

25. Embezzlement of money or property valued at \$650 or more;

26. Obtaining possession of money or property valued at \$650 or more, or obtaining a signature by means of false pretenses;

27. Perjury or subornation of perjury;

28. Offering false evidence;

29. Any violation of [NRS 201.300](#), [201.320](#) or [201.360](#);

30. Any violation of [NRS 90.570](#), [91.230](#) or [686A.290](#), or insurance fraud pursuant to [NRS 686A.291](#);

31. Any violation of [NRS 205.506](#), [205.920](#) or [205.930](#);

32. Any violation of [NRS 202.445](#) or [202.446](#);
 33. Any violation of [NRS 205.377](#);
 34. Involuntary servitude in violation of any provision of [NRS 200.463](#) or [200.464](#) or a violation of any provision of [NRS 200.465](#);
- or
35. Trafficking in persons in violation of any provision of [NRS 200.467](#) or [200.468](#).
(Added to NRS by [1983.1495](#); A [1989.18](#), [160](#); [1991.124](#), [161](#); [1997.493](#); [1999.2642](#); [2001.1100](#); [2003.2951](#); [2005.79](#); [2009.144](#); [2011.173](#); [2013.2434](#), [3697](#))

NRS 207.370 “Criminal syndicate” defined. “Criminal syndicate” means any combination of persons, so structured that the organization will continue its operation even if individual members enter or leave the organization, which engages in or has the purpose of engaging in racketeering activity.
(Added to NRS by [1983.1496](#))

NRS 207.380 “Enterprise” defined. “Enterprise” includes:

1. Any natural person, sole proprietorship, partnership, corporation, business trust or other legal entity; and
2. Any union, association or other group of persons associated in fact although not a legal entity.

Ê The term includes illicit as well as licit enterprises and governmental as well as other entities.
(Added to NRS by [1983.1496](#))

NRS 207.390 “Racketeering activity” defined. “Racketeering activity” means engaging in at least two crimes related to racketeering that have the same or similar pattern, intents, results, accomplices, victims or methods of commission, or are otherwise interrelated by distinguishing characteristics and are not isolated incidents, if at least one of the incidents occurred after July 1, 1983, and the last of the incidents occurred within 5 years after a prior commission of a crime related to racketeering.
(Added to NRS by [1983.1496](#))

NRS 207.400 Unlawful acts; penalties.

1. It is unlawful for a person:
 - (a) Who has with criminal intent received any proceeds derived, directly or indirectly, from racketeering activity to use or invest, whether directly or indirectly, any part of the proceeds, or the proceeds derived from the investment or use thereof, in the acquisition of:
 - (1) Any title to or any right, interest or equity in real property; or
 - (2) Any interest in or the establishment or operation of any enterprise.
 - (b) Through racketeering activity to acquire or maintain, directly or indirectly, any interest in or control of any enterprise.
 - (c) Who is employed by or associated with any enterprise to conduct or participate, directly or indirectly, in:
 - (1) The affairs of the enterprise through racketeering activity; or
 - (2) Racketeering activity through the affairs of the enterprise.
 - (d) Intentionally to organize, manage, direct, supervise or finance a criminal syndicate.
 - (e) Knowingly to incite or induce others to engage in violence or intimidation to promote or further the criminal objectives of the criminal syndicate.
 - (f) To furnish advice, assistance or direction in the conduct, financing or management of the affairs of the criminal syndicate with the intent to promote or further the criminal objectives of the syndicate.
 - (g) Intentionally to promote or further the criminal objectives of a criminal syndicate by inducing the commission of an act or the omission of an act by a public officer or employee which violates his or her official duty.
 - (h) To transport property, to attempt to transport property or to provide property to another person knowing that the other person intends to use the property to further racketeering activity.
 - (i) Who knows that property represents proceeds of, or is directly or indirectly derived from, any unlawful activity to conduct or attempt to conduct any transaction involving the property:
 - (1) With the intent to further racketeering activity; or
 - (2) With the knowledge that the transaction conceals the location, source, ownership or control of the property.
 - (j) To conspire to violate any of the provisions of this section.
2. A person who violates this section is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$25,000.
3. As used in this section, “unlawful activity” has the meaning ascribed to it in [NRS 207.195](#).
(Added to NRS by [1983.1496](#); A [1995.1241](#); [2009.145](#))

NRS 207.410 Alternate fine for unlawful acts. In lieu of the fine which may be imposed for a violation of [NRS 207.400](#), the convicted person may be sentenced to pay a fine which does not exceed three times:

1. Any gross pecuniary value the convicted person gained; or
 2. Any gross loss the convicted person caused, including property damage and personal injury but excluding any pain and suffering,
- Ê whichever is greater, as a result of the violation. The convicted person may also be sentenced to pay court costs and the reasonable costs of the investigation and prosecution. If property is ordered forfeited pursuant to [NRS 207.450](#), the value of that property must be subtracted from a fine imposed pursuant to this section.
(Added to NRS by [1983.1497](#))

NRS 207.415 Account for Prosecution of Racketeering created; use and distribution of money by Attorney General; reimbursement of Account.

1. The Account for the Prosecution of Racketeering is hereby created within the Attorney General’s Special Fund created pursuant to [NRS 228.096](#). Any amount of the balance in the Account in excess of \$50,000 must be deposited in the State General Fund.
2. The Attorney General shall use the money in the Account to pay the expenses involved in the investigation of racketeering activity and any civil action or criminal prosecution related thereto. The Attorney General may distribute money in the Account to other law enforcement agencies in this State for similar use. To the extent possible, each agency receiving money from the Account shall reimburse the Account with money it obtains as a result of a forfeiture or settlement which arises from any civil action or criminal prosecution related to racketeering activity. Each such agency shall also deposit in the Account an amount equal to 10 percent of the actual value of any other proceeds or property obtained in the forfeiture or settlement.
(Added to NRS by [1985.973](#); A [1989.1469](#))

NRS 207.420 Criminal forfeiture: Property subject to forfeiture; substitution for unreachable property.

1. If the indictment or information filed regarding a violation of [NRS 207.400](#) alleges that real or personal property was derived from, realized through, or used or intended for use in the course of the unlawful act and the extent of that property:
 - (a) The jury; or
 - (b) If the trial is without a jury, the court,Ê shall, upon a conviction, determine at a separate hearing the extent of the property to be forfeited. If the indictment or information does not include such an allegation, the property is not subject to criminal forfeiture.

2. The property subject to criminal forfeiture pursuant to subsection 1 includes:
 - (a) Any title or interest acquired or maintained by the unlawful conduct;
 - (b) Any proceeds derived from the unlawful conduct;
 - (c) Any property or contractual right which affords a source of influence over any enterprise established, operated, controlled, participated in or conducted in violation of [NRS 207.400](#);
 - (d) Any position, office, appointment, tenure or contract of employment:
 - (1) Which was acquired or maintained in violation of [NRS 207.400](#);
 - (2) Through which the convicted person conducted or participated in the conduct of such unlawful affairs of an enterprise; or
 - (3) Which afforded the convicted person a source of influence or control over the affairs of an enterprise which the convicted person exercised in violation of [NRS 207.400](#);
 - (e) Any compensation, right or benefit derived from a position, office, appointment, tenure or contract of employment that accrued to the convicted person during the period of unlawful conduct; and
 - (f) Any amount payable or paid under any contract for goods or services which was awarded or performed in violation of [NRS 207.400](#).

3. If property which is ordered to be criminally forfeited pursuant to subsection 1:
 - (a) Cannot be located;
 - (b) Has been sold to a purchaser in good faith for value;
 - (c) Has been placed beyond the jurisdiction of the court;
 - (d) Has been substantially diminished in value by the conduct of the defendant;
 - (e) Has been commingled with other property which cannot be divided without difficulty or undue injury to innocent persons; or
 - (f) Is otherwise unreachable without undue injury to innocent persons,the court shall order the forfeiture of other property of the defendant up to the value of the property that is unreachable.
(Added to NRS by [1983, 1497](#))

NRS 207.430 Criminal forfeiture: Temporary restraining order to preserve property.

1. The prosecuting attorney may apply for, and a court may issue without notice or hearing, a temporary restraining order to preserve property which would be subject to criminal forfeiture under [NRS 207.420](#) if:
 - (a) An indictment or information has been filed regarding a violation of [NRS 207.400](#) and the extent of criminally forfeitable property is included therein or the court believes there is probable cause for such an inclusion;
 - (b) The property is in the possession or control of the party against whom the order will be entered; and
 - (c) The court determines that the nature of the property is such that it can be concealed, disposed of or placed beyond the jurisdiction of the court before a hearing on the matter.
2. A temporary restraining order which is issued without notice may be issued for not more than 10 days and may be extended only for good cause or by consent. The court shall provide notice and hold a hearing on the matter before the order expires.
(Added to NRS by [1983, 1499](#))

NRS 207.440 Criminal forfeiture: Orders to secure property.

1. After an information or indictment is filed regarding a violation of [NRS 207.400](#), the prosecuting attorney may request the court to:
 - (a) Enter a restraining order or injunction;
 - (b) Require the execution of a satisfactory bond;
 - (c) Appoint a receiver; or
 - (d) Take any other necessary action,to secure property which is subject to criminal forfeiture.
2. The court shall, after a hearing for which notice was given to any person whose rights in the property proposed for forfeiture would be affected, order such an action if the prosecuting attorney shows by a preponderance of the evidence that the action is necessary to preserve the defendant's property which is subject to criminal forfeiture.
3. If no indictment or information has been filed regarding a violation of [NRS 207.400](#), the court may, after such a hearing and upon a showing of the prosecuting attorney that:
 - (a) There is probable cause to believe that the property for which the order is sought would be subject to criminal forfeiture; and
 - (b) The requested order would not result in substantial and irreparable harm or injury to the party against whom the order is to be entered that outweighs the need to secure the property for the potential criminal forfeiture,order an action to secure the property. Such an order may not be effective for more than 90 days unless it is extended for good cause or an indictment or information is filed regarding a violation of [NRS 207.400](#) and the extent of the criminally forfeitable property is listed therein.
(Added to NRS by [1983, 1498](#))

NRS 207.450 Criminal forfeiture: Order of forfeiture; protection of property.

1. Upon entry of a judgment for a violation of [NRS 207.400](#), the court may order the forfeiture of the appropriate property.
2. Upon entry of such an order, the court may:
 - (a) Enter a restraining order or injunction;
 - (b) Require the execution of a satisfactory bond;
 - (c) Appoint a receiver; or
 - (d) Take any other necessary action,to protect the interests of the State.
(Added to NRS by [1983, 1499](#))

NRS 207.460 Civil forfeiture: Property subject to forfeiture.

1. Except as otherwise provided in subsection 2, the following are subject to civil forfeiture to the State:
 - (a) All property, real or personal, including money used in the course of, intended for use in the course of, derived from or gained through conduct in violation of [NRS 207.400](#);
 - (b) Any title or interest a person has acquired or maintained in violation of [NRS 207.400](#); and
 - (c) Any property or contractual right which affords a source of influence over any enterprise established, operated, controlled, participated in or conducted in violation of [NRS 207.400](#).
2. Upon a showing by the owner of the requisite facts, the following is not subject to forfeiture under this section:
 - (a) Except as otherwise provided in paragraph (b), property used without the knowledge or consent of its owner; and
 - (b) A means of transportation used by a person in the transaction of business as a common carrier unless it appears the owner or person in charge of the common carrier consented to or had knowledge of the violation of [NRS 207.400](#).
(Added to NRS by [1983, 1499](#))

NRS 207.470 Civil actions for damages resulting from racketeering.

1. Any person who is injured in his or her business or property by reason of any violation of [NRS 207.400](#) has a cause of action against a person causing such injury for three times the actual damages sustained. An injured person may also recover attorney's fees in the trial and appellate courts and costs of investigation and litigation reasonably incurred. The defendant or any injured person in the action

may demand a trial by jury in any civil action brought pursuant to this section. Any injured person has a claim to forfeited property or the proceeds derived therefrom and this claim is superior to any claim the State may have to the same property or proceeds if the injured person's claim is asserted before a final decree is issued which grants forfeiture of the property or proceeds to the State.

2. A final judgment or decree rendered in favor of the State in any criminal proceeding under [NRS 205.322](#) or [207.400](#) estops the defendant in any subsequent civil action or proceeding from denying the essential allegations of the criminal offense.

3. Any civil action or proceeding under this section must be instituted in the district court of the State in the county in which the prospective defendant resides or has committed any act which subjects him or her to criminal or civil liability under this section or [NRS 205.322](#), [207.400](#) or [207.460](#).

4. Any civil remedy provided pursuant to this section is not exclusive of any other available remedy or penalty.

(Added to NRS by [1983, 1501](#))

NRS 207.480 Order of court upon determination of civil liability. A district court may, following a determination of civil liability under [NRS 207.470](#) or [207.490](#), take such actions as it deems proper, including ordering the defendant to pay all costs and expenses of the proceedings.

(Added to NRS by [1983, 1502](#))

NRS 207.490 Criminal and civil forfeiture: Seizure of property before forfeiture and final disposition; order of forfeiture; intercession by Attorney General; interlocutory actions by court.

1. Property subject to forfeiture under [NRS 207.420](#) and [207.460](#) may be seized by a law enforcement agency upon process issued by a court. Before an order of civil forfeiture is issued and without legal process, notice of the claim for forfeiture of real property may be given in the manner provided in [NRS 14.010](#) and [14.015](#). A seizure of personal property may be made without legal process if the seizure is incident to:

- (a) A lawful arrest or search; or
- (b) An inspection under an administrative warrant.

2. Property seized or made the subject of notice under this section is deemed to be in the custody of the agency subject only to orders of the court which has jurisdiction over the proceedings for forfeiture. An agency which has seized such property without process shall begin the proceedings for forfeiture promptly. Such an action takes precedence over other civil proceedings. The seized property is subject to an action to claim the delivery of the property if the agency does not file the complaint for forfeiture within 60 days after the property is seized. If a complaint for forfeiture is filed after an affidavit claiming delivery, the complaint must be treated as a counterclaim.

3. When property is seized under this section, pending forfeiture and final disposition, the law enforcement agency may:

- (a) Place the property under seal.
- (b) Remove the property to a place designated by the court.
- (c) Require another agency authorized by law to take custody of the property and remove it to an appropriate location.

4. The district attorney may institute civil proceedings under this section for the forfeiture of property subject to forfeiture pursuant to [NRS 207.460](#). The Attorney General may institute such proceedings when the property is seized by a state agency. If a district attorney has not instituted such a proceeding or has not pursued one which was instituted, the Attorney General may intercede after giving 30 days' written notice to the district attorney of the intention to do so.

5. In any action so brought, the district court shall proceed as soon as practicable to the hearing and determination. Pending final determination in an action brought under this section or [NRS 207.470](#), the district court may at any time enter such injunctions, prohibitions or restraining orders, or take such actions, including the acceptance of satisfactory performance bonds, as the court deems proper in connection with any property or interest subject to forfeiture.

6. Upon a finding of civil liability under this section or [NRS 207.470](#), the court may order the forfeiture of the appropriate property and interests.

(Added to NRS by [1983, 1500](#))

NRS 207.500 Use, sale and other disposal of forfeited property by State, county or city; payment of certain encumbrances.

1. The State, county or city may sell or retain for its official use the property or interests so forfeited. If the forfeited property or interest is to be sold or otherwise disposed of, the State, county or city shall do so as soon as commercially feasible. Except as otherwise provided in subsection 2, the proceeds from such a sale must be used:

(a) First to satisfy a claim of an injured person as provided in [NRS 207.470](#);

(b) Then for payment of all proper expenses of any proceedings for the forfeiture and sale, including any expenses for the seizure and maintenance of the property, advertising and court costs; and

(c) Then to repay any money received pursuant to [NRS 207.415](#) and to pay the amount required to be paid by that section.

The balance of the proceeds, if any, must be deposited in the General Fund of the State or a county or city as the court provides in the order of forfeiture.

2. If the property forfeited is encumbered by a bona fide security interest and the secured party shows that the secured party did not consent or have knowledge of the violation causing the forfeiture, the State shall pay the existing balance or return the property to the secured party.

(Added to NRS by [1983, 1501](#); A [1985, 973](#))

NRS 207.510 Parties to proceedings for forfeiture of property. No person, except one:

1. Who holds a community property interest in the property;
2. Whose name or interest appears on the document of title or certificate of registration of the property;
3. Who is injured in his or her business or property by the violation; or
4. Who can otherwise prove ownership or a bona fide security interest in the property or interest subject to forfeiture,

È may be a party to proceeding for a forfeiture brought pursuant to [NRS 207.490](#).

(Added to NRS by [1983, 1501](#))

NRS 207.520 Limitation of actions. A criminal action or proceeding under [NRS 205.322](#) or [207.400](#) may be commenced at any time within 5 years after the conduct in violation of the section occurs. Except as otherwise provided in [NRS 217.007](#), a civil action or proceeding under [NRS 207.470](#) may be commenced at any time within 5 years after the violation occurs or after the injured person sustains the injury, whichever is later. If a criminal prosecution or civil action or other proceeding is brought to punish, prevent or restrain any violation of the provisions of [NRS 205.322](#) or [207.400](#), the running of the period of limitations prescribed by this section with respect to any cause of action arising under [NRS 207.470](#), which is based in whole or in part upon any matter complained of in the prosecution or proceeding, is suspended during the pendency of the prosecution or proceeding and for 2 years following termination of the prosecution or proceeding.

(Added to NRS by [1983, 1501](#); A [1985, 1828](#); [1993, 454](#))