

## CHAPTER 206 - MALICIOUS MISCHIEF

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**NRS 206.001 Definitions.** As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 206.003](#), [206.005](#) and [206.007](#) have the meanings ascribed to them in those sections.  
(Added to NRS by [2015, 2109](#))

**NRS 206.003 “Estray” defined.** “Estray” means any livestock running at large upon public or private lands in this State whose owner is unknown in the section where the animal is found.  
(Added to NRS by [2015, 2109](#))

**NRS 206.005 “Graffiti” defined.**

- “Graffiti” means any unauthorized inscription, word, figure or design that is marked, etched, scratched, drawn, painted on or affixed to the public or private property, real or personal, of another, including, without limitation, an estray or one or more head of livestock, which defaces the property.
- The term does not include any item affixed to property which may be removed:
  - By hand without defacing the property;
  - Through the use of a chemical or cleaning solvent commonly used for removing an adhesive substance without defacing the property; or
  - Without the use of a decal remover tool.
- As used in this section, “decal remover tool” means any device using power or heat to remove an adhesive substance.  
(Added to NRS by [1995, 736](#); A [2015, 2109](#))

**NRS 206.007 “Livestock” defined.** “Livestock” has the meaning ascribed to it in [NRS 205.219](#).  
(Added to NRS by [2015, 2109](#))

**NRS 206.010 Destruction or damage of property by unlawful assembly.** Whenever any persons unlawfully assembled pull down, damage or destroy any dwelling house or other building, or any shop, steamboat, vessel or other property, they severally are guilty of a public offense proportionate to the value of the property damaged or destroyed.  
[1911 C&P § 347; RL § 6612; NCL § 10295] — (NRS A [1967, 512](#); [1979, 1453](#))

**NRS 206.015 Destruction or damage of crops, gardens, trees or shrubs.** Every person who willfully and maliciously:

- Cuts down, destroys or injures, other than by burning, any wood, timber, grain, grass or crop, standing or growing, or which has been cut down and is lying upon the lands of another, or of the State;
- Cuts down, lops, girdles or otherwise injures or destroys, other than by burning, a fruit, shade or ornamental tree standing on the land of another, or of the State, or in any road or street; or
- Cuts down, destroys or in any way injures, other than by burning, any shrub, tree, vine or garden produce grown or growing within any orchard, garden, vineyard or yard, or any framework or erection therein,  
E is guilty of a public offense proportionate to the value of the loss resulting therefrom.  
(Added to NRS by [1967, 513](#); A [1979, 329](#))

**NRS 206.040 Entering property with intention to damage or destroy property.** Every person who willfully and maliciously enters, without the consent of the owner or occupant, any real property of another under circumstances not amounting to a burglary, with intent to take, injure or destroy any real or personal property there situated, is guilty of a misdemeanor.  
[Part 1911 C&P § 488; RL § 6753; NCL § 10435] — (NRS A [1979, 1454](#))

**NRS 206.045 Removing, concealing or destroying real property with intention to defraud secured party.**

1. A person who occupies real property, including a person with an ownership interest in the real property, who has personal knowledge of the pendency of an action for the foreclosure of a mortgage upon real property or a proceeding for the judicial or other foreclosure of a deed of trust given to secure a loan made to purchase real property shall not remove, conceal or otherwise destroy any portion of the real property upon which a security interest exists.

2. A person who:

(a) Violates the provisions of subsection 1 with the intent to defraud the secured party; and

(b) Causes the secured party to suffer a pecuniary loss upon the conclusion of a proceeding for the foreclosure of the real property, is guilty of a misdemeanor.

(Added to NRS by [2011, 689](#))

**NRS 206.125 Damage of property used for purpose of religion, for burial or memorializing of dead, for education, as transportation facility, as public transportation vehicle or as community center; damage of personal property contained therein; penalties; restitution.**

1. Unless a greater penalty is provided by law, a person who knowingly vandalizes, places graffiti on, defaces or otherwise damages:

(a) Any church, synagogue or other building, structure or place used for religious worship or other religious purpose;

(b) Any cemetery, mortuary or other facility used for the purpose of burial or memorializing the dead;

(c) Any school, educational facility, transportation facility, public transportation vehicle or community center;

(d) The grounds adjacent to, and owned or rented by, any institution, facility, building, structure or place described in paragraph (a), (b) or (c); or

(e) Any personal property contained in any institution, facility, building, structure or place described in paragraph (a), (b) or (c), is guilty of a gross misdemeanor.

2. In addition to any other penalty, the court shall order a person found guilty of a gross misdemeanor pursuant to subsection 1 to pay restitution for the damage and:

(a) For the first offense, to pay a fine of not less than \$400 but not more than \$1,000, and to perform 100 hours of community service.

(b) For the second offense, to pay a fine of not less than \$750, but not more than \$1,000, and to perform 200 hours of community service.

(c) For a third or subsequent offense, to pay a fine of \$1,000, and to perform 200 hours of community service.

3. A person who is paid money for restitution pursuant to subsection 1 shall use the money to repair or restore the property that was damaged.

4. As used in this section:

(a) "Public transportation vehicle" has the meaning ascribed to it in [NRS 206.335](#).

(b) "Transportation facility" has the meaning ascribed to it in [NRS 206.335](#).

(Added to NRS by [1989, 898](#); A [1995, 737](#); [2005, 501](#); [2007, 2296](#))

**NRS 206.140 Nuisance in building; trespass upon grounds; disturbing assembly.** Every person who:

1. Commits any nuisance in any building, public or private;

2. Commits any trespass upon the grounds attached thereto, or any fixtures placed thereon, or any enclosure or sidewalk about the building; or

3. In any manner interferes with or disturbs those peaceably assembled within the building,

is guilty of a public offense proportionate to the value of any property damaged or destroyed, but in no event less than a misdemeanor.

[Part 1911 C&P § 495; RL § 6760; NCL § 10442] + [1911 C&P § 496; RL § 6761; NCL § 10443] — (NRS A [1967, 513](#); [1979, 1454](#))

**NRS 206.150 Killing, maiming, disfiguring or poisoning animal of another person; killing stray or livestock.**

1. Except as otherwise provided in subsections 2 and 3, any person who willfully and maliciously kills, maims or disfigures any animal belonging to another, or exposes any poison or noxious substance with intent that it should be taken by the animal is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#), and may be further punished by a fine of not more than \$10,000.

2. Except as otherwise provided in [NRS 205.220](#), a person who willfully and maliciously kills an stray or one or more head of livestock, without the authority to do so, is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

3. The provisions of subsection 1 do not apply to any person who kills a dog pursuant to [NRS 575.020](#).

[Part 1911 C&P § 488; RL § 6753; NCL § 10435] — (NRS A 1961, 402; [1967, 513](#); [1979, 1395](#); [1999, 2515](#); [2001, 2891](#); [2015, 2109](#))

**NRS 206.160 Leading or driving horse away without authority.** Every person who shall willfully and maliciously:

1. Untie, unfasten or liberate, without authority, the horse or team of another; or

2. Lead, ride or drive away, without authority, the horse or team of another from the place where left by the owner or person in charge thereof,

is guilty of a misdemeanor.

[Part 1911 C&P § 488; RL § 6753; NCL § 10435] — (NRS A 1961, 269)

**NRS 206.200 Posting of bills, signs or posters unlawful.** Any person who shall willfully, unlawfully or maliciously:

1. Without the consent of the owner, agent or occupant of the premises or property herein mentioned, deface, disfigure or cover up any fruit tree or ornamental tree, fence, wall, house, shop or building, the property of another, by pasting upon, or in any way fastening thereto, any printed bill, signboard, show poster or other device whatsoever;

2. Without a written permit from the board of county commissioners in the county wherein such written permit may be issued, deface, disfigure or cover up by pasting upon, or in any way fastening thereto, any printed bill, signboard, show poster or other device whatsoever upon any public building, monument, gravestone, ornamental tree or other object or property under the supervision and control of the board of county commissioners of the respective counties in this state, or under the supervision and control of any municipal government, or of any association or society whatsoever; or

3. Place upon or affix to any real property, or any rock, tree, wall, fence or other structure thereupon, without the consent of the owner thereof, any word, character or device designed to advertise any article, business, profession, exhibition, matter or event,

is guilty of a misdemeanor.

[Part 1911 C&P § 489; RL § 6754; NCL § 10436] — (NRS A [1967, 514](#))

**NRS 206.220 Removal, alteration or destruction of monuments or landmarks designating boundaries.**

1. Except as otherwise provided in subsection 2, every person who willfully or maliciously:

(a) Removes any monument of stone, wood or other durable material erected, or post or stake fixed or driven in the ground, for the purpose of designating the corner, or any other point, in the boundary of this state or any political subdivision thereof, or any lot or tract of land, or any mining claim or claims;

(b) Alters the marks upon any tree, post or other monument made for the purpose of designating any point, course or line, in any such boundary; or

(c) Cuts down or removes any tree upon which any such marks are made for that purpose, with the intent to destroy such marks, is guilty of a public offense proportionate to the value of the loss resulting therefrom, but in no event less than a misdemeanor.

2. This section does not apply to a professional land surveyor who acts in accordance with [NRS 625.380](#).

3. As used in this section, the “value of the loss resulting therefrom” means the cost of restoring or replacing the marks or monuments which have been removed, altered or destroyed.

[1911 C&P § 411; A 1935, 28; 1931 NCL § 10363]— (NRS A [1967.514](#); [1979.1454](#); [1999.964](#))

**NRS 206.260 Fraudulent and malicious destruction of writings.** A person who fraudulently or maliciously tears, burns, effaces, cuts, or in any other way destroys, with the intent to defraud, prejudice or injure any person or body corporate:

1. Any deed, lease, bond, will, or any other sealed writing;
2. Any bank bill or note, check, warrant or certificate for the payment of money or other thing, or other security for the payment of money or the delivery of goods;
3. Any certificate or other public security of this state, the United States, or any state or territory for the payment of money;
4. Any receipt, acquittance, release, defeasance, discharge of any debt, suit or other demand;
5. Any transfer or assurance of money, stock, goods, chattels or other property;
6. Any letter of attorney or other power;
7. Any daybook or other book of account; or
8. Any agreement or contract,

È is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

[1911 C&P § 406; RL § 6671; NCL § 10358]— (NRS A [1979.1454](#); [1995.1237](#))

**NRS 206.270 Defacing proclamations and notices.**

1. If any person shall intentionally deface, obliterate, tear down or destroy, in whole or in part, any copy or transcript, or extract from or of any law of the United States, or of this state, or any proclamation, advertisement or notification, set up at any place in this state by authority of any law of the United States, or of this state, or by order of any court, such person, on conviction, shall be fined not more than \$500.

2. This section shall not extend to defacing, tearing down, obliterating or destroying any law, proclamation, publication, notification, advertisement or order after the time for which the same was by law to remain set up shall have expired.

[1911 C&P § 409; RL § 6674; NCL § 10361]— (NRS A [1967.515](#))

**NRS 206.280 Tampering with papers.** Every person who shall willfully or maliciously and with intent to injure another destroy, alter, erase, obliterate or conceal any letter, telegraph message, book or record of account, or any writing or instrument by which any claim, privilege, right, obligation or authority, or any right or title to property, real or personal, is, or purports to be, or upon the happening of some future event may be evidenced, created, acknowledged, transferred, increased, diminished, encumbered, defeated, discharged or affected, shall be guilty of a gross misdemeanor.

[1911 C&P § 447; RL § 6712; NCL § 10400]

**NRS 206.290 Opening or publishing sealed letter or telegram.** Every person who shall:

1. Willfully open or read, or cause to be read, any sealed letter, message or telegram, not addressed to such person, without being authorized so to do either by the writer of the same or by the person to whom it shall be addressed, is guilty of a gross misdemeanor.

2. Maliciously publish the whole or any part of such letter, message or telegram, without the authority of the writer thereof or of the person to whom the same shall be addressed, knowing the same to have been so opened, is guilty of a gross misdemeanor.

[1911 C&P § 449; RL § 6714; NCL § 10402]— (NRS A [1967.515](#))

**NRS 206.300 False signals endangering cars, vessels or motors.** A person who, in such a manner as might, if not discovered, endanger a vessel, railway engine, motor, train or car, shows, masks, extinguishes, alters or removes any light or signal, or exhibits any false light or signal, shall be punished:

1. Where physical injury or property damage results therefrom, 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 10 years, and may be further punished by a fine of not more than \$10,000.

2. Otherwise, for a gross misdemeanor.

[1911 C&P § 485; RL § 6750; NCL § 10432]— (NRS A [1967.516](#); [1979.1455](#); [1995.1237](#))

**NRS 206.310 Injury to other property.**

1. Every person who shall willfully or maliciously destroy or injure any real or personal property of another, for the destruction or injury of which no special punishment is otherwise specially prescribed, shall be guilty of a public offense proportionate to the value of the property affected or the loss resulting from such offense.

2. It is not a defense that the person engaging in the conduct prohibited by subsection 1 holds a leasehold interest in the real property that was destroyed or injured.

[1911 C&P § 497; RL § 6762; NCL § 10444]— (NRS A [1967.516](#); [2013.450](#))

**NRS 206.320 Unlawful removal of petrified wood from posted or designated sites; duties of certain officers.**

1. The Board of Museums and History may, by itself or by its designated representative, post or otherwise properly designate a site containing petrified wood deemed of sufficient importance to preserve in its natural state.

2. It is unlawful to disturb or remove any petrified wood from a designated site.

3. Any violation of this section is a misdemeanor.

4. The Division of State Parks of the State Department of Conservation and Natural Resources, and personnel thereof, the sheriffs, in their respective counties, and all other peace officers shall enforce this section.

(Added to NRS by 1959, 292; A 1960, 94; 1963, 827; [1981.657](#); [1985.143](#))

**NRS 206.330 Placing graffiti on or otherwise defacing property: Fines and penalties; restitution; parent or guardian responsible for fines and penalties if person violating section is under age of 18 years; suspension of driver’s license.**

1. Unless a greater criminal penalty is provided by a specific statute, a person who places graffiti on or otherwise defaces the public or private property, real or personal, of another, without the permission of the owner:

(a) Where the value of the loss is less than \$250, is guilty of a misdemeanor.

(b) Where the value of the loss is \$250 or more but less than \$5,000, is guilty of a gross misdemeanor.

(c) Where the value of the loss is \$5,000 or more or where the damage results in the impairment of public communication, transportation or police and fire protection, is guilty of a category E felony and shall be punished as provided in [NRS 193.130](#). If the court grants probation to such a person, the court shall require as a condition of probation that the person serve at least 10 days in the county jail.

(d) Where the offense is committed on any protected site in this State, is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#). If the court grants probation to such a person, the court shall require as a condition of probation that the person serve at least 10 days in the county jail.

2. Unless a greater penalty is provided by a specific statute, a person who has previously been convicted of a violation of subsection 1:

(a) Two or more times; or

(b) That was punished as a felony,



and who violates subsection 1, regardless of the value of the loss, is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

3. If a person commits more than one offense pursuant to a scheme or continuing course of conduct, the value of all property damaged or destroyed by that person in the commission of those offenses must be aggregated for the purpose of determining the penalty prescribed in subsection 1, but only if the value of the loss when aggregated is \$500 or more.

4. A person who violates subsection 1 shall, in addition to any other fine or penalty imposed:

- (a) For the first offense, pay a fine of not less than \$400 but not more than \$1,000 and perform 100 hours of community service.
- (b) For the second offense, pay a fine of not less than \$750 but not more than \$1,000 and perform 200 hours of community service.
- (c) For the third and each subsequent offense:

(1) Pay a fine of \$1,000; and

(2) Perform up to 300 hours of community service for up to 1 year, as determined by the court. The court may order the person to repair, replace, clean up or keep free of graffiti the property damaged or destroyed by the person or, if it is not practicable for the person to repair, replace, clean up or keep free of graffiti that specific property, the court may order the person to repair, replace, clean up or keep free of graffiti another specified property.

E The community service assigned pursuant to this subsection must, if possible, be related to the abatement of graffiti.

5. The court may, in addition to any other fine or penalty imposed, order a person who violates subsection 1 to pay restitution.

6. The parent or legal guardian of a person under 18 years of age who violates this section is liable for all fines and penalties imposed against the person. If the parent or legal guardian is unable to pay the fine and penalties resulting from a violation of this section because of financial hardship, the court may require the parent or legal guardian to perform community service.

7. If a person who is 18 years of age or older is found guilty of violating this section, the court shall, in addition to any other penalty imposed, issue an order suspending the driver's license of the person for not less than 6 months but not more than 2 years. The court shall require the person to surrender all driver's licenses then held by the person. If the person does not possess a driver's license, the court shall issue an order prohibiting the person from applying for a driver's license for not less than 6 months but not more than 2 years. The court shall, within 5 days after issuing the order, forward to the Department of Motor Vehicles any licenses together with a copy of the order.

8. The Department of Motor Vehicles:

(a) Shall not treat a violation of this section in the manner statutorily required for a moving traffic violation.

(b) Shall report the suspension of a driver's license pursuant to this section to an insurance company or its agent inquiring about the person's driving record. An insurance company shall not use any information obtained pursuant to this paragraph for purposes related to establishing premium rates or determining whether to underwrite the insurance.

9. A criminal penalty imposed pursuant to this section is in addition to any civil penalty or other remedy available pursuant to this section or another statute for the same conduct.

10. As used in this section:

(a) "Impairment" means the disruption of ordinary and incidental services, the temporary loss of use or the removal of the property from service for repair of damage.

(b) "Protected site" means:

(1) Any site, landmark, monument, building or structure of historical significance pertaining to the history of the settlement of Nevada;

(2) Any site, building, structure, object or district listed in the register of historic resources of a community which is recognized as a Certified Local Government pursuant to the Certified Local Government Program jointly administered by the National Park Service and the Office of Historic Preservation of the State Department of Conservation and Natural Resources;

(3) Any site, building, structure, object or district listed in the State Register of Historic Places pursuant to [NRS 383.085](#) or the National Register of Historic Places;

(4) Any site, building, structure, object or district that is more than 50 years old and is located in a municipal or state park;

(5) Any Indian campgrounds, shelters, petroglyphs, pictographs and burials; or

(6) Any archeological or paleontological site, ruin, deposit, fossilized footprints and other impressions, petroglyphs and pictographs, habitation caves, rock shelters, natural caves, burial ground or sites of religious or cultural importance to an Indian tribe.

(c) "Value of the loss" means the cost of repairing, restoring or replacing the property, including, without limitation, the cost of any materials and labor necessary to repair, restore or replace the item.

(Added to NRS by [1995, 736](#); A [1997, 37](#); [2001, 2582](#); [2003, 1019](#); [2007, 2297](#); [2011, 1598](#); [2013, 1540](#); [2015, 1008](#))

### **NRS 206.335 Carrying graffiti implement at certain locations with intent to vandalize, place graffiti on or deface property.**

1. Any person who carries on his or her person a graffiti implement with the intent to vandalize, place graffiti on or otherwise deface public or private property, real or personal, of another:

(a) While on or under any overpass or bridge or in any flood channel;

(b) At any public facility, community center, park, playground, swimming pool, transportation facility, beach or recreational area wherein a sign is posted in a location reasonably expected to be viewed by the public which states that it is a misdemeanor to possess a graffiti implement at that public location without valid authorization; or

(c) In a public transportation vehicle wherein a sign is posted that is easily viewed by passengers which states that it is a misdemeanor to possess a graffiti implement in the vehicle without valid authorization,

E is guilty of a misdemeanor unless the person has first received valid authorization from the governmental entity which has jurisdiction over the public area or other person who is designated to provide such authorization.

2. As used in this section:

(a) "Broad-tipped indelible marker" means any felt-tipped marker or similar implement which contains a fluid that is not soluble in water and which has a flat or angled writing surface of a width of one-half inch or greater.

(b) "Graffiti implement" means any broad-tipped indelible marker, aerosol paint container, carbide-tipped instrument or other item that may be used to:

(1) Propel or apply any substance that is not soluble in water; or

(2) Etch or deface property.

(c) "Public transportation vehicle" means a bus, train or other vehicle or instrumentality used to transport persons from a transportation facility to another location.

(d) "Transportation facility" means an airport, marina, bus terminal, train station, bus stop or other facility where a person may go to obtain transportation.

(Added to NRS by [2007, 2296](#); A [2015, 2109](#))

### **NRS 206.340 Graffiti Reward Account created; administrative assessment to be imposed for certain violations; use of money in Account.**

1. The Graffiti Reward Account is hereby created in the State General Fund.

2. When a defendant pleads or is found guilty of violating [NRS 206.125](#), [206.330](#) or [206.335](#), the court shall include an administrative assessment of \$250 for each violation in addition to any other fine or penalty. The money collected must be paid by the clerk of the court to the State Controller on or before the fifth day of each month for the preceding month for credit to the Graffiti Reward Account.

3. All money received pursuant to subsection 2 must be deposited with the State Controller for credit to the Graffiti Reward Account. The money in the Account must be used:

(a) To pay a reward to a person who, in response to the offer of a reward, provides information which results in the identification, apprehension and conviction of a person who violates [NRS 206.125](#), [206.330](#) or [206.335](#); or  
(b) For any other purpose authorized by the Legislature.

4. If sufficient money is available in the Graffiti Reward Account, a state law enforcement agency may offer a reward, not to exceed \$1,000, for information leading to the identification, apprehension and conviction of a person who violates [NRS 206.125](#), [206.330](#) or [206.335](#). The reward must be paid out of the Graffiti Reward Account upon approval by the State Board of Examiners.

(Added to NRS by [1995, 737](#); A [2001, 2923](#); [2007, 2298](#); [2010, 26th Special Session, 5](#); [2011, 441](#))

**NRS 206.345 Counseling; person or entity to be paid if restitution is ordered for violation of [NRS 206.125](#) or [206.330](#); civil action.**

1. A court may, in addition to any other fine or penalty imposed, order a person who places graffiti on or otherwise defaces public or private property in violation of [NRS 206.125](#) or [206.330](#) to participate in counseling, and if the person is less than 18 years of age, order the parent or legal guardian of the person to attend or participate in counseling pursuant to [NRS 62E.290](#).

2. If a court orders a person who violates the provisions of [NRS 206.125](#) or [206.330](#) to pay restitution, the person shall pay the restitution to:

(a) The owner of the property which was affected by the violation; or

(b) If the violation involved the placing of graffiti on any public property, the governmental entity that incurred or will incur expenses for removing, covering or cleaning up the graffiti.

3. The owner of the property that has been damaged by graffiti or a governmental entity that is otherwise responsible for the property may bring a civil action against the person who placed the graffiti on such property. The court may award to the governmental entity or other property owner damages in an amount up to three times the amount of any loss in value to the property and up to three times the cost of restoring the property plus attorney's fees and costs, which may be recovered from the offender or, if the offender is less than 18 years of age, from the parent or legal guardian of the offender.

(Added to NRS by [2007, 2296](#); A [2011, 1599](#); [2015, 2110](#))