
ASSEMBLY BILL NO. 304—COMMITTEE ON JUDICIARY

FEBRUARY 23, 1999

Referred to Committee on Judiciary

SUMMARY—Makes various changes concerning complaints against peace officer.
(BDR 15-1113)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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

AN ACT relating to peace officers; prohibiting false or fraudulent complaints against a peace officer; requiring each agency that employs peace officers to establish a written procedure for investigating complaints against peace officers; providing a penalty; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 199 of NRS is hereby amended by adding thereto
2 a new section to read as follows:
3 ***1. A person who knowingly:***
4 ***(a) Makes or files a false or fraudulent oral or written complaint or***
5 ***allegation of misconduct against a peace officer;***
6 ***(b) Makes or files a false or fraudulent oral or written statement***
7 ***concerning a complaint or allegation of misconduct against a peace***
8 ***officer;***
9 ***(c) Prepares any written document with the intent to use, present or***
10 ***file it or authorize another person to use, present or file it in connection***
11 ***with a false or fraudulent complaint or allegation of misconduct against***
12 ***a peace officer; or***
13 ***(d) Aids, abets or solicits another person to commit an act described in***
14 ***paragraph (a), (b) or (c),***
15 ***is guilty of a misdemeanor.***
16 ***2. As used in this section, “peace officer” has the meaning ascribed***
17 ***to it in NRS 289.010.***

1 **Sec. 2.** Chapter 289 of NRS is hereby amended by adding thereto a
2 new section to read as follows:

3 **1. Each agency in this state that employs peace officers shall:**

4 **(a) Establish written procedures for investigating any complaint or**
5 **allegation of misconduct made or filed against a peace officer employed**
6 **by the agency; and**

7 **(b) Make copies of the written procedures established pursuant to**
8 **paragraph (a) available to the public.**

9 **2. Each agency in this state that employs peace officers shall require**
10 **each person who makes or files a complaint or allegation of misconduct**
11 **against a peace officer employed by that agency to read and sign a**
12 **statement printed in bold type in substantially the following form:**

13
14 **You have the right to make a complaint against a peace officer**
15 **for any improper conduct. The laws of the State of Nevada**
16 **require this agency to establish written procedures for**
17 **investigating complaints against peace officers. You have a right**
18 **to receive a written copy of these procedures. Although this**
19 **agency may find after investigation that there is not enough**
20 **evidence to warrant action on your complaint, you have the right**
21 **to make the complaint and have it investigated if you believe a**
22 **peace officer acted improperly. It is against the law to make a**
23 **complaint against a peace officer that you know is false or**
24 **fraudulent. If you make a complaint against a peace officer that**
25 **you know is false or fraudulent, you may be prosecuted for a**
26 **misdemeanor pursuant to section 1 of this act.**

27 **I have read and understand the above statement.**

28
29
30 **Complainant**

31 **Sec. 3.** The amendatory provisions of this act do not apply to offenses
32 that were committed before October 1, 1999.