

ASSEMBLY BILL NO. 38—ASSEMBLYMAN NEIGHBORS

PREFILED JANUARY 8, 1999

Referred to Committee on Judiciary

SUMMARY—Makes various changes concerning district courts. (BDR 1-363)

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 district courts; providing for an additional judge for the fifth judicial district; authorizing the board of county commissioners to establish one or more locations within the county for a district court to hold court in addition to the county seat; making an appropriation; 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.** NRS 1.050 is hereby amended to read as follows:
2 1.050 1. ~~The~~ ***Except as otherwise provided in NRS 3.100, the***
3 district court in and for Carson City shall sit at Carson City.
4 2. Except as provided in subsection 4 ~~or~~ ***or NRS 3.100***, every other
5 court of justice, except justice's or municipal court, shall sit at the county
6 seat of the county in which it is held.
7 3. Justices' courts shall be held in their respective townships, precincts
8 or cities, and municipal courts in their respective cities.
9 4. The parties to an action in a district court may stipulate, with the
10 approval of the court, that the action may be tried, or any proceeding related
11 to the action may be had, before that court at any other place in this state
12 where a district court is regularly held.
13 **Sec. 2.** NRS 3.015 is hereby amended to read as follows:
14 3.015 For the fifth judicial district there must be ~~one district judge.~~
15 ***two district judges.***
16 **Sec. 3.** NRS 3.100 is hereby amended to read as follows:
17 3.100 1. ***Except as otherwise provided in this subsection, the district***
18 ***courts shall hold court at the county seat of their respective counties. The***

1 *board of county commissioners may establish one or more additional*
2 *locations within the county for the district court to hold court.*

3 2. If a room for holding court ~~{be}~~ *at the county seat is* not provided
4 by the county, together with attendants, fuel, lights and stationery, suitable
5 and sufficient for the transaction of business, the court may direct the
6 sheriff to provide such room, attendants, fuel, lights and stationery, and the
7 expenses thereof shall be a county charge.

8 ~~{2.—Offices shall}~~

9 3. *An office at each county seat must* be provided and furnished by
10 and at the expense of the several counties for the several district judges.
11 Whenever the county commissioners of any county ~~{shall}~~ neglect or refuse
12 to provide and furnish *such* an office for the use of the district judge, ~~{it~~
13 ~~shall be lawful for such district judge to}~~ *the district judge may* make an
14 order, which ~~{order shall}~~ *must* be entered upon the minutes of the court,
15 requiring the sheriff to provide and furnish ~~{such}~~ *the* office. The necessary
16 expenses incurred therein ~~{shall become}~~ *are* a legal and valid claim against
17 the county.

18 **Sec. 4.** 1. There is hereby appropriated from the state general fund to
19 the district judges' salary account of the supreme court the sum of \$62,651
20 for a portion of the salary for the additional district judge required for the
21 fifth judicial district pursuant to section 2 of this act.

22 2. Any remaining balance of the appropriation made by subsection 1
23 must not be committed for expenditure after June 30, 2001, and reverts to
24 the state general fund as soon as all payments of money committed have
25 been made.

26 **Sec. 5.** The additional district judge required for the fifth judicial
27 district pursuant to section 2 of this act must be selected at the general
28 election to be held on November 7, 2000, and take office on January 1,
29 2001. The term of this judge expires on January 6, 2003.

30 **Sec. 6.** The provisions of subsection 1 of NRS 354.599 do not apply to
31 any additional expenses of a local government that are related to the
32 provisions of this act.

33 **Sec. 7.** 1. This section and sections 1, 3, 5 and 6 of this act become
34 effective on October 1, 1999.

35 2. Section 4 of this act becomes effective on July 1, 2000.

36 3. Section 2 of this act becomes effective on January 1, 2001.