
ASSEMBLY BILL NO. 422—ASSEMBLYMEN CLABORN AND COLLINS

MARCH 8, 1999

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to certain law enforcement agencies.
(BDR 20-1294)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.

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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 law enforcement agencies; authorizing a sheriff to collect fees for providing law enforcement services to certain cities; requiring a city council to create a police department in certain circumstances; revising the duties of the chief of police; 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 248.275 is hereby amended to read as follows:
2 248.275 1. The sheriff of each county in this state may charge and
3 collect the following fees:
4
5 For serving a summons or complaint, or any other process, by
6 which an action or proceeding is commenced, except as a
7 writ of habeas corpus, on every defendant\$15
8 For traveling and making such service, per mile in going
9 only, to be computed in all cases the distance actually
10 traveled, for each mile1
11 If any two or more papers are required to be served in the
12 same suit at the same time, where parties live in the same
13 direction, one mileage only may be charged.
14 For taking a bond or undertaking in any case in which he is
15 authorized to take a bond or undertaking4
16 For a copy of any writ, process or other paper, when
17 demanded or required by law, for each page.....2
18 For serving every rule or order15

1	For serving one notice required by law before the	
2	commencement of a proceeding for any type of eviction \$15	
3	For serving not fewer than 2 nor more than 10 such notices to	
4	the same location, each notice.....	12
5	For serving not fewer than 11 nor more than 24 such notices	
6	to the same location, each notice.....	10
7	For serving 25 or more such notices to the same location,	
8	each notice.....	9
9	For mileage in serving such a notice, for each mile	
10	necessarily and actually traveled in going only.....	1
11	But if two or more notices are served at the same general	
12	location during the same period, mileage may only be	
13	charged for the service of one notice.	
14	For serving a subpoena, for each witness summoned	15
15	For traveling, per mile in serving subpoenas, or a venire, in	
16	going only, for each mile.....	1
17	When two or more witnesses or jurors live in the same	
18	direction, traveling fees must be charged only for the	
19	most distant.	
20	For serving an attachment on property, or levying an	
21	execution, or executing an order of arrest or order for the	
22	delivery of personal property, together with traveling fees,	
23	as in cases of summons.....	15
24	For making and posting notices and advertising for sale, on	
25	execution or any judgment or order of sale, not to include	
26	the cost of publication in a newspaper	15
27	For issuing each certificate of sale of property on execution or	
28	order of sale, and for filing a duplicate thereof with the	
29	county recorder, which must be collected from the party	
30	receiving the certificate	3
31	For drawing and executing every sheriff's deed, to be paid by	
32	the grantee, who shall in addition pay for the	
33	acknowledgment thereof	12
34	For serving a writ of possession or restitution, putting any	
35	person into possession entitled thereto.....	15
36	For traveling in the service of any process, not otherwise	
37	provided in this section, for each mile necessarily traveled,	
38	for going only, for each mile	1
39	For mailing a notice of a writ of execution	1
40		
41	The sheriff may charge and collect \$1 per mile traveled, for going only, on	
42	all papers not served, where reasonable effort has been made to effect	
43	service, but not to exceed	\$20.

1 2. The sheriff may also charge and collect:

2 (a) For commissions for receiving and paying over money on execution
3 or process, where lands or personal property have been levied on,
4 advertised or sold, on the first \$500, 4 percent; on any sum in excess of
5 \$500, and not exceeding \$1,000, 2 percent; on all sums above that amount,
6 1 percent.

7 (b) For commissions for receiving and paying over money on
8 executions without levy, or where the lands or goods levied on are not
9 sold, on the first \$3,500, 2 percent, and on all amounts over that sum, one-
10 half of 1 percent.

11 (c) For service of any process in a criminal case, or of a writ of habeas
12 corpus, the same mileage as in civil cases, to be allowed, audited and paid
13 as are other claims against the county.

14 (d) For all services in justices' courts, the same fees as are allowed in
15 subsection 1 and paragraphs (a), (b) and (c) of this subsection.

16 3. The sheriff is also entitled to further compensation for his trouble
17 and expense in taking possession of property under attachment, execution
18 or other process and of preserving the property, as the court from which
19 the writ or order may issue certifies to be just and reasonable.

20 4. In service of a subpoena or a venire in criminal cases, the sheriff is
21 entitled to receive mileage for the most distant only, where witnesses and
22 jurors live in the same direction.

23 5. The fees allowed for the levy of an execution, for advertising and
24 for making and collecting money on an execution or order of sale, must be
25 collected from the defendants, by virtue of the execution or order of sale,
26 in the same manner as the execution is directed to be made.

27 6. *The sheriff may charge and collect a reasonable fee for providing*
28 *law enforcement services to a city that is not participating in a*
29 *metropolitan police department.*

30 7. Except as otherwise provided by an ordinance adopted pursuant to
31 the provisions of NRS 244.207, all fees collected by a sheriff must be paid
32 into the county treasury of his county on or before the fifth working day of
33 the month next succeeding the month in which the fees are collected.

34 **Sec. 2.** NRS 266.530 is hereby amended to read as follows:

35 266.530 1. ~~{There shall}~~ *The city council of a city that is not*
36 *participating in a metropolitan police department shall establish and*
37 *maintain a city police department unless the city council has entered into*
38 *an interlocal or cooperative agreement for the provision of law*
39 *enforcement services.*

40 2. *Except as otherwise provided in subsection 1, there must* be a chief
41 of police in each city which is not participating in a metropolitan police
42 department. He ~~{shall}~~ *must* be appointed by the mayor, subject to
43 confirmation by the council.

- 1 ~~[2.]~~ 3. The chief of police shall ~~{perform-such}~~ :
- 2 (a) *Except as otherwise provided in NRS 266.190, oversee and*
- 3 *command the city police department;*
- 4 (b) *Subject to the approval of the city council, appoint and supervise*
- 5 *such police officers as he determines necessary to carry out his duties;*
- 6 *and*
- 7 (c) *Perform such other* duties as may be designated by ordinance.

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