

ASSEMBLY BILL NO. 61—ASSEMBLYMAN PERKINS

PREFILED JANUARY 27, 1999

Referred to Committee on Education

SUMMARY—Expands jurisdiction and authority of school police officers. (BDR 34-133)

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

~

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

AN ACT relating to schools; expanding the jurisdiction of school police officers to school zones for the purpose of enforcement of traffic laws; authorizing school police officers to issue citations to habitual truants; 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 391.275 is hereby amended to read as follows:
2 391.275 ***1.*** The jurisdiction of each school police officer of a school
3 district extends to ~~hall~~ :
4 ***(a)*** All school property, buildings and facilities within the school district,
5 for the purpose of:
6 ~~1-1~~ ***(1)*** Protecting school district personnel, pupils, or real or personal
7 property; or
8 ~~1-2~~ ***(2)*** Cooperating with local law enforcement agencies in matters
9 relating to personnel, pupils or real or personal property of the school
10 district.
11 ***(b)*** *The school zone, if one has been designated pursuant to subsection*
12 ***3 of NRS 484.366, for the purpose of enforcing traffic laws within the***
13 ***school zone.***
14 ***2.*** *As used in this section, “school zone” has the meaning ascribed to*
15 ***it in NRS 484.149.***
16 **Sec. 2.** NRS 392.142 is hereby amended to read as follows:
17 392.142 1. The principal of a school shall report to ***a school police***
18 ***officer, if any, or to*** the appropriate local law enforcement agency the name
19 of any pupil enrolled in that school who is a habitual truant.

2. Upon receipt of such a report, if it appears after investigation that the pupil is a habitual truant, the **school police officer or the** law enforcement agency shall prepare a written citation directing the pupil to appear in the proper juvenile court.

3. A copy of the citation must be delivered to the pupil and to the parent, guardian or any other person who has control or charge of the pupil by:

(a) The local law enforcement agency;

(b) A school police officer employed by the board of trustees of the school district; or

(c) An attendance officer appointed by the board of trustees of the school district.

4. The citation must be in the form prescribed for misdemeanor citations in NRS 171.1773.

Sec. 3. NRS 392.160 is hereby amended to read as follows:

392.160 1. ~~Any~~ A peace officer, ~~the~~ **including, without limitation, a school police officer, an** attendance officer or any other school officer shall, during school hours, take into custody without warrant:

(a) Any child between the ages of 7 and 17 years; and

(b) Any child who has arrived at the age of 6 years but not at the age of 7 years and is enrolled in a public school, who has been reported to him by the teacher, superintendent of schools or other school officer as an absentee from instruction upon which he is lawfully required to attend.

2. Except as otherwise provided in subsection 3:

(a) During school hours, the officer having custody shall forthwith deliver the child to the superintendent of schools, principal or other school officer at the child's school of attendance.

(b) After school hours, the officer having custody shall deliver the child to the parent, guardian or other person having control or charge of the child.

3. The board of trustees of a school district or the governing body of a charter school may enter into an agreement with a counseling agency to permit delivery of the child to the agency. For the purposes of this subsection, "counseling agency" means an agency designated by the school district in which the child is enrolled to provide counseling for the child and the parent, guardian or other person having control or charge of the child.

Sec. 4. NRS 289.190 is hereby amended to read as follows:

289.190 1. A person employed or appointed to serve as a school police officer pursuant to subsection 4 of NRS 391.100 has the powers of a peace officer ~~in~~ **within the jurisdiction described in NRS 391.275.**

1 2. A person appointed pursuant to NRS 393.0718 by the board of
2 trustees of any school district has the powers of a peace officer to carry out
3 the intents and purposes of NRS 393.071 to 393.0719, inclusive.

4 3. Members of every board of trustees of a school district,
5 superintendents of schools, principals and teachers have concurrent power
6 with peace officers for the protection of children in school and on the way
7 to and from school, and for the enforcement of order and discipline among
8 such children, including children who attend school within one school
9 district but reside in an adjoining school district or adjoining state, pursuant
10 to the provisions of chapter 392 of NRS. This subsection must not be
11 construed so as to make it the duty of superintendents of schools, principals
12 and teachers to supervise the conduct of children while not on the school
13 property.

14 **Sec. 5.** This act becomes effective on July 1, 1999.

~