

SENATE BILL NO. 183—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF SECRETARY OF STATE)

FEBRUARY 15, 1999

Referred to Committee on Government Affairs

SUMMARY—Provides that criminal investigators employed by secretary of state have powers of peace officer. (BDR 23-656)

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

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

AN ACT relating to peace officers; providing that criminal investigators employed by the secretary of state have the powers of a peace officer; requiring criminal investigators employed by the secretary of state to comply with the standards of the peace officers' standards and training committee; 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 289 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***Criminal investigators employed by the secretary of state have the***
4 ***powers of a peace officer.***
5 **Sec. 2.** NRS 289.010 is hereby amended to read as follows:
6 289.010 As used in this chapter, unless the context otherwise requires:
7 1. "Peace officer" means any person upon whom some or all of the
8 powers of a peace officer are conferred pursuant to NRS 289.150 to
9 289.360, inclusive ~~[-]~~, ***and section 1 of this act.***
10 2. "Punitive action" means any action which may lead to dismissal,
11 demotion, suspension, reduction in salary, written reprimand or transfer of
12 a peace officer for purposes of punishment.
13 **Sec. 3.** NRS 481.053 is hereby amended to read as follows:
14 481.053 1. The governor shall appoint the peace officers' standards
15 and training committee.

1 2. The committee consists of seven members, one appointed from
2 Clark County, one from Washoe County, three from any other counties, one
3 from category II peace officers and one from category III peace officers.
4 Members serve terms of 2 years from the date of appointment. Members
5 serve without compensation but are entitled to the per diem allowance and
6 travel expenses provided by law for state officers and employees generally.

7 3. The governor shall make the appointments from recommendations
8 submitted by Clark County, Washoe County, professional organizations of
9 sheriffs and police chiefs of this state, category II peace officers and
10 category III peace officers.

11 4. The committee shall:

12 (a) Meet at the call of the chairman, who must be elected by the
13 members of the committee.

14 (b) Provide for and encourage the training and education of peace
15 officers in order to improve the system of criminal justice.

16 (c) Adopt regulations establishing minimum standards for the
17 certification and decertification, recruitment, selection and training of peace
18 officers.

19 (d) Make necessary inquiries to determine whether agencies of the state
20 and of local governments are complying with standards set forth in its
21 regulations.

22 (e) Carry out the duties required of the committee pursuant to NRS
23 432B.610 and 432B.620.

24 5. Regulations adopted by the committee:

25 (a) Apply to all agencies of the state and of local governments which
26 employ persons as peace officers;

27 (b) Must require that all peace officers receive training in the handling
28 of cases involving abuse or neglect of children or missing children; and

29 (c) May require that training be carried on at institutions which it
30 approves in those regulations.

31 6. The director may adopt regulations necessary for the operation of
32 the committee and the enforcement of laws administered by the committee.

33 7. As used in this section:

34 (a) "Category II peace officer" means:

35 (1) The bailiff of the supreme court;

36 (2) The bailiffs of the district courts, justices' courts and municipal
37 courts whose duties require them to carry weapons and make arrests;

38 (3) Constables and their deputies whose official duties require them to
39 carry weapons and make arrests;

40 (4) Inspectors employed by the transportation services authority who
41 exercise those powers of enforcement conferred by chapters 706 and 712 of
42 NRS;

43 (5) Parole and probation officers;

1 (6) Special investigators who are employed full time by the office of
2 any district attorney or the attorney general;

3 (7) Investigators of arson for fire departments who are specially
4 designated by the appointing authority;

5 (8) The assistant and deputies of the state fire marshal;

6 (9) The brand inspectors of the division of agriculture of the
7 department of business and industry who exercise the powers of
8 enforcement conferred in chapter 565 of NRS;

9 (10) Investigators for the state forester firewarden who are specially
10 designated by him and whose primary duties are the investigation of arson;

11 (11) School police officers employed by the board of trustees of any
12 county school district;

13 (12) Agents of the state gaming control board who exercise the
14 powers of enforcement specified in NRS 289.360, 463.140 or 463.1405,
15 except those agents whose duties relate primarily to auditing, accounting,
16 the collection of taxes or license fees, or the investigation of applicants for
17 licenses;

18 (13) Investigators and administrators of the bureau of enforcement of
19 the registration division of the department of motor vehicles and public
20 safety who perform the duties specified in subsection 3 of NRS 481.048;

21 (14) Officers and investigators of the section for the control of
22 emissions from vehicles of the registration division of the department of
23 motor vehicles and public safety who perform the duties specified in
24 subsection 3 of NRS 481.0481;

25 (15) Legislative police officers of the State of Nevada;

26 (16) The personnel of the capitol police division of the department of
27 motor vehicles and public safety appointed pursuant to subsection 2 of
28 NRS 331.140;

29 (17) Parole counselors of the division of child and family services of
30 the department of human resources;

31 (18) Juvenile probation officers and deputy juvenile probation
32 officers employed by the various judicial districts in ***the State of*** Nevada or
33 by a department of family, youth and juvenile services established pursuant
34 to NRS 62.1264 whose official duties require them to enforce court orders
35 on juvenile offenders and make arrests;

36 (19) Field investigators of the taxicab authority;

37 (20) Security officers employed full time by a city or county whose
38 official duties require them to carry weapons and make arrests; ~~and~~

39 (21) The chief of a department of alternative sentencing created
40 pursuant to NRS 211A.080 and the assistant alternative sentencing officers
41 employed by that department ~~[-]~~ ; ***and***

42 (22) ***Criminal investigators who are employed by the secretary of***
43 ***state.***

1 (b) “Category III peace officer” means peace officers whose authority is
2 limited to correctional services, and includes the superintendents and
3 correctional officers of the department of prisons.

4 **Sec. 4.** This act becomes effective on July 1, 1999.

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