

Senate Bill No. 314—Committee on Judiciary

CHAPTER.....

AN ACT relating to municipal courts; authorizing certain cities to establish the terms of office of municipal judges by ordinance; clarifying that municipal judges may be appointed in certain cities; and providing other matters properly relating thereto.

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

Section 1. NRS 5.020 is hereby amended to read as follows:

5.020 1. Except as otherwise provided in subsection ~~[2.]~~ **3 and NRS 266.405**, each municipal judge must be chosen by the electors of the city within which the municipal court is established on a day to be fixed by the governing body of that city. ~~[He shall hold his office for 1 year, unless a longer period is]~~ **The term of office of a municipal judge is the period** fixed by ~~[the]~~ :

(a) An ordinance adopted by the city if the city is organized under general law; or

(b) The charter of the city ~~[, in which case he shall hold his office for that longer period.]~~ **if the city is organized under a special charter.**

Before entering upon his duties, a municipal judge shall take the constitutional oath of office.

2. A municipal judge must:

(a) Be a citizen of this state;

(b) Except as otherwise provided in the charter of a city organized under a special charter, have been a bona fide resident of the city for not less than 1 year next preceding his election;

(c) Be a qualified elector in the city; and

(d) Not have ever been removed or retired from any judicial office by the commission on judicial discipline.

~~[2.]~~ **3.** The governing body of a city, with the consent of the board of county commissioners and the justice of the peace, may provide that a justice of the peace of the township in which the city is located is ex officio the municipal judge of the city.

~~[3.]~~ **4.** For the purposes of this section, a person shall not be ineligible to be a candidate for the office of municipal judge if a decision to remove or retire him from a judicial office is pending appeal before the supreme court or has been overturned by the supreme court.

Sec. 2. This act becomes effective at 12:01 a.m. on October 1, 1999.