ASSEMBLY BILL NO. 180–COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CITY OF HENDERSON)

FEBRUARY 19, 2001

_____

Referred to Committee on Government Affairs

SUMMARY—Amends charter of City of Henderson to make various changes concerning municipal judges. (BDR S-489)

FISCAL NOTE: Effect on Local Government: No.
                Effect on the State: No.

~

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

AN ACT relating to judges; amending the charter of the City of Henderson to make various changes concerning municipal judges; 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.** Section 4.015 of the charter of the City of Henderson,
2   being chapter 231, Statutes of Nevada 1991, as amended by chapter 596,
3   Statutes of Nevada 1995, at page 2213, is hereby amended to read as
4   follows:
5   Sec. 4.015   Municipal court.
6   1.   There is a municipal court of the city which consists of at least
7   one department. Each department must be presided over by a
8   municipal judge and has such power and jurisdiction as is prescribed
9   in, and is, in all respects which are not inconsistent with this charter,
10 governed by **,** the provisions of chapters 5 and 266 of NRS which
11 relate to municipal courts.
12   2.   The city council may from time to time establish additional
13 departments of the municipal court and shall appoint an additional
14 municipal judge for each.
15   3.   At the first municipal primary or general election which
16 follows the appointment of an additional municipal judge to a newly
17 created department of the municipal court, the successor to that
18 municipal judge must be elected for a term of [2 or 4] ***not more than***
19 ***5*** years, as determined by the city council, in order that, as nearly as

1 practicable, **[one half]** *one-third* of the number of municipal judges be
2 elected every 2 years.
3   4. Each municipal judge must be voted upon by the registered
4 voters of the city at large.
5   5. The respective departments of the municipal court must be
6 numbered 1 through the appropriate Arabic number, as additional
7 departments are approved by the city council. A municipal judge must
8 be elected for each department by number.
9   6. The senior municipal judge is *selected by a majority of the*
10 *sitting judges for a term of 2 years. If no municipal judge receives a*
11 *majority of the votes, the senior municipal judge is* the municipal
12 judge who has continuously served as a municipal judge for the
13 longest period.
14   **Sec. 2.** Section 4.020 of the charter of the City of Henderson, being
15 chapter 266, Statutes of Nevada 1971, as last amended by chapter 23,
16 Statutes of Nevada 1993, at page 46, is hereby amended to read as follows:
17   Sec. 4.020 Municipal court: Residency requirement of municipal
18 judge; salary.
19   1. Each municipal judge must have been a resident of the territory
20 which is established by the boundaries of the city for the 12 months
21 immediately preceding the last day for filing a declaration of
22 candidacy for the office.
23   2. The salary of each municipal judge must be fixed by the city
24 council and be uniform for all departments of the municipal court.
25 *The salary may be increased during the terms for which the judges*
26 *are elected or appointed.*
27   *3. Each municipal judge shall devote his full time to the duties*
28 *of his office and must be a duly licensed member, in good standing,*
29 *of the State Bar of Nevada, except that the requirement to be a duly*
30 *licensed member, in good standing, of the State Bar of Nevada does*
31 *not apply to any municipal judge who is an incumbent when this*
32 *section becomes effective as long as he continues to serve as such in*
33 *uninterrupted terms.*
34   **Sec. 3.** Section 5.020 of the charter of the City of Henderson, being
35 chapter 266, Statutes of Nevada 1971, as amended by chapter 67, Statutes
36 of Nevada 1987, at page 133, is hereby amended to read as follows:
37   Sec. 5.020 General municipal election.
38   1. A general election must be held in the city on the first Tuesday
39 after the first Monday in June of each odd-numbered year and on the
40 same day every 2 years thereafter, at which time the registered voters
41 of the city shall elect city officers to fill the available elective
42 positions.
43   2. All candidates for the office of mayor, councilman and
44 municipal judge must be voted upon by the registered voters of the
45 city at large. The term of office for members of the city council **[,**
46 **including the mayor, and the judges of the municipal court]** *and the*
47 *mayor* is 4 years. *Except as otherwise provided in subsection 3 of*
48 *section 4.015 of this charter, the term of office for a municipal judge*
49 *is 6 years.*

1   *3.   On the Tuesday after the first Monday in June 2001 and*
2   *every 6 years thereafter, there must be elected by the qualified voters*
3   *of the city, at a general municipal election to be held for that*
4   *purpose, a municipal judge for department 1 who will hold office*
5   *until his successor has been elected and qualified.*
6   *4.   On the Tuesday after the first Monday in June 2003 and*
7   *every 6 years thereafter, there must be elected by the qualified voters*
8   *of the city, at a general municipal election to be held for that*
9   *purpose, a municipal judge for department 2 who will hold office*
10   *until his successor has been elected and qualified.*
11   *5.   On the Tuesday after the first Monday in June 2005 and*
12   *every 6 years thereafter, there must be elected by the qualified voters*
13   *of the city, at a general municipal election to be held for that*
14   *purpose, a municipal judge for department 3 who will hold office*
15   *until his successor has been elected and qualified.*
16   **Sec. 4.**   This act becomes effective upon passage and approval.

○30

AB180 R2