

(REPRINTED WITH ADOPTED AMENDMENTS)  
SECOND REPRINT A.B. 220

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ASSEMBLY BILL NO. 220—COMMITTEE ON JUDICIARY

FEBRUARY 22, 2001

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing duties of certain peace officers when certain felonies are committed or attempted in their presence or in area that is within their jurisdiction. (BDR 14-141)

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

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

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AN ACT relating to law enforcement; revising provisions governing the duties of certain peace officers in larger counties when certain felonies are committed or attempted in their presence or in an area that is within their jurisdiction; 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 171 of NRS is hereby amended by adding thereto a  
2     new section to read as follows:  
3     1. *Except as otherwise provided in subsection 3, in a county whose*  
4     *population is 100,000 or more, a peace officer with limited jurisdiction*  
5     *who witnesses a category A felony being committed or attempted in his*  
6     *presence, or has reasonable cause for believing a person has committed*  
7     *or attempted to commit a category A felony in an area that is within his*  
8     *jurisdiction, shall immediately notify the primary law enforcement*  
9     *agency in the city or county, as appropriate, where the offense or*  
10    *attempted offense was committed.*  
11    2. *Upon arrival of an officer from the primary law enforcement*  
12    *agency notified pursuant to subsection 1, a peace officer with limited*  
13    *jurisdiction shall immediately transfer the investigation of the offense or*  
14    *attempted offense to the primary law enforcement agency.*  
15    3. *The provisions of subsection 1 do not:*  
16    (a) *Apply to an offense or attempted offense that is a misdemeanor,*  
17    *gross misdemeanor or felony other than a category A felony;*  
18    (b) *Apply to an officer of the Nevada Highway Patrol, a member of*  
19    *the police department of the University and Community College System*  
20    *of Nevada, an agent of the investigation division of the department of*



- 1 *motor vehicles and public safety or a ranger of the division of state parks*  
2 *of the state department of conservation and natural resources;*  
3 *(c) Apply to a peace officer with limited jurisdiction if an interlocal*  
4 *agreement between his employer and the primary law enforcement*  
5 *agency in the city or county in which a category A felony was committed*  
6 *or attempted authorizes the peace officer with limited jurisdiction to*  
7 *respond to and investigate the felony without immediately notifying the*  
8 *primary law enforcement agency; or*  
9 *(d) Prohibit a peace officer with limited jurisdiction from:*  
10 *(1) Contacting a primary law enforcement agency for assistance*  
11 *with an offense that is a misdemeanor, gross misdemeanor or felony that*  
12 *is not a category A felony; or*  
13 *(2) Responding to a category A felony until the appropriate primary*  
14 *law enforcement agency arrives at the location where the felony was*  
15 *allegedly committed or attempted, including, without limitation, taking*  
16 *any appropriate action to provide assistance to a victim of the felony, to*  
17 *apprehend the person suspected of committing or attempting to commit*  
18 *the felony, to secure the location where the felony was allegedly*  
19 *committed or attempted and to protect the life and safety of the peace*  
20 *officer and any other person present at that location.*  
21 *4. As used in this section:*  
22 *(a) "Peace officer with limited jurisdiction" means:*  
23 *(1) A school police officer who is appointed or employed pursuant*  
24 *to subsection 4 of NRS 391.100;*  
25 *(2) An airport guard or police officer who is appointed pursuant to*  
26 *NRS 496.130;*  
27 *(3) A person employed to provide police services for an airport*  
28 *authority created by a special act of the legislature; and*  
29 *(4) A marshal or park ranger who is part of a unit of specialized*  
30 *law enforcement established pursuant to NRS 280.125.*  
31 *(b) "Primary law enforcement agency" means:*  
32 *(1) A police department of an incorporated city;*  
33 *(2) The sheriff's office of a county; or*  
34 *(3) If the county is within the jurisdiction of a metropolitan police*  
35 *department, the metropolitan police department.*  
36 **Sec. 2.** NRS 280.125 is hereby amended to read as follows:  
37 280.125 1. The provisions of this chapter do not prohibit a  
38 participating political subdivision from establishing and administering the  
39 following units of specialized law enforcement:  
40 (a) A unit consisting of animal control officers.  
41 (b) A unit consisting of marshals.  
42 (c) A unit consisting of park rangers.  
43 (d) A unit for the investigation of arson.  
44 (e) A unit for the enforcement of laws relating to the licensure of  
45 businesses.  
46 (f) A unit for the enforcement of nonmoving traffic laws.  
47 2. Except as otherwise limited in subsection 3, the jurisdiction and  
48 authority of any units of specialized law enforcement established pursuant



1 to subsection 1 is concurrent with the authority and jurisdiction of the  
2 metropolitan police department.

3 3. The authority and jurisdiction of a unit consisting of marshals or  
4 park rangers is limited to:

5 (a) The issuance of citations in accordance with the provisions of  
6 NRS 171.17751;

7 (b) The enforcement of state laws and city and county ordinances on  
8 real property owned, leased or otherwise under the control of the  
9 participating political subdivision;

10 (c) The service of warrants of arrest issued pursuant to NRS 5.060;

11 ~~and~~

12 (d) The removal of abandoned vehicles as authorized by NRS 487.230

13 ~~and~~; and

14 *(e) The duties set forth in section 1 of this act.*

15 **Sec. 3.** NRS 289.190 is hereby amended to read as follows:

16 289.190 1. A person employed or appointed to serve as a school  
17 police officer pursuant to subsection 4 of NRS 391.100 has the powers of a  
18 peace officer. *A school police officer shall perform his duties in*  
19 *compliance with the provisions of section 1 of this act.*

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

23 3. Members of every board of trustees of a school district,  
24 superintendents of schools, principals and teachers have concurrent power  
25 with peace officers for the protection of children in school and on the way  
26 to and from school, and for the enforcement of order and discipline among  
27 such children, including children who attend school within one school  
28 district but reside in an adjoining school district or adjoining state, pursuant  
29 to the provisions of chapter 392 of NRS. This subsection must not be  
30 construed so as to make it the duty of superintendents of schools, principals  
31 and teachers to supervise the conduct of children while not on the school  
32 property.

33 **Sec. 4.** NRS 496.130 is hereby amended to read as follows:

34 496.130 1. A municipality that establishes or acquires an airport or  
35 air navigation facility may adopt, amend and repeal such reasonable  
36 ordinances, resolutions, rules, regulations or orders as it deems necessary  
37 for the management, government and use of the airport or air navigation  
38 facility under its control, whether situated within or outside of the  
39 territorial limits of the municipality.

40 2. For the enforcement thereof, the municipality may, by ordinance or  
41 resolution, as appropriate, appoint airport guards or police ~~and~~ with full  
42 police powers ~~and~~ *which must be performed in compliance with the*  
43 *provisions of section 1 of this act*, and fix penalties, within the limits  
44 prescribed by law, for the violation of the ordinances, resolutions, rules,  
45 regulations and orders. Penalties must be enforced in the same manner in  
46 which penalties prescribed by other ordinances or resolutions of the  
47 municipality are enforced.

48 3. A rule, regulation or ordinance must not be adopted, amended or  
49 repealed under this chapter, except by action of the governing body of the



1 municipality after a public hearing in relation thereto at which public  
2 utilities owning facilities in the areas involved, and other interested  
3 persons, have an opportunity to be heard. At least 15 days' notice of the  
4 hearing must:  
5 (a) Be given to all public utilities owning facilities in the area involved;  
6 and  
7 (b) Be published in an official paper or a paper of general circulation in  
8 the municipality or municipalities in which the airport is located.  
9 This subsection does not apply to ordinances adopted pursuant to  
10 NRS 350.579.  
11 4. All ordinances, resolutions, rules, regulations or orders which are  
12 issued by the municipality must be kept in substantial conformity with the  
13 laws of this state, or any regulations adopted or standards established  
14 pursuant thereto, and, as nearly as possible, with the federal laws governing  
15 aeronautics and the rules, regulations or standards duly issued thereunder.  
16 5. To the extent that an airport or other air navigation facility  
17 controlled and operated by a municipality is located outside the territorial  
18 limits of the municipality, it is subject to federal and state laws, rules or  
19 regulations, and under the jurisdiction and control of the municipality  
20 controlling or operating it. No other municipality has any authority to  
21 charge or exact a license fee or occupation tax for operations thereon.  
22 **Sec. 5.** The amendatory provisions of this act do not apply to offenses  
23 committed before October 1, 2001.

