

ASSEMBLY BILL NO. 23—COMMITTEE ON JUDICIARY

PREFILED JANUARY 17, 2001

Referred to Committee on Judiciary

SUMMARY—Makes various changes related to determining number of justices of the peace within county. (BDR 1-18)

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.

AN ACT relating to justices' courts; increasing the population of a township used to determine the number of justices of the peace in certain larger counties; providing that in certain smaller counties the board of county commissioners may determine whether to increase the number of justices of the peace when the population of a township provides for such an increase; 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 4.020 is hereby amended to read as follows:
2 4.020 1. There must be one justice's court in each of the townships
3 of the state, for which there must be elected by the qualified electors of the
4 township at least one justice of the peace. Except as otherwise provided in
5 subsection 3, the number of justices of the peace in a township must be
6 increased according to the population of the township, as certified by the
7 governor in even-numbered years pursuant to NRS 360.285, in accordance
8 with and not to exceed the following schedule:
9 (a) In a county whose population is 400,000 or more, one justice of the
10 peace for each ~~100,000~~ *125,000* population of the township, or fraction
11 thereof.
12 (b) In a county whose population is 100,000 or more and less than
13 400,000, one justice of the peace for each 50,000 population of the
14 township, or fraction thereof.
15 (c) In a county whose population is less than 100,000, one justice of the
16 peace for each 34,000 population of the township, or fraction thereof.

(d) If a township includes a city created by the consolidation of a city and county into one municipal government, one justice of the peace for each 30,000 population of the township, or fraction thereof.

2. Except as otherwise provided in subsection 3, if the schedule set forth in subsection 1 provides for an increase in the number of justices of the peace in a township, the new justice or justices of the peace must be elected at the next ensuing biennial election.

3. If the schedule set forth in subsection 1 provides for an increase in the number of justices of the peace in a township :

(a) In a county whose population is 100,000 or more and, in the opinion of a majority of the justices of the peace in that township, the case load does not warrant an additional justice of the peace, the justices of the peace shall notify the director of the legislative counsel bureau and the board of county commissioners of their opinion .

(b) In a county whose population is less than 100,000, the board of county commissioners may determine not to increase the number of justices of the peace in a township in accordance with the schedule set forth in subsection 1. If the board of county commissioners makes such a determination, the board shall notify the director of the legislative counsel bureau of its determination.

4. Notification to the director of the legislative counsel bureau pursuant to subsection 3 must be submitted on or before March 15 of the even-numbered year in which the population of the township provides for such an increase. The director of the legislative counsel bureau shall submit the ~~opinion~~ *notification* to the next regular session of the legislature for its consideration. If the justices of the peace transmit such a notice to the director of the legislative counsel bureau and the board of county commissioners, *or if the board of county commissioners transmits such a notice to the director of the legislative counsel bureau*, the number of justices must not be increased during that period unless the legislature, by resolution, expressly approves the increase.

~~[4]~~ 5. Justices of the peace shall receive certificates of election from the boards of county commissioners of their respective counties.

~~[5]~~ 6. The clerk of the board of county commissioners shall, within 10 days after the election or appointment and qualification of any justice of the peace, certify under seal to the secretary of state the election or appointment and qualification of the justice of the peace. The certificate must be filed in the office of the secretary of state as evidence of the official character of that officer.

Sec. 2. This act becomes effective on July 1, 2001.

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