

ASSEMBLY BILL NO. 419—ASSEMBLYMEN GUSTAVSON, BERMAN,
CARPENTER, CEGAVSKE, CLABORN, COLLINS, GIBBONS, HUMKE
AND PRICE

MARCH 19, 2001

JOINT SPONSOR: SENATOR WASHINGTON

Referred to Committee on Natural Resources, Agriculture, and Mining

SUMMARY—Confers powers of peace officer upon certain members, agents or local or district officers of society for prevention of cruelty to animals under certain circumstances. (BDR 50-1279)

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 peace officers; conferring the powers of a peace officer upon certain members, agents or local or district officers of a society for the prevention of cruelty to animals under certain circumstances; 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 574.040 is hereby amended to read as follows:
2 574.040 1. Except as otherwise provided in NRS 574.350, ~~all~~
3 ~~members, agents and all local and district officers of each of the societies~~
4 ***a member, agent or local or district officer of a society*** so incorporating ~~;~~
5 ~~as shall by the trustees of the societies be authorized in writing, approved~~
6 ~~by the district judge of the county, and sworn in the same manner as peace~~
7 ~~officers are sworn,} who is a peace officer~~ may make arrests for ~~{the} a~~
8 violation of the provisions of this chapter . ~~{in the same manner as is~~
9 ~~provided for other officers.~~
10 ~~—2.—All such members}~~
11 2. ***A member, agent or local or district officer specified in subsection***
12 ***1*** shall, when making ~~{such} those~~ arrests, exhibit and expose a suitable
13 badge, to be adopted by the society.



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~~{3. All persons resisting such specially appointed officers, as such, shall be punished for that resistance in the same manner as is provided for the punishment of resistance to other officers.}~~

Sec. 2. Chapter 289 of NRS is hereby amended by adding thereto a new section to read as follows:

A member, agent or local or district officer of a society for the prevention of cruelty to animals specified in NRS 574.040 has the powers of a peace officer when carrying out the provisions of that section or NRS 574.055.

Sec. 3. NRS 289.470 is hereby amended to read as follows:

289.470 "Category II peace officer" means:

1. The bailiff of the supreme court;
2. The bailiffs of the district courts, justices' courts and municipal courts whose duties require them to carry weapons and make arrests;
3. Constables and their deputies whose official duties require them to carry weapons and make arrests;
4. Inspectors employed by the transportation services authority who exercise those powers of enforcement conferred by chapters 706 and 712 of NRS;
5. Parole and probation officers;
6. Special investigators who are employed full time by the office of any district attorney or the attorney general;
7. Investigators of arson for fire departments who are specially designated by the appointing authority;
8. The assistant and deputies of the state fire marshal;
9. The brand inspectors of the state department of agriculture who exercise the powers of enforcement conferred by chapter 565 of NRS;
10. Investigators for the state forester firewarden who are specially designated by him and whose primary duties are related to the investigation of arson;
11. School police officers employed by the board of trustees of any county school district;
12. Agents of the state gaming control board who exercise the powers of enforcement specified in NRS 289.360, 463.140 or 463.1405, except those agents whose duties relate primarily to auditing, accounting, the collection of taxes or license fees, or the investigation of applicants for licenses;
13. Investigators and administrators of the division of compliance enforcement of the motor vehicles branch of the department of motor vehicles and public safety who perform the duties specified in subsection 3 of NRS 481.048;
14. Officers and investigators of the section for the control of emissions from vehicles of the motor vehicles branch of the department of motor vehicles and public safety who perform the duties specified in subsection 3 of NRS 481.0481;
15. Legislative police officers of the State of Nevada;
16. The personnel of the capitol police division of the department of motor vehicles and public safety appointed pursuant to subsection 2 of NRS 331.140;



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- 1 17. Parole counselors of the division of child and family services of
2 the department of human resources;
- 3 18. Juvenile probation officers and deputy juvenile probation officers
4 employed by the various judicial districts in the State of Nevada or by a
5 department of family, youth and juvenile services established pursuant to
6 NRS 62.1264 whose official duties require them to enforce court orders on
7 juvenile offenders and make arrests;
- 8 19. Field investigators of the taxicab authority;
- 9 20. Security officers employed full time by a city or county whose
10 official duties require them to carry weapons and make arrests;
- 11 21. The chief of a department of alternative sentencing created
12 pursuant to NRS 211A.080 and the assistant alternative sentencing officers
13 employed by that department; ~~and~~
- 14 22. Criminal investigators who are employed by the secretary of state
15 ~~+~~; *and*
- 16 23. *Members, agents or local or district officers of a society for the*
17 *prevention of cruelty to animals specified in NRS 574.040 when carrying*
18 *out the provisions of that section or NRS 574.055.*

