

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—Revises provisions governing authority of members, agents or local or district officers of certain societies for prevention of cruelty to animals to make arrests. (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 arrests; revising the provisions governing the authority of members, agents or local or district officers of certain societies for the prevention of cruelty to animals to make arrests; 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 574.010 is hereby amended to read as follows:
2 574.010 Any three or more citizens of the State of Nevada who
3 incorporate as a body corporate under the general laws for corporations in
4 this state ~~it~~ ***set forth in*** chapter 78 of NRS ~~it~~ for the purpose of
5 preventing cruelty to animals ~~it~~ may ***, except as otherwise provided in***
6 ***NRS 574.040,*** avail themselves of the privileges and benefits of NRS
7 574.010 to 574.040, inclusive.
8 **Sec. 2.** NRS 574.040 is hereby amended to read as follows:
9 574.040 1. Except as otherwise provided in ***this subsection and*** NRS
10 574.350, ~~all members, agents and all local and district officers of each of~~
11 ~~the societies~~ ***a member, agent or local or district officer of a society*** so
12 incorporating, ~~as shall~~ ***if authorized in writing*** by the trustees of the
13 ~~societies be authorized in writing,~~ ***society,*** approved by the district judge
14 of the county, and sworn in the same manner as peace officers are sworn,
15 may make arrests for ~~the~~ ***a*** violation of the provisions of this chapter in
16 the same manner as is provided for other officers. ***The provisions of this***



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1 subsection apply only to a society that, on the date the society submits an
2 application to the district judge for approval for a member, agent or local
3 or district officer of the society to make arrests pursuant to this
4 subsection:
5 (a) Has at least 25 members; and
6 (b) Has been incorporated in accordance with NRS 574.010 for not
7 less than 5 years immediately preceding the submission of the
8 application.
9 2. ~~{All-such-members}~~ Before submitting an application specified in
10 subsection 1, the society shall submit to the sheriff of the county a
11 complete set of the fingerprints of the member, agent or local or district
12 officer of the society to whom the application relates. Upon receipt of the
13 fingerprints, the sheriff shall forward the fingerprints to the central
14 repository for Nevada records of criminal history for submission to the
15 Federal Bureau of Investigation for a report concerning the criminal
16 history of the member, agent or local or district officer of the society.
17 Upon receipt of the report, the sheriff shall forward the report to the
18 society. The society shall include the report in the application submitted
19 pursuant to subsection 1.
20 3. A member, agent or local or district officer who is authorized to
21 make arrests pursuant to subsection 1 shall, when making ~~{such}~~ those
22 arrests, exhibit and expose a suitable badge, to be adopted by the society.
23 ~~{3. —All persons resisting}~~
24 4. A person who resists such a specially appointed ~~{officers, as such,}~~
25 officer shall be punished for that resistance in the same manner as is
26 provided for the punishment of resistance to other officers.

