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ASSEMBLY BILL NO. 55—COMMITTEE ON GOVERNMENT AFFAIRS

PREFILED JANUARY 30, 2001

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Referred to Committee on Judiciary

SUMMARY—Eliminates requirement that county jail be located at county seat.  
(BDR 16-795)

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 county jails; eliminating the requirement that a county jail be located at the county seat; 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 211.010 is hereby amended to read as follows:  
2     211.010 1. Except as otherwise provided in subsection 2, at least one  
3     ~~[common]~~ *county* jail must be built or provided in each county, and  
4     maintained in good repair at the expense of the county. *The county jail*  
5     *required by this section is not required to be located in conjunction with*  
6     *the office of the sheriff that is maintained at the county seat if the board*  
7     *of county commissioners determines that a different location in the*  
8     *county would better serve the needs of the county. Upon such a*  
9     *determination, the county jail may be located at any place in the county.*  
10    2. The board of county commissioners of a county, with the  
11    concurrence of the sheriff, may enter into an agreement with any other  
12    county or city in this state, in accordance with the provisions of NRS  
13    277.080 to 277.180, inclusive, for the construction, operation or  
14    maintenance of a jail or the detention of the prisoners of the county.  
15    **Sec. 2.** NRS 211.090 is hereby amended to read as follows:  
16    211.090 1. A board of county commissioners may establish a branch  
17    county jail in any township in the county except the township ~~[containing~~  
18    ~~the county seat.]~~ *where the county jail required by NRS 211.010 is*  
19    *located,* if in its judgment the public needs require it, and provide that  
20    persons charged with or convicted of a misdemeanor in the township  
21    ~~[mentioned in the order]~~ *in which a branch county jail is located* must be

1 imprisoned in the branch county jail instead of in the county jail . ~~at the~~  
2 ~~county seat.~~

3 2. Any judge or justice of the peace before whom a conviction may be  
4 had may order that a prisoner be imprisoned in the county jail of the county  
5 wherein ~~such~~ *the* conviction may be had if the public safety or the safety  
6 of ~~such~~ *the* prisoner requires it.

7 **Sec. 3.** NRS 243.140 is hereby amended to read as follows:

8 243.140 The county seat of Eureka County is located at the town of  
9 Eureka. A courthouse ~~[- jail]~~ and other necessary county buildings ~~[shall]~~  
10 *must* be provided by the board of county commissioners of Eureka County.

11 **Sec. 4.** This act becomes effective on July 1, 2001..

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\*AB55\*