

SENATE BILL NO. 393—SENATOR WASHINGTON

MARCH 19, 2001

Referred to Committee on Finance

SUMMARY—Expands certain retirement and industrial insurance benefits afforded to peace officers. (BDR 23-747)

FISCAL NOTE: Effect on Local Government: Yes.  
Effect on the State: Yes.

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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; including peace officers in the definition of “police officer” for the purposes of the Public Employees’ Retirement Act; making certain peace officers eligible for industrial insurance benefits for exposure to contagious diseases and for diseases of the heart or lungs; 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 286.061 is hereby amended to read as follows:  
2     286.061 “Police officer” means a member who is:  
3     1. Filling a full-time position with a participating public employer, the  
4     principal duties of which require emotional stability and physical capacity  
5     in protecting the public and enforcing the laws of the State of Nevada or  
6     any of its political subdivisions ; ~~H~~  
7     2. The former holder of a position defined in subsection 1 who has:  
8     (a) Earned at least 2 years of creditable service in that position; and  
9     (b) Been promoted or transferred within the chain of command by the  
10    same public employer to a position related to the protection of the public  
11    and law enforcement ; ~~H~~  
12    3. The former holder of a position defined in subsection 1 who:  
13    (a) Has earned at least 2 years of creditable service in that position; and  
14    (b) Is employed by a different employer in a position that would have  
15    been eligible under paragraph (b) of subsection 2 had he remained with his  
16    former employer ~~H~~ ; *or*  
17    4. *A peace officer as defined in NRS 289.010.*  
18    **Sec. 2.** NRS 287.021 is hereby amended to read as follows:  
19    287.021 1. Except as otherwise provided in subsection 3, the  
20    surviving spouse and any surviving child of a police officer or fireman who  
21    was:



1 (a) Employed by a public agency that had established group insurance  
2 or medical and hospital service pursuant to NRS 287.010, 287.020 or  
3 287.025; and

4 (b) Killed in the line of duty,  
5 may elect to accept or continue coverage under that group insurance or  
6 medical and hospital service if the police officer or fireman was a  
7 participant or would have been eligible to participate in the group  
8 insurance or medical and hospital service on the date of the death of the  
9 police officer or fireman. If the surviving spouse or child elects to accept  
10 coverage under the group insurance or medical and hospital service in  
11 which the police officer or fireman would have been eligible to participate  
12 or to discontinue coverage under the group insurance or medical and  
13 hospital service in which the police officer or fireman was a participant, the  
14 spouse, child or legal guardian of the child must notify in writing the public  
15 agency that employed the police officer or fireman within 60 days after the  
16 date of death of the police officer or fireman.

17 2. The public agency that employed the police officer or fireman shall  
18 pay the entire cost of the premiums or contributions for the group insurance  
19 or medical and hospital service for the surviving spouse or child who meets  
20 the requirements set forth in subsection 1.

21 3. A surviving spouse is eligible to receive coverage pursuant to this  
22 section for the duration of the life of the surviving spouse. A surviving  
23 child is eligible to receive coverage pursuant to this section until the child  
24 reaches:

25 (a) The age of 18 years; or

26 (b) The age of 23 years, if the child is enrolled as a full-time student in  
27 an accredited university, college or trade school.

28 4. As used in this section "police officer" has the meaning ascribed to  
29 it in NRS 617.135 ~~H~~, *but does not include a peace officer as defined in*  
30 *NRS 289.010.*

31 **Sec. 3.** NRS 287.0477 is hereby amended to read as follows:

32 287.0477 1. Except as otherwise provided in subsection 4, the  
33 surviving spouse and any surviving child of a police officer or fireman who  
34 was employed by a participating public agency and who was killed in the  
35 line of duty may join or continue coverage under the public employees'  
36 benefits program or another insurer or employee benefit plan approved by  
37 the board pursuant to NRS 287.0479 if the police officer or fireman was a  
38 participant or would have been eligible to participate on the date of the  
39 death of the police officer or fireman. If the surviving spouse or child elects  
40 to join or discontinue coverage under the public employees' benefits  
41 program pursuant to this subsection, the spouse, child or legal guardian of  
42 the child must notify in writing the participating public agency that  
43 employed the police officer or fireman within 60 days after the date of  
44 death of the police officer or fireman.

45 2. Except as otherwise provided in subsection 4, the surviving spouse  
46 and any surviving child of a volunteer fireman who was killed in the line of  
47 duty and who was officially a member of a volunteer fire department in  
48 this state is eligible to join the public employees' benefits program. If such  
49 a spouse or child elects to join the public employees' benefits program, the



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1 spouse, child or legal guardian of the child must notify in writing the board  
2 within 60 days after the date of death of the volunteer fireman.

3 3. The participating public agency that employed the police officer or  
4 fireman shall pay the entire cost of the premiums or contributions for the  
5 public employees' benefits program or another insurer or employee benefit  
6 plan approved by the board pursuant to NRS 287.0479 for the surviving  
7 spouse or child who meets the requirements set forth in subsection 1. The  
8 State of Nevada shall pay the entire cost of the premiums or contributions  
9 for the public employees' benefits program for the surviving spouse or  
10 child who elects to join the public employees' benefits program pursuant to  
11 subsection 2.

12 4. A surviving spouse is eligible to receive coverage pursuant to this  
13 section for the duration of the life of the surviving spouse. A surviving  
14 child is eligible to receive coverage pursuant to this section until the child  
15 reaches:

- 16 (a) The age of 18 years; or  
17 (b) The age of 23 years, if the child is enrolled as a full-time student in  
18 an accredited university, college or trade school.

19 5. As used in this section "police officer" has the meaning ascribed to  
20 it in NRS 617.135 ~~+~~, *but does not include a peace officer as defined in*  
21 *NRS 289.010.*

22 **Sec. 4.** NRS 617.135 is hereby amended to read as follows:

23 617.135 "Police officer" includes:

24 1. A sheriff, deputy sheriff, officer of a metropolitan police department  
25 or city policeman;

26 2. A chief, inspector, supervisor, commercial officer or trooper of the  
27 Nevada highway patrol;

28 3. A chief, investigator or agent of the investigation division of the  
29 department of motor vehicles and public safety;

30 4. An officer or investigator of the section for the control of emissions  
31 from vehicles of the motor vehicles branch of the department of motor  
32 vehicles and public safety;

33 5. An investigator of the division of compliance enforcement of the  
34 motor vehicles branch of the department of motor vehicles and public  
35 safety;

36 6. A member of the police department of the University and  
37 Community College System of Nevada;

38 7. A:

39 (a) Uniformed employee of; or

40 (b) Forensic specialist employed by,  
41 the department of prisons whose position requires regular and frequent  
42 contact with the offenders imprisoned and subjects the employee to recall  
43 in emergencies;

44 8. A parole and probation officer of the division of parole and  
45 probation of the department of motor vehicles and public safety; ~~and~~

46 9. A forensic specialist or correctional officer employed by the  
47 division of mental health and development services of the department of  
48 human resources at facilities for mentally disordered offenders ~~+~~; *and*

49 *10. A peace officer as defined in NRS 289.010.*



1     **Sec. 5.**   This act becomes effective on July 1, 2001.

