

ASSEMBLY BILL NO. 301—ASSEMBLYMEN HORNE, PARKS, LESLIE,
ALLEN, ARBERRY, ATKINSON, BOBZIEN, CONKLIN,
GERHARDT, KIHUEN, KOIVISTO, MARVEL, MCCLAIN,
MORTENSON, MUNFORD, OCEGUERA, OHRENSCHALL,
PIERCE, SEGERBLOM AND WOMACK

MARCH 13, 2007

JOINT SPONSORS: SENATORS WIENER, HECK,
HORSFORD AND WOODHOUSE

Referred to Committee on Government Affairs

SUMMARY—Revises the qualifications for the office of county
sheriff. (BDR 20-539)

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 counties; revising the qualifications for the
office of county sheriff; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, to be eligible for the office of county sheriff, a person must
2 be a qualified elector and at least 21 years old on the date on which he would take
3 office if elected. (NRS 248.005) This bill prescribes additional qualifications for
4 eligibility for the office of sheriff, which are effective on or after January 1, 2010.
5 In a county whose population is 100,000 or more (currently Clark and Washoe
6 Counties), before filing a declaration of candidacy or acceptance of candidacy, a
7 person must: (1) have accumulated at least 5 consecutive years of any combination
8 of employment or service as a peace officer in this State, or as a law enforcement
9 officer of the Federal Government or another state or political subdivision thereof;
10 and (2) have been certified as a category I peace officer in this State or the
11 equivalent in another state or have successfully completed a federal law
12 enforcement training program approved by the Peace Officers' Standards and
13 Training Commission. In a county whose population is less than 100,000 (currently
14 counties other than Clark and Washoe Counties), the person is not required to meet
15 any requirements with respect to employment, service, certification or training at
16 the time he files his declaration of candidacy or acceptance of candidacy. However,
17 such a person forfeits his office if, within 1 year after the date on which he takes



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18 office as sheriff, he fails to earn certification by the Commission as a category I, II
19 or III peace officer.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 248.005 is hereby amended to read as follows:
2 248.005 1. No person is eligible to the office of sheriff
3 unless:

4 (a) He will have attained the age of 21 years on the date he
5 would take office if so elected; ~~and~~

6 (b) He is a qualified elector ~~and~~; and

7 (c) *On or after January 1, 2010, he meets the requirements set*
8 *forth in subsection 2 or 3, as applicable.*

9 2. *If a person described in paragraph (c) of subsection 1 is a*
10 *candidate for the office of sheriff in a county whose population is*
11 *100,000 or more, he must meet the following requirements at the*
12 *time he files his declaration of candidacy or acceptance of*
13 *candidacy for the office:*

14 (a) *He has a history of at least 5 consecutive years of*
15 *employment or service:*

16 (1) *As a peace officer;*

17 (2) *As a law enforcement officer of an agency of the United*
18 *States;*

19 (3) *As a law enforcement officer of another state or*
20 *political subdivision thereof; or*

21 (4) *In any combination of the positions described in*
22 *subparagraphs (1), (2) and (3); and*

23 (b) *He has:*

24 (1) *Been certified as a category I peace officer by the*
25 *Commission;*

26 (2) *Been certified as a category I peace officer or its*
27 *equivalent by the certifying authority of another state that, as*
28 *determined by the Commission, imposes requirements for*
29 *certification as a category I peace officer in this State; or*

30 (3) *Successfully completed a federal law enforcement*
31 *training program approved by the Commission.*

32 3. *If a person described in paragraph (c) of subsection 1 is a*
33 *candidate for the office of sheriff in a county whose population is*
34 *less than 100,000, he is not required to meet any requirements*
35 *with respect to employment, service, certification or training at the*
36 *time he files his declaration of candidacy or acceptance of*
37 *candidacy for the office. However, such a person forfeits his office*
38 *if, within 1 year after the date on which he takes office, he fails to*



1 *earn certification by the Commission as a category I peace officer,*
2 *category II peace officer or category III peace officer.*

3 4. A person who has been convicted of a felony in this State or
4 any other state is not qualified to be a candidate for or elected or
5 appointed to the office of sheriff regardless of whether he has been
6 restored to his civil rights.

7 5. *As used in this section:*

8 (a) *“Category I peace officer” has the meaning ascribed to it*
9 *in NRS 289.460.*

10 (b) *“Category II peace officer” has the meaning ascribed to it*
11 *in NRS 289.470.*

12 (c) *“Category III peace officer” has the meaning ascribed to it*
13 *in NRS 289.480.*

14 (d) *“Commission” means the Peace Officers’ Standards and*
15 *Training Commission created pursuant to NRS 289.500.*

16 (e) *“Peace officer” has the meaning ascribed to it in*
17 *NRS 289.010.*

