

Amendment No. 259

Assembly Amendment to Assembly Bill No. 298

(BDR 23-1027)

Proposed by: Assembly Committee on Government Affairs**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold*** is newly added transitory language.

HAC/MSM



Date: 4/15/2007

A.B. No. 298—Makes various changes to provisions concerning school police officers. (BDR 23-1027)



ASSEMBLY BILL NO. 298—ASSEMBLYMEN OHRENSCHALL, HORNE, CLABORN, SMITH,
CONKLIN, DENIS, GERHARDT, KIHUEN, KOIVISTO, MANENDO, MUNFORD
AND SEGERBLOM (BY REQUEST)

MARCH 13, 2007

Referred to Committee on Government Affairs

SUMMARY—Makes various changes to provisions concerning ~~{school-police}~~
peace officers. (BDR 23-1027)

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 ~~{school-police}~~ **peace** officers; prohibiting the suspension
without pay of a ~~{school-police}~~ **peace** officer in certain circumstances;
and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes each agency in this State that employs peace officers to investigate a peace officer in response to a complaint or allegation that the peace officer engaged in activities which could result in punitive action and sets forth procedures for such investigations. (NRS 289.057, 289.060, 289.070, 289.080) Such procedures do not apply to an investigation concerning alleged criminal activity. (NRS 289.090) This bill prohibits a ~~{chief of school police or other person who supervises school police officers}~~ **law enforcement agency** from suspending a ~~{school-police}~~ **peace** officer without pay during or pursuant to an investigation in response to a complaint or allegation which does not involve criminal activity until all investigations relating to the matter have concluded.

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

Section 1. NRS 289.057 is hereby amended to read as follows:

289.057 1. An investigation of a peace officer may be conducted in response to a complaint or allegation that the peace officer has engaged in activities which could result in punitive action.

2. ~~A {chief of school police or other person who supervises school police officers}~~ **law enforcement agency shall not suspend a {school-police} peace officer without pay during or pursuant to an investigation conducted pursuant to this section until all investigations relating to the matter have concluded.**

3. After the conclusion of the investigation:

(a) If the investigation causes a law enforcement agency to impose punitive action against the peace officer who was the subject of the investigation and the peace officer has received notice of the imposition of the punitive action, the peace

1 officer or a representative authorized by the peace officer may, except as otherwise
2 prohibited by federal or state law, review any administrative or investigative file
3 maintained by the law enforcement agency relating to the investigation, including
4 any recordings, notes, transcripts of interviews and documents.

5 (b) If, pursuant to a policy of a law enforcement agency or a labor agreement,
6 the record of the investigation or the imposition of punitive action is subject to
7 being removed from any administrative file relating to the peace officer maintained
8 by the law enforcement agency, the law enforcement agency shall not, except as
9 otherwise required by federal or state law, keep or make a record of the
10 investigation or the imposition of punitive action after the record is required to be
11 removed from the administrative file.

12 **Sec. 2.** The amendatory provisions of this act do not apply to the
13 investigation of a ~~school police~~ **peace** officer which is pending on July 1, 2007.

14 **Sec. 3.** This act becomes effective on July 1, 2007.