

Amendment No. 424

Assembly Amendment to Assembly Bill No. 301

(BDR 20-539)

Proposed by: Assembly Committee on Government Affairs**Amends:** Summary: No Title: No 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. 301—Revises the qualifications for the office of county sheriff.

(BDR 20-539)



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:

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

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

Section 1. NRS 248.005 is hereby amended to read as follows:

248.005 1. No person is eligible to the office of sheriff unless:

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

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

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

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

~~(1)~~ (a) He has a history of at least ~~four~~ 5 consecutive years of employment or service:

~~(I)~~ (1) As a peace officer, as that term is defined in NRS 200.010;
~~(II)~~ ;

(2) As a law enforcement officer of an agency of the United States;
~~(III)~~ (3) As a law enforcement officer of another state or political subdivision thereof; or

~~(IV)~~ (4) In any combination of the positions described in ~~sub~~subparagraphs (I), (II) and (III).

~~(2) If he~~ (2) If he ~~subparagraphs (1), (2) and (3); and~~

(b) He has:

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

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

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

3. If a person described in paragraph (c) of subsection 1 is a candidate for the office of sheriff in a county whose population is less than 100,000 ~~for more~~:

~~(I) He is or has been certified as a category I peace officer by the Commission;~~

~~(II) He is or has been certified as a category I peace officer or its equivalent by the certifying authority of another state that, as determined by the Commission, imposes requirements for certification that are substantially equivalent to the requirements for certification as a category I peace officer in this State; or~~

~~(III) He has successfully completed a federal law enforcement training program approved by the Commission.~~

~~(3) If he is a candidate for the office of sheriff in a county whose population is less than 100,000:~~

~~(I) He is or has been certified as a category I or category II peace officer by the Commission;~~

~~(II) He is or has been certified as a category I or category II peace officer or the equivalent of either by the certifying authority of another state that, as determined by the Commission, imposes requirements for certification that are substantially equivalent to the requirements for~~ he is not required to meet any requirements with respect to employment, service, certification or training at the

1 time he files his declaration of candidacy or acceptance of candidacy for the
2 office. However, such a person forfeits his office if, within 1 year after the date
3 on which he takes office, he fails to earn certification by the Commission as a
4 category I ~~for~~ peace officer, category II peace officer ~~if as applicable, in this~~
5 State, or

6 ~~_____ (III) He has successfully completed a federal law enforcement~~
7 ~~training program approved by the Commission.~~

8 ~~_____ 2.1 or category III peace officer.~~

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

12 ~~3.1~~ 5. As used in this section:

13 (a) "Category I peace officer" has the meaning ascribed to it in
14 NRS 289.460.

15 (b) "Category II peace officer" has the meaning ascribed to it in
16 NRS 289.470.

17 (c) "Category III peace officer" has the meaning ascribed to it in
18 NRS 289.480.

19 (d) "Commission" means the Peace Officers' Standards and Training
20 Commission created pursuant to NRS 289.500.

21 (e) "Peace officer" has the meaning ascribed to it in NRS 289.010.