

ASSEMBLY BILL NO. 225—ASSEMBLYMEN PIERCE; ATKINSON,  
BUCKLEY, HOGAN, KIHUEN, KIRKPATRICK, LESLIE,  
MUNFORD, OCEGUERA AND SEGERBLOM

MARCH 3, 2009

Referred to Committee on Government Affairs

SUMMARY—Revises certain provisions relating to county fire departments. (BDR 20-908)

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 county fire departments; requiring a board of county commissioners that creates a district for a fire department to adopt an ordinance requiring the imposition and collection of fees for the transportation of sick or injured persons by the department to a medical facility; mandating that such an ordinance in a county whose population is 400,000 or more limit the number of such transports by the department and require an annual report to the Legislature of the fees charged for, and the number of, such transports; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the board of county commissioners, in a county where a district for a fire department has been created and where the fire department transports sick or injured persons to a medical facility, to adopt an ordinance that either: (1) requires the fire department to impose and collect fees to defray the expenses of furnishing such transportation; or (2) prohibits the imposition and collection of such fees. (NRS 244.2961) **Section 1** of this bill repeals the option of adopting an ordinance prohibiting the imposition and collection of such fees, except in counties for which a nonprofit corporation has been granted an exclusive franchise to provide ambulance service. **Section 1** also requires that, in a county whose population is 400,000 or more (currently Clark County), such an ordinance limit the number of transports the fire department may make annually to not more than 1,000 transports, with an exception for emergency situations in which a private ambulance is not available. **Section 2** of this bill, with respect to a county that has already adopted an ordinance prohibiting the imposition and collection of such fees,



\* A B 2 2 5 R 1 \*

allows the county until January 1, 2010, to amend or repeal that ordinance. **Section 3** of this bill requires the board of county commissioners of a county whose population is 400,000 or more to submit an annual report to the Legislature regarding the number of yearly transports made by the fire department and the fees charged for those transports.

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

**Section 1.** NRS 244.2961 is hereby amended to read as follows:

244.2961 1. The board of county commissioners may by ordinance create a district for a fire department. The board of county commissioners is ex officio the governing body of any district created pursuant to this section and may:

(a) Organize, regulate and maintain the fire department.

(b) Appoint and prescribe the duties of the fire chief.

(c) Designate arson investigators as peace officers.

(d) Regulate or prohibit the storage of any explosive, combustible or inflammable material in or transported through the county, and prescribe the distance from any residential or commercial area where it may be kept. Any ordinance adopted pursuant to this paragraph that regulates places of employment where explosives are stored must be at least as stringent as the standards and procedures adopted by the Division of Industrial Relations of the Department of Business and Industry pursuant to NRS 618.890.

(e) Establish, by ordinance, a fire code and other regulations necessary to carry out the purposes of this section.

(f) Include the budget of the district in the budget of the county.

(g) Hold meetings of the governing body of the district in conjunction with the meetings of the board of county commissioners without posting additional notices of the meetings within the district.

2. ~~HH~~ *Except as otherwise provided in subsection 6, if* the fire department transports sick or injured persons to a medical facility, the board of county commissioners shall adopt ~~H~~ *an ordinance:*

(a) ~~IA~~ *an ordinance:*

~~(1)~~ Requiring the fire department to defray the expenses of furnishing such transportation by imposing and collecting fees; and

~~(2)~~ *(b)* Establishing a schedule of such fees. ~~I; or~~

~~(b) An ordinance prohibiting the imposition and collection of any fees for such transportation.]~~



1       3. *The board of county commissioners of a county whose*  
2 *population is 400,000 or more shall, when adopting an ordinance*  
3 *pursuant to subsection 2:*

4       (a) *Limit the number of transports of sick or injured persons to*  
5 *a medical facility that may be made by the fire department to not*  
6 *more than 1,000 such transports per year, except that the fire*  
7 *department may, exclusive of the limit, make any such emergency*  
8 *transport that is necessary for the health or life of a sick or injured*  
9 *person when other ambulance services are not available; and*

10       (b) *Require the fire department to report to the board the total*  
11 *number of transports of sick or injured persons to a medical*  
12 *facility that are made by the fire department each month.*

13       4. The other officers and employees of the county shall  
14 perform duties for the district that correspond to the duties they  
15 perform for the county.

16       ~~4.1~~ 5. All persons employed to perform the functions of the  
17 fire department are employees of the county for all purposes.

18       6. *The provisions of subsection 2 do not apply to any county*  
19 *for which a nonprofit corporation has been granted an exclusive*  
20 *franchise for ambulance service in that county.*

21       **Sec. 2.** A board of county commissioners shall amend any  
22 ordinance previously adopted by that body which does not conform  
23 with the provisions of NRS 244.2961, as amended by section 1 of  
24 this act, by January 1, 2010. Any ordinance that does not comply  
25 with NRS 244.2961, as amended by section 1 of this act, by  
26 January 1, 2010, shall be deemed to conform with NRS 244.2961,  
27 as amended by section 1 of this act, by operation of law.

28       **Sec. 3.** The board of county commissioners of a county whose  
29 population is 400,000 or more shall submit an annual report to the  
30 Director of the Legislative Counsel Bureau not later than January 15  
31 of each year for transmittal to the Legislature, if the Legislature is in  
32 session that year, or to the Legislative Commission, if the  
33 Legislature is not in session that year. The report must include,  
34 without limitation:

35       1. The fees charged by the fire department for transport of sick  
36 or injured persons to a medical facility; and

37       2. The number of such transports that are made by the fire  
38 department each calendar year.

39       **Sec. 4.** This act becomes effective on July 1, 2009.

