

ASSEMBLY BILL NO. 164—COMMITTEE ON GOVERNMENT AFFAIRS

FEBRUARY 16, 2011

Referred to Committee on Government Affairs

SUMMARY—Consolidates the office of county coroner with the office of public administrator in certain counties. (BDR 20-34)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 coroners; requiring a board of county commissioners in certain counties to create the office of county coroner; providing that the county coroner is the ex officio public administrator of certain counties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes a board of county commissioners to create by ordinance
2 the office of county coroner and appoint a person to the position. (NRS 244.163)
3 **Section 1** of this bill requires counties whose population is 400,000 or more
4 (currently Clark County) to create the office of county coroner and appoint
5 someone to the position. Existing law also provides for the election or ex officio
6 service of certain persons as public administrators of the counties of this State.
7 (NRS 253.010) **Section 2** of this bill provides that the county coroner is the ex
8 officio public administrator of counties whose population is 400,000 or more
9 (currently Clark County).

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

1 **Section 1.** NRS 244.163 is hereby amended to read as follows:
2 244.163 1. ~~{The boards}~~ ***In a county whose population is***
3 ***400,000 or more, the board*** of county commissioners ~~{in their~~
4 ~~*respective counties may}*~~ ***shall*** create by ordinance the office of the
5 county coroner, prescribe the qualifications and duties of the county
6 coroner and make appointments to the office. ***In a county whose***
7 ***population is less than 400,000, the board of county***



commissioners may create by ordinance the office of the county coroner, prescribe the qualifications and duties of the county coroner and make appointments to the office.

2. Any coroner so appointed is governed by the ordinances pertaining to such office which may be enacted by the board of county commissioners, and the provisions of NRS 259.025 and 259.150 to 259.180, inclusive.

3. The boards of county commissioners shall require that the county coroner notify a decedent's next of kin without unreasonable delay.

4. For any offense relating to the violation or willful disregard of such duties or trusts of office as may be specified by the respective boards of county commissioners, all coroners holding office by appointment pursuant to this section are subject to such fines and criminal penalties, including misdemeanor penalties and removal from office by indictment, accusation or otherwise, as the ordinance prescribes. This subsection applies to all deputies, agents, employees and other persons employed by or exercising the powers and functions of the coroner.

Sec. 2. NRS 253.010 is hereby amended to read as follows:

253.010 1. Except as otherwise provided in subsections 4 , ~~and~~ 5 and 6 or as altered pursuant to the mechanism set forth in NRS 244.1507, public administrators must be elected by the qualified electors of their respective counties.

2. Public administrators must be chosen by the electors of their respective counties at the general election in 1922 and at the general election every 4 years thereafter, and shall enter upon the duties of their office on the first Monday of January after their election.

3. The public administrator of a county must:

(a) Be a qualified elector of the county;

(b) Be at least 21 years of age on the date he or she will take office;

(c) Not have been convicted of a felony for which his or her civil rights have not been restored by a court of competent jurisdiction; and

(d) Not have been found liable in a civil action involving a finding of fraud, misrepresentation, material omission, misappropriation, theft or conversion.

4. The district attorneys of Humboldt, Lander, Lincoln and White Pine Counties are ex officio public administrators of Humboldt County, Lander County, Lincoln County and White Pine County, respectively, unless such an arrangement is altered pursuant to the mechanism set forth in NRS 244.1507. The Clerk of Carson City shall serve as Public Administrator of Carson City.



1 5. *In a county whose population is 400,000 or more, the*
2 *county coroner appointed by the board of county commissioners*
3 *pursuant to NRS 244.163 is the ex officio public administrator of*
4 *the county.*

5 6. In a county other than Carson City and Humboldt, Lander,
6 Lincoln and White Pine Counties, *and other than a county whose*
7 *population is 400,000 or more,* if, for any reason, the office of
8 public administrator becomes vacant, the board of county
9 commissioners may appoint a public administrator for the remainder
10 of the unexpired term.

11 **Sec. 3.** NRS 253.050 is hereby amended to read as follows:

12 253.050 1. For the administration of the estates of deceased
13 persons, public administrators are entitled to be paid as other
14 administrators or executors are paid, subject to the provisions of
15 NRS 245.043.

16 2. The district attorneys of Humboldt, Lander, Lincoln and
17 White Pine Counties as ex officio public administrators , *the county*
18 *coroner in a county whose population is 400,000 or more as ex*
19 *officio public administrator of the county* and the Clerk of Carson
20 City serving as Public Administrator of Carson City may retain all
21 fees provided by law received by them as public administrators.

22 3. The public administrator is entitled to compensation from
23 the estate or from beneficiaries for the reasonable value of his or her
24 services performed in preserving the property of an estate of a
25 deceased person before the appointment of an administrator.
26 Compensation must be set by the board of county commissioners.

27 **Sec. 4.** This act becomes effective on July 1, 2011.

