

Amendment No. 9

Senate Amendment to Senate Bill No. 25

(BDR 1-342)

Proposed by: Senate Committee on Judiciary**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 underlining* is newly added transitory language.

MNM/BAW



Date: 3/31/2011

S.B. No. 25—Revises the method used to determine the number of justices of the peace in a township in certain counties. (BDR 1-342)



SENATE BILL NO. 25—COMMITTEE ON JUDICIARY

(ON BEHALF OF CLARK COUNTY)

PREFILED DECEMBER 13, 2010

Referred to Committee on Judiciary

SUMMARY—Revises the method used to determine the number of justices of the peace in a township in certain counties. (BDR 1-342)

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 courts; revising the method used to determine the number of justices of the peace in a township in certain counties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, there must be at least one elected justice of the peace in each justice court in a township of this State. In a county whose population is 400,000 or more (currently Clark County), one justice of the peace is required for each 100,000 population of the township, or fraction thereof. (NRS 4.020) This bill revises that requirement in such a county by providing that : **(1) in a township whose population is less than 1,100,000, one justice of the peace is required for each ~~150,000~~ 100,000 population of the township, or fraction thereof** **+(1) until the township has four justices of the peace, and thereafter, one justice of the peace is required for each 125,000 population of the township, or fraction thereof, over a population of 300,000; and (2) in a township whose population is 1,100,000 or more, one justice of the peace is required for each 100,000 population of the township, or fraction thereof, up to a population of 1,100,000, and thereafter, one justice of the peace is required for each 125,000 population of the township, or fraction thereof, over a population of 1,100,000.**

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

Section 1. NRS 4.020 is hereby amended to read as follows:

4.020 1. There must be one justice court in each of the townships of the State, for which there must be elected by the qualified electors of the township at least one justice of the peace. Except as otherwise provided in subsection 3, the number of justices of the peace in a township must be increased according to the population of the township, as certified by the Governor in even-numbered years pursuant to NRS 360.285, in accordance with and not to exceed the following schedule:

(a) In a county whose population is 400,000 or more ~~H~~ :

(I) In a township whose population is less than 1,100,000, one justice of the peace for each 100,000 population of the township, or fraction thereof, until the township has four justices of the peace, and thereafter, one justice of the peace for each 125,000 population of the township, or fraction thereof, over a population of 300,000; and

(II) In a township whose population is 1,100,000 or more, one justice of the peace for each ~~100,000~~ ~~150,000~~ population of the township, or fraction thereof ~~H~~, up to a population of 1,100,000, and thereafter, one justice of the peace for each 125,000 population of the township, or fraction thereof, over a population of 1,100,000.

(b) In a county whose population is 100,000 or more and less than 400,000, one justice of the peace for each 50,000 population of the township, or fraction thereof.

(c) In a county whose population is less than 100,000, one justice of the peace for each 34,000 population of the township, or fraction thereof.

(d) If a township includes a city created by the consolidation of a city and county into one municipal government, one justice of the peace for each 30,000 population of the township, or fraction thereof.

2. Except as otherwise provided in subsection 3, if the schedule set forth in subsection 1 provides for an increase in the number of justices of the peace in a township, the new justice or justices of the peace must be elected at the next ensuing biennial election.

3. If the schedule set forth in subsection 1 provides for an increase in the number of justices of the peace in a township and, in the opinion of a majority of the justices of the peace in that township, the caseload does not warrant an additional justice of the peace, the justices of the peace shall notify the Director of the Legislative Counsel Bureau and the board of county commissioners of their opinion on or before March 15 of the even-numbered year in which the population of the township provides for such an increase. The Director of the Legislative Counsel Bureau shall submit the opinion to the next regular session of the Legislature for its consideration. If the justices of the peace transmit such a notice to the Director of the Legislative Counsel Bureau and the board of county commissioners, the number of justices must not be increased during that period unless the Legislature, by resolution, expressly approves the increase.

4. Justices of the peace shall receive certificates of election from the boards of county commissioners of their respective counties.

5. The clerk of the board of county commissioners shall, within 10 days after the election or appointment and qualification of any justice of the peace, certify under seal to the Secretary of State the election or appointment and qualification of the justice of the peace. The certificate must be filed in the Office of the Secretary of State as evidence of the official character of that officer.

Sec. 2. The amendatory provisions of this act must not be construed to eliminate any judicial departments that were in existence on January 3, 2011.

Sec. 3. This act becomes effective on January 1, 2012.