

SENATE BILL NO. 347—SENATOR DENIS

MARCH 21, 2011

Referred to Committee on Judiciary

SUMMARY—Confers the powers of a peace officer upon certain employees of the Aging and Disability Services Division of the Department of Health and Human Services for certain purposes. (BDR 23-1075)

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 older persons; conferring the powers of a peace officer upon certain employees of the Aging and Disability Services Division of the Department of Health and Human Services for certain purposes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires certain persons who have reasonable cause to believe that an older person has been abused, neglected, exploited or isolated to report the abuse, neglect, exploitation or isolation of the older person to the Aging and Disability Services Division of the Department of Health and Human Services, or a local office thereof, a police department, sheriff's office or a county's office for protective services. (NRS 200.5093) The exploitation of an older person consists of wrongfully depriving the older person of the ownership, use, benefit or possession of his or her money, assets or property. (NRS 200.5092) **Section 4** of this bill confers upon employees of the Division, as designated by the Administrator of the Division, the powers of a peace officer when performing duties relating to investigations of reports of abuse, neglect, exploitation or isolation of older persons or vulnerable persons.

Section 5 of this bill designates as category II peace officers employees of the Division, as designated by the Administrator of the Division, when performing duties relating to investigations of reports of abuse, neglect, exploitation or isolation of older persons or vulnerable persons.



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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

3 **Sec. 3.** (Deleted by amendment.)

4 **Sec. 4.** NRS 289.240 is hereby amended to read as follows:

5 289.240 **1.** Forensic technicians and correctional officers
6 employed by the Division of Mental Health and Developmental
7 Services of the Department of Health and Human Services at
8 facilities for offenders with mental disorders have the powers of
9 peace officers when performing duties prescribed by the
10 Administrator of the Division.

11 **2.** *Employees of the Aging and Disability Services Division of*
12 *the Department of Health and Human Services, as designated by*
13 *the Administrator of the Division, have the powers of peace*
14 *officers when performing duties pursuant to NRS 200.5091 to*
15 *200.50995, inclusive.*

16 **Sec. 5.** NRS 289.470 is hereby amended to read as follows:

17 289.470 “Category II peace officer” means:

18 1. The Bailiff of the Supreme Court;

19 2. The bailiffs of the district courts, justice courts and
20 municipal courts whose duties require them to carry weapons and
21 make arrests;

22 3. Constables and their deputies whose official duties require
23 them to carry weapons and make arrests;

24 4. Inspectors employed by the Nevada Transportation
25 Authority who exercise those powers of enforcement conferred by
26 chapters 706 and 712 of NRS;

27 5. Parole and probation officers;

28 6. Special investigators who are employed full-time by the
29 office of any district attorney or the Attorney General;

30 7. Investigators of arson for fire departments who are specially
31 designated by the appointing authority;

32 8. The assistant and deputies of the State Fire Marshal;

33 9. The brand inspectors of the State Department of Agriculture
34 who exercise the powers of enforcement conferred by chapter 565
35 of NRS;

36 10. The field agents and inspectors of the State Department of
37 Agriculture who exercise the powers of enforcement conferred by
38 NRS 561.225;

39 11. Investigators for the State Forester Firewarden who are
40 specially designated by the State Forester Firewarden and whose
41 primary duties are related to the investigation of arson;



12. School police officers employed by the board of trustees of any county school district;

13. Agents of the State Gaming Control Board who exercise the powers of enforcement specified in NRS 289.360, 463.140 or 463.1405, except those agents whose duties relate primarily to auditing, accounting, the collection of taxes or license fees, or the investigation of applicants for licenses;

14. Investigators and administrators of the Division of Compliance Enforcement of the Department of Motor Vehicles who perform the duties specified in subsection 2 of NRS 481.048;

15. Officers and investigators of the Section for the Control of Emissions From Vehicles and the Enforcement of Matters Related to the Use of Special Fuel of the Department of Motor Vehicles who perform the duties specified in subsection 3 of NRS 481.0481;

16. Legislative police officers of the State of Nevada;

17. The personnel of the Capitol Police Division of the Department of Public Safety appointed pursuant to subsection 2 of NRS 331.140;

18. Parole counselors of the Division of Child and Family Services of the Department of Health and Human Services;

19. Juvenile probation officers and deputy juvenile probation officers employed by the various judicial districts in the State of Nevada or by a department of juvenile justice services established by ordinance pursuant to NRS 62G.210 whose official duties require them to enforce court orders on juvenile offenders and make arrests;

20. Field investigators of the Taxicab Authority;

21. Security officers employed full-time by a city or county whose official duties require them to carry weapons and make arrests;

22. The chief of a department of alternative sentencing created pursuant to NRS 211A.080 and the assistant alternative sentencing officers employed by that department;

23. Criminal investigators who are employed by the Secretary of State; ~~and~~

24. The Inspector General of the Department of Corrections and any person employed by the Department as a criminal investigator ~~and~~; and

25. Employees of the Aging and Disability Services Division of the Department of Health and Human Services, as designated by the Administrator of the Division, when performing duties pursuant to NRS 200.5091 to 200.50995, inclusive.

