

ASSEMBLY BILL NO. 297—ASSEMBLYMEN ELLISON; PAUL
ANDERSON, GRADY, HARDY, KIRNER, LIVERMORE,
OSCARSON AND WHEELER

MARCH 15, 2013

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes relating to industrial
relations. (BDR 53-928)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
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 industrial relations; providing that the term
“person” includes governmental entities for the purposes
of certain fraudulent practices pertaining to industrial
insurance; clarifying the definition of “police officer” for
purposes relating to occupational diseases by replacing
obsolete job titles with current job titles; providing
penalties; and providing other matters properly relating
thereto.

Legislative Counsel’s Digest:

Existing law prohibits a person from making or causing to be made false
communications, statements or representations for the purposes of obtaining certain
accident benefits. (NRS 616D.370) **Section 1** of this bill provides, for the purposes
of that prohibition, that the term “person” includes certain governmental entities.

Existing law provides for the payment of workers’ compensation if, during the
course of employment, an occupational disease is the cause of the disability or
death of an employee. (Chapter 617 of NRS) Existing law defines the term “police
officer” for the purposes of statutory provisions relating to occupational diseases.
(NRS 617.135) **Section 2** of this bill makes technical changes to the definition of
“police officer” to reflect the current job titles within the Department of Public
Safety.



* A B 2 9 7 *

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

Section 1. NRS 616D.370 is hereby amended to read as follows:

616D.370 1. A person shall not, by any act or omission:

(a) Make a charge or cause it to be made knowing the charge to be false, in whole or in part;

(b) Make or cause to be made a statement or representation for use in obtaining or seeking to obtain authorization to provide specific accident benefits pursuant to chapters 616A to 616D, inclusive, or chapter 617 of NRS, knowing the statement or representation to be false, in whole or in part; or

(c) Make or cause to be made a statement or representation for use by another person to obtain accident benefits pursuant to chapters 616A to 616D, inclusive, or chapter 617 of NRS, knowing the statement or representation to be false, in whole or in part.

2. A person who violates any of the provisions of this section shall be punished:

(a) If the amount of the charge or the value of the accident benefits obtained or sought to be obtained was \$650 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution.

(b) If the amount of the charge or the value of the accident benefits obtained or sought to be obtained was less than \$650, for a misdemeanor, and must be sentenced to restore any accident benefits so obtained, if it can be done, or tender payment for rent or labor.

3. As used in this section, "person" includes, without limitation, a government, governmental agency and political subdivision of a government.

Sec. 2. NRS 617.135 is hereby amended to read as follows:

617.135 "Police officer" includes:

1. A sheriff, deputy sheriff, officer of a metropolitan police department or city police officer;

~~2. A chief, inspector, supervisor, commercial officer or trooper of the Nevada Highway Patrol Division of the Department of Public Safety;~~

~~3. A chief, investigator or agent of the Investigation Division of the Department of Public Safety;~~

~~4. A chief, supervisor, investigator or training officer of the Training Division of the Department of Public Safety;~~

~~5. A chief or investigator of an office of the Department of Public Safety that conducts internal investigations of employees of~~



~~the Department of Public Safety or investigates other issues relating to the professional responsibility of those employees;~~

~~—6. A chief or investigator of the Department of Public Safety whose duties include, without limitation:~~

~~—(a) The execution, administration or enforcement of the provisions of chapter 179A of NRS; and~~

~~—(b) The provision of technology support services to the Director and the divisions;~~ *lieutenant colonel, major, captain, lieutenant, sergeant or officer* of the Department of Public Safety;

~~7.]~~ 3. An officer or investigator 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;

~~8.]~~ 4. An investigator of the Division of Compliance Enforcement of the Department of Motor Vehicles;

~~9.]~~ 5. A member of the police department of the Nevada System of Higher Education;

~~10.]~~ 6. A:

(a) Uniformed employee of; or

(b) Forensic specialist employed by,

→ the Department of Corrections whose position requires regular and frequent contact with the offenders imprisoned and subjects the employee to recall in emergencies;

~~11. A parole and probation officer of the Division of Parole and Probation of the Department of Public Safety;~~

~~12.]~~ 7. A forensic specialist or correctional officer employed by the Division of Mental Health and Developmental Services of the Department of Health and Human Services at facilities for mentally disordered offenders;

~~13.]~~ 8. The State Fire Marshal ~~and his or her assistant and deputies;~~

~~14.] ;~~

9. A game warden of the Department of Wildlife who has the powers of a peace officer pursuant to NRS 289.280; and

~~15.]~~ 10. A ranger or employee of the Division of State Parks of the State Department of Conservation and Natural Resources who has the powers of a peace officer pursuant to NRS 289.260.

Sec. 3. This act becomes effective on July 1, 2013.

