

Amendment No. 102

Senate Amendment to Senate Bill No. 463

(BDR 1-1197)

Proposed by: Senate Committee on Judiciary**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

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.

SHORT FORM AMENDMENT

Sections 9 and 144 of this act are the only sections affected by this amendment.

NCA/BAW



Date: 4/4/2013

S.B. No. 463—Provides for the implementation of the Court of Appeals. (BDR 1-1197)



Section 9 of Senate Bill No. 463 is hereby amended as follows:

1 **Sec. 9. 1. The annual base salary of each judge of the Court of Appeals is \$165,000.**

2 **2. A judge of the Court of Appeals who has served as a justice of the Supreme Court,**
3 **judge of the Court of Appeals or judge of a district court, or any combination thereof, for at**
4 **least 4 years is entitled to an additional salary of 2 percent of his or her annual base salary for**
5 **each year of service. The additional salary must not exceed 22 percent of his or her annual**
6 **base salary.**

7 **3. The salary provided for in this section is payable in biweekly installments as other state**
8 **officers are paid.**

Section 144 of Senate Bill No. 463 is hereby amended as follows:

9 **Sec. 144.** NRS 239.110 is hereby amended to read as follows:

10 239.110 1. In addition to any other requirement of this section, the Clerk of the Supreme
11 Court, a deputy clerk of the Supreme Court, a county clerk, the clerk of a district court, a deputy
12 clerk of a district court, a deputy clerk of a justice court or a clerk of a municipal court may
13 destroy a court record only in accordance with a schedule for the retention and disposition of
14 court records which is approved by the Supreme Court.

15 2. The Clerk of the Supreme Court, a deputy clerk of the Supreme Court, a county clerk, the
16 clerk of a district court or a deputy clerk of a district court who destroys a court record pursuant
17 to this section may do so only if an image of the court record has been placed on microfilm or
18 has been saved in an electronic recordkeeping system which permits the retrieval of the
19 information contained in the court record and the reproduction of the court record.

20 3. Except as otherwise prohibited by law, a deputy clerk of a justice court or a clerk of a
21 municipal court may destroy a court record pursuant to a schedule for the retention and
22 disposition of court records established by the Supreme Court without placing an image of the
23 court record on microfilm or saving an image of the court record in an electronic recordkeeping
24 system.

25 4. A reproduction of an image of a court record that has been placed on microfilm or saved
26 pursuant to this section shall be deemed to be the original court record, regardless of whether the
27 original exists.

28 5. A microfilmed image of a court record or an image of a court record saved in an
29 electronic recordkeeping system pursuant to this section must be durable, accurate, complete and
30 clear.

31 6. If, pursuant to this section, an image of a court record is placed on microfilm or is saved
32 in an electronic recordkeeping system, the clerk who does so shall promptly store at least one
33 copy of the microfilm or any tape, disc or other medium used for the storage of the saved image
34 in a manner and place:

35 (a) So as to protect it reasonably from loss or damage; and

36 (b) As prescribed by the Supreme Court.

37 7. The Supreme Court may provide by rule for the destruction, without prior microfilming,
38 of such other documents of the several courts of this State as are held in the offices of the clerks
39 but which:

40 (a) No longer serve any legal, financial or administrative purpose; and

41 (b) Do not have any historical value.

1 8. The Court Administrator may request the Division to advise and assist the Supreme Court
2 in its establishment of the rules or of a schedule for the retention and disposition of court records.

3 9. As used in this section, “court record” means any document, device or item, regardless of
4 physical form or characteristic, that:

5 (a) Is created by, received by or comes under the jurisdiction of the Supreme Court , the
6 Court of Appeals or a district court, justice court or municipal court; and

7 (b) Documents the organization, functions, policies, decisions, procedures, operations or any
8 other activities of the Supreme Court, Court of Appeals, district court, justice court or municipal
9 court.