

SENATE BILL NO. 294—SENATOR ROBERSON

MARCH 18, 2013

JOINT SPONSORS: ASSEMBLYMEN HICKEY; HARDY,
LIVERMORE, MUNFORD, PIERCE AND STEWART

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing constables.
(BDR 20-902)

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 constables; providing that the sheriff serves as ex officio constable in certain cities in this State; abolishing the office of constable in certain cities and expiring the term of office of elected constables in such cities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides generally for the election of constables by the qualified
2 electors of their respective townships but authorizes the board of county
3 commissioners, by resolution, to abolish the office of constable for certain
4 townships under certain circumstances. (NRS 258.010) **Section 1** of this bill
5 provides an additional exception to the general provisions providing for the election
6 of constables by providing that in a city whose population is 500,000 or more
7 (currently the City of Las Vegas), the sheriff serves as ex officio constable. **Section**
8 **3** of this bill abolishes the office of constable in any city whose population is
9 500,000 or more and expires the term of office of any elected constable serving in
10 such a city upon passage and approval of this bill.



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

1 **Section 1.** NRS 258.010 is hereby amended to read as follows:
2 258.010 1. Except as otherwise provided in subsections 2, 3
3 and ~~3~~ 4:

4 (a) Constables must be elected by the qualified electors of their
5 respective townships.

6 (b) The constables of the several townships of the State must be
7 chosen at the general election of 1966, and shall enter upon the
8 duties of their offices on the first Monday of January next
9 succeeding their election, and hold their offices for the term of 4
10 years thereafter, until their successors are elected and qualified.

11 (c) Constables must receive certificates of election from the
12 boards of county commissioners of their respective counties.

13 2. ~~1~~ *Except as otherwise provided in subsection 4, in a*
14 county which includes only one township, the board of county
15 commissioners may, by resolution, appoint the sheriff ex officio
16 constable to serve without additional compensation. The resolution
17 must not become effective until the completion of the term of office
18 for which a constable may have been elected.

19 3. ~~1~~ *Except as otherwise provided in subsection 4, in a*
20 county whose population:

21 (a) Is less than 700,000, if the board of county commissioners
22 determines that the office of constable is not necessary in one or
23 more townships within the county, it may, by ordinance, abolish the
24 office of constable in those townships.

25 (b) Is 700,000 or more, if the board of county commissioners
26 determines that the office of constable is not necessary in one or
27 more townships within the county, it may, by ordinance, abolish the
28 office in those townships, but the abolition does not become
29 effective as to a particular township until the constable incumbent
30 on May 28, 1979, does not seek, or is defeated for, reelection.

31 ➤ For a township in which the office of constable has been
32 abolished, the board of county commissioners may, by resolution,
33 appoint the sheriff ex officio constable to serve without additional
34 compensation.

35 4. *In a city whose population is 500,000 or more, the sheriff*
36 *serves as ex officio constable and serves without additional*
37 *compensation.*

38 **Sec. 2.** NRS 258.030 is hereby amended to read as follows:

39 258.030 Except for those townships that the boards of county
40 commissioners have determined do not require an office of
41 constable ~~1~~ *or for a city in which the sheriff serves as ex officio*
42 *constable pursuant to subsection 4 of NRS 258.010, if any vacancy*



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1 exists or occurs in the office of constable in any township, the board
2 of county commissioners shall appoint a person to fill the vacancy
3 pursuant to NRS 245.170.

4 **Sec. 3.** In any city whose population is 500,000 or more and in
5 which the constable was elected, the office of constable is hereby
6 abolished and the term of office of any constable serving on the
7 effective date of this act expires on that date.

8 **Sec. 4.** This act becomes effective upon passage and approval.

