

SENATE BILL NO. 476—COMMITTEE ON FINANCE
(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 25, 2013

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the compensation of certain special counsel employed by the Attorney General. (BDR 3-1122)

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 actions concerning persons; revising provisions relating to the compensation of certain special counsel employed by the Attorney General; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires that, upon request, the Attorney General provide for the
2 defense of a present or former State Legislator, officer or employee of this State,
3 immune contractor or member of a state board or commission in any civil action
4 brought against that person based on any alleged act or omission relating to the
5 person’s public duties or employment. (NRS 41.0339) Under existing law, the
6 Attorney General is authorized to employ special counsel with respect to such civil
7 actions if the Attorney General determines at any time prior to trial that it is
8 impracticable, uneconomical or could constitute a conflict of interest for the legal
9 service to be rendered by the Attorney General or a deputy attorney general. The
10 compensation for such special counsel is fixed by the Attorney General, subject to
11 the approval of the State Board of Examiners. (NRS 41.03435) Existing law
12 requires that the special counsel’s compensation be paid out of the Reserve for
13 Statutory Contingency Account. (NRS 41.03435) This bill adds an alternative
14 source, if available, for the payment of the special counsel’s compensation, namely
15 any available federal grants or a permanent fund in the State Treasury other than
16 the State General Fund.



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

Section 1. NRS 41.03435 is hereby amended to read as follows:

41.03435 The Attorney General may employ special counsel whose compensation must be fixed by the Attorney General, subject to the approval of the State Board of Examiners, if the Attorney General determines at any time prior to trial that it is impracticable, uneconomical or could constitute a conflict of interest for the legal service to be rendered by the Attorney General or a deputy attorney general. Compensation for special counsel must be paid out of ~~the~~

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1. *The Reserve for Statutory Contingency Account ~~H~~ ; or*
 2. *Available federal grants or a permanent fund in the State Treasury other than the State General Fund.*

Sec. 2. This act becomes effective upon passage and approval.

