

ASSEMBLY BILL NO. 435—COMMITTEE ON JUDICIARY

MARCH 23, 2015

Referred to Committee on Judiciary

SUMMARY—Provides for the realignment of certain judicial districts. (BDR 1-302)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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 district courts; providing for the realignment of certain judicial districts; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides for this State to be divided into 10 judicial districts. (NRS 3.010) The Nevada Constitution authorizes the Legislature, under certain circumstances, to: (1) alter the boundaries or divisions of those judicial districts; (2) increase or diminish the number of those judicial districts; and (3) increase or diminish the number of judges in those judicial districts. (Nev. Const. Art. 6, § 5)

**Section 2** of this bill: (1) increases the number of judicial districts in this State from 10 to 11 judicial districts; (2) removes Mineral County from the Fifth Judicial District; (3) removes Lander and Pershing Counties from the Sixth Judicial District; and (4) provides that Lander, Mineral and Pershing Counties constitute the Eleventh Judicial District. **Section 1** of this bill provides that there must be one district judge for the Eleventh Judicial District, and **section 3** of this bill decreases the number of district judges in the Sixth Judicial District from two to one.

**Section 3.5** of this bill provides that the Sixth and Eleventh Judicial District Courts have concurrent jurisdiction over all matters arising from or relating to the administration of the Humboldt River Decree. The venue for any case or proceeding arising from or relating to the administration of the Humboldt River Decree must be determined on an alternating basis between the Sixth and Eleventh Judicial District Courts.

**Section 4** of this bill clarifies that this bill does not abrogate or affect the current term of office of any district judge who is serving in that office on July 1, 2015. **Section 4** also provides that on July 1, 2015: (1) the district judge who was serving in Department 1 of the Sixth Judicial District becomes the one district judge for the Eleventh Judicial District; (2) the district judge who was serving in Department 2 of the Sixth Judicial District continues serving as the district judge for the Sixth Judicial District; and (3) the district judges who were serving in



\* A B 4 3 5 R 1 \*

27 Departments 1 and 2 of the Fifth Judicial District continue serving as the district  
28 judges for the Fifth Judicial District.

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

1     **Section 1.** Chapter 3 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3     *For the Eleventh Judicial District, there must be one district*  
4 *judge.*

5     **Sec. 2.** NRS 3.010 is hereby amended to read as follows:

6     3.010 The State is hereby divided into ~~{40}~~ *11* judicial districts,  
7 as follows:

8     **First Judicial District.** Carson City and the County of Storey  
9 constitute the First Judicial District.

10    **Second Judicial District.** The County of Washoe constitutes  
11 the Second Judicial District.

12    **Third Judicial District.** The County of Lyon constitutes the  
13 Third Judicial District.

14    **Fourth Judicial District.** The County of Elko constitutes the  
15 Fourth Judicial District.

16    **Fifth Judicial District.** The Counties of ~~{Mineral,}~~ Esmeralda  
17 and Nye constitute the Fifth Judicial District.

18    **Sixth Judicial District.** The ~~{Counties of Lander, Pershing~~  
19 ~~and}~~ *County of Humboldt* ~~{constitute}~~ *constitutes* the Sixth Judicial  
20 District.

21    **Seventh Judicial District.** The Counties of Eureka, White  
22 Pine and Lincoln constitute the Seventh Judicial District.

23    **Eighth Judicial District.** The County of Clark constitutes the  
24 Eighth Judicial District.

25    **Ninth Judicial District.** The County of Douglas constitutes  
26 the Ninth Judicial District.

27    **Tenth Judicial District.** The County of Churchill constitutes  
28 the Tenth Judicial District.

29    *Eleventh Judicial District. The Counties of Lander, Mineral*  
30 *and Pershing constitute the Eleventh Judicial District.*

31    **Sec. 3.** NRS 3.016 is hereby amended to read as follows:

32    3.016 For the Sixth Judicial District there must be ~~{two}~~ *one*  
33 district ~~{judges,}~~ *judge.*

34    **Sec. 3.5.** 1. The Sixth and Eleventh Judicial District Courts  
35 have concurrent jurisdiction over all matters arising from or relating  
36 to the administration of the Humboldt River Decree. The venue for  
37 any case or proceeding arising from or relating to the Humboldt  
38 River Decree must be determined on an alternating basis between  
39 the Sixth and Eleventh Judicial District Courts.



2. As used in subsection 1, “Humboldt River Decree” refers collectively to the two decrees entered by the Sixth Judicial District Court in 1930 and 1935 which adjudicated the rights to water from the Humboldt River and its tributaries.

**Sec. 4.** 1. The amendatory provisions of this act do not abrogate or affect the current term of office of any district judge who is serving in that office on July 1, 2015.

2. On July 1, 2015:

(a) The district judge who was serving in Department 1 of the Sixth Judicial District before July 1, 2015, becomes the one district judge for the Eleventh Judicial District.

(b) The district judge who was serving in Department 2 of the Sixth Judicial District before July 1, 2015, continues serving as the district judge for the Sixth Judicial District.

(c) The district judges who were serving in Departments 1 and 2 of the Fifth Judicial District before July 1, 2015, continue serving as the district judges for the Fifth Judicial District.

**Sec. 5.** This act becomes effective on July 1, 2015.

