

Amendment No. 549

Assembly Amendment to Assembly Bill No. 435	(BDR 1-302)
<b>Proposed by:</b> Assembly Committee on Judiciary	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>	Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>	Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>
Receded	<input type="checkbox"/>	Not <input type="checkbox"/>	Receded	<input type="checkbox"/>	Not <input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

MNM/BAW



Date: 4/13/2015

A.B. No. 435—Provides for the realignment of certain judicial districts.  
(BDR 1-302)



## 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) ~~moves~~ **removes** Mineral County from the Fifth Judicial District ~~to the Sixth Judicial District; and~~ (3) removes ~~Humboldt County~~ **Lander and Pershing Counties** from the Sixth Judicial District ~~; and~~ (4) provides that ~~Humboldt County constitutes~~ **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~~ **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~~ **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 Departments 1 and 2 of the Fifth Judicial District continue serving as the district judges for the Fifth Judicial District.

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

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

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

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

3.010 The State is hereby divided into ~~10~~ 11 judicial districts, as follows:

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

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

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

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

**Fifth Judicial District.** The Counties of ~~Mineral~~ Esmeralda and Nye constitute the Fifth Judicial District.

**Sixth Judicial District.** The ~~Counties of Lander, Pershing and Humboldt~~ ~~Mineral constitute~~ *constitutes* the Sixth Judicial District.

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

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

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

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

*Eleventh Judicial District. The ~~County~~ Counties of ~~Humboldt constitutes~~ Lander, Mineral and Pershing constitute the Eleventh Judicial District.*

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

3.016 For the Sixth Judicial District there must be ~~two~~ one district ~~judges~~ judge.

**Sec. 3.5. 1.** 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 Humboldt River Decree must be determined on an alternating basis between 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 ~~12~~ 1 of the Sixth Judicial District before July 1, 2015, becomes the one district judge for the Eleventh Judicial District.

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

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

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