



State Agency Responses
A.B. 403 / BDR 23 - 813

State Agency: **Commission on Peace Officers' Standards in Training**

Approved by: T. Bunting, Deputy Director

Comment: BDR 23-813 states "provides that as a condition of the certification of each peace officer, the Peace Officers' Standards and Training Commission must require each peace officer to be trained in the appropriate way to communicate during situations that arise...". Currently peace officers are required to receive instruction in "Interpersonal Communication" during their basic academy, NAC 289.140 - NAC 289.160. If this training meets the intent of the BDR then there is no impact but if it does not then a new course would have to be developed and it would add hours to the existing academy thus raising the cost.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
Cannot Be Determined	\$0	\$0	\$0	\$0

State Agency: **Administrative Office of the Courts**

Approved by: Deanna Bjork, Budget Manager

Comment: Section 4 of the bill appears to require each individual who is certified as law enforcement officer to individually retain liability insurance to cover their professional activities as a peace officer. Supreme Court marshals are certified as category 1.

Without knowing what associations each marshal belongs to, or their individual insurance situations, we can't project an exact cost; however, an online search resulted in an estimated cost of \$300 to \$500 per marshal.

Per subsection 2 of Section 2 the Marshals' Office would not be required to use body cameras per this bill as the only State law enforcement personnel required to use them are the NHP troopers. So it appears as if we won't have a fiscal impact from buying cameras, equipping cameras, and marshal training.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
Has Impact	\$0	\$2,000	\$2,000	\$4,000

State Agency: **Secretary of State**

Approved by: Wayne Thorley, Deputy Secretary of State

Comment: The Office of the Secretary of State has reviewed this bill and determined there is no fiscal impact on the Office.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
No Impact	\$0	\$0	\$0	\$0

State Agency: **Department of Public Safety**

Approved by: Curtis Palmer, Admin. Services Officer III

Comment: BDR 23-813 relating to peace officers; requiring certain peace officers to wear a portable event recording device while on duty; requires the adoption of policies and procedures governing the use of portable event recording devices; requiring peace officers to maintain liability insurance; and other related items. The language specifically identifies peace officers within the Nevada Highway Patrol but does not pertain to other peace officers within the Department of Public Safety. As the bill is written, the Department of Public Safety estimates the initial investment for Highway Patrol peace officers in the first year of operation including equipment purchase to be \$785,002. Expected maintenance fees and licensing is estimated to be \$475,104 each year for the next four years for a total of five years. The expected life of this equipment is up to five years. Section 4 requires a peace officer to maintain liability insurance covering the officer's activities. State agencies pay general liability/tort to the Attorney General's Office to insure each of their employees for liability. Section 5 of the bill requires the peace officer to pay for any investigation costs incurred if the investigation results in punitive action against the officer. There is no direct cost to the state for this action.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
Has Impact	\$0	\$785,002	\$475,104	\$1,425,312

State Agency: **Legislative Counsel Bureau**

Approved by: Richard S. Combs, Director

Comment: The provisions of this legislation regarding portable event recording devices do not apply to the Legislative Police Department; therefore, those provisions would not have an impact of the Legislative Counsel Bureau.

Section 4 of the legislation requires a peace officer to maintain liability insurance covering the peace officer's activities in the course of his or her duties. Because the legislation does not require the employing law enforcement agency to reimburse the peace officer for the costs of the insurance required by the legislation, this provision also does not have an impact. However, it should be noted that it may be necessary for the Legislative Counsel Bureau to develop some system of reimbursement in the future if the cost of the insurance makes it more difficult to attract and retain permanent or session officers.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
No Impact	\$0	\$0	\$0	\$0

State Agency: **Nevada Department of Corrections**

Approved by: Scott K. Sisco, Deputy Director

Comment: The Nevada Department of Corrections has reviewed BDR 23-813 which provides for new requirements related to peace officers wearing recording devices. As this bill is currently written, NDOC is not identified as a law enforcement agency, and therefore will not have a fiscal impact on the Department.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
No Impact	\$0	\$0	\$0	\$0

State Agency: **Nevada Department of Wildlife**

Approved by: Patrick Cates, Deputy Director

Comment: AB403 would have a fiscal impact on the Nevada Department of Wildlife (NDOW). The bill requires use of body cameras for all peace officers. NDOW has 44 peace officer positions. Each officer would need to be equipped with a camera. Each camera would require a subscription for imaging. NDOW would also need a server for long term storage of video. This bill would require a one time expenditure of \$34,867 in equipment as well as annual subscription costs of \$7,920. In future biennia, equipment replacement is estimated at 20%.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
Has Impact	\$0	\$0	\$0	\$0

State Agency: **Nevada Department of Agriculture**

Approved by: J. Dale Hansen, Fiscal Administrator

Comment: We believe the cost will be minimal (less than \$2000) to comply with this bill.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
No Impact	\$0	\$0	\$0	\$0

State Agency: **State Contractors Board**

Approved by: Margi A. Grein, Executive Officer

Comment: The agency has reviewed the bill and determined there is no fiscal impact.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
No Impact	\$0	\$0	\$0	\$0

State Agency: **Nevada System of Higher Education**

Approved by: Heidi Sakelarios, Budget Officer

Comment: It appears that, if enacted, the proposed legislation would not have a fiscal impact on the Nevada System of Higher Education (NSHE), its institutions or their respective police departments.

The proposed legislation does not include the NSHE in the definition of a "law enforcement agency". Therefore, the NSHE police departments would be exempt from the provisions of Section 2. Additionally, it appears that the provision pertaining to review boards (Section 6) would not apply to the NSHE, as the establishment and procedural guidelines for campus review boards investigating allegations of police officer misconduct are located within NRS 396.3291 through NRS 396.3297.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
No Impact	\$0	\$0	\$0	\$0

State Agency: **Gaming Control Board**

Approved by: Buffy Brown, Sr. Research Specialist

Comment: Sec. 3 of the bill would have a fiscal impact but depending on the type of training (on-line, live) and whether currently certified POST peace officers or only new POST certified officers would have to have the training makes the ability to determine the impact uncertain.

Sec. 4 of the bill would have a fiscal impact. It is assumed that the agency would have to provide the liability insurance for its employees. The Gaming Control Board currently has 290 employees who fit the definition of peace officers. Using the figure of \$120.38 per employee for liability insurance, the cost to the agency would be \$35,000. It is assumed, based on professional liability insurance practices, that the insurance would be based on each person and not on position. Accordingly, based on an average employee turnover rate of 9%, there would be an additional cost of \$3,000 for 26 employees in future fiscal years.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
Has Impact	\$0	\$35,000	\$38,000	\$76,000

State Agency: **Department of Motor Vehicles, Management Services and Programs Division**

Approved by: Amy McKinney, Chief of Administration

Comment: BDR 23-813 would revise several provisions relating to peace officers.

Specifically, section 2 requires uniformed peace officers that interact with the public to wear portable event recording devices while on duty. The BDR defines law enforcement agency to mean: a county sheriff's office, a metropolitan police department, incorporated city police department, and the Highway Patrol. This act would become effective on January 1, 2016.

The agency has reviewed this BDR and determined there is no fiscal impact.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
No Impact	\$0	\$0	\$0	\$0

State Agency: **State Department of Conservation and Natural Resources, Division of State Parks**

Approved by: Jennifer Idema, ASO II

Comment: State Parks is exempt per Section 2, 2 (a).

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
No Impact	\$0	\$0	\$0	\$0

State Agency: **Department of Health and Human Services, Division of Child and Family Services**

Approved by: Danette Kluever, Deputy Administrator

Comment: Section 2 is unclear in regard to the applicability to the Division's Youth Parole Bureau as there is no definition of "uniformed peace officer". Section 4 would apply to the Youth Parole Bureau, specifically NRS 289.180. However all state employees are insured under the State Tort Claim Act for actions taken in the course and scope of their employment. Unfunded expenses for the recording devices, storage devices, hardware, software and the manpower to maintain records may be costly to individual agency budgets. As written it is not clear how officers would be trained on this technology and how that training would be funded. The cost of mandated individual liability insurance may make it difficult to recruit and retain peace officers.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
Cannot Be Determined	\$0	\$0	\$0	\$0

State Agency: Business and Industry, Division of Industrial Relations				
Approved by: Aaron Frantz, ASO II				
Comment: The agency has reviewed the bill and determined that there is no fiscal impact.				
Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
No Impact	\$0	\$0	\$0	\$0

State Agency: Business and Industry, Taxicab Authority				
Approved by: Tom Ely, Administrator				
Comment: The Taxicab Authority has reviewed the BDR and determined it will have a fiscal impact to the agency as written. In explanation, under section 2.2, the Taxicab Authority is not listed as a law enforcement agency, nor does it fall under one of the agencies which is listed. However, under section 3, the POST training requirement will apply to all peace officers, and requires an unspecified training program through Nevada P.O.S.T. The cost of this unspecified training program and the length or amount of time for such a program which requires sworn investigators to be away from their primary duties remains undetermined. Additionally, section 4 does not appear to pose a fiscal impact. While it states that any person upon whom some or all of the powers of a peace officer are conferred shall maintain liability insurance covering the peace officer's activities in the course of their duties, State Risk Management has informed the Division that under Tort Claim coverage the State currently maintains liability insurance for all sworn personnel while on-duty. Unless this section means that sworn personnel will maintain their own liability insurance and not the State there should not be an impact.				
Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
Cannot Be Determined	\$0	\$0	\$0	\$0

State Agency: Business and Industry, Transportation Authority				
Approved by: Marilyn Skibinski, Deputy Commissioner				
Comment: The Nevada Transportation Authority has reviewed BDR 23-813 and determined there is no fiscal impact for this agency. Specifically, Section 2 of the bill requires law enforcement agencies to require each uniformed peace officer whose duties involve regular contact with the general public to wear a portable event recording device while on duty. The definition of law enforcement agency for the purposes of Section 2 of the bill does not include the Nevada Transportation Authority.				
Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
No Impact	\$0	\$0	\$0	\$0

State Agency: **Office of the Attorney General**

Approved by: Martha Radu, Chief Financial Officer

Comment: With the passage of this bill the Office of the Attorney General would be required to purchase, train, and implement new policies and procedures for the issuing of the required equipment. This would include many man hours and the purchase of the required equipment consisting of body cameras, recharging systems, restraining devices etc. Initial costs of the cameras and accessories needed to be in compliance with the law would be as follows. After receiving two quotes the average cost would be approximately \$45,000.00. We also need to consider breakage and extended warranties along with replacement costs for the cameras on a yearly basis. Each camera is approximately \$450 and estimating replacement cost over the years would be approximately \$4500 a year. As the charging system life expectancy expires the replacement cost of the systems is \$1500ea for the cost of \$3000 a year. \$20,000 would be needed to accommodate the storage in each geographical location for additional infrastructure.

Impact	FY 2014-15	FY 2015-16	FY 2016-17	Future Biennia
Has Impact	\$0	\$65,000	\$7,500,0	\$72,500