

SENATE BILL NO. 322—SENATOR CANNIZZARO

MARCH 18, 2019

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to peace officers.
(BDR 53-918)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 peace officers; revising the definition of “police officer” for the purposes of certain provisions relating to occupational diseases; providing for an increase in compensation for state law enforcement officers for a specified period to the extent of available money; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

The Nevada Occupational Diseases Act provides for the payment of compensation for temporary or permanent disability or death for the occupational diseases of lung disease and heart disease for certain firefighters, arson investigators and police officers. (Chapter 617 of NRS) The Act provides that these occupational diseases are conclusively presumed to have arisen out of and in the course of the employment under certain circumstances. (NRS 617.455, 617.457) “Police officer” is defined in the Act to include specified law enforcement officers in this State. (NRS 617.135) Existing law confers the powers of a peace officer on certain specified persons. (NRS 289.150-289.360)

Section 1 of this bill expands the definition of “police officer” for purposes of the Nevada Occupational Diseases Act to include any person upon whom some or all of the powers of a peace officer are conferred. In addition, because other provisions of existing law reference “police officer” as that term is defined in the Act, **section 1** makes applicable to such persons certain provisions concerning: (1) exemption from service as grand or trial jurors; (2) compensation for police officers with temporary disabilities; (3) certain programs of group insurance or other medical or hospital services for the surviving spouse or any child of police officers and firefighters; and (4) industrial insurance coverage. (NRS 6.020, 281.153, 287.021, 287.0477, chapters 616A-616D of NRS)

To the extent that money is available, **section 2** of this bill requires an increase in the level of compensation for state law enforcement officers for Fiscal Years 2019-2020 and 2020-2021. If the officers are under a paramilitary organizational structure, **section 2** provides for an increase of 10 percent for officers who hold the



rank of sergeant or below and 5 percent for those officers who hold a rank higher than sergeant. If the level of compensation after the 10 percent increase of an officer who holds the rank of sergeant is less than 5 percent above the highest level of compensation of the rank below sergeant after the 10 percent increase, **section 2** provides that the level of compensation of the officer who holds the rank of sergeant is required to be increased so that it equals 5 percent above the highest level of compensation of the rank below sergeant. If the officers are not under a paramilitary organizational structure, **section 2** provides that the increase in compensation level is 5 percent.

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

Section 1. NRS 617.135 is hereby amended to read as follows:
617.135 "Police officer" ~~includes:~~

- ~~1. A sheriff, deputy sheriff, officer of a metropolitan police department or city police officer;~~
- ~~2. A chief, inspector, supervisor, commercial officer or trooper of the Nevada Highway Patrol Division of the Department of Public Safety;~~
- ~~3. A chief, investigator or agent of the Investigation Division of the Department of Public Safety;~~
- ~~4. A chief, supervisor, investigator or training officer of the Training Division of the Department of Public Safety;~~
- ~~5. A chief or investigator of an office of the Department of Public Safety that conducts internal investigations of employees of the Department of Public Safety or investigates other issues relating to the professional responsibility of those employees;~~
- ~~6. A chief or investigator of the Department of Public Safety whose duties include, without limitation:~~
 - ~~(a) The execution, administration or enforcement of the provisions of chapter 179A of NRS; and~~
 - ~~(b) The provision of technology support services to the Director and the divisions of the Department of Public Safety;~~
- ~~7. An officer or investigator of the Section for the Control of Emissions From Vehicles and the Enforcement of Matters Related to the Use of Special Fuel of the Department of Motor Vehicles;~~
- ~~8. An investigator of the Division of Compliance Enforcement of the Department of Motor Vehicles;~~
- ~~9. A member of the police department of the Nevada System of Higher Education;~~
- ~~10. A:~~
 - ~~(a) Uniformed employee of; or~~
 - ~~(b) Forensic specialist employed by;~~



~~➔ the Department of Corrections whose position requires regular and frequent contact with the offenders imprisoned and subjects the employee to recall in emergencies;~~

~~—11. A parole and probation officer of the Division of Parole and Probation of the Department of Public Safety;~~

~~—12. A forensic specialist or correctional officer employed by the Division of Public and Behavioral Health of the Department of Health and Human Services at facilities for mentally disordered offenders;~~

~~—13. The State Fire Marshal and his or her assistant and deputies;~~

~~—14. A game warden of the Department of Wildlife who has the powers of a peace officer pursuant to NRS 289.280;~~

~~—15. A ranger or employee of the Division of State Parks of the State Department of Conservation and Natural Resources who has the powers of a peace officer pursuant to NRS 289.260; and~~

~~—16. A bailiff or a deputy marshal of the district court or justice court whose duties require him or her to carry a weapon and to make arrests.]~~ *means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.*

Sec. 2. 1. Effective July 1, 2019, until June 30, 2021, the Division of Human Resource Management of the Department of Administration, the Board of Regents of the University of Nevada and any other officer or agency of the Executive Department of the State Government that is responsible for payment of the compensation of its employees shall, to the extent money is available, increase the level of compensation of:

(a) Except as otherwise provided in paragraphs (b) and (d), its employees upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, and who hold a rank of sergeant or below by 10 percent.

(b) Except as otherwise provided in paragraph (d), its employees:

(1) Upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive;

(2) Who hold the rank of sergeant; and

(3) Whose level of compensation after the increase pursuant to paragraph (a) does not exceed by 5 percent the highest level of compensation of the rank below sergeant after the increase pursuant to paragraph (a),

➔ by the percentage after the increase pursuant to paragraph (a) by which their level of compensation will equal 5 percent more than the highest level of compensation of the rank below sergeant.



(c) Except as otherwise provided in paragraph (d), its employees upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, and who hold a rank higher than sergeant by 5 percent.

(d) Its employees upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, and who are not under a paramilitary organizational structure by 5 percent.

2. Effective July 1, 2019, until June 30, 2021, the Supreme Court shall, to the extent money is available, increase the level of compensation of:

(a) Except as otherwise provided in paragraphs (b) and (d), its employees upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, and who hold the rank of sergeant or below by 10 percent.

(b) Except as otherwise provided in paragraph (d), its employees:

(1) Upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive;

(2) Who hold the rank of sergeant; and

(3) Whose level of compensation after the increase pursuant to paragraph (a) does not exceed by 5 percent the highest level of compensation of the rank below sergeant after the increase pursuant to paragraph (a),

↳ by the percentage after the increase pursuant to paragraph (a) by which their level of compensation will equal 5 percent more than the highest level of compensation of the rank below sergeant.

(c) Except as otherwise provided in paragraph (d), its employees upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, and who hold a rank higher than sergeant by 5 percent.

(d) Its employees upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, and who are not under a paramilitary organizational structure by 5 percent.

3. Effective July 1, 2019, until June 30, 2021, the Legislative Commission shall, to the extent money is available, increase the level of compensation of:

(a) Except as otherwise provided in paragraphs (b) and (d), each employee of the Legislative Counsel Bureau upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, and who holds the rank of sergeant or below by 10 percent.

(b) Except as otherwise provided in paragraph (d), each employee of the Legislative Counsel Bureau:



(1) Upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive;

(2) Who holds the rank of sergeant; and

(3) Whose level of compensation after the increase pursuant to paragraph (a) does not exceed by 5 percent the highest level of compensation of the rank below sergeant after the increase pursuant to paragraph (a),

↳ by the percentage after the increase pursuant to paragraph (a) by which his or her level of compensation will equal 5 percent more than the highest level of compensation of the rank below sergeant.

(c) Except as otherwise provided in paragraph (d), each employee of the Legislative Counsel Bureau upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, and who holds a rank higher than sergeant by 5 percent.

(d) Each employee of the Legislative Counsel Bureau upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, and who is not under a paramilitary organizational structure by 5 percent.

Sec. 3. This act becomes effective on July 1, 2019.

