

SENATE BILL NO. 480—SENATORS
GOICOECHEA AND SETTELMAYER

MARCH 25, 2019

JOINT SPONSOR: ASSEMBLYMAN ELLISON

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the number of justices of the peace in each township. (BDR 1-978)

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 courts; revising provisions relating to the number of justices of the peace in each township; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth a schedule for determining how many elected justices of the peace a township is required to have based upon the population of the township. If the schedule requires an additional justice of the peace due to an increased population of the township, existing law provides that if a majority of the justices of the peace in the township submit to the Legislature and the board of county commissioners an opinion stating that the caseload of the court does not warrant an additional judge, the number of justices of the peace in that township is prohibited from being increased while the Legislature considers the opinion. (NRS 4.020) This bill revises the submission process by requiring the board of county commissioners to consult with the justices of the peace and determine whether the caseload of the court and the availability of funding warrant an additional judge.

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

Section 1. NRS 4.020 is hereby amended to read as follows:
4.020 1. There must be one justice court in each of the townships of the State, for which there must be elected by the qualified electors of the township at least one justice of the peace.



1 Except as otherwise provided in subsection 3, the number of justices
2 of the peace in a township must be increased according to the
3 population of the township, as certified by the Governor in even-
4 numbered years pursuant to NRS 360.285, in accordance with and
5 not to exceed the following schedule:

6 (a) In a county whose population is 700,000 or more:

7 (1) In a township whose population is less than 1,100,000,
8 one justice of the peace for each 100,000 population of the
9 township, or fraction thereof, until the township has four justices of
10 the peace, and thereafter, one justice of the peace for each 125,000
11 population of the township, or fraction thereof, over a population of
12 300,000; and

13 (2) In a township whose population is 1,100,000 or more,
14 one justice of the peace for each 100,000 population of the
15 township, or fraction thereof, up to a population of 1,100,000, and
16 thereafter, one justice of the peace for each 125,000 population of
17 the township, or fraction thereof, over a population of 1,100,000.

18 (b) In a county whose population is 100,000 or more and less
19 than 700,000, one justice of the peace for each 50,000 population of
20 the township, or fraction thereof.

21 (c) In a county whose population is less than 100,000, one
22 justice of the peace for each 34,000 population of the township, or
23 fraction thereof.

24 (d) If a township includes a city created by the consolidation of
25 a city and county into one municipal government, one justice of the
26 peace for each 30,000 population of the township, or fraction
27 thereof.

28 2. Except as otherwise provided in subsection 3, if the schedule
29 set forth in subsection 1 provides for an increase in the number of
30 justices of the peace in a township, the new justice or justices of the
31 peace must be elected at the next ensuing biennial election.

32 3. If the schedule set forth in subsection 1 provides for an
33 increase in the number of justices of the peace in a township and, ~~in~~
34 ~~the opinion of a majority of~~ *after consulting with* the justices of the
35 peace in that township, *the board of county commissioners*
36 *determines that* the caseload ~~does~~ *and the availability of funding*
37 *do* not warrant an additional justice of the peace, the ~~justices of the~~
38 ~~peace~~ *board of county commissioners* shall notify the Director of
39 the Legislative Counsel Bureau ~~and the board of county~~
40 ~~commissioners~~ of their opinion on or before March 15 of the even-
41 numbered year in which the population of the township provides for
42 such an increase. The Director of the Legislative Counsel Bureau
43 shall submit the opinion to the next regular session of the
44 Legislature for its consideration. If the justices of the peace transmit
45 such a notice to the Director of the Legislative Counsel Bureau and



1 the board of county commissioners, the number of justices must not
2 be increased during that period unless the Legislature, by resolution,
3 expressly approves the increase.

4 4. Justices of the peace shall receive certificates of election
5 from the boards of county commissioners of their respective
6 counties.

7 5. The clerk of the board of county commissioners shall, within
8 10 days after the election or appointment and qualification of any
9 justice of the peace, certify under seal to the Secretary of State the
10 election or appointment and qualification of the justice of the peace.
11 The certificate must be filed in the Office of the Secretary of State
12 as evidence of the official character of that officer.

