

ASSEMBLY BILL NO. 211—ASSEMBLYMAN O’NEILL

FEBRUARY 22, 2023

Referred to Committee on Government Affairs

**SUMMARY**—Makes various changes relating to law enforcement dispatchers. (BDR 23-750)

**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 public employees; requiring, under certain circumstances, the Public Employees’ Retirement Board to request the actuary of the Public Employees’ Retirement System compute for certain members of the System the amount of money necessary to pay the full actuarial cost of converting retirement service credit to the Police and Firefighters’ Retirement Fund; authorizing, under certain circumstances, certain public employers and employee organizations to engage in supplemental collective bargaining to allow certain law enforcement dispatchers to participate in the Fund and convert certain service credit to the Fund; requiring certain law enforcement dispatchers to successfully complete a program for the training of law enforcement dispatchers; revising provisions governing the sharing of information concerning applicants for certain positions with public safety agencies; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 Existing law requires the Public Employees’ Retirement Board to establish a
- 2 separate retirement fund known as the Police and Firefighters’ Retirement Fund and
- 3 determine the positions that are eligible for enrollment in the Police and
- 4 Firefighters’ Retirement Fund. (NRS 286.211, 286.225) Existing law provides that
- 5 those police officers and firefighters serving in eligible positions may retire at
- 6 certain ages and after a certain number of years of service that are lower than other
- 7 members of the Public Employees’ Retirement System, depending on the date of
- 8 membership in the System. (NRS 286.510) Existing law further authorizes



collective bargaining between: (1) local governments and certain local government employees; and (2) the Executive Department of State Government and certain state employees. (Chapter 288 of NRS) This bill authorizes, under certain circumstances, supplemental bargaining to negotiate for law enforcement dispatchers to: (1) participate as members in the Police and Firefighters' Retirement Fund established in the System; and (2) convert the retirement service credit of law enforcement dispatchers in the Public Employees' Retirement Fund to retirement service credit in the Police and Firefighters' Retirement Fund.

**Section 7** of this bill defines the term "law enforcement dispatcher."

**Section 8** of this bill provides that for a local government employer and the recognized employee organization of the bargaining unit of law enforcement dispatchers to engage in such supplemental bargaining, they must mutually agree in writing to do so. Before beginning any such supplemental bargaining, **section 8** requires the parties to jointly submit in writing to the Board: (1) notification of the intent to engage in such supplemental bargaining; (2) a list of all law enforcement dispatchers for whom the supplemental bargaining will apply; (3) a request for the Board to provide the parties certain information for each law enforcement dispatcher; and (4) written permission, signed by each such law enforcement dispatcher, for the Board to provide such information to the parties. After the receipt of such information from the Board, the parties may engage in supplemental negotiation and if a supplemental bargaining agreement is reached, the agreement must: (1) be in writing; (2) require that each law enforcement dispatcher to whom the agreement applies complete certain training; and (3) set forth, without limitation, the amount that the local government employer, each law enforcement dispatcher, or both, must pay to the System to convert the retirement service credit of the law enforcement dispatchers in the Public Employees' Retirement Fund to retirement service credit in the Police and Firefighters' Retirement Fund. **Section 8** further prohibits the parties from negotiating to convert the retirement service credit in the Police and Firefighters' Retirement Fund back to service credit in the Public Employees' Retirement Fund. Finally: (1) a local government employer is not required to engage in supplemental bargaining or enter into a supplemental bargaining agreement pursuant to **section 8**; and (2) a refusal by a local government employer to engage in supplemental bargaining or enter into a supplemental bargaining agreement pursuant to **section 8** is not appealable.

Similar to **section 8**, **section 9** of this bill authorizes supplemental negotiations between the Executive Department and the exclusive representative of the bargaining unit for law enforcement dispatchers who are state employees.

**Section 2** of this bill provides that if the Board receives a notice of intent to engage in supplemental bargaining pursuant to **sections 8 or 9**, the Board shall: (1) request the actuary of the System compute for each member of the System who is a law enforcement dispatcher described in the notice of intent the amount of money that is necessary to pay the full actuarial cost to convert the retirement service credit of the member in the Public Employees' Retirement Fund to retirement service credit in the Police and Firefighters' Fund; and (2) send written notice of such computations to the applicable parties. If the System receives the full actuarial cost to convert any such service credit for a member who is a law enforcement dispatcher, **section 2**: (1) requires the Board to approve the conversion; (2) provides that the law enforcement dispatcher shall be deemed to be a police officer for purposes of the provisions of law relating to the System; and (3) provides that the contribution rates and eligibility for early retirement and retirement benefits for police officers and firefighters apply to the law enforcement dispatcher.

**Section 3** of this bill creates an exception to the provision that certain information about a current or former member of a public retirement system administered by the Board is confidential to allow for the Board to provide certain



information to the relevant parties engaging in supplemental negotiation pursuant to **sections 8 and 9.** (NRS 286.118)

Existing law requires the Board, with the advice of the Interim Retirement and Benefits Committee of the Legislature, to determine those positions eligible under the early retirement provisions for police officers and firefighters. (NRS 286.211) **Section 4** of this bill creates an exception to these provisions for law enforcement dispatchers who, pursuant to **sections 2, 8 and 9,** become members of the Police and Firefighters' Retirement Fund and convert their service, accordingly.

Existing law requires public employers other than the State of Nevada to pay the entire employee contribution for those employees who contribute to the Police and Firefighters' Retirement Fund on and after July 1, 1981. (NRS 286.421) **Section 5** of this bill provides an exception for the conversion of service for local government employees pursuant to **sections 2 and 8.**

Existing law requires, upon the request of a public safety agency, an employer to provide to the public safety agency information, if available, regarding a current or former employee who is an applicant for the position of firefighter or peace officer with the public safety agency. (NRS 239B.020) **Section 18** of this bill adds law enforcement dispatcher to the list of positions for which such information may be requested and the employer is required to provide.

**Section 10** of this bill indicates the proper placement of **section 7** in the Nevada Revised Statutes.

**Section 11** of this bill indicates the proper placement of **section 8** in the Nevada Revised Statutes.

**Sections 1 and 12-17** of this bill indicate the proper placement of **section 9** in the Nevada Revised Statutes.

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

**Section 1.** NRS 284.013 is hereby amended to read as follows:  
284.013 1. Except as otherwise provided in subsection 4, this chapter does not apply to:

(a) Agencies, bureaus, commissions, officers or personnel in the Legislative Department or the Judicial Department of State Government, including the Commission on Judicial Discipline;

(b) Any person who is employed by a board, commission, committee or council created in chapters 445C, 590, 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648, 652, 654 and 656 of NRS; or

(c) Officers or employees of any agency of the Executive Department of the State Government who are exempted by specific statute.

2. Except as otherwise provided in subsection 3, the terms and conditions of employment of all persons referred to in subsection 1, including salaries not prescribed by law and leaves of absence, including, without limitation, annual leave and sick and disability leave, must be fixed by the appointing or employing authority within the limits of legislative appropriations or authorizations.



3. Except as otherwise provided in this subsection, leaves of absence prescribed pursuant to subsection 2 must not be of lesser duration than those provided for other state officers and employees pursuant to the provisions of this chapter. The provisions of this subsection do not govern the Legislative Commission with respect to the personnel of the Legislative Counsel Bureau.

4. Any board, commission, committee or council created in chapters 445C, 590, 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648, 652, 654 and 656 of NRS which contracts for the services of a person, shall require the contract for those services to be in writing. The contract must be approved by the State Board of Examiners before those services may be provided.

5. Except as otherwise provided in NRS 284.4086, to the extent that they are inconsistent or otherwise in conflict, the provisions of this chapter do not apply to any terms and conditions of employment that are properly within the scope of and subject to the provisions of a collective bargaining agreement or a supplemental bargaining agreement that is enforceable pursuant to the provisions of NRS 288.400 to 288.630, inclusive **H**, and *section 9 of this act*.

**Sec. 2.** Chapter 286 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. If the Board receives a notice of intent to engage in supplemental bargaining pursuant to section 8 or 9 of this act, the Board shall request that the actuary of the System compute for each member of the System who is a law enforcement dispatcher described in the notice of intent the amount of money that is necessary to pay the full actuarial cost to convert the retirement service credit of the member in the Public Employees' Retirement Fund to retirement service credit in the Police and Firefighters' Retirement Fund. Once the actuary has computed the full actuarial cost to convert the retirement service credit of all such members, the Board shall send written notice of the such computations to, as applicable:*

*(a) The local government employer and the recognized employee organization; or*

*(b) The Executive Department and the exclusive representative.*

*2. If the System receives the full actuarial cost to convert the retirement service credit of a member in the Public Employees' Retirement Fund to retirement service credit in the Police and Firefighters' Fund, as determined by the actuary of the System:*

*(a) The Board shall approve the conversion.*

*(b) The member who is a law enforcement dispatcher shall be deemed to be a police officer for purposes of this chapter. The*



1 *provisions governing contribution rates and eligibility for early*  
2 *retirement and retirement benefits for police officers and*  
3 *firefighters apply to the law enforcement dispatcher.*

4 (c) *The participation of the member in the System is subject to*  
5 *the same terms and conditions established pursuant to this chapter*  
6 *and any regulations adopted by the Board for police officers and*  
7 *firefighters with the same effective date of membership.*

8 3. *As used in this section:*

9 (a) *“Employee organization” has the meaning ascribed to it in*  
10 *NRS 288.040.*

11 (b) *“Exclusive representative” has the meaning ascribed to it*  
12 *in NRS 288.430.*

13 (c) *“Executive Department” has the meaning ascribed to it in*  
14 *NRS 288.042.*

15 (d) *“Law enforcement dispatcher” has the meaning ascribed to*  
16 *it in section 7 of this act.*

17 (e) *“Local government employer” has the meaning ascribed to*  
18 *it in NRS 288.060.*

19 **Sec. 3.** NRS 286.118 is hereby amended to read as follows:

20 286.118 1. Except as otherwise provided in this section ~~§~~  
21 *and sections 2, 8 and 9 of this act*, all information about a current or  
22 former member of a public retirement system administered by the  
23 Board, or a beneficiary of such a member, which is contained in a  
24 record or file in the possession, control or custody of the Board is  
25 confidential regardless of the form, location and manner of creation  
26 or storage of a record or file containing the information.

27 2. The following information about a current or former  
28 member of such a public retirement system which is contained in a  
29 record or file in the possession, control or custody of the Board is a  
30 public record:

31 (a) The name of the current or former member; and

32 (b) The amount of annual pension benefit paid to the current or  
33 former member.

34 3. ~~[The]~~ *Except as otherwise provided in sections 2, 8 and 9 of*  
35 *this act, the* Board may only disclose information made confidential  
36 pursuant to subsection 1 to a third party if:

37 (a) Such disclosure is necessary for the Board to carry out its  
38 duties; and

39 (b) The Board executes a confidentiality agreement with the  
40 third party before providing the third party with any confidential  
41 information.

42 **Sec. 4.** NRS 286.211 is hereby amended to read as follows:

43 286.211 1. The Board shall, with the advice of the Interim  
44 Retirement and Benefits Committee of the Legislature created  
45 pursuant to NRS 218E.420:



(a) Adopt regulations for the evaluation of requests for enrollment under the Police and Firefighters' Retirement Fund; and

(b) ~~{Determine}~~ *Except as otherwise provided in sections 2, 8 and 9 of this act, determine* those positions eligible under the early retirement provisions for police officers and firefighters.

2. ~~{Service}~~ *Except as otherwise provided in sections 2, 8 and 9 of this act, service* in any position which has not been determined by the Board to be eligible does not entitle a member to early retirement as a firefighter or police officer.

**Sec. 5.** NRS 286.421 is hereby amended to read as follows:

286.421 1. A public employer that elected to pay on behalf of its employees the contributions required by subsection 1 of NRS 286.410 before July 1, 1983, shall continue to do so, but a public employer may not elect to pay those contributions on behalf of its employees on or after July 1, 1983.

2. An employee of a public employer that did not elect to pay on behalf of its employees the contributions required by subsection 1 of NRS 286.410 before July 1, 1983, may elect to:

(a) Pay the contribution required by subsection 1 of NRS 286.410 on the employee's own behalf; or

(b) Have the employee's portion of the contribution paid by the employee's employer pursuant to the provisions of NRS 286.425.

3. Except for any person chosen by election or appointment to serve in an elective office of a political subdivision or as a district judge, a judge of the Court of Appeals or a justice of the Supreme Court of this State:

(a) Payment of the employee's portion of the contributions pursuant to subsection 1 must be:

(1) Made in lieu of equivalent basic salary increases or cost-of-living increases, or both; or

(2) Counterbalanced by equivalent reductions in employees' salaries.

(b) The average compensation from which the amount of benefits payable pursuant to this chapter is determined must be increased with respect to each month beginning after June 30, 1975, by 50 percent of the contribution made by the public employer, and must not be less than it would have been if contributions had been made by the member and the public employer separately. In the case of any officer or judge described in this subsection, any contribution made by the public employer on the officer's or judge's behalf does not affect the officer's or judge's compensation but is an added special payment.

4. Employee contributions made by a public employer must be deposited in either the Public Employees' Retirement Fund or the Police and Firefighters' Retirement Fund as is appropriate. These



1 contributions must not be credited to the individual account of the  
2 member and may not be withdrawn by the member upon the  
3 member's termination.

4 5. The membership of an employee who became a member on  
5 or after July 1, 1975, and all contributions on whose behalf were  
6 made by the member's public employer must not be cancelled upon  
7 the termination of the member's service.

8 6. If an employer is paying the basic contribution on behalf of  
9 an employee, the total contribution rate, in lieu of the amounts  
10 required by subsection 1 of NRS 286.410 and NRS 286.450, must  
11 be:

12 (a) The total contribution rate for employers that is actuarially  
13 determined for police officers and firefighters and for regular  
14 members, depending upon the retirement fund in which the member  
15 is participating.

16 (b) Except as otherwise provided in subsection 7, adjusted on  
17 the first monthly retirement reporting period commencing on or  
18 after July 1 of each odd-numbered year based on the actuarially  
19 determined contribution rate indicated in the biennial actuarial  
20 valuation and report of the immediately preceding year. The  
21 adjusted rate must be rounded to the nearest one-quarter of 1  
22 percent.

23 7. The total contribution rate for employers must not be  
24 adjusted in accordance with the provisions of paragraph (b) of  
25 subsection 6 if:

26 (a) The existing rate is lower than the actuarially determined rate  
27 but is within one-half of 1 percent of the actuarially determined rate.

28 (b) The existing rate is higher than the actuarially determined  
29 rate but is within 2 percent of the actuarially determined rate. If the  
30 existing rate is more than 2 percent higher than the actuarially  
31 determined rate, the existing rate must be reduced by the amount by  
32 which it exceeds 2 percent above the actuarially determined rate.

33 8. For the purposes of adjusting salary increases and cost-of-  
34 living increases or of salary reduction, the total contribution must be  
35 equally divided between employer and employee.

36 9. ~~[Public]~~ *Except as otherwise provided in sections 2 and 8 of*  
37 *this act, public* employers other than the State of Nevada shall pay  
38 the entire employee contribution for those employees who  
39 contribute to the Police and Firefighters' Retirement Fund on and  
40 after July 1, 1981.

41 **Sec. 6.** Chapter 288 of NRS is hereby amended by adding  
42 thereto the provisions set forth as sections 7, 8 and 9 of this act.

43 **Sec. 7. 1.** *"Law enforcement dispatcher" means a person*  
44 *filling a full-time position with a participating public employer of*  
45 *the Public Employees' Retirement System that is a law*



1 enforcement agency, the principal duties of which promote public  
2 safety by receiving calls for service related to crimes, traffic  
3 incidents, public safety and any other related calls for assistance,  
4 as well as providing immediate and critical communication  
5 between the public and law enforcement agencies. The term  
6 includes a supervisor of a law enforcement dispatcher.

7 2. As used in subsection 1, “public employer” has the  
8 meaning ascribed to it in NRS 286.070.

9 **Sec. 8.** 1. Except as otherwise provided in this section and  
10 subject to the provisions of section 2 of this act, a local  
11 government employer and the recognized employee organization  
12 of the bargaining unit of law enforcement dispatchers may engage  
13 in supplemental bargaining to negotiate for law enforcement  
14 dispatchers to:

15 (a) Participate as members in the Police and Firefighters’  
16 Retirement Fund; and

17 (b) Convert the retirement service credit of law enforcement  
18 dispatchers in the Public Employees’ Retirement Fund to  
19 retirement service credit in the Police and Firefighters’ Retirement  
20 Fund.

21 2. In order to engage in supplemental bargaining pursuant to  
22 this section, the local government employer and the recognized  
23 employee organization must mutually agree in writing to do so.  
24 Except as otherwise provided in this section, supplemental  
25 bargaining and the approval of any supplemental bargaining  
26 agreement is subject to the provisions of NRS 288.140 to 288.220,  
27 inclusive.

28 3. Before beginning any supplemental bargaining pursuant  
29 to this section, the local government employer and the recognized  
30 employee organization must jointly submit in writing to the Public  
31 Employees’ Retirement Board:

32 (a) Notification that the local government employer and the  
33 recognized employee organization intend to engage in  
34 supplemental bargaining pursuant to this section;

35 (b) A list of all law enforcement dispatchers for whom the  
36 supplemental bargaining between the local government employer  
37 and the recognized employee organization will apply and the  
38 anticipated date on which the supplemental bargaining agreement  
39 will become effective;

40 (c) A request for the Public Employees’ Retirement Board to  
41 provide the local government employer and the recognized  
42 employee organization with the following information for each  
43 law enforcement dispatcher for whom the supplemental  
44 bargaining will apply:





(1) The total amount of retirement service credit that the law enforcement dispatcher has in his or her individual account in the Public Employees' Retirement Fund; and

(2) The amount of money that will need to be paid into the Police and Firefighters' Retirement Fund in order to pay the full actuarial cost to convert the retirement service credit that the law enforcement dispatcher has in his or her individual account in the Public Employees' Retirement Fund into retirement service credit in the Police and Firefighters' Retirement Fund; and

(d) Written permission, signed by each such law enforcement dispatcher and in the form required by the Public Employees' Retirement Board, for the Board to provide the information described in paragraph (c) to the local government employer and the recognized employee organization.

4. After the local government employer and the recognized employee organization receive from the Public Employees' Retirement Board the information described in paragraph (c) of subsection 3 for all law enforcement dispatchers for whom the supplemental bargaining between the local government employer and the recognized employee organization will apply, the local government employer and the recognized employee organization may engage in supplemental bargaining pursuant to this section.

5. If the parties reach a supplemental bargaining agreement pursuant to this section, the provisions of this supplemental bargaining agreement:

(a) Must be in writing;

(b) Shall require that each law enforcement dispatcher to whom the supplemental bargaining agreement applies successfully complete the program for the training of law enforcement dispatchers described in NRS 289.650 on or before the date set forth in the supplemental bargaining agreement;

(c) Shall set forth, without limitation, the amount that the local government employer, each law enforcement dispatcher, or both, must pay to the Public Employees' Retirement System to convert the retirement service credit of the law enforcement dispatchers in the Public Employees' Retirement Fund to the retirement service credit in the Police and Firefighters' Retirement Fund; and

(d) Shall be deemed to be incorporated into the provisions of each collective bargaining agreement then in effect between the local government employer and the employees who are subject to the supplemental bargaining agreement if the provisions of the supplemental bargaining agreement do not conflict with the provisions of the collective bargaining agreement.

6. If any provision of the supplemental bargaining agreement conflicts with any provision of the collective bargaining



1 agreement, the provision of the supplemental bargaining  
2 agreement is void and the provision of the collective  
3 bargaining agreement must be given effect.

4 7. If the local government employer and the recognized  
5 employee organization that is the exclusive representative of the  
6 bargaining unit for law enforcement dispatchers negotiate a  
7 supplemental bargaining agreement pursuant to this section, the  
8 local government employer and the recognized employee  
9 organization shall not negotiate to convert the retirement service  
10 credit of law enforcement dispatchers in the Police and  
11 Firefighters' Retirement Fund back into retirement service credit  
12 in the Public Employees' Retirement Fund.

13 8. Nothing in this section requires a local government  
14 employer to:

15 (a) Engage in supplemental bargaining pursuant to this  
16 section; or

17 (b) Enter into a supplemental bargaining agreement pursuant  
18 to this section.

19 ↪ A refusal by a local government employer to engage in  
20 supplemental bargaining or enter into a supplemental bargaining  
21 agreement pursuant to this section is not appealable.

22 9. As used in this section:

23 (a) "Police and Firefighters' Retirement Fund" means the  
24 fund established by the Public Employees' Retirement Board  
25 pursuant to NRS 286.225.

26 (b) "Public Employees' Retirement Fund" means the fund  
27 established by the Public Employees' Retirement Board pursuant  
28 to NRS 286.220.

29 (c) "Service" has the meaning ascribed to it in NRS 286.078.

30 **Sec. 9. 1.** Except as otherwise provided in this section and  
31 subject to the provisions of section 2 of this act, the Executive  
32 Department and the exclusive representative of the bargaining  
33 unit of law enforcement dispatchers may engage in supplemental  
34 bargaining to negotiate for law enforcement dispatchers to:

35 (a) Participate as members in the Police and Firefighters'  
36 Retirement Fund; and

37 (b) Convert the retirement service credit of law enforcement  
38 dispatchers in the Public Employees' Retirement Fund to  
39 retirement service credit in the Police and Firefighters' Retirement  
40 Fund.

41 2. In order to engage in supplemental bargaining pursuant to  
42 this section, the Executive Department and the exclusive  
43 representative must mutually agree in writing to do so. Except as  
44 otherwise provided in this section, supplemental bargaining and  
45 the approval of any supplemental bargaining agreement is subject



1 to the provisions of this section and NRS 288.400 to 288.630,  
2 inclusive.

3 3. Before beginning any supplemental bargaining pursuant  
4 to this section, the Executive Department and the exclusive  
5 representative must jointly submit in writing to the Public  
6 Employees' Retirement Board:

7 (a) Notification that the Executive Department and exclusive  
8 representative intend to engage in supplemental bargaining  
9 pursuant to this section;

10 (b) A list of all law enforcement dispatchers for whom the  
11 supplemental bargaining between the Executive Department and  
12 exclusive representative will apply and the anticipated date on  
13 which the supplemental bargaining agreement will become  
14 effective;

15 (c) A request for the Public Employees' Retirement Board to  
16 provide the Executive Department and exclusive representative  
17 with the following information for each law enforcement  
18 dispatcher for whom the supplemental bargaining will apply:

19 (1) The total amount of service credit that the law  
20 enforcement dispatcher has in his or her individual account in the  
21 Public Employees' Retirement Fund; and

22 (2) The amount of money that will need to be paid into the  
23 Police and Firefighters' Retirement Fund in order to pay the full  
24 actuarial cost to convert the service credit that the law  
25 enforcement dispatcher has in his or her individual account in the  
26 Public Employees' Retirement Fund into service credit in the  
27 Police and Firefighters' Retirement Fund; and

28 (d) Written permission, signed by each law enforcement  
29 dispatcher for whom the supplemental bargaining between the  
30 Executive Department and exclusive representative will apply and  
31 in the form required by the Public Employees' Retirement Board,  
32 for the Board to provide the information described in paragraph  
33 (c) to the Executive Department and the exclusive representative.

34 4. After the Executive Department and exclusive  
35 representative receive from the Public Employees' Retirement  
36 Board the information described in paragraph (c) of subsection 3  
37 for all law enforcement dispatchers for whom the supplemental  
38 bargaining between the Executive Department and exclusive  
39 representative will apply, the Executive Department and exclusive  
40 representative may engage in supplemental bargaining pursuant  
41 to this section.

42 5. If the parties reach a supplemental bargaining agreement  
43 pursuant to this section, the provisions of this supplemental  
44 bargaining agreement:

45 (a) Must be in writing;



(b) Shall require that each law enforcement dispatcher to whom the supplemental bargaining agreement applies successfully complete the program for the training of law enforcement dispatchers described in NRS 289.650 on or before the date set forth in the supplemental bargaining agreement;

(c) Shall set forth, without limitation, the amount that the Executive Department, each law enforcement dispatcher, or both, must pay to the Public Employees' Retirement System to convert the retirement service credit of the law enforcement dispatchers in the Public Employees' Retirement Fund to retirement service credit in the Police and Firefighters' Retirement Fund; and

(d) Shall be deemed to be incorporated into the provisions of each collective bargaining agreement then in effect between the Executive Department and the employees who are subject to the supplemental bargaining agreement if the provisions of the supplemental bargaining agreement do not conflict with the provisions of the collective bargaining agreement.

6. If any provision of the supplemental bargaining agreement conflicts with any provision of the collective bargaining agreement, the provision of the supplemental bargaining agreement is void and the provision of the collective bargaining agreement must be given effect.

7. If the Executive Department and an exclusive representative negotiate a supplemental bargaining agreement pursuant to this section, the Executive Department and exclusive representative shall not negotiate to convert the retirement service credit of law enforcement dispatchers in the Police and Firefighters' Retirement Fund back into retirement service credit in the Public Employees' Retirement Fund.

8. Nothing in this section requires the Executive Department to:

(a) Engage in supplemental bargaining pursuant to this section; or

(b) Enter into a supplemental bargaining agreement pursuant to this section.

↪ A refusal by the Executive Department to engage in supplemental bargaining or enter into a supplemental bargaining agreement pursuant to this section is not appealable.

9. As used in this section:

(a) "Police and Firefighters' Retirement Fund" means the fund established by the Public Employees' Retirement Board pursuant to NRS 286.225.

(b) "Public Employees' Retirement Fund" means the fund established by the Public Employees' Retirement Board pursuant to NRS 286.220.



(c) *“Service” has the meaning ascribed to it in NRS 286.078.*

**Sec. 10.** NRS 288.015 is hereby amended to read as follows:

288.015 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 288.029 to 288.074, inclusive, *and section 7 of this act* have the meanings ascribed to them in those sections.

**Sec. 11.** NRS 288.195 is hereby amended to read as follows:

288.195 Whenever an employee organization enters into negotiations with a local government employer, pursuant to NRS 288.140 to 288.220, inclusive, *and section 8 of this act*, such employee organization may be represented by an attorney licensed to practice law in the State of Nevada.

**Sec. 12.** NRS 288.405 is hereby amended to read as follows:

288.405 As used in NRS 288.400 to 288.630, inclusive, *and section 9 of this act*, unless the context otherwise requires, the words and terms defined in NRS 288.410 to 288.435, inclusive, have the meanings ascribed to them in those sections.

**Sec. 13.** NRS 288.430 is hereby amended to read as follows:

288.430 “Exclusive representative” means a labor organization that, as a result of its designation by the Board, has the exclusive right to represent all the employees within a bargaining unit and to engage in collective bargaining with the Executive Department pursuant to NRS 288.400 to 288.630, inclusive, *and section 9 of this act*, concerning wages, hours and other terms and conditions of employment for those employees.

**Sec. 14.** NRS 288.500 is hereby amended to read as follows:

288.500 1. For the purposes of collective bargaining, supplemental bargaining and other mutual aid or protection, employees have the right to:

(a) Organize, form, join and assist labor organizations, engage in collective bargaining and supplemental bargaining through exclusive representatives and engage in other concerted activities; and

(b) Refrain from engaging in such activity.

2. Collective bargaining and supplemental bargaining entail a mutual obligation of the Executive Department and an exclusive representative to meet at reasonable times and to bargain in good faith with respect to:

(a) The subjects of mandatory bargaining set forth in subsection 2 of NRS 288.150, except paragraph (f) of that subsection;

(b) The negotiation of an agreement;

(c) The resolution of any question arising under an agreement; and

(d) The execution of a written contract incorporating the provisions of an agreement, if requested by either party.



3. The subject matters set forth in subsection 3 of NRS 288.150 are not within the scope of mandatory bargaining and are reserved to the Executive Department without negotiation.

4. Notwithstanding the provisions of any collective bargaining agreement negotiated pursuant to the provisions of NRS 288.400 to 288.630, inclusive, *and section 9 of this act*, the Executive Department is entitled to take the actions set forth in paragraph (b) of subsection 6 of NRS 288.150. Any action taken under the provisions of this subsection must not be construed as a failure to negotiate in good faith.

5. This section does not preclude, but the provisions of NRS 288.400 to 288.630, inclusive, *section 9 of this act*, do not require, the Executive Department to negotiate subject matters set forth in subsection 3 which are outside the scope of mandatory bargaining. The Executive Department shall discuss subject matters outside the scope of mandatory bargaining but it is not required to negotiate those matters.


6. The Executive Department shall furnish to an exclusive representative data that is maintained in the ordinary course of business and which is relevant and necessary to the discussion of the subjects of mandatory bargaining described in subsection 2. This subsection shall not be construed to require the Executive Department to furnish to the exclusive representative any advice or training received by representatives of the Executive Department concerning collective bargaining.

7. To the greatest extent practicable, any decision issued by the Board before October 1, 2019, relating to the interpretation of, or the performance under, the provisions of NRS 288.150 shall be deemed to apply to any complaint arising out of the interpretation of, or performance under, the provisions of this section.

**Sec. 15.** NRS 288.510 is hereby amended to read as follows:

288.510 Notwithstanding the provisions of any collective bargaining agreement negotiated pursuant to the provisions of NRS 288.400 to 288.630, inclusive, *and section 9 of this act*, the Governor may include in the biennial proposed executive budget of the State any amount of money the Governor deems appropriate for the salaries, wage rates or any other form of direct monetary compensation for employees.

**Sec. 16.** NRS 288.585 is hereby amended to read as follows:

288.585 1. Except as otherwise provided in this section  *and section 9 of this act*, the Executive Department and the exclusive representative of a bargaining unit may engage in supplemental bargaining concerning any terms and conditions of employment which are peculiar to or which uniquely affect fewer than all the employees within the bargaining unit.





2. The Executive Department and an exclusive representative may engage in supplemental bargaining pursuant to subsection 1 for fewer than all the employees within two or more bargaining units that the exclusive representative represents if the requirements of subsection 1 are met for each such bargaining unit. Supplemental bargaining must be conducted in the manner prescribed by NRS 288.400 to 288.630, inclusive ~~[H]~~, *and section 9 of this act.*

3. If the parties reach a supplemental bargaining agreement pursuant to this section, the provisions of the supplemental bargaining agreement:

(a) Must be in writing; and

(b) Shall be deemed to be incorporated into the provisions of each collective bargaining agreement then in effect between the Executive Department and the employees who are subject to the supplemental bargaining agreement if the provisions of the supplemental bargaining agreement do not conflict with the provisions of the collective bargaining agreement.

4. If any provision of the supplemental bargaining agreement conflicts with any provision of the collective bargaining agreement, the provision of the supplemental bargaining agreement is void and the provision of the collective bargaining agreement must be given effect.

5. ~~[The]~~ *Except as otherwise provided in section 9 of this act, the* provisions of the supplemental bargaining agreement expire at the same time as the other provisions of the collective bargaining agreement into which they are incorporated.

6. The Executive Department and an exclusive representative may, during collective bargaining conducted pursuant to NRS 288.400 to 288.630, inclusive, *and section 9 of this act*, negotiate and include in a collective bargaining agreement any terms and conditions of employment that would otherwise be within the scope of supplemental bargaining conducted pursuant to this section.

**Sec. 17.** NRS 218D.175 is hereby amended to read as follows:

218D.175 1. Except as otherwise provided in subsection 2, for a regular session, the Governor or the Governor's designated representative may request the drafting of not more than 110 legislative measures which have been approved by the Governor or the Governor's designated representative on behalf of the officers, agencies, boards, commissions, departments and other units of the Executive Department. The requests must be submitted to the Legislative Counsel on or before August 1 preceding the regular session.

2. The Governor or the Governor's designated representative may request at any time before or during a regular session, without limitation, the drafting of as many legislative measures as are



1 necessary to carry out the provisions of NRS 288.400 to 288.630,  
2 inclusive ~~H~~, *and section 9 of this act.*

3 3. The Director of the Office of Finance may request on or  
4 before the 19th day of a regular session, without limitation, the  
5 drafting of as many legislative measures as are necessary to  
6 implement the budget proposed by the Governor and to provide for  
7 the fiscal management of the State. In addition to the requests  
8 otherwise authorized pursuant to this section, the Governor may  
9 request the drafting of not more than 5 legislative measures on or  
10 before the 19th day of a regular session to propose the Governor's  
11 legislative agenda.

12 4. For a regular session, the following constitutional officers  
13 may request, without the approval of the Governor or the  
14 Governor's designated representative, the drafting of not more than  
15 the following numbers of legislative measures, which must be  
16 submitted to the Legislative Counsel on or before September 1  
17 preceding the regular session:

18		
19	Lieutenant Governor.....	3
20	Secretary of State.....	6
21	State Treasurer.....	5
22	State Controller.....	5
23	Attorney General .....	20
24		

25 5. In addition to the requests authorized by subsection 4, the  
26 Secretary of State may request, without the approval of the  
27 Governor or the Governor's designated representative, the drafting  
28 of not more than 2 legislative measures, which must be submitted to  
29 the Legislative Counsel on or before December 31 preceding the  
30 regular session.

31 6. Each request made pursuant to this section must be on a  
32 form prescribed by the Legislative Counsel. The legislative  
33 measures requested pursuant to subsections 1 and 4 must be prefiled  
34 on or before the third Wednesday in November preceding the  
35 regular session. A legislative measure that is not prefiled on or  
36 before that day shall be deemed withdrawn.

37 **Sec. 18.** NRS 239B.020 is hereby amended to read as follows:

38 239B.020 1. Upon the request of a public safety agency, an  
39 employer shall provide to the public safety agency information, if  
40 available, regarding a current or former employee of the employer  
41 who is an applicant for the position of firefighter , *law enforcement*  
42 *dispatcher* or peace officer, as applicable, with the public safety  
43 agency. A request for information by a public safety agency  
44 pursuant to this subsection must be:

45 (a) In writing;





(b) Accompanied by an authorization signed by the applicant and notarized by a notary public or judicial officer in which the applicant consents to the release of the information; and

(c) Presented to the employer by a sworn officer or other authorized representative of the public safety agency.

2. The information that a public safety agency may request pursuant to subsection 1 includes, without limitation:

(a) The date on which the applicant began the employment and, if applicable, the date on which the employment of the applicant was terminated;

(b) A list of the compensation that the employer provided to the applicant during the course of the employment;

(c) An application for a position of employment that the applicant submitted to the employer;

(d) A written evaluation of the performance of the applicant;

(e) A record of the attendance of the applicant;

(f) A record of disciplinary action taken against the applicant;

(g) A statement regarding whether the employer would rehire the applicant and, if the employer would not rehire the applicant, the reasons therefor; and

(h) If applicable, a record setting forth the reason that the employment of the applicant was terminated and whether the termination was voluntary or involuntary.

3. An employer shall not provide information pursuant to subsection 1 if the disclosure of the information is prohibited pursuant to a federal or state statute or regulation.

4. A public safety agency may use the information that it receives pursuant to this section only to determine the suitability of an applicant for employment as a firefighter , *law enforcement dispatcher* or peace officer, as applicable.

5. Except as otherwise provided in this subsection, a public safety agency shall maintain the confidentiality of information that it receives pursuant to this section. A public safety agency may share information regarding an applicant that it receives pursuant to this section with another public safety agency if:

(a) The applicant is also an applicant for a position as a firefighter , *law enforcement dispatcher* or peace officer, as applicable, with the other public safety agency and the applicant submitted a single application to be used by multiple public safety agencies; and

(b) The confidentiality of the information is otherwise maintained.

6. As used in this section:

(a) “Employer” includes a public employer and a private employer.



(b) “Firefighter” means a person who is a salaried employee of a fire-fighting agency and whose principal duties are to control, extinguish, prevent and suppress fires.

(c) “Fire-fighting agency” means a public fire department, fire protection district or other agency of this State or a political subdivision of this State, the primary functions of which are to control, extinguish, prevent and suppress fires.

(d) *“Law enforcement dispatcher” has the meaning ascribed to it in section 7 of this act.*

(e) “Peace officer” has the meaning ascribed to it in NRS 289.010.

~~(e)~~ (f) “Public safety agency” means:

- (1) A fire-fighting agency; or
- (2) A law enforcement agency as defined in NRS 277.035.

