

Amendment No. 876

Assembly Amendment to Assembly Bill No. 301 First Reprint (BDR 53-766)

Proposed by: Assembly Committee on Ways and Means

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 301 R1 (§ 1).

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.



ASSEMBLY BILL NO. 301—ASSEMBLYMEN HIBBETTS,
D’SILVA, YUREK; AND CARTER

MARCH 15, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to public employees. (BDR 53-766)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; revising the definition of “police officer” to include **all category I peace officers**, certain school police officers, juvenile probation officers, bailiffs and deputy marshals of municipal courts and marshals and deputy marshals of cities or towns for the purposes of certain benefits and exemptions; specifying that the use of certain designations by the Department of Public Safety or a division ~~or officer~~ ~~for employee~~ of the Department does not exclude ~~certain employees of the Department~~ from the definition of “police officer” for the purposes of certain benefits and exemptions **any person employed by the Department who is included within that definition under existing law**; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law defines “police officer” to include various law enforcement officers of this State for the purposes of certain provisions relating to eligibility for benefits under the Nevada Occupational Diseases Act. (NRS 617.135) Among the law enforcement officers included in the definition of “police officer” are certain specified employees of the Department of Public Safety. (NRS 617.135) Existing law authorizes the Director of the Department of Public Safety to authorize: (1) the Department to use certain designations to identify itself; and (2) the divisions of the Department and the officers and employees of the Department to use certain designations to identify themselves. (NRS 480.150) This bill provides that the use of such a designation does not exclude from the definition of “police officer” any ~~employee of~~ **person employed by** the Department of Public Safety **who is** included in the definition of “police officer” under existing law.

This bill also expands the definition of “police officer” to include: ~~and~~ (1) **a** school police officer employed or appointed by the board of trustees of a school district; (2) **a** juvenile probation officer; (3) **a** bailiff or deputy marshal of a municipal court; ~~and~~ (4) **a** marshal or deputy marshal of a city or town ~~or~~ **;** ~~and~~ (5) **all category I peace officers**. Furthermore, because various other provisions of the Nevada Revised Statutes reference “police officer” as that term is defined in the Act, this bill makes applicable to **all category I**

peace officers, school police officers employed or appointed by the board of trustees of a school district, juvenile probation officers, bailiffs and deputy marshals of municipal courts and marshals and deputy marshals of cities or towns: (1) industrial insurance coverage for police officers; (2) exemption from service as grand or trial jurors; (3) compensation for police officers with temporary disabilities; and (4) eligibility for certain programs of group insurance or other medical or hospital service for the surviving spouse or any surviving child of a police officer or firefighter. (NRS 6.020, 281.153, 287.021, 287.0477; chapters 616A-616D of NRS)

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 **1.** "Police officer" includes:

~~11-1~~ (a) A sheriff, deputy sheriff, officer of a metropolitan police department or city police officer;

~~12-1~~ (b) A chief, inspector, supervisor, commercial officer or trooper of the Nevada Highway Patrol Division of the Department of Public Safety;

~~13-1~~ (c) A chief, investigator or agent of the Investigation Division of the Department of Public Safety;

~~14-1~~ (d) A chief, supervisor, investigator or training officer of the Training Division of the Department of Public Safety;

~~15-1~~ (e) 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;

~~16-1~~ (f) A chief or investigator of the Department of Public Safety whose duties include, without limitation:

~~17-1~~ (1) The execution, administration or enforcement of the provisions of chapter 179A of NRS; and

~~18-1~~ (2) The provision of technology support services to the Director and the divisions of the Department of Public Safety;

~~19-1~~ (g) 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;

~~20-1~~ (h) An investigator of the Division of Compliance Enforcement of the Department of Motor Vehicles;

~~21-1~~ (i) *A school police officer employed or appointed by the board of trustees of a school district pursuant to NRS 391.281;*

~~22-1~~ (j) A member of the police department of the Nevada System of Higher Education;

~~23-1~~ (k) A:

~~24-1~~ (1) Uniformed employee of; or

~~25-1~~ (2) 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;

~~26-1~~ (l) *A juvenile probation officer;*

~~27-1~~ (m) A parole and probation officer of the Division of Parole and Probation of the Department of Public Safety;

~~112-1~~ (n) 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;

~~113-1~~ (o) The State Fire Marshal and his or her assistant and deputies;

~~114-1~~ (p) A game warden of the Department of Wildlife who has the powers of a peace officer pursuant to NRS 289.280;

~~115-1~~ (q) 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;

~~116-1~~ (r) A bailiff or a deputy marshal of the district court, *municipal court* or justice court whose duties require him or her to carry a weapon and to make arrests;

~~and~~

~~117-1~~ (s) An agricultural police officer appointed by the Director of the State Department of Agriculture pursuant to NRS 561.225 who has the powers of a peace officer pursuant to NRS 289.290 ~~117-1~~; ~~and~~

(t) *A marshal or deputy marshal of a city or town 117-1; and*

(u) Any category I peace officer as defined in NRS 289.460 who is not otherwise included in paragraphs (a) to (t), inclusive.

2. *The use of any designation by the Department of Public Safety, a division of the Department or an officer ~~for employee~~ of the Department pursuant to subsection 3 of NRS 480.150 does not exclude any person described in paragraphs (b) to (f), inclusive, and (m) of subsection 1 from the definition of "police officer" set forth in subsection 1.*

Sec. 2. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 3. This act becomes effective on July 1, ~~2023-1~~ 2024.