

SENATE BILL NO. 25—COMMITTEE ON JUDICIARY

(ON BEHALF OF CLARK COUNTY)

PREFILED DECEMBER 13, 2010

Referred to Committee on Judiciary

SUMMARY—Revises the method used to determine the number of justices of the peace in a township in certain counties. (BDR 1-342)

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 the method used to determine the number of justices of the peace in a township in certain counties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, there must be at least one elected justice of the peace in
2 each justice court in a township of this State. In a county whose population is
3 400,000 or more (currently Clark County), one justice of the peace is required for
4 each 100,000 population of the township, or fraction thereof. (NRS 4.020) This bill
5 revises that requirement in such a county by providing that one justice of the peace
6 is required for each 150,000 population of the township, or fraction thereof.

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

1 **Section 1.** NRS 4.020 is hereby amended to read as follows:
2 4.020 1. There must be one justice court in each of the
3 townships of the State, for which there must be elected by the
4 qualified electors of the township at least one justice of the peace.
5 Except as otherwise provided in subsection 3, the number of justices
6 of the peace in a township must be increased according to the
7 population of the township, as certified by the Governor in



1 even-numbered years pursuant to NRS 360.285, in accordance with
2 and not to exceed the following schedule:

3 (a) In a county whose population is 400,000 or more, one justice
4 of the peace for each ~~100,000~~ 150,000 population of the township,
5 or fraction thereof.

6 (b) In a county whose population is 100,000 or more and less
7 than 400,000, one justice of the peace for each 50,000 population of
8 the township, or fraction thereof.

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

12 (d) If a township includes a city created by the consolidation of
13 a city and county into one municipal government, one justice of the
14 peace for each 30,000 population of the township, or fraction
15 thereof.

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

20 3. If the schedule set forth in subsection 1 provides for an
21 increase in the number of justices of the peace in a township and, in
22 the opinion of a majority of the justices of the peace in that
23 township, the caseload does not warrant an additional justice of the
24 peace, the justices of the peace shall notify the Director of the
25 Legislative Counsel Bureau and the board of county commissioners
26 of their opinion on or before March 15 of the even-numbered year in
27 which the population of the township provides for such an increase.
28 The Director of the Legislative Counsel Bureau shall submit the
29 opinion to the next regular session of the Legislature for its
30 consideration. If the justices of the peace transmit such a notice to
31 the Director of the Legislative Counsel Bureau and the board of
32 county commissioners, the number of justices must not be increased
33 during that period unless the Legislature, by resolution, expressly
34 approves the increase.

35 4. Justices of the peace shall receive certificates of election
36 from the boards of county commissioners of their respective
37 counties.

38 5. The clerk of the board of county commissioners shall, within
39 10 days after the election or appointment and qualification of any
40 justice of the peace, certify under seal to the Secretary of State the
41 election or appointment and qualification of the justice of the peace.
42 The certificate must be filed in the Office of the Secretary of State
43 as evidence of the official character of that officer.



1 **Sec. 2.** This act becomes effective on January 1, 2012.

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