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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.

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**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: (1) in a township  
6 whose population is less than 1,100,000, one justice of the peace is required for  
7 each 100,000 population of the township, or fraction thereof, until the township has  
8 four justices of the peace, and thereafter, one justice of the peace is required for  
9 each 125,000 population of the township, or fraction thereof, over a population of  
10 300,000; and (2) in a township whose population is 1,100,000 or more, one justice  
11 of the peace is required for each 100,000 population of the township, or fraction  
12 thereof, up to a population of 1,100,000, and thereafter, one justice of the peace is  
13 required for each 125,000 population of the township, or fraction thereof, over a  
14 population of 1,100,000.



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  
8 even-numbered years pursuant to NRS 360.285, in accordance with  
9 and not to exceed the following schedule:
- 10       (a) In a county whose population is 400,000 or more ~~§~~ :
- 11           *(I) In a township whose population is less than 1,100,000,*  
12 *one justice of the peace for each 100,000 population of the*  
13 *township, or fraction thereof, until the township has four justices*  
14 *of the peace, and thereafter, one justice of the peace for each*  
15 *125,000 population of the township, or fraction thereof, over a*  
16 *population of 300,000; and*
- 17           *(II) In a township whose population is 1,100,000 or more,*  
18 *one justice of the peace for each 100,000 population of the*  
19 *township, or fraction thereof ~~§~~, up to a population of 1,100,000,*  
20 *and thereafter, one justice of the peace for each 125,000*  
21 *population of the township, or fraction thereof, over a population*  
22 *of 1,100,000.*
- 23       (b) In a county whose population is 100,000 or more and less  
24 than 400,000, one justice of the peace for each 50,000 population of  
25 the township, or fraction thereof.
- 26       (c) In a county whose population is less than 100,000, one  
27 justice of the peace for each 34,000 population of the township, or  
28 fraction thereof.
- 29       (d) If a township includes a city created by the consolidation of  
30 a city and county into one municipal government, one justice of the  
31 peace for each 30,000 population of the township, or fraction  
32 thereof.
- 33       2. Except as otherwise provided in subsection 3, if the schedule  
34 set forth in subsection 1 provides for an increase in the number of  
35 justices of the peace in a township, the new justice or justices of the  
36 peace must be elected at the next ensuing biennial election.
- 37       3. If the schedule set forth in subsection 1 provides for an  
38 increase in the number of justices of the peace in a township and, in  
39 the opinion of a majority of the justices of the peace in that  
40 township, the caseload does not warrant an additional justice of the  
41 peace, the justices of the peace shall notify the Director of the  
42 Legislative Counsel Bureau and the board of county commissioners



1 of their opinion on or before March 15 of the even-numbered year in  
2 which the population of the township provides for such an increase.  
3 The Director of the Legislative Counsel Bureau shall submit the  
4 opinion to the next regular session of the Legislature for its  
5 consideration. If the justices of the peace transmit such a notice to  
6 the Director of the Legislative Counsel Bureau and the board of  
7 county commissioners, the number of justices must not be increased  
8 during that period unless the Legislature, by resolution, expressly  
9 approves the increase.

10 4. Justices of the peace shall receive certificates of election  
11 from the boards of county commissioners of their respective  
12 counties.

13 5. The clerk of the board of county commissioners shall, within  
14 10 days after the election or appointment and qualification of any  
15 justice of the peace, certify under seal to the Secretary of State the  
16 election or appointment and qualification of the justice of the peace.  
17 The certificate must be filed in the Office of the Secretary of State  
18 as evidence of the official character of that officer.

19 **Sec. 2.** The amendatory provisions of this act must not be  
20 construed to eliminate any judicial departments that were in  
21 existence on January 3, 2011.

22 **Sec. 3.** This act becomes effective on January 1, 2012.

