

ASSEMBLY BILL NO. 160—ASSEMBLYMEN
ELLISON; AND WHEELER

FEBRUARY 13, 2015

Referred to Committee on Judiciary

SUMMARY—Makes various changes relating to courts.
(BDR 1-453)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to courts; revising provisions concerning the locations in which justice courts and municipal courts must be held; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires justice courts to be held in their respective townships,
2 precincts or cities, and municipal courts in their respective cities. (NRS 1.050) This
3 bill provides that justice courts and municipal courts may also be held in various
4 other locations under certain circumstances.

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

1 **Section 1.** NRS 1.050 is hereby amended to read as follows:
2 1.050 1. Except as otherwise provided in NRS 3.100, the
3 District Court in and for Carson City shall sit at Carson City.
4 2. Except as provided in subsection ~~4~~ 5 or NRS 3.100, every
5 other court of justice, except justice or municipal court, shall sit at
6 the county seat of the county in which it is held.
7 3. Justice courts ~~shall~~ *must* be held in their respective
8 townships, precincts or cities, ~~and municipal courts in their~~
9 ~~respective cities.~~ *except that a justice court may also be held:*
10 *(a) In a court or other facility used by any other justice court*
11 *located within the same county, with the consent of the justice of*
12 *the peace who presides over that court or other facility.*



* A B 1 6 0 R 1 *

1 (b) *With the approval of the court, in any county or city jail or*
2 *detention facility where a person whose offense or alleged offense*
3 *which is subject to the jurisdiction of the court is customarily held*
4 *in custody.*

5 (c) *At any other place located within the same county, with the*
6 *consent of the parties to an action or proceeding pending before*
7 *the court and the approval of the court.*

8 4. *Municipal courts must be held in their respective cities,*
9 *except that a municipal court may also be held, with the approval*
10 *of the court, in any county or city jail or detention facility where a*
11 *person whose offense or alleged offense which is subject to the*
12 *jurisdiction of the court is customarily held in custody.*

13 5. The parties to an action in a district court may stipulate, with
14 the approval of the court, that the action may be tried, or any
15 proceeding related to the action may be had, before that court at any
16 other place in this State where a ~~district~~ court is regularly held.

17 **Sec. 2.** NRS 4.360 is hereby amended to read as follows:

18 4.360 The courts held by justices of the peace are denominated
19 justice courts. ~~They shall~~ *Justice courts* have no terms ~~but shall~~
20 *and must* always be open. ~~Justice~~ *Except as otherwise provided in*
21 *subsection 3 of NRS 1.050, justice* courts ~~shall~~ *must* be held in
22 their respective townships.

23 **Sec. 3.** NRS 5.010 is hereby amended to read as follows:

24 5.010 There must be in each city a municipal court presided
25 over by a municipal judge. The municipal court:

26 1. ~~Must~~ *Except as otherwise provided in subsection 4 of*
27 *NRS 1.050, must* be held at such place in the city within which it is
28 established as the governing body of that city may by ordinance
29 direct.

30 2. May by ordinance be designated as a court of record.

