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WORK SESSION

Assembly Committee on Government Affairs

PREPARED BY
RESEARCH DIVISION
LEGISLATIVE COUNSEL BUREAU
Nonpartisan Staff of the Nevada State Legislature

ASSEMBLY BILL 114

Requires sheriffs and constables to be qualified electors and to be at least 21 years of age on date of taking office. (BDR 20-1020)

Sponsored by: Assembly Committee on Government Affairs
On Behalf of the Nevada Association of County Clerks
Date Heard: February 21, 2003

Assembly Bill 114 requires sheriffs and constables to be at least 21 years of age and to be a qualified elector.

Amendments: An amendment was proposed by Clark County to add a requirement that constables in certain counties be certified by the Peace Officer Standards and Training (POST) Commission in Chapter 289 of NRS. An amendment proposed by the Nevada Sheriffs & Chiefs Association would add a requirement for sheriff candidates in certain counties to have a four-year degree in a related field. Based on comments from members of the Committee and others, a compromise proposal has been brought forward.

A mock-up of the proposed amendments is attached.

Opposition: There was no testimony in opposition to the bill although an email in opposition was received from a candidate who was disqualified due to his age (20 years).

Fiscal Impact: Local Government: No
State Government: No

MOCK-UP

PROPOSED AMENDMENT TO
ASSEMBLY BILL NO. 114

PREPARED FOR ASSEMBLY GOVERNMENT AFFAIRS
APRIL 7, 2003

PREPARED BY THE RESEARCH DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) green bold italic underlining is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~green bold double strikethrough~~ is language proposed to be deleted in this amendment and (5) green bold dashed underlining is deleted language in the original bill that is proposed to be retained in this amendment.

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

- 1 **Section 1.** Chapter 248 of NRS is hereby amended by adding thereto
2 a new section to read as follows:
3 *No person is eligible to the office of sheriff unless:*
4 1. *He will have attained the age of 21 years on the date he would*
5 *take office if so elected; and*
6 2. *He is a qualified elector.*
7 **Sec. 2.** Chapter 258 of NRS is hereby amended by adding thereto a
8 new section to read as follows:
9 *No person is eligible to the office of constable unless:*
10 1. *He will have attained the age of 21 years on the date he would*
11 *take office if so elected or appointed; and*
12 2. *He is a qualified elector.*
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Conceptual amendment: Add a provision requiring a candidate for sheriff in a county whose population is greater than 100,000 to be certified by the Nevada peace officers' standards and training (POST) commission as a Category I or Category II peace officer at the time of filing for office.

Conceptual amendment: Add a provision specifying that the new requirement for POST-certification applies after January 1, 2006, and does not apply to any person elected or appointed prior to that date.