

ASSEMBLY BILL NO. 151—COMMITTEE ON JUDICIARY

(ON BEHALF OF WASHOE COUNTY)

FEBRUARY 18, 2003

Referred to Committee on Judiciary

SUMMARY—Authorizes public guardian to appoint deputies and revises provisions relating to term of office of appointed public guardian. (BDR 20-580)

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 public guardians; authorizing a public guardian to appoint deputies; providing for the compensation of such deputies; providing that an appointed public guardian serves at the pleasure of the board of county commissioners; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 253 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 ***1. A public guardian may appoint deputies to perform fully***
4 ***the duties of his office. A deputy so appointed may perform all***
5 ***duties required of the public guardian and has the corresponding***
6 ***powers and responsibilities. Before entering upon the discharge of***
7 ***his duties, each deputy must take and subscribe to the***
8 ***constitutional oath of office.***
9 ***2. Each appointment must be in writing and recorded, with***
10 ***the oath of office of that deputy, in the office of the county***
11 ***recorder. Any revocation or resignation of an appointment must***
12 ***be recorded in the office of the county recorder.***



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1 **3. The public guardian is responsible on his official bond for**
2 **any official malfeasance or nonfeasance of his deputies and may**
3 **require a bond for the faithful performance of the official duties**
4 **of his deputies.**

5 **4. The compensation of a deputy public guardian must be**
6 **fixed by the board of county commissioners and paid out of the**
7 **county general fund.**

8 **Sec. 2.** NRS 253.150 is hereby amended to read as follows:

9 253.150 1. The board of county commissioners of any county
10 may establish the office of public guardian.

11 2. The board of county commissioners may:

12 (a) Appoint ~~the~~ **a public guardian , who serves at the pleasure**
13 **of the board,** for a term of 4 years from the day of appointment; or

14 (b) Designate an elected or appointed county officer as ex
15 officio public guardian.

16 3. The compensation of a public guardian appointed or
17 designated pursuant to subsection 2 must be fixed by the board of
18 county commissioners and paid out of the county general fund.

19 **Sec. 3.** NRS 253.170 is hereby amended to read as follows:

20 253.170 1. If ~~any~~ **a** vacancy occurs in the office of public
21 guardian before the expiration of a normal term, the vacancy shall
22 be filled promptly by the board of county commissioners.

23 2. The ~~district court~~ **board of county commissioners** may
24 designate any qualified person to serve as acting public guardian
25 until a vacancy in such office is filled.

26 **Sec. 4.** NRS 253.180 is hereby amended to read as follows:

27 253.180 Within the limits of appropriations for his office, a
28 public guardian may:

29 1. Employ **such** subordinates , **including, without limitation,**
30 **deputies appointed pursuant to section 1 of this act, as** necessary
31 for the proper performance of his duties.

32 2. Contract for the services of consultants or assistants.

33 **Sec. 5.** This act becomes effective upon passage and approval.

