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SENATE BILL NO. 107—COMMITTEE ON JUDICIARY  
(ON BEHALF OF THE NEVADA JUDGES ASSOCIATION)

FEBRUARY 13, 2003

Referred to Committee on Judiciary

SUMMARY—Eliminates limitation on period of time in which county or city may authorize imposition of certain administrative assessments for provision of court facilities. (BDR 14-415)

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; eliminating the limitation on the period of time in which a county or city may authorize justices or judges of justices' or municipal courts to impose an administrative assessment for the provision of court facilities; 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.** NRS 176.0611 is hereby amended to read as  
2 follows:  
3     176.0611 1. A county or a city, upon recommendation of the  
4 appropriate court, may, by ordinance, authorize the justices or  
5 judges of the justices' or municipal courts within its jurisdiction to  
6 impose , ~~[for not longer than 25 years,]~~ in addition to an  
7 administrative assessment imposed pursuant to NRS 176.059, an  
8 administrative assessment for the provision of court facilities.  
9     2. Except as otherwise provided in subsection 3, in any  
10 jurisdiction in which an administrative assessment for the provision  
11 of court facilities has been authorized, when a defendant pleads  
12 guilty or guilty but mentally ill or is found guilty of a misdemeanor,



1 including the violation of any municipal ordinance, the justice or  
2 judge shall include in the sentence the sum of \$10 as an  
3 administrative assessment for the provision of court facilities and  
4 render a judgment against the defendant for the assessment.

5 3. The provisions of subsection 2 do not apply to:

6 (a) An ordinance regulating metered parking; or

7 (b) An ordinance that is specifically designated as imposing a  
8 civil penalty or liability pursuant to NRS 244.3575 or 268.019.

9 4. The money collected for an administrative assessment for  
10 the provision of court facilities must not be deducted from the fine  
11 imposed by the justice or judge but must be taxed against the  
12 defendant in addition to the fine. The money collected for such an  
13 administrative assessment must be stated separately on the court's  
14 docket and must be included in the amount posted for bail. If the  
15 defendant is found not guilty or the charges are dismissed, the  
16 money deposited with the court must be returned to the defendant. If  
17 the justice or judge cancels a fine because the fine has been  
18 determined to be uncollectible, any balance of the fine and the  
19 administrative assessment remaining unpaid shall be deemed to be  
20 uncollectible and the defendant is not required to pay it. If a fine is  
21 determined to be uncollectible, the defendant is not entitled to a  
22 refund of the fine or administrative assessment he has paid and the  
23 justice or judge shall not recalculate the administrative assessment.

24 5. If the justice or judge permits the fine and administrative  
25 assessment for the provision of court facilities to be paid in  
26 installments, the payments must be applied in the following order:

27 (a) To pay the unpaid balance of an administrative assessment  
28 imposed pursuant to NRS 176.059;

29 (b) To pay the unpaid balance of an administrative assessment  
30 for the provision of court facilities pursuant to this section; and

31 (c) To pay the fine.

32 6. The money collected for administrative assessments for the  
33 provision of court facilities in municipal courts must be paid by the  
34 clerk of the court to the city treasurer on or before the fifth day of  
35 each month for the preceding month. The city treasurer shall deposit  
36 the money received in a special revenue fund. The city may use the  
37 money in the special revenue fund only to:

38 (a) Acquire land on which to construct additional facilities for  
39 the municipal courts or a regional justice center that includes the  
40 municipal courts.

41 (b) Construct or acquire additional facilities for the municipal  
42 courts or a regional justice center that includes the municipal courts.

43 (c) Renovate or remodel existing facilities for the municipal  
44 courts.



1 (d) Acquire furniture, fixtures and equipment necessitated by the  
2 construction or acquisition of additional facilities or the renovation  
3 of an existing facility for the municipal courts or a regional justice  
4 center that includes the municipal courts. This paragraph does not  
5 authorize the expenditure of money from the fund for furniture,  
6 fixtures or equipment for judicial chambers.

7 (e) Acquire advanced technology for use in the additional or  
8 renovated facilities.

9 (f) Pay debt service on any bonds issued pursuant to subsection  
10 3 of NRS 350.020 for the acquisition of land or facilities or the  
11 construction or renovation of facilities for the municipal courts or a  
12 regional justice center that includes the municipal courts.

13 Any money remaining in the special revenue fund after 5 fiscal  
14 years must be deposited in the municipal general fund for the  
15 continued maintenance of court facilities if it has not been  
16 committed for expenditure pursuant to a plan for the construction or  
17 acquisition of court facilities or improvements to court facilities.  
18 The city treasurer shall provide, upon request by a municipal court,  
19 monthly reports of the revenue credited to and expenditures made  
20 from the special revenue fund.

21 7. The money collected for administrative assessments for the  
22 provision of court facilities in justices' courts must be paid by the  
23 clerk of the court to the county treasurer on or before the fifth day of  
24 each month for the preceding month. The county treasurer shall  
25 deposit the money received to a special revenue fund. The county  
26 may use the money in the special revenue fund only to:

27 (a) Acquire land on which to construct additional facilities for  
28 the justices' courts or a regional justice center that includes the  
29 justices' courts.

30 (b) Construct or acquire additional facilities for the justices'  
31 courts or a regional justice center that includes the justices' courts.

32 (c) Renovate or remodel existing facilities for the justices'  
33 courts.

34 (d) Acquire furniture, fixtures and equipment necessitated by the  
35 construction or acquisition of additional facilities or the renovation  
36 of an existing facility for the justices' courts or a regional justice  
37 center that includes the justices' courts. This paragraph does not  
38 authorize the expenditure of money from the fund for furniture,  
39 fixtures or equipment for judicial chambers.

40 (e) Acquire advanced technology for use in the additional or  
41 renovated facilities.

42 (f) Pay debt service on any bonds issued pursuant to subsection  
43 3 of NRS 350.020 for the acquisition of land or facilities or the  
44 construction or renovation of facilities for the justices' courts or a  
45 regional justice center that includes the justices' courts.



1 Any money remaining in the special revenue fund after 5 fiscal  
2 years must be deposited in the county general fund for the continued  
3 maintenance of court facilities if it has not been committed for  
4 expenditure pursuant to a plan for the construction or acquisition of  
5 court facilities or improvements to court facilities. The county  
6 treasurer shall provide, upon request by a justice's court, monthly  
7 reports of the revenue credited to and expenditures made from the  
8 special revenue fund.

9 8. If money collected pursuant to this section is to be used to  
10 acquire land on which to construct a regional justice center, to  
11 construct a regional justice center or to pay debt service on bonds  
12 issued for these purposes, the county and the participating cities  
13 shall, by interlocal agreement, determine such issues as the size of  
14 the regional justice center, the manner in which the center will be  
15 used and the apportionment of fiscal responsibility for the center.

16 **Sec. 2.** This act becomes effective upon passage and approval.

