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ASSEMBLY BILL NO. 213—ASSEMBLYMAN MARVEL

MARCH 16, 2005

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Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to peace officers employed by state agency or local government. (BDR 23-1117)

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 peace officers; requiring a peace officer to reimburse his employer for the cost of training at a law enforcement training academy under certain circumstances; authorizing a state or local governmental employer of a peace officer to recover the cost of training from the paycheck of an employee under certain circumstances; requiring the Personnel Commission of the Department of Personnel to adopt certain regulations; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law provides for the creation of the Peace Officers’ Standards and  
2 Training Commission and requires the Commission to adopt regulations  
3 establishing minimum standards for the certification and training of peace officers.  
4 (NRS 289.500, 289.510) Existing law defines a “category I peace officer” as a  
5 peace officer who has unrestricted duties and is not a category II or category III  
6 peace officer. (NRS 289.460-289.480)  
7 This bill provides that if a state agency or local government pays for one of its  
8 employees to attend training for initial certification as a category I peace officer at a  
9 law enforcement training academy, and if the employee resigns from employment  
10 with the state agency or local government within 2 years after graduating from the  
11 academy, the employee must reimburse the state agency or local government for  
12 the cost of the training. This bill provides further that such a state agency or local  
13 government may attach, deduct from or garnish the wages of an employee to the  
14 extent necessary to receive full reimbursement for the cost of the training.



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

1       **Section 1.** Chapter 289 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3       1. *An employee of a state agency or local government who:*

4       (a) *Attends training for initial certification as a category I*  
5 *peace officer at a law enforcement training academy at the*  
6 *expense of his employer; and*

7       (b) *Resigns from employment with his employer within 2 years*  
8 *after graduating from the academy,*

9       *↪ shall reimburse his employer for the cost of the training.*

10       2. *An employer who is entitled to reimbursement pursuant to*  
11 *subsection 1 may deduct the cost of the training from the*  
12 *unencumbered portion of the final paychecks of the employee. If*  
13 *the unencumbered amount of the final paychecks of the employee*  
14 *is insufficient to reimburse the employer in full, the employer may*  
15 *obtain a writ of attachment or garnishment against the property or*  
16 *wages of the employee pursuant to NRS 31.010 to 31.460,*  
17 *inclusive, to the extent necessary to reimburse the employer in full*  
18 *for the cost of the training.*

19       3. *The Personnel Commission of the Department of*  
20 *Personnel, in cooperation with the Chief of the Budget Division of*  
21 *the Department of Administration, shall adopt regulations which:*

22       (a) *Define “law enforcement training academy” for the*  
23 *purposes of this section. The definition must include, without*  
24 *limitation:*

25       (1) *An academy which provides training required for*  
26 *certification as a peace officer pursuant to the standards*  
27 *established by the Peace Officers’ Standards and Training*  
28 *Commission; and*

29       (2) *An academy which provides training required for*  
30 *appointment as an officer of the Nevada Highway Patrol.*

31       (b) *Determine the direct cost to a state agency or local*  
32 *government of the training at each such academy and set forth the*  
33 *amount of reimbursement required in each circumstance pursuant*  
34 *to this section.*

35       4. *As used in this section:*

36       (a) *“Category I peace officer” has the meaning ascribed to it*  
37 *in NRS 289.460.*

38       (b) *“Local government” means any county, city, district,*  
39 *agency or other political subdivision of this State.*

40       **Sec. 2.** 1. The Personnel Commission of the Department of  
41 Personnel shall adopt the regulations required pursuant to section 1  
42 of this act on or before May 1, 2006.



1        2. Notwithstanding the provisions of section 1 of this act, the  
2 required reimbursement does not apply to an employee of a state  
3 agency or local government who begins training at a law  
4 enforcement training academy before July 1, 2006.



