

**Amendment No. 500**

Assembly Amendment to Assembly Bill No. 477	(BDR 20-584)
<b>Proposed by:</b> Committee on Government Affairs	
<b>Amendment Box:</b>	
<b>Resolves Conflicts with:</b> N/A	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 1, by deleting lines 2 through 5 and inserting:

“246.030 1. All county clerks ~~are authorized to~~ **may** appoint deputies, who are authorized to transact all official business ~~appertaining~~ **pertaining** to the office to the same extent as their principals. A deputy must be at least 18 years of age. ***The appointment of a deputy must not be construed to confer upon that deputy policymaking authority for the office of the county clerk or the county by which the deputy is employed.***”.

Amend sec. 2, page 2, by deleting lines 4 through 7 and inserting:

“247.040 1. All county recorders ~~are authorized to~~ **may** appoint deputies, who are authorized to transact all official business ~~appertaining~~ **pertaining** to the office to the same extent as their principals. A deputy must be at least 18 years of age. ***The appointment of a deputy must not be***

*construed to confer upon that deputy policymaking authority for the office of the county recorder or the county by which the deputy is employed.”.*

Amend sec. 3, page 2, by deleting lines 23 through 25 and inserting:

“(a) Appoint, in writing signed by him, one or more deputies, who may perform all the duties devolving on the sheriff of the county ~~[-]~~ *and such other duties as the sheriff may from time to time direct. The appointment of a deputy sheriff must not be construed to confer upon that deputy policymaking authority for the office of the sheriff or the county by which the deputy sheriff is employed.”.*

Amend sec. 4, pages 2 and 3, by deleting lines 42 through 44 on page 2 and line 1 on page 3, and inserting:

“2. Any county treasurer may authorize his deputy or deputies to transact any official business pertaining to the office of county treasurer in the same manner as the county treasurer. *The appointment of a deputy must not be construed to confer upon that deputy policymaking authority for the office of the county treasurer or the county by which the deputy is employed.*

3. All appointments of deputies under the provisions of this”.

Amend sec. 5, page 3, by deleting lines 10 through 13 and inserting:

“250.060 1. All county assessors ~~[are authorized to]~~ *may* appoint deputies, who are authorized to transact all official business relating to the ~~[offices]~~ *office* to the same extent as the county assessors. A deputy must be at least 18 years of age. *The appointment of a deputy must not be construed to confer upon that deputy policymaking authority for the office of the county assessor or the county by which the deputy is employed.”.*

Amend sec. 6, page 3, by deleting lines 27 through 29 and inserting:

“252.070 1. All district attorneys ~~[are authorized to]~~ **may** appoint deputies, who ~~[may]~~ **are authorized to** transact all official business relating to **those duties of** the ~~[offices]~~ **office set forth in NRS 252.080 and 252.090** to the same extent as their principals ~~[.]~~ **and perform such other duties as the district attorney may from time to time direct. The appointment of a deputy district attorney must not be construed to confer upon that deputy policymaking authority for the office of the district attorney or the county by which the deputy district attorney is employed.”.**

Amend sec. 7, page 4, by deleting lines 13 through 19 and inserting:

“253.025 1. A public administrator may appoint as many deputies as he deems necessary to perform fully the duties of his office. A deputy so appointed may perform all duties required of the public administrator and has the corresponding powers and responsibilities. Before entering upon the discharge of his duties each deputy must take and subscribe to the constitutional oath of office. **The appointment of a deputy must not be construed to confer upon that deputy policymaking authority for the office of the county public administrator or the county by which the deputy is employed.”.**

Amend sec. 8, page 4, by deleting lines 29 through 36 and inserting:

“253.175 1. A public guardian may appoint deputies to perform the duties of his office. A deputy so appointed may transact all official business relating to the office of the public guardian to the same extent as the public guardian, except that the deputy is not authorized to ~~[establish or change the policies of the office or to]~~ employ or terminate the employment of subordinates in the office. Before entering upon the discharge of his duties, each deputy must take and subscribe to the constitutional oath of office. **The appointment of a deputy must not be construed to confer upon that deputy policymaking authority for the office of the county public guardian or the county by which the deputy is employed.”.**

Amend sec. 9, page 5, by deleting lines 5 through 11 and inserting:

“258.060 1. All constables ~~[are authorized to]~~ **may** appoint deputies, who ~~[shall have power]~~ **are authorized** to transact all official business ~~[appertaining]~~ **pertaining** to the ~~[offices]~~ **office** to the same extent as their principals . ~~[, but no person shall]~~ **A person must not** be appointed **as** a deputy constable unless ~~[such person shall have]~~ **he has** been a resident of the State of Nevada for at least 6 months ~~[prior to]~~ **before** the date of ~~[such]~~ **the** appointment. **The appointment of a deputy constable must not be construed to confer upon that deputy policymaking authority for the office of the county constable or the county by which the deputy constable is employed.**”.

Amend sec. 10, page 5, by deleting lines 27 through 32 and inserting:

“259.040 1. All coroners may appoint ~~[a deputy or]~~ deputies, who ~~[may]~~ **are authorized to** transact such official business pertaining to the ~~[offices]~~ **office** as their principals direct. Coroners are responsible for the compensation of the ~~[deputy or deputies,]~~ **deputies** and are responsible on their official bonds for all official malfeasance or nonfeasance of the ~~[deputy or]~~ deputies. **The appointment of a deputy must not be construed to confer upon that deputy policymaking authority for the office of the county coroner or the county by which the deputy is employed.**”.

Amend the bill as a whole by renumbering sec. 11 as sec. 12 and adding a new section designated sec. 11, following sec. 10, to read as follows:

“**Sec. 11.** NRS 260.040 is hereby amended to read as follows:

260.040 1. The compensation of the public defender must be fixed by the board of county commissioners. The public defender of any two or more counties must be compensated and be permitted private civil practice of the law as determined by the boards of county commissioners of those counties, subject to the provisions of subsection 4 of this section and NRS 7.065.

2. The public defender may appoint as many deputies or assistant attorneys, clerks, investigators, stenographers and other employees as he considers necessary to enable him to carry out his responsibilities, with the approval of the board of county commissioners. An assistant attorney must be a qualified attorney licensed to practice in this State and may be placed on a part-time or full-time basis. ***The appointment of a deputy, assistant attorney or other employee pursuant to this subsection must not be construed to confer upon that deputy, assistant attorney or other employee policymaking authority for the office of the public defender or the county or counties by which the deputy, assistant attorney or other employee is employed.***

3. The compensation of persons appointed under subsection 2 must be fixed by the board of county commissioners of the county or counties so served.

4. The public defender and his deputies and assistant attorneys in a county whose population is less than 100,000 may engage in the private practice of law. Except as otherwise provided in this subsection, in any other county, the public defender and his deputies and assistant attorneys shall not engage in the private practice of law except as otherwise provided in NRS 7.065. An attorney appointed to defend a person for a limited duration with limited jurisdiction may engage in private practice which does not present a conflict with his appointment.

5. The board of county commissioners shall provide office space, furniture, equipment and supplies for the use of the public defender suitable for the conduct of the business of his office. However, the board of county commissioners may provide for an allowance in place of facilities. Each of those items is a charge against the county in which public defender services are rendered. If the public defender serves more than one county, expenses that are properly allocable to the business of more than one of those counties must be prorated among the counties concerned.

6. In a county whose population is 400,000 or more, deputies are governed by the merit personnel system of the county.”.