

Amendment No. 162

Senate Amendment to Senate Bill No. 264	(BDR 23-932)
Proposed by: Senate Committee on Government Affairs	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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"/>	_____

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



SENATE BILL NO. 264—SENATORS DONATE; AND PAZINA

MARCH 13, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to collective bargaining. (BDR 23-932)

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 collective bargaining; revising the provisions relating to the authority of a ~~law enforcement officer and~~ civilian ~~who provides support services to a law enforcement agency~~ **employee of a metropolitan police department** to be a member of an employee organization; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law: (1) generally requires a local government employer to engage in collective
2 bargaining with the recognized employee organization, if any, for each bargaining unit among
3 its employees; and (2) provides that a police officer, sheriff, deputy sheriff or other law
4 enforcement officer may be a member of an employee organization only if such employee
5 organization is composed exclusively of law enforcement officers. (NRS 288.140) **Section 1**
6 of this bill provides ~~instead a police officer, sheriff, deputy sheriff, any other law~~
7 ~~enforcement officer or~~ **that** a civilian ~~who provides support services to a law enforcement~~
8 ~~agency~~ **employee of a metropolitan police department** may be a member of an employee
9 organization only if such employee organization is composed exclusively of ~~law enforcement~~
10 ~~officers and civilians who provide support services to a law enforcement agency.~~ **civilian**
11 **employees of a metropolitan police department.** **Section 2** of this bill provides that the
12 amendatory provisions of **section 1** do not apply during the current term of any collective
13 bargaining entered into before October 1, 2023, but do apply to any extension or renewal of
14 such an agreement and to any collective bargaining agreement entered into on or after October
15 1, 2023.

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

1 **Section 1.** NRS 288.140 is hereby amended to read as follows:
2 288.140 1. It is the right of every local government employee, subject to the
3 limitations provided in subsections 3, ~~and~~ 4, ~~and~~ **5.** to join any employee
4 organization of the employee’s choice or to refrain from joining any employee
5 organization. A local government employer shall not discriminate in any way
6 among its employees on account of membership or nonmembership in an employee
7 organization.

1 2. The recognition of an employee organization for negotiation, pursuant to
2 this chapter, does not preclude any local government employee who is not a
3 member of that employee organization from acting for himself or herself with
4 respect to any condition of his or her employment, but any action taken on a request
5 or in adjustment of a grievance shall be consistent with the terms of an applicable
6 negotiated agreement, if any.

7 3. A police officer, sheriff, deputy sheriff ~~or~~ or other law enforcement officer
8 ~~for a civilian who provides support services to a law enforcement agency~~ may be
9 a member of an employee organization only if such employee organization is
10 composed exclusively of law enforcement officers ~~and civilians who provide~~
11 ~~support services to a law enforcement agency.~~

12 4. A civilian employee of a metropolitan police department which is
13 organized pursuant to chapter 280 of NRS may be a member of an employee
14 organization only if such employee organization is composed exclusively of
15 civilian employees of a metropolitan police department which is organized
16 pursuant to chapter 280 of NRS.

17 5. The following persons may not be a member of an employee organization:

18 (a) A supervisory employee described in paragraph (b) of subsection 1 of NRS
19 288.138, including but not limited to appointed officials and department heads who
20 are primarily responsible for formulating and administering management, policy
21 and programs.

22 (b) A doctor or physician who is employed by a local government employer.

23 (c) Except as otherwise provided in this paragraph, an attorney who is
24 employed by a local government employer and who is assigned to a civil law
25 division, department or agency. The provisions of this paragraph do not apply with
26 respect to an attorney for the duration of a collective bargaining agreement to which
27 the attorney is a party as of July 1, 2011.

28 ~~5.~~ 6. As used in this section, “doctor or physician” means a doctor,
29 physician, homeopathic physician, osteopathic physician, chiropractic physician,
30 practitioner of Oriental medicine, podiatric physician or practitioner of optometry,
31 as those terms are defined or used, respectively, in NRS 630.014, 630A.050,
32 633.091, chapter 634 of NRS, chapter 634A of NRS, chapter 635 of NRS or chapter
33 636 of NRS.

34 **Sec. 2.** Insofar as they conflict with the provisions of such an agreement, the
35 amendatory provisions of this act do not apply during the current term of any
36 collective bargaining entered into before October 1, 2023, but do apply to any
37 extension or renewal of such an agreement and to any collective bargaining
38 agreement entered into on or after October 1, 2023.