

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.

~

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



1 employee's choice or to refrain from joining any employee
2 organization. A local government employer shall not discriminate in
3 any way among its employees on account of membership or
4 nonmembership in an employee organization.

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

12 3. A police officer, sheriff, deputy sheriff or other law
13 enforcement officer may be a member of an employee organization
14 only if such employee organization is composed exclusively of law
15 enforcement officers.

16 4. *A civilian employee of a metropolitan police department
17 which is organized pursuant to chapter 280 of NRS may be a
18 member of an employee organization only if such employee
19 organization is composed exclusively of civilian employees of a
20 metropolitan police department which is organized pursuant to
21 chapter 280 of NRS.*

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

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

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

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

36 ~~[5-]~~ 6. As used in this section, "doctor or physician" means a
37 doctor, physician, homeopathic physician, osteopathic physician,
38 chiropractic physician, practitioner of Oriental medicine, podiatric
39 physician or practitioner of optometry, as those terms are defined or
40 used, respectively, in NRS 630.014, 630A.050, 633.091, chapter
41 634 of NRS, chapter 634A of NRS, chapter 635 of NRS or chapter
42 636 of NRS.

43 **Sec. 2.** Insofar as they conflict with the provisions of such an
44 agreement, the amendatory provisions of this act do not apply
45 during the current term of any collective bargaining entered into



1 before October 1, 2023, but do apply to any extension or renewal of
2 such an agreement and to any collective bargaining agreement
3 entered into on or after October 1, 2023.

