
ASSEMBLY BILL NO. 41—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE OFFICE OF THE MILITARY)

PREFILED NOVEMBER 19, 2024

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the state militia.
(BDR 36-267)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 the state militia; authorizing the Adjutant General to appoint a State Assistant Adjutant General; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the position of the Adjutant General as an appointed
2 member of the military staff of the Governor and grants the Adjutant General the
3 authority to appoint two Assistant Adjutants General, one each from the Nevada
4 Army National Guard and the Nevada Air National Guard, who may serve as Chief
5 of Staff for Army and Chief of Staff for Air, respectively. (NRS 412.044, 412.054)
6 **Section 2** of this bill authorizes the Adjutant General to appoint an additional
7 Assistant Adjutant General from either the Nevada Army National Guard or the
8 Nevada Air National Guard who may serve as the State Assistant Adjutant General
9 and who is in the unclassified service of the State. **Section 2** also removes: (1) the
10 Chief of Staff for Army from the unclassified service of the State; and (2) the
11 authorization for the Assistant Adjutants General appointed from the Nevada Army
12 National Guard and the Nevada Air National Guard to serve as Chief of Staff for
13 Army and Chief of Staff for Air, respectively. **Section 1** of this bill makes a
14 conforming change to increase the number of Assistant Adjutants General that the
15 Adjutant General may appoint from two to three.



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

1 **Section 1.** NRS 412.042 is hereby amended to read as follows:

2 412.042 1. The military staff of the Governor consists of the
3 Adjutant General and not more than ~~[two]~~ *three* Assistant Adjutants
4 General selected from the commissioned officers of the Nevada
5 National Guard ~~[,]~~, *as described in NRS 412.054.*

6 2. The military staff of the Governor shall perform such
7 ceremonial functions and duties as the Governor may prescribe.

8 **Sec. 2.** NRS 412.054 is hereby amended to read as follows:

9 412.054 1. The Adjutant General may appoint ~~[two]~~ *three*
10 Assistant Adjutants General ~~[, one each]~~, *as follows:*

11 (a) *One* from the Nevada Army National Guard ~~[and]~~ ;

12 (b) *One* from the Nevada Air National Guard ~~[, who may serve~~
13 ~~as Chief of Staff for Army and Chief of Staff for Air, respectively,]~~ ;
14 *and*

15 (c) *One from the Nevada Army National Guard or the Nevada*
16 *Air National Guard, who may serve as the State Assistant Adjutant*
17 *General.*

18 2. *The Assistant Adjutants General serve* at the pleasure of the
19 Adjutant General or until relieved by reason of resignation,
20 withdrawal of federal recognition or for cause to be determined by a
21 court-martial.

22 ~~[2.]~~ 3. To be eligible for appointment to the office of Assistant
23 Adjutant General, a person must be an officer of the Nevada
24 National Guard and be federally recognized in the grade of colonel
25 or higher and must have completed at least 4 years of service in the
26 Nevada National Guard as a federally recognized officer.

27 ~~[3.]~~ 4. An Assistant Adjutant General may be appointed in the
28 grade of colonel or higher, but not exceeding that of brigadier
29 general. An Assistant Adjutant General may be promoted by the
30 Governor to any grade not exceeding that of brigadier general.

31 ~~[4.]~~ 5. The Assistant Adjutants General shall perform such
32 duties as may be assigned by the Adjutant General.

33 ~~[5.—Whoever serves as Chief of Staff for Army]~~

34 6. *The State Assistant Adjutant General* is in the unclassified
35 service of the State and, except as otherwise provided in NRS
36 284.143, shall not hold any other city, county, state or federal office
37 of profit.

38 ~~[6.]~~ 7. In the event of the absence or inability of the Adjutant
39 General to perform his or her duties, the Adjutant General shall
40 designate by Office regulations:

41 (a) One of the Assistant Adjutants General to perform the duties
42 of his or her office as Acting Adjutant General.



1 (b) If ~~{neither}~~ *none of the* Assistant ~~{Adjutant}~~ *Adjutants*
2 General ~~{is}~~ *are* available, any national guard officer to be the
3 Acting Adjutant General.
4 ↪ The designated Assistant Adjutant General or designated officer
5 may continue to receive his or her authorized salary while so serving
6 as Acting Adjutant General, and shall so serve until the Adjutant
7 General is again able to perform the duties of the office, or if the
8 office is vacant, until an Adjutant General is regularly appointed and
9 qualified.
10 **Sec. 3.** This act becomes effective on July 1, 2025.



