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SECOND REPRINT

A.B. 301

ASSEMBLY BILL NO. 301—ASSEMBLYMEN HIBBETTS,
D’SILVA, YUREK; AND CARTER

MARCH 15, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to public employees.
(BDR 53-766)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 public employees; revising the definition of “police officer” to include all category I peace officers, certain school police officers, juvenile probation officers, bailiffs and deputy marshals of municipal courts and marshals and deputy marshals of cities or towns for the purposes of certain benefits and exemptions; specifying that the use of certain designations by the Department of Public Safety or a division or officer of the Department does not exclude from the definition of “police officer” for the purposes of certain benefits and exemptions certain persons employed by the Department who are included within that definition under existing law; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law defines “police officer” to include various law enforcement
- 2 officers of this State for the purposes of certain provisions relating to eligibility for
- 3 benefits under the Nevada Occupational Diseases Act. (NRS 617.135) Among the
- 4 law enforcement officers included in the definition of “police officer” are certain
- 5 specified employees of the Department of Public Safety. (NRS 617.135) Existing
- 6 law authorizes the Director of the Department of Public Safety to authorize: (1) the
- 7 Department to use certain designations to identify itself; and (2) the divisions of the
- 8 Department and the officers and employees of the Department to use certain
- 9 designations to identify themselves. (NRS 480.150) This bill provides that the use
- 10 of such a designation does not exclude from the definition of “police officer” any



11 person employed by the Department of Public Safety who is included in the
12 definition of "police officer" under existing law.

13 This bill also expands the definition of "police officer" to include: (1) a school
14 police officer employed or appointed by the board of trustees of a school district;
15 (2) a juvenile probation officer; (3) a bailiff or deputy marshal of a municipal court;
16 (4) a marshal or deputy marshal of a city or town; and (5) all category I peace
17 officers. Furthermore, because various other provisions of the Nevada Revised
18 Statutes reference "police officer" as that term is defined in the Act, this bill makes
19 applicable to all category I peace officers, school police officers employed or
20 appointed by the board of trustees of a school district, juvenile probation officers,
21 bailiffs and deputy marshals of municipal courts and marshals and deputy marshals
22 of cities or towns: (1) industrial insurance coverage for police officers; (2)
23 exemption from service as grand or trial jurors; (3) compensation for police officers
24 with temporary disabilities; and (4) eligibility for certain programs of group
25 insurance or other medical or hospital service for the surviving spouse or any
26 surviving child of a police officer or firefighter. (NRS 6.020, 281.153, 287.021,
27 287.0477; chapters 616A-616D of NRS)

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

1 **Section 1.** NRS 617.135 is hereby amended to read as follows:
2 617.135 **1.** "Police officer" includes:
3 ~~{1}~~ **(a)** A sheriff, deputy sheriff, officer of a metropolitan
4 police department or city police officer;
5 ~~{2}~~ **(b)** A chief, inspector, supervisor, commercial officer or
6 trooper of the Nevada Highway Patrol Division of the Department
7 of Public Safety;
8 ~~{3}~~ **(c)** A chief, investigator or agent of the Investigation
9 Division of the Department of Public Safety;
10 ~~{4}~~ **(d)** A chief, supervisor, investigator or training officer of
11 the Training Division of the Department of Public Safety;
12 ~~{5}~~ **(e)** A chief or investigator of an office of the Department of
13 Public Safety that conducts internal investigations of employees of
14 the Department of Public Safety or investigates other issues relating
15 to the professional responsibility of those employees;
16 ~~{6}~~ **(f)** A chief or investigator of the Department of Public
17 Safety whose duties include, without limitation:
18 ~~{a}~~ **(1)** The execution, administration or enforcement of the
19 provisions of chapter 179A of NRS; and
20 ~~{b}~~ **(2)** The provision of technology support services to the
21 Director and the divisions of the Department of Public Safety;
22 ~~{7}~~ **(g)** An officer or investigator of the Section for the Control
23 of Emissions From Vehicles and the Enforcement of Matters
24 Related to the Use of Special Fuel of the Department of Motor
25 Vehicles;



1 ~~[8.]~~ (h) An investigator of the Division of Compliance
2 Enforcement of the Department of Motor Vehicles;

3 ~~[9.]~~ (i) *A school police officer employed or appointed by the*
4 *board of trustees of a school district pursuant to NRS 391.281;*

5 (j) A member of the police department of the Nevada System of
6 Higher Education;

7 ~~[10.]~~ (k) A:

8 ~~[(a)]~~ (1) Uniformed employee of; or

9 ~~[(b)]~~ (2) Forensic specialist employed by,

10 ↪ the Department of Corrections whose position requires regular
11 and frequent contact with the offenders imprisoned and subjects the
12 employee to recall in emergencies;

13 ~~[11.]~~ (l) *A juvenile probation officer;*

14 (m) A parole and probation officer of the Division of Parole and
15 Probation of the Department of Public Safety;

16 ~~[12.]~~ (n) A forensic specialist or correctional officer employed
17 by the Division of Public and Behavioral Health of the Department
18 of Health and Human Services at facilities for mentally disordered
19 offenders;

20 ~~[13.]~~ (o) The State Fire Marshal and his or her assistant and
21 deputies;

22 ~~[14.]~~ (p) A game warden of the Department of Wildlife who has
23 the powers of a peace officer pursuant to NRS 289.280;

24 ~~[15.]~~ (q) A ranger or employee of the Division of State Parks of
25 the State Department of Conservation and Natural Resources who
26 has the powers of a peace officer pursuant to NRS 289.260;

27 ~~[16.]~~ (r) A bailiff or a deputy marshal of the district court ,
28 *municipal court* or justice court whose duties require him or her to
29 carry a weapon and to make arrests; ~~and~~

30 ~~[17.]~~ (s) An agricultural police officer appointed by the Director
31 of the State Department of Agriculture pursuant to NRS 561.225
32 who has the powers of a peace officer pursuant to NRS 289.290 ~~];~~;

33 (t) *A marshal or deputy marshal of a city or town; and*

34 (u) *Any category I peace officer as defined in NRS 289.460*
35 *who is not otherwise included in paragraphs (a) to (t), inclusive.*

36 2. *The use of any designation by the Department of Public*
37 *Safety, a division of the Department or an officer of the*
38 *Department pursuant to subsection 3 of NRS 480.150 does not*
39 *exclude any person described in paragraphs (b) to (f), inclusive,*
40 *and (m) of subsection 1 from the definition of "police officer" set*
41 *forth in subsection 1.*

42 **Sec. 2.** The provisions of NRS 354.599 do not apply to any
43 additional expenses of a local government that are related to the
44 provisions of this act.



1 **Sec. 3.** This act becomes effective on July 1, 2024.

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