

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Revised Informational Statement
LCB File No. R012-17

1. A clear and concise explanation of the need for the adopted regulation.

Existing law requires the Peace Officers' Standards and Training Commission to adopt regulations establishing minimum standards for the certification and decertification, recruitment, selection and training of peace officers. (NRS 289.510) Existing law also requires the Commission to require each peace officer, as a condition of certification, to be trained in dealing with the crimes of stalking and aggravated stalking. (NRS 289.600)

Existing regulations require a peace officer to satisfy certain requirements annually in order to maintain a basic or reserve certificate, including completion of in-service training. In addition to in-service training, a peace officer authorized to use a firearm is required, at least biannually, to demonstrate a minimum level of proficiency in the use of each firearm the officer is authorized to use. NAC 289.230 is being amended to clarify a peace officer must show the required proficiency with each **type** of firearm they are authorized to use.

The regulation also clarifies the requirements a peace officer must meet before resuming their normal duties after a certain time away from their peace officer duties. The regulation also requires a peace officer who is hired, rehired or reinstated on or after July 1 of a reporting year to satisfy such requirements.

Existing regulations establish provisions relating to the certification of courses of training above the level of basic training. NAC 289.310 is amended to update the requirements for in state and out of state training providers to obtain certification of their courses, exemptions, and decertification of courses.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

On 02/9/2017 a Workshop was noticed and held in conjunction with a regularly scheduled meeting of the Commission on Peace Officer Standards and Training. During the Workshop, the Chairman of the meeting solicited comments from the public. There were no public comments received in person or in writing.

On 10/16/2017 a Public Comment Hearing and regularly scheduled meeting of the Commission on Peace Officer Standards and Training. Public comments were solicited by the Chairman, asking if there were any comments from the public. There were no comments from public received in person or in writing.

The Notices provided information on how the public could submit their comments about the proposed regulation in writing and/or attend the Workshop and Public Comment Hearing to provide their comments in person. The notices were sent to all law enforcement

agencies, all county library main branches (Notice of Public Comment), and posted at all meeting locations, on the POST website, Public Notice website and the LCB website. There were no written comments received on the proposed regulation.

The Notice for the meeting has printed “Pursuant to NRS 241.020(2) (c), a copy of supporting materials for the meeting may be obtained by contacting POST Administration, at (775) 687-3320, Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701”.

3. The number of persons who:

(a) Attended each hearing:

02/9/2017	Workshop	15
	Regular Meeting	15
10/16/2017	Public Comment Hearing	17
	Regular Meeting	17

(b) Testified at each hearing:

02/9/2017	Workshop	0
	Regular Meeting	0
10/16/2017	Public Comment Hearing	0
	Regular Meeting	0

(c) Submitted written comments:

02/9/2017	Workshop	0
	Regular Meeting	0
10/16/2017	Public Comment Hearing	0
	Regular Meeting	0

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing: None

- (a) Name;**
- (b) Telephone number;**
- (c) Business address;**
- (d) Business telephone number;**
- (e) Electronic mail address; and**
- (f) Name of entity or organization represented.**

5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary. The proposed regulation changes do not effect small business. Comments were solicited through the Public Comment Hearing Notice. During the hearing the public was asked if anyone had comments. No public comment were made.

The Notice for the meeting has printed “Pursuant to NRS 241.020(2) (c), a copy of supporting materials for the meeting may be obtained by contacting POST Administration, at (775) 687-3320, Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701”.

6. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**
The final proposed language for adoption was drafted by the Legislative Counsel Bureau (LCB) legal draft writers. The Commission adopted the regulation as proposed.

7. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:**
 - (1) **Both adverse and beneficial effects; and**
Business: The *beneficial effect* is these revisions to existing regulations clarifies a peace officer must show the required proficiency with each type of firearm they are authorized to use. Additionally, it clarifies the requirements a peace officer must meet before resuming their normal duties if hired, rehired or reinstated on or after July 1 of a report year to satisfy such requirements. Finally, the amendment updates and clarifies the requirements for in state and out of state providers to obtain certification of their courses, exemptions, and decertification of courses.
Adverse effect- None.
Public: No effect for the public.

 - (2) **Both immediate and long-term effects.**
Business: For immediate and long-term effects are all positive. By having clarity in the regulations, the agencies should fully understand the requirement needing to be met.

Public: No effect for the public.

8. **The estimated cost to the agency for enforcement of the proposed regulation:**
None.

9. **A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**
There are none.

10. **If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**
There are none.

11. **If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**
There are no new fees.