

CALIFORNIA-NEVADA COMPACT FOR JURISDICTION ON INTERSTATE WATERS

NRS 171.076 Enactment. The California-Nevada Compact for Jurisdiction on Interstate Waters, set forth in full in [NRS 171.077](#), is hereby enacted into law.

(Added to NRS by [1987, 309](#))

NRS 171.077 Text of Compact. The California-Nevada Compact for Jurisdiction on Interstate Waters is as follows:

ARTICLE I — Purpose and Policy

1. The Legislature finds that law enforcement has been impaired in sections of Lake Tahoe and Topaz Lake forming an interstate boundary between California and Nevada because of difficulty in determining precisely where a criminal act was committed.

2. The Legislature intends that a person committing an act which is illegal in both states not be freed merely because neither state could establish that a crime was committed within its boundaries.

3. The California-Nevada Compact for Jurisdiction on Interstate Waters is enacted to provide for enforcement of the laws of this state with regard to certain acts committed on Lake Tahoe or Topaz Lake, on either side of the boundary line between California and Nevada.

ARTICLE II — Definitions

As used in this compact, unless the context otherwise requires, “party state” means a state which has enacted this compact.

ARTICLE III — Concurrent Jurisdiction

1. If conduct is prohibited by the party states, courts and law enforcement officers in either state who have jurisdiction over criminal offenses committed in a county where Lake Tahoe or Topaz Lake forms a common interstate boundary have concurrent jurisdiction to arrest, prosecute and try offenders for the prohibited conduct committed anywhere on the body of water forming a boundary between the two states.

2. This compact does not authorize:

- (a) Prosecution of any person for conduct which is lawful in the state where it was committed.
- (b) Any conduct prohibited by a party state.

ARTICLE IV — Ratification

This compact is ratified by enactment of the language of this compact, or substantially similar language expressing the same purpose, by the State of California and the State of Nevada.

(Added to NRS by [1987, 309](#))

ISSUES AND SUGGESTIONS WITH CURRENT COMPACT:

1). Article I section 1: The Legislature finds that law enforcement has been impaired in sections of Lake Tahoe and Topaz Lake forming an interstate boundary between California and Nevada because of difficulty in determining precisely where a criminal act was committed

Agenda Item VIII (TAHOE) Meeting Date: 07-23-18
--

With the advancement with GPS and the fact that almost all new Law Enforcement boat come standard with GPS, a Law Enforcement office is able to know his location most of the time. So that needs to be recognized.

Due to the large body of water (191 square miles with 72 miles of shoreline) and minimal law enforcement resources, we need to maintain the **CONCURRENT JURISDICTION** on Lake Tahoe and Topaz Lake.

2). **Article 3, section 1:** If conduct is prohibited by the party states, courts and law enforcement officers in either state who have jurisdiction over criminal offenses committed in a county where Lake Tahoe or Topaz Lake forms a common interstate boundary have concurrent jurisdiction to arrest, prosecute and try offenders for the prohibited conduct committed anywhere on the body of water forming a boundary between the two states.

The current compact only gives concurrent jurisdiction on the water. There are time when law enforcement officers need to conduct follow up investigations, booking and assistance on land.

It would be recommended to mirror the Colorado Compact concurrent jurisdiction and allow law enforcement officers the ability to conduct follow up investigations, booking, and arrest offenders for the prohibited conduct committed on any land mass within 10 air miles of Lake Tahoe and Topaz Lake.

SUGGESTION FOR NEVADA CALIFORNIA COMPACT:

(Proposal)

INTERSTATE COMPACT FOR JURISDICTION ON LAKE TAHOE AND TOPAZ LAKE

NRS 171.076 Enactment. The California-Nevada Compact for Jurisdiction on Interstate Waters, set forth in full in [NRS 171.077](#), is hereby enacted into law.

(Added to NRS by [1987, 309](#))

NRS 171.077 Text of Compact. The California-Nevada Compact for Jurisdiction on *Lake Tahoe and Topaz Lake* is as follows:

ARTICLE I — Purpose and Policy

***1. The Legislature finds that law enforcement has been impaired in sections *Lake Tahoe and Topaz Lake* forming an interstate boundary because of difficulty in determining precisely where a criminal act was committed. *The legislature also finds a legitimate public safety and law enforcement interest exists related to the interstate boundary and therefore recognizes Lake Tahoe and Topaz Lake as a concurrent jurisdiction with California for issues of public safety matters and/or enforcing laws.*

***2. The Legislature intends that a person committing an act which is illegal in both states not be freed merely because neither state could establish that a crime was committed within its boundaries.

3. The Interstate Compact for Jurisdiction on *Lake Tahoe and Topaz Lake* is enacted to provide for enforcement of the laws of this State with regard to certain acts committed on *Lake Tahoe and Topaz Lake*, on either side of the boundary line with an adjoining state.

ARTICLE II — Definitions

As used in this Compact, unless the context otherwise requires, “party state” means a state which has enacted this Compact.

ARTICLE III — Concurrent Jurisdiction

1. If conduct is prohibited by two adjoining party states, courts and law enforcement officers in either state who have jurisdiction over criminal offenses committed in a county where *Lake Tahoe or Topaz Lake*, forms a common interstate boundary have concurrent jurisdiction to arrest, prosecute and try offenders for the prohibited conduct committed anywhere on the body of water forming a boundary between the two states and concurrent jurisdiction to arrest offenders for the prohibited conduct committed on any land mass within 10 air miles of *Lake Tahoe or Topaz Lake* .

2. This Compact does not authorize:

(a) Prosecution of any person for conduct which is lawful in the state where it was committed.

(b) Any conduct prohibited by a party state.

3. If any claim, including a counterclaim or cross-claim, is brought in a civil action which is filed in a party state and which is:

(a) Brought against a present or former officer or employee of another party state or an agency or political subdivision of that other party state; and

(b) Based on any alleged act or omission that is related to his or her official duties or employment and conducted under the authority of this Compact,

↳ the claim is subject to the conditions and limitations on civil actions, including, without limitation, the provisions regarding sovereign immunity, established by the party state in which that officer or employee is or was an officer or employee.

ARTICLE IV — Ratification

This Compact is ratified by enactment of the language of this Compact, or substantially similar language expressing the same purpose, *by the two* states of which *Lake Tahoe or Topaz Lake* forms a common boundary.