

SENATE BILL NO. 94—SENATOR MCGINNESS

PREFILED JANUARY 25, 2011

Referred to Committee on Judiciary

SUMMARY—Provides for the realignment of certain judicial districts. (BDR 1-758)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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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 district courts; providing for the realignment of certain judicial districts; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides for this State to be divided into nine judicial districts.
2 (Nev. Const. Art. 6, § 5; NRS 3.010) The Nevada Constitution authorizes the
3 Legislature, under certain circumstances, to: (1) alter the boundaries or divisions of
4 those judicial districts; (2) increase or diminish the number of those judicial
5 districts; and (3) increase or diminish the number of judges in those judicial
6 districts. (Nev. Const. Art. 6, § 5) **Section 2** of this bill increases the number of
7 judicial districts in this State from 9 to 10 judicial districts. **Section 2** also removes
8 Churchill County from the Third Judicial District and provides that Churchill
9 County constitutes the Tenth Judicial District. (NRS 3.010) **Sections 1 and 3** of this
10 bill decrease the number of district judges in the Third Judicial District from three
11 to two and provide that the Tenth Judicial District will have one district judge.
12 (NRS 3.013)

13 **Section 4** of this bill: (1) clarifies that this bill does not affect the current term
14 of any district judge who is serving in that office on January 1, 2012; and (2)
15 provides that on January 1, 2012, the district judge who was serving in Department
16 1 of the Third Judicial District becomes the one district judge for the Tenth Judicial
17 District and the district judges who were serving in Departments 2 and 3 of the
18 Third Judicial District continue serving as the two district judges for the Third
19 Judicial District.



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

1 **Section 1.** Chapter 3 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *For the Tenth Judicial District there must be one district judge.*

4 **Sec. 2.** NRS 3.010 is hereby amended to read as follows:

5 3.010 The State is hereby divided into ~~nine~~ 10 judicial
6 districts, as follows:

7 **First Judicial District.** Carson City and the County of Storey
8 constitute the First Judicial District.

9 **Second Judicial District.** The County of Washoe constitutes
10 the Second Judicial District.

11 **Third Judicial District.** The ~~Counties~~ County of ~~Churchill~~
12 ~~and~~ Lyon ~~constitute~~ constitutes the Third Judicial District.

13 **Fourth Judicial District.** The County of Elko constitutes the
14 Fourth Judicial District.

15 **Fifth Judicial District.** The Counties of Mineral, Esmeralda
16 and Nye constitute the Fifth Judicial District.

17 **Sixth Judicial District.** The Counties of Lander, Pershing and
18 Humboldt constitute the Sixth Judicial District.

19 **Seventh Judicial District.** The Counties of Eureka, White
20 Pine and Lincoln constitute the Seventh Judicial District.

21 **Eighth Judicial District.** The County of Clark constitutes the
22 Eighth Judicial District.

23 **Ninth Judicial District.** The County of Douglas constitutes
24 the Ninth Judicial District.

25 *Tenth Judicial District. The County of Churchill constitutes*
26 *the Tenth Judicial District.*

27 **Sec. 3.** NRS 3.013 is hereby amended to read as follows:

28 3.013 For the Third Judicial District there must be ~~three~~ two
29 district judges.

30 **Sec. 4.** 1. The amendatory provisions of this act do not
31 abrogate or affect the current term of office of any district judge
32 who is serving in that office on January 1, 2012.

33 2. On January 1, 2012:

34 (a) The district judge who was serving in Department 1 of the
35 Third Judicial District before January 1, 2012, becomes the one
36 district judge for the Tenth Judicial District; and

37 (b) The district judges who were serving in Departments 2 and 3
38 of the Third Judicial District before January 1, 2012, continue
39 serving as the two district judges for the Third Judicial District.

40 **Sec. 5.** This act becomes effective on January 1, 2012.

