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ASSEMBLY BILL NO. 133—ASSEMBLYMEN FLORES, GONZÁLEZ;  
ANDERSON, BROWN-MAY, CONSIDINE, DURAN, MARTINEZ,  
SUMMERS-ARMSTRONG, THOMAS AND TORRES

FEBRUARY 15, 2021

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Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to peace officers.  
(BDR 23-240)

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

CONTAINS UNFUNDED MANDATE (§§ 1, 3)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~for mitted material~~ is material to be omitted.

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AN ACT relating to peace officers; requiring a law enforcement agency to provide training to peace officers in approaching and interacting with a person who is openly carrying a firearm; requiring all uniformed peace officers to wear a portable event recording device while interacting with the public on duty; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 Existing law requires a peace officer to receive certain training. (NRS 289.550-
  - 2 289.605) **Section 1** of this bill requires each law enforcement agency to provide
  - 3 training to peace officers in approaching and interacting with a person who is
  - 4 openly carrying a firearm.
  - 5 Existing law requires uniformed peace officers who routinely interact with the
  - 6 public to wear a portable event recording device while on duty. (NRS 289.830)
  - 7 **Section 3** of this bill requires, instead, uniformed peace officers to wear a portable
  - 8 event recording device while interacting with the public on duty.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** Chapter 289 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3       *Each law enforcement agency shall, based on best practices,*  
4 *provide to peace officers who are employed by the agency training*  
5 *for approaching and interacting with a person who is openly*  
6 *carrying a firearm.*

7       **Sec. 2.** NRS 289.450 is hereby amended to read as follows:

8       289.450 As used in NRS 289.450 to 289.680, inclusive, *and*  
9 *section 1 of this act*, unless the context otherwise requires, the  
10 words and terms defined in NRS 289.460 to 289.490, inclusive,  
11 have the meanings ascribed to them in those sections.

12       **Sec. 3.** NRS 289.830 is hereby amended to read as follows:

13       289.830 1. A law enforcement agency shall require  
14 uniformed peace officers that it employs ~~and who routinely interact~~  
15 ~~with the public~~ to wear a portable event recording device while  
16 *interacting with the public* on duty. Each law enforcement agency  
17 shall adopt policies and procedures governing the use of portable  
18 event recording devices, which must include, without limitation:

19       (a) Except as otherwise provided in paragraph (d), requiring  
20 activation of a portable event recording device whenever a peace  
21 officer is responding to a call for service or at the initiation of any  
22 other law enforcement or investigative encounter between a  
23 uniformed peace officer and a member of the public;

24       (b) Except as otherwise provided in paragraph (d), prohibiting  
25 deactivation of a portable event recording device until the  
26 conclusion of a law enforcement or investigative encounter;

27       (c) Prohibiting the recording of general activity;

28       (d) Protecting the privacy of persons:

29           (1) In a private residence;

30           (2) Seeking to report a crime or provide information  
31 regarding a crime or ongoing investigation anonymously; or

32           (3) Claiming to be a victim of a crime;

33       (e) Requiring that any video recorded by a portable event  
34 recording device must be retained by the law enforcement agency  
35 for not less than 15 days; and

36       (f) Establishing disciplinary rules for peace officers who:

37           (1) Fail to operate a portable event recording device in  
38 accordance with any departmental policies;

39           (2) Intentionally manipulate a video recorded by a portable  
40 event recording device; or

41           (3) Prematurely erase a video recorded by a portable event  
42 recording device.



1 2. Any record made by a portable event recording device  
2 pursuant to this section is a public record which may be:

3 (a) Requested only on a per incident basis; and

4 (b) Available for inspection only at the location where the  
5 record is held if the record contains confidential information that  
6 may not otherwise be redacted.

7 3. As used in this section:

8 (a) "Law enforcement agency" means:

9 (1) The sheriff's office of a county;

10 (2) A metropolitan police department;

11 (3) A police department of an incorporated city;

12 (4) A department, division or municipal court of a city or  
13 town that employs marshals;

14 (5) The Nevada Highway Patrol; or

15 (6) A board of trustees of any county school district that  
16 employs or appoints school police officers.

17 (b) "Portable event recording device" means a device issued to a  
18 peace officer by a law enforcement agency to be worn on his or her  
19 body and which records both audio and visual events occurring  
20 during an encounter with a member of the public while performing  
21 his or her duties as a peace officer.

22 **Sec. 4.** The provisions of NRS 354.599 do not apply to any  
23 additional expenses of a local government that are related to the  
24 provisions of this act.

25 **Sec. 5.** 1. This section becomes effective upon passage and  
26 approval.

27 2. Sections 1 to 4, inclusive, of this act become effective:

28 (a) Upon passage and approval for the purpose of adopting any  
29 regulations and performing any other preparatory administrative  
30 tasks that are necessary to carry out the provisions of this act; and

31 (b) On January 1, 2022, for all other purposes.

