

Amendment No. 254

Assembly Amendment to Assembly Bill No. 186	(BDR 23-634)
Proposed by: Assembly Committee on Government Affairs	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION	Initial and Date		SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>
Receded <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/>	Not <input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) **orange double underlining** is deleted language in the original bill proposed to be retained in this amendment.

VDW/KCR



Date: 4/12/2021

A.B. No. 186—Establishes provisions relating to the issuance of citations and arrests by peace officers. (BDR 23-634)



ASSEMBLY BILL NO. 186—ASSEMBLYMEN NGUYEN, ROBERTS, WATTS, C.H. MILLER, PETERS; AND FLORES

MARCH 4, 2021

Referred to Committee on Government Affairs

SUMMARY—Establishes provisions relating to the issuance of citations and arrests by peace officers. (BDR 23-634)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: No.

~

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

AN ACT relating to peace officers; prohibiting a law enforcement agency from requiring a peace officer to issue a certain number of traffic citations or make a certain number of arrests; prohibiting a law enforcement agency from considering the number of citations issued or arrests made by a peace officer, or the amount of fines or fees assessed from the citations or arrests, in evaluating the performance of the peace officer; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides certain rights to peace officers which are commonly known as the
2 “Peace Officer Bill of Rights.” (NRS 289.020-289.120) This bill creates additional rights for
3 peace officers. This bill prohibits a law enforcement agency from requiring a peace officer:
4 (1) to issue a certain number of traffic citations; or (2) to make a certain number of arrests.
5 Additionally, this bill prohibits a law enforcement agency from considering the number of
6 citations or arrests, or the amount of fines or fees assessed from the citations or arrests made
7 by a peace officer, in evaluating the performance of the peace officer.

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 thereto a new
2 section to read as follows:

3 *1. A law enforcement agency shall not order, mandate ~~it~~ or require ~~for~~*
4 *~~suggest to a peace officer that~~ a peace officer ~~must~~ to issue a certain number of*
5 *traffic citations or make a certain number of arrests over any period.*

6 *2. A law enforcement agency shall not consider the number of citations*
7 *issued or arrests made by a peace officer, or the amount of fines or fees assessed*
8 *from the issuance of citations or arrests made by a peace officer, in any*
9 *performance review, evaluation, rating, assessment, promotion, salary or*
10 *assignment of a peace officer.*

1 **Sec. 2.** NRS 289.085 is hereby amended to read as follows:

2 289.085 If an arbitrator or court determines that evidence was obtained during
3 an investigation of a peace officer concerning conduct that could result in punitive
4 action in a manner which violates any provision of NRS 289.010 to 289.120,
5 inclusive, *and section 1 of this act*, and that such evidence may be prejudicial to the
6 peace officer, such evidence is inadmissible and the arbitrator or court shall exclude
7 such evidence during any administrative proceeding commenced or civil action
8 filed against the peace officer. If the arbitrator or court further determines that such
9 evidence was obtained by a law enforcement agency in bad faith, the arbitrator or
10 court must dismiss the administrative proceeding or civil action with prejudice.

11 **Sec. 3.** This act becomes effective on July 1, 2021.