

Amendment No. 645

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

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: 5/16/2021

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; ANDERSON, BROWN-MAY, CONSIDINE, DICKMAN, DURAN, [AND] FLORES, MARTINEZ, MATTHEWS, THOMAS AND TORRES

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.

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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 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 ~~by prohibiting~~ **by prohibiting** a law enforcement agency from requiring
4 a peace officer: (1) to issue a certain number of traffic citations; or (2) to make a certain
5 number of arrests. ~~Additionally, this bill prohibits a law enforcement agency from~~
6 ~~considering the number of citations or arrests, or the amount of fines or fees assessed from the~~
7 ~~citations or arrests made by a peace officer, in evaluating the performance of the peace~~
8 ~~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 or require a peace~~
4 ~~officer to issue a certain number of traffic citations or make a certain number of~~
5 ~~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~~

~~performance review, evaluation, rating, assessment, promotion, salary or assignment of a peace officer.]~~

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

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

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