

SENATE BILL NO. 55—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA SUPREME COURT)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Judiciary

SUMMARY—Revises various provisions relating to courts.  
(BDR 1-432)

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 courts; revising the days that justice and municipal courts are open; revising provisions governing the clerks of a justice court; establishing fees for a justice court to charge and collect for certain services; revising provisions relating to the jurisdiction of justice courts in criminal cases; revising the amount of credit a court must provide for community service; repealing obsolete provisions relating to the successors of a justice of the peace; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law prohibits courts, other than justice courts and municipal courts,  
2 from being opened or transacting judicial business on a Sunday or a legal holiday,  
3 except for certain purposes. (NRS 1.130) **Section 1** of this bill extends this  
4 prohibition to justice and municipal courts.

5 Existing law requires each justice of the peace to charge and collect fees for  
6 various actions, proceedings and rulings in the justice court. (NRS 4.060) **Section 3**  
7 of this bill requires a justice court to charge and collect a fee for: (1) searching in an  
8 electronic case management system in the amount of \$5 for each search term; and  
9 (2) redacting personal identifying information from certain records, proceedings or  
10 papers in the amount of \$1 for each page requiring redaction.

11 Existing law provides for the appointment of a deputy clerk for the justice court  
12 who, under the supervision of the justice of the peace, performs clerical functions  
13 for the justice court. Existing law requires the deputy clerk to: (1) take the  
14 constitutional oath of office; and (2) give an official bond. Existing law also  
15 provides that the county clerk is not personally liable on his or her bond or  
16 otherwise for the acts of a deputy clerk. (NRS 4.350) **Section 4** of this bill: (1)



17 changes the title of the position of “deputy clerk” for the justice court to “clerk of  
18 the court”; and (2) revises the manner in which such a clerk is appointed. **Section 4**  
19 also removes the requirement that such a clerk take an oath of office or give an  
20 official bond. Finally, **section 4** removes provisions limiting the liability of the  
21 county clerk for the acts of a clerk of the court. **Sections 2, 7 and 9-12** of this bill  
22 make conforming changes related to the change in title.

23 With certain exceptions, existing law provides that, in criminal cases, the  
24 jurisdiction of a justice of the peace extends to the limit of the county line of the  
25 county of the justice of the peace. (NRS 4.370) **Section 5** of this bill removes one  
26 such exception, which extends the jurisdiction of a justice of the peace in the case  
27 of an arrest made by a member of the Nevada Highway Patrol.

28 Existing law authorizes a justice court to transfer a criminal case to another  
29 justice court in this State in certain circumstances, if: (1) the case involves criminal  
30 conduct that occurred outside the county or township where the court is located,  
31 and the defendant has appeared before a magistrate; (2) the transfer is necessary to  
32 promote access to justice for the defendant; or (3) the defendant agrees to  
33 participate in a program of treatment. (NRS 4.3713) **Section 6** of this bill removes  
34 the requirement that a defendant must have appeared before a magistrate in order to  
35 transfer a case that involves criminal conduct that occurred outside a county or  
36 township where the court is located. **Section 6** also authorizes a justice court to  
37 transfer a case if all of the justices of the peace in the court have either recused  
38 themselves or been disqualified from presiding over the case. Finally, **section 6**  
39 removes a prohibition against transferring certain cases until a plea agreement has  
40 been reached or the court has made a final disposition.

41 Existing law authorizes a court, under certain circumstances, to order a  
42 convicted person to perform community service in lieu of all or a part of any fine,  
43 administrative assessment, fee or imprisonment that may be imposed for the  
44 commission of a misdemeanor. Existing law requires a court that ordered a  
45 convicted person to perform community service to provide a credit of \$10 or the  
46 amount of the state minimum wage if health insurance is not offered, whichever is  
47 greater, toward the payment of any fine that was imposed against the person for the  
48 commission of the offense for which the person was ordered to perform community  
49 service. (NRS 176.087) **Section 8** of this bill revises this requirement by requiring a  
50 court to provide a credit of not less than the state minimum wage if health insurance  
51 is not offered toward the payment of a fine.

52 **Section 13** of this bill removes certain obsolete provisions of law relating to  
53 successors of a justice of the peace. (NRS 4.290, 4.300)

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

1 **Section 1.** NRS 1.130 is hereby amended to read as follows:

2 1.130 1. No court ~~{except a justice court or a municipal court~~  
3 ~~shall be opened nor shall}~~ *may be open or transact* any judicial  
4 business ~~{be transacted except by a justice court or municipal court}~~  
5 on Sunday ~~{}~~ or on any day declared to be a legal holiday according  
6 to the provisions of NRS 236.015, except for the following  
7 purposes:

8 (a) To give, upon their request, instructions to a jury then  
9 deliberating on their verdict.

10 (b) To receive a verdict or discharge a jury.



1 (c) For the exercise of the power of a magistrate in a criminal  
2 action or in a proceeding of a criminal nature.

3 (d) To receive communications by telephone and for the  
4 issuance of:

5 (1) A temporary order pursuant to subsection 8 of NRS  
6 33.020; or

7 (2) An emergency order for protection against high-risk  
8 behavior pursuant to NRS 33.570.

9 (e) For the ~~issue~~ *issuance* of a writ of attachment, which may  
10 be issued on each and all of the days above enumerated upon the  
11 plaintiff, or some person on behalf of the plaintiff, setting forth in  
12 the affidavit required by law for obtaining the writ the additional  
13 averment as follows:

14  
15 That the affiant has good reason to believe, and does  
16 believe, that it will be too late for the purpose of acquiring a  
17 lien by the writ to wait until subsequent day for the issuance  
18 of the same.

19  
20 All proceedings instituted, and all writs issued, and all official acts  
21 done on any of the days above specified, under and by virtue of this  
22 section, shall have all the validity, force and effect of proceedings  
23 commenced on other days, whether a lien be obtained or a levy  
24 made under and by virtue of the writ.

25 2. Nothing herein contained shall affect private transactions of  
26 any nature whatsoever.

27 **Sec. 2.** NRS 1.170 is hereby amended to read as follows:

28 1.170 The clerk of each court, or the:

29 1. Deputy clerk;

30 2. Justice of the peace if a ~~deputy~~ clerk *of the court* has not  
31 been appointed for the justice court; or

32 3. Judge of a municipal court designated as a court of record  
33 pursuant to NRS 5.010 if a deputy clerk has not been appointed for  
34 that court,

35 ↪ shall keep the seal of the court.

36 **Sec. 3.** NRS 4.060 is hereby amended to read as follows:

37 4.060 1. Except as otherwise provided in this section and  
38 NRS 33.017 to 33.100, inclusive, each justice ~~of the peace~~ *court*  
39 shall charge and collect the following fees:

40 (a) On the commencement of any action or proceeding in the  
41 justice court, other than in actions commenced pursuant to chapter  
42 73 of NRS, to be paid by the party commencing the action:

43  
44 If the sum claimed does not exceed \$2,500..... \$50.00



1	If the sum claimed exceeds \$2,500 but does not	
2	exceed \$5,000.....	\$100.00
3	If the sum claimed exceeds \$5,000 but does not	
4	exceed \$10,000.....	175.00
5	If the sum claimed exceeds \$10,000 but does not	
6	exceed \$15,000.....	250.00
7	In a civil action for unlawful detainer pursuant to	
8	NRS 40.290 to 40.420, inclusive, in which a	
9	notice to surrender has been served pursuant	
10	to NRS 40.255.....	225.00
11	In all other civil actions.....	50.00

12  
13 (b) For the preparation and filing of an affidavit and order in an  
14 action commenced pursuant to chapter 73 of NRS:

15		
16	If the sum claimed does not exceed \$1,000.....	\$45.00
17	If the sum claimed exceeds \$1,000 but does not	
18	exceed \$2,500.....	65.00
19	If the sum claimed exceeds \$2,500 but does not	
20	exceed \$5,000.....	85.00
21	If the sum claimed exceeds \$5,000 but does not	
22	exceed \$7,500.....	125.00
23	If the sum claimed exceeds \$7,500 but does not	
24	exceed \$10,000.....	175.00

25  
26 (c) On the appearance of any defendant, or any number of  
27 defendants answering jointly, to be paid by the defendant or  
28 defendants on filing the first paper in the action, or at the time of  
29 appearance:

30		
31	In all civil actions.....	\$50.00
32	For every additional defendant, appearing	
33	separately.....	25.00

34  
35 (d) No fee may be charged where a defendant or defendants  
36 appear in response to an affidavit and order issued pursuant to the  
37 provisions of chapter 73 of NRS.

38 (e) For the filing of any paper in intervention..... \$25.00

39 (f) For the issuance of any writ of attachment, writ  
40 of garnishment, writ of execution or any other writ  
41 designed to enforce any judgment of the court, other  
42 than a writ of restitution..... \$25.00

43 (g) For the issuance of any writ of restitution..... \$75.00

44 (h) For filing a notice of appeal, and appeal bonds..... \$25.00



1 One charge only may be made if both papers are filed at the  
2 same time.

3 (i) For issuing supersedeas to a writ designed to  
4 enforce a judgment or order of the court..... \$25.00

5 (j) For preparation and transmittal of transcript and  
6 papers on appeal..... \$25.00

7 (k) For celebrating a marriage and returning the  
8 certificate to the county recorder or county clerk ..... \$75.00

9 (l) For entering judgment by confession..... \$50.00

10 (m) For preparing any copy of any record,  
11 proceeding or paper, for each page..... \$.50

12 (n) For each certificate of the clerk, under the seal  
13 of the court..... \$3.00

14 (o) For searching *physical* records or files , ~~in his~~  
15 ~~or her office.~~ for each year..... \$1.00

16 (p) *For searching in an electronic case*  
17 *management system, for each search term* ..... \$5.00

18 (q) For filing and acting upon each bail or property  
19 bond ..... \$50.00

20 (r) *For redacting personal identifying information*  
21 *required before the dissemination of a copy of any*  
22 *record, proceeding or paper, for each page requiring*  
23 *redaction*..... \$1.00

24 2. A justice ~~of the peace~~ *court* shall not charge or collect any  
25 of the fees set forth in subsection 1 for any service rendered by the  
26 justice of the peace to the county in which his or her township is  
27 located.

28 3. A justice ~~of the peace~~ *court* shall not charge or collect the  
29 fee pursuant to paragraph (k) of subsection 1 if the justice of the  
30 peace performs a marriage ceremony in a commissioner township.

31 4. Except as otherwise provided by an ordinance adopted  
32 pursuant to the provisions of NRS 244.207, the justice ~~of the peace~~  
33 *court* shall, on or before the fifth day of each month, account for and  
34 pay to the county treasurer all fees collected pursuant to subsection  
35 1 during the preceding month, except for the fees the justice of the  
36 peace may retain as compensation and the fees the justice ~~of the~~  
37 ~~peace~~ *court* is required to pay to the State Controller pursuant to  
38 subsection 5.

39 5. The justice ~~of the peace~~ *court* shall, on or before the fifth  
40 day of each month, pay to the State Controller:

41 (a) An amount equal to \$5 of each fee collected pursuant to  
42 paragraph (k) of subsection 1 during the preceding month. The State  
43 Controller shall deposit the money in the Account for Aid for  
44 Victims of Domestic or Sexual Violence in the State General Fund.



1 (b) One-half of the fees collected pursuant to paragraph ~~(p)~~ (q)  
2 of subsection 1 during the preceding month. The State Controller  
3 shall deposit the money in the Fund for the Compensation of  
4 Victims of Crime.

5 6. Except as otherwise provided in subsection 7, the county  
6 treasurer shall deposit 25 percent of the fees received pursuant to  
7 subsection 4 into a special account administered by the county and  
8 maintained for the benefit of each justice court within the county.  
9 The money in that account must be used only to:

10 (a) Acquire land on which to construct additional facilities or a  
11 portion of a facility for a justice court or a multi-use facility that  
12 includes a justice court;

13 (b) Construct or acquire additional facilities or a portion of a  
14 facility for a justice court or a multi-use facility that includes a  
15 justice court;

16 (c) Renovate, remodel or expand existing facilities or a portion  
17 of an existing facility for a justice court or a multi-use facility that  
18 includes a justice court;

19 (d) Acquire furniture, fixtures and equipment necessitated by the  
20 construction or acquisition of additional facilities or a portion of a  
21 facility or the renovation, remodeling or expansion of an existing  
22 facility or a portion of an existing facility for a justice court or a  
23 multi-use facility that includes a justice court;

24 (e) Acquire advanced technology for the use of a justice court;

25 (f) Acquire equipment or additional staff to enhance the security  
26 of the facilities used by a justice court, justices of the peace, staff of  
27 a justice court and residents of this State who access the justice  
28 courts;

29 (g) Pay for the training of staff or the hiring of additional staff to  
30 support the operation of a justice court;

31 (h) Pay debt service on any bonds issued pursuant to subsection  
32 3 of NRS 350.020 for the acquisition of land or facilities or for the  
33 construction, renovation, remodeling or expansion of facilities for a  
34 justice court or a multi-use facility that includes a justice court; and

35 (i) Pay for one-time projects for the improvement of a justice  
36 court.

37 ➤ Any money remaining in the account at the end of a fiscal year  
38 must be carried forward to the next fiscal year.

39 7. The county treasurer shall, if necessary, reduce on an annual  
40 basis the amount deposited into the special account pursuant to  
41 subsection 6 to ensure that the total amount of fees collected by a  
42 justice court pursuant to this section and paid by the justice ~~of the~~  
43 ~~peace~~ court to the county treasurer pursuant to subsection 4 is, for  
44 any fiscal year, not less than the total amount of fees collected by  
45 that justice court and paid by the justice ~~of the peace~~ court to the



1 county treasurer for the fiscal year beginning July 1, 2012, and  
2 ending June 30, 2013.

3 8. Each justice court that collects fees pursuant to this section  
4 shall submit to the board of county commissioners of the county in  
5 which the justice court is located an annual report that contains:

6 (a) An estimate of the amount of money that the county treasurer  
7 will deposit into the special account pursuant to subsection 6 from  
8 fees collected by the justice court for the following fiscal year; and

9 (b) A proposal for any expenditures by the justice court from the  
10 special account for the following fiscal year.

11 **Sec. 4.** NRS 4.350 is hereby amended to read as follows:

12 4.350 1. ~~Except as otherwise provided in subsection 5, the~~  
13 ~~county clerk, with the approval of the board of county~~  
14 ~~commissioners and the justice of the peace, may appoint a deputy~~  
15 ~~clerk for the justice court.]~~ *The justices of the peace of each justice*  
16 *court where there is more than one justice of the peace shall*  
17 *appoint a clerk of the court, who may also be known as the justice*  
18 *court administrator. In a justice court where there is only one*  
19 *justice of the peace, the justice of the peace shall be deemed to be*  
20 *the clerk of the court unless the justice of the peace appoints*  
21 *another person as the clerk of the court.*

22 2. The compensation of a clerk so appointed must be fixed by  
23 the board of county commissioners.

24 ~~[2.—The deputy clerk shall take the constitutional oath of office~~  
25 ~~and give bond in the sum of \$2,000 for the faithful discharge of the~~  
26 ~~duties of the office, and in the same manner as is required of other~~  
27 ~~officers of the township and county. The county clerk is not~~  
28 ~~personally liable, on his or her official bond or otherwise, for the~~  
29 ~~acts of a deputy clerk appointed pursuant to this section.]~~

30 3. The ~~[deputy]~~ clerk of the court may, under the direct  
31 supervision of the justice of the peace, administer oaths, take and  
32 certify affidavits and acknowledgments, issue process, enter suits on  
33 the docket, and do all clerical work in connection with the keeping  
34 of the records, files and dockets of the court, and shall perform any  
35 other duties in connection with the office as the justice of the peace  
36 prescribes.

37 ~~[4.—Except as otherwise provided in subsection 5, where there~~  
38 ~~is more than one justice of the peace serving in any township, the~~  
39 ~~county clerk may, with the approval of the board of county~~  
40 ~~commissioners and the justices of the peace, appoint a second~~  
41 ~~deputy who shall comply with the requirements of subsection 2 and~~  
42 ~~has the powers and duties prescribed in subsection 3.~~

43 ~~—5.—In a county whose population is 700,000 or more, the board~~  
44 ~~of county commissioners, with the approval of the justice of the~~  
45 ~~peace, may appoint a deputy clerk for a justice court. If there is~~



~~1 more than one justice of the peace serving in any township, the  
2 board, with the approval of the justices of the peace, may appoint  
3 one or more additional deputy clerks.~~

~~4 —6.— If no deputy clerk is appointed for a township, the justice of  
5 the peace shall be deemed to be the clerk of the court and may  
6 appoint as many deputy clerks for the justice court as the justice of  
7 the peace determines necessary.]~~

8 **Sec. 5.** NRS 4.370 is hereby amended to read as follows:

9 4.370 1. Except as otherwise provided in subsection 2, justice  
10 courts have jurisdiction of the following civil actions and  
11 proceedings and no others except as otherwise provided by specific  
12 statute:

13 (a) In actions arising on contract for the recovery of money only,  
14 if the sum claimed, exclusive of interest, does not exceed \$15,000.

15 (b) In actions for damages for injury to the person, or for taking,  
16 detaining or injuring personal property, or for injury to real property  
17 where no issue is raised by the verified answer of the defendant  
18 involving the title to or boundaries of the real property, if the  
19 damage claimed does not exceed \$15,000.

20 (c) Except as otherwise provided in paragraph (l), in actions for  
21 a fine, penalty or forfeiture not exceeding \$15,000, given by statute  
22 or the ordinance of a county, city or town, where no issue is raised  
23 by the answer involving the legality of any tax, impost, assessment,  
24 toll or municipal fine.

25 (d) In actions upon bonds or undertakings conditioned for the  
26 payment of money, if the sum claimed does not exceed \$15,000,  
27 though the penalty may exceed that sum. Bail bonds and other  
28 undertakings posted in criminal matters may be forfeited regardless  
29 of amount.

30 (e) In actions to recover the possession of personal property, if  
31 the value of the property does not exceed \$15,000.

32 (f) To take and enter judgment on the confession of a defendant,  
33 when the amount confessed, exclusive of interest, does not exceed  
34 \$15,000.

35 (g) Of actions for the possession of lands and tenements where  
36 the relation of landlord and tenant exists, when damages claimed do  
37 not exceed \$15,000 or when no damages are claimed.

38 (h) Of actions when the possession of lands and tenements has  
39 been unlawfully or fraudulently obtained or withheld, when  
40 damages claimed do not exceed \$15,000 or when no damages are  
41 claimed.

42 (i) Of suits for the collection of taxes, where the amount of the  
43 tax sued for does not exceed \$15,000.





1 (j) Of actions for the enforcement of mechanics' liens, where the  
2 amount of the lien sought to be enforced, exclusive of interest, does  
3 not exceed \$15,000.

4 (k) Of actions for the enforcement of liens of owners of facilities  
5 for storage, where the amount of the lien sought to be enforced,  
6 exclusive of interest, does not exceed \$15,000.

7 (l) In actions for a civil penalty imposed for a violation of  
8 NRS 484D.680.

9 (m) Except as otherwise provided in this paragraph, in any  
10 action for the issuance of a temporary or extended order for  
11 protection against domestic violence pursuant to NRS 33.020. A  
12 justice court does not have jurisdiction in an action for the issuance  
13 of a temporary or extended order for protection against domestic  
14 violence:

15 (1) In a county whose population is 100,000 or more and less  
16 than 700,000;

17 (2) In any township whose population is 100,000 or more  
18 located within a county whose population is 700,000 or more;

19 (3) If a district court issues a written order to the justice court  
20 requiring that further proceedings relating to the action for the  
21 issuance of the order for protection be conducted before the district  
22 court; or

23 (4) Where the adverse party against whom the order is  
24 sought is under 18 years of age.

25 (n) Except as otherwise provided in this paragraph, in any action  
26 for the issuance of an emergency or extended order for protection  
27 against high-risk behavior pursuant to NRS 33.570 or 33.580. A  
28 justice court does not have jurisdiction in an action for the issuance  
29 of an emergency or extended order for protection against high-risk  
30 behavior:

31 (1) In a county whose population is 100,000 or more but less  
32 than 700,000;

33 (2) In any township whose population is 100,000 or more  
34 located within a county whose population is 700,000 or more;

35 (3) If a district court issues a written order to the justice court  
36 requiring that further proceedings relating to the action for the  
37 issuance of the order for protection be conducted before the district  
38 court; or

39 (4) Where the adverse party against whom the order is  
40 sought is under 18 years of age.

41 (o) In an action for the issuance of a temporary or extended  
42 order for protection against harassment in the workplace pursuant to  
43 NRS 33.200 to 33.360, inclusive, where the adverse party against  
44 whom the order is sought is 18 years of age or older.



1 (p) In small claims actions under the provisions of chapter 73 of  
2 NRS.

3 (q) In actions to contest the validity of liens on mobile homes or  
4 manufactured homes.

5 (r) In any action pursuant to NRS 200.591 for the issuance of a  
6 protective order against a person alleged to be committing the crime  
7 of stalking, aggravated stalking or harassment where the adverse  
8 party against whom the order is sought is 18 years of age or older.

9 (s) In any action pursuant to NRS 200.378 for the issuance of a  
10 protective order against a person alleged to have committed the  
11 crime of sexual assault where the adverse party against whom the  
12 order is sought is 18 years of age or older.

13 (t) In actions transferred from the district court pursuant to  
14 NRS 3.221.

15 (u) In any action for the issuance of a temporary or extended  
16 order pursuant to NRS 33.400.

17 (v) In any action seeking an order pursuant to NRS 441A.195.

18 (w) In any action to determine whether a person has committed  
19 a civil infraction punishable pursuant to NRS 484A.703 to  
20 484A.705, inclusive.

21 2. The jurisdiction conferred by this section does not extend to  
22 civil actions, other than for forcible entry or detainer, in which the  
23 title of real property or mining claims or questions affecting the  
24 boundaries of land are involved.

25 3. Justice courts have jurisdiction of all misdemeanors and no  
26 other criminal offenses except as otherwise provided by specific  
27 statute. Upon approval of the district court, a justice court may  
28 transfer original jurisdiction of a misdemeanor to the district court  
29 for the purpose of assigning an offender to a program established  
30 pursuant to NRS 176A.250 or, if the justice court has not  
31 established a program pursuant to NRS 176A.280, to a program  
32 established pursuant to that section.

33 4. Except as otherwise provided in subsections 5 ~~and~~ and 6 ,  
34 ~~and 7,~~ in criminal cases the jurisdiction of justices of the peace  
35 extends to the limits of their respective counties.

36 5. A justice of the peace may conduct a pretrial release hearing  
37 for a person located outside of the township of the justice of the  
38 peace.

39 ~~6. In the case of any arrest made by a member of the Nevada~~  
40 ~~Highway Patrol, the jurisdiction of the justices of the peace extends~~  
41 ~~to the limits of their respective counties and to the limits of all~~  
42 ~~counties which have common boundaries with their respective~~  
43 ~~counties.~~



1 ~~—7.]~~ Each justice court has jurisdiction of any violation of a  
2 regulation governing vehicular traffic on an airport within the  
3 township in which the court is established.

4 **Sec. 6.** NRS 4.3713 is hereby amended to read as follows:

5 4.3713 1. A justice court may, on its own motion, transfer  
6 original jurisdiction of a criminal case filed with that court to  
7 another justice court or a municipal court if:

8 (a) The case involves criminal conduct that occurred outside the  
9 limits of the county or township where the court is located ; ~~and the~~  
10 ~~defendant has appeared before a magistrate pursuant to~~  
11 ~~NRS 171.178.;~~

12 (b) Such a transfer is necessary to promote access to justice for  
13 the defendant and the justice court has noted its findings concerning  
14 that issue in the record; ~~or]~~

15 (c) The defendant agrees to participate in a program of  
16 treatment, including, without limitation, a program of treatment  
17 made available pursuant to NRS 176A.230, 176A.250 or 176A.280,  
18 or to access other services located elsewhere in this State ~~];~~ *or*

19 *(d) All the justices of the peace in the justice court have either*  
20 *recused themselves or been disqualified from presiding over the*  
21 *case.*

22 2. A justice court may not issue an order for the transfer of a  
23 case pursuant to paragraph ~~[(b) or]~~ (c) of subsection 1 until a plea  
24 agreement has been reached or the final disposition of the case,  
25 whichever occurs first.

26 3. An order issued by a justice court which transfers a case  
27 pursuant to this section becomes effective after a notice of  
28 acceptance is returned by the justice court or municipal court to  
29 which the case was transferred. If a justice court or municipal court  
30 refuses to accept the transfer of a case pursuant to subsection 1, the  
31 case must be returned to the justice court which sought the transfer.

32 **Sec. 7.** NRS 6.160 is hereby amended to read as follows:

33 6.160 The clerk of the court in cases in the district court and  
34 ~~the deputy clerk of the]~~ justice court ~~in cases in the justice court]~~  
35 shall keep a payroll, enrolling thereon the names of all jurors, the  
36 number of days in attendance and the actual number of miles  
37 traveled by the shortest and most practical route in going to and  
38 returning from the place where the court is held, and at the  
39 conclusion of a trial may:

40 1. Give a statement of the amounts due to the jurors to the  
41 county auditor, who shall draw warrants upon the county treasurer  
42 for the payment thereof; or

43 2. Make an immediate payment in cash of the amount owing to  
44 each juror.



1 ↪ These payments must be made from and to the extent allowed by  
2 the fees collected from the demanding party, pursuant to the  
3 provisions of NRS 6.150, and from and to the extent allowed by any  
4 other fees which have been collected pursuant to law. The clerk  
5 shall obtain from each juror so paid a receipt signed by him or her  
6 and indicating the date of payment, the date of service and the  
7 amount paid. A duplicate of this receipt must be immediately  
8 delivered to the appropriate county auditor, county recorder or  
9 county comptroller.

10 **Sec. 8.** NRS 176.087 is hereby amended to read as follows:

11 176.087 1. Except where the imposition of a specific criminal  
12 penalty is mandatory, a court may order a convicted person to  
13 perform supervised community service:

14 (a) In lieu of all or a part of any fine, administrative assessment,  
15 fee or imprisonment that may be imposed for the commission of a  
16 misdemeanor; or

17 (b) As a condition of probation granted for another offense.

18 2. The community service must be performed for and under the  
19 supervising authority of a county, city, town or other political  
20 subdivision or agency of the State of Nevada or a charitable  
21 organization that renders service to the community or its residents.

22 3. The court may require the convicted person to deposit with  
23 the court a reasonable sum of money to pay for the cost of policies  
24 of insurance against liability for personal injury and damage to  
25 property or for industrial insurance, or both, during those periods in  
26 which the person performs the community service, unless, in the  
27 case of industrial insurance, it is provided by the authority for which  
28 the person performs the community service.

29 4. The following conditions apply to any such community  
30 service imposed by the court:

31 (a) The court must fix the period of community service that is  
32 imposed as punishment or a condition of probation and distribute  
33 the period over weekends or over other appropriate times that will  
34 allow the convicted person to continue employment and to care for  
35 the person's family. The period of community service fixed by the  
36 court must not exceed, for a:

37 (1) Misdemeanor, 200 hours;

38 (2) Gross misdemeanor, 600 hours; or

39 (3) Felony, 1,000 hours.

40 (b) A supervising authority listed in subsection 2 must agree to  
41 accept the convicted person for community service before the court  
42 may require the convicted person to perform community service for  
43 that supervising authority. The supervising authority must be located  
44 in or be the town or city of the convicted person's residence or, if  
45 that placement is not possible, one located within the jurisdiction of



1 the court or, if that placement is not possible, the authority may be  
2 located outside the jurisdiction of the court.

3 (c) Community service that a court requires pursuant to this  
4 section must be supervised by an official of the supervising  
5 authority or by a person designated by the authority.

6 (d) The court may require the supervising authority to report  
7 periodically to the court or to a probation officer the convicted  
8 person's performance in carrying out the punishment or condition of  
9 probation.

10 5. For each hour of community service that is performed by a  
11 person pursuant to this section, the court must provide a credit of  
12 ~~[\$10 or]~~ *not less than* the amount of the state minimum wage if  
13 health insurance is not offered ~~[, whichever is greater,]~~ toward the  
14 payment of any fine that was imposed against the person for the  
15 commission of the offense for which the person was ordered to  
16 perform community service.

17 **Sec. 9.** NRS 178.544 is hereby amended to read as follows:

18 178.544 1. Whenever a person is admitted to bail in a Justice  
19 Court and the bail is put in by a written undertaking, the ~~[deputy]~~  
20 clerk of the Justice Court shall record:

21 (a) The name of the defendant;

22 (b) The names of the sureties;

23 (c) The amount of the bond;

24 (d) The name of the court;

25 (e) The number of the case; and

26 (f) Such other information as is reasonably necessary to  
27 complete the record.

28 2. When the bond is exonerated or forfeited, the ~~[deputy]~~ clerk  
29 of the Justice Court shall record:

30 (a) The date of the exoneration or forfeiture;

31 (b) The book and page of the minute order declaring the  
32 exoneration or forfeiture; and

33 (c) The date of notice to the district attorney of any forfeiture of  
34 the bond.

35 **Sec. 10.** NRS 178.548 is hereby amended to read as follows:

36 178.548 The county clerk, the ~~[deputy]~~ clerk of the justice  
37 court, or the Clerk of the Supreme Court shall notify the district  
38 attorney of the appropriate county, in writing, promptly upon the  
39 receipt of information indicating that a bail bond has been forfeited.

40 **Sec. 11.** NRS 178.606 is hereby amended to read as follows:

41 178.606 A docket must be kept by the ~~[deputy]~~ clerk of the  
42 justice court, in which the ~~[deputy]~~ clerk shall enter each action ~~[,]~~  
43 and the minutes of the proceedings of the court therein.



1       **Sec. 12.** NRS 239.110 is hereby amended to read as follows:

2       239.110 1. In addition to any other requirement of this  
3 section, the Clerk of the Supreme Court, a deputy clerk of the  
4 Supreme Court, a county clerk, the clerk of a district court, a deputy  
5 clerk of a district court, a ~~[deputy]~~ clerk of a justice court or a clerk  
6 of a municipal court may destroy a court record only in accordance  
7 with a schedule for the retention and disposition of court records  
8 which is approved by the Supreme Court.

9       2. The Clerk of the Supreme Court, a deputy clerk of the  
10 Supreme Court, a county clerk, the clerk of a district court or a  
11 deputy clerk of a district court who destroys a court record pursuant  
12 to this section may do so only if an image of the court record has  
13 been placed on microfilm or has been saved in an electronic  
14 recordkeeping system which permits the retrieval of the information  
15 contained in the court record and the reproduction of the court  
16 record.

17       3. Except as otherwise prohibited by law, a ~~[deputy]~~ clerk of a  
18 justice court or ~~[a clerk of a]~~ municipal court may destroy a court  
19 record pursuant to a schedule for the retention and disposition of  
20 court records established by the Supreme Court without placing an  
21 image of the court record on microfilm or saving an image of the  
22 court record in an electronic recordkeeping system.

23       4. A reproduction of an image of a court record that has been  
24 placed on microfilm or saved pursuant to this section shall be  
25 deemed to be the original court record, regardless of whether the  
26 original exists.

27       5. A microfilmed image of a court record or an image of a  
28 court record saved in an electronic recordkeeping system pursuant to  
29 this section must be durable, accurate, complete and clear.

30       6. If, pursuant to this section, an image of a court record is  
31 placed on microfilm or is saved in an electronic recordkeeping  
32 system, the clerk who does so shall promptly store at least one copy  
33 of the microfilm or any tape, disc or other medium used for the  
34 storage of the saved image in a manner and place:

- 35       (a) So as to protect it reasonably from loss or damage; and
- 36       (b) As prescribed by the Supreme Court.

37       7. The Supreme Court may provide by rule for the destruction,  
38 without prior microfilming, of such other documents of the several  
39 courts of this State as are held in the offices of the clerks but which:

- 40       (a) No longer serve any legal, financial or administrative  
41 purpose; and
- 42       (b) Do not have any historical value.

43       8. The Court Administrator may request the Division to advise  
44 and assist the Supreme Court in its establishment of the rules or of a  
45 schedule for the retention and disposition of court records.



- 1 9. As used in this section, "court record" means any document,  
2 device or item, regardless of physical form or characteristic, that:  
3 (a) Is created by, received by or comes under the jurisdiction of  
4 the Supreme Court, the Court of Appeals or a district court, justice  
5 court or municipal court; and  
6 (b) Documents the organization, functions, policies, decisions,  
7 procedures, operations or any other activities of the Supreme Court,  
8 Court of Appeals, district court, justice court or municipal court.  
9 **Sec. 13.** NRS 4.290 and 4.300 are hereby repealed.

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**TEXT OF REPEALED SECTIONS**

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**4.290 Successor defined.** The justice elected to fill a vacancy is the successor of the justice whose office became vacant before the expiration of a full term. When a full term expires, the same, or another person elected to take office in the same township, from that time is the successor.

**4.300 Designation of succeeding justice of the peace.** When two or more justices are equally entitled, under NRS 4.290, to be deemed the successor in office of the justice, a judge of the district court must, by a certificate subscribed by the judge of the district court and filed in the office of the county clerk, designate which justice is the successor of a justice going out of office, or whose office has become vacant.

