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FIRST REPRINT

A.B. 186

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.

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



* A B 1 8 6 R 1 *

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

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

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

13 289.085 If an arbitrator or court determines that evidence was
14 obtained during an investigation of a peace officer concerning
15 conduct that could result in punitive action in a manner which
16 violates any provision of NRS 289.010 to 289.120, inclusive, **and**
17 **section 1 of this act**, and that such evidence may be prejudicial to
18 the peace officer, such evidence is inadmissible and the arbitrator or
19 court shall exclude such evidence during any administrative
20 proceeding commenced or civil action filed against the peace
21 officer. If the arbitrator or court further determines that such
22 evidence was obtained by a law enforcement agency in bad faith,
23 the arbitrator or court must dismiss the administrative proceeding or
24 civil action with prejudice.

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

