

SENATE BILL NO. 354—SENATOR SCHEIBLE

MARCH 22, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to justices of the peace. (BDR 1-809)

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 justices of the peace; requiring justices of the peace to have passed the Multistate Professional Responsibility Examination in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law prescribes the qualifications for a person to be a candidate for or
2 be eligible to the office of justice of the peace, including, without limitation, the
3 requirement that such a person have a high school diploma or its equivalent as
4 determined by the State Board of Education. (NRS 4.010) **Section 1** of this bill
5 additionally requires a justice of the peace to have passed the Multistate
6 Professional Responsibility Examination administered by the National Conference
7 of Bar Examiners, unless the National Conference of Bar Examiners prohibits a
8 justice of the peace from registering for or taking the Examination.

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

1 **Section 1.** NRS 4.010 is hereby amended to read as follows:
2 4.010 1. A person may not be a candidate for or be eligible to
3 the office of justice of the peace unless the person is a qualified
4 elector and has never been removed or retired from any judicial
5 office by the Commission on Judicial Discipline. For the purposes
6 of this subsection, a person is eligible to be a candidate for the office
7 of justice of the peace if a decision to remove or retire the person
8 from a judicial office is pending appeal before the Supreme Court or
9 has been overturned by the Supreme Court.



1 2. A justice of the peace must have a high school diploma or its
2 equivalent as determined by the State Board of Education.

3 3. *A justice of the peace must have received a passing score*
4 *on the Multistate Professional Responsibility Examination*
5 *administered by the National Conference of Bar Examiners, or its*
6 *successor organization, unless the National Conference of Bar*
7 *Examiners prohibits a justice of the peace from registering for and*
8 *taking the Examination.*

9 4. In a county whose population is 100,000 or more, a justice
10 of the peace in a township whose population is 100,000 or more
11 must be an attorney who:

12 (a) Is licensed and admitted to practice law in the courts of this
13 State at the time of his or her election or appointment; and

14 (b) Has been licensed and admitted to practice law in the courts
15 of this State, another state or the District of Columbia for not less
16 than 5 years at any time preceding his or her election or
17 appointment.

18 ~~[4.]~~ 5. Subsections 2 and ~~[3]~~ 4 do not apply to any person who
19 held the office of justice of the peace on June 30, 2001.

20 **Sec. 2.** The amendatory provisions of this act do not apply to a
21 justice of the peace who holds the office of justice of the peace on
22 July 1, 2023, unless the justice of the peace files a declaration of
23 candidacy or is elected or appointed to a term of office on or after
24 July 1, 2023, as applicable.

25 **Sec. 3.** This act becomes effective on July 1, 2023.

