

ASSEMBLY BILL NO. 92—ASSEMBLYMEN WHEELER,
DICKMAN; AND O’NEILL

FEBRUARY 4, 2021

Referred to Committee on Judiciary

SUMMARY—Authorizes a peace officer to bring a civil action for damages under certain circumstances. (BDR 3-519)

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 civil liability; authorizing a peace officer to bring a civil action for damages under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates a statutory right under various circumstances for certain
2 persons to bring a civil action to recover damages. (Chapter 41 of NRS) This bill
3 authorizes a peace officer to bring a civil action for damages against any natural
4 person, organization or business entity alleged to be responsible for: (1) causing
5 injury to the peace officer during the performance by the peace officer of his or her
6 official duties; (2) abridging the civil rights of the peace officer during the
7 performance by the peace officer of his or her official duties; or (3) filing a written
8 complaint against the peace officer that the natural person, organization or business
9 entity knows, at the time of filing the complaint, contains any false statement of
10 material fact.

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

1 **Section 1.** Chapter 41 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. A peace officer may bring a civil action for damages,*
4 *pecuniary or otherwise, against any natural person, organization*
5 *or business entity alleged to be responsible for:*

6 *(a) Causing injury to the peace officer during the performance*
7 *by the peace officer of his or her official duties;*



1 ***(b) Abridging the civil rights of the peace officer during the***
2 ***performance by the peace officer of his or her official duties; or***

3 ***(c) Filing a written complaint against the peace officer that the***
4 ***natural person, organization or business entity knows, at the time***
5 ***of filing the complaint, contains any false statement of material***
6 ***fact.***

7 ***2. A peace officer who recovers damages pursuant to this***
8 ***section is entitled to recover reasonable costs and attorney's fees.***

9 ***3. As used in this section, "peace officer" means any person***
10 ***upon whom some or all of the powers of a peace officer are***
11 ***conferred pursuant to NRS 289.150 to 289.360, inclusive.***

