STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
5587 Wa Pai Shone Avenue
Carson City, Nevada 89701
(775) 687-7678 FAX (775) 687-4911

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

REVISED

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

The Commission on Peace Officer Standards and Training is proposing the adoption and/or amendment of regulations pertaining to Chapter 289 of the Nevada Administrative Code, implementing changes contained in Senate Bill 380 (SB 380) of the 83rd (2025) Nevada Legislative Session.

A workshop is scheduled for **1:00 P.M. ON WEDNESDAY, OCTOBER 29, 2025, AT THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT K9 BUREAU, 2725 W. PYLE AVE., LAS VEGAS, NV 89183**. The purpose of the workshop is to solicit comments from interested persons on the following general topic(s) that may be addressed in the proposed regulations:

TOPIC	NAC REGULATION
A. Discussion regarding revision to NAC 289.230 to comply with SB380 which adds "Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder" to subsection 1.b.	**NAC 289.230 (1)(b)**

A copy of all materials for the meeting may be obtained by contacting Kathy Floyd, Standards Division Chief, at (775) 687-7678, ext.3335, Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulations has been sent to all listed meeting locations, all persons on the agency's mailing list for administrative regulations, all Nevada law enforcement agencies, agency single points of contact and posted at the following:

POST Administrative Office, Carson City
Nevada State Library and Archives, Carson City
http://post.nv.gov
http://notice.nv.gov
http://leg.state.nv.us
Electronically Posted pursuant to NRS 241.020(4)

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Commission on Peace Officer Standards and Training at 5587 Wa Pai Shone Avenue, Carson City, Nevada 89701 or call Kathy Floyd at (775) 687-7678, Ext. 3335, no later than 2 working days prior to the meeting.

NAC 289.230 Basic or reserve certificate: Requirements for maintaining certificate and resuming duties; effect of failure to comply. (NRS 289.510, 289.590)

1. Except as otherwise provided in subsections 7 and 8, to maintain a basic certificate or reserve certificate, the officer must annually:

(a) Satisfy the requirements of subsection 5; and

(b) Complete not less than 12 hours of continuing education in courses that address:

(1) Racial profiling;

(2) Mental health;

(3) The well-being of officers;

(4) Implicit bias recognition;

(5) De-escalation;

(6) Human trafficking; and

(7) Firearms***; and***

(8) Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder;

2. The employing agency shall ensure that its officers comply with the requirements of subsection 1. The employing agency shall notify each officer of the requirements of this section and the penalties set forth in subsection 4 for failure to comply with this section. After an officer completes the requirements of subsection 1, the employing agency shall submit to the Executive Director by any means approved by the Executive Director verification that the officer has completed those requirements. Verification must be submitted on or before December 31 of the year in which the officer was required to complete the requirements of subsection 1.

3. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before December 31 of the year in which the officer was required to complete those requirements, the Executive Director shall notify the administrator of the employing agency that he or she has not received the verification required by subsection 2 and that if the verification is not received on or before March 1 following the year in which the officer was required to complete the requirements, the Executive Director will place the administrator on the agenda for the next scheduled meeting of the Commission to explain the delay in the submission of the verification. If the Executive Director has not received verification that an officer has completed the requirements of subsection 1 on or before March 1 following the year in which the officer was required to complete the requirements, the Executive Director shall place the administrator of the employing agency on the agenda for the next scheduled meeting of the Commission.

4. Upon the request of the Commission or its designee, the employing agency shall make available for inspection the records of all officers to verify that they have complied with the requirements of subsection 1. The Commission will notify each officer and his or her employing agency of any noncompliance. The Commission will suspend the certificate of any officer who does not complete the requirements of subsection 1 within 60 days after the date on which he or she received the notice of noncompliance. The Executive Director may temporarily reinstate the suspended certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1. The temporary reinstatement of the suspended certificate is effective upon the Executive Director's approval of the temporary reinstatement and expires on the date on which the Commission determines whether to reinstate the certificate. The Commission will reinstate the suspended certificate or temporarily reinstated certificate of an officer upon receiving documentation from the officer which demonstrates that he or she has complied with the requirements of subsection 1.

5. Except as otherwise provided in subsections 7 and 8, in addition to completing the continuing education required pursuant to subsection 1, an officer must:

(a) If the officer is authorized to use a firearm, at least biannually demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any type of firearm he or she is authorized to use may not carry or use that type of firearm until he or she participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(b) If the officer is authorized to use an impact weapon, chemical weapon, electronic incapacitating device or other less than lethal weapon, at least annually demonstrate a minimum level of proficiency in the use of each such weapon or device he or she is authorized to use. An officer who does not demonstrate a minimum level of proficiency with the use of any such weapon may not carry or use that weapon until the officer participates in a remedial course established by the employing agency to ensure that the officer achieves and maintains a satisfactory level of proficiency.

(c) If the duties of an officer require him or her to use arrest and control tactics, demonstrate annually a minimum level of proficiency in the use of arrest and control tactics, including, without limitation, techniques related to applying handcuffs, taking down suspects, self-defense and retention of weapons.

(d) If the employing agency of the officer authorizes the use of a carotid restraint or lateral vascular neck restraint, demonstrate annually a minimum level of proficiency in those techniques.

(e) Review annually each policy of the employing agency which addresses the use of force in any situation in which the agency or the officer may become involved.

6. Each employing agency shall establish and provide the courses set forth in subsection 5 to its officers and establish the minimum level of proficiency that an officer must demonstrate in each course.

7. An officer:

(a) Who voluntarily leaves his or her employment as a peace officer for at least 4 consecutive months but not more than 60 consecutive months;

(b) Whose employment as a peace officer is terminated for any reason for at least 4 consecutive months but not more than 60 consecutive months;

(c) Who, during a period of continuous employment as a peace officer, is absent from his or her duties as a peace officer because of medical leave, military leave or other approved leave for at least 4 consecutive months; or

(d) Who is hired, rehired or reinstated on or after July 1 of a reporting year,

Ê must satisfy the requirements of paragraphs (b) to (e), inclusive, of subsection 5 and demonstrate a minimum level of proficiency in the use of each type of firearm he or she is authorized to use before commencing or resuming his or her duties as a peace officer.

8. An officer who instructs a course pursuant to subsection 5 is not required to comply with the requirements of subsection 5 to which the instruction applies if the officer:

(a) Instructs a course in the subject for which the officer is qualified and approved by the administrator of the officer's agency during each calendar year;

(b) Participates at least once every 3 years in a course of training for instructors that is approved by the Executive Director; and

(c) Demonstrates to the Commission or its designee at least once every 3 years proficiency in the subject that he or she instructs.

9. Each agency shall maintain documentation of the courses provided pursuant to subsection 5. Such documentation must include, without limitation, the qualifications of each instructor who provides training, a description of the training provided and a list on a form that has been approved by the Executive Director of each officer who completes the training.

(Added to NAC by Peace Officers' Standards & Training Com., eff. 12-17-87; A 8-24-90; 4-28-94; R171-97, 1-30-98; A by Peace Officers' Standards & Training Comm'n by R102-99, 11-2-99; R127-04, 11-8-2004; R003-07, 4-17-2008; R118-09, 1-28-2010; R188-12, 12-23-2013; R121-13, 3-28-2014; R012-17, 12-19-2017; R025-20, 11-2-2020)

Senate Bill No. 380–Senators Ohrenschall;
and Dondero Loop

CHAPTER.....

AN ACT relating to autism; requiring peace officers to complete certain training concerning developmental disabilities; authorizing certain training concerning autism spectrum disorders to be included as part of the training of peace officers in interacting with persons with developmental disabilities; requiring the Legislative Auditor to conduct an audit of the Board of Applied Behavior Analysis; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a peace officer, as a condition of certification, to complete training concerning identifying and interacting with persons with developmental disabilities, including, without limitation, autism. (NRS 289.605) **Section 3** of this bill authorizes such training to include instruction in certain specific topics relating to autism spectrum disorders. **Section 2** of this bill requires continuing education for peace officers to include training in interactions with persons with developmental disabilities, which may include training on recognizing and responding to persons with an autism spectrum disorder. **Section 1** of this bill defines the term "autism spectrum disorder" for the purposes of **sections 2 and 3**.

Existing law provides for the registration of registered behavior technicians who provide applied behavior analysis services under the supervision of a licensed behavior analyst or assistant behavior analyst to persons with autism spectrum disorder in this State. (NRS 641D.300, 641D.310, 641D.600, 641D.610)

Section 4.5 of this bill requires the Legislative Auditor to conduct an audit of the process of the Board of Applied Behavior Analysis for licensure of behavior analysts and assistant behavior analysts and registration of registered behavior technicians, including, without limitation, the effectiveness, efficiency and timeliness of the Board in processing applications. **Section 4.5** requires the Legislative Auditor to present a final written report of the audit to the Audit Subcommittee of the Legislative Commission.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [omitted material] is material to be omitted.

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

Section 1. NRS 289.010 is hereby amended to read as follows:

289.010 As used in this chapter, unless the context otherwise requires:

1. "Administrative file" means any file of a peace officer containing information, comments or documents about the peace officer. The term does not include any file relating to an investigation conducted pursuant to NRS 289.057 or a criminal investigation of a peace officer.

2. "Adult use of cannabis" has the meaning ascribed to it in NRS 678A.075.

3. ***"Autism spectrum disorder" means a condition that meets the diagnostic criteria for autism spectrum disorder published in the current edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association or the edition thereof that was in effect at the time the condition was diagnosed or determined.***

4. "Law enforcement agency" means any agency, office, bureau, department, unit or division created by any statute, ordinance or rule which:

(a) Has a duty to enforce the law; and

(b) Employs any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.

~~[4.]~~ ***5.*** "Medical use of cannabis" has the meaning ascribed to it in NRS 678A.215.

~~[5.]~~ ***6.*** "Peace officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.

~~[6.]~~ ***7.*** "Punitive action" means any action which may lead to dismissal, demotion, suspension, reduction in salary, written reprimand or transfer of a peace officer for purposes of punishment.

~~[7.]~~ ***8.*** "Screening test" means a test of a person's blood, urine, hair or saliva to detect the general presence of a controlled substance or other drug.

Sec. 2. NRS 289.510 is hereby amended to read as follows:

289.510 1. The Commission:

(a) Shall meet at the call of the Chair, who must be elected by a majority vote of the members of the Commission.

(b) Shall provide for and encourage the training and education of persons whose primary duty is law enforcement to ensure the safety of the residents of and visitors to this State.

(c) May make necessary inquiries to determine whether the agencies of this State and of the local governments are complying with standards set forth in the regulations adopted pursuant to subsection 2.

(d) Shall carry out the duties required of the Commission pursuant to NRS 432B.610 and 432B.620.

(e) May perform any other acts that may be necessary and appropriate to the functions of the Commission as set forth in NRS 289.450 to 289.680, inclusive.

(f) May enter into an interlocal agreement with an Indian tribe to provide training to and certification of persons employed as police officers by that Indian tribe.

(g) Shall develop and approve a standard curriculum of certified training programs in crisis intervention, which may be made available in an electronic format, and which address specialized responses to persons with mental illness and train peace officers to identify the signs and symptoms of mental illness, to de-escalate situations involving persons who appear to be experiencing a behavioral health crisis and, if appropriate, to connect such persons to treatment. A peace officer who completes any program developed pursuant to this paragraph must be issued a certificate of completion.

2. The Commission shall adopt regulations establishing minimum standards for:

(a) The certification and decertification, recruitment, selection and training of peace officers. The standards adopted pursuant to this paragraph must:

(1) Establish requirements for evaluations to be conducted during the recruitment and selection of peace officers, which must identify implicit bias on the part of a peace officer on the basis of race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression;

(2) Establish requirements for basic training for category I, category II and category III peace officers and reserve peace officers;

(3) Establish standards for programs for the continuing education of peace officers, including minimum courses of study and requirements concerning attendance, which must require that all peace officers annually complete not less than 12 hours of continuing education in courses that address:

(I) Racial profiling;

(II) Mental health, including, without limitation, crisis intervention;

(III) The well-being of officers;

(IV) Implicit bias recognition;

(V) De-escalation;

(VI) Human trafficking; ~~[and]~~

(VII) Firearms; ***and***

(VIII) Interactions with persons with developmental disabilities which may include, without limitation, training on recognizing and responding to persons with an autism spectrum disorder;

(4) Establish qualifications for instructors of peace officers;

(5) Establish requirements for the certification of a course of training;

(6) Require all peace officers to receive training in the handling of cases involving abuse or neglect of children or missing children;

(7) Require all peace officers to receive training in the handling of cases involving abuse, neglect, exploitation, isolation and abandonment of older persons or vulnerable persons;

(8) Not prohibit the certification of an applicant solely on the basis that the applicant has engaged in the adult use of cannabis or the medical use of cannabis;

(9) Not require the decertification of a peace officer solely on the basis that the peace officer has engaged in the adult use of cannabis or the medical use of cannabis; and

(10) Require the decertification of a peace officer upon a determination by the Commission that the peace officer knowingly provided false or misleading information in his or her application for certification.

(b) An annual behavioral wellness visit for peace officers to aid in preserving the emotional and mental health of the peace officer and assessing any conditions that may affect the performance of duties by the peace officer.

(c) The reciprocity of a person who has been certified as a category III peace officer or its equivalent by the certifying authority of another state or who has successfully completed a federal law enforcement training program that is equivalent to a category III peace officer in this State.

3. The regulations adopted by the Commission pursuant to subsection 2:

(a) Apply to all agencies of this State and of local governments in this State that employ persons as peace officers; and

(b) May require that training be carried on at institutions which it approves in those regulations.

4. Nothing in this section shall be construed to prohibit a law enforcement agency from adopting a policy that requires a peace officer to submit to a screening test as:

(a) A condition precedent to employment; or

(b) A condition for continued employment.

Sec. 3. NRS 289.605 is hereby amended to read as follows:

289.605 1. The Commission shall require, as a condition of the certification of each peace officer, the completion of training concerning identifying and interacting with persons with

developmental disabilities. ***Such training may include, without limitation, training concerning:***

(a) The nature and manifestation of autism spectrum disorders;

(b) Appropriate techniques for interviewing or interrogating a person with an autism spectrum disorder;

(c) Techniques for locating a person with an autism spectrum disorder who is missing and in danger, with as little stress as possible for the person with an autism spectrum disorder;

(d) Techniques for recognizing the agency of a person with an autism spectrum disorder while identifying potentially abusive or coercive situations;

(e) Techniques for deescalating a potentially dangerous situation involving a person with an autism spectrum disorder to protect the safety of the peace officer and the person with an autism spectrum disorder;

(f) Techniques for differentiating between a person with an autism spectrum disorder and a person who does not have an autism spectrum disorder but is acting belligerently, uncooperatively or otherwise similarly to a person with an autism spectrum disorder;

(g) Procedures to identify and address challenges related to the safety of persons with an autism spectrum disorder in correctional facilities; and

(h) The impact of interacting with peace officers on persons with autism spectrum disorders.

2. Training completed pursuant to this section also satisfies the requirement for such training prescribed by NRS 450B.160 or 450B.180, if applicable.

3. As used in this section, "developmental disability" has the meaning ascribed to it in NRS 435.007.

Sec. 4. (Deleted by amendment.)

Sec. 4.5. 1. During the 2025-2027 biennium, the Legislative Auditor shall conduct an audit of the process of the Board of Applied Behavior Analysis for licensure of behavior analysts and assistant behavior analysts and registration of registered behavior technicians, including, without limitation, the effectiveness, efficiency and timeliness of the Board in processing applications submitted pursuant to NRS 641D.300.

2. On or before January 31, 2027, the Legislative Auditor shall present a final written report of the audit performed pursuant to this section to the Audit Subcommittee of the Legislative Commission.

Sec. 5. 1. This section and section 4.5 of this act become effective upon passage and approval.

2. Sections 1 to 4, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On October 1, 2025, for all other purposes.

20 ~~~~ 25

STATE OF NEVADA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
5587 Wa Pai Shone Avenue
Carson City, Nevada 89701
(775) 687-7678 FAX (775) 687-4911

JOE LOMBARDO
Governor

MICHAEL D. SHERLOCK
Executive Director

SMALL BUSINESS IMPACT STATEMENT
LCB FILE NO. TBD
EFFECTIVE DATE OF REGULATION :
Upon filing with the Nevada Secretary of State

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary:

Pursuant to NRS 233B.0608(1), the Commission on Peace Officer Standards and Training (or "POST") made a concerted effort to determine whether the proposed regulation is likely to impose a direct and significant economic burden upon small business or directly restrict the formation, operation or expansion of a small business. POST determined that no such burdens or restrictions are applicable here. A workshop is scheduled for October 29, 2025, starting at 1:00 p.m. at the Las Vegas Metropolitan Police Department, K9 Bureau, 2725 W. Pyle Ave., Las Vegas, NV 89183, where public comment will be accepted during the workshop and regularly scheduled meeting held immediately after the workshop. The notice and the regulation to be amended, pursuant to NRS 241.020(4), will be provided via electronic mean to all law enforcement agencies on the POST Listserve email list, electronically posted on the POST website at post.nv.us, on the state of Nevada website at notice.nv.gov and the legislative website at leg.state.nv.us. The notice will be physically posted at the Commission on Peace Officer Standards and Training Administration Office at 5587 Wa Pai Shone Ave., Carson City, NV and the Nevada State Library in Carson City. Copies of the notice and regulations to be amended will be available upon request by contacting the POST Standards Division at (775) 687-3335.

2. The manner in which the analysis was conducted:

This regulation change does not apply to small businesses. The Commission on Peace Officer Standards and Training has authority to adopt regulations regarding the certification and training of peace officers. The regulations apply to peace officers and employing state, local and government agencies regulated by POST.

3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

a. Both adverse and beneficial effects:

i. **Adverse effects:** There are no adverse effects on small business as POST regulations do not apply to small business.

ii. **Beneficial effects:** There are no beneficial effects on small business as POST regulations do not apply to small business.

b. Both direct and indirect effects

i. **Direct effects:** There will be no direct effect on small business as POST regulations do not apply to small business.

ii. **Indirect effects:** There will be no indirect effect on small business as POST regulations do not apply to small business.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods:
There will be no impact to small business.

5. The estimated cost to the agency for enforcement of the proposed regulation:
There will be no fiscal impact to the agency.

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:
There be no new fees or increases to existing fees.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary:
There are no duplicative or more stringent provisions with this regulation change.

8. The reason for the conclusions of the agency regarding the impact of a regulation on small businesses:
The proposed regulation has no impact on small businesses.

I certify that, to the best of my knowledge or belief, the information contained in this statement was prepared properly and is accurate. (NRS 233B.0609(2))

Michael Sherlock, Executive Director
NV Commission on POST