

Nev. Rev. Stat. Ann. § 412.122

This document is current through the end of legislation from the 82nd Regular Session (2023). This document incorporates revisions received from the Legislative Counsel Bureau for NRS Chapters 1 to 220. This document is current through the end of legislation from the 34th and 35th Special Sessions (2023), subject to revision by the Legislative Counsel Bureau.

Nevada Revised Statutes Annotated > Title 36. Military Affairs and Civil Emergencies. (Chs. 412 — 416) > Chapter 412. State Militia. (§§ 412.012 — 412.606) > Organization, Training, Administration And Operations (§§ 412.112 — 412.124)

412.122. Governor may order National Guard into active service of State and declare martial law; procedure in absence of Governor from State or because of impossibility of immediate communication with Governor.

1. The Governor may in case of invasion, disaster, insurrection, riot, breach of the peace, or imminent danger thereof, or other substantial threat to life or property, or upon a request for assistance from a political subdivision or governmental utility, as defined in NRS 239C.050, that has experienced a significant cybersecurity incident, order into active service of the State for such a period, to such an extent and in such a manner as he or she deems necessary all or any part of the Nevada National Guard. The authority of the Governor includes the power to order the Nevada National Guard or any part thereof to function under the operational control of the United States Army, Navy or Air Force commander in charge of the defense of any area within the State which is invaded or attacked or is or may be threatened with invasion or attack.

2. In case of the absence of the Governor from the State, or if it is impossible to communicate immediately with the Governor, the civil officer making a requisition for troops may, if the civil officer deems the necessity imminent and not admitting of delay, serve a copy of the requisition, together with a statement of the Governor's absence or the impossibility of immediately communicating with the Governor, upon the following officers in this order:

- (a) Lieutenant Governor;
- (b) Adjutant General; and
- (c) Other officers designated in a chain of command prescribed by Office regulations.

If the call is afterward disapproved by the Governor, the troops called into service must be disbanded immediately.

3. The Governor may order into active service of the State for such a period, to such an extent and in such a manner as the Governor deems necessary units or individual members of the Nevada National Guard when in his or her judgment the services of the units or members are required for:

- (a) The furtherance of the organization, maintenance, discipline or training of the Nevada National Guard;
- (b) The welfare of the public; or
- (c) Ceremonial functions of the State Government.

4. Whenever any portion of the Nevada National Guard is employed pursuant to subsection 1, the Governor, if in his or her judgment the maintenance of law and order will thereby be promoted, may by proclamation declare the county or city in which the troops are serving, or any specified portion thereof, to be under martial law.

History

1967, p. 1301; 1981, p. 561; 1989, ch. 182, § 1, p. 401; 1993, ch. 466, § 394, p. 1604; 2019, ch. 392, § 6, p. 2468, effective June 5, 2019.

Nevada Revised Statutes Annotated
Copyright © 2024 All rights reserved.