

ASSEMBLY BILL NO. 256—ASSEMBLYWOMAN TITUS

MARCH 13, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing legislative measures that may be requested for a regular legislative session. (BDR 17-83)

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 the Legislature; reducing the number of legislative measures that may be requested for a regular legislative session; moving certain provisions that authorize requests for legislative measures from the Joint Standing Rules to Nevada Revised Statutes; clarifying the manner in which legislative measures must be requested; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing law, committees, legislators and other persons and entities are authorized to request the drafting of legislative measures for consideration during a regular legislative session. Existing law also establishes the number of measures that those persons and entities are authorized to request. (NRS 218D.150-218D.220, 219A.220) **Sections 1-7** of this bill reduce the number of requests for the drafting of legislative measures that may be made by authorized requesters and clarify that the requests must be submitted to the Legislative Counsel.

In addition to the requests currently authorized in the Nevada Revised Statutes, subsection 1 of Joint Standing Rule No. 14 authorizes each House, from the first day of a regular legislative session until 5 p.m. on the 15th day of the legislative session, to submit not more than 60 requests for the drafting of a bill or joint resolution. The Majority Leader of the Senate and the Speaker of the Assembly are required to allocate all, some or none of the authorized requests and provide the Legislative Counsel with a written list of the number of requests that may be submitted by each member and standing committee of their respective Houses, and by the Majority Leader and Speaker. **Section 1** of this bill codifies into statute the provisions of subsection 1 of Joint Standing Rule No. 14, but reduces from 60 to 40, for each House, the number of such requests that may be submitted.

Paragraph (a) of subsection 1 of Joint Standing Rule No. 14.4 provides that, after a legislative session has convened, the Majority Leader of the Senate and the



21 Speaker of the Assembly may each submit, on his or her own behalf or on the
22 behalf of another Legislator or standing committee of the Senate or Assembly,
23 respectively, not more than 10 requests for the drafting of a bill or resolution.
24 **Section 3** of this bill codifies into Nevada Revised Statutes the provisions of
25 paragraph (a) of subsection 1 of Joint Standing Rule No. 14.4, but reduces from 10
26 to 7 the number of such requests that may be submitted. **Section 3** also codifies into
27 Nevada Revised Statutes a provision of subsection 3 of Joint Standing Rule No.
28 14.4 that requires those measures to be designated emergency measures.

29 Paragraph (b) of subsection 1 of Joint Standing Rule No. 14.4 provides that,
30 after a legislative session has convened, the Minority Leader of the Senate and the
31 Minority Leader of the Assembly may each submit, on his or her own behalf or on
32 the behalf of another Legislator or standing committee of the Senate or Assembly,
33 respectively, not more than 3 requests for the drafting of a bill or resolution.
34 **Section 3** codifies into Nevada Revised Statutes the provisions of paragraph (b) of
35 subsection 1 of Joint Standing Rule No. 14.4, but reduces from 3 to 2 the number of
36 such requests that may be submitted. **Section 3** also codifies into Nevada Revised
37 Statutes a provision of subsection 3 of Joint Standing Rule No. 14.4 that requires
38 those measures to be designated emergency measures.

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

1 **Section 1.** NRS 218D.150 is hereby amended to read as
2 follows:

3 218D.150 1. Except as otherwise provided in this section,
4 each:

5 (a) Incumbent member of the Assembly may request the
6 drafting of:

7 (1) Not more than ~~4~~ 3 legislative measures submitted to the
8 Legislative Counsel on or before August 1 preceding a regular
9 session;

10 (2) Not more than ~~5~~ 4 legislative measures submitted to the
11 Legislative Counsel after August 1 but on or before December 10
12 preceding a regular session; and

13 (3) Not more than 1 legislative measure submitted to the
14 Legislative Counsel after a regular session has convened but on or
15 before the eighth day of the regular session at 5 p.m.

16 (b) Incumbent member of the Senate may request the drafting
17 of:

18 (1) Not more than ~~8~~ 6 legislative measures submitted to the
19 Legislative Counsel on or before August 1 preceding a regular
20 session;

21 (2) Not more than ~~10~~ 7 legislative measures submitted to
22 the Legislative Counsel after August 1 but on or before
23 December 10 preceding a regular session; and



1 (3) Not more than 2 legislative measures submitted to the
2 Legislative Counsel after a regular session has convened but on or
3 before the eighth day of the regular session at 5 p.m.

4 (c) Newly elected member of the Assembly may request the
5 drafting of:

6 (1) Not more than ~~5~~ 4 legislative measures submitted to the
7 Legislative Counsel on or before December 10 preceding a regular
8 session; and

9 (2) Not more than 1 legislative measure submitted to the
10 Legislative Counsel after a regular session has convened but on or
11 before the eighth day of the regular session at 5 p.m.

12 (d) Newly elected member of the Senate may request the
13 drafting of:

14 (1) Not more than ~~10~~ 7 legislative measures submitted to
15 the Legislative Counsel on or before December 10 preceding a
16 regular session; and

17 (2) Not more than 2 legislative measures submitted to the
18 Legislative Counsel after a regular session has convened but on or
19 before the eighth day of the regular session at 5 p.m.

20 2. Except as otherwise provided in this subsection, on or before
21 the first day of a regular session, each:

22 (a) Incumbent member of the Assembly must:

23 (1) Prefile at least ~~4~~ 3 of the legislative measures that he or
24 she requested pursuant to subparagraphs (1) and (2) of paragraph (a)
25 of subsection 1; or

26 (2) Inform the Legislative Counsel of which ~~4~~ 3 legislative
27 measures that he or she requested pursuant to subparagraphs (1) and
28 (2) of paragraph (a) of subsection 1 that he or she withdraws.

29 ➔ If an incumbent member of the Assembly does not request the
30 maximum number of legislative measures authorized by
31 subparagraphs (1) and (2) of paragraph (a) of subsection 1, the
32 number of legislative measures that he or she must prefile or
33 withdraw pursuant to this paragraph is reduced by that number of
34 unused requests.

35 (b) Incumbent member of the Senate must:

36 (1) Prefile at least ~~8~~ 6 of the legislative measures that he or
37 she requested pursuant to subparagraphs (1) and (2) of paragraph (b)
38 of subsection 1; or

39 (2) Inform the Legislative Counsel of which ~~8~~ 6 legislative
40 measures that he or she requested pursuant to subparagraphs (1) and
41 (2) of paragraph (b) of subsection 1 that he or she withdraws.

42 ➔ If an incumbent member of the Senate does not request the
43 maximum number of legislative measures authorized by
44 subparagraphs (1) and (2) of paragraph (b) of subsection 1, the
45 number of legislative measures that he or she must prefile or



1 withdraw pursuant to this paragraph is reduced by that number of
2 unused requests.

3 (c) Newly elected member of the Assembly must:

4 (1) Prefile at least 2 of the legislative measures that he or she
5 requested pursuant to subparagraph (1) of paragraph (c) of
6 subsection 1; or

7 (2) Inform the Legislative Counsel of which 2 legislative
8 measures that he or she requested pursuant to subparagraph (1) of
9 paragraph (c) of subsection 1 that he or she withdraws.

10 ↪ If a newly elected member of the Assembly does not request the
11 maximum number of legislative measures authorized by
12 subparagraph (1) of paragraph (c) of subsection 1, the number of
13 legislative measures that he or she must prefile or withdraw
14 pursuant to this paragraph is reduced by that number of unused
15 requests.

16 (d) Newly elected member of the Senate must:

17 (1) Prefile at least ~~4~~ 3 of the legislative measures that he or
18 she requested pursuant to subparagraph (1) of paragraph (d) of
19 subsection 1; or

20 (2) Inform the Legislative Counsel of which ~~4~~ 3 legislative
21 measures that he or she requested pursuant to subparagraph (1) of
22 paragraph (d) of subsection 1 that he or she withdraws.

23 ↪ If a newly elected member of the Senate does not request the
24 maximum number of legislative measures authorized by
25 subparagraph (1) of paragraph (d) of subsection 1, the number of
26 legislative measures that he or she must prefile or withdraw
27 pursuant to this paragraph is reduced by that number of unused
28 requests.

29 3. A Legislator may not request the drafting of a legislative
30 measure pursuant to subsection 1 on or after the date on which the
31 Legislator becomes a nonreturning Legislator. For the purposes of
32 this subsection, "nonreturning Legislator" means a Legislator who,
33 in the year that the Legislator's term of office expires:

34 (a) Has not filed a declaration or an acceptance of candidacy
35 within the time allowed for filing for election as a member of the
36 Senate or the Assembly;

37 (b) Has failed to win nomination as a candidate for the Senate or
38 the Assembly at the primary election; or

39 (c) Has withdrawn as a candidate for the Senate or the
40 Assembly.

41 4. A Legislator may not request the drafting of a legislative
42 measure pursuant to paragraph (a) or (b) of subsection 1 on or after
43 the date on which the Legislator files a declaration or an acceptance
44 of candidacy for election to the House in which he or she is not
45 currently a member. If the Legislator is elected to the other House,



1 any request that he or she submitted pursuant to paragraph (a) or (b)
2 of subsection 1 before filing his or her declaration or acceptance of
3 candidacy for election counts against the applicable limitation set
4 forth in paragraph (c) or (d) of subsection 1 for the House in which
5 the Legislator is a newly elected member.

6 5. In addition to the number of requests authorized pursuant to
7 subsection 1:

8 (a) The chair of each standing committee of the immediately
9 preceding regular session, or a person designated in the place of the
10 chair by the Speaker of the Assembly or the Majority Leader of the
11 Senate, may request , *by submission to the Legislative Counsel*
12 before the date of the general election preceding a regular session ,
13 the drafting of not more than 1 legislative measure for introduction
14 by the committee in a subject within the jurisdiction of the
15 committee for every ~~18~~ 24 legislative measures that were referred
16 to the respective standing committee during the immediately
17 preceding regular session.

18 (b) A person designated after the general election as a chair of a
19 standing committee for the next regular session, or a person
20 designated in the place of a chair by the person designated as the
21 Speaker of the Assembly or the Majority Leader of the Senate for
22 the next regular session, may request , *by submission to the*
23 *Legislative Counsel* on or before December 10 preceding that
24 regular session , the drafting of the remaining number of the
25 legislative measures allowed for the respective standing committee
26 that were not requested by the previous chair or designee.

27 (c) *Each House may request the drafting of not more than 40*
28 *legislative measures submitted to the Legislative Counsel after a*
29 *regular session has convened, but not later than 5 p.m. on the 15th*
30 *calendar day of the regular session. The Majority Leader of the*
31 *Senate and the Speaker of the Assembly shall, not later than the*
32 *8th calendar day of each regular session, allocate all, some or*
33 *none of the 40 requests and provide the Legislative Counsel with a*
34 *written list of the number of requests that may be submitted by*
35 *each member and standing committee of their respective Houses,*
36 *and as Majority Leader or Speaker, within the limit provided by*
37 *this paragraph. The lists may be revised any time before the 15th*
38 *calendar day of the regular session to reallocate any unused*
39 *requests or requests which were withdrawn before drafting began*
40 *on the request.*

41 6. Each request made pursuant to this section must be on a
42 form prescribed by the Legislative Counsel.

43 **Sec. 2.** NRS 218D.155 is hereby amended to read as follows:

44 218D.155 1. In addition to the number of requests authorized
45 pursuant to NRS 218D.150:



1 (a) The Speaker of the Assembly and the Majority Leader of the
2 Senate may each request , *by submission to the Legislative Counsel*
3 before the date of the general election preceding a regular session,
4 ~~[without limitation,]~~ the drafting of not more than ~~[15]~~ 10 legislative
5 measures for that regular session.

6 (b) The Minority Leader of the Assembly and the Minority
7 Leader of the Senate may each request , *by submission to the*
8 *Legislative Counsel* before the date of the general election
9 preceding a regular session, ~~[without limitation,]~~ the drafting of not
10 more than ~~[10]~~ 7 legislative measures for that regular session.

11 (c) A person designated after the general election as the Speaker
12 of the Assembly, the Majority Leader of the Senate, the Minority
13 Leader of the Assembly or the Minority Leader of the Senate for the
14 next regular session may request , *by submission to the Legislative*
15 *Counsel* before the first day of that regular session , the drafting of
16 the remaining number of the legislative measures allowed for the
17 respective officer that were not requested by the previous officer.

18 (d) *The Speaker of the Assembly and the Majority Leader of*
19 *the Senate may each request, on his or her own behalf or on the*
20 *behalf of another Legislator or standing committee of the*
21 *Assembly or Senate, by submission to the Legislative Counsel after*
22 *a regular session has convened, the drafting of not more than 7*
23 *legislative measures for that regular session.*

24 (e) *The Minority Leader of the Assembly and the Minority*
25 *Leader of the Senate may each request, on his or her own behalf*
26 *or on the behalf of another Legislator or standing committee of*
27 *the Assembly or Senate, by submission to the Legislative Counsel*
28 *after a regular session has convened, the drafting of not more*
29 *than 2 legislative measures for that regular session.*

30 2. *A request submitted pursuant to subsection 1:*

31 (a) *May be submitted at any time during a regular session and*
32 *is not subject to any of the requirements relating to the submission*
33 *of details, time for introduction or final dates for action by*
34 *committees.*

35 (b) *Is in addition to, and not in lieu of, any other requests for*
36 *the drafting of a legislative measure that are authorized to be*
37 *submitted to the Legislative Counsel by the Majority Leader of the*
38 *Senate, Speaker of the Assembly, Minority Leader of the Senate or*
39 *Minority Leader of the Assembly.*

40 3. *The list of requests for the preparation of legislative*
41 *measures prepared pursuant to NRS 218D.130 must include the*
42 *phrase "EMERGENCY REQUEST OF" and state the title of the*
43 *person who requested each legislative measure pursuant to*
44 *subsection 1. If the request was made on behalf of another*
45 *Legislator or a standing committee, the list must also include the*



1 *name of the Legislator or standing committee on whose behalf the*
2 *legislative measure was requested.*

3 *4. The Legislative Counsel shall cause to be printed on the*
4 *face of the introductory copy and all reprints of each legislative*
5 *measure requested pursuant to subsection 1 the phrase*
6 *“EMERGENCY REQUEST OF” and state the title of the person*
7 *who requested the bill or resolution.*

8 *5. The Legislative Counsel, the Secretary of the Senate and the*
9 *Chief Clerk of the Assembly may request before or during a regular*
10 *session, without limitation, the drafting of as many legislative*
11 *measures as are necessary or convenient for the proper exercise of*
12 *their duties.*

13 **Sec. 3.** NRS 218D.160 is hereby amended to read as follows:

14 218D.160 1. The Chair of the Legislative Commission may
15 request the drafting of not more than ~~10~~ 7 legislative measures
16 before the first day of a regular session, with the approval of the
17 Legislative Commission, which relate to the affairs of the
18 Legislature or its employees, including legislative measures
19 requested by the legislative staff.

20 2. The Chair of the Interim Finance Committee may request
21 the drafting of not more than ~~10~~ 7 legislative measures before the
22 first day of a regular session, with the approval of the Committee,
23 which relate to matters within the scope of the Committee.

24 3. Except as otherwise provided by a specific statute, joint rule
25 or concurrent resolution:

26 (a) Any legislative committee created by a statute, other than an
27 interim legislative committee, may request the drafting of not more
28 than ~~10~~ 7 legislative measures which relate to matters within the
29 scope of the committee.

30 (b) Any committee or subcommittee established by an order of
31 the Legislative Commission pursuant to NRS 218E.200 may request
32 the drafting of not more than ~~5~~ 4 legislative measures which relate
33 to matters within the scope of the study or investigation, except that
34 such a committee or subcommittee may request the drafting of
35 additional legislative measures if the Legislative Commission
36 approves each additional request by a majority vote.

37 (c) Any other committee established by the Legislature which
38 conducts an interim legislative study or investigation may request
39 the drafting of not more than ~~5~~ 4 legislative measures which relate
40 to matters within the scope of the study or investigation.

41 ➤ The requests authorized pursuant to this subsection must be
42 submitted to the Legislative Counsel on or before September 1
43 preceding a regular session unless the Legislative Commission
44 authorizes submitting a request after that date.



1 4. Each request made pursuant to this section must be on a
2 form prescribed by the Legislative Counsel.

3 **Sec. 4.** NRS 218D.175 is hereby amended to read as follows:

4 218D.175 1. For a regular session, the Governor or the
5 Governor's designated representative may request the drafting of
6 not more than ~~110~~ 74 legislative measures which have been
7 approved by the Governor or the Governor's designated
8 representative on behalf of the officers, agencies, boards,
9 commissions, departments and other units of the Executive
10 Department. The requests must be submitted to the Legislative
11 Counsel on or before August 1 preceding the regular session.

12 2. The Director of the Office of Finance may request on or
13 before the 19th day of a regular session, without limitation, the
14 drafting of as many legislative measures as are necessary to
15 implement the budget proposed by the Governor and to provide for
16 the fiscal management of the State. In addition to the requests
17 otherwise authorized pursuant to this section, the Governor may
18 request the drafting of not more than ~~5~~ 4 legislative measures on or
19 before the 19th day of a regular session to propose the Governor's
20 legislative agenda.

21 3. For a regular session, the following constitutional officers
22 may request, without the approval of the Governor or the
23 Governor's designated representative, the drafting of not more than
24 the following numbers of legislative measures, which must be
25 submitted to the Legislative Counsel on or before September 1
26 preceding the regular session:

27		
28	Lieutenant Governor.....	3 2
29	Secretary of State.....	6 4
30	State Treasurer.....	5 4
31	State Controller.....	5 4
32	Attorney General	20 14

33
34 4. In addition to the requests authorized by subsection 3, the
35 Secretary of State may request, without the approval of the
36 Governor or the Governor's designated representative, the drafting
37 of not more than 2 legislative measures, which must be submitted to
38 the Legislative Counsel on or before December 31 preceding the
39 regular session.

40 5. Each request made pursuant to this section must be on a
41 form prescribed by the Legislative Counsel. The legislative
42 measures requested pursuant to subsections 1 and 3 must be prefiled
43 on or before the third Wednesday in November preceding the
44 regular session. A legislative measure that is not prefiled on or
45 before that day shall be deemed withdrawn.



1 **Sec. 5.** NRS 218D.190 is hereby amended to read as follows:
2 218D.190 1. For a regular session, the Supreme Court may
3 request the drafting of not more than ~~10~~ 7 legislative measures
4 which have been approved by the Supreme Court on behalf of the
5 Judicial Department. The requests must be submitted to the
6 Legislative Counsel on or before September 1 preceding the regular
7 session.

8 2. Each request made pursuant to this section must be on a
9 form prescribed by the Legislative Counsel. The legislative
10 measures requested pursuant to this section must be prefiled on or
11 before the third Wednesday in November preceding the regular
12 session. A legislative measure that is not prefiled on or before that
13 day shall be deemed withdrawn.

14 **Sec. 6.** NRS 218D.205 is hereby amended to read as follows:

15 218D.205 1. For a regular session, each board of county
16 commissioners, board of trustees of a school district and city council
17 may request the drafting of not more than the numbers of legislative
18 measures set forth in this section if the requests are:

19 (a) Approved by the governing body of the county, school
20 district or city at a public hearing before their submission to the
21 Legislative Counsel; and

22 (b) Submitted to the Legislative Counsel on or before
23 September 1 preceding the regular session.

24 2. The Legislative Counsel shall notify the requesting county,
25 school district or city if its request substantially duplicates a request
26 previously submitted by another county, school district or city.

27 3. The board of county commissioners of a county whose
28 population:

29 (a) Is 700,000 or more may request the drafting of not more than
30 ~~4~~ 3 legislative measures for a regular session.

31 (b) Is 100,000 or more but less than 700,000 may request the
32 drafting of not more than 2 legislative measures for a regular
33 session.

34 (c) Is less than 100,000 may request the drafting of not more
35 than 1 legislative measure for a regular session.

36 4. The board of trustees of a school district in a county whose
37 population:

38 (a) Is 700,000 or more may request the drafting of not more than
39 2 legislative measures for a regular session.

40 (b) Is less than 700,000 may request the drafting of not more
41 than 1 legislative measure for a regular session.

42 5. The city council of a city whose population:

43 (a) Is ~~500,000~~ 150,000 or more may request the drafting of not
44 more than ~~3~~ 2 legislative measures for a regular session.



1 (b) ~~Has 150,000 or more but less than 500,000 may request the~~
2 ~~drafting of not more than 2 legislative measures for a regular~~
3 ~~session.~~

4 ~~—(c)~~ Is less than 150,000 may request the drafting of not more
5 than 1 legislative measure for a regular session.

6 6. Each request made pursuant to this section must be on a
7 form prescribed by the Legislative Counsel. The legislative
8 measures requested pursuant to this section must be prefiled on or
9 before the third Wednesday in November preceding the regular
10 session. A legislative measure that is not prefiled on or before that
11 day shall be deemed withdrawn.

12 7. As used in this section, “population” means the current
13 population estimate for that city or county as determined and
14 published by the Department of Taxation and the demographer
15 employed pursuant to NRS 360.283.

16 **Sec. 7.** NRS 218D.210 is hereby amended to read as follows:

17 218D.210 1. For a regular session, an association of counties
18 or cities may request the drafting of not more than ~~{5}~~ 4 legislative
19 measures. The requests must be submitted to the Legislative
20 Counsel on or before September 1 preceding the regular session.

21 2. Each request made pursuant to this section must be on a
22 form prescribed by the Legislative Counsel. The legislative
23 measures requested pursuant to this section must be prefiled on or
24 before the third Wednesday in November preceding the regular
25 session. A legislative measure that is not prefiled on or before that
26 day shall be deemed withdrawn.

