

ASSEMBLY JOINT RESOLUTION NO. 5—ASSEMBLYMEMBER KASAMA

PREFILED JANUARY 24, 2025

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to redistricting. (BDR C-802)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

ASSEMBLY JOINT RESOLUTION—Proposing to amend the Nevada Constitution to make the Legislature subject, when establishing or revising boundaries of any legislative district, to the same provisions of law that are enacted by the Legislature and relate to the inspection and copying of public books and records as any other governmental entity and to make the Legislature subject to the same provisions of law that are enacted by the Legislature and relate to open meetings of public bodies.

Legislative Counsel’s Digest:

1 The Nevada Constitution gives exclusive power to each House of the
2 Legislature to determine the rules of its proceedings. (Nev. Const. Art. 4, § 6)
3 Under existing law, all public books and records of a governmental entity, the
4 contents of which are not otherwise declared by law to be confidential, must be
5 open at all times during office hours for inspection and copying by the public.
6 (NRS 239.010) Additionally under existing law, the Open Meeting Law: (1)
7 requires that meetings of public bodies be open and public, with limited exception;
8 (2) sets forth certain requirements for notice of such meetings; and (3) authorizes
9 the Attorney General to interpret and enforce the Open Meeting Law. (Chapter 241
10 of NRS)

11 The Nevada Constitution further provides that it is the mandatory duty of the
12 Legislature after the taking of the decennial census to: (1) fix by law the number of
13 Senators and the number of members of the Assembly; (2) determine the
14 boundaries of legislative districts; and (3) apportion the number of members of the
15 Senate and Assembly in each district. (Nev. Const. Art. 4, § 5)

16 This joint resolution proposes to amend the Nevada Constitution to make the
17 Legislature and its members, when establishing or revising the boundaries of any
18 legislative district, subject to the same provisions of law that are enacted by the



19 Legislature and relate to: (1) open meetings of public bodies; and (2) the inspection
20 and copying of public books and records as any other governmental entity.

1 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF
2 NEVADA, JOINTLY, That Section 5 of Article 4 of the Nevada
3 Constitution be amended to read as follows:

4 Sec. 5. **1.** Senators and members of the Assembly shall be
5 duly qualified electors in the respective counties and districts
6 which they represent, and the number of Senators shall not be
7 less than one-third nor more than one-half of that of the
8 members of the Assembly.

9 **2.** It shall be the mandatory duty of the Legislature at its
10 first session after the taking of the decennial census of the
11 United States in the year 1950, and after each subsequent
12 decennial census, to fix by law the number of Senators and
13 Assemblymen, and apportion them among the several
14 counties of the State, or among legislative districts which may
15 be established by law, according to the number of inhabitants
16 in them, respectively.

17 **3.** *When establishing or revising the boundaries of any*
18 *legislative district pursuant to subsection 2, the Legislature*
19 *and its members are subject to the same provisions of law*
20 *that are enacted by the Legislature and relate to:*

21 *(a) Open meetings of public bodies; and*

22 *(b) The inspection and copying of public books and*
23 *records as any other governmental entity.*

24 And be it further

25 RESOLVED, That Section 6 of Article 4 of the Nevada
26 Constitution be amended to read as follows:

27 ~~[See:]~~ **Sec. 6.** ~~[Each]~~ *Except as otherwise provided in this*
28 *Constitution, each* House shall judge of the qualifications,
29 elections and returns of its own members, choose its own
30 officers (except the President of the Senate), determine the
31 rules of its proceedings and may punish its members for
32 disorderly conduct, and with the concurrence of two thirds of
33 all the members elected, expel a member.

34 And be it further

35 RESOLVED, That this resolution becomes effective upon
36 passage.

