

SENATE JOINT RESOLUTION NO. 5—SENATOR STONE

PREFILED JANUARY 29, 2025

Referred to Committee on Legislative Operations and Elections

SUMMARY—Proposes to amend the Nevada Constitution to enact various government reforms. (BDR C-223)

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.

SENATE JOINT RESOLUTION—Proposing to amend the Nevada Constitution to enact various government reforms.

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) This joint resolution proposes to amend the Nevada Constitution to
7 provide, with certain exceptions, that the Legislature and its members are subject to
8 the same provisions of law relating to public books and records.

9 The Nevada Constitution imposes various procedural requirements relating to
10 the passage of bills and joint resolutions by the Legislature. (*See, e.g.*, Nev. Const.
11 Art. 4, § 18, Art. 11, § 6) This joint resolution proposes to amend the Nevada
12 Constitution to prohibit a vote on a bill or joint resolution until after the bill or joint
13 resolution has been made available to the public, including, without limitation, by
14 posting on the Internet website of the Legislature, for at least 72 hours after its first
15 reading in the House of its origin.

16 This joint resolution creates in the Executive Branch and sets forth the
17 membership of the Political Practices Enforcement Commission. This joint
18 resolution further gives the Commission the duty to: (1) interpret and enforce
19 provisions of law relating to campaign finance, the activities of lobbyists, conflicts
20 of interest of public officers, financial disclosure statements required of public
21 officers and ethics in government; (2) maintain databases of reports that are
22 available to the public relating to campaign finance, the activities of lobbyists,
23 conflicts of interest of public officers, financial disclosure statements required of
24 public officers and ethics in government; (3) provide training and advisory opinions
25 to candidates and public officers relating to campaign finance, the activities of
26 lobbyists, conflicts of interest of public officers, financial disclosure statements
27 required of public officers and ethics in government; and (4) perform any other
28 power or duty granted to the Commission by law. This joint resolution further: (1)



29 authorizes the Commission to adopt regulations to carry out the provisions of law
30 relating to campaign finance, the activities of lobbyists, conflicts of interest of
31 public officers, financial disclosure statements required of public officers and ethics
32 in government; (2) authorizes the Commission to investigate any violation of law
33 relating to campaign finance, the activities of lobbyists, conflicts of interest of
34 public officers, financial disclosure statements required of public officers and ethics
35 in government; (3) subjects members of the Legislature to the legal authority and
36 jurisdiction of the Commission the same as any other elected public officer; (4)
37 requires that any criminal, civil or administrative fine imposed pursuant to the
38 provisions of law relating to campaign finance, the activities of lobbyists, conflicts
39 of interest of public officers, financial disclosure statements required of public
40 officers and ethics in government be used to fund the duties and activities of the
41 Commission; and (5) requires the Legislature to provide by law for the Commission
42 to have authority to discipline a candidate, lobbyist or public officer for a violation
43 of provisions of law relating to campaign finance, the activities of lobbyists,
44 conflicts of interest of public officers, financial disclosure statements required of
45 public officers and ethics in government.

1 RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF
2 NEVADA, JOINTLY, That a new section, designated Section 40, be
3 added to Article 4 of the Nevada Constitution to read as follows:

4 *Sec. 40. 1. Except as otherwise provided in this*
5 *section, the Legislature and its members are subject to the*
6 *same provisions of law that are enacted by the Legislature*
7 *and relate to the inspection and copying of public books and*
8 *records as any other governmental entity.*

9 *2. The following information and records are*
10 *confidential and not subject to inspection or copying:*

11 *(a) Personnel files;*

12 *(b) Files relating to:*

13 *(1) Legislative audits;*

14 *(2) Requests for research performed by legislative*
15 *staff; and*

16 *(3) Requests for drafting legislation or administrative*
17 *regulations;*

18 *(c) Records pertaining to litigation to which the*
19 *Legislature is a party;*

20 *(d) Information relating to the security and safety of the*
21 *legislative buildings, grounds or any other legislative*
22 *property; and*

23 *(e) Records or information, the disclosure of which is*
24 *exempted or prohibited pursuant to federal or state law.*

25 And be it further

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

28 ~~[See:]~~ *Sec. 6. [Each] Except as otherwise permitted in this*
29 *Constitution, each House shall judge of the qualifications,*



1 elections and returns of its own members, choose its own
2 officers (except the President of the Senate), determine the
3 rules of its proceedings and may punish its members for
4 disorderly conduct, and with the concurrence of two thirds of
5 all the members elected, expel a member.

6 And be it further

7 RESOLVED, That Section 18 of Article 4 of the Nevada
8 Constitution be amended to read as follows:

9 Sec. 18. 1. *No vote may be taken on a bill or joint*
10 *resolution until the bill or joint resolution has been made*
11 *available to the public, including, without limitation, by*
12 *posting on the Internet website of the Legislature, for at*
13 *least 72 hours after its first reading in the House of its*
14 *origin. This requirement must not be waived by rule or*
15 *other action of the Legislature as a whole or either House.*

16 2. Every bill, except a bill placed on a consent calendar
17 adopted as provided in subsection ~~4, 6~~, must be read by
18 sections on three several days, in each House, unless in case
19 of emergency, two thirds of the House where such bill is
20 pending shall deem it expedient to dispense with this rule.
21 The reading of a bill by sections, on its final passage, shall in
22 no case be dispensed with, and the vote on the final passage
23 of every bill or joint resolution shall be taken by yeas and
24 nays to be entered on the journals of each House.

25 3. Except as otherwise provided in subsection ~~2, 4~~, a
26 majority of all the members elected to each House is
27 necessary to pass every bill or joint resolution, and all bills or
28 joint resolutions so passed, shall be signed by the presiding
29 officers of the respective Houses and by the Secretary of the
30 Senate and Clerk of the Assembly.

31 ~~2, 4~~ 4. Except as otherwise provided in subsection ~~3, 5~~
32 5, an affirmative vote of not fewer than two-thirds of the
33 members elected to each House is necessary to pass a bill or
34 joint resolution which creates, generates, or increases any
35 public revenue in any form, including but not limited to taxes,
36 fees, assessments and rates, or changes in the computation
37 bases for taxes, fees, assessments and rates.

38 ~~3, 5~~ 5. A majority of all of the members elected to each
39 House may refer any measure which creates, generates, or
40 increases any revenue in any form to the people of the State at
41 the next general election, and shall become effective and
42 enforced only if it has been approved by a majority of the
43 votes cast on the measure at such election.



1 ~~[4.]~~ 6. Each House may provide by rule for the creation
2 of a consent calendar and establish the procedure for the
3 passage of uncontested bills.

4 And be it further

5 RESOLVED, That a new section, designated Section 23, be added
6 to Article 5 of the Nevada Constitution to read as follows:

7 *Sec. 23. 1. The Political Practices Enforcement*
8 *Commission is hereby created in the Executive Branch,*
9 *consisting of five members.*

10 2. *The members of the Commission must be appointed*
11 *as follows:*

12 (i) *One member appointed by the Governor.*

13 (ii) *One member appointed by the Lieutenant Governor.*

14 (iii) *One member appointed by the Attorney General.*

15 (iv) *One member appointed by the Secretary of State.*

16 (v) *One member appointed by the State Controller.*

17 3. *Each member of the Commission must be a qualified*
18 *elector. While serving on the Commission, a member of the*
19 *Commission shall not do any of the following:*

20 (i) *Hold any other public office or position in public*
21 *employment.*

22 (ii) *Be actively involved in the work of or contribute to*
23 *any political party or political campaign.*

24 (iii) *Be employed as a lobbyist.*

25 (iv) *Become a candidate to any elected office.*

26 4. *The term of a member of the Commission is 4 years.*

27 5. *Any vacancy in membership of the Commission*
28 *must be filled by appointment for the remainder of the*
29 *unexpired term within 30 days after the vacancy by the same*
30 *constitutional officer who made the initial appointment.*

31 6. *A member of the Commission may only be removed*
32 *by the constitutional officer who appointed the member,*
33 *after written notice and an opportunity for reply, for a*
34 *violation of subsection 3 or misfeasance, malfeasance or*
35 *nonfeasance.*

36 7. *Meetings of the Commission shall be open and*
37 *public. Members of the Commission are entitled to receive*
38 *the per diem allowance and travel expenses provided for*
39 *state officers and employees generally.*

40 8. *Within the limits of legislative appropriations and*
41 *any other money available for such purpose, the*
42 *Commission may employ staff to assist the Commission in*
43 *carrying out its duties.*

44 And be it further



1 RESOLVED, That a new section, designated Section 24, be added
2 to Article 5 of the Nevada Constitution to read as follows:

3 *Sec. 24. 1. The Political Practices Enforcement*
4 *Commission created pursuant to section 23 of this Article*
5 *has the following duties:*

6 (a) *Interpret and enforce provisions of law relating to*
7 *campaign finance, the activities of lobbyists, conflicts of*
8 *interest of public officers, financial disclosure statements*
9 *required of public officers and ethics in government.*

10 (b) *Provide training, guidance and advisory opinions to*
11 *candidates and public officers relating to campaign finance,*
12 *the activities of lobbyists, conflicts of interest of public*
13 *officers, financial disclosure statements required of public*
14 *officers and ethics in government.*

15 (c) *Maintain databases of reports that are available to*
16 *the public relating to campaign finance, the activities of*
17 *lobbyists, conflicts of interest of public officers, financial*
18 *disclosure statements required of public officers and ethics*
19 *in government.*

20 (d) *Any other power or duty granted to the Commission*
21 *by law.*

22 2. *In addition to the duties set forth in subsection 1, the*
23 *Commission may, on its own motion or upon receipt of any*
24 *complaint, investigate any violation of law relating to*
25 *campaign finance, the activities of lobbyists, conflicts of*
26 *interest of public officers, financial disclosure statements*
27 *required of public officers and ethics in government.*

28 3. *The Commission may adopt any regulation*
29 *necessary to carry out the provisions of law relating to*
30 *campaign finance, the activities of lobbyists, conflicts of*
31 *interest of public officers, financial disclosure statements*
32 *required of public officers and ethics in government. Any*
33 *regulation adopted by the Commission is subject to the same*
34 *provisions of law enacted by the Legislature pursuant to*
35 *subsection 2 of Section 1 of Article 3 of this Constitution.*

36 4. *Members of the Legislature are subject to the same*
37 *legal authority and jurisdiction of the Commission as any*
38 *other elected public officer.*

39 5. *Any criminal, civil or administrative fine imposed*
40 *pursuant to the provisions of law relating to campaign*
41 *finance, the activities of lobbyists, conflicts of interest of*
42 *public officers, financial disclosure statements required of*
43 *public officers and ethics in government must be used to*
44 *fund the duties and activities of the Commission.*



1 **6. Except as otherwise limited by a provision of this**
2 **Constitution, the Legislature shall provide by law that the**
3 **Commission may impose discipline, including, without**
4 **limitation, an administrative fine or the removal of a public**
5 **officer from office, against a candidate, lobbyist or public**
6 **officer for a violation of provisions of law relating to**
7 **campaign finance, the activities of lobbyists, conflicts of**
8 **interest of public officers, financial disclosure statements**
9 **required of public officers and ethics in government.**

10 And be it further

11 RESOLVED, That Section 3 of Article 11 of the Nevada
12 Constitution be amended to read as follows:

13 Sec. 3. All lands granted by Congress to this state for
14 educational purposes, all estates that escheat to the state, all
15 property given or bequeathed to the state for educational
16 purposes, and the proceeds derived from these sources,
17 together with that percentage of the proceeds from the sale of
18 federal lands which has been granted by Congress to this state
19 without restriction or for educational purposes and , *except as*
20 *otherwise provided in this Constitution*, all fines collected
21 under the penal laws of the state are hereby pledged for
22 educational purposes and the money therefrom must not be
23 transferred to other funds for other uses. The interest only
24 earned on the money derived from these sources must be
25 apportioned by the legislature among the several counties for
26 educational purposes, and, if necessary, a portion of that
27 interest may be appropriated for the support of the state
28 university, but any of that interest which is unexpended at the
29 end of any year must be added to the principal sum pledged
30 for educational purposes.

31 And be it further

32 RESOLVED, That this resolution becomes effective upon
33 passage.



