

**NON-EXECUTIVE AGENCY  
FISCAL NOTE**

AGENCY'S ESTIMATES

Date Prepared: February 10, 2025

Agency Submitting: Legislative Counsel Bureau

<b>Items of Revenue or Expense, or Both</b>	<b>Fiscal Year 2024-25</b>	<b>Fiscal Year 2025-26</b>	<b>Fiscal Year 2026-27</b>	<b>Effect on Future Biennia</b>
Total	0	0	0	0

Explanation

(Use Additional Sheets of Attachments, if required)

See attached fiscal note response memo.

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## **LEGISLATIVE COUNSEL BUREAU**

### **FISCAL NOTE - BDR C-802/AJR5:**

This legislation would amend the Nevada Constitution to make the Nevada Legislature subject to existing laws that relate to the inspection and copying of public records and meetings of public bodies (Open Meeting Law) when establishing or revising the boundaries of any state legislative district, which is also known as legislative redistricting. Under the Nevada Constitution, the Legislature has the mandatory duty, after the taking of each decennial census, to engage in legislative redistricting in order to ensure that each legislative district complies with federal and state constitutional provisions requiring that the state's legislative representation must be apportioned according to population. The Legislature's redistricting proceedings may be undertaken in regular or special sessions, and such redistricting proceedings are often the subject of court challenges. This legislation would have a significant fiscal impact on the operations of the Legislative Counsel Bureau (LCB) with regard to such legislative redistricting proceedings.

First, subjecting the Legislature to the public records law with regard to legislative redistricting proceedings would have a significant impact on the Legal Division of the LCB. Compliance with these laws would require additional Legal Division resources, including assigning staff to review all record requests to determine what content is subject to disclosure and what information is required to be kept confidential. In addition to the resources needed to address court challenges to legislative redistricting proceedings, additional Legal Division resources would likely be needed to respond to anticipated litigation resulting from requests for public records that contain redacted information or are denied due to confidentiality issues. Given that it is not possible to accurately estimate the number, type and frequency of the public records requests that would be received if this legislation were enacted, it is not possible to estimate the number of staff required to administer this legislation or manage the related litigation. Therefore, the amount of the fiscal impact of this legislation cannot be determined.

Second, subjecting the Legislature to the Open Meeting Law with regard to legislative redistricting proceedings would also result in a fiscal impact on the LCB, as complying with the 3-working day notice of meetings would likely result in additional meetings and staff overtime and could delay completion of legislative redistricting proceedings during the regular session, thereby requiring special sessions to comply with the constitutional requirements for legislative redistricting. Additional staff resources also would be needed for drafting agendas that comply with the Open Meeting Law. In addition to the resources needed to address court challenges to legislative redistricting proceedings, additional Legal Division resources would likely be needed to respond to anticipated litigation resulting from actions related to alleged violations of the Open Meeting Law. These aspects of Open Meeting Law compliance would result in a significant fiscal impact to the LCB. However, the impact's amount cannot be determined.