

ASSEMBLY BILL NO. 296—ASSEMBLYMAN ELLIOT ANDERSON

MARCH 15, 2017

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing the drafting of legislative measures. (BDR 17-956)

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 legislative measures; revising requirements relating to requests for the drafting of legislative measures submitted to the Legislative Counsel; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Commencing on July 1 preceding each regular session and every week
2 thereafter until the adjournment of the Legislature sine die, the Legislative Counsel
3 is required under existing law to prepare a list of all requests for the drafting of
4 legislative measures received by the Legislative Counsel. The requests are required
5 to be listed numerically by a unique serial number which is required to be assigned
6 by the Legislative Counsel for the purposes of identification in the order that the
7 Legislative Counsel received the requests. (NRS 218D.130) Existing law prohibits
8 the Legislative Counsel from assigning a number to a request to establish the
9 priority of the request until sufficient detail has been received by the Legislative
10 Counsel to allow complete drafting of the legislative measure. (NRS 218D.100,
11 218D.150, 218D.155, 218D.160, 218D.175, 218D.190, 218D.205, 218D.210,
12 218D.220) This bill eliminates the prohibition against the Legislative Counsel
13 assigning a number to a request until sufficient detail has been received. Therefore,
14 the Legislative Counsel is required to assign a number to a request in the order in
15 which the request is received.



* A B 2 9 6 R 1 *

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

1 **Section 1.** NRS 218D.100 is hereby amended to read as
2 follows:

3 218D.100 1. The provisions of NRS 218D.100 to 218D.220,
4 inclusive, apply to requests for the drafting of legislative measures
5 for a regular session.

6 2. Except as otherwise provided by a specific statute, joint rule
7 or concurrent resolution, the Legislative Counsel shall not honor a
8 request for the drafting of a legislative measure if the request:

9 (a) Exceeds the number of requests authorized by NRS
10 218D.100 to 218D.220, inclusive, for the requester; or

11 (b) Is submitted by an authorized nonlegislative requester
12 pursuant to NRS 218D.175 to 218D.220, inclusive, but is not in a
13 subject related to the function of the requester.

14 3. The Legislative Counsel shall not:

15 (a) ~~Assign a number to a request for the drafting of a legislative~~
16 ~~measure to establish the priority of the request until sufficient detail~~
17 ~~has been received to allow complete drafting of the legislative~~
18 ~~measure.~~

19 ~~(b)~~ Honor a request to change the subject matter of a request for
20 the drafting of a legislative measure after it has been submitted for
21 drafting.

22 ~~(c)~~ (b) Honor a request for the drafting of a legislative
23 measure which has been combined in violation of Section 17 of
24 Article 4 of the Nevada Constitution.

25 **Sec. 2.** NRS 218D.110 is hereby amended to read as follows:

26 218D.110 1. The Legislative Counsel shall assist Legislators
27 in the drafting of the legislative measures which they are authorized
28 to request, including, without limitation, drafting them in proper
29 form and furnishing the Legislators with the fullest information
30 upon all matters within the scope of the Legislative Counsel's
31 duties.

32 2. Except as otherwise provided in this section, the Legislative
33 Counsel shall, insofar as is possible, act upon all Legislators'
34 requests for the drafting of legislative measures in the order in
35 which they are received.

36 3. To assure the greatest possible equity in the handling of such
37 requests, drafting must proceed as follows:

38 (a) If a Legislator so desires, the Legislator may designate a
39 different priority for the Legislator's requests which the Legislative
40 Counsel shall observe, insofar as is possible.

41 (b) The drafting of requests from chairs or members of standing
42 committees or special committees which are made on behalf of



1 those committees must not, except where urgency is recognized,
2 take precedence over the priority established or designated for
3 requests from individual Legislators.

4 (c) ~~After November 1 preceding a regular session, the~~ *The*
5 Legislative Counsel shall give full priority to the drafting of requests
6 from Legislators for which sufficient detail to allow complete
7 drafting of the legislative measure ~~was~~ *is* submitted . ~~within the~~
8 ~~period required by statute.~~

9 **Sec. 3.** (Deleted by amendment.)

10 **Sec. 3.5.** NRS 218D.150 is hereby amended to read as
11 follows:

12 218D.150 1. Except as otherwise provided in this section,
13 each:

14 (a) Incumbent member of the Assembly may request the
15 drafting of:

16 (1) Not more than 4 legislative measures submitted to the
17 Legislative Counsel on or before August 1 preceding a regular
18 session;

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

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

25 (b) Incumbent member of the Senate may request the drafting
26 of:

27 (1) Not more than 8 legislative measures submitted to the
28 Legislative Counsel on or before August 1 preceding a regular
29 session;

30 (2) Not more than 10 legislative measures submitted to the
31 Legislative Counsel after August 1 but on or before December 10
32 preceding a regular session; and

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

36 (c) Newly elected member of the Assembly may request the
37 drafting of:

38 (1) Not more than 5 legislative measures submitted to the
39 Legislative Counsel on or before December 10 preceding a regular
40 session; and

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

44 (d) Newly elected member of the Senate may request the
45 drafting of:



1 (1) Not more than 10 legislative measures submitted to the
2 Legislative Council on or before December 10 preceding a regular
3 session; and

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

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

9 (a) Incumbent member of the Assembly must:

10 (1) Prefile at least 4 of the legislative measures that he or she
11 requested pursuant to subparagraphs (1) and (2) of paragraph (a) of
12 subsection 1; or

13 (2) Inform the Legislative Council of which 4 legislative
14 measures that he or she requested pursuant to subparagraphs (1) and
15 (2) of paragraph (a) of subsection 1 that he or she withdraws.

16 ➤ If an incumbent member of the Assembly does not request the
17 maximum number of legislative measures authorized by
18 subparagraphs (1) and (2) of paragraph (a) of subsection 1, the
19 number of legislative measures that he or she must prefile or
20 withdraw pursuant to this paragraph is reduced by that number of
21 unused requests.

22 (b) Incumbent member of the Senate must:

23 (1) Prefile at least 8 of the legislative measures that he or she
24 requested pursuant to subparagraphs (1) and (2) of paragraph (b) of
25 subsection 1; or

26 (2) Inform the Legislative Council of which 8 legislative
27 measures that he or she requested pursuant to subparagraphs (1) and
28 (2) of paragraph (b) of subsection 1 that he or she withdraws.

29 ➤ If an incumbent member of the Senate does not request the
30 maximum number of legislative measures authorized by
31 subparagraphs (1) and (2) of paragraph (b) 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 (c) Newly elected member of the Assembly must:

36 (1) Prefile at least 2 of the legislative measures that he or she
37 requested pursuant to subparagraph (1) of paragraph (c) of
38 subsection 1; or

39 (2) Inform the Legislative Council of which 2 legislative
40 measures that he or she requested pursuant to subparagraph (1) of
41 paragraph (c) of subsection 1 that he or she withdraws.

42 ➤ If a newly elected member of the Assembly does not request the
43 maximum number of legislative measures authorized by
44 subparagraph (1) of paragraph (c) of subsection 1, the number of
45 legislative measures that he or she must prefile or withdraw



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

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

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

7 (2) Inform the Legislative Counsel of which 4 legislative
8 measures that he or she requested pursuant to subparagraph (1) of
9 paragraph (d) of subsection 1 that he or she withdraws.

10 ➔ If a newly elected member of the Senate does not request the
11 maximum number of legislative measures authorized by
12 subparagraph (1) of paragraph (d) 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 3. A Legislator may not request the drafting of a legislative
17 measure pursuant to subsection 1 on or after the date on which the
18 Legislator becomes a nonreturning Legislator. For the purposes of
19 this subsection, "nonreturning Legislator" means a Legislator who,
20 in the year that the Legislator's term of office expires:

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

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

26 (c) Has withdrawn as a candidate for the Senate or the
27 Assembly.

28 4. A Legislator may not request the drafting of a legislative
29 measure pursuant to paragraph (a) or (b) of subsection 1 on or after
30 the date on which the Legislator files a declaration or an acceptance
31 of candidacy for election to the House in which he or she is not
32 currently a member. If the Legislator is elected to the other House,
33 any request that he or she submitted pursuant to paragraph (a) or (b)
34 of subsection 1 before filing his or her declaration or acceptance of
35 candidacy for election counts against the applicable limitation set
36 forth in paragraph (c) or (d) of subsection 1 for the House in which
37 the Legislator is a newly elected member.

38 5. In addition to the number of requests authorized pursuant to
39 subsection 1:

40 (a) The chair of each standing committee of the immediately
41 preceding regular session, or a person designated in the place of the
42 chair by the Speaker of the Assembly or the Majority Leader of the
43 Senate, may request before the date of the general election
44 preceding a regular session the drafting of not more than 1
45 legislative measure for introduction by the committee in a subject



1 within the jurisdiction of the committee for every 18 legislative
2 measures that were referred to the respective standing committee
3 during the immediately preceding regular session.

4 (b) A person designated after the general election as a chair of a
5 standing committee for the next regular session, or a person
6 designated in the place of a chair by the person designated as the
7 Speaker of the Assembly or the Majority Leader of the Senate for
8 the next regular session, may request on or before December 10
9 preceding that regular session the drafting of the remaining number
10 of the legislative measures allowed for the respective standing
11 committee that were not requested by the previous chair or designee.

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

14 ~~{7. The Legislative Counsel shall not assign a number to a~~
15 ~~request for the drafting of a legislative measure submitted pursuant~~
16 ~~to this section to establish the priority of the request until sufficient~~
17 ~~detail has been received to allow complete drafting of the legislative~~
18 ~~measure.}~~

19 **Sec. 4.** NRS 218D.155 is hereby amended to read as follows:

20 218D.155 1. In addition to the number of requests authorized
21 pursuant to NRS 218D.150:

22 (a) The Speaker of the Assembly and the Majority Leader of the
23 Senate may each request before the date of the general election
24 preceding a regular session, without limitation, the drafting of not
25 more than 15 legislative measures for that regular session.

26 (b) The Minority Leader of the Assembly and the Minority
27 Leader of the Senate may each request before the date of the general
28 election preceding a regular session, without limitation, the drafting
29 of not more than 10 legislative measures for that regular session.

30 (c) A person designated after the general election as the Speaker
31 of the Assembly, the Majority Leader of the Senate, the Minority
32 Leader of the Assembly or the Minority Leader of the Senate for the
33 next regular session may request before the first day of that regular
34 session the drafting of the remaining number of the legislative
35 measures allowed for the respective officer that were not requested
36 by the previous officer.

37 2. The Legislative Counsel, the Secretary of the Senate and the
38 Chief Clerk of the Assembly may request before or during a regular
39 session, without limitation, the drafting of as many legislative
40 measures as are necessary or convenient for the proper exercise of
41 their duties.

42 ~~{3. The Legislative Counsel shall not assign a number to a~~
43 ~~request for the drafting of a legislative measure submitted pursuant~~
44 ~~to this section to establish the priority of the request until sufficient~~



~~detail has been received to allow complete drafting of the legislative measure.}~~

Sec. 4.1. NRS 218D.160 is hereby amended to read as follows:

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

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

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

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

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

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

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

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

~~5. The Legislative Counsel shall not assign a number to a request for the drafting of a legislative measure submitted pursuant to this section to establish the priority of the request until sufficient detail has been received to allow complete drafting of the legislative measure.}~~



1 **Sec. 4.2.** NRS 218D.175 is hereby amended to read as
2 follows:

3 218D.175 1. For a regular session, the Governor or the
4 Governor’s designated representative may request the drafting of
5 not more than 110 legislative measures which have been approved
6 by the Governor or the Governor’s designated representative on
7 behalf of the officers, agencies, boards, commissions, departments
8 and other units of the Executive Department. The requests must be
9 submitted to the Legislative Counsel on or before August 1
10 preceding the regular session.

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

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

26		
27	Lieutenant Governor.....	3
28	Secretary of State.....	6
29	State Treasurer.....	5
30	State Controller.....	5
31	Attorney General	20
32		

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

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



~~1 §6. The Legislative Counsel shall not assign a number to a
2 request for the drafting of a legislative measure submitted pursuant
3 to this section to establish the priority of the request until sufficient
4 detail has been received to allow complete drafting of the legislative
5 measure.†~~

6 **Sec. 4.3.** NRS 218D.190 is hereby amended to read as
7 follows:

8 218D.190 1. For a regular session, the Supreme Court may
9 request the drafting of not more than 10 legislative measures which
10 have been approved by the Supreme Court on behalf of the Judicial
11 Department. The requests must be submitted to the Legislative
12 Counsel on or before September 1 preceding the regular session.

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

~~19 §3. The Legislative Counsel shall not assign a number to a
20 request for the drafting of a legislative measure submitted pursuant
21 to this section to establish the priority of the request until sufficient
22 detail has been received to allow complete drafting of the legislative
23 measure.†~~

24 **Sec. 4.4.** NRS 218D.205 is hereby amended to read as
25 follows:

26 218D.205 1. For a regular session, each board of county
27 commissioners, board of trustees of a school district and city council
28 may request the drafting of not more than the numbers of legislative
29 measures set forth in this section if the requests are:

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

33 (b) Submitted to the Legislative Counsel on or before September
34 1 preceding the regular session.

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

38 3. The board of county commissioners of a county whose
39 population:

40 (a) Is 700,000 or more may request the drafting of not more than
41 4 legislative measures for a regular session.

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



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

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

5 (a) Is 700,000 or more may request the drafting of not more than
6 2 legislative measures for a regular session.

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

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

10 (a) Is 500,000 or more may request the drafting of not more than
11 3 legislative measures for a regular session.

12 (b) Is 150,000 or more but less than 500,000 may request the
13 drafting of not more than 2 legislative measures for a regular
14 session.

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

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

23 7. ~~{The Legislative Counsel shall not assign a number to a
24 request for the drafting of a legislative measure submitted pursuant
25 to this section to establish the priority of the request until sufficient
26 detail has been received to allow complete drafting of the legislative
27 measure.~~

28 ~~—8.—~~ As used in this section, “population” means the current
29 population estimate for that city or county as determined and
30 published by the Department of Taxation and the demographer
31 employed pursuant to NRS 360.283.

32 **Sec. 4.5.** NRS 218D.210 is hereby amended to read as
33 follows:

34 218D.210 1. For a regular session, an association of counties
35 or cities may request the drafting of not more than 5 legislative
36 measures. The requests must be submitted to the Legislative
37 Counsel on or before September 1 preceding the regular session.

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

44 ~~{3. The Legislative Counsel shall not assign a number to a
45 request for the drafting of a legislative measure submitted pursuant~~



~~to this section to establish the priority of the request until sufficient detail has been received to allow complete drafting of the legislative measure.~~

Sec. 4.6. NRS 218D.220 is hereby amended to read as follows:

218D.220 1. For a regular session, the Nevada Silver Haired Legislative Forum created by NRS 427A.320 may request the drafting of not more than 1 legislative measure which relates to matters within the scope of the Forum. The request must be submitted to the Legislative Counsel on or before September 1 preceding the regular session.

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

~~3. The Legislative Counsel shall not assign a number to a request for the drafting of a legislative measure submitted pursuant to this section to establish the priority of the request until sufficient detail has been received to allow complete drafting of the legislative measure.~~

Sec. 5. (Deleted by amendment.)

Sec. 6. (Deleted by amendment.)

Sec. 7. (Deleted by amendment.)

Sec. 8. (Deleted by amendment.)

Sec. 9. This act becomes effective on July 1, 2017.



