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ASSEMBLY JOINT RESOLUTION NO. 2—ASSEMBLYMEN DELONG,  
GRAY; DICKMAN, GALLANT, HIBBETTS AND KASAMA

FEBRUARY 20, 2023

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JOINT SPONSOR: SENATOR KRASNER

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Referred to Committee on Legislative Operations and Elections

SUMMARY—Proposes to amend the Nevada Constitution to revise certain procedures relating to proposed amendments to the Nevada Constitution. (BDR C-851)

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.

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ASSEMBLY JOINT RESOLUTION—Proposing to amend the Nevada Constitution to revise certain procedures relating to proposed amendments to the Nevada Constitution.

**Legislative Counsel’s Digest:**

1 The Nevada Constitution authorizes the Legislature to convene a special  
2 session upon a petition signed by two-thirds of the members elected to each House  
3 of the Legislature and prohibits the Legislature from introducing, considering or  
4 passing any bills except those related to the business specified in the petition and  
5 those necessary to provide for the expenses of the session. (Nev. Const. Art. 4 §  
6 2A) This resolution proposes to amend the Nevada Constitution to prohibit the  
7 Legislature from introducing, considering or passing a proposed amendment or  
8 amendments to the Nevada Constitution during such a special session.

9 The Nevada Constitution authorizes the Governor to convene a special session  
10 by Proclamation and prohibits the Legislature from introducing, considering or  
11 passing any bills except those related to the business for which the Legislature has  
12 been specially convened and those necessary to provide for the expenses of the  
13 session. (Nev. Const. Art. 5 § 9) This resolution proposes to amend the Nevada  
14 Constitution to prohibit the Legislature from introducing, considering or passing a  
15 proposed amendment or amendments to the Nevada Constitution during such a  
16 special session.

17 The Nevada Constitution requires that any amendment or amendments to the  
18 Nevada Constitution proposed by the Legislature must be referred to the next  
19 chosen Legislature if agreed to by a majority of the members of the two houses. If  
20 the next chosen Legislature agrees to the proposed amendment or amendments, the



21 Legislature must submit the proposed constitutional amendment or amendments to  
22 the people for approval. (Nev. Const. Art. 16 § 1) This resolution proposes to  
23 amend the Nevada Constitution to require that any constitutional amendment or  
24 amendments must be proposed by the Legislature during a regular session and be  
25 referred during the next regular session to the next chosen Legislature. If the next  
26 Legislature agrees to the proposed constitutional amendment or amendments, the  
27 Legislature must submit the proposed amendment or amendments to the people for  
28 approval.

29 The Nevada Constitution provides that if the Legislature, by a vote of two-  
30 thirds, determines that it is necessary to revise the entire Nevada Constitution, the  
31 Legislature must recommend a Convention to the voters. If a majority of the voters  
32 vote in favor of a Convention, the Legislature must call for a Convention at its next  
33 session. (Nev. Const. Art. 16 § 2) This resolution proposes to amend the Nevada  
34 Constitution to require the Legislature to instead make such a determination at a  
35 regular session and call for a Convention at its next regular session.

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

4 Sec. 2A. 1. The Legislature may be convened, on  
5 extraordinary occasions, upon a petition signed by two-thirds  
6 of the members elected to each House of the Legislature. A  
7 petition must specify the business to be transacted during the  
8 special session, indicate a date on or before which the  
9 Legislature is to convene and be transmitted to the Secretary  
10 of State. Upon receipt of one or more substantially similar  
11 petitions signed, in the aggregate, by the required number of  
12 members, calling for a special session, the Secretary of State  
13 shall notify all members of the Legislature and the Governor  
14 that a special session will be convened pursuant to this  
15 section.

16 2. At a special session convened pursuant to this section,  
17 the Legislature shall not introduce, consider or pass **[any]** :

18 (a) **Any** bills except those related to the business specified  
19 in the petition and those necessary to provide for the expenses  
20 of the session **[ ]**; or

21 (b) **A proposed amendment or amendments to this**  
22 **Constitution.**

23 3. A special session convened pursuant to this section  
24 takes precedence over a special session convened by the  
25 Governor pursuant to Section 9 of Article 5 of this  
26 Constitution, unless otherwise provided in the petition  
27 convening the special session pursuant to this section.

28 4. The Legislature may provide by law for the procedure  
29 for convening a special session pursuant to this section.

30 5. Except as otherwise provided in this subsection, the  
31 Legislature shall adjourn sine die a special session convened



1 pursuant to this section not later than midnight Pacific time at  
2 the end of the 20th consecutive calendar day of that session,  
3 inclusive of the day on which that session commences. Any  
4 legislative action taken after midnight Pacific time at the end  
5 of the 20th consecutive calendar day of that session is void.  
6 This subsection does not apply to a special session that is  
7 convened to conduct proceedings for:

8 (a) Impeachment or removal from office of the Governor  
9 and other state and judicial officers pursuant to Article 7 of  
10 this Constitution; or

11 (b) Expulsion from office of a member of the Legislature  
12 pursuant to Section 6 of Article 4 of this Constitution.

13 6. For the purposes of this section, “midnight Pacific  
14 time” must be determined based on the actual measure of  
15 time that, on the final calendar day of the session, is being  
16 used and observed by the general population as the uniform  
17 time for the portion of Nevada which lies within the Pacific  
18 time zone, or any legal successor to the Pacific time zone, and  
19 which includes the seat of government of this State as  
20 designated by Section 1 of Article 15 of this Constitution.  
21 The Legislature and its members, officers and employees  
22 shall not employ any device, pretense or fiction that adjusts,  
23 evades or ignores this measure of time for the purpose of  
24 extending the duration of the session.

25 And be it further

26 RESOLVED, That Section 9 of Article 5 of the Nevada  
27 Constitution be amended to read as follows:

28 Sec. 9. 1. Except as otherwise provided in Section 2A  
29 of Article 4 of this Constitution, the Governor may, on  
30 extraordinary occasions, convene the Legislature by  
31 Proclamation and shall state to both houses, when organized,  
32 the business for which they have been specially convened.

33 2. At a special session convened pursuant to this section,  
34 the Legislature shall not introduce, consider or pass ~~any~~:

35 (a) Any bills except those related to the business for  
36 which the Legislature has been specially convened and those  
37 necessary to provide for the expenses of the session ~~+~~; or

38 (b) A *proposed amendment or amendments to this*  
39 *Constitution.*

40 3. Except as otherwise provided in this subsection, the  
41 Legislature shall adjourn sine die a special session convened  
42 pursuant to this section not later than midnight Pacific time at  
43 the end of the 20th consecutive calendar day of that session,  
44 inclusive of the day on which that session commences. Any  
45 legislative action taken after midnight Pacific time at the end



1 of the 20th consecutive calendar day of that session is void.  
2 This subsection does not apply to a special session that is  
3 convened to conduct proceedings for:

4 (a) Impeachment or removal from office of the Governor  
5 and other state and judicial officers pursuant to Article 7 of  
6 this Constitution; or

7 (b) Expulsion from office of a member of the Legislature  
8 pursuant to Section 6 of Article 4 of this Constitution.

9 4. For the purposes of this section, "midnight Pacific  
10 time" must be determined based on the actual measure of  
11 time that, on the final calendar day of the session, is being  
12 used and observed by the general population as the uniform  
13 time for the portion of Nevada which lies within the Pacific  
14 time zone, or any legal successor to the Pacific time zone, and  
15 which includes the seat of government of this State as  
16 designated by Section 1 of Article 15 of this Constitution.  
17 The Legislature and its members, officers and employees  
18 shall not employ any device, pretense or fiction that adjusts,  
19 evades or ignores this measure of time for the purpose of  
20 extending the duration of the session.

21 And be it further

22 RESOLVED, That Section 1 of Article 16 of the Nevada  
23 Constitution be amended to read as follows:

24 Section 1. 1. Any amendment or amendments to this  
25 Constitution may be proposed *during a regular session of*  
26 *the Legislature* in the Senate or Assembly; and if the same  
27 shall be agreed to by a Majority of all the members elected to  
28 each of the two houses, such proposed amendment or  
29 amendments shall be entered on their respective journals,  
30 with the Yeas and Nays taken thereon, and referred *during*  
31 *the next regular session* to the Legislature then next to be  
32 chosen, and shall be published for three months next  
33 preceding the time of making such choice. And if ~~it~~ ,  
34 *during the next regular session*, the Legislature next chosen  
35 as aforesaid, such proposed amendment or amendments shall  
36 be agreed to by a majority of all the members elected to each  
37 house, then it shall be the duty of the Legislature to submit  
38 such proposed amendment or amendments to the people, in  
39 such manner and at such time as the Legislature shall  
40 prescribe; and if the people shall approve and ratify such  
41 amendment or amendments by a majority of the electors  
42 qualified to vote for members of the Legislature voting  
43 thereon, such amendment or amendments shall, unless  
44 precluded by subsection 2 or section 2 of article 19 of this  
45 constitution, become a part of the Constitution.



1           2. If, two or more amendments which affect the same  
2 section of the constitution are ratified by the people pursuant  
3 to this section at the same election:

4           (a) If all can be given effect without contradiction in  
5 substance, each shall become a part of the constitution.

6           (b) If one or more contradict in substance the other or  
7 others, that amendment which received the largest favorable  
8 vote, and any other ratified amendment or amendments  
9 compatible with it, shall become a part of the constitution.

10          3. If, after the proposal of an amendment, another  
11 amendment is ratified pursuant to this section which affects  
12 the same section of the constitution but is compatible with the  
13 proposed amendment, the next legislature if it agrees to the  
14 proposed amendment *during the next regular session*, shall  
15 submit such proposal to the people as a further amendment to  
16 the amended section. If, after the proposal of an amendment,  
17 another amendment is ratified pursuant to this section which  
18 contradicts in substance the proposed amendment, such  
19 proposed amendment shall not be submitted to the people.

20 And be it further

21       RESOLVED, That Section 2 of Article 16 of the Nevada  
22 Constitution be amended to read as follows:

23       ~~[See: 2.]~~ *Sec. 2* If at any time *during a regular session*  
24 the Legislature by a vote of two thirds of the Members  
25 elected to each house, shall determine that it is necessary to  
26 cause a revision of this entire Constitution they shall  
27 recommend to the electors at the next election for Members  
28 of the Legislature, to vote for or against a convention, and if it  
29 shall appear that a majority of the electors voting at such  
30 election, shall have voted in favor of calling a Convention,  
31 the Legislature shall, at its next *regular* session provide by  
32 law for calling a Convention to be holden within six months  
33 after the passage of such law, and such Convention shall  
34 consist of a number of Members not less than that of both  
35 branches of the Legislature. In determining what is a majority  
36 of the electors voting at such election, reference shall be had  
37 to the highest number of votes cast at such election for the  
38 candidates for any office or on any question.

39 And be it further

40       RESOLVED, That this resolution becomes effective upon  
41 passage.







