

ASSEMBLY JOINT RESOLUTION NO. 3—ASSEMBLYMEMBER KASAMA

PREFILED JANUARY 24, 2025

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to the Legislature. (BDR C-21)

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 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, to require Legislators to disclose certain information regarding entities that receive appropriations in bills, to require the Legislature to publish certain information relating to the personal interests of each Legislator 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:**

The Nevada Constitution gives exclusive power to each House of the Legislature to determine the rules of its proceedings. (Nev. Const. Art. 4, § 6) Under existing law, all public books and records of a governmental entity, the contents of which are not otherwise declared by law to be confidential, must be open at all times during office hours for inspection and copying by the public. (NRS 239.010) This joint resolution proposes to amend the Nevada Constitution to provide, with certain exceptions, that the Legislature and its members are subject to the same provisions of law relating to public books and records.

This resolution requires: (1) each Legislator to disclose publicly any relationship that the Legislator or a member of the Legislator’s immediate family has with any entity that receives an appropriation included in a bill; and (2) the Legislature to publish regularly a list of conflict disclosures that, for each Legislator, identifies all personal interests of the Legislator that may result in a conflict of interest.

Under existing law, the Open Meeting Law: (1) requires that meetings of public bodies be open to the public, with limited exception; (2) sets forth certain



17 requirements for notice of such meetings; and (3) authorizes the Attorney General  
18 to interpret and enforce the Open Meeting Law. This resolution makes the  
19 Legislature and its members subject to Open Meeting Law.

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1 RESOLVED BY THE ASSEMBLY AND SENATE 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:*

6 *(a) The Legislature and its members are subject to the*  
7 *same provisions of law that are enacted by the Legislature*  
8 *and relate to the inspection and copying of public books and*  
9 *records as any other governmental entity; and*

10 *(b) The Legislature shall provide timely responses to any*  
11 *request for the inspection and copying of a public book or*  
12 *record to the press or any member of the public.*

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

15 *(a) Personnel files;*

16 *(b) Files relating to:*

17 *(1) Legislative audits;*

18 *(2) Requests for research performed by legislative*  
19 *staff; and*

20 *(3) Requests for drafting legislation or administrative*  
21 *regulations;*

22 *(c) Records pertaining to litigation to which the*  
23 *Legislature is a party;*

24 *(d) Information relating to the security and safety of the*  
25 *legislative buildings, grounds or any other legislative*  
26 *property; and*

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

29 And be it further

30 RESOLVED, That a new section, designated Section 41, be added  
31 to Article 4 of the Nevada Constitution to read as follows:

32 *Sec. 41. 1. Each Legislator shall disclose publicly*  
33 *any relationship that the Legislator or a member of the*  
34 *Legislator's immediate family has with any entity that*  
35 *receives an appropriation included in a bill. The*  
36 *information required to be disclosed by a Legislator*  
37 *pursuant to this section includes, without limitation,*  
38 *information relating to employment, contracts, board*  
39 *affiliation and any other direct relationship between an*  
40 *entity and the Legislator or a member of the Legislator's*  
41 *immediate family.*



1           **2. The Legislature shall publish regularly a list of**  
2           **conflict disclosures that, for each Legislator, identifies all**  
3           **personal interests of the Legislator that may result in a**  
4           **conflict of interest.**

5 And be it further

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

8       ~~[Sec:]~~ **Sec. 6. [Each] Except as otherwise provided in this**  
9       **Constitution, each** House shall judge of the qualifications,  
10       elections and returns of its own members, choose its own  
11       officers (except the President of the Senate), determine the  
12       rules of its proceedings and may punish its members for  
13       disorderly conduct, and with the concurrence of two thirds of  
14       all the members elected, expel a member.

15 And be it further

16       RESOLVED, That Section 15 of Article 4 of the Nevada  
17 Constitution be amended to read as follows:

18       Sec. 15. **1.** The doors of each House shall be kept open  
19       during its session, and neither shall, without the consent of  
20       the other, adjourn for more than three days nor to any other  
21       place than that in which they may be holding their sessions.

22       **2.** The meetings of all legislative committees must be  
23       open to the public, except meetings held to consider the  
24       character, alleged misconduct, professional competence, or  
25       physical or mental health of a person.

26       **3. The Legislature and its members are subject to the**  
27       **same provisions of law that are enacted by the Legislature**  
28       **and relate to open meetings of public bodies.**

29 And be it further

30       RESOLVED, That this resolution becomes effective upon  
31 passage.



