ASSEMBLY BILL NO. 200-ASSEMBLYMAN MCARTHUR

FEBRUARY 20, 2023

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing legislative measures that may be requested for a regular legislative session. (BDR 17-103)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: No.

EXPLANATION - Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to the Legislature; reducing the number of legislative measures that may be requested for a regular legislative session; codifying into statute certain provisions of the Joint Standing Rules of the Senate and Assembly that authorize requests for legislative measures; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes committees, Legislators and certain other persons and 234567 entities to request the drafting of legislative measures for consideration during a regular legislative session. Existing law provides that such authorized requesters are allotted: (1) a maximum number of requests for the drafting of legislative measures; or (2) an unlimited number of requests for the drafting of legislative measures. Existing law also provides that a person designated after the general election as the Speaker of the Assembly, the Majority Leader of the Senate, the Minority Leader of 8 the Assembly or the Minority Leader of the Senate may request the remaining 9 number of the legislative measures allowed that were not requested before election 10 by the previous officer in such position. (NRS 218D.150-218D.220) Sections 1-7 11 of this bill reduce the maximum number of requests for the drafting of legislative 12 measures that may be made by certain authorized requesters. Sections 2 and 4 of 13 this bill additionally impose a limit on the current unlimited allotments of certain 14 authorized requesters. Section 2 also removes the authority of the person 15 designated after the general election as the Speaker of the Assembly, the Majority 16 Leader of the Senate, the Minority Leader of the Assembly or the Minority Leader 17 of the Senate to request the remaining legislative measures that were not requested 18 before the election by the previous officer in such position. Finally, sections 1 and 19 2 of this bill clarify that the requests for the drafting of legislative measures must be 20 submitted to the Legislative Counsel.

In addition to the requests currently authorized in the Nevada Revised Statutes, subsection 1 of Rule No. 14 of the Joint Standing Rules of the Senate and





23 24 Assembly adopted by the 82nd Legislative Session authorizes each House, from the first day of a regular legislative session until 5 p.m. on the 15th calendar day of the $\frac{2}{25}$ legislative session, to submit a maximum of 60 requests for the drafting of a bill or 26 27 28 joint resolution. The Majority Leader of the Senate and the Speaker of the Assembly are required to allocate all, some or none of these authorized requests and provide the Legislative Counsel with a written list of the number of requests $\overline{29}$ that may be submitted by each member and standing committee of their respective 30 Houses, and by the Majority Leader and Speaker. Section 1 of this bill codifies into 31 statute the provisions of this Joint Standing Rule, but reduces from 60 to 30, for 32 33 each House, the maximum number of such requests that may be submitted.

Paragraph (a) of subsection 1 of Rule No. 14.4 of the Joint Standing Rules of 34 the Senate and Assembly adopted by the 82nd Legislative Session provides that, 35 after a legislative session has convened, the Majority Leader of the Senate and the 36 Speaker of the Assembly may each submit, on his or her own behalf or on behalf of 37 another Legislator or standing committee of the Senate or Assembly, respectively, a 38 maximum of 10 requests for the drafting of a bill or resolution. Section 2 of this bill 39 codifies into statute the provisions of this Joint Standing Rule, but reduces from 10 40 to 3 the maximum number of such requests that may be submitted. Section 2 also 41 codifies into statute a requirement of Joint Standing Rule No. 14.4 that those 42 measures be designated as emergency measures.

43 Additionally, paragraph (b) of subsection 1 of Rule No. 14.4 of the Joint 44 Standing Rules of the Senate and Assembly adopted by the 82nd Legislative 45 Session provides that, after a legislative session has convened, the Minority Leader 46 of the Senate and the Minority Leader of the Assembly may each submit, on his or 47 her own behalf or on behalf of another Legislator or standing committee of the 48 Senate or Assembly, respectively, a maximum of 3 requests for the drafting of a bill 49 or resolution. Section 2 codifies into statute the provisions of this Joint Standing 50 Rule but reduces from 3 to 2 the maximum number of such requests that may be 51 submitted. Section 2 also codifies into statute a requirement in Joint Standing Rule 52 No. 14.4 that those measures be designated as emergency measures.

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

1 **Section 1.** NRS 218D.150 is hereby amended to read as 2 follows:

3 218D.150 1. Except as otherwise provided in this section, 4 each:

5 (a) Incumbent member of the Assembly may request the 6 drafting of:

7 (1) Not more than [4] 2 legislative measures submitted to the 8 Legislative Counsel on or before August 1 preceding a regular 9 session;

10 (2) Not more than [5] 3 legislative measures submitted to the 11 Legislative Counsel after August 1 but on or before December 10 12 preceding a regular session; and

13 (3) Not more than 1 legislative measure submitted to the 14 Legislative Counsel after a regular session has convened but on or 15 before the eighth day of the regular session at 5 p.m.





1 (b) Incumbent member of the Senate may request the drafting 2 of:

3 (1) Not more than [8] 5 legislative measures submitted to the 4 Legislative Counsel on or before August 1 preceding a regular 5 session;

6 (2) Not more than [10] 5 legislative measures submitted to 7 the Legislative Counsel after August 1 but on or before 8 December 10 preceding a regular session; and

9 (3) Not more than 2 legislative measures submitted to the 10 Legislative Counsel after a regular session has convened but on or 11 before the eighth day of the regular session at 5 p.m.

12 (c) Newly elected member of the Assembly may request the 13 drafting of:

14 (1) Not more than [5] 3 legislative measures submitted to the 15 Legislative Counsel on or before December 10 preceding a regular 16 session; and

17 (2) Not more than 1 legislative measure submitted to the 18 Legislative Counsel after a regular session has convened but on or 19 before the eighth day of the regular session at 5 p.m.

20 (d) Newly elected member of the Senate may request the 21 drafting of:

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

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

28 2. Except as otherwise provided in this subsection, on or before 29 the first day of a regular session, each:

(a) Incumbent member of the Assembly must:

31 (1) Prefile at least [4] 2 of the legislative measures that he or
32 she requested pursuant to subparagraphs (1) and (2) of paragraph (a)
33 of subsection 1; or

(2) Inform the Legislative Counsel of which [4] 2 legislative
measures that he or she requested pursuant to subparagraphs (1) and
(2) of paragraph (a) of subsection 1 that he or she withdraws.

37 → If an incumbent member of the Assembly does not request the 38 maximum number of legislative measures authorized bv 39 subparagraphs (1) and (2) of paragraph (a) of subsection 1, the 40 number of legislative measures that he or she must prefile or withdraw pursuant to this paragraph is reduced by that number of 41 42 unused requests.

43 (b) Incumbent member of the Senate must:



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1 (1) Prefile at least [8] 5 of the legislative measures that he or 2 she requested pursuant to subparagraphs (1) and (2) of paragraph (b) 3 of subsection 1; or

4 (2) Inform the Legislative Counsel of which [8] 5 legislative 5 measures that he or she requested pursuant to subparagraphs (1) and 6 (2) of paragraph (b) of subsection 1 that he or she withdraws.

7 → If an incumbent member of the Senate does not request the 8 number of legislative measures authorized maximum bv 9 subparagraphs (1) and (2) of paragraph (b) of subsection 1, the number of legislative measures that he or she must prefile or 10 11 withdraw pursuant to this paragraph is reduced by that number of 12 unused requests.

13 (c) Newly elected member of the Assembly must:

14 (1) Prefile at least [2] *I* of the legislative measures that he or 15 she requested pursuant to subparagraph (1) of paragraph (c) of 16 subsection 1; or

17 (2) Inform the Legislative Counsel of which [2] *1* legislative 18 [measures] *measure* that he or she requested pursuant to 19 subparagraph (1) of paragraph (c) of subsection 1 that he or she 20 withdraws.

21 → If a newly elected member of the Assembly does not request the 22 maximum number of legislative measures authorized by 23 subparagraph (1) of paragraph (c) of subsection 1, the number of 24 legislative measures that he or she must prefile or withdraw 25 pursuant to this paragraph is reduced by that number of unused 26 requests.

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(d) Newly elected member of the Senate must:

28 (1) Prefile at least [4] 2 of the legislative measures that he or 29 she requested pursuant to subparagraph (1) of paragraph (d) of 30 subsection 1; or

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

34 \rightarrow If a newly elected member of the Senate does not request the 35 maximum number of legislative measures authorized by 36 subparagraph (1) of paragraph (d) of subsection 1, the number of legislative measures that he or she must prefile or withdraw 37 38 pursuant to this paragraph is reduced by that number of unused 39 requests.

40 3. A Legislator may not request the drafting of a legislative 41 measure pursuant to subsection 1 on or after the date on which the 42 Legislator becomes a nonreturning Legislator. For the purposes of 43 this subsection, "nonreturning Legislator" means a Legislator who, 44 in the year that the Legislator's term of office expires:





1 (a) Has not filed a declaration of candidacy within the time 2 allowed for filing for election as a member of the Senate or the 3 Assembly;

4 (b) Has failed to win nomination as a candidate for the Senate or 5 the Assembly at the primary election; or

6 (c) Has withdrawn as a candidate for the Senate or the 7 Assembly.

8 4. A Legislator may not request the drafting of a legislative 9 measure pursuant to paragraph (a) or (b) of subsection 1 on or after the date on which the Legislator files a declaration of candidacy for 10 election to the House in which he or she is not currently a member. 11 12 If the Legislator is elected to the other House, any request that he or 13 she submitted pursuant to paragraph (a) or (b) of subsection 1 before 14 filing his or her declaration of candidacy for election counts against 15 the applicable limitation set forth in paragraph (c) or (d) of 16 subsection 1 for the House in which the Legislator is a newly 17 elected member.

18 5. In addition to the number of requests authorized pursuant to 19 subsection 1:

20 (a) The chair of each standing committee of the immediately 21 preceding regular session, or a person designated in the place of the 22 chair by the Speaker of the Assembly or the Majority Leader of the Senate, may request, by submission to the Legislative Counsel 23 24 before the date of the general election preceding a regular session, 25 the drafting of not more than 1 legislative measure for introduction 26 by the committee in a subject within the jurisdiction of the 27 committee for every [18] 24 legislative measures that were referred 28 to the respective standing committee during the immediately 29 preceding regular session.

30 (b) A person designated after the general election as a chair of a 31 standing committee for the next regular session, or a person 32 designated in the place of a chair by the person designated as the 33 Speaker of the Assembly or the Majority Leader of the Senate for the next regular session, may request, by submission to the 34 35 *Legislative Counsel* on or before December 10 preceding that regular session, the drafting of the remaining number of the 36 37 legislative measures allowed for the respective standing committee 38 that were not requested by the previous chair or designee.

(c) Each House may request the drafting of not more than 30 legislative measures submitted to the Legislative Counsel after a regular session has convened, but not later than 5 p.m. on the 15th calendar day of the regular session. The Majority Leader of the Senate and the Speaker of the Assembly shall, not later than the 8th calendar day of each regular session, allocate all, some or none of the 30 requests and provide the Legislative Counsel with a





written list of the number of requests that may be submitted by
 each member and standing committee of their respective Houses,
 and as Majority Leader or Speaker, within the limit provided by
 this paragraph. The lists may be revised any time before the 15th
 calendar day of the regular session to reallocate any unused
 requests or requests which were withdrawn before drafting began
 on the request.

8 6. Each request made pursuant to this section must be on a 9 form prescribed by the Legislative Counsel.

10 Sec. 2. NRS 218D.155 is hereby amended to read as follows:

11 218D.155 1. In addition to the number of requests authorized 12 pursuant to NRS 218D.150:

(a) The Speaker of the Assembly and the Majority Leader of the
Senate may each request, *by submission to the Legislative Counsel*before the date of the general election preceding a regular session,
[without limitation,] the drafting of not more than [15] 8 legislative
measures for that regular session.

(b) The Minority Leader of the Assembly and the Minority
Leader of the Senate may each request , by submission to the
Legislative Counsel before the date of the general election
preceding a regular session, [without limitation,] the drafting of not
more than [10] 5 legislative measures for that regular session.

(c) [A person designated after the general election as the 23 24 Speaker of the Assembly, the Majority Leader of the Senate, 25 the Minority Leader of the Assembly or the Minority Leader of the 26 Senate for the next regular session may request before the first day 27 of that regular session the drafting of the remaining number of the 28 legislative measures allowed for the respective officer that were not 29 requested by the previous officer.] The Speaker of the Assembly 30 and the Majority Leader of the Senate may each request, on his or 31 her own behalf or on the behalf of another Legislator or standing 32 committee of the Assembly or Senate, by submission to the Legislative Counsel after a regular session has convened, the 33 drafting of not more than 3 legislative measures for that regular 34 35 session.

(d) The Minority Leader of the Assembly and the Minority
Leader of the Senate may each request, on his or her own behalf
or on the behalf of another Legislator or standing committee of
the Assembly or Senate, by submission to the Legislative Counsel
after a regular session has convened, the drafting of not more
than 2 legislative measures for that regular session.

42 2. A request submitted pursuant to paragraph (c) or (d) of 43 subsection 1:

(a) May be submitted at any time during a regular session and
 is not subject to any of the requirements relating to the submission





of details, time for introduction or final dates for action by 1 2 committees.

3 (b) Is in addition to, and not in lieu of, any other requests for the drafting of a legislative measure that are authorized to be 4 5 submitted to the Legislative Counsel by the Majority Leader of the 6 Senate, Speaker of the Assembly, Minority Leader of the Senate or 7 Minority Leader of the Assembly.

8 3. The list of requests for the preparation of legislative measures prepared pursuant to NRS 218D.130 must include the 9 phrase "EMERGENCY REQUEST OF" and state the title of the 10 person who requested each legislative measure pursuant to 11 paragraph (c) or (d) of subsection 1. If the request was made on 12 13 behalf of another Legislator or a standing committee, the list must 14 also include the name of the Legislator or standing committee on 15 whose behalf the legislative measure was requested.

16 4. The Legislative Counsel shall cause to be printed on the 17 face of the introductory copy and all reprints of each legislative 18 measure requested pursuant to paragraph (c) or (d) of subsection 19 1 the phrase "EMERGENCY REQUEST OF" and state the title of 20 the person who requested the bill or resolution.

21 The Legislative Counsel, the General Counsel, the Secretary 5. 22 of the Senate and the Chief Clerk of the Assembly may *each* request 23 before or during a regular session [, without limitation.] the drafting 24 of [as many] not more than 10 legislative measures [as] which are 25 necessary or convenient for the proper exercise of their duties. 26

Sec. 3. NRS 218D.160 is hereby amended to read as follows:

27 218D.160 1. The Chair of the Legislative Commission may 28 request the drafting of not more than $\begin{bmatrix} 10 \\ 10 \end{bmatrix} 8$ legislative measures 29 before the first day of a regular session, with the approval of the 30 Legislative Commission, which relate to the affairs of the 31 Legislature or its employees, including legislative measures 32 requested by the legislative staff.

33 The Chair of the Interim Finance Committee may request 34 the drafting of not more than [10] 5 legislative measures before the 35 first day of a regular session, with the approval of the Committee, 36 which relate to matters within the scope of the Committee.

37 3. Except as otherwise provided by a specific statute, joint rule 38 or concurrent resolution:

39 (a) Except as otherwise provided in paragraphs (b), (c) and (d), a 40 Joint Interim Standing Committee may request the drafting of not 41 more than [10] 5 legislative measures which relate to matters within 42 the scope of the Committee.

43 (b) The Joint Interim Standing Committee on Health and Human 44 Services may request the drafting of not more than [15] 8 legislative 45 measures which relate to matters within the scope of the Committee,





1 at least [5] 2 of which must relate to matters relating to child 2 welfare.

3 (c) The Joint Interim Standing Committee on the Judiciary may
4 request the drafting of not more [15] 8 legislative measures which
5 relate to matters within the scope of the Committee, at least [5] 2 of
6 which must relate to matters relating to juvenile justice.

7 (d) The Joint Interim Standing Committee on Natural Resources 8 may request the drafting of not more than [14] 7 legislative 9 measures which relate to matters within the scope of the Committee, 10 at least [4] 2 of which must relate to matters relating to public lands 11 based on the recommendations for legislation submitted by the 12 Subcommittee on Public Lands pursuant to NRS 218E.525.

(e) Any legislative committee created by a statute, other than the
Legislative Committee on Senior Citizens, Veterans and Adults
With Special Needs created by NRS 218E.750 or an interim
legislative committee, may request the drafting of not more than
[10] 5 legislative measures which relate to matters within the scope
of the committee.

(f) The Legislative Committee on Senior Citizens, Veterans and
Adults With Special Needs created by NRS 218E.750 may request
the drafting of not more than [6] 3 legislative measures which relate
to matters within the scope of the Committee.

(g) 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] 3 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.

30 (h) Any other committee established by the Legislature which 31 conducts an interim legislative study or investigation may request 32 the drafting of not more than [5] 3 legislative measures which relate 33 to matters within the scope of the study or investigation.

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

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

40 Sec. 4. NRS 218D.175 is hereby amended to read as follows:

218D.175 1. Except as otherwise provided in subsection 2,
for a regular session, the Governor or the Governor's designated
representative may request the drafting of not more than [110] 55
legislative measures which have been approved by the Governor or
the Governor's designated representative on behalf of the officers,





1 agencies, boards, commissions, departments and other units of the

2 Executive Department. The requests must be submitted to the 3 Legislative Counsel on or before August 1 preceding the regular 4 session.

5 2. The Governor or the Governor's designated representative 6 may request at any time before or during a regular session, without 7 limitation, the drafting of as many legislative measures as are 8 necessary to carry out the provisions of NRS 288.400 to 288.630, 9 inclusive.

10 The Director of the Office of Finance may request on or 3. before the 19th day of a regular session [, without limitation,] the 11 12 drafting of [as many] not more than 50 legislative measures [as] 13 *which* are necessary to implement the budget proposed by the Governor and to provide for the fiscal management of the State. In 14 15 addition to the requests otherwise authorized pursuant to this section, the Governor may request the drafting of not more than [5] 16 4 legislative measures on or before the 19th day of a regular session 17 to propose the Governor's legislative agenda. 18

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

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26	Lieutenant Governor
27	Secretary of State
28	State Treasurer
29	State Controller
30	Attorney General

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

6. Each request made pursuant to this section must be on a form prescribed by the Legislative Counsel. The legislative measures requested pursuant to subsections 1 and 4 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.





Sec. 5. NRS 218D.190 is hereby amended to read as follows:

2 218D.190 1. For a regular session, the Supreme Court may 3 request the drafting of not more than [10] 5 legislative measures 4 which have been approved by the Supreme Court on behalf of the 5 Judicial Department. The requests must be submitted to the 6 Legislative Counsel on or before September 1 preceding the regular 7 session.

8 2. Each request made pursuant to this section must be on a 9 form prescribed by the Legislative Counsel. The legislative 10 measures requested pursuant to this section must be prefiled on or 11 before the third Wednesday in November preceding the regular 12 session. A legislative measure that is not prefiled on or before that 13 day shall be deemed withdrawn.

Sec. 6. NRS 218D.205 is hereby amended to read as follows:

15 218D.205 1. For a regular session, each board of county 16 commissioners, board of trustees of a school district and city council 17 may request the drafting of not more than the numbers of legislative 18 measures set forth in this section if the requests are:

(a) Approved by the governing body of the county, schooldistrict or city at a public hearing before their submission to theLegislative Counsel; and

(b) Submitted to the Legislative Counsel on or beforeSeptember 1 preceding the regular session.

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

27 3. The board of county commissioners of a county whose 28 population:

(a) Is 700,000 or more may request the drafting of not more than
[4] 3 legislative measures for a regular session.

31 (b) Is 100,000 or more but less than 700,000 may request the 32 drafting of not more than 2 legislative measures for a regular 33 session.

34 (c) Is less than 100,000 may request the drafting of not more 35 than 1 legislative measure for a regular session.

4. The board of trustees of a school district in a county whosepopulation:

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

40 (b) Is less than 700,000 may request the drafting of not more 41 than 1 legislative measure for a regular session.

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

(a) Is [500,000] 150,000 or more may request the drafting of not more than [3] 2 legislative measures for a regular session.



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1 (b) [Is 150,000 or more but less than 500,000 may request the 2 drafting of not more than 2 legislative measures for a regular 3 session.

4 - (c)] Is less than 150,000 may request the drafting of not more 5 than 1 legislative measure for a regular session.

6 6. Each request made pursuant to this section must be on a 7 form prescribed by the Legislative Counsel. The legislative 8 measures requested pursuant to this section must be prefiled on or 9 before the third Wednesday in November preceding the regular 10 session. A legislative measure that is not prefiled on or before that 11 day shall be deemed withdrawn.

12 7. As used in this section, "population" means the current 13 population estimate for that city or county as determined and 14 published by the Department of Taxation and the demographer 15 employed pursuant to NRS 360.283.

16 Sec. 7. NRS 218D.210 is hereby amended to read as follows:

17 218D.210 1. For a regular session, an association of counties 18 or cities may request the drafting of not more than [5] 4 legislative 19 measures. The requests must be submitted to the Legislative 20 Counsel on or before September 1 preceding the regular session.

2. Each request made pursuant to this section must be on a 2. form prescribed by the Legislative Counsel. The legislative 23 measures requested pursuant to this section must be prefiled on or 24 before the third Wednesday in November preceding the regular 25 session. A legislative measure that is not prefiled on or before that 26 day shall be deemed withdrawn.

27 Sec. 8. This act becomes effective on July 1, 2023.



