

**CS FOR SENATE BILL NO. 118(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

**BY THE SENATE JUDICIARY COMMITTEE**

**Offered: 3/8/22**

**Referred: Finance, Rules**

**Sponsor(s): SENATOR REINBOLD**

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to introduction of bills; and establishing the committee on nullification**  
2   **of federal laws."**

3   **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4    \* **Section 1.** AS 24.08.060(b) is amended to read:

5           (b) Bills introduced by the legislative council shall be delivered with a letter of  
6           explanation to the rules committee of either house and bear the inscription "Rules  
7           Committee by Request of the Legislative Council"; bills introduced by the Legislative  
8           Budget and Audit Committee shall be delivered with a letter of explanation to the  
9           rules committee of either house and bear the inscription "Rules Committee by Request  
10          of the Legislative Budget and Audit Committee"; **bills introduced by the committee**  
11          **on nullification of federal laws shall be delivered with a letter of explanation to**  
12          **the rules committee of either house and bear the inscription "Rules Committee**  
13          **by Request of the Committee on Nullification of Federal Laws";** bills presented by  
14          the governor shall be delivered with a letter to the rules committee of either house and

1 bear the inscription "Rules Committee by Request of the Governor"; bills so presented  
 2 and inscribed shall be received as bills carrying the approval of the governor as to  
 3 policy and budget impact. The governor may submit a statement of purpose and effect  
 4 with each bill and appear personally or through a representative before any committee  
 5 considering legislation.

6 \* **Sec. 2.** AS 24.20 is amended by adding a new section to read:

7 **Article 4. Committee on Nullification of Federal Laws.**

8 **Sec. 24.20.700. Committee on nullification of federal laws established;**  
 9 **duties.** (a) The committee on nullification of federal laws is established as a  
 10 permanent interim committee of the legislature.

11 (b) The committee is composed of

12 (1) the chairs of the senate and house judiciary committees;

13 (2) the chairs of the senate and house state affairs committees;

14 (3) one member of the largest minority caucus in each house, selected  
 15 by the leader of that caucus.

16 (c) The chairs of the senate and house judiciary committees shall serve as  
 17 co-chairs of the committee.

18 (d) The committee shall meet at the call of either co-chair when the legislature  
 19 is not in session and after considering the available resources to conduct the requested  
 20 review.

21 (e) A member of the committee may request the review of a federal statute,  
 22 regulation, or executive order to consider whether the statute, regulation, or executive  
 23 order is outside the scope of the powers delegated to the federal government in the  
 24 Constitution of the United States.

25 (f) After the review of a federal statute, regulation, or executive order, the  
 26 committee may, by a majority vote of the full membership of the committee,

27 (1) introduce a resolution recommending whether the state should  
 28 effectively nullify a federal statute, regulation, or executive order by withholding state  
 29 resources for the enforcement or implementation of the federal statute, regulation, or  
 30 executive order;

31 (2) introduce a resolution encouraging the attorney general to file a

1 lawsuit challenging the constitutionality of a federal statute, regulation, or executive  
2 order;

3 (3) introduce a bill nullifying a federal statute, regulation, or executive  
4 order based on constitutionality;

5 (4) introduce a bill that provides that an act prohibited by a federal  
6 statute, regulation, or executive order is not prohibited under state law notwithstanding  
7 the federal statute, regulation, or executive order; or

8 (5) submit a report to the legislature with its findings and  
9 recommendations.

10 (g) The committee may review any federal statute, regulation, or executive  
11 order, including those taking effect before the effective date of this Act.