

ASSEMBLY BILL NO. 233—ASSEMBLYMEN MCARTHUR,
TITUS, DICKMAN; O’NEILL AND WHEELER

MARCH 11, 2021

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing legislative measures that may be requested for a regular legislative session. (BDR 17-689)

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 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
2 entities to request the drafting of legislative measures for consideration during a
3 regular legislative session. Existing law provides that such authorized requesters are
4 allotted: (1) a maximum number of requests for the drafting of legislative measures;
5 or (2) an unlimited number of requests for the drafting of legislative measures.
6 (NRS 218D.150-218D.220) **Sections 1-7** of this bill reduce the maximum number
7 of requests for the drafting of legislative measures that may be made by certain
8 authorized requesters. **Sections 2 and 4** of this bill additionally impose a limit on
9 the current unlimited allotments of certain authorized requesters. Finally, **sections 1**
10 **and 2** of this bill clarify that the requests for the drafting of legislative measures
11 must be submitted to the Legislative Counsel.

12 In addition to the requests currently authorized in the Nevada Revised Statutes,
13 subsection 1 of Rule No. 14 of the Joint Standing Rules of the Senate and
14 Assembly adopted by the 81st Legislative Session authorizes each House, from the
15 first day of a regular legislative session until 5 p.m. on the 15th calendar day of the
16 legislative session, to submit a maximum of 60 requests for the drafting of a bill or
17 joint resolution. The Majority Leader of the Senate and the Speaker of the
18 Assembly are required to allocate all, some or none of these authorized requests
19 and provide the Legislative Counsel with a written list of the number of requests
20 that may be submitted by each member and standing committee of their respective



21 Houses, and by the Majority Leader and Speaker. **Section 1** of this bill codifies into
22 statute the provisions of this Joint Standing Rule, but reduces from 60 to 30, for
23 each House, the maximum number of such requests that may be submitted.

24 Paragraph (a) of subsection 1 of Rule No. 14.4 of the Joint Standing Rules of
25 the Senate and Assembly adopted by the 81st Legislative Session provides that,
26 after a legislative session has convened, the Majority Leader of the Senate and the
27 Speaker of the Assembly may each submit, on his or her own behalf or on behalf of
28 another Legislator or standing committee of the Senate or Assembly, respectively, a
29 maximum of 10 requests for the drafting of a bill or resolution. **Section 2** of this bill
30 codifies into statute the provisions of this Joint Standing Rule, but reduces from 10
31 to 3 the maximum number of such requests that may be submitted. **Section 2** also
32 codifies into statute a requirement of Joint Standing Rule No. 14.4 that those
33 measures be designated as emergency measures.

34 Additionally, paragraph (b) of subsection 1 of Rule No. 14.4 of the Joint
35 Standing Rules of the Senate and Assembly adopted by the 81st Legislative Session
36 provides that, after a legislative session has convened, the Minority Leader of the
37 Senate and the Minority Leader of the Assembly may each submit, on his or her
38 own behalf or on behalf of another Legislator or standing committee of the Senate
39 or Assembly, respectively, a maximum of 3 requests for the drafting of a bill or
40 resolution. **Section 2** codifies into statute the provisions of this Joint Standing Rule,
41 but reduces from 3 to 2 the maximum number of such requests that may be
42 submitted. **Section 2** also codifies into statute a requirement in Joint Standing Rule
43 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.

16 (b) Incumbent member of the Senate may request the drafting
17 of:

18 (1) Not more than ~~8~~ 5 legislative measures submitted to the
19 Legislative Counsel on or before August 1 preceding a regular
20 session;



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

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

7 (c) Newly elected member of the Assembly may request the
8 drafting of:

9 (1) Not more than ~~5~~ 3 legislative measures submitted to the
10 Legislative Counsel on or before December 10 preceding a regular
11 session; and

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

15 (d) Newly elected member of the Senate may request the
16 drafting of:

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

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

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

25 (a) Incumbent member of the Assembly must:

26 (1) Prefile at least ~~4~~ 2 of the legislative measures that he or
27 she requested pursuant to subparagraphs (1) and (2) of paragraph (a)
28 of subsection 1; or

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

32 ↪ If an incumbent member of the Assembly does not request the
33 maximum number of legislative measures authorized by
34 subparagraphs (1) and (2) of paragraph (a) of subsection 1, the
35 number of legislative measures that he or she must prefile or
36 withdraw pursuant to this paragraph is reduced by that number of
37 unused requests.

38 (b) Incumbent member of the Senate must:

39 (1) Prefile at least ~~8~~ 5 of the legislative measures that he or
40 she requested pursuant to subparagraphs (1) and (2) of paragraph (b)
41 of subsection 1; or

42 (2) Inform the Legislative Counsel of which ~~8~~ 5 legislative
43 measures that he or she requested pursuant to subparagraphs (1) and
44 (2) of paragraph (b) of subsection 1 that he or she withdraws.



1 ↪ If an incumbent member of the Senate does not request the
2 maximum number of legislative measures authorized by
3 subparagraphs (1) and (2) of paragraph (b) of subsection 1, the
4 number of legislative measures that he or she must prefile or
5 withdraw pursuant to this paragraph is reduced by that number of
6 unused requests.

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

8 (1) Prefile at least ~~2~~ 1 of the legislative measures that he or
9 she requested pursuant to subparagraph (1) of paragraph (c) of
10 subsection 1; or

11 (2) Inform the Legislative Counsel of which ~~2~~ 1 legislative
12 ~~measures~~ *measure* that he or she requested pursuant to
13 subparagraph (1) of paragraph (c) of subsection 1 that he or she
14 withdraws.

15 ↪ If a newly elected member of the Assembly does not request the
16 maximum number of legislative measures authorized by
17 subparagraph (1) of paragraph (c) of subsection 1, the number of
18 legislative measures that he or she must prefile or withdraw
19 pursuant to this paragraph is reduced by that number of unused
20 requests.

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

22 (1) Prefile at least ~~4~~ 2 of the legislative measures that he or
23 she requested pursuant to subparagraph (1) of paragraph (d) of
24 subsection 1; or

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

28 ↪ If a newly elected member of the Senate does not request the
29 maximum number of legislative measures authorized by
30 subparagraph (1) of paragraph (d) of subsection 1, the number of
31 legislative measures that he or she must prefile or withdraw
32 pursuant to this paragraph is reduced by that number of unused
33 requests.

34 3. A Legislator may not request the drafting of a legislative
35 measure pursuant to subsection 1 on or after the date on which the
36 Legislator becomes a nonreturning Legislator. For the purposes of
37 this subsection, “nonreturning Legislator” means a Legislator who,
38 in the year that the Legislator’s term of office expires:

39 (a) Has not filed a declaration of candidacy within the time
40 allowed for filing for election as a member of the Senate or the
41 Assembly;

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

44 (c) Has withdrawn as a candidate for the Senate or the
45 Assembly.



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

11 5. In addition to the number of requests authorized pursuant to
12 subsection 1:

13 (a) The chair of each standing committee of the immediately
14 preceding regular session, or a person designated in the place of the
15 chair by the Speaker of the Assembly or the Majority Leader of the
16 Senate, may request , *by submission to the Legislative Counsel*
17 before the date of the general election preceding a regular session ,
18 the drafting of not more than 1 legislative measure for introduction
19 by the committee in a subject within the jurisdiction of the
20 committee for every ~~H8~~ 24 legislative measures that were referred
21 to the respective standing committee during the immediately
22 preceding regular session.

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

32 (c) *Each House may request the drafting of not more than 30*
33 *legislative measures submitted to the Legislative Counsel after a*
34 *regular session has convened, but not later than 5 p.m. on the 15th*
35 *calendar day of the regular session. The Majority Leader of the*
36 *Senate and the Speaker of the Assembly shall, not later than the*
37 *8th calendar day of each regular session, allocate all, some or*
38 *none of the 30 requests and provide the Legislative Counsel with a*
39 *written list of the number of requests that may be submitted by*
40 *each member and standing committee of their respective Houses,*
41 *and as Majority Leader or Speaker, within the limit provided by*
42 *this paragraph. The lists may be revised any time before the 15th*
43 *calendar day of the regular session to reallocate any unused*
44 *requests or requests which were withdrawn before drafting began*
45 *on the request.*



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

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

4 218D.155 1. In addition to the number of requests authorized
5 pursuant to NRS 218D.150:

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

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

16 (c) A person designated after the general election as the Speaker
17 of the Assembly, the Majority Leader of the Senate, the Minority
18 Leader of the Assembly or the Minority Leader of the Senate for the
19 next regular session may request, *by submission to the Legislative*
20 *Counsel* before the first day of that regular session, the drafting of
21 the remaining number of the legislative measures allowed for the
22 respective officer that were not requested by the previous officer.

23 (d) *The Speaker of the Assembly and the Majority Leader of*
24 *the Senate may each request, on his or her own behalf or on the*
25 *behalf of another Legislator or standing committee of the*
26 *Assembly or Senate, by submission to the Legislative Counsel after*
27 *a regular session has convened, the drafting of not more than 3*
28 *legislative measures for that regular session.*

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

35 2. *A request submitted pursuant to paragraph (d) or (e) of*
36 *subsection 1:*

37 (a) *May be submitted at any time during a regular session and*
38 *is not subject to any of the requirements relating to the submission*
39 *of details, time for introduction or final dates for action by*
40 *committees.*

41 (b) *Is in addition to, and not in lieu of, any other requests for*
42 *the drafting of a legislative measure that are authorized to be*
43 *submitted to the Legislative Counsel by the Majority Leader of the*
44 *Senate, Speaker of the Assembly, Minority Leader of the Senate or*
45 *Minority Leader of the Assembly.*



1 3. *The list of requests for the preparation of legislative*
2 *measures prepared pursuant to NRS 218D.130 must include the*
3 *phrase “EMERGENCY REQUEST OF” and state the title of the*
4 *person who requested each legislative measure pursuant to*
5 *paragraph (d) or (e) of subsection 1. If the request was made on*
6 *behalf of another Legislator or a standing committee, the list must*
7 *also include the name of the Legislator or standing committee on*
8 *whose behalf the legislative measure was requested.*

9 4. *The Legislative Counsel shall cause to be printed on the*
10 *face of the introductory copy and all reprints of each legislative*
11 *measure requested pursuant to paragraph (d) or (e) of subsection*
12 *1 the phrase “EMERGENCY REQUEST OF” and state the title of*
13 *the person who requested the bill or resolution.*

14 5. The Legislative Counsel, the General Counsel, the Secretary
15 of the Senate and the Chief Clerk of the Assembly may *each* request
16 before or during a regular session ~~[, without limitation,]~~ the drafting
17 of ~~[as many]~~ *not more than 10* legislative measures ~~[as]~~ *which* are
18 necessary or convenient for the proper exercise of their duties.

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

20 218D.160 1. The Chair of the Legislative Commission may
21 request the drafting of not more than ~~[10]~~ *8* legislative measures
22 before the first day of a regular session, with the approval of the
23 Legislative Commission, which relate to the affairs of the
24 Legislature or its employees, including legislative measures
25 requested by the legislative staff.

26 2. The Chair of the Interim Finance Committee may request
27 the drafting of not more than ~~[10]~~ *5* legislative measures before the
28 first day of a regular session, with the approval of the Committee,
29 which relate to matters within the scope of the Committee.

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

32 (a) Any legislative committee created by a statute, other than an
33 interim legislative committee, may request the drafting of not more
34 than ~~[10]~~ *5* legislative measures which relate to matters within the
35 scope of the committee.

36 (b) Any committee or subcommittee established by an order of
37 the Legislative Commission pursuant to NRS 218E.200 may request
38 the drafting of not more than ~~[5]~~ *3* legislative measures which relate
39 to matters within the scope of the study or investigation, except that
40 such a committee or subcommittee may request the drafting of
41 additional legislative measures if the Legislative Commission
42 approves each additional request by a majority vote.

43 (c) Any other committee established by the Legislature which
44 conducts an interim legislative study or investigation may request



1 the drafting of not more than ~~[5]~~ 3 legislative measures which relate
2 to matters within the scope of the study or investigation.

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

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

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

10 218D.175 1. Except as otherwise provided in subsection 2,
11 for a regular session, the Governor or the Governor's designated
12 representative may request the drafting of not more than ~~[10]~~ 55
13 legislative measures which have been approved by the Governor or
14 the Governor's designated representative on behalf of the officers,
15 agencies, boards, commissions, departments and other units of the
16 Executive Department. The requests must be submitted to the
17 Legislative Counsel on or before August 1 preceding the regular
18 session.

19 2. The Governor or the Governor's designated representative
20 may request at any time before or during a regular session, without
21 limitation, the drafting of as many legislative measures as are
22 necessary to carry out the provisions of NRS 288.400 to 288.630,
23 inclusive.

24 3. The Director of the Office of Finance may request on or
25 before the 19th day of a regular session ~~[, without limitation,]~~ the
26 drafting of ~~[as many]~~ not more than 50 legislative measures ~~[as]~~
27 which are necessary to implement the budget proposed by the
28 Governor and to provide for the fiscal management of the State. In
29 addition to the requests otherwise authorized pursuant to this
30 section, the Governor may request the drafting of not more than ~~[5]~~
31 4 legislative measures on or before the 19th day of a regular session
32 to propose the Governor's legislative agenda.

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

39		
40	Lieutenant Governor.....	[3] 2
41	Secretary of State.....	[6] 4
42	State Treasurer.....	[5] 4
43	State Controller.....	[5] 4
44	Attorney General	[20] 14



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

7 6. Each request made pursuant to this section must be on a
8 form prescribed by the Legislative Counsel. The legislative
9 measures requested pursuant to subsections 1 and 4 must be prefiled
10 on or before the third Wednesday in November preceding the
11 regular session. A legislative measure that is not prefiled on or
12 before that day shall be deemed withdrawn.

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

14 218D.190 1. For a regular session, the Supreme Court may
15 request the drafting of not more than ~~10~~ 5 legislative measures
16 which have been approved by the Supreme Court on behalf of the
17 Judicial Department. The requests must be submitted to the
18 Legislative Counsel on or before September 1 preceding the regular
19 session.

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

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

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

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

34 (b) Submitted to the Legislative Counsel on or before September
35 1 preceding the regular session.

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

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

41 (a) Is 700,000 or more may request the drafting of not more than
42 ~~4~~ 3 legislative measures for a regular session.

43 (b) Is 100,000 or more but less than 700,000 may request the
44 drafting of not more than 2 legislative measures for a regular
45 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}~~ 150,000 or more may request the drafting of not
11 more than ~~{3}~~ 2 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. As used in this section, “population” means the current
24 population estimate for that city or county as determined and
25 published by the Department of Taxation and the demographer
26 employed pursuant to NRS 360.283.

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

28 218D.210 1. For a regular session, an association of counties
29 or cities may request the drafting of not more than ~~{5}~~ 4 legislative
30 measures. The requests must be submitted to the Legislative
31 Counsel on or before September 1 preceding the regular session.

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

38 **Sec. 8.** This act becomes effective on July 1, 2021.

