

ASSEMBLY BILL NO. 329—ASSEMBLYWOMAN MILLER

MARCH 18, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing administrative regulations. (BDR 18-946)

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 administrative regulations; requiring the Legislative Counsel to create a system for monitoring the progress of an agency in adopting certain permanent regulations; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 1** of this bill requires the Legislative Counsel to create a system for
2 monitoring the progress of an agency in adopting any permanent regulation that the
3 agency is required to adopt pursuant to a legislative measure enacted by the
4 Legislature. **Section 1** also requires the Legislative Counsel to compile information
5 received pursuant to the system and report to the Legislative Commission upon
6 request the progress of any agency in adopting a permanent regulation that the
7 agency is required to adopt pursuant to a legislative measure enacted by the
8 Legislature.

9 Existing law requires the Legislative Counsel to prepare and publish a Register
10 of Administrative Regulations which must include certain information regarding
11 each permanent regulation adopted by an agency. (NRS 233B.0653) **Section 2** of
12 this bill requires the Register of Administrative Regulations to include information
13 compiled by the Legislative Counsel pursuant to the system created pursuant to
14 **section 1**.

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

1 **Section 1.** Chapter 233B of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The Legislative Counsel shall:*



1 *1. Create a system for monitoring the progress of an agency*
2 *in adopting any permanent regulation that the agency is required*
3 *to adopt pursuant to a legislative measure enacted by the*
4 *Legislature. Such system may include, without limitation, a*
5 *requirement for an agency to submit a periodic report to the*
6 *Legislative Counsel explaining the progress of the agency in*
7 *adopting the permanent regulation.*

8 *2. Compile information received pursuant to the system*
9 *created pursuant to subsection 1 for inclusion on the Register of*
10 *Administrative Regulations created pursuant to NRS 233B.0653.*

11 *3. Report to the Legislative Commission upon request the*
12 *progress of any agency in adopting a permanent regulation that*
13 *the agency is required to adopt pursuant to a legislative measure*
14 *enacted by the Legislature.*

15 **Sec. 2.** NRS 233B.0653 is hereby amended to read as follows:

16 233B.0653 1. The Legislative Counsel shall prepare and
17 publish or cause to be prepared and published a Register of
18 Administrative Regulations. The Register must include the
19 following information regarding each permanent regulation adopted
20 by an agency:

21 (a) The proposed and adopted text of the regulation and any
22 revised version of the regulation;

23 (b) The notice of intent to act upon the regulation set forth in
24 NRS 233B.0603;

25 (c) The written notice of adoption of the regulation required
26 pursuant to NRS 233B.064;

27 (d) The informational statement required pursuant to NRS
28 233B.066; and

29 (e) The effective date of the regulation, as determined pursuant
30 to NRS 233B.070.

31 ↪ In carrying out the duties set forth in this subsection, the
32 Legislative Counsel may use the services of the State Printing
33 Office.

34 *2. In addition to the information required pursuant to*
35 *subsection 1, the Register must include information compiled*
36 *pursuant to section 1 of this act.*

37 *3. The Legislative Counsel shall publish the Register not less*
38 *than 10 times per year but not more than once every 2 weeks.*

39 ~~13.1~~ **4.** The Register must be provided to and maintained by:

40 (a) The Secretary of State;

41 (b) The Attorney General;

42 (c) The Supreme Court Law Library;

43 (d) The State Library, Archives and Public Records;

44 (e) Each county clerk;

45 (f) Each county library; and



1 (g) The Legislative Counsel Bureau.

2 ~~[4.]~~ 5. The Legislative Counsel may sell an additional copy of
3 the Register to any person or governmental entity that requests a
4 copy, at a price which does not exceed the cost of publishing the
5 additional copy.

6 ~~[5.]~~ 6. The Legislative Counsel is immune from civil liability
7 which may result from failure to include any information in the
8 Register.

9 **Sec. 3.** The provisions of subsection 1 of NRS 218D.380 do
10 not apply to any provision of this act which adds or revises a
11 requirement to submit a report to the Legislature.

12 **Sec. 4.** This act becomes effective on July 1, 2019.



