

ASSEMBLY BILL NO. 98—ASSEMBLYMEN TITUS, MCARTHUR, DICKMAN, KASAMA, LEAVITT; HAFEN, HARDY, KRASNER AND ROBERTS

FEBRUARY 8, 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 17-67)

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 Under existing law, committees, legislators and other persons and entities are  
2 authorized to request the drafting of legislative measures for consideration during a  
3 regular legislative session. Existing law also establishes the maximum number of  
4 measures that those persons and entities are authorized to request. (NRS 218D.150-  
5 218D.220) **Sections 1-7** of this bill reduce the maximum number of requests for the  
6 drafting of legislative measures that may be made by authorized requesters and  
7 clarify that the requests must be submitted to the Legislative Counsel.

8 In addition to the requests currently authorized in the Nevada Revised Statutes,  
9 subsection 1 of Joint Standing Rule No. 14 of the Joint Standing Rules of the  
10 Senate and Assembly adopted by the 80th Legislative Session authorizes each  
11 House, from the first day of a regular legislative session until 5 p.m. on the 15th  
12 calendar day of the legislative session, to submit a maximum of 60 requests for the  
13 drafting of a bill or joint resolution. The Majority Leader of the Senate and the  
14 Speaker of the Assembly are required to allocate all, some or none of these  
15 authorized requests and provide the Legislative Counsel with a written list of the  
16 number of requests that may be submitted by each member and standing committee  
17 of their respective Houses, and by the Majority Leader and Speaker. **Section 1** of  
18 this bill codifies into statute the provisions of this Joint Standing Rule, but reduces



19 from 60 to 40, for each House, the maximum number of such requests that may be  
20 submitted.

21 Paragraph (a) of subsection 1 of Joint Standing Rule No. 14.4 provides that,  
22 after a legislative session has convened, the Majority Leader of the Senate and the  
23 Speaker of the Assembly may each submit, on his or her own behalf or on behalf of  
24 another Legislator or standing committee of the Senate or Assembly, respectively, a  
25 maximum of 10 requests for the drafting of a bill or resolution. **Section 2** of this bill  
26 codifies into statute the provisions of this Joint Standing Rule, but reduces from 10  
27 to 7 the maximum number of such requests that may be submitted. **Section 2** also  
28 codifies into statute a requirement in Joint Standing Rule No. 14.4 that those  
29 measures be designated as emergency measures.

30 Paragraph (b) of subsection 1 of Joint Standing Rule No. 14.4 provides that,  
31 after a legislative session has convened, the Minority Leader of the Senate and the  
32 Minority Leader of the Assembly may each submit, on his or her own behalf or on  
33 behalf of another Legislator or standing committee of the Senate or Assembly,  
34 respectively, a maximum of 3 requests for the drafting of a bill or resolution.  
35 **Section 2** codifies into statute the provisions of this Joint Standing Rule, but  
36 reduces from 3 to 2 the maximum number of such requests that may be submitted.  
37 **Section 2** also codifies into statute a requirement in Joint Standing Rule No. 14.4  
38 that those measures be designated as emergency measures.

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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~~ 3 legislative measures submitted to the  
8 Legislative Counsel on or before August 1 preceding a regular  
9 session;

10 (2) Not more than ~~5~~ 4 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~~ 6 legislative measures submitted to the  
19 Legislative Counsel on or before August 1 preceding a regular  
20 session;

21 (2) Not more than ~~10~~ 7 legislative measures submitted to  
22 the Legislative Counsel after August 1 but on or before  
23 December 10 preceding a regular session; and



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

4 (c) Newly elected member of the Assembly may request the  
5 drafting of:

6 (1) Not more than ~~5~~ 4 legislative measures submitted to the  
7 Legislative Counsel on or before December 10 preceding a regular  
8 session; and

9 (2) Not more than 1 legislative measure 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 (d) Newly elected member of the Senate may request the  
13 drafting of:

14 (1) Not more than ~~10~~ 7 legislative measures submitted to  
15 the Legislative Counsel on or before December 10 preceding a  
16 regular session; and

17 (2) Not more than 2 legislative measures 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 2. Except as otherwise provided in this subsection, on or before  
21 the first day of a regular session, each:

22 (a) Incumbent member of the Assembly must:

23 (1) Prefile at least ~~4~~ 3 of the legislative measures that he or  
24 she requested pursuant to subparagraphs (1) and (2) of paragraph (a)  
25 of subsection 1; or

26 (2) Inform the Legislative Counsel of which ~~4~~ 3 legislative  
27 measures that he or she requested pursuant to subparagraphs (1) and  
28 (2) of paragraph (a) of subsection 1 that he or she withdraws.

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

35 (b) Incumbent member of the Senate must:

36 (1) Prefile at least ~~8~~ 6 of the legislative measures that he or  
37 she requested pursuant to subparagraphs (1) and (2) of paragraph (b)  
38 of subsection 1; or

39 (2) Inform the Legislative Counsel of which ~~8~~ 6 legislative  
40 measures that he or she requested pursuant to subparagraphs (1) and  
41 (2) of paragraph (b) of subsection 1 that he or she withdraws.

42 ➤ If an incumbent member of the Senate does not request the  
43 maximum number of legislative measures authorized by  
44 subparagraphs (1) and (2) of paragraph (b) of subsection 1, the  
45 number of legislative measures that he or she must prefile or



1 withdraw pursuant to this paragraph is reduced by that number of  
2 unused requests.

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

4 (1) Prefile at least 2 of the legislative measures that he or she  
5 requested pursuant to subparagraph (1) of paragraph (c) of  
6 subsection 1; or

7 (2) Inform the Legislative Counsel of which 2 legislative  
8 measures that he or she requested pursuant to subparagraph (1) of  
9 paragraph (c) of subsection 1 that he or she withdraws.

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

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

17 (1) Prefile at least ~~4~~ 3 of the legislative measures that he or  
18 she requested pursuant to subparagraph (1) of paragraph (d) of  
19 subsection 1; or

20 (2) Inform the Legislative Counsel of which ~~4~~ 3 legislative  
21 measures that he or she requested pursuant to subparagraph (1) of  
22 paragraph (d) of subsection 1 that he or she withdraws.

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

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

34 (a) Has not filed a declaration of candidacy within the time  
35 allowed for filing for election as a member of the Senate or the  
36 Assembly;

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

39 (c) Has withdrawn as a candidate for the Senate or the  
40 Assembly.

41 4. A Legislator may not request the drafting of a legislative  
42 measure pursuant to paragraph (a) or (b) of subsection 1 on or after  
43 the date on which the Legislator files a declaration of candidacy for  
44 election to the House in which he or she is not currently a member.  
45 If the Legislator is elected to the other House, any request that he or



1 she submitted pursuant to paragraph (a) or (b) of subsection 1 before  
2 filing his or her declaration of candidacy for election counts against  
3 the applicable limitation set forth in paragraph (c) or (d) of  
4 subsection 1 for the House in which the Legislator is a newly  
5 elected member.

6 5. In addition to the number of requests authorized pursuant to  
7 subsection 1:

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

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

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

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

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

44 218D.155 1. In addition to the number of requests authorized  
45 pursuant to NRS 218D.150:



1 (a) The Speaker of the Assembly and the Majority Leader of the  
2 Senate may each request , *by submission to the Legislative Counsel*  
3 before the date of the general election preceding a regular session,  
4 ~~[without limitation,]~~ the drafting of not more than ~~[15]~~ 10 legislative  
5 measures for that regular session.

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

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

18 (d) *The Speaker of the Assembly and the Majority Leader of*  
19 *the Senate may each request, on his or her own behalf or on the*  
20 *behalf of another Legislator or standing committee of the*  
21 *Assembly or Senate, by submission to the Legislative Counsel after*  
22 *a regular session has convened, the drafting of not more than 7*  
23 *legislative measures for that regular session.*

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

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

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

36 (b) *Is in addition to, and not in lieu of, any other requests for*  
37 *the drafting of a legislative measure that are authorized to be*  
38 *submitted to the Legislative Counsel by the Majority Leader of the*  
39 *Senate, Speaker of the Assembly, Minority Leader of the Senate or*  
40 *Minority Leader of the Assembly.*

41 3. *The list of requests for the preparation of legislative*  
42 *measures prepared pursuant to NRS 218D.130 must include the*  
43 *phrase "EMERGENCY REQUEST OF" and state the title of the*  
44 *person who requested each legislative measure pursuant to*  
45 *paragraph (d) or (e) of subsection 1. If the request was made on*



1 *behalf of another Legislator or a standing committee, the list must*  
2 *also include the name of the Legislator or standing committee on*  
3 *whose behalf the legislative measure was requested.*

4 *4. The Legislative Counsel shall cause to be printed on the*  
5 *face of the introductory copy and all reprints of each legislative*  
6 *measure requested pursuant to paragraph (d) or (e) of subsection*  
7 *1 the phrase "EMERGENCY REQUEST OF" and state the title of*  
8 *the person who requested the bill or resolution.*

9 5. The Legislative Counsel, the General Counsel, the Secretary  
10 of the Senate and the Chief Clerk of the Assembly may request  
11 before or during a regular session, without limitation, the drafting of  
12 as many legislative measures as are necessary or convenient for the  
13 proper exercise of their duties.

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

15 218D.160 1. The Chair of the Legislative Commission may  
16 request the drafting of not more than ~~10~~ 7 legislative measures  
17 before the first day of a regular session, with the approval of the  
18 Legislative Commission, which relate to the affairs of the  
19 Legislature or its employees, including legislative measures  
20 requested by the legislative staff.

21 2. The Chair of the Interim Finance Committee may request  
22 the drafting of not more than ~~10~~ 7 legislative measures before the  
23 first day of a regular session, with the approval of the Committee,  
24 which relate to matters within the scope of the Committee.

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

27 (a) Any legislative committee created by a statute, other than an  
28 interim legislative committee, may request the drafting of not more  
29 than ~~10~~ 7 legislative measures which relate to matters within the  
30 scope of the committee.

31 (b) Any committee or subcommittee established by an order of  
32 the Legislative Commission pursuant to NRS 218E.200 may request  
33 the drafting of not more than ~~5~~ 4 legislative measures which relate  
34 to matters within the scope of the study or investigation, except that  
35 such a committee or subcommittee may request the drafting of  
36 additional legislative measures if the Legislative Commission  
37 approves each additional request by a majority vote.

38 (c) Any other committee established by the Legislature which  
39 conducts an interim legislative study or investigation may request  
40 the drafting of not more than ~~5~~ 4 legislative measures which relate  
41 to matters within the scope of the study or investigation.

42 ➤ The requests authorized pursuant to this subsection must be  
43 submitted to the Legislative Counsel on or before September 1  
44 preceding a regular session unless the Legislative Commission  
45 authorizes submitting a request after that date.





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

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

4 218D.175 1. Except as otherwise provided in subsection 2,  
5 for a regular session, the Governor or the Governor's designated  
6 representative may request the drafting of not more than ~~[110]~~ 74  
7 legislative measures which have been approved by the Governor or  
8 the Governor's designated representative on behalf of the officers,  
9 agencies, boards, commissions, departments and other units of the  
10 Executive Department. The requests must be submitted to the  
11 Legislative Counsel on or before August 1 preceding the regular  
12 session.

13 2. The Governor or the Governor's designated representative  
14 may request at any time before or during a regular session, without  
15 limitation, the drafting of as many legislative measures as are  
16 necessary to carry out the provisions of NRS 288.400 to 288.630,  
17 inclusive.

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

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

33	
34	Lieutenant Governor..... <del>[3]</del> 2
35	Secretary of State..... <del>[6]</del> 4
36	State Treasurer..... <del>[5]</del> 4
37	State Controller..... <del>[5]</del> 4
38	Attorney General ..... <del>[20]</del> 14
39	

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





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

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

8 218D.190 1. For a regular session, the Supreme Court may  
9 request the drafting of not more than ~~10~~ 7 legislative measures  
10 which have been approved by the Supreme Court on behalf of the  
11 Judicial Department. The requests must be submitted to the  
12 Legislative Counsel on or before September 1 preceding the regular  
13 session.

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

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

21 218D.205 1. For a regular session, each board of county  
22 commissioners, board of trustees of a school district and city council  
23 may request the drafting of not more than the numbers of legislative  
24 measures set forth in this section if the requests are:

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

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

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

33 3. The board of county commissioners of a county whose  
34 population:

35 (a) Is 700,000 or more may request the drafting of not more than  
36 ~~4~~ 3 legislative measures for a regular session.

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

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

42 4. The board of trustees of a school district in a county whose  
43 population:

44 (a) Is 700,000 or more may request the drafting of not more than  
45 2 legislative measures for a regular session.



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

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

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

6 (b) ~~Is 150,000 or more but less than 500,000 may request the~~  
7 ~~drafting of not more than 2 legislative measures for a regular~~  
8 ~~session.~~

9 ~~—(c)~~ Is less than 150,000 may request the drafting of not more  
10 than 1 legislative measure for a regular session.

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

17 7. As used in this section, “population” means the current  
18 population estimate for that city or county as determined and  
19 published by the Department of Taxation and the demographer  
20 employed pursuant to NRS 360.283.

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

22 218D.210 1. For a regular session, an association of counties  
23 or cities may request the drafting of not more than ~~[5]~~ 4 legislative  
24 measures. The requests must be submitted to the Legislative  
25 Counsel on or before September 1 preceding the regular session.

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

