

Senate Bill No. 1—Select Committee on
Redistricting and Elections

CHAPTER.....

AN ACT relating to elections; revising the districts from which members of the Legislature, members of the State Board of Education and Representatives in Congress are elected; revising the petition districts for certain initiatives or referendums proposing statewide ballot measures; authorizing the Chair of the Legislative Commission to direct the Legislative Counsel Bureau to contract for professional and other services for certain actions or proceedings relating to election or petition districts; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Section 5 of Article 4 of the Nevada Constitution provides that it is the mandatory duty of the Legislature after the taking of the decennial census to: (1) fix by law the number of Senators and the number of members of the Assembly; (2) determine the boundaries of the legislative districts; and (3) apportion the number of the members of the Senate and Assembly in each district. Section 13 of Article 1 of the Nevada Constitution provides that representation must be apportioned according to population. Finally, Section 13 of Article 15 of the Nevada Constitution requires that the decennial census serve as the basis of representation in both Houses of the Legislature.

Section 2 of this bill revises the boundaries of the 42 Assembly Districts by adopting a shapefile that indicates the areas that comprise each of those districts based upon the data from the Twenty-fourth United States Census, known as the 2020 Census. **Section 3** of this bill similarly revises the boundaries of the 21 Senate Districts. **Section 15** of this bill sets forth a graphical representation of the contents of the shapefile for each legislative district and directs the Legislative Counsel to include the graphical representation with the Nevada Revised Statutes. **Sections 1-7 and 22** of this bill make conforming changes relating to the revised boundaries of the Assembly and Senate Districts. **Section 24** of this bill provides that the provisions of **sections 1-7 and 22** relating to the revised Assembly and Senate Districts become effective on January 1, 2022, for the purpose of filing for office and for nominating and electing the members of the Legislature, and for all other purposes on November 9, 2022, the day after the 2022 General Election and the first day of the new legislative terms. (Nev. Const. Art. 4, §§ 3, 4)

Under existing law, the terms of Senators must be allotted by the Legislature so that one-half of their number, as nearly as is possible, must be elected every two years. (Nev. Const. Art. 17, § 10) **Section 16** of this bill provides that the 10 Senators who were elected on November 3, 2020, shall serve out the term of office for which they were elected by representing the district to which they were elected through November 8, 2022, and representing the corresponding new Senate District established by the shapefile adopted by **section 3** from November 9, 2022, until the expiration of their current term of office.

Under existing law, a person is prohibited from using the term “reelect” in any material, statement or publication supporting the election of a candidate unless the candidate: (1) was elected to the identical office with the same district number in the most recent election to fill that office; and (2) is serving and has served



continuously in that office from the beginning of the term to which the candidate was elected. (NRS 294A.330) **Section 17** of this bill, notwithstanding this prohibition on the use of the term “reelect,” authorizes each Senator who was elected on November 6, 2018, and serves continuously in that office to use the term “reelect” in the 2022 election when running for the Senate from the same new corresponding Senate District if he or she is otherwise qualified for election to that office. **Section 17** similarly authorizes each member of the Assembly who was elected on November 3, 2020, and serves continuously in that office to use the term “reelect” in the 2022 election when running for the same new corresponding Assembly District if he or she is otherwise qualified for election to that office.

Section 2 of Article I of the United States Constitution requires that congressional representatives must be apportioned among the several states according to population. The apportionment of the number of congressional representatives is based upon the decennial census. Currently, Nevada is apportioned four congressional representatives and, based upon the results of the 2020 Census, remains apportioned four congressional representatives.

Section 9 of this bill revises the boundaries of the existing congressional districts by adopting a shapefile that indicates the areas that comprise each of those congressional districts. **Section 15** sets forth a graphical representation of the contents of the shapefile for each congressional district and directs the Legislative Counsel to include the graphical representation with the Nevada Revised Statutes. **Sections 9-13 and 23** of this bill make conforming changes relating to the revised boundaries of the congressional districts. **Section 24** provides that the provisions of **sections 9-13 and 23** relating to the revised congressional districts become effective on January 1, 2022, for the purposes of filing for office and for nominating and electing the congressional representatives, and for all other purposes on January 3, 2023, when the congressional representatives begin their terms. (U.S. Const. Amend. XX)

Under existing law, the State Board of Education consists of four elected members and several appointed members, and the four elected members must be elected by the registered voters of each existing congressional district. (NRS 385.021) Each of the four elected members were last elected in 2020 for four-year terms beginning in January 2021 and ending in January 2025. Because **section 9** revises the boundaries of the existing congressional districts, **section 14** of this bill makes those revised boundaries applicable to the election of the four elected members of the Board. **Section 18** of this bill provides that the four elected members of the Board who were elected to office in 2020: (1) shall be deemed, until the expiration of their current term of office, to be elected from and represent the same new corresponding congressional district; and (2) may use the term “reelect” in campaign materials, statements or publications if they are seeking election in 2024 to the same new corresponding congressional district and are otherwise qualified for election to that office.

Under existing law, persons who want to circulate petitions for initiative or referendum proposing state constitutional amendments or other statewide ballot measures cannot begin such circulation before certain dates set forth in the Nevada Constitution. (Nev. Const. Art. 19, §§ 1, 2) In addition, such persons must file the petitions with the Secretary of State before presenting the petitions to the registered voters for their signatures, and if they amend the petitions, they must file the revised petitions with the Secretary of State before presenting the revised petitions to the registered voters for their signatures. (NRS 295.015) When circulating the petitions, they must gather a certain number of signatures from the registered voters within each of the petition districts which have boundaries that are coterminous with each of the existing congressional districts. (NRS 293.069, 293.127563)



Because **section 9** revises the boundaries of the existing congressional districts, **section 8** of this bill makes those revised boundaries applicable to the petition districts. **Section 24** provides the provisions of **sections 8-13 and 23** relating to the revised petition districts apply to each petition that is filed with the Secretary of State: (1) on or after passage and approval of this bill; or (2) on or after August 1, 2021, and before passage and approval of this bill, if the petition is amended and the revised petition is filed with the Secretary of State on or after passage and approval of this bill.

Existing law authorizes the Legislative Commission or, in certain circumstances, the Chair of the Legislative Commission to direct the Legal Division of the Legislative Counsel Bureau to appear in, commence, prosecute, defend or intervene on behalf of the Legislature in any action or proceeding before any court, agency or officer of the United States, this State or any other jurisdiction, or any political subdivision thereof, when deemed necessary or advisable to protect the official interests of the Legislature in the action or proceeding. (NRS 218F.720) **Section 20** of this bill authorizes the Chair of the Legislative Commission to direct the Legislative Counsel Bureau to contract for such professional and other services as the Director of the Legislative Counsel Bureau determines are necessary or advisable for the Legislature to appear in, commence, prosecute, defend or intervene in any action or proceeding relating to any election or petition district.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~formitted-material~~ is material to be omitted.

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

Section 1. Chapter 218B of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *The shapefile identified as “2021Assembly_Final_SB1_Amd2,” filed with the Secretary of State pursuant to NRS 218B.180, is hereby adopted to describe the assembly districts in this State.*

Sec. 3. *The shapefile identified as “2021Senate_Final_SB1_Amd2,” filed with the Secretary of State pursuant to NRS 218B.180, is hereby adopted to describe the senate districts in this State.*

Sec. 4. NRS 218B.100 is hereby amended to read as follows:

218B.100 1. The assembly districts described in ~~[NRS 218B.600 to 218B.805, inclusive,]~~ *the shapefile adopted by section 2 of this act* are hereby created.

2. The ~~[senatorial]~~ *senate* districts described in ~~[NRS 218B.300 to 218B.390, inclusive,]~~ *the shapefile adopted by section 3 of this act* are hereby created . ~~[, and the numbers of Senators designated therein are apportioned to each respectively.]~~



3. Each Legislator must be elected from within the district wherein the Legislator resides by the registered voters residing in that district.

Sec. 5. NRS 218B.150 is hereby amended to read as follows:

218B.150 1. If any area of this State is omitted from the ~~provisions of this chapter~~ *shapefiles adopted by sections 2 and 3 of this act* inadvertently or by virtue of the complexities of the information supplied to the Legislature, the county clerk, the Carson City Clerk or the Director, upon discovery of the omission, shall notify the Secretary of State of the omission. The Secretary of State shall attach that area to the appropriate assembly district or ~~senatorial~~ *senate* district as follows:

(a) If the area is surrounded by an assembly district or ~~senatorial~~ *senate* district, the area must be attached to that district.

(b) If the area is contiguous to two or more assembly districts or ~~senatorial~~ *senate* districts, the area must be attached to the district that has the least population.

2. Any attachments made pursuant to the provisions of this section must be certified in writing and filed with the Director and with the Secretary of State. No change may be made in any attachments until the Legislature is again reapportioned.

Sec. 6. NRS 218B.180 is hereby amended to read as follows:

218B.180 The Director shall:

1. *File a copy of the shapefiles adopted by sections 2 and 3 of this act with the Secretary of State.*

2. Retain in an office of the Legislative Counsel Bureau, copies of maps of the legislative districts described in ~~this chapter~~ *the shapefiles adopted by sections 2 and 3 of this act.*

~~2.~~ 3. Make available copies of the maps to any interested person for a reasonable fee, not to exceed the actual costs of producing copies of the maps.

~~3.~~ 4. File a copy of the maps with the Secretary of State.

Sec. 7. NRS 218B.190 is hereby amended to read as follows:

218B.190 The Secretary of State shall:

1. Provide to the clerk of each county and the Clerk of Carson City, copies of the *shapefiles filed pursuant to subsection 1 of NRS 218B.180 and* maps filed pursuant to subsection ~~3~~ 4 of NRS 218B.180.

2. Make available copies of the *shapefiles and* maps to any interested person for a reasonable fee, not to exceed the actual costs of producing copies of the *shapefiles or* maps.



Sec. 8. NRS 293.069 is hereby amended to read as follows:
293.069 “Petition district” means a district ~~[created pursuant to the provisions of NRS 304.060 to 304.120, inclusive,]~~ *described in the shapefile adopted by section 9 of this act* for the election of Representatives in Congress.

Sec. 9. Chapter 304 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The shapefile identified as “2021 Congressional Final SB1 Amd2,” filed with the Secretary of State pursuant to NRS 304.070, is hereby adopted to describe the congressional districts in this State.

2. The congressional districts described in the shapefile adopted by subsection 1 are hereby created.

Sec. 10. NRS 304.060 is hereby amended to read as follows:
304.060 As used in NRS 304.060 to ~~[304.120,]~~ *304.090, inclusive, and section 9 of this act,* unless the context otherwise requires:

1. “Block” means the smallest geographical unit whose boundaries were designated by the Bureau of the Census of the United States Department of Commerce in its topographically integrated geographic encoding and referencing system.

2. “Block group” means a combination of blocks whose numbers begin with the same digit.

3. “Census tract” means a combination of block groups.

4. ~~“Census voting district” means the voting district:
—(a) Based on the geographic and population databases compiled by the Bureau of the Census of the United States Department of Commerce as revised by the State Demographer pursuant to NRS 360.288 and validated and incorporated into the geographic information system by the Legislative Counsel Bureau for use by the Nevada Legislature; and
—(b) Designated in the maps filed with the Office of the Secretary of State pursuant to subsection 3 of NRS 304.070.~~

~~5.]~~ “State Demographer” means the demographer employed by the Department of Taxation pursuant to NRS 360.283.

Sec. 11. NRS 304.070 is hereby amended to read as follows:

304.070 The Director of the Legislative Counsel Bureau shall:

1. *File a copy of the shapefile adopted by section 9 of this act with the Secretary of State.*

2. Retain in an office of the Legislative Counsel Bureau, copies of maps of the congressional districts described in ~~[NRS 304.100, 304.110 and 304.120,]~~ *the shapefile adopted by section 9 of this act.*



~~[2.]~~ 3. Make available copies of the maps to any interested person for a reasonable fee, not to exceed the actual costs of producing copies of the maps.

~~[3.]~~ 4. File a copy of the maps with the Secretary of State.

Sec. 12. NRS 304.080 is hereby amended to read as follows:

304.080 The Secretary of State shall:

1. Provide to the clerk of each county and the clerk of Carson City, copies of the *shapefile filed pursuant to subsection 1 of NRS 304.070 and* maps filed pursuant to subsection ~~[3]~~ 4 of NRS 304.070.

2. Make available copies of the *shapefile and* maps to any interested person for a reasonable fee, not to exceed the actual costs of producing copies of the *shapefile or* maps.

Sec. 13. NRS 304.090 is hereby amended to read as follows:

304.090 1. If any area of this State is omitted from the ~~[provisions of NRS 304.060 to 304.120, inclusive,]~~ *shapefile adopted by section 9 of this act* inadvertently or by virtue of the complexities of the information supplied to the Legislature, the county clerk, the Carson City clerk or the Director of the Legislative Counsel Bureau, upon discovery of the omission, shall notify the Secretary of State of the omission. The Secretary of State shall attach that area to the appropriate congressional district as follows:

(a) If the area is surrounded by a congressional district, the area must be attached to that district.

(b) If the area is contiguous to two or more congressional districts, the area must be attached to the district that has the least population.

2. Any attachments made pursuant to the provisions of this section must be certified in writing and filed with the Director of the Legislative Counsel Bureau and with the Secretary of State. No change may be made in any attachments until the districts are again reapportioned.

Sec. 14. NRS 385.021 is hereby amended to read as follows:

385.021 1. The State Board of Education is hereby created. The State Board consists of the following voting members:

(a) One member elected by the registered voters of each congressional district described in ~~[NRS 304.060 to 304.120, inclusive,]~~ *the shapefile adopted by section 9 of this act;*

(b) One member appointed by the Governor;

(c) One member appointed by the Governor, nominated by the Majority Leader of the Senate; and



(d) One member appointed by the Governor, nominated by the Speaker of the Assembly.

2. In addition to the voting members described in subsection 1, the State Board consists of the following four nonvoting members:

(a) One member appointed by the Governor who is a member of a board of trustees of a school district, nominated by the Nevada Association of School Boards;

(b) One member appointed by the Governor who is the superintendent of schools of a school district, nominated by the Nevada Association of School Superintendents;

(c) One member appointed by the Governor who represents the Nevada System of Higher Education, nominated by the Board of Regents of the University of Nevada; and

(d) One member appointed by the Governor who is a pupil enrolled in a public school in this State, nominated by the Nevada Association of Student Councils or its successor organization and in consultation with the Nevada Youth Legislature. After the initial term, the term of the member appointed pursuant to this paragraph commences on June 1 and expires on May 31 of the following year.

3. Each member of the State Board elected pursuant to paragraph (a) of subsection 1 must be a qualified elector of the district from which that member is elected.

4. Each member appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 and each member appointed pursuant to subsection 2 must be a resident of this State.

5. Except as otherwise provided in paragraphs (a) and (c) of subsection 2, a person who is elected to serve as an officer of this State or any political subdivision thereof or a person appointed to serve for the unexpired term of such an office may not serve or continue to serve on the State Board.

6. The Governor shall ensure that the members appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 represent the geographic diversity of this State and that:

(a) One member is a teacher at a public school selected from a list of three candidates provided by the Nevada State Education Association.

(b) One member is the parent or legal guardian of a pupil enrolled in a public school.

(c) One member is a person active in a private business or industry of this State.



7. After the initial terms, each member:

(a) Elected pursuant to paragraph (a) of subsection 1 serves a term of 4 years. A member may be elected to serve not more than three terms but may be appointed to serve pursuant to paragraph (b), (c) or (d) of subsection 1 or subsection 2 after service as an elected member, notwithstanding the number of terms the member served as an elected member.

(b) Appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 serves a term of 2 years, except that each member continues to serve until a successor is appointed. A member may be reappointed for additional terms of 2 years in the same manner as the original appointment.

(c) Appointed pursuant to subsection 2 serves a term of 1 year. A member may be reappointed for additional terms of 1 year in the same manner as the original appointment.

8. If a vacancy occurs during the term of:

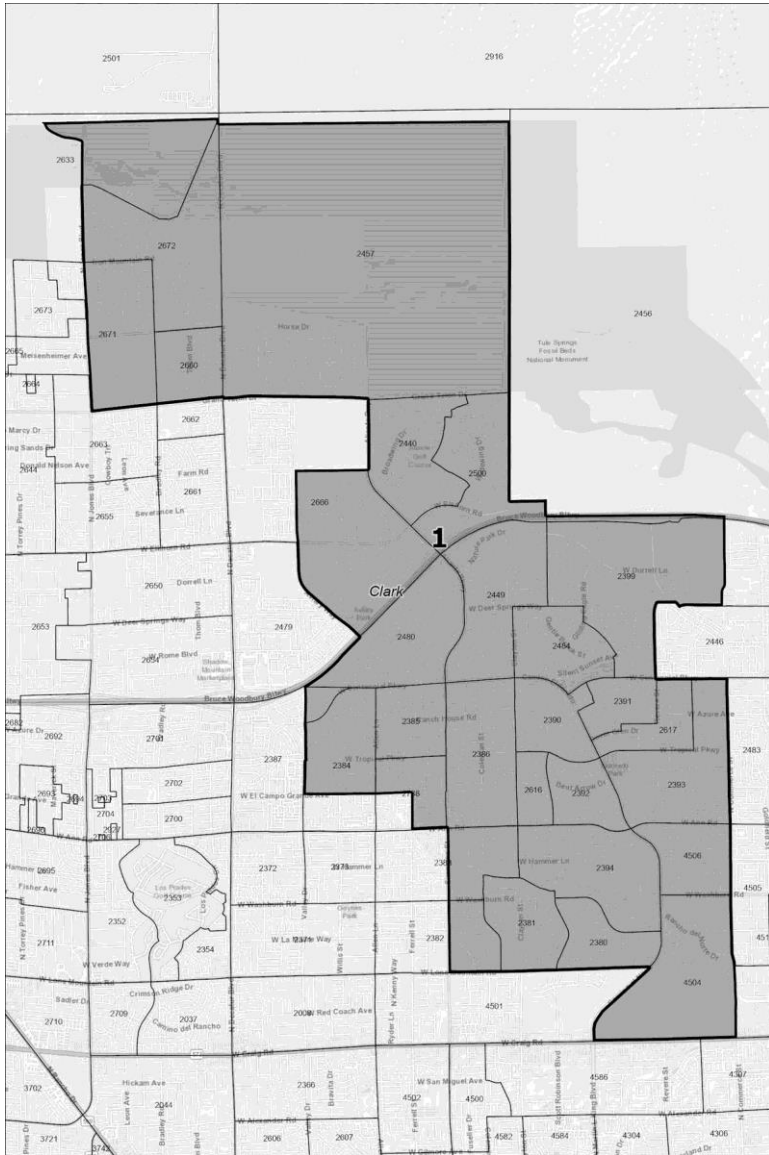
(a) A member who was elected pursuant to paragraph (a) of subsection 1, the Governor shall appoint a member to fill the vacancy until the next general election, at which election a member must be chosen for the balance of the unexpired term. The appointee must be a qualified elector of the district where the vacancy occurs.

(b) A voting member appointed pursuant to paragraph (b), (c) or (d) of subsection 1 or a nonvoting member appointed pursuant to subsection 2, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.

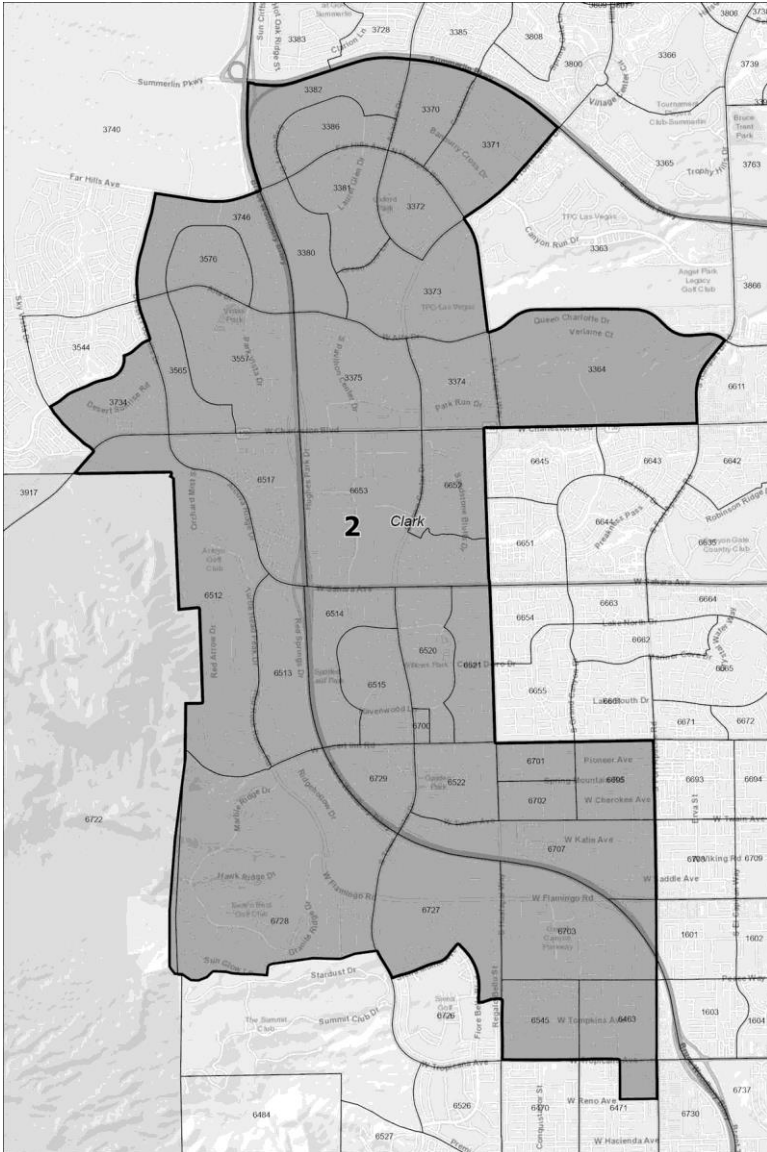
Sec. 15. 1. The Legislative Counsel shall include with the Nevada Revised Statutes the following graphical representations of the assembly districts contained in the shapefile adopted by section 2 of this act, printed here in descriptive form for the convenience of the reader:



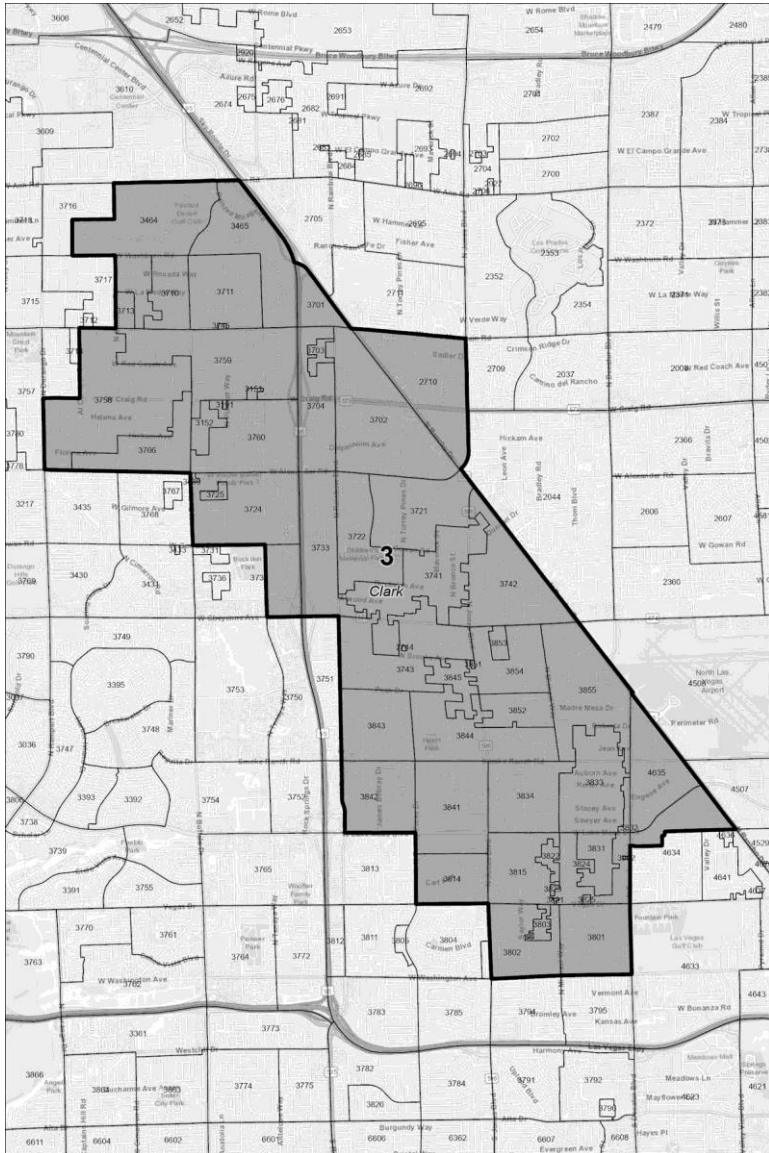
(a) Assembly District 1:



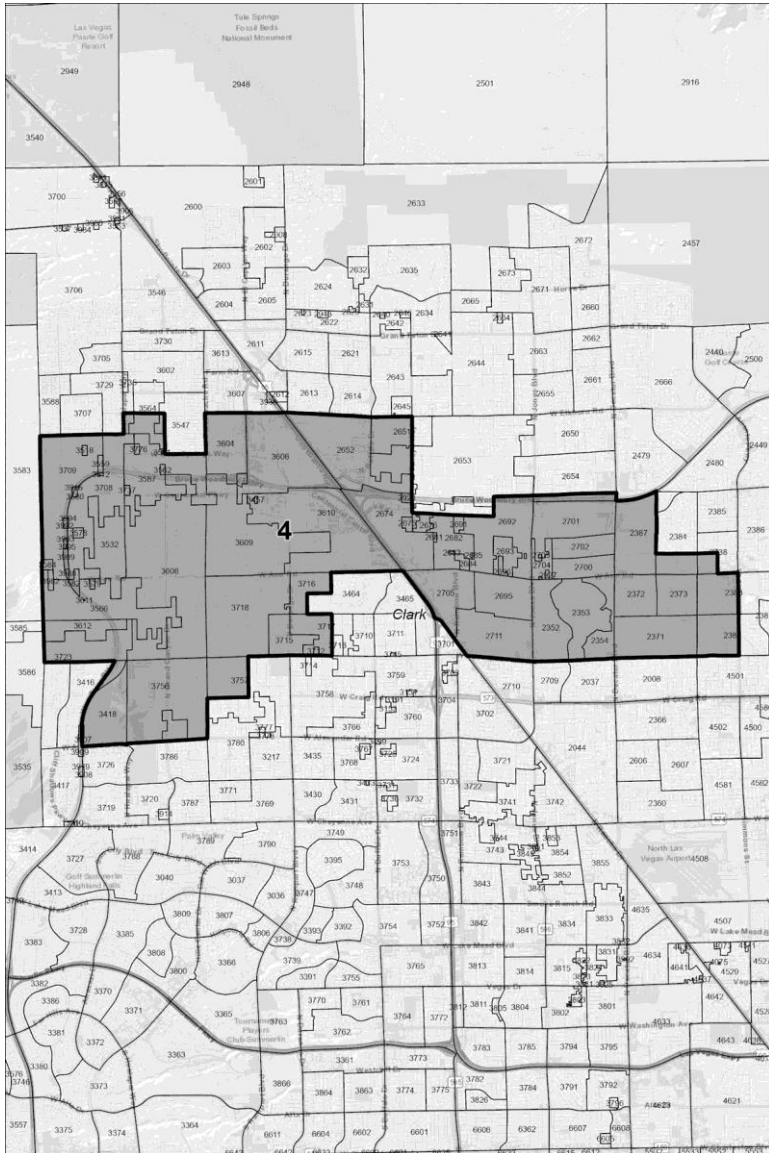
(b) Assembly District 2:



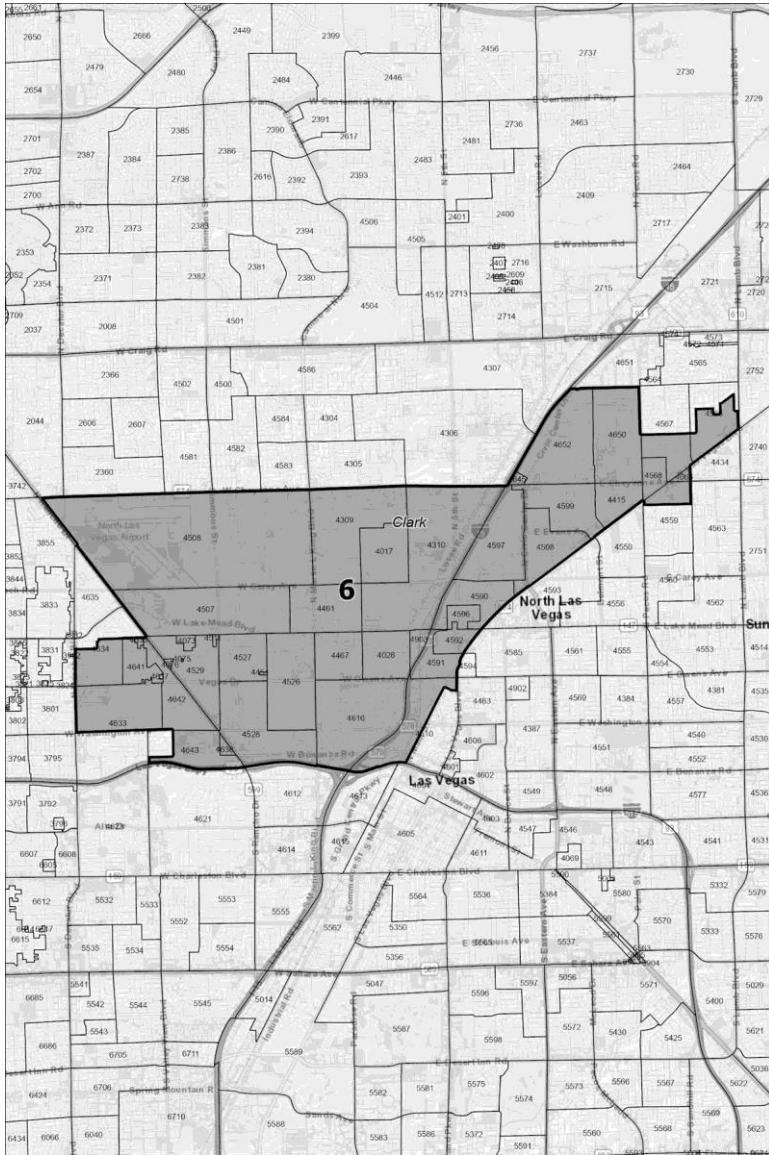
(c) Assembly District 3:



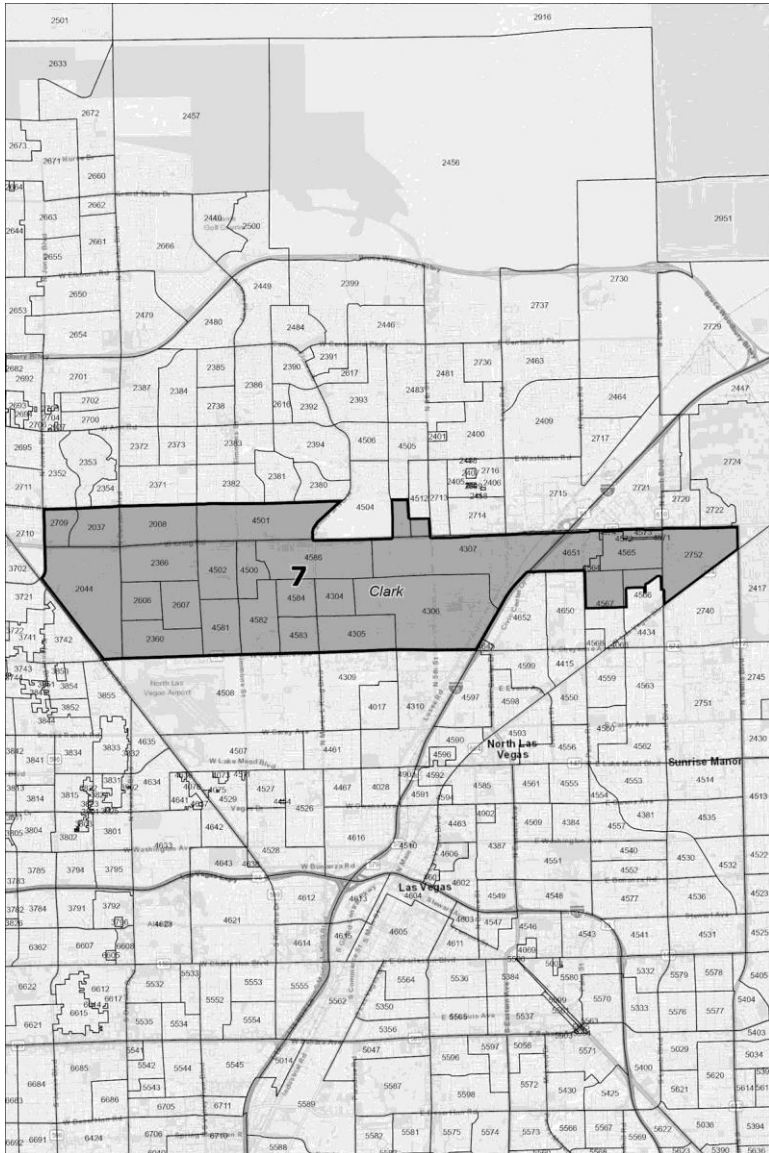
(d) Assembly District 4:



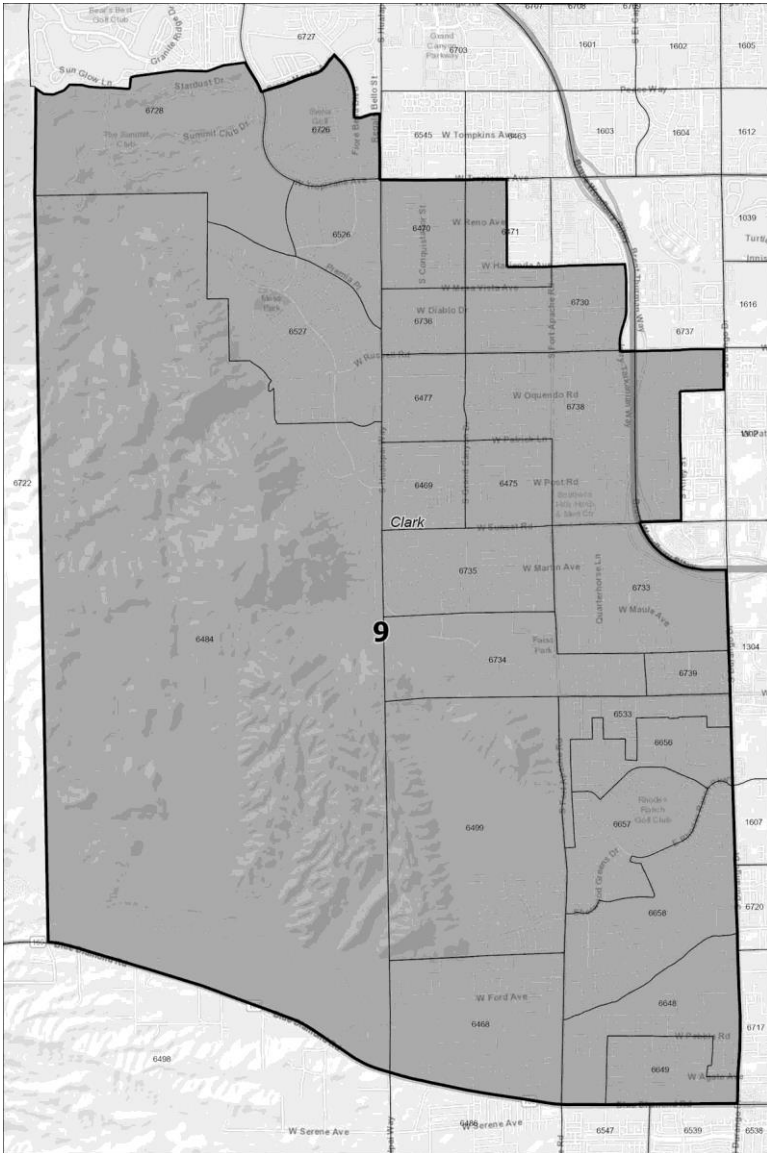
(f) Assembly District 6:



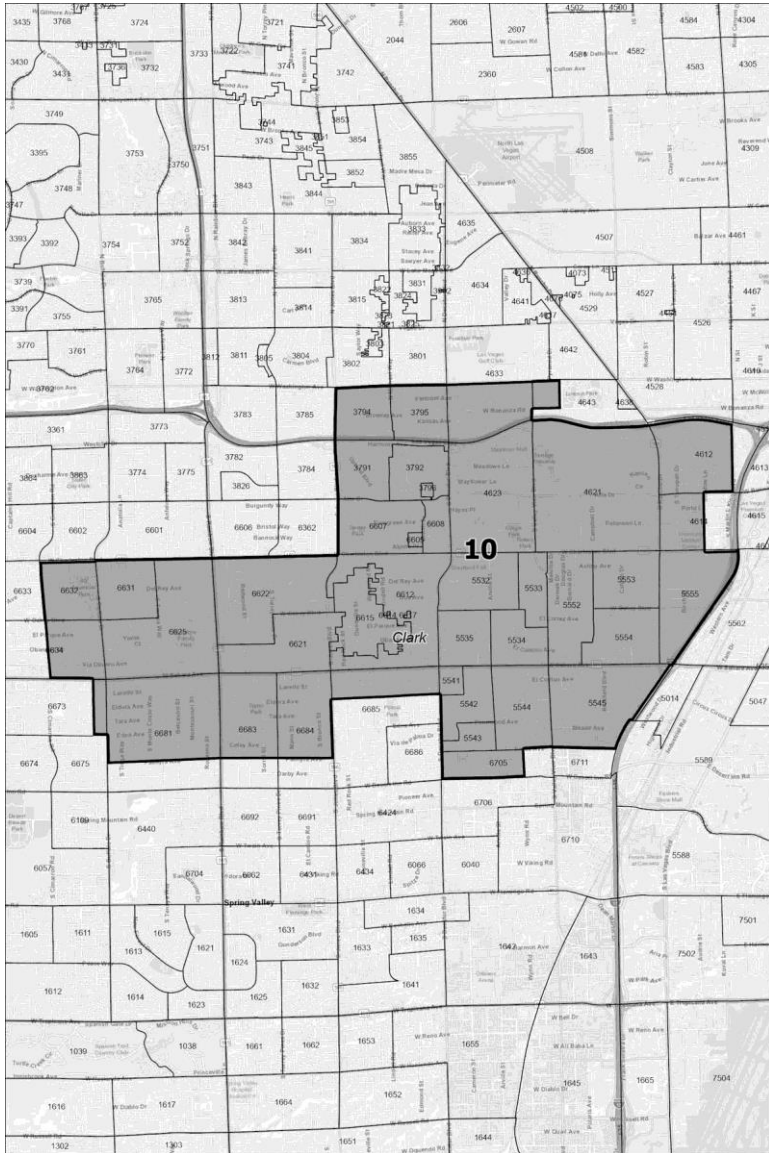
(g) Assembly District 7:



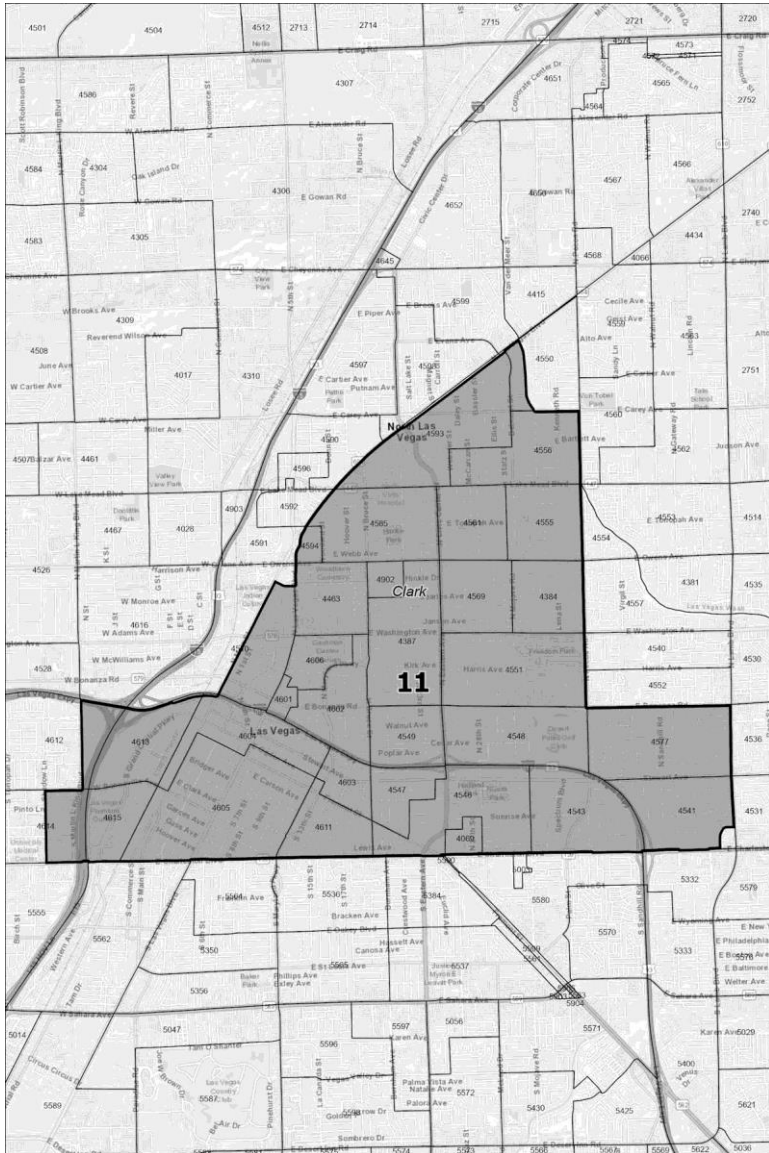
(i) Assembly District 9:



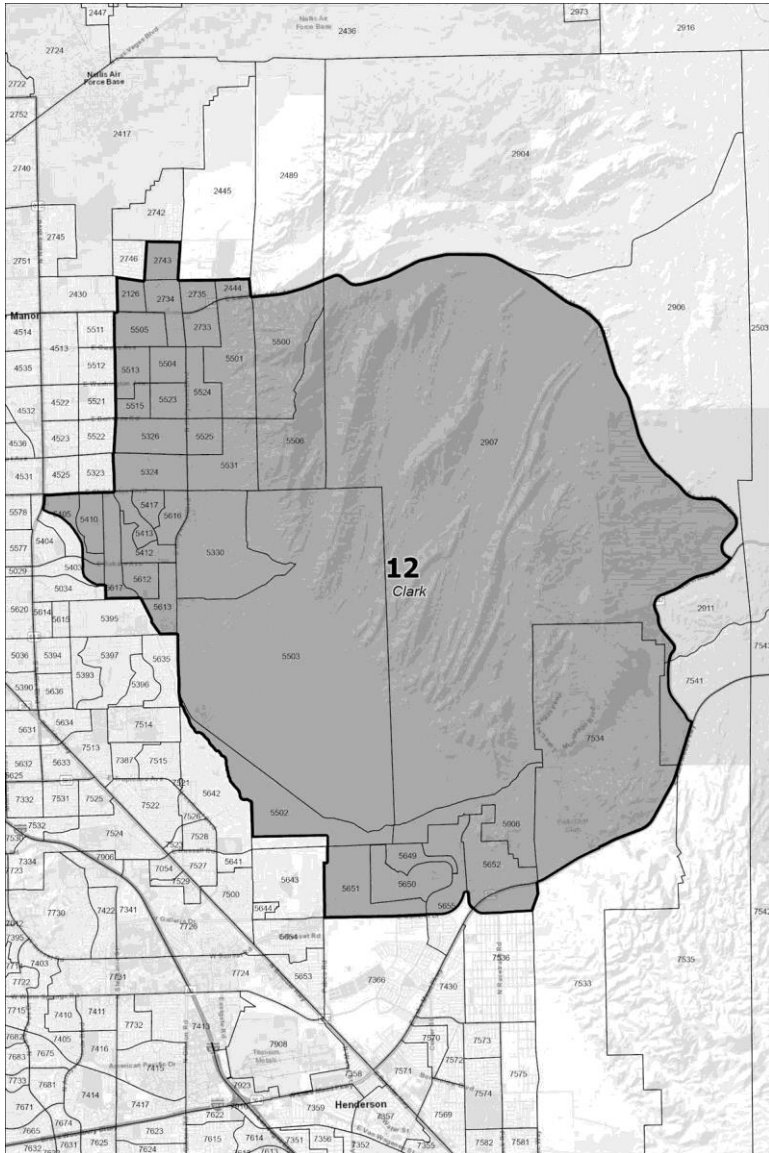
(j) Assembly District 10:



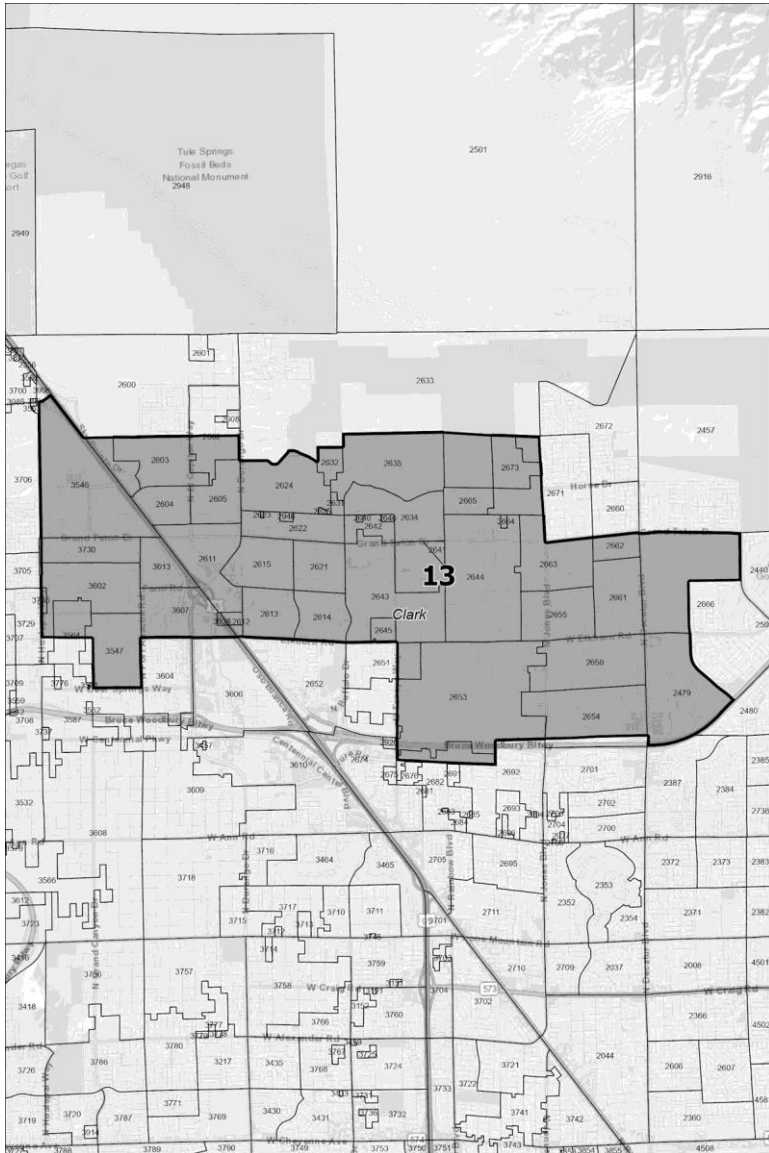
(k) Assembly District 11:



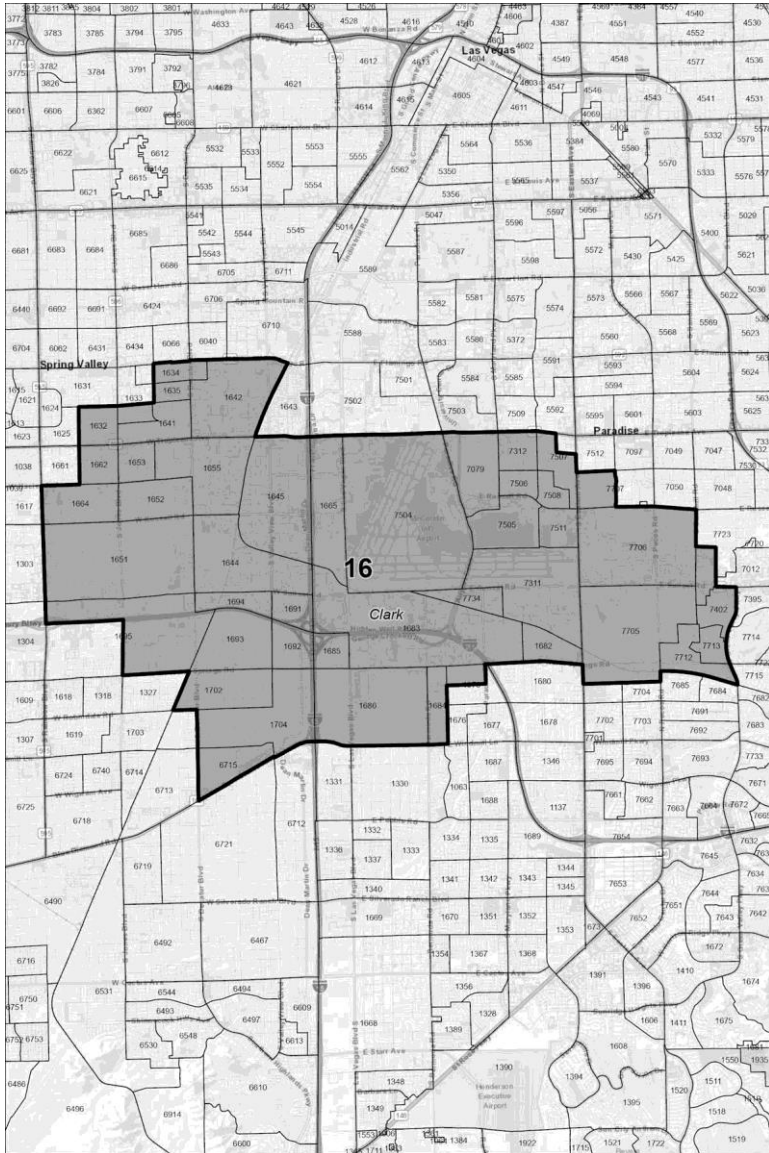
(I) Assembly District 12:



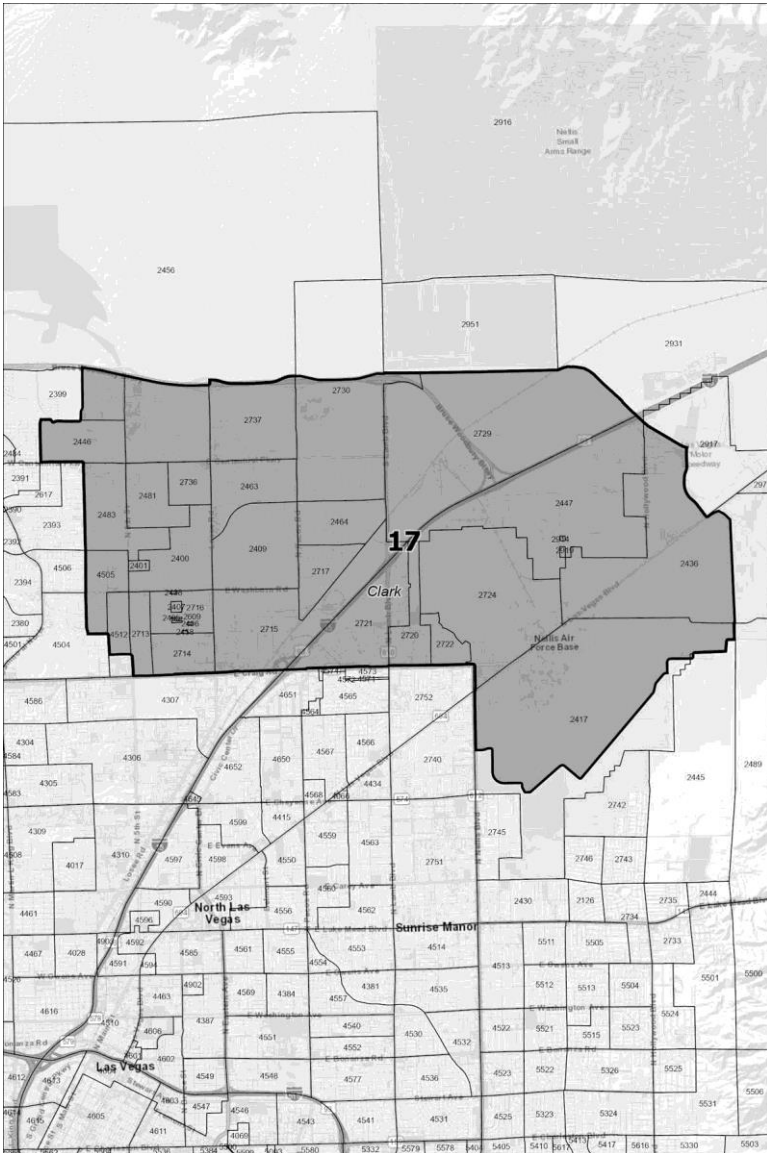
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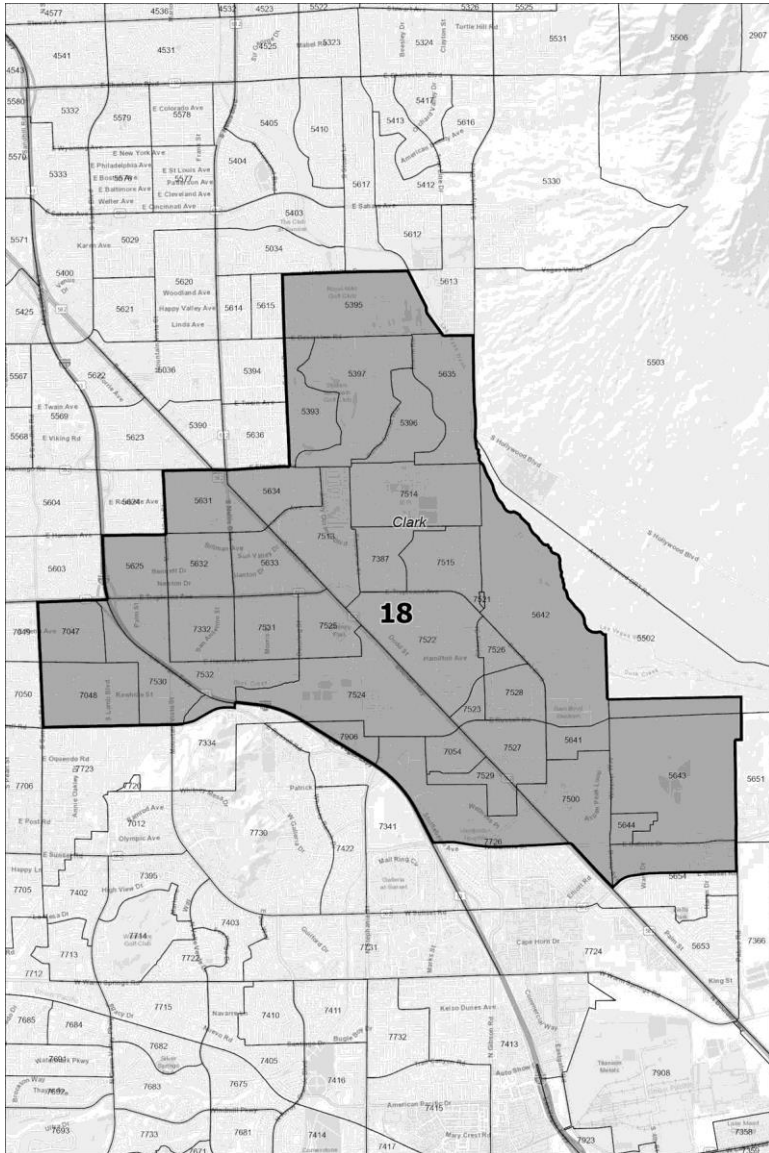
(p) Assembly District 16:



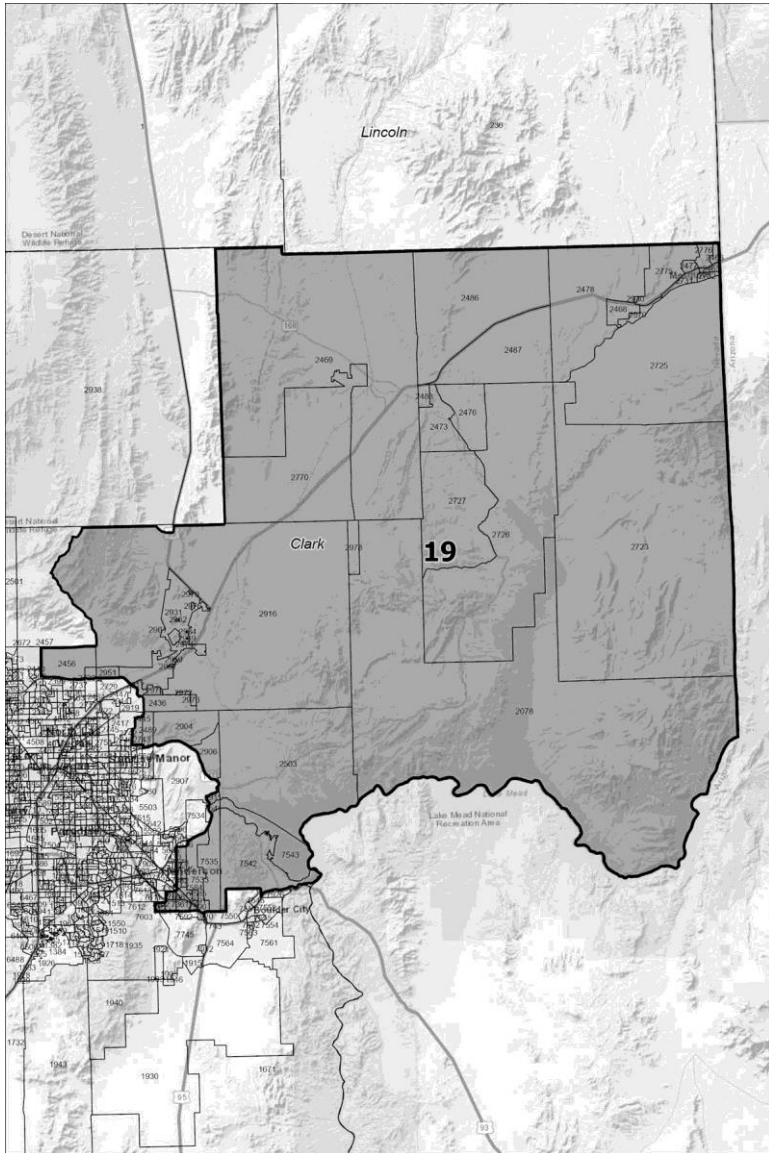
(q) Assembly District 17:



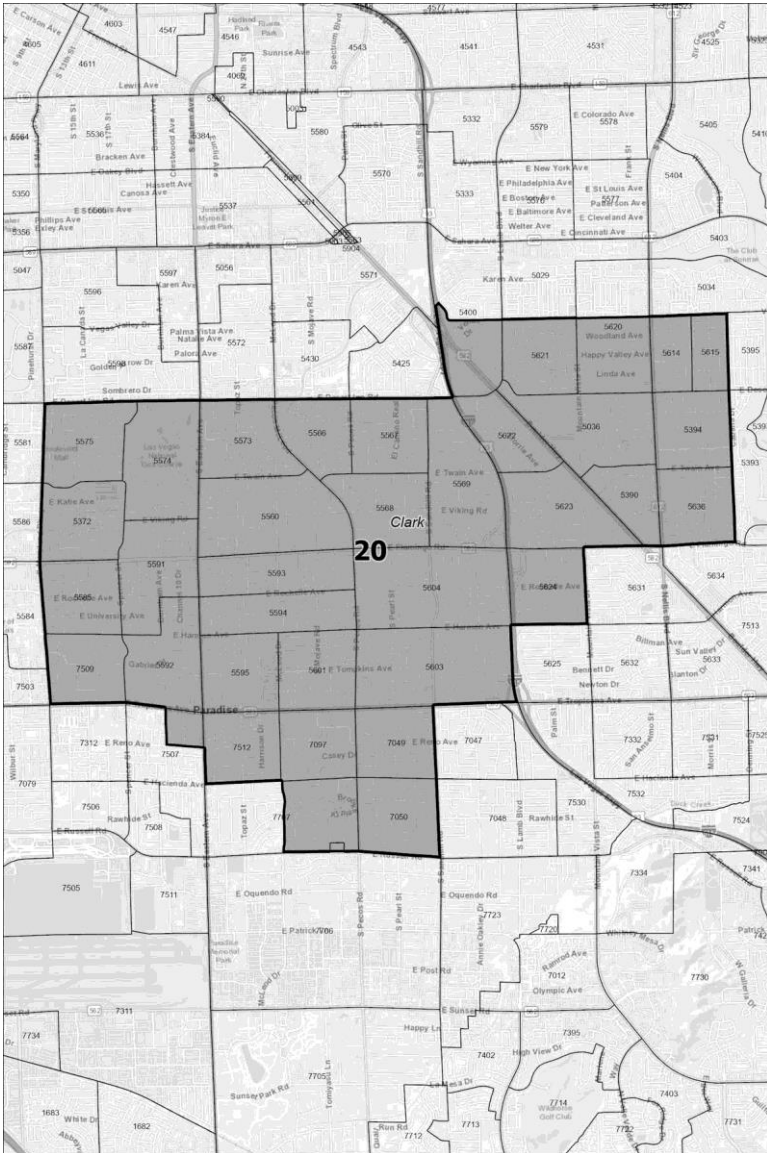
(r) Assembly District 18:



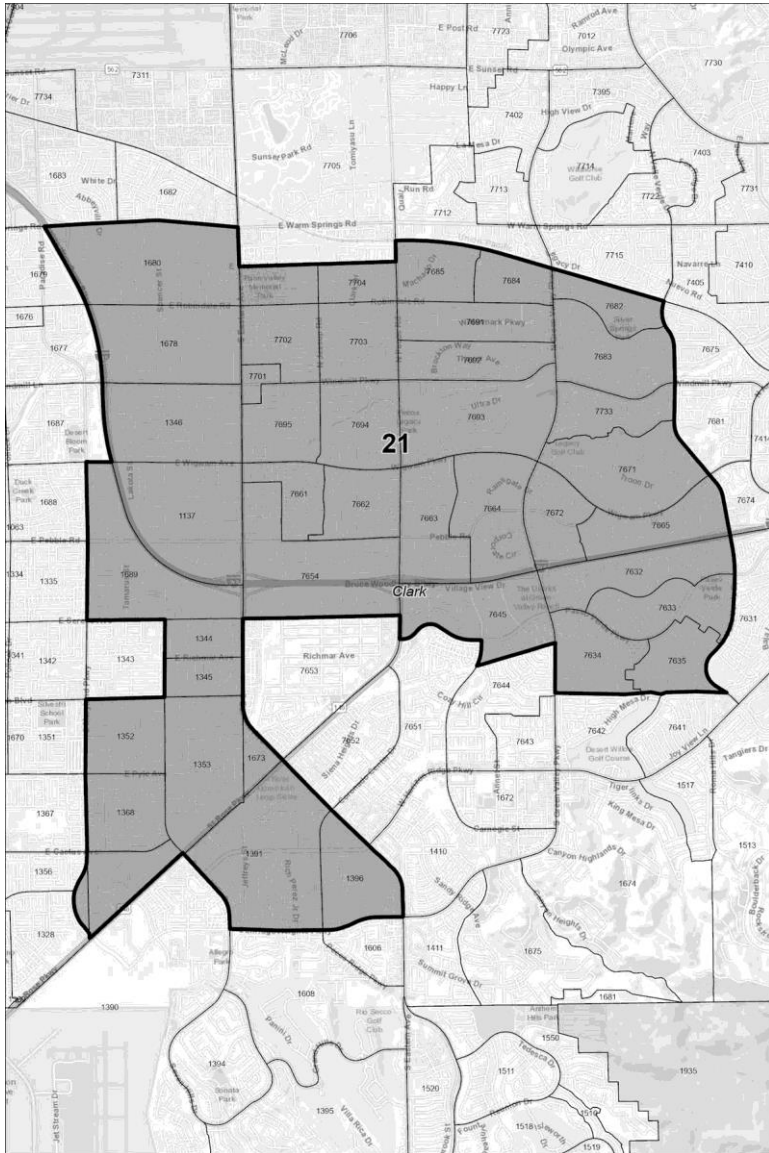
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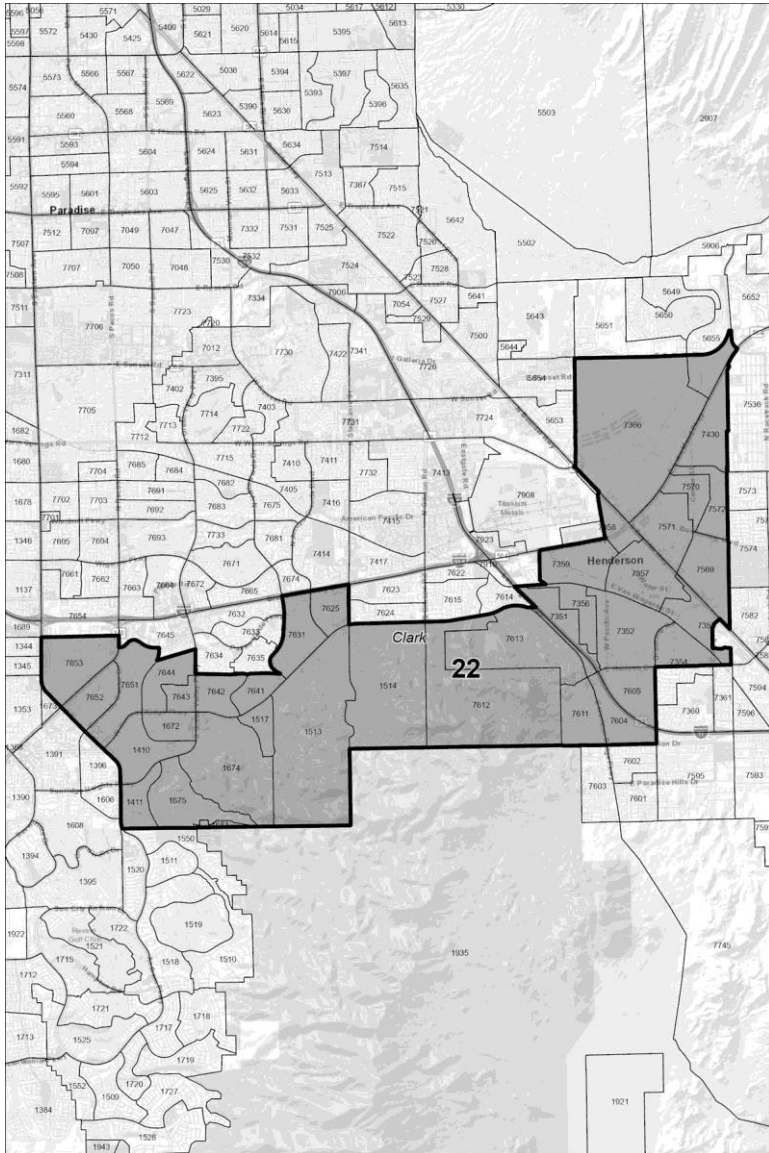
(t) Assembly District 20:



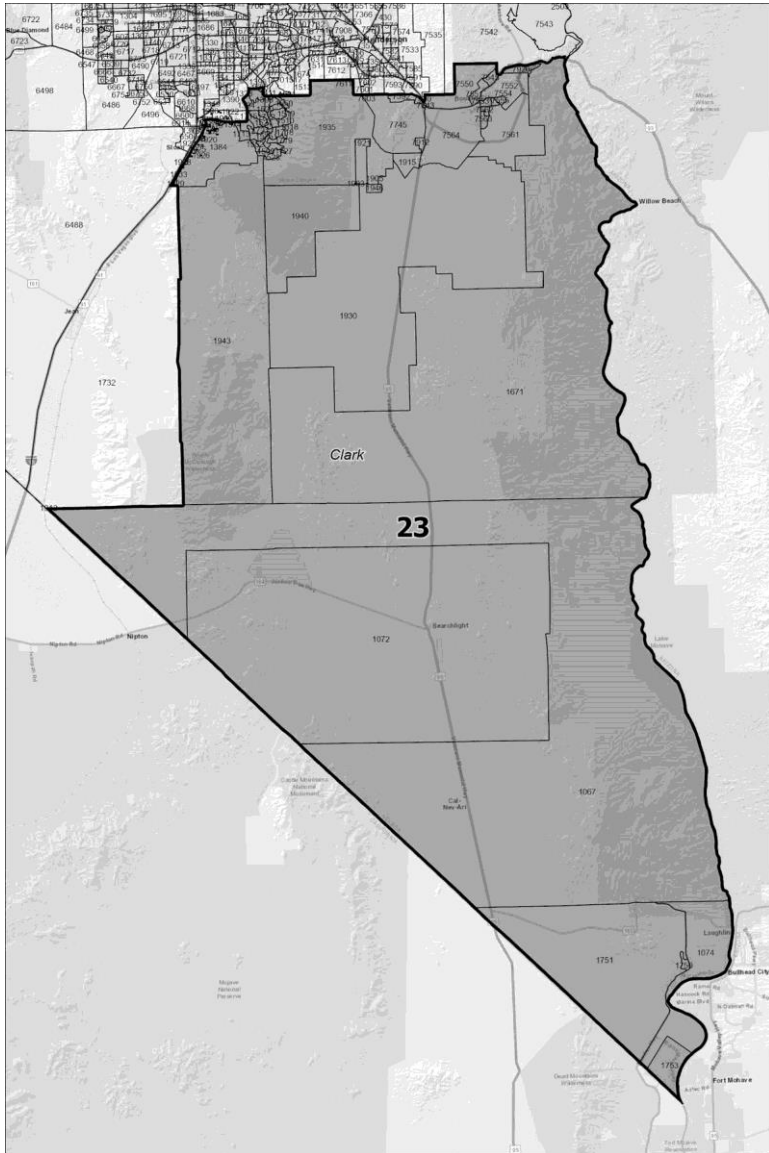
(u) Assembly District 21:



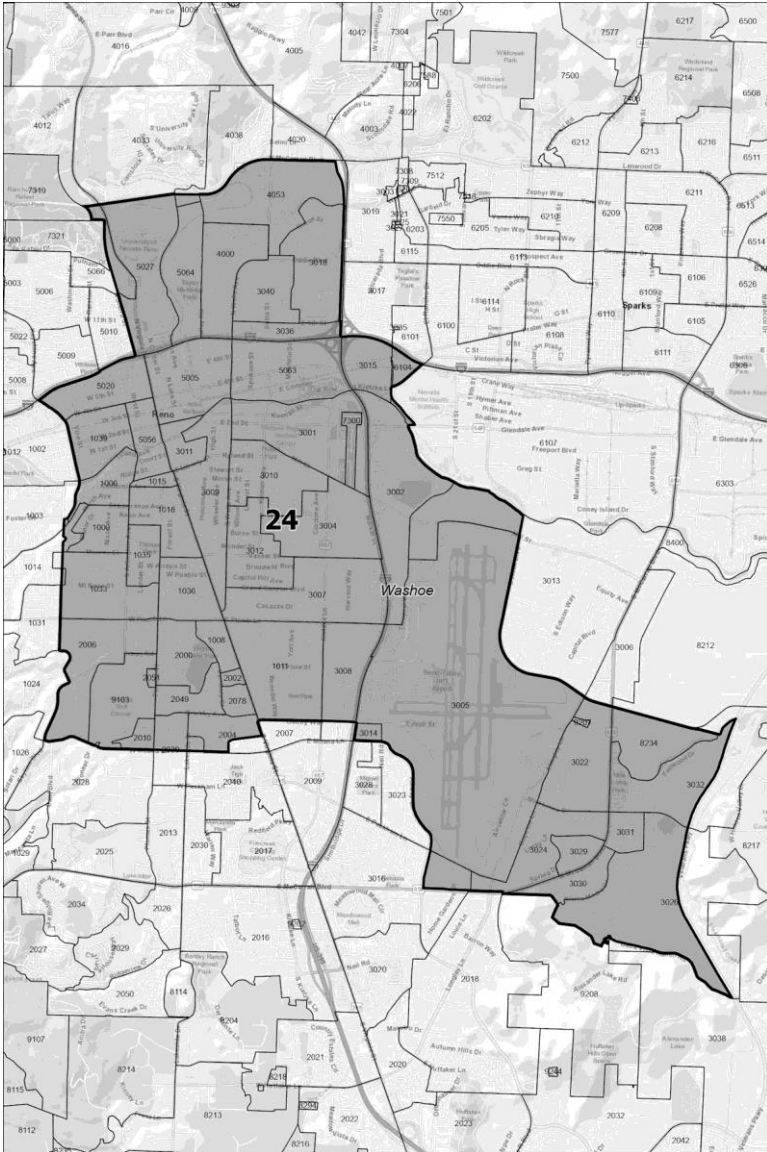
(v) Assembly District 22:



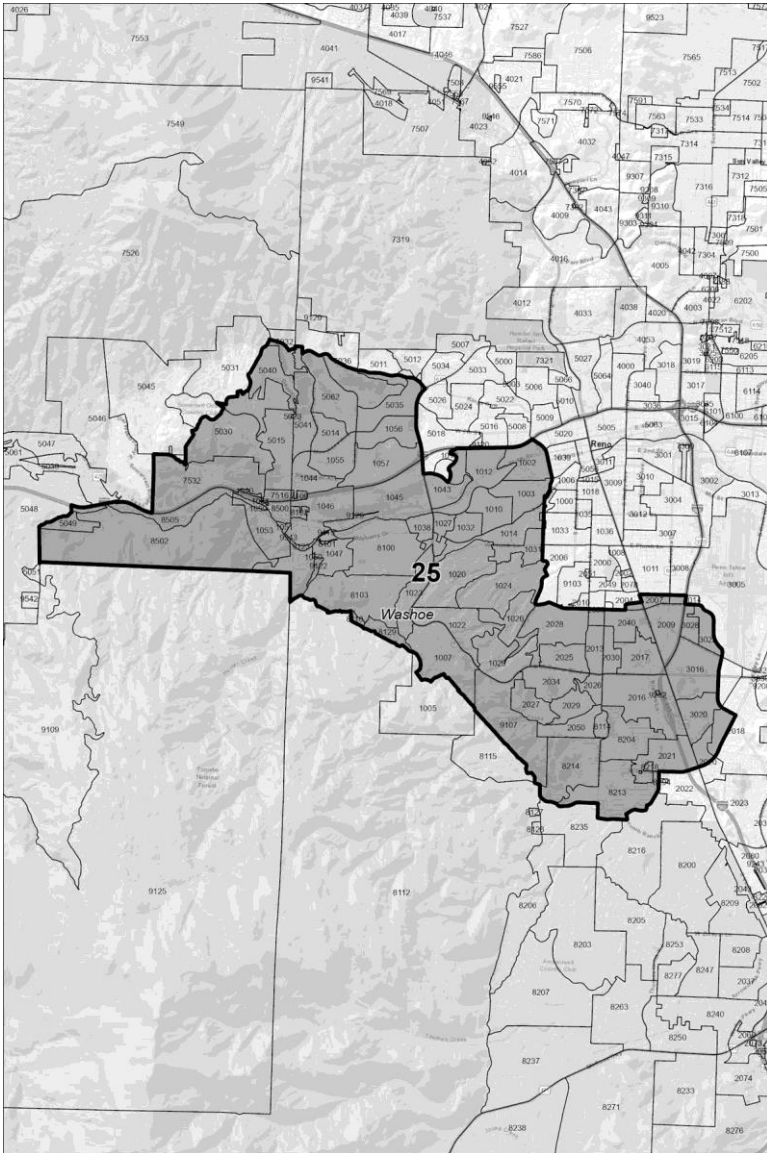
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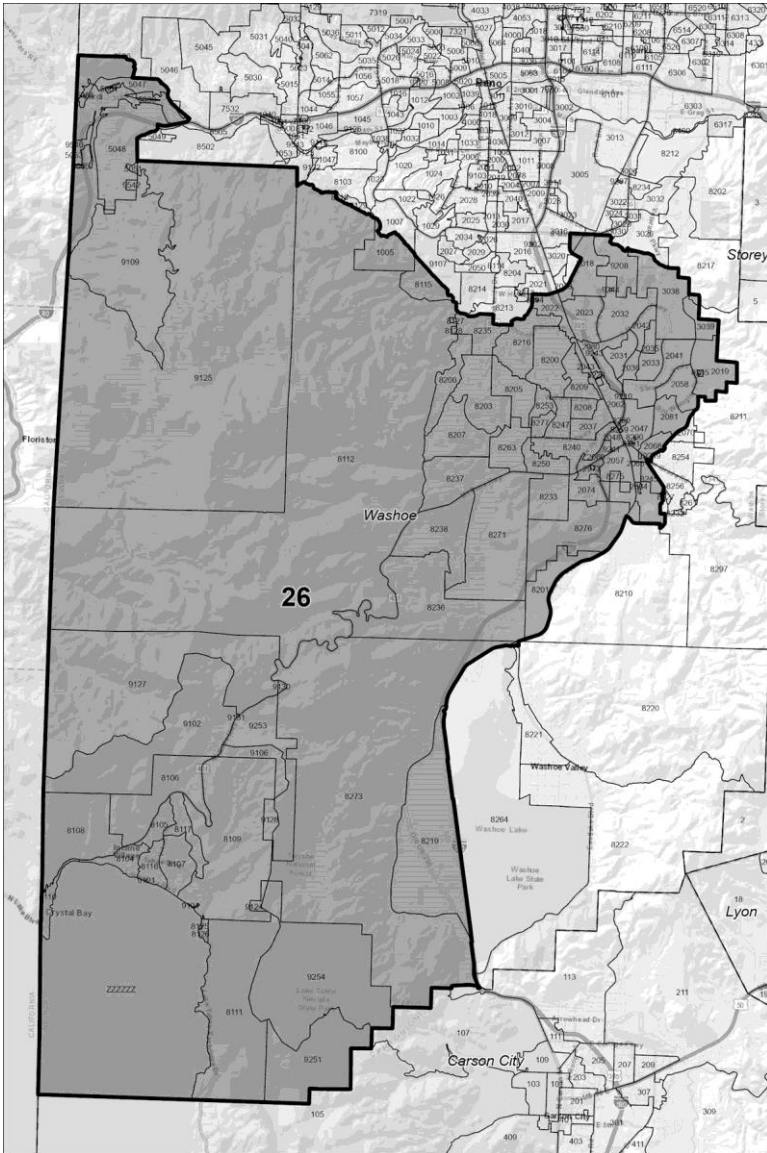
(x) Assembly District 24:



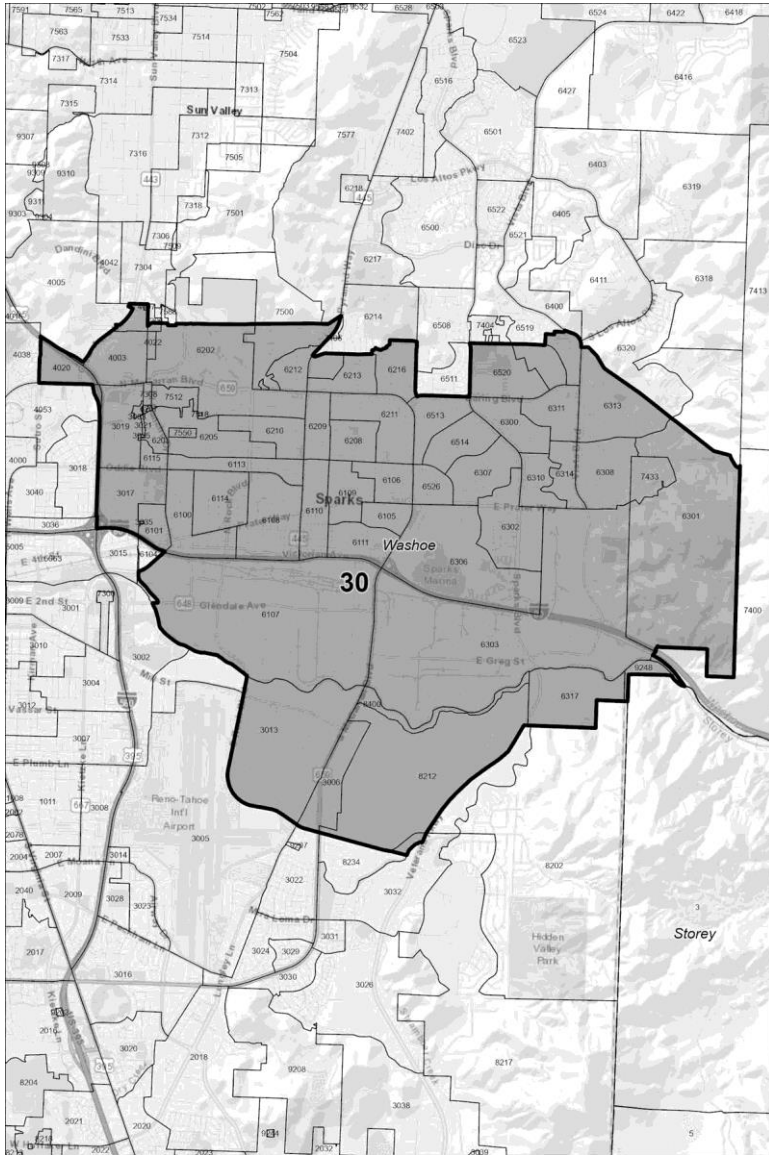
(y) Assembly District 25:



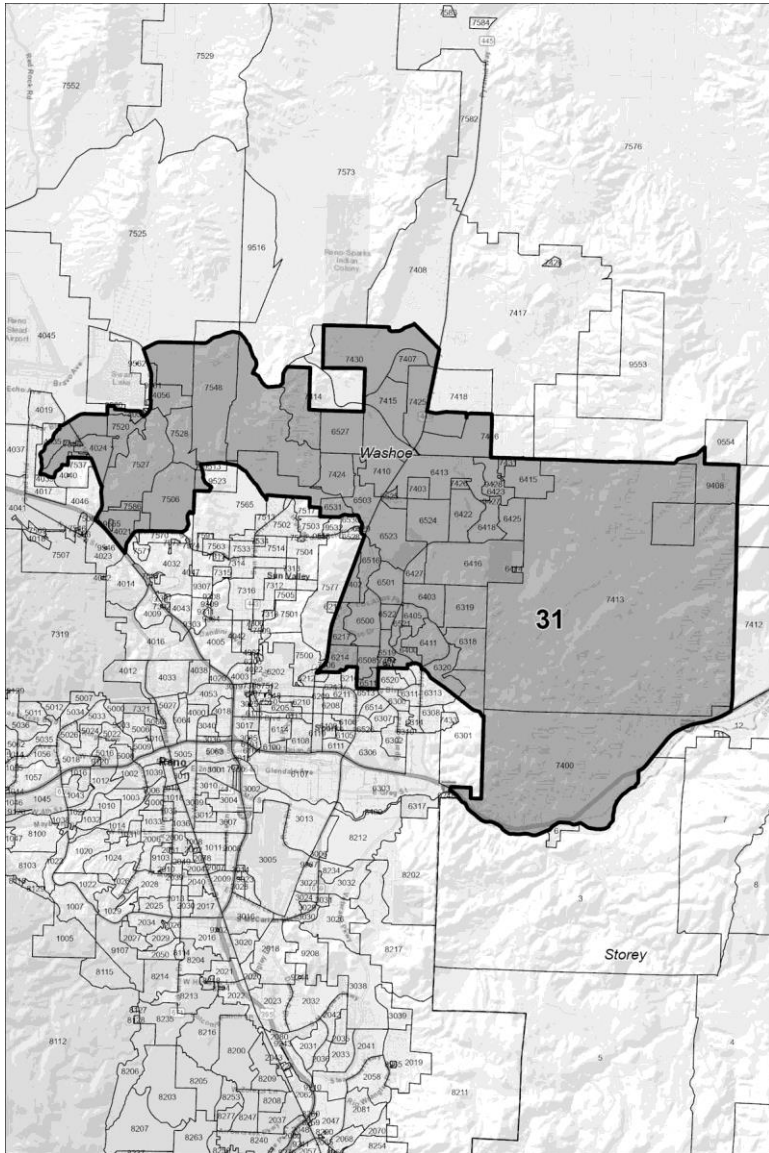
(z) Assembly District 26:



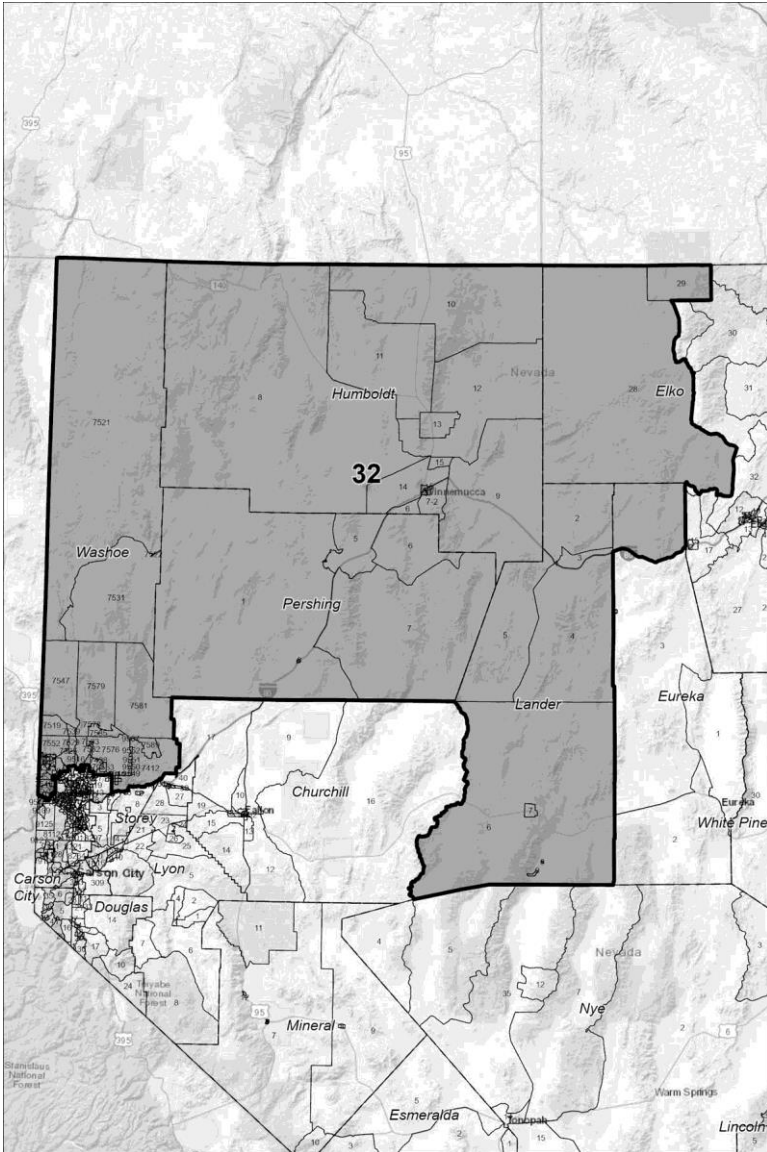
(dd) Assembly District 30:



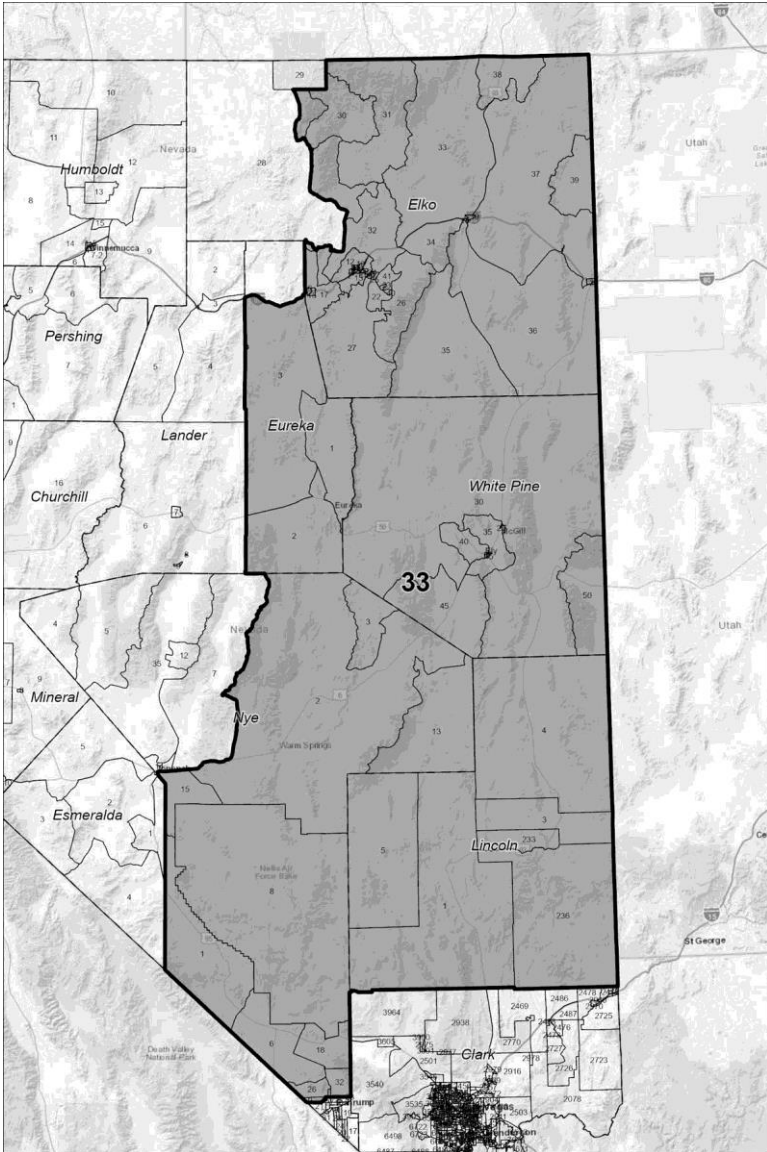
(ee) Assembly District 31:



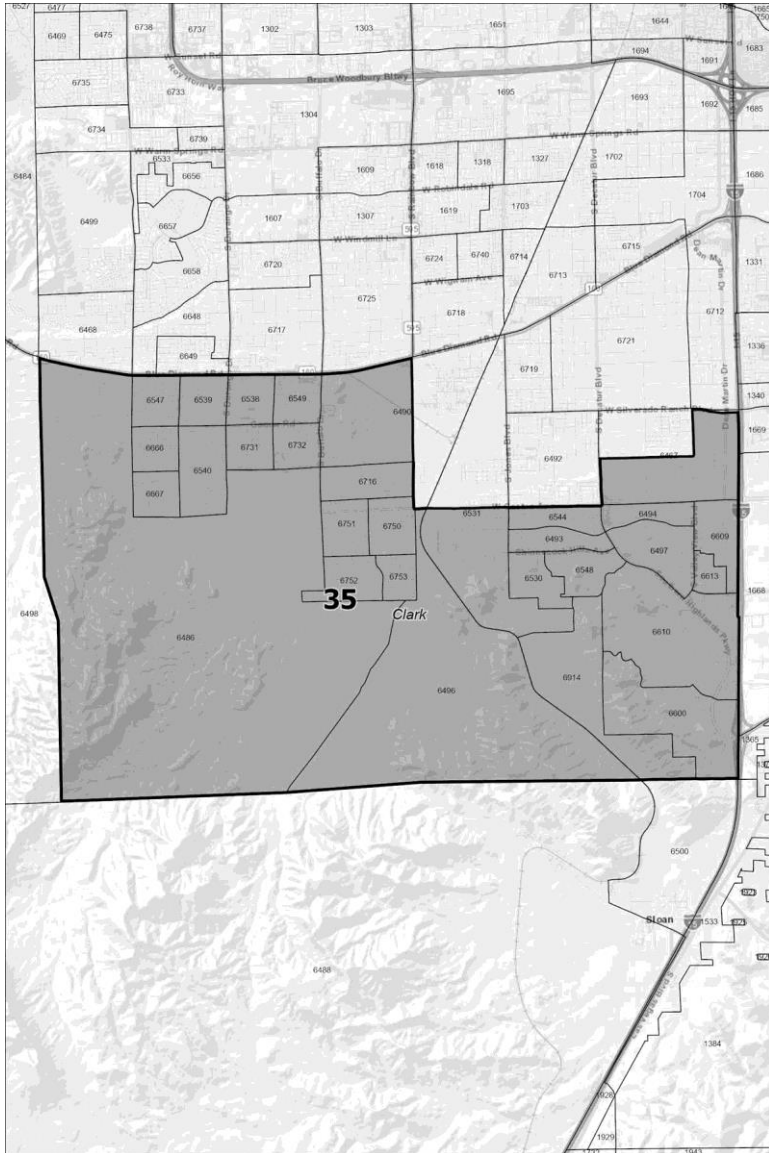
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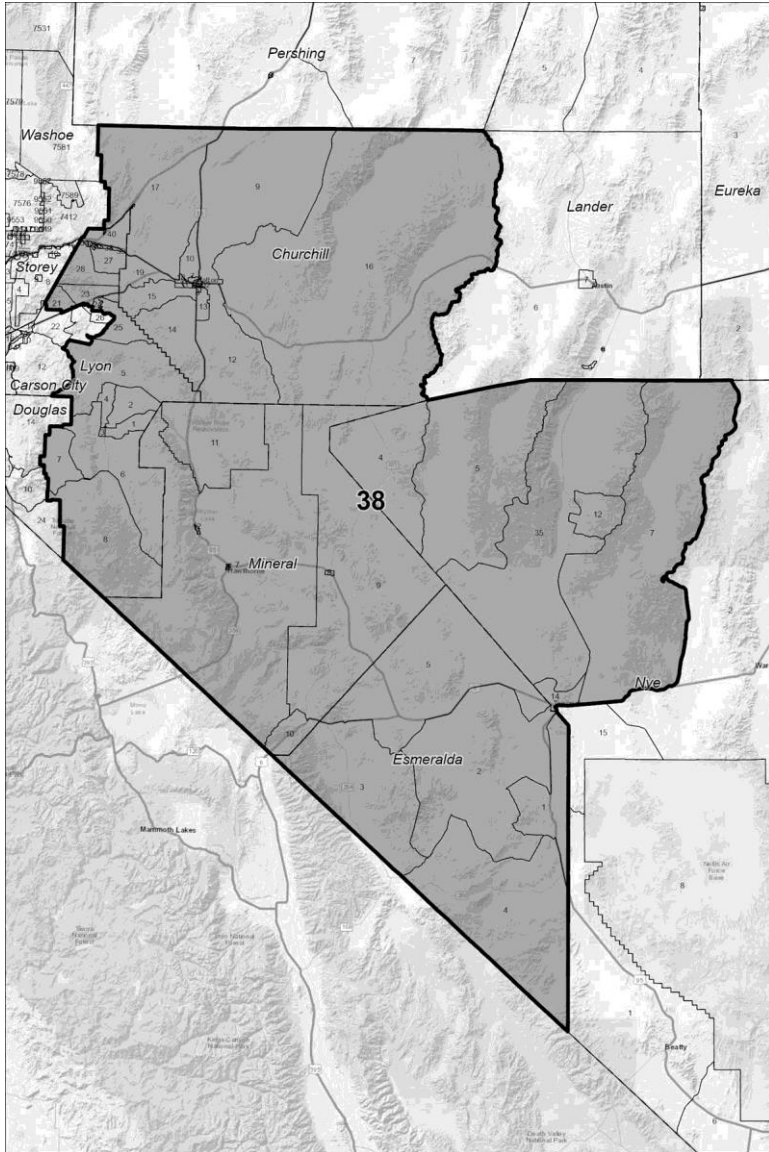
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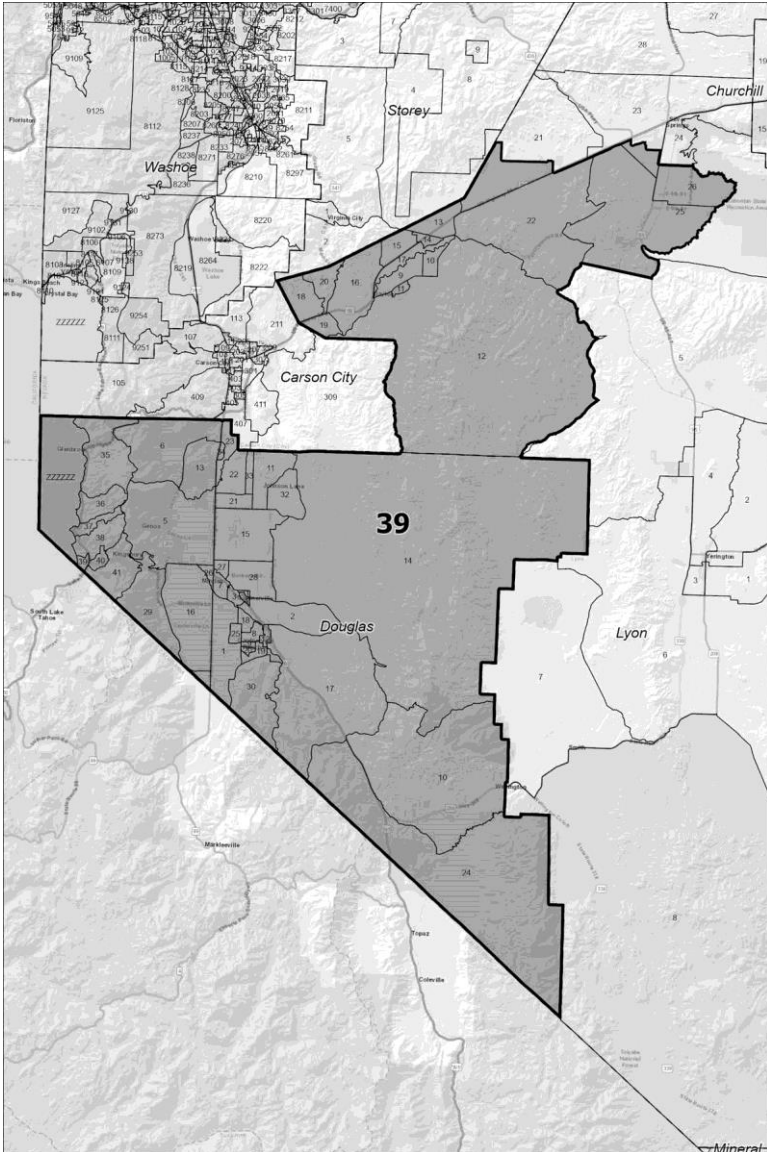
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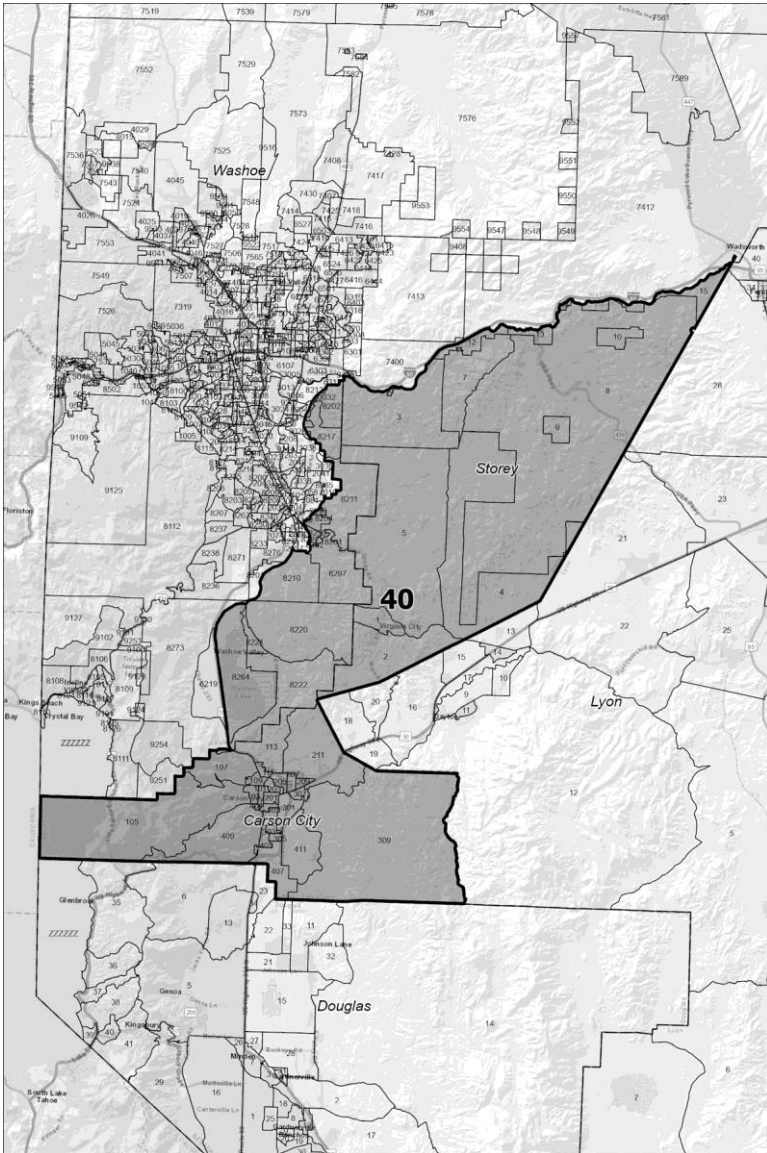
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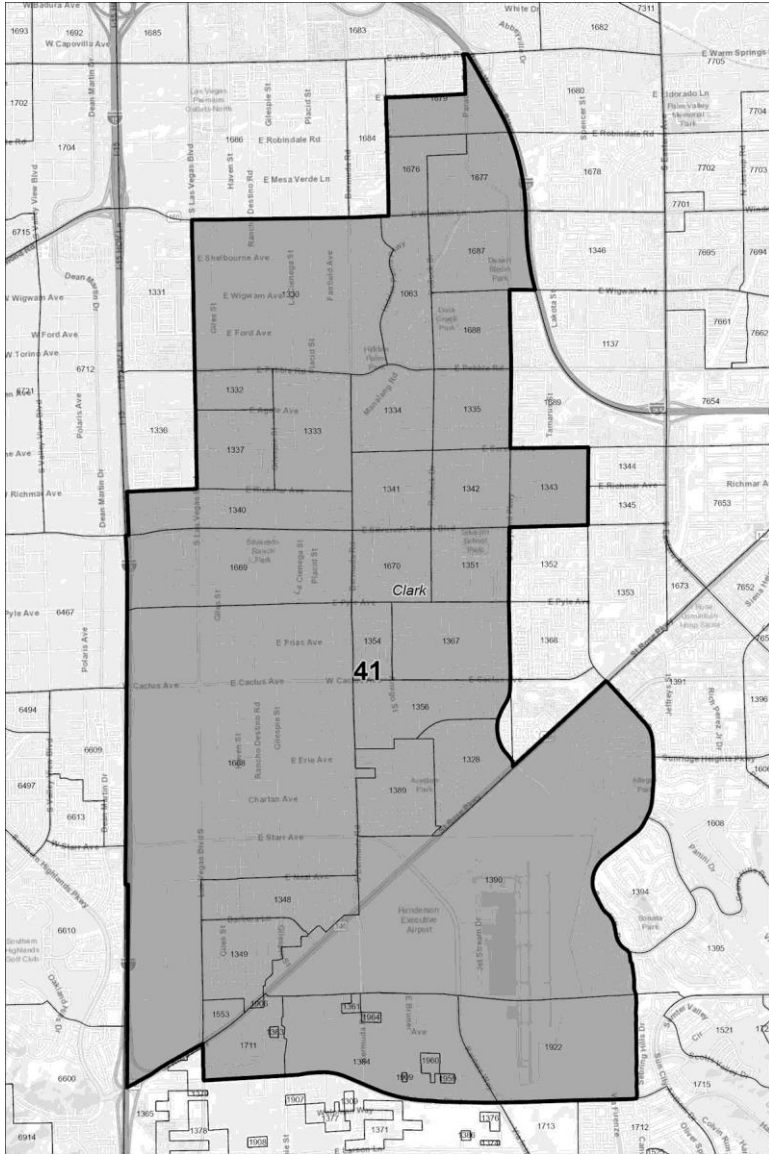
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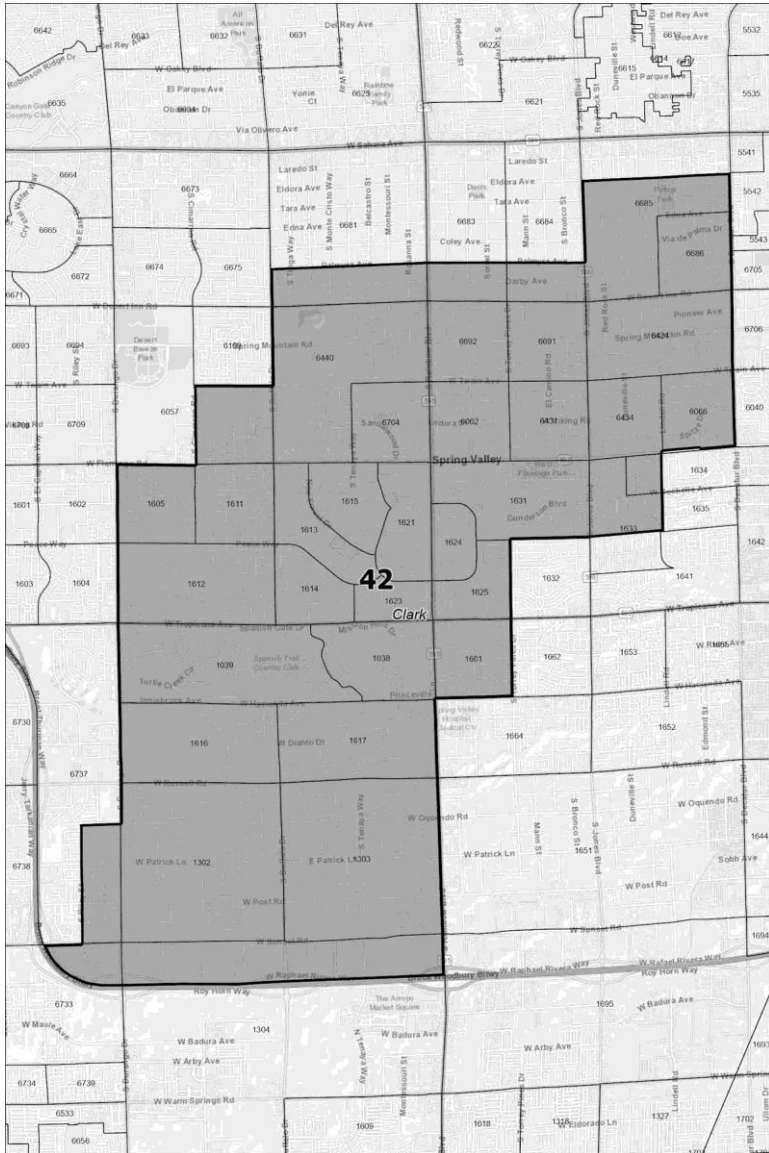
(nn) Assembly District 40:



(oo) Assembly District 41:



(pp) Assembly District 42:

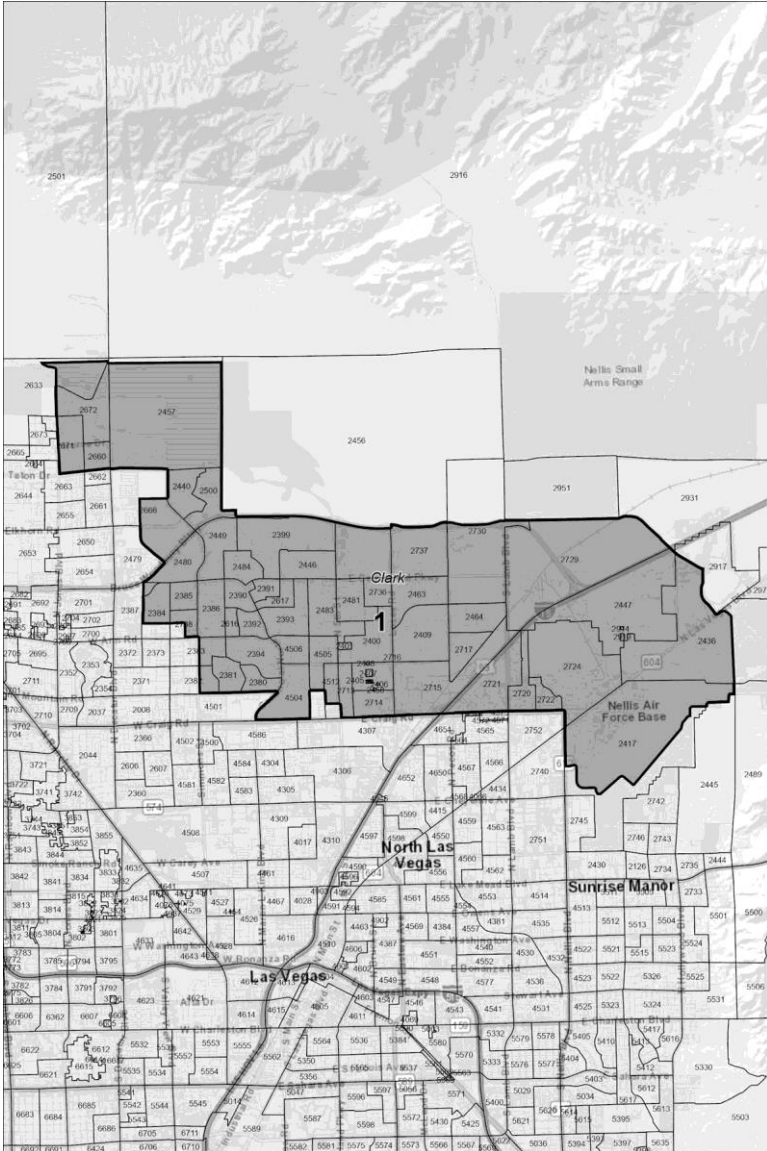


2. The Legislative Council shall include with the Nevada Revised Statutes the following graphical representations of the

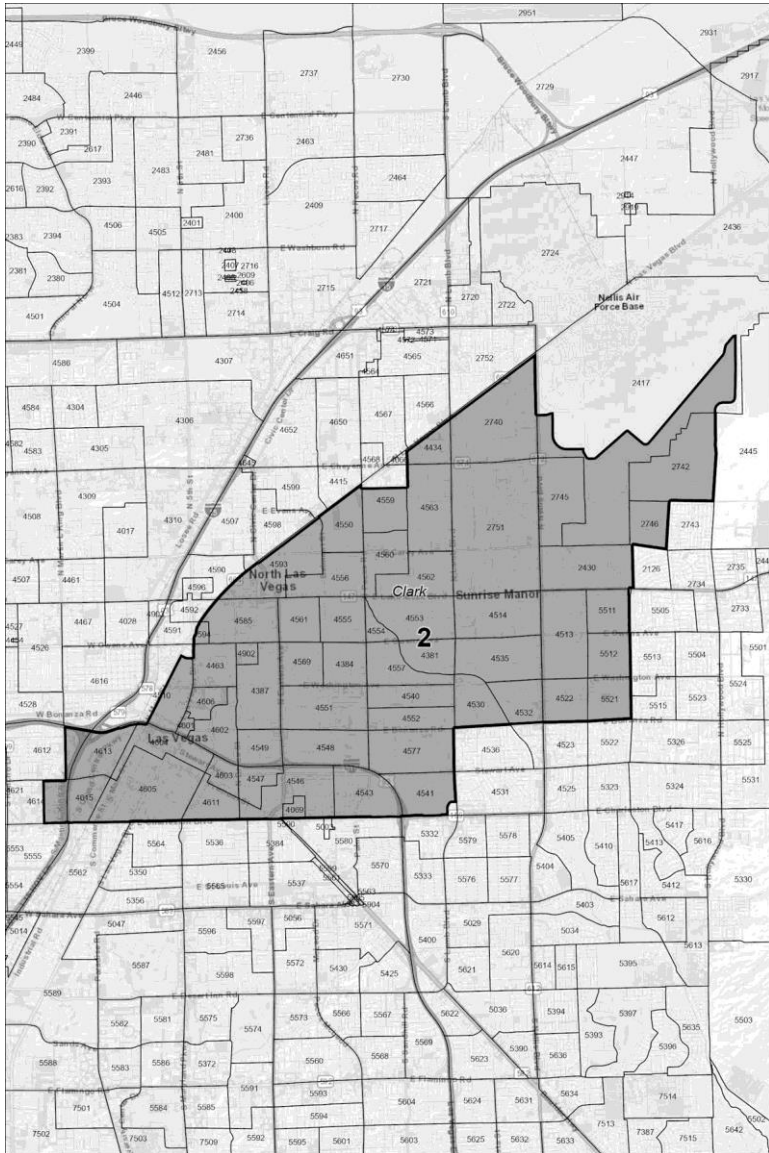


senate districts contained in the shapefile adopted by section 3 of this act, printed here in descriptive form for the convenience of the reader:

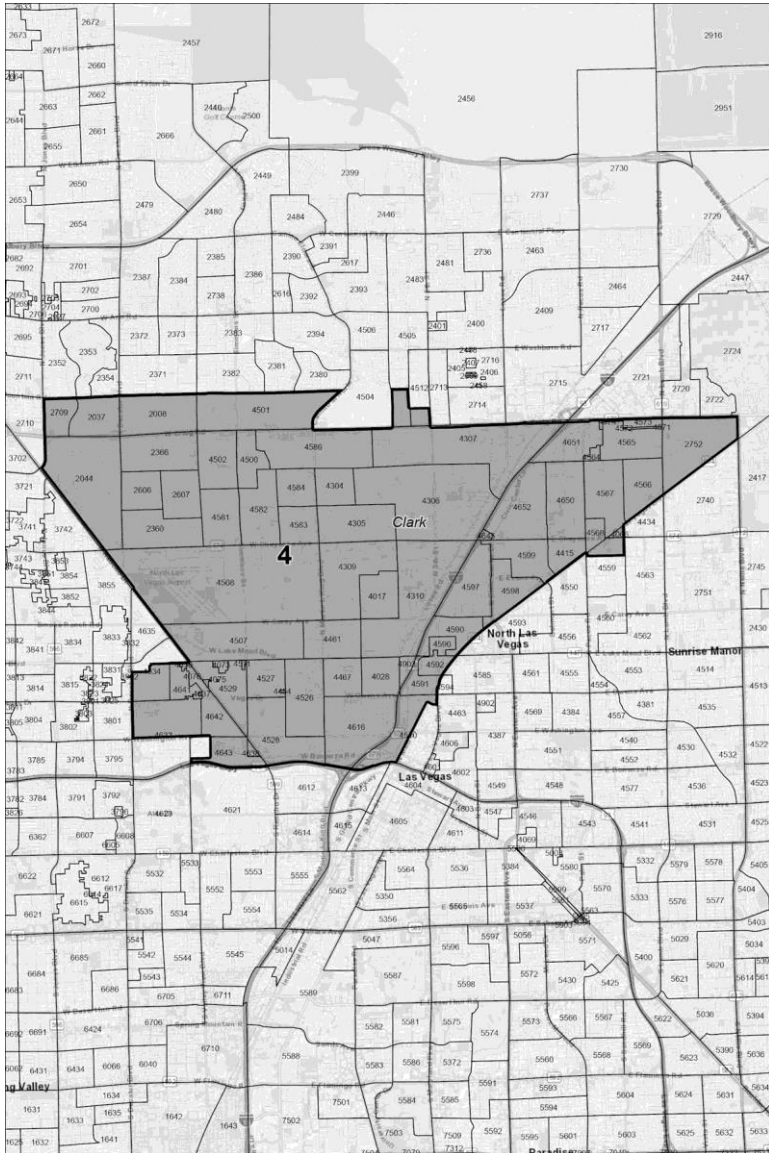
(a) Senate District 1:



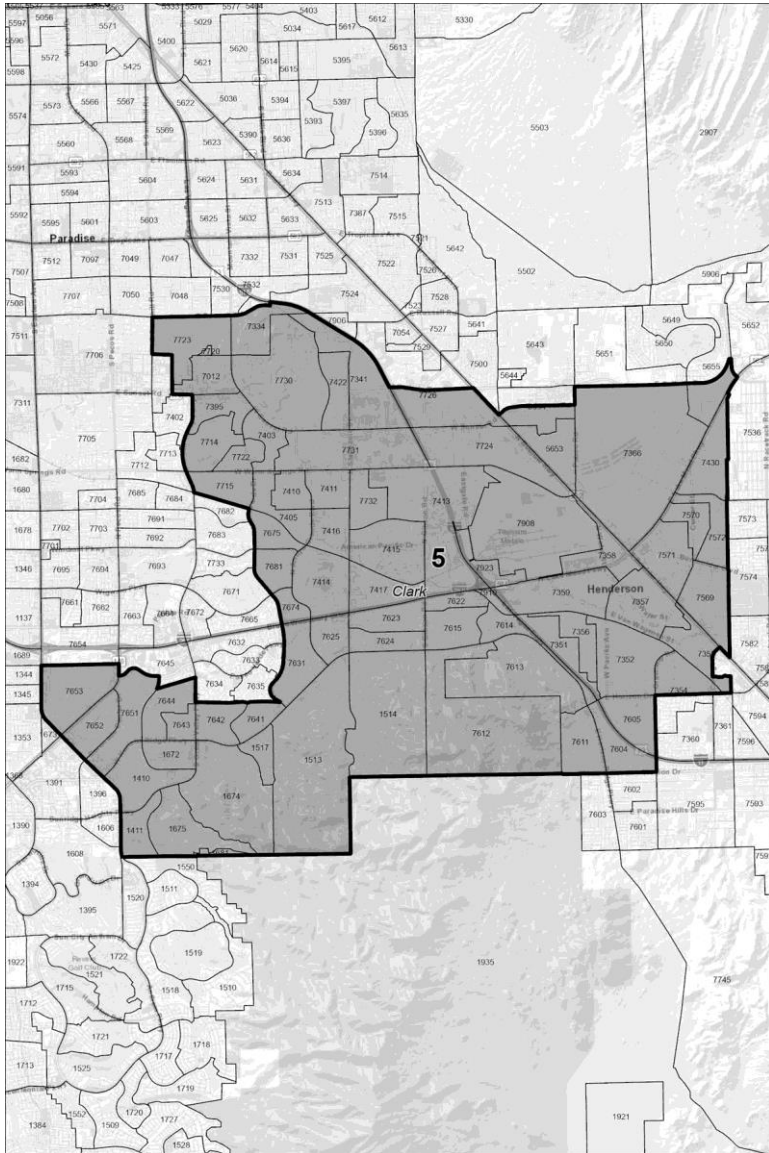
(b) Senate District 2:



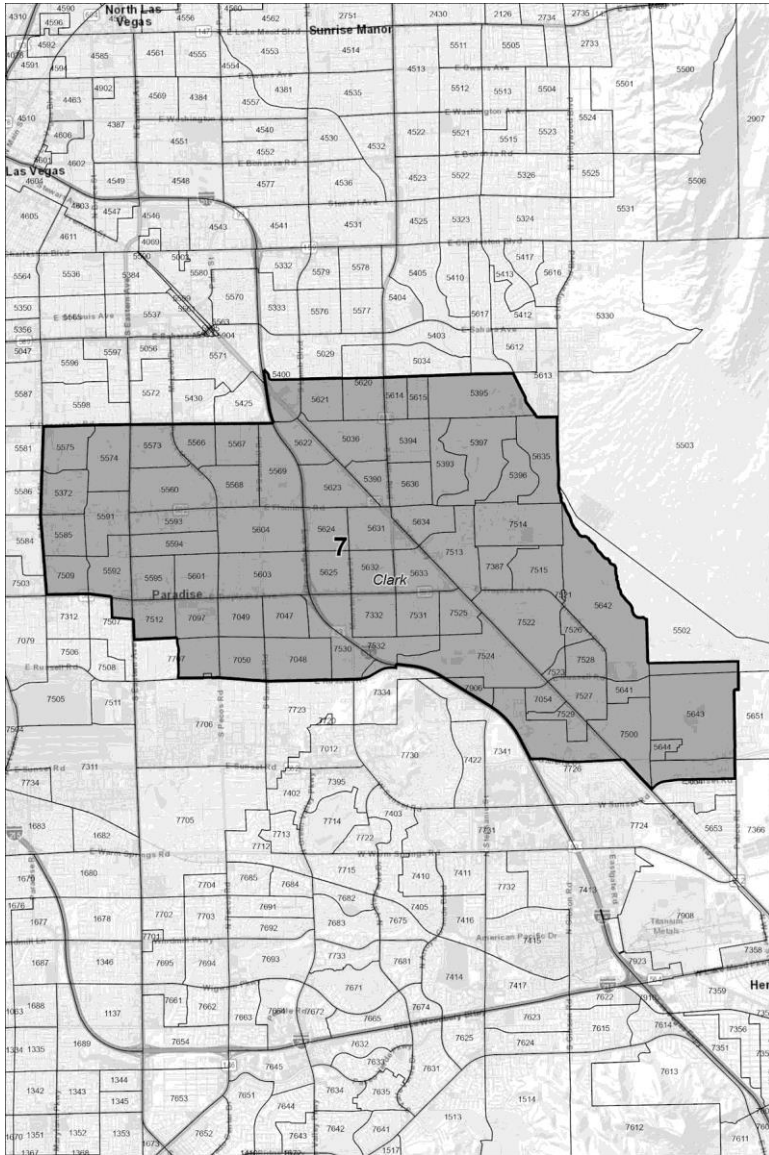
(d) Senate District 4:



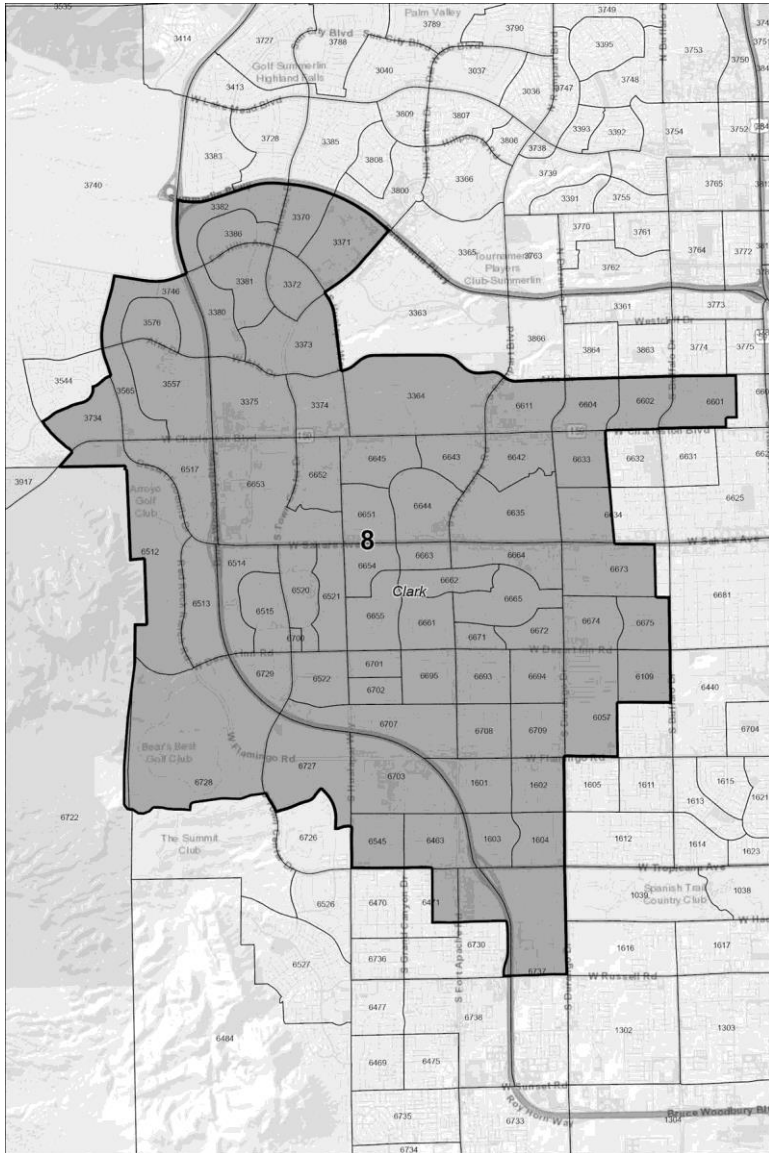
(e) Senate District 5:



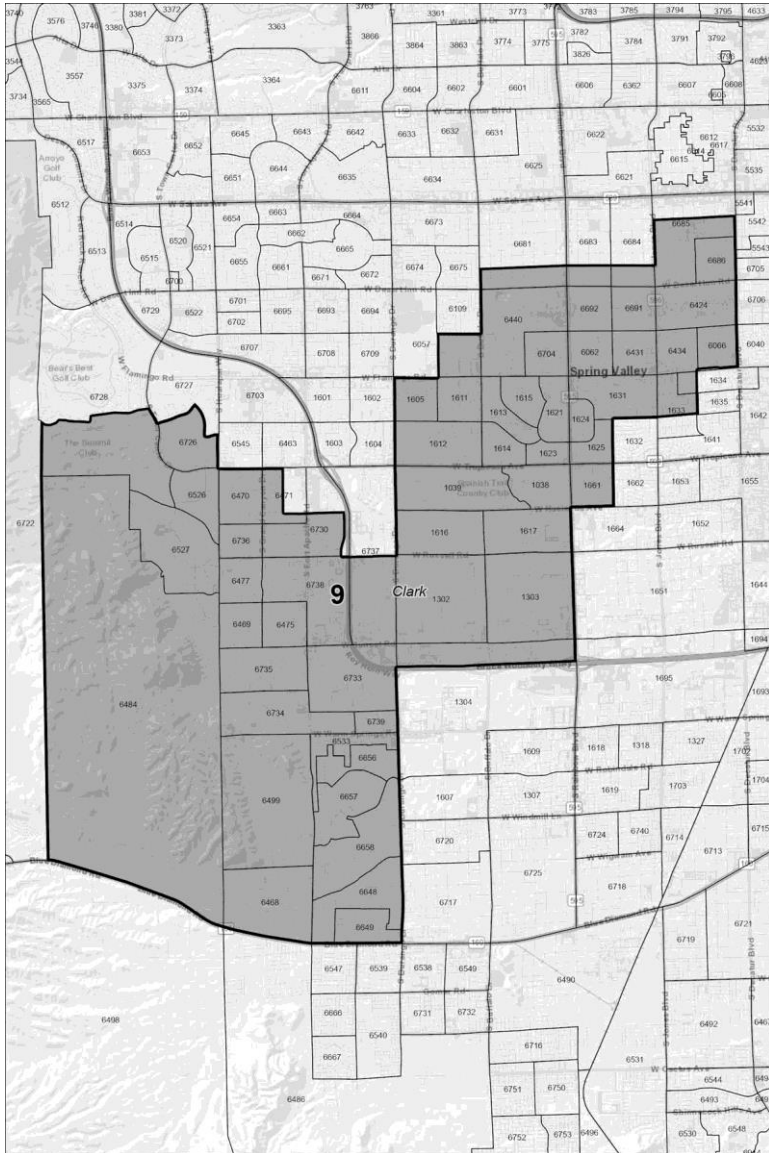
(g) Senate District 7:



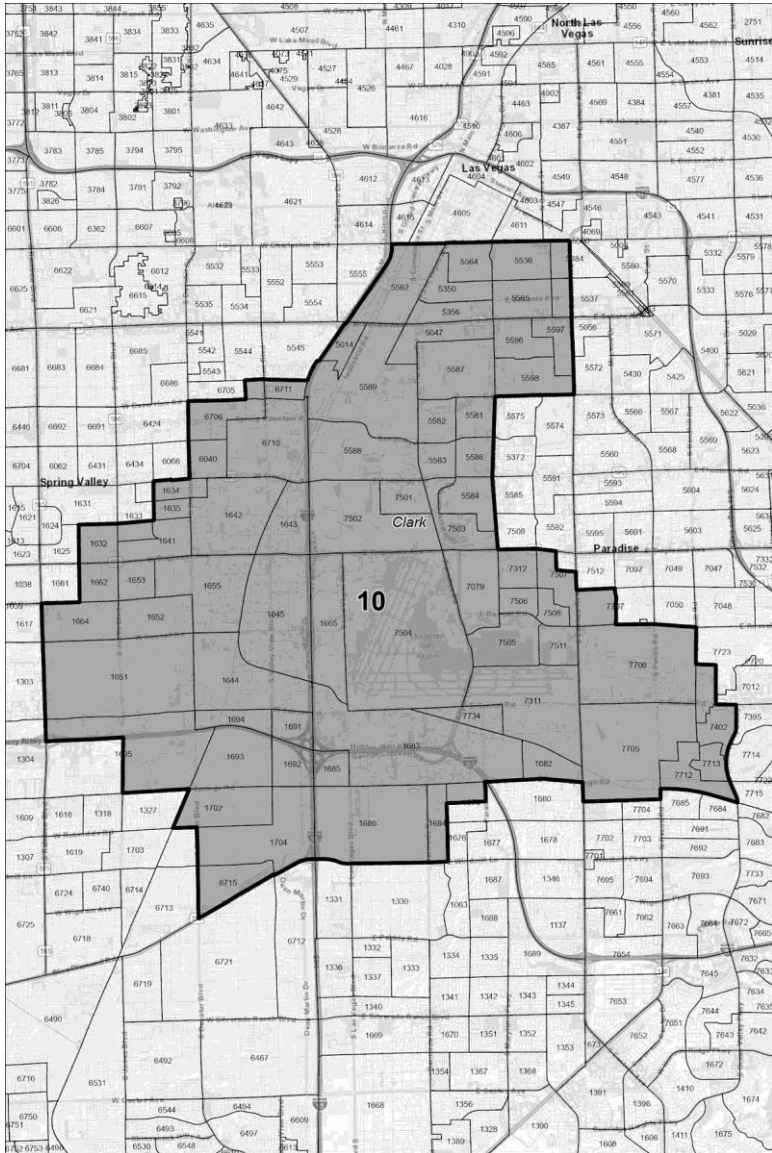
(h) Senate District 8:



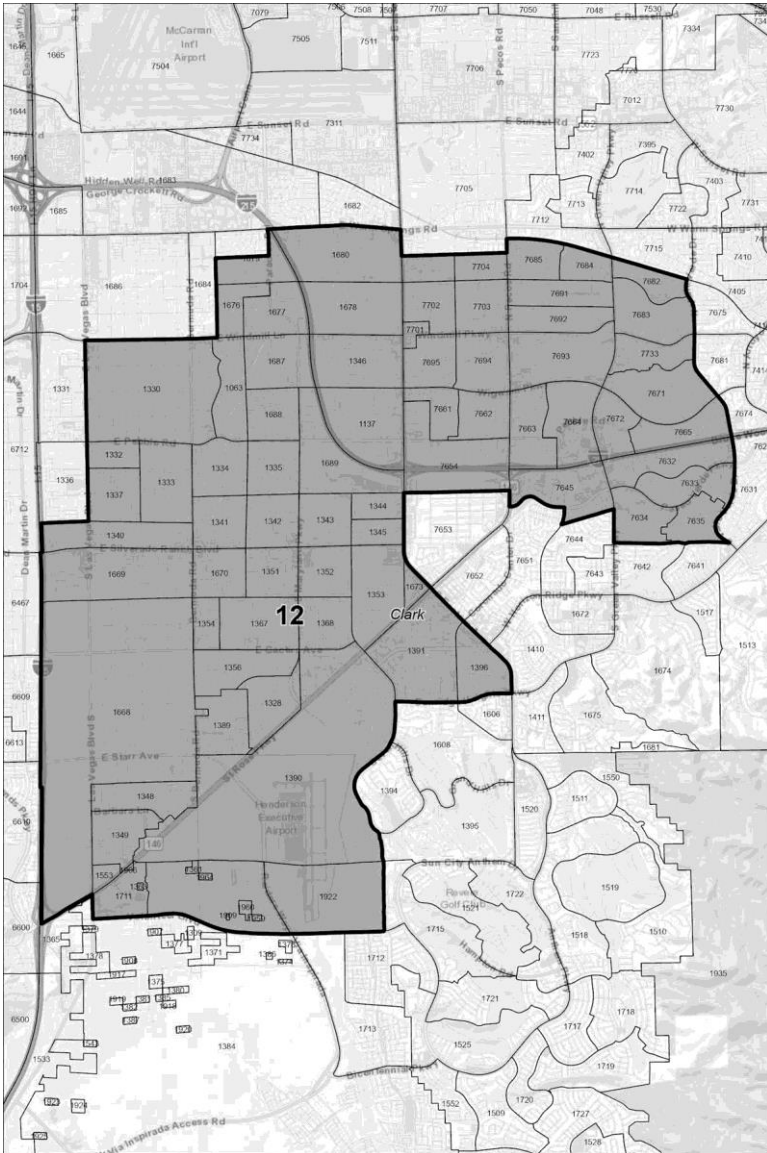
(i) Senate District 9:



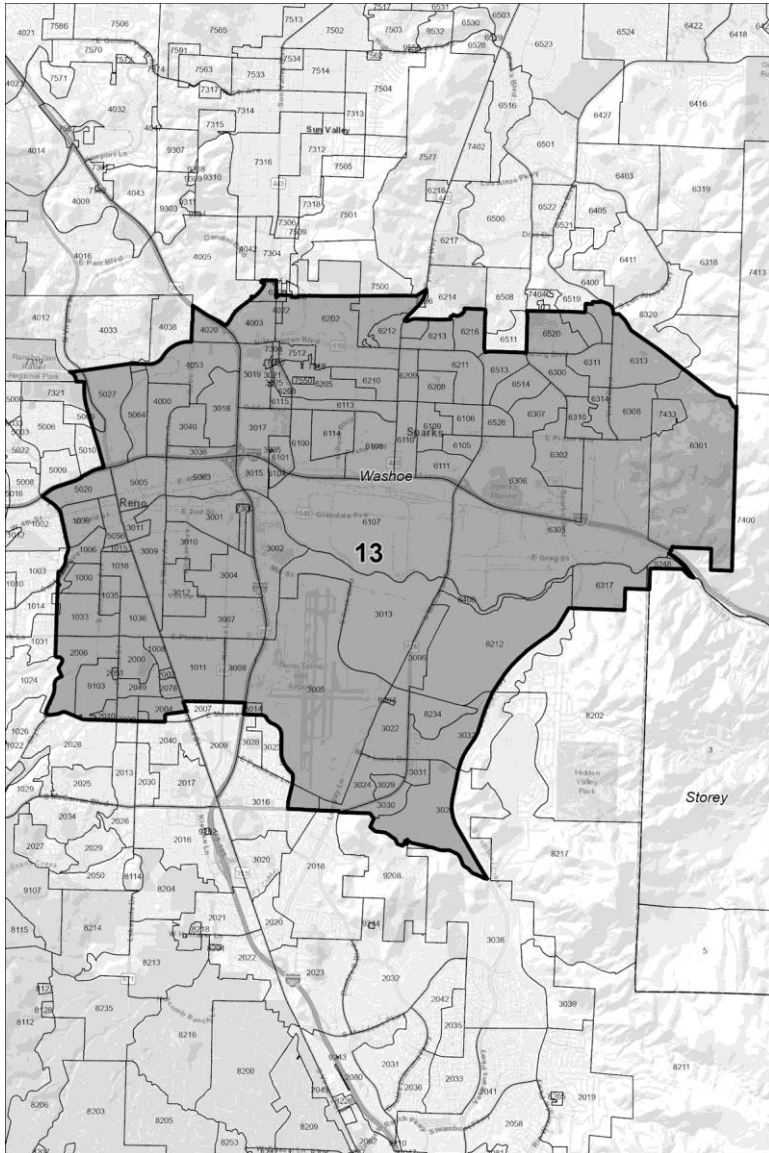
(j) Senate District 10:



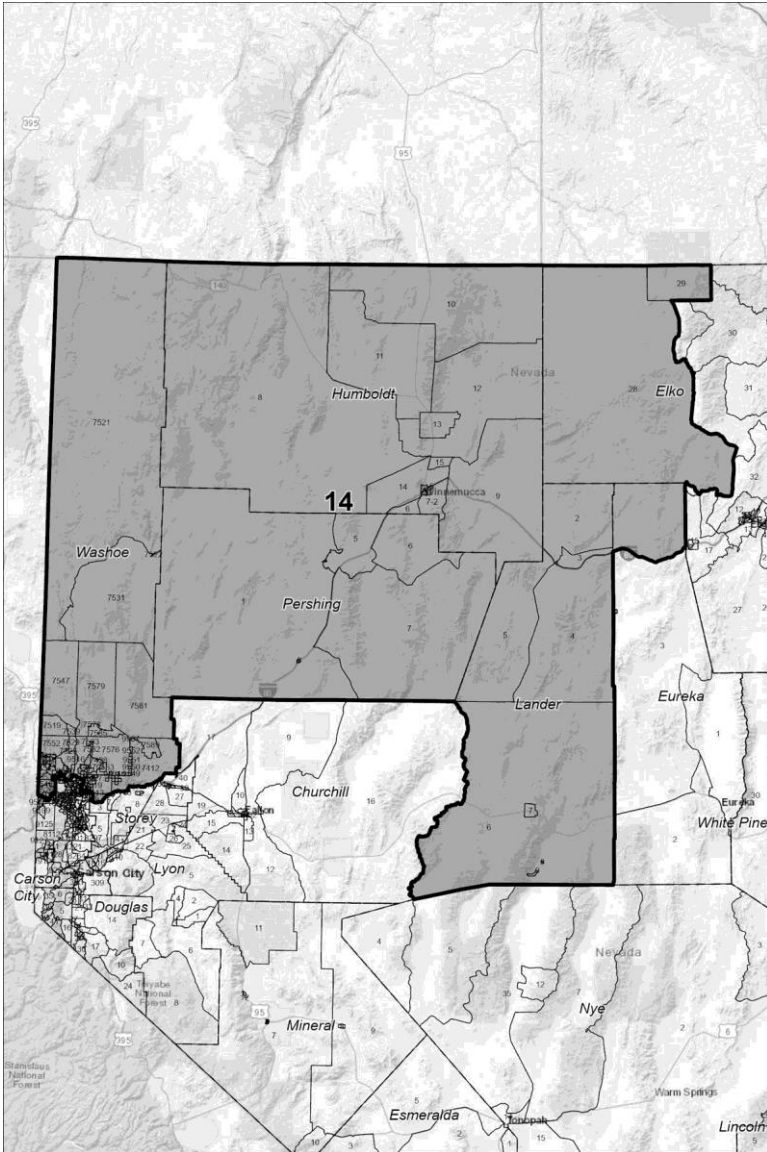
(I) Senate District 12:



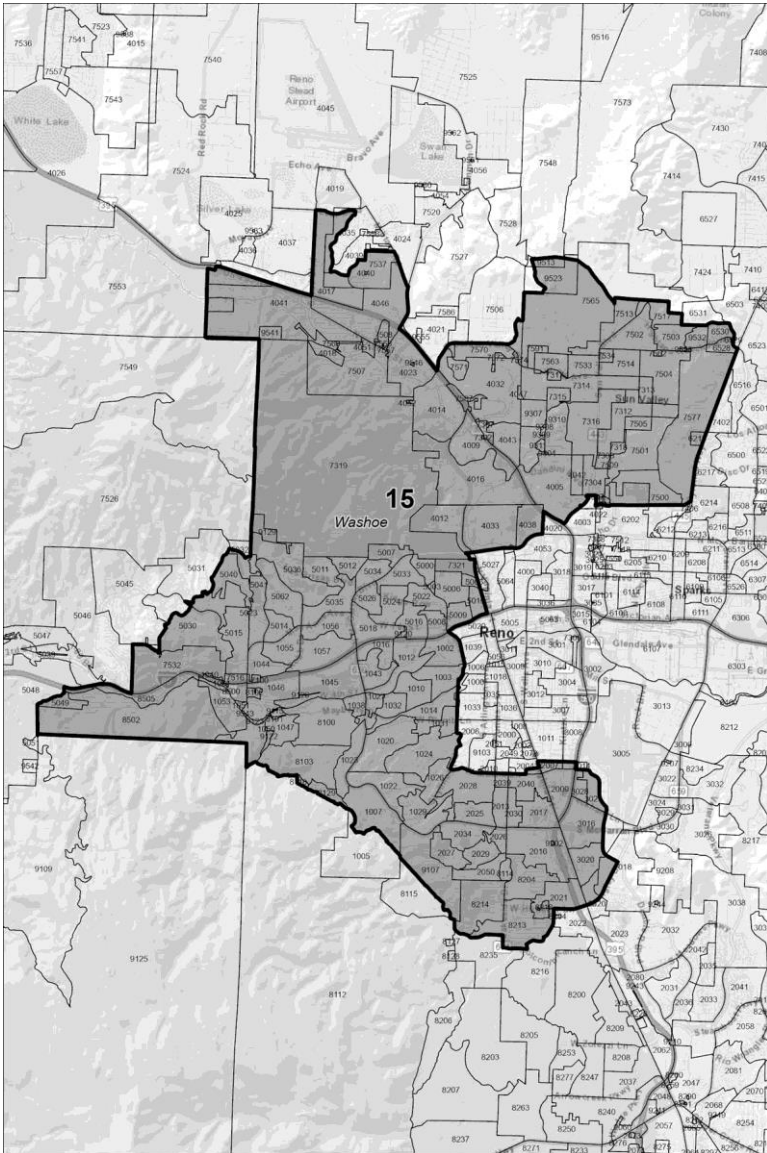
(m) Senate District 13:



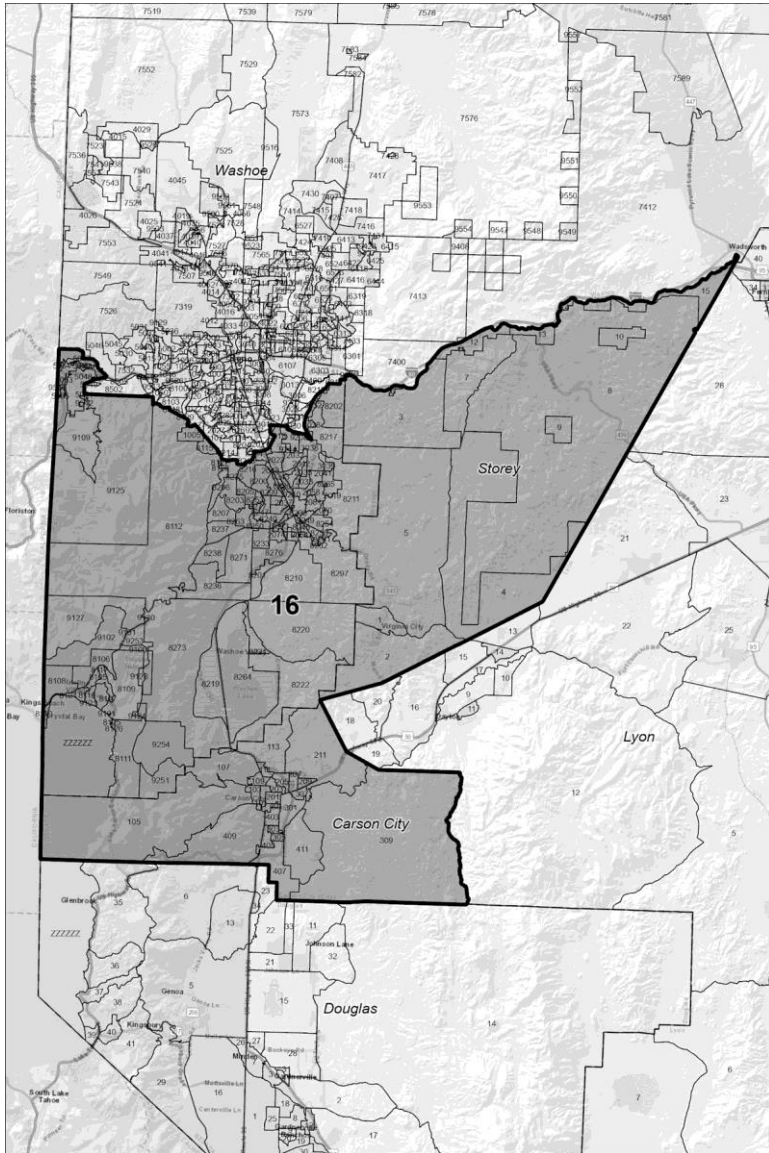
(n) Senate District 14:



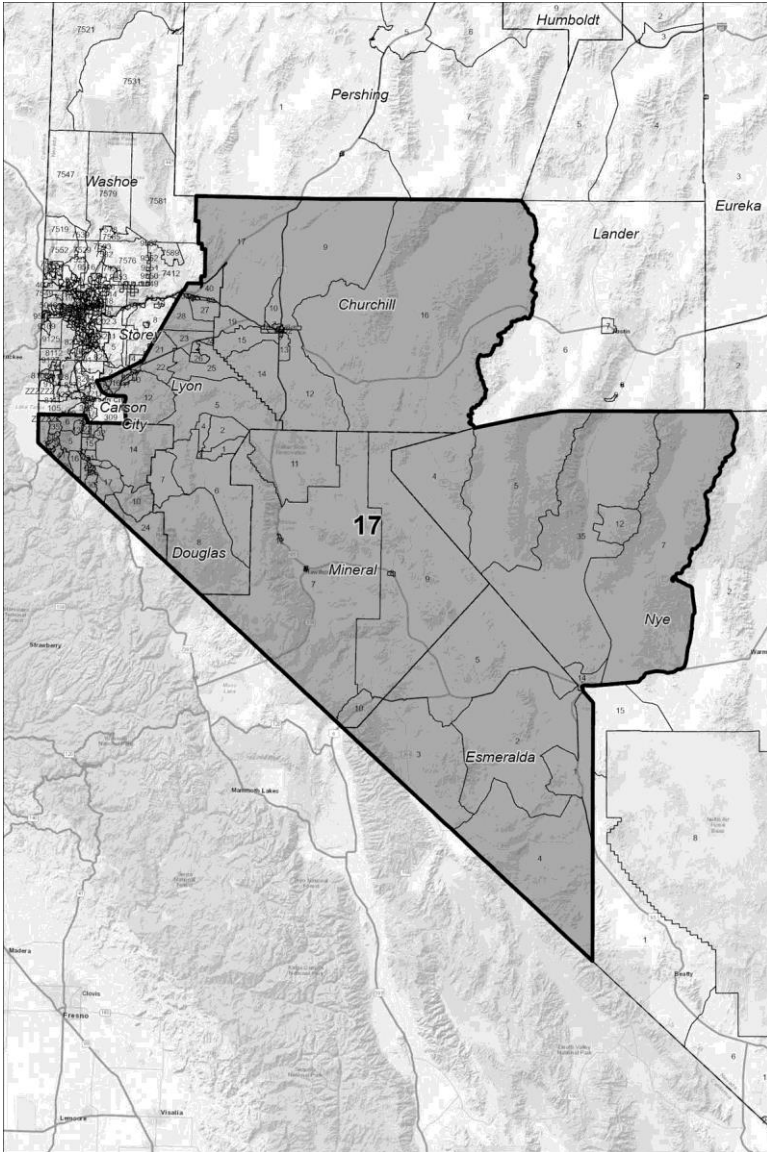
(o) Senate District 15:



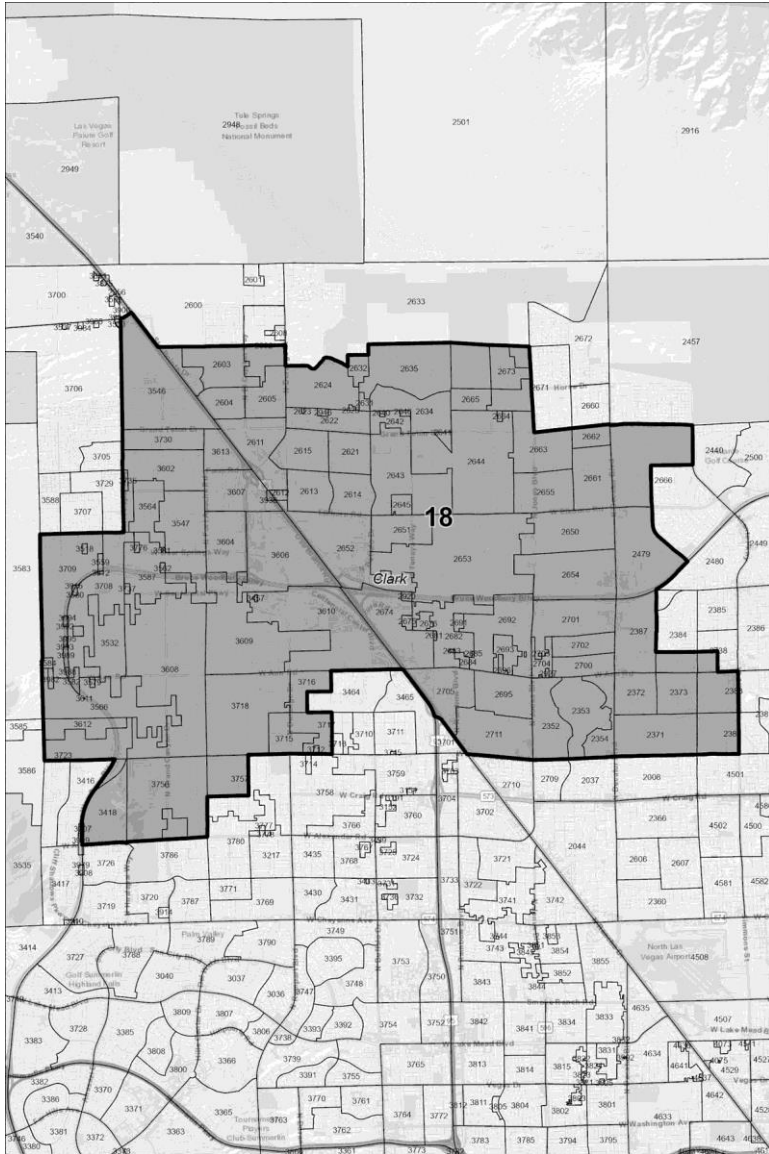
(p) Senate District 16:



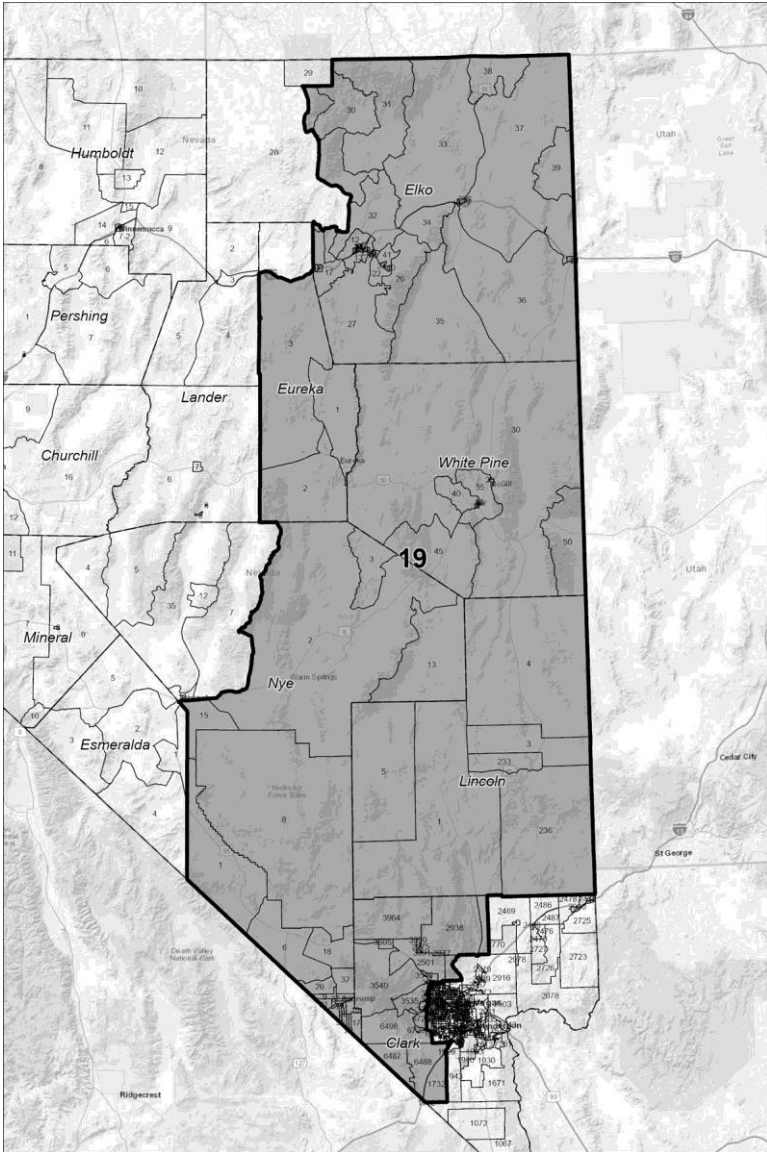
(q) Senate District 17:



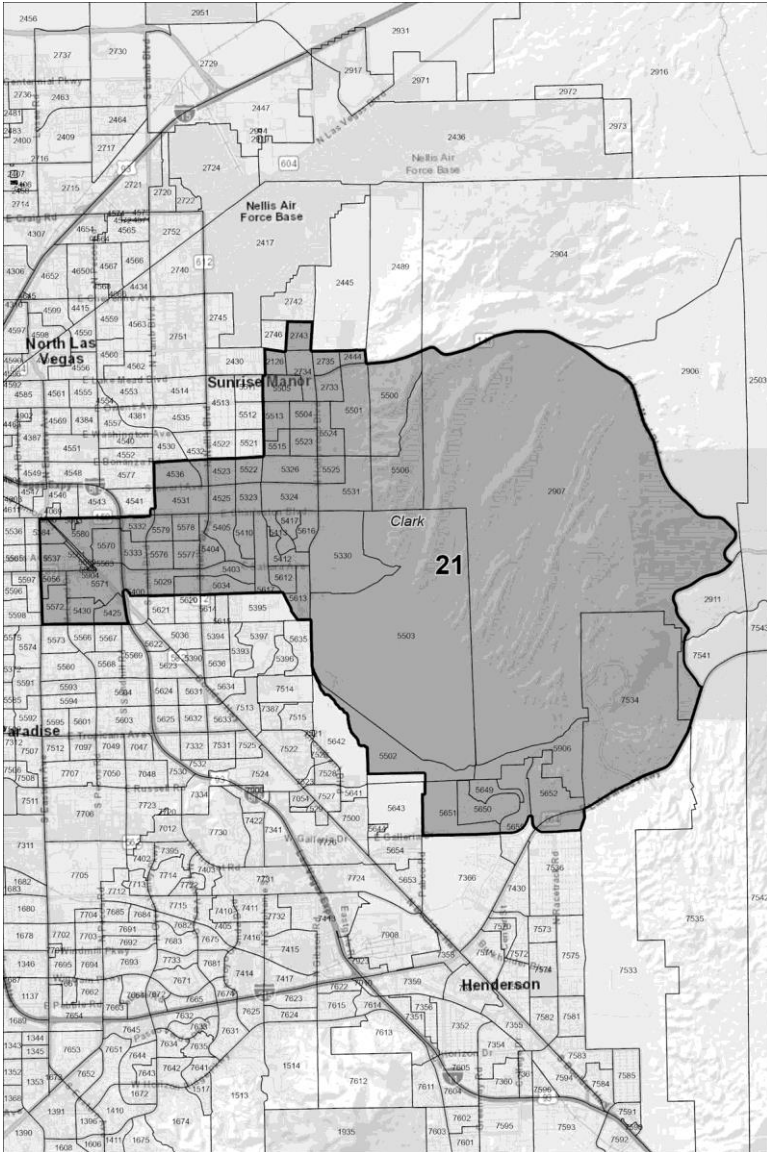
(r) Senate District 18:



(s) Senate District 19:



(u) Senate District 21:

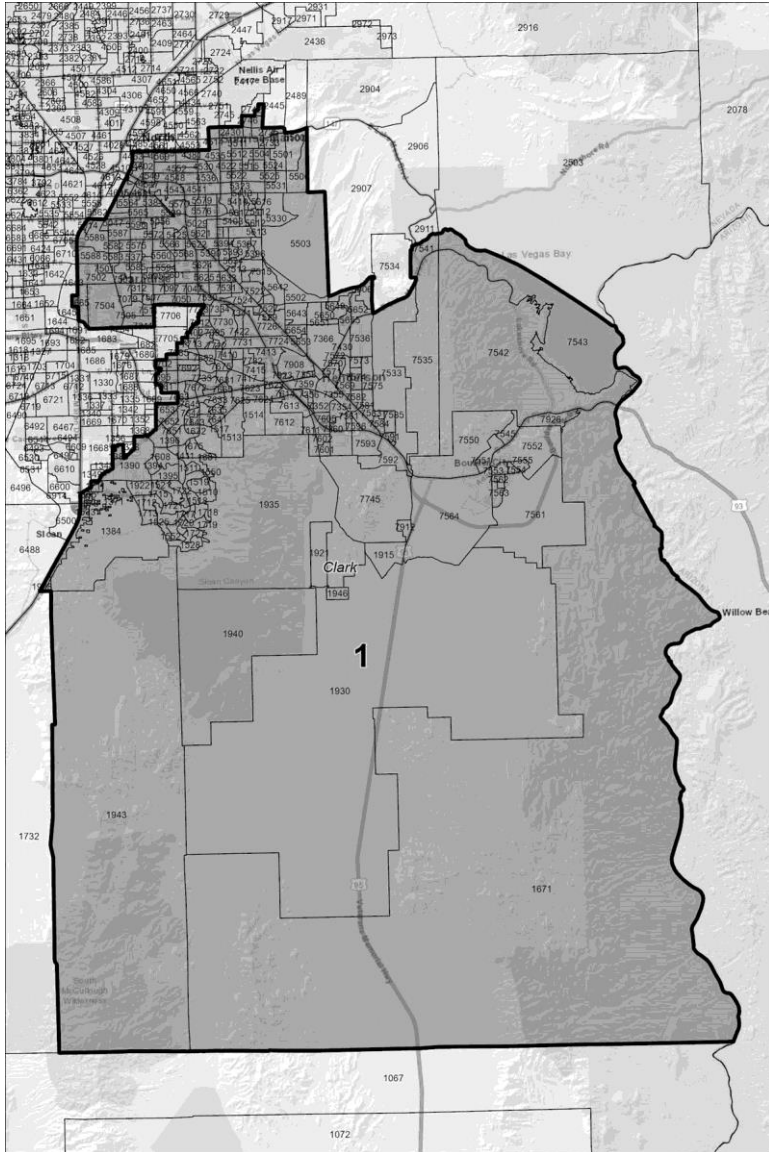


3. The Legislative Counsel shall include with the Nevada Revised Statutes the following graphical representations of

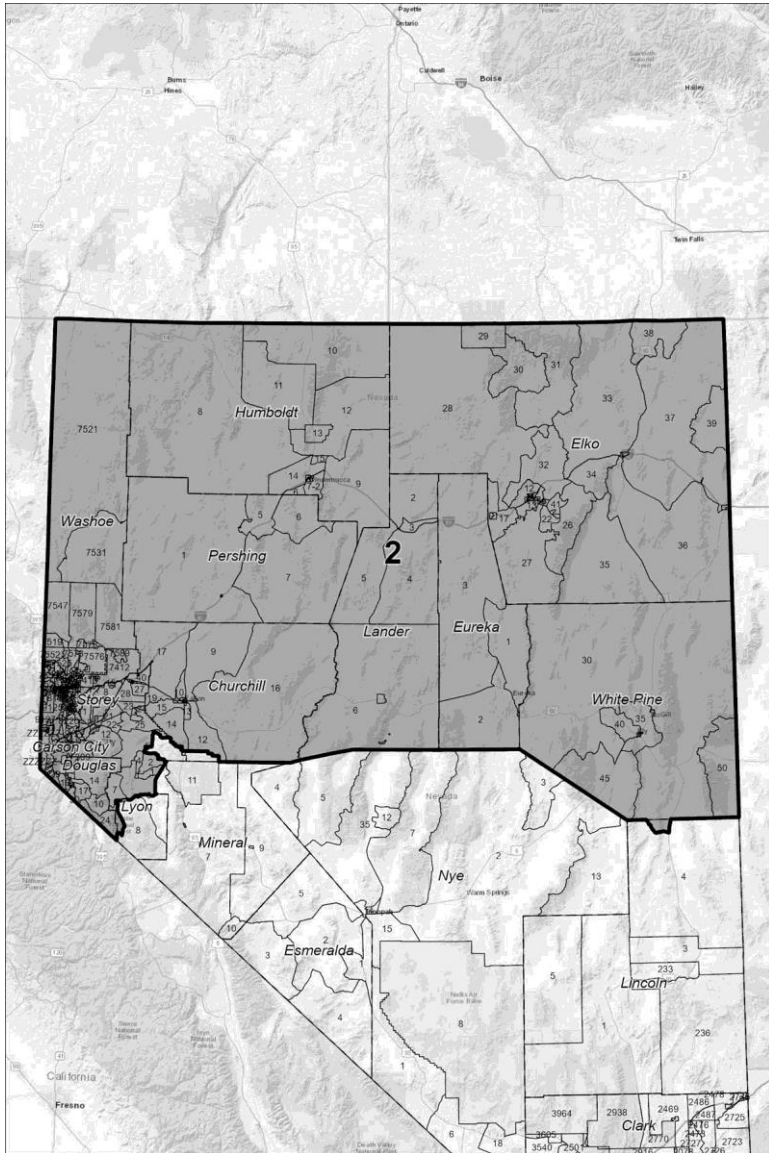


the congressional districts contained in the shapefile adopted by section 9 of this act, printed here in descriptive form for the convenience of the reader:

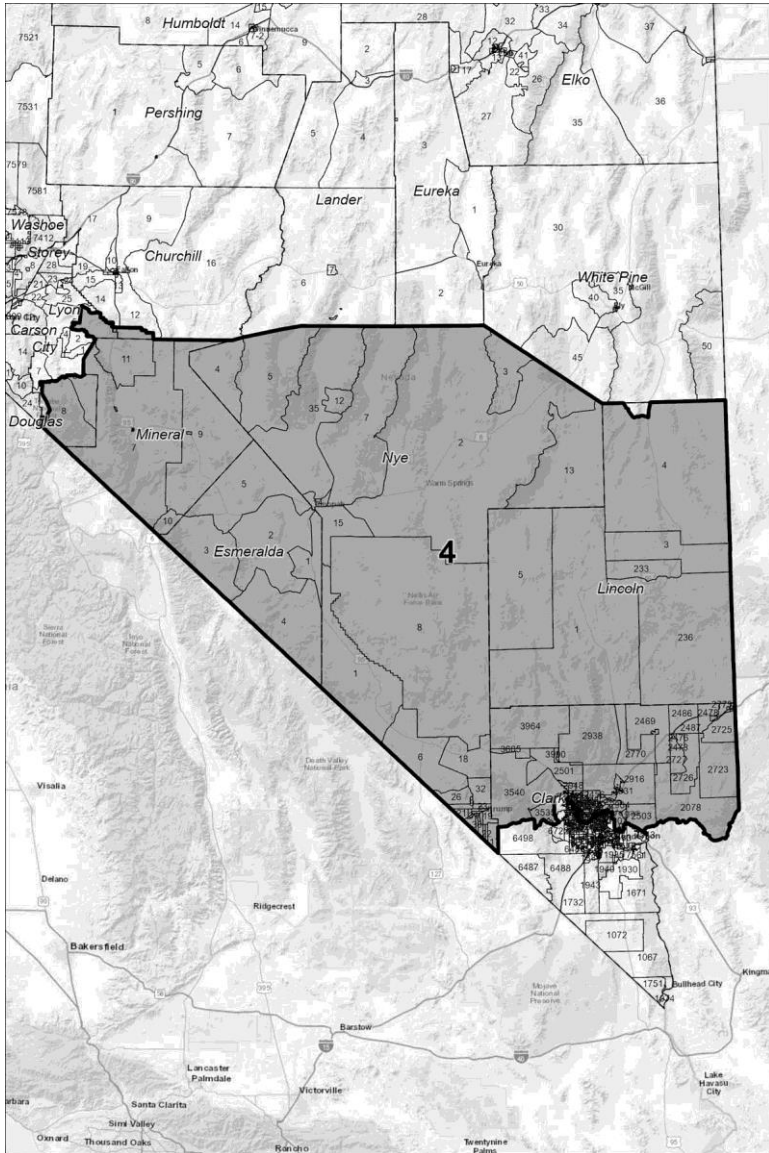
(a) Congressional District 1:



(b) Congressional District 2:



(d) Congressional District 4:



4. To the extent of any conflict between the graphical representation of a district contained in this section and the shapefile adopted by section 2, 3 or 9 of this act, the contents of the shapefile prevail.

Sec. 16. Those Senators who were elected on November 3, 2020, shall serve out their term of office for which they were elected, and from November 9, 2022, until the expiration of their current term of office, such Senators shall represent the following districts:

1. The Senator elected from Senate District 1 shall represent Senate District 1 as described in the shapefile adopted by section 3 of this act.

2. The Senator elected from Senate District 3 shall represent Senate District 3 as described in the shapefile adopted by section 3 of this act.

3. The Senator elected from Senate District 4 shall represent Senate District 4 as described in the shapefile adopted by section 3 of this act.

4. The Senator elected from Senate District 5 shall represent Senate District 5 as described in the shapefile adopted by section 3 of this act.

5. The Senator elected from Senate District 6 shall represent Senate District 6 as described in the shapefile adopted by section 3 of this act.

6. The Senator elected from Senate District 7 shall represent Senate District 7 as described in the shapefile adopted by section 3 of this act.

7. The Senator elected from Senate District 11 shall represent Senate District 11 as described in the shapefile adopted by section 3 of this act.

8. The Senator elected from Senate District 15 shall represent Senate District 15 as described in the shapefile adopted by section 3 of this act.

9. The Senator elected from Senate District 18 shall represent Senate District 18 as described in the shapefile adopted by section 3 of this act.

10. The Senator elected from Senate District 19 shall represent Senate District 19 as described in the shapefile adopted by section 3 of this act.

Sec. 17. 1. Notwithstanding the provisions of NRS 294A.330, the following Senators who were elected on November 6, 2018, may use the term “reelect” in any material, statement or



publication supporting the election of Senators to represent the following districts as Senators:

(a) The Senator elected from Senate District 9, if seeking election in 2022 to Senate District 8, as described in the shapefile adopted by section 3 of this act.

(b) The Senator elected from Senate District 20, if seeking election in 2022 to Senate District 12, as described in the shapefile adopted by section 3 of this act.

2. Notwithstanding the provisions of NRS 294A.330, the following members of the Assembly who were elected on November 3, 2020, may use the term “reelect” in any material, statement or publication supporting the election of members of the Assembly to represent the following districts as members of the Assembly:

(a) The member of the Assembly elected from Assembly District 27, if seeking election in 2022 to Assembly District 25, as described in the shapefile adopted by section 2 of this act.

(b) The member of the Assembly elected from Assembly District 34, if seeking election in 2022 to Assembly District 37, as described in the shapefile adopted by section 2 of this act.

3. This section does not authorize a person to seek election to an office for which he or she is otherwise ineligible.

Sec. 18. 1. Each member of the State Board of Education who was elected to the office at any election in 2020 by the registered voters of each congressional district:

(a) Shall be deemed, until the expiration of his or her current term of office, to be elected from and represent the same new corresponding congressional district described in subsection 1 of NRS 385.021, as amended by section 14 of this act.

(b) Notwithstanding the provisions of NRS 294A.330, may use the term “reelect” in any material, statement or publication supporting the election of the member if seeking election in 2024 to the same new corresponding congressional district described in subsection 1 of NRS 385.021, as amended by section 14 of this act.

2. This section does not authorize a person to seek election to an office for which he or she is otherwise ineligible.

Sec. 19. 1. The Legislature recognizes that:

(a) NRS 0.020 provides for the severability of the provisions of the Nevada Revised Statutes, including, without limitation, sections 1 to 14, inclusive, and 22 and 23 of this act;

(b) NRS 0.020 does not expressly provide for the severability of transitory provisions contained in the Statutes of Nevada, including, without limitation, sections 15 to 21, inclusive, and 24 of this act;



(c) The various provisions of this act are intertwined to the extent that it may appear that the various provisions are inseparable; and

(d) Each district within the plan set forth in this act is subject to challenge and possible close scrutiny under state and federal law by the state and federal courts.

2. It is the intent of the Legislature that each district within the plan set forth in this act should remain effective regardless of the result of any court challenge to any other district within the same plan. To effectuate this intent, given the circumstances set forth in subsection 1, the Legislature sets forth the severability clause set forth in subsection 3.

3. If any provision of this act or the application thereof to any person, thing or circumstance is held invalid, the invalidity does not affect the provisions or application of this act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Sec. 20. 1. When deemed necessary or advisable to protect the official interests of the Legislature in any action or proceeding relating to any election or petition district, the Chair of the Legislative Commission may direct the Legislative Counsel Bureau to contract for the services of such professional, technical, clerical and operational personnel and consultants as the Director determines are necessary or advisable for the Legislature to appear in, commence, prosecute, defend or intervene in the action or proceeding, whether or not the Legislative Counsel or the General Counsel and the Legal Division of the Legislative Counsel Bureau have been directed to provide legal representation in the action or proceeding pursuant to NRS 218F.720. In any such action or proceeding, the Legislature may not be assessed or held liable for:

(a) Any filing or other court or agency fees; or

(b) The attorney's fees or any other fees, costs or expenses of any other parties.

2. If a party commences or prosecutes any action or proceeding relating to any election or petition district, the Legislature may elect to intervene in the action or proceeding by filing a motion or request to intervene in the form required by the rules, laws or regulations applicable to the action or proceeding. The motion or request to intervene must be accompanied by an appropriate pleading, brief or dispositive motion setting forth the Legislature's arguments, claims, objections or defenses, in law or fact, or by a motion or request to file such a pleading, brief or dispositive motion at a later time.



3. Notwithstanding any other law to the contrary, upon the filing of a motion or request to intervene pursuant to subsection 2, the Legislature has an unconditional right and standing to intervene in the action or proceeding and to present its arguments, claims, objections or defenses, in law or fact, whether or not the Legislature's interests are adequately represented by existing parties and whether or not the State or any agency, officer or employee of the State is an existing party. If the Legislature intervenes in the action or proceeding, the Legislature has all the rights of a party.

4. The provisions of this section do not make the Legislature a necessary or indispensable party to any action or proceeding relating to any election or petition district unless the Legislature intervenes in the action or proceeding, and no party to the action or proceeding may name the Legislature as a party or move to join the Legislature as a party based on the provisions of this section.

5. The Director may authorize payment of the expenses and costs incurred pursuant to this section from the Legislative Fund.

6. The provisions of this section are intended to supplement the provisions of NRS 218F.720 and any other provisions of law, except that the provisions of this section control over any conflicting provisions of law. The powers, privileges and immunities granted by the provisions of this section are in addition to any other powers, privileges and immunities recognized by law, and all such powers, privileges and immunities are cumulative, so that the application or attempted application of any one does not bar the application or attempted application of any other.

7. As used in this section:

(a) "Action or proceeding relating to any election or petition district" means any action, suit, matter, cause, hearing, appeal or proceeding before any court, agency or officer of the United States, this State or any other jurisdiction, or any political subdivision thereof, if a party to the action or proceeding:

(1) Alleges that the Legislature, by its actions or failure to act, has violated the Constitution, treaties or laws of the United States or the Constitution or laws of this State relating to any election or petition district; or

(2) Challenges, contests or raises as an issue, either in law or in equity, in whole or in part, or facially or as applied, the meaning, intent, purpose, scope, applicability, validity, enforceability or constitutionality of any law, resolution, initiative, referendum or other legislative or constitutional measure relating to any election or petition district.



(b) "Agency" means any agency, office, department, division, bureau, unit, board, commission, authority, institution, committee, subcommittee or other similar body or entity, including, without limitation, any body or entity created by an interstate, cooperative, joint or interlocal agreement or compact.

(c) "Board of Regents" means the Board of Regents of the University of Nevada, consisting of the members set forth in NRS 396.040.

(d) "Director" means the person appointed or serving as the Director of the Legislative Counsel Bureau pursuant to NRS 218F.100.

(e) "Election or petition district" means:

(1) Any district from which one or more members of the Legislature are elected, members of the Board of Regents are elected, members of the State Board of Education are elected or Representatives in Congress are elected; or

(2) Any petition district, as defined in NRS 293.069.

(f) "General Counsel" means the person appointed or serving as the General Counsel and a chief of the Legal Division of the Legislative Counsel Bureau pursuant to NRS 218F.100.

(g) "Legislative Commission" means the Legislative Commission created by NRS 218E.150.

(h) "Legislative Counsel" means the person appointed or serving as the Legislative Counsel and a chief of the Legal Division of the Legislative Counsel Bureau pursuant to NRS 218F.100.

(i) "Legislative Counsel Bureau" means the Legislative Counsel Bureau created by NRS 218F.100.

(j) "Legislature" means:

(1) The Legislature or either House; or

(2) Any current or former agency, member, officer or employee of the Legislature, the Legislative Counsel Bureau or the Legislative Department.

(k) "Representatives in Congress" means the Representatives in the Congress of the United States to which this State is entitled.

(l) "State Board of Education" means the State Board of Education created by NRS 385.021.

Sec. 21. Notwithstanding the provisions of NRS 218D.430 and 218D.435, a committee may vote on this act before the expiration of the period prescribed for the return of a fiscal note in NRS 218D.475.

Sec. 22. NRS 218B.050, 218B.300, 218B.305, 218B.310, 218B.315, 218B.320, 218B.325, 218B.330, 218B.335, 218B.340, 218B.345, 218B.350, 218B.355, 218B.360, 218B.365, 218B.370,



218B.375, 218B.380, 218B.385, 218B.390, 218B.600, 218B.605, 218B.610, 218B.615, 218B.620, 218B.625, 218B.630, 218B.635, 218B.640, 218B.645, 218B.650, 218B.655, 218B.660, 218B.665, 218B.670, 218B.675, 218B.680, 218B.685, 218B.690, 218B.695, 218B.700, 218B.705, 218B.710, 218B.715, 218B.720, 218B.725, 218B.730, 218B.735, 218B.740, 218B.745, 218B.750, 218B.755, 218B.760, 218B.765, 218B.770, 218B.775, 218B.780, 218B.785, 218B.790, 218B.795, 218B.800 and 218B.805 are hereby repealed.

Sec. 23. NRS 304.100, 304.110 and 304.120 are hereby repealed.

Sec. 24. 1. This section and sections 18 to 21, inclusive, of this act become effective upon passage and approval.

2. Sections 15, 16 and 17 of this act become effective on January 1, 2022.

3. Sections 1 to 7, inclusive, and 22 of this act become effective on January 1, 2022, for the purposes of filing for office and for nominating and electing members of the Nevada Legislature, and on November 9, 2022, for all other purposes.

4. Sections 8 to 14, inclusive, and 23 of this act become effective:

(a) Upon passage and approval for the purposes of creating each petition district within the State and for determining pursuant to the provisions of NRS 293.127563 the number of signatures required to be gathered from each petition district within the State for a petition for initiative or referendum that proposes a state constitutional amendment or other statewide ballot measure and, notwithstanding any other provisions of law, apply to each such petition that is filed with the Secretary of State pursuant to NRS 295.015:

(1) On or after the effective date of this section; or

(2) On or after August 1, 2021, and before the effective date of this section, if the petition is amended and the revised petition is filed with the Secretary of State on or after the effective date of this section.

(b) Upon passage and approval for all purposes relating to the members of the State Board of Education.

(c) On January 1, 2022, for the purposes of filing for office and for nominating and electing Representatives in the Congress of the United States, and at 9:00 a.m. on January 3, 2023, for all other purposes.



