

SENATE BILL NO. 490—COMMITTEE ON LEGISLATIVE
OPERATIONS AND ELECTIONS

MARCH 26, 2007

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing the prefiling, reprinting and transmittal of bills and resolutions. (BDR 17-789)

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 ~~fornitted-material~~ is material to be omitted.

AN ACT relating to the Legislature; revising provisions governing the prefiling, reprinting and transmittal of bills and resolutions; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill removes the provision that requires all bill drafts requested by the Supreme Court to be delivered to the Chairman of the Committee on Judiciary of each House.

Under existing law, when a prefiled bill or joint resolution is printed it must contain the standing committee to which the bill or joint resolution is proposed to be referred. The appropriate standing committee must be determined pursuant to the rules or recommendations for the referral of bills and joint resolutions adopted by the appropriate House during the preceding regular session of the Legislature. (NRS 218.278) **Section 2** of this bill removes the specified method for determining the appropriate standing committee.

Under existing law, when a bill is amended it must be reprinted unless two-thirds of the members present vote to dispense with the reprinting of the bill. Existing law limits the circumstances under which such a vote may be taken to only those cases involving bills over 32 pages in length, amendments to the titles and preambles of bills, amendments to correct typographical errors, and other amendments which do not change the meaning, intent or significance of a bill. (NRS 218.320, 218.330) **Sections 3 and 4** of this bill remove such limiting circumstances.

Under existing law, when a bill or resolution is passed by both Houses it must be immediately transmitted by the Secretary of the Senate or the Chief Clerk of the Assembly to the Legislative Counsel to be enrolled. (NRS 218.340) **Section 5** of this bill revises that requirement by providing that the bill or resolution must be transmitted to the Legislative Counsel upon adjournment unless the Secretary of the



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24 Senate or the Chief Clerk of the Assembly is directed by the respective House to
25 transmit the bill or resolution immediately.

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

1 **Section 1.** NRS 218.247 is hereby amended to read as follows:
2 218.247 1. The Legislative Counsel and the Legal Division
3 of the Legislative Counsel Bureau shall prepare and assist in the
4 preparation of legislative measures at the request of the Supreme
5 Court if the legislative measures are transmitted to the Legislative
6 Counsel on or before September 1 preceding the commencement of
7 the next regular session of the Legislature. The Supreme Court may
8 transmit to the Legislative Counsel pursuant to this section not more
9 than 16 legislative measures on behalf of the Supreme Court and
10 district courts of this State and not more than 4 legislative measures
11 on behalf of the municipal courts and Justice Courts of this State.

12 2. Every requested legislative measure must set forth the
13 substance of the provisions desired or which may be needed with the
14 reasons therefor.

15 ~~{3. The Legislative Counsel shall transmit any legislative~~
16 ~~measure prepared pursuant to this section to the Chairman of the~~
17 ~~Committee on Judiciary of each House at the next regular session of~~
18 ~~the Legislature.}~~

19 **Sec. 2.** NRS 218.278 is hereby amended to read as follows:
20 218.278 1. The Legislative Counsel shall, upon receipt of
21 requests for prefiling bills and joint resolutions, transmit those bills
22 and resolutions that may be prefiled to the Secretary of the Senate or
23 the Chief Clerk of the Assembly, as appropriate. The Secretary or
24 Chief Clerk shall number the bills and joint resolutions
25 consecutively in the same manner as during regular sessions of the
26 Legislature and is responsible for the safekeeping of such bills and
27 joint resolutions.

28 2. After a bill or joint resolution has been properly numbered,
29 the Legislative Counsel shall cause the bill or joint resolution to be
30 printed in the same manner as during regular sessions of the
31 Legislature. The bill or joint resolution must contain:

- 32 (a) The name of the introducer;
33 (b) The date on which it was prefiled;
34 (c) If it was not requested by a member of the Legislature, the
35 name of the entity that requested the preparation of the bill or joint
36 resolution; and
37 (d) The standing committee of the Senate or Assembly to which
38 the bill or joint resolution is proposed to be referred. ~~{The standing~~
39 ~~committee must be determined pursuant to the rules or~~



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~~recommendations for the referral of bills and joint resolutions adopted by the appropriate House during the preceding regular session of the Legislature.]~~

3. The number of copies to be printed must be determined by the Legislative Counsel, and the expenses of printing and mailing must be paid from the Legislative Fund.

4. The Legislative Counsel shall release copies of a prefiled bill or joint resolution to the public.

Sec. 3. NRS 218.320 is hereby amended to read as follows:

218.320 All bills amended by either House shall be immediately reprinted. New matter shall be indicated by underscoring in the typewritten or other machine-produced copy and italics in the printed copy. Matter to be omitted shall be indicated by brackets in the typewritten or other machine-produced copy and brackets or strike-out type in the printed copy. When a bill is amended in either House, the first or previous markings shall be omitted. However, ~~[in the cases of bills over 32 pages in length, amendments to the titles and preambles of bills, amendments to correct typographical errors, and other amendments which do not change the meaning, intent or significance of a bill,]~~ the reprinting of the bill may be dispensed with on motion carried by a two-thirds majority of the members present. If the reprinting is so dispensed with, the amendments may be inserted by hand in the printed bill, but the authenticity of each amendment shall be established by endorsement, such endorsement to consist of initials signed on the margin near each amendment by the Secretary of the Senate or by the Chief Clerk of the Assembly, as the case may be.

Sec. 4. NRS 218.330 is hereby amended to read as follows:

218.330 Whenever a bill or resolution which shall have been passed in one House shall be amended in the other, it shall immediately be reprinted as amended by the House making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended and endorsed "adopted" and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be endorsed "concurred in" and such endorsement shall be signed by the Secretary of the Senate or by the Chief Clerk of the Assembly, as the case may be. However, ~~[in the cases of bills over 32 pages in length, amendments to the titles and preambles of bills, amendments to correct typographical errors, and other amendments which do not change the meaning, intent or significance of a bill,]~~ the reprinting of the bill may be dispensed with on motion carried by a two-thirds majority of the members present, but such amendment must be concurred in by the House in which such bill originated. If the reprinting is so dispensed with, the amendments may be inserted by



1 hand in the printed bill, but the authenticity of each amendment
2 shall be established by endorsement, such endorsement to consist of
3 initials signed on the margin near each amendment by the Secretary
4 of the Senate or by the Chief Clerk of the Assembly, as the case may
5 be.

6 **Sec. 5.** NRS 218.340 is hereby amended to read as follows:

7 218.340 When any bill or resolution is passed by both Houses,
8 the Secretary of the Senate or the Chief Clerk of the Assembly ,
9 *upon adjournment or immediately if so directed by the respective*
10 *House,* shall ~~immediately~~ transmit the same to the Legislative
11 Counsel to be enrolled, and shall take his receipt therefor. The
12 receipt shall bear the date of delivery and shall give the bill or
13 resolution number. The fact that the bill or resolution was received
14 by the Legislative Counsel shall be noted as a part of the history of
15 the bill or resolution. When the same shall have been duly and
16 regularly enrolled and delivered to the Governor, as provided by
17 NRS 218.280 to 218.440, inclusive (in all cases where it is required
18 to be so delivered), the fact of such delivery and the date thereof
19 shall also be noted, over the signature of the Legislative Counsel, as
20 a part of the history of the bill or resolution.

21 **Sec. 6.** This act becomes effective upon passage and approval.

