

ASSEMBLY BILL NO. 577—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE LEGISLATIVE COMMISSION)

MAY 31, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes concerning bill draft requests. (BDR 17-943)

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; establishing deadlines by which sufficient detail must be submitted concerning bill draft requests submitted by Legislators and legislative committees; providing that bill draft requests submitted by Legislators who will not be returning to the Legislature count against limitations on requests for Legislators or standing committees that become primary sponsors of the requests; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes various deadlines for Legislators and legislative committees to submit bill draft requests. (NRS 218D.150, 218D.155, 218D.160, 218E.205) **Sections 4-7** of this bill establish deadlines by which Legislators must submit sufficient detail to allow complete drafting of the requests. **Section 2** of this bill requires the Legislative Counsel to give priority to bill draft requests for which sufficient detail was submitted in a timely manner.

Existing law provides that a Legislator or standing committee may become the primary sponsor of measures requested by a Legislator who will not be returning to the Legislature, but does not specify whether such measures count against limitations on bill draft requests. (NRS 218D.130) **Section 3** of this bill provides that such measures count against limitations on requests for the Legislator or standing committee that becomes the primary sponsor of the measure.



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

Section 1. NRS 218D.100 is hereby amended to read as follows:

218D.100 1. Except as otherwise provided by specific statute, joint rule or concurrent resolution of the Legislature, the Legislative Counsel shall honor:

(a) The number of requests for the drafting of a bill or resolution for a regular session of the Legislature only as provided in NRS 218D.050 to 218D.215, inclusive.

(b) A request for the drafting of a bill or resolution for any session of the Legislature which is submitted by a state agency, board or department, a local government, the judiciary or another authorized nonlegislative requester only if the request is in a subject related to the function of the requester.

2. The Legislative Counsel shall not:

(a) ~~Assign~~ *Except as otherwise provided in NRS 218D.150, 218D.155, 218D.160 and 218E.205, assign* a number to a request for the drafting of a bill or resolution for any session of the Legislature to establish the priority of the request until sufficient detail has been received to allow complete drafting of the legislative measure.

(b) Honor a request to change the subject matter of a request for the drafting of a bill or resolution for any session of the Legislature after it has been submitted for drafting.

(c) Honor a request for the drafting of a bill or resolution for any session of the Legislature which has been combined in violation of Section 17 of Article 4 of the Nevada Constitution.

Sec. 2. NRS 218D.110 is hereby amended to read as follows:

218D.110 1. Upon request, within the limits established pursuant to NRS 218D.050 to 218D.215, inclusive, or by the Legislature by concurrent resolution, the Legislative Counsel shall assist any Legislator in the preparation of bills and resolutions, drafting them in proper form, and furnishing the Legislator the fullest information upon all matters within the scope of the Legislative Counsel's duties.

2. ~~The~~ *Except as otherwise provided in this section, the* Legislative Counsel shall, insofar as is possible, act upon all Legislators' requests for legislative measures in the order in which they are received.

3. To assure the greatest possible equity in the handling of requests, drafting must proceed as follows:



1 (a) If a Legislator so desires, the Legislator may designate a
2 different priority for his or her bills and resolutions which the
3 Legislative Counsel shall observe, insofar as is possible.

4 (b) The drafting of requests for legislative measures from chairs
5 or members of standing committees or special committees, on
6 behalf of those committees, must not, except where urgency is
7 recognized, take precedence over the priority established or
8 designated for individual Legislators' bills and resolutions.

9 (c) *The Legislative Counsel shall give priority to the drafting*
10 *of bills and resolutions for which sufficient detail to allow*
11 *complete drafting of the legislative measure was submitted within*
12 *the period required by statute.*

13 **Sec. 3.** NRS 218D.130 is hereby amended to read as follows:

14 218D.130 1. On July 1 preceding each regular session of the
15 Legislature, and each week thereafter until the adjournment of the
16 Legislature sine die, the Legislative Counsel shall prepare a list of
17 all requests received by the Legislative Counsel, for the preparation
18 of measures to be submitted to the Legislature. The requests must be
19 listed numerically by a unique serial number which must be
20 assigned to the measures by the Legislative Counsel for the
21 purposes of identification in the order that the Legislative Counsel
22 received the requests. Except as otherwise provided in subsections 3
23 and 4, the list must only contain the name of each requester, the date
24 and a brief summary of the request.

25 2. The Legislative Counsel Bureau shall make copies of the list
26 available to the public for a reasonable sum fixed by the Director of
27 the Legislative Counsel Bureau.

28 3. In preparing the list, the Legislative Counsel shall, if a
29 standing or special committee of the Legislature requests a measure
30 on behalf of a Legislator or organization, include the name of the
31 standing or special committee and the name of the Legislator or
32 organization on whose behalf the measure was originally requested.

33 4. Upon the request of a Legislator who has requested the
34 preparation of a measure, the Legislative Counsel shall add the
35 name of one or more Legislators from either or both Houses of
36 the Legislature as joint requesters. The Legislative Counsel shall not
37 add the name of a joint requester to the list until the Legislative
38 Counsel has received confirmation of the joint request from the
39 primary requester of the measure and from the Legislator to be
40 added as a joint requester. The Legislative Counsel shall remove the
41 name of a joint requester upon receipt of a request to do so made by
42 the primary requester or the joint requester. The names must appear
43 on the list in the order in which the names were received by the
44 Legislative Counsel beginning with the primary requester. The
45 Legislative Counsel shall not act upon the direction of a joint



1 requester to withdraw the requested measure or modify its substance
2 until the Legislative Counsel has received confirmation of the
3 withdrawal or modification from the primary requester.

4 5. If the primary requester of a measure will not be returning to
5 the Legislature for the ~~[legislative]~~ session *of the Legislature* in
6 which the measure is to be considered, the primary requester may
7 authorize a Legislator who will be serving during that session to
8 become the primary sponsor of the measure, either individually or as
9 the chair on behalf of a standing committee. If the Legislator who
10 will be serving during that session agrees to become or have the
11 committee become the primary sponsor of the measure, that
12 Legislator shall notify the Legislative Counsel of that fact. Upon
13 receipt of such notification, the Legislative Counsel shall list the
14 name of that Legislator or the name of the committee as the primary
15 requester of the measure on the list.

16 6. For the purposes of all limitations on the number of
17 legislative measures that may be requested by a Legislator ~~[, a]~~ :

18 (a) A legislative measure with joint requesters must only be
19 counted as a request of the primary requester.

20 (b) *A legislative measure for which a Legislator or standing*
21 *committee becomes the primary sponsor pursuant to subsection 5*
22 *must be counted as a request of that Legislator or committee.*

23 **Sec. 4.** NRS 218D.150 is hereby amended to read as follows:

24 218D.150 1. Each:

25 (a) Incumbent member of the Assembly may request the
26 drafting of not more than 6 legislative measures submitted to
27 the Legislative Counsel on or before September 1 preceding the
28 commencement of a regular session of the Legislature and not more
29 than 5 legislative measures submitted to the Legislative Counsel
30 after September 1 but on or before December 15 preceding the
31 commencement of a regular session of the Legislature.

32 (b) Incumbent member of the Senate may request the drafting of
33 not more than 12 legislative measures submitted to the Legislative
34 Counsel on or before September 1 preceding the commencement of
35 a regular session of the Legislature and not more than 10 legislative
36 measures submitted to the Legislative Counsel after September 1 but
37 on or before December 15 preceding the commencement of a
38 regular session of the Legislature.

39 (c) Newly elected member of the Assembly may request the
40 drafting of not more than 5 legislative measures submitted to
41 the Legislative Counsel on or before December 15 preceding the
42 commencement of a regular session of the Legislature.

43 (d) Newly elected member of the Senate may request the
44 drafting of not more than 10 legislative measures submitted to the



1 Legislative Counsel on or before December 15 preceding the
2 commencement of a regular session of the Legislature.

3 2. In addition to the number authorized pursuant to
4 subsection 1:

5 (a) The chair of each standing committee of the immediately
6 preceding regular ~~[legislative session,]~~ *session of the Legislature*, or
7 a person designated in the place of the chair by the Speaker of the
8 Assembly or the Majority Leader of the Senate, as the case may be,
9 may request before the date of the general election preceding the
10 commencement of ~~[the next regular legislative]~~ *a regular session of*
11 *the Legislature* the drafting of not more than 1 legislative measure
12 for introduction by the committee in a subject within the jurisdiction
13 of the committee for every 15 legislative measures that were
14 referred to the respective standing committee during the
15 immediately preceding regular ~~[legislative session,]~~ *session of the*
16 *Legislature*.

17 (b) A person designated after a general election as a chair of a
18 standing committee for the next regular ~~[legislative session,]~~ *session*
19 *of the Legislature*, or a person designated in the place of a chair by
20 the person designated as the Speaker of the Assembly or the
21 Majority Leader of the Senate for the next regular ~~[legislative~~
22 ~~session,]~~ *session of the Legislature*, may request on or before
23 December 15 preceding the commencement of the ~~[next regular~~
24 ~~legislative]~~ *regular session of the Legislature* the drafting of
25 the remaining number of the legislative measures allowed for the
26 respective standing committee that were not requested by the
27 previous chair or designee.

28 3. *If a request is required pursuant to this section to be*
29 *submitted:*

30 (a) *On or before September 1 preceding the commencement of*
31 *a regular session of the Legislature, sufficient detail to allow*
32 *complete drafting of the legislative measure must be submitted on*
33 *or before December 1 preceding the commencement of the regular*
34 *session of the Legislature.*

35 (b) *Before the date of the general election preceding the*
36 *commencement of a regular session of the Legislature, sufficient*
37 *detail to allow complete drafting of the legislative measure must be*
38 *submitted on or before December 10 preceding the commencement*
39 *of the regular session of the Legislature.*

40 (c) *On or before December 15 preceding the commencement of*
41 *a regular session of the Legislature, sufficient detail to allow*
42 *complete drafting of the legislative measure must be submitted on*
43 *or before January 15 preceding the commencement of the regular*
44 *session of the Legislature.*



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

3 **Sec. 5.** NRS 218D.155 is hereby amended to read as follows:

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

6 (a) The Speaker of the Assembly and the Majority Leader of the
7 Senate may each request before the date of the general election
8 preceding the commencement of ~~[the next regular legislative~~
9 ~~session,]~~ *a regular session of the Legislature*, without limitation,
10 the drafting of not more than 15 legislative measures for that
11 session.

12 (b) The Minority Leader of the Assembly and the Minority
13 Leader of the Senate may each request before the date of the general
14 election preceding the commencement of ~~[the next regular~~
15 ~~legislative session,]~~ *a regular session of the Legislature*, without
16 limitation, the drafting of not more than 10 legislative measures for
17 that session.

18 (c) A person designated after a general election as the Speaker
19 of the Assembly, the Majority Leader of the Senate, the Minority
20 Leader of the Assembly or the Minority Leader of the Senate for the
21 next regular ~~[legislative]~~ session *of the Legislature* may request
22 before the commencement of the ~~[next regular legislative]~~ *regular*
23 session *of the Legislature* the drafting of the remaining number of
24 the legislative measures allowed for the respective officer that were
25 not requested by the previous officer.

26 2. *If a request is required pursuant to subsection 1 to be*
27 *submitted:*

28 (a) *Before the date of the general election preceding the*
29 *commencement of a regular session of the Legislature, sufficient*
30 *detail to allow complete drafting of the legislative measure must be*
31 *submitted on or before December 10 preceding the commencement*
32 *of the regular session of the Legislature.*

33 (b) *Before the commencement of a regular session of the*
34 *Legislature, sufficient detail to allow complete drafting of the*
35 *legislative measure must be submitted on or before March 1*
36 *following the commencement of the regular session of the*
37 *Legislature.*

38 3. The Legislative Counsel, the Secretary of the Senate and the
39 Chief Clerk of the Assembly may request before or during a regular
40 ~~[legislative session,]~~ *session of the Legislature*, without limitation,
41 the drafting of as many legislative measures as are necessary or
42 convenient for the proper exercise of their duties.

43 **Sec. 6.** NRS 218D.160 is hereby amended to read as follows:

44 218D.160 1. The Chair of the Legislative Commission may
45 request the drafting of not more than 15 legislative measures before



1 the commencement of a regular ~~legislative session,~~ *session of the*
2 *Legislature*, with the approval of the Commission, which relate to
3 the affairs of the Legislature or its employees, including measures
4 requested by the legislative staff.

5 2. The Chair of the Interim Finance Committee may request
6 the drafting of not more than 10 legislative measures before the
7 commencement of a regular ~~legislative session,~~ *session of the*
8 *Legislature*, with the approval of the Committee, which relate to
9 matters within the scope of the Committee.

10 3. Except as otherwise provided by specific statute or
11 concurrent resolution of the Legislature:

12 (a) Any other legislative committee created by statute may
13 request the drafting of not more than 10 legislative measures which
14 relate to matters within the scope of the committee.

15 (b) An interim committee which conducts a study or
16 investigation pursuant to NRS 218E.200 may request the drafting of
17 not more than 5 legislative measures which relate to matters within
18 the scope of the study or investigation, except that such a committee
19 may request the drafting of additional legislative measures if the
20 Legislative Commission approves each additional request by a
21 majority vote.

22 (c) Any other committee established by the Legislature which
23 conducts an interim legislative study may request the drafting of not
24 more than 5 legislative measures which relate to matters within the
25 scope of the study.

26 ➤ Except as otherwise provided in NRS 218E.205, measures
27 authorized to be requested pursuant to this subsection must be
28 submitted to the Legislative Counsel on or before September 1
29 preceding the commencement of a regular session of the Legislature
30 unless the Legislative Commission authorizes submitting a request
31 after that date.

32 4. *If a request is required pursuant to this section to be*
33 *submitted:*

34 (a) *On or before September 1 preceding the commencement of*
35 *a regular session of the Legislature, sufficient detail to allow*
36 *complete drafting of the legislative measure must be submitted on*
37 *or before December 1 preceding the commencement of the regular*
38 *session of the Legislature.*

39 (b) *Before the commencement of a regular session of the*
40 *Legislature, sufficient detail to allow complete drafting of the*
41 *legislative measure must be submitted on or before March 1*
42 *following the commencement of the regular session of the*
43 *Legislature.*

44 5. Each request made pursuant to this section must be on a
45 form prescribed by the Legislative Counsel.



Sec. 7. NRS 218E.205 is hereby amended to read as follows:

218E.205 1. The Legislative Commission shall, between sessions of the Legislature, fix the work priority of all studies and investigations assigned to it by concurrent resolutions of the Legislature, or directed by an order of the Legislative Commission, within the limits of available time, money and staff. The Legislative Commission shall not make studies or investigations directed by resolutions of only one House of the Legislature or studies or investigations proposed but not approved during the preceding ~~legislative session.~~ *session of the Legislature.*

2. All requests for the drafting of legislation to be recommended as the result of a study or investigation, except a study or investigation directed by an order of the Legislative Commission, must be made before July 1 ~~[of the year preceding a legislative session.]~~ *preceding the commencement of a regular session of the Legislature. Sufficient detail to allow complete drafting of each legislative measure must be submitted on or before December 1 preceding the commencement of the regular session of the Legislature.*

3. Except as otherwise provided by NRS 218E.210, between sessions of the Legislature no study or investigation may be initiated or continued by the Fiscal Analysts, the Legislative Auditor, the Legislative Counsel or the Research Director and their staffs except studies and investigations which have been specifically authorized by concurrent resolutions of the Legislature or by an order of the Legislative Commission.

4. No study or investigation may be carried over from one session of the Legislature to the next without additional authorization by a concurrent resolution of the Legislature, except audits in progress, whose carryover has been approved by the Legislative Commission.

5. Except as otherwise provided by specific statute, the staff of the Legislative Counsel Bureau shall not serve as primary administrative or professional staff for a committee unless the chair of the committee is required by statute or resolution to be a Legislator.

6. The Legislative Commission shall review and approve the budget and work program and any changes to the budget or work program for each study or investigation conducted by the Legislative Commission or a committee or subcommittee established by the Legislative Commission.

7. A committee or subcommittee established to conduct a study or investigation assigned to the Legislative Commission by concurrent resolution of the Legislature or directed by order of the Legislative Commission must, unless otherwise ordered by the



- 1 Legislative Commission, meet not earlier than January 1 of the
- 2 even-numbered year and not later than June 30 of that year.

