

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; restricting bill draft requests of nonreturning Legislators; 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.



13 **Section 4** of this bill restricts a Legislator in the final year of his or her term
14 from submitting individual bill draft requests on or after the date on which he or she
15 becomes a nonreturning Legislator.

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

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

3 218D.100 1. Except as otherwise provided by specific
4 statute, joint rule or concurrent resolution of the Legislature, the
5 Legislative Counsel shall honor:

6 (a) The number of requests for the drafting of a bill or resolution
7 for a regular session of the Legislature only as provided in NRS
8 218D.050 to 218D.215, inclusive.

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

14 2. The Legislative Counsel shall not:

15 (a) ~~Assign~~ *Except as otherwise provided in NRS 218D.150,*
16 *218D.155 and 218D.160, assign* a number to a request for the
17 drafting of a bill or resolution for any session of the Legislature to
18 establish the priority of the request until sufficient detail has been
19 received to allow complete drafting of the legislative measure.

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

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

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

27 218D.110 1. Upon request, within the limits established
28 pursuant to NRS 218D.050 to 218D.215, inclusive, or by the
29 Legislature by concurrent resolution, the Legislative Counsel shall
30 assist any Legislator in the preparation of bills and resolutions,
31 drafting them in proper form, and furnishing the Legislator the
32 fullest information upon all matters within the scope of the
33 Legislative Counsel's duties.

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



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

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

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

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

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

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

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

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

4. Upon the request of a Legislator who has requested the preparation of a measure, the Legislative Counsel shall add the name of one or more Legislators from either or both Houses of the Legislature as joint requesters. The Legislative Counsel shall not add the name of a joint requester to the list until the Legislative Counsel has received confirmation of the joint request from the primary requester of the measure and from the Legislator to be added as a joint requester. The Legislative Counsel shall remove the name of a joint requester upon receipt of a request to do so made by the primary requester or the joint requester. The names must appear on the list in the order in which the names were received by the



Legislative Counsel beginning with the primary requester. The Legislative Counsel shall not act upon the direction of a joint requester to withdraw the requested measure or modify its substance until the Legislative Counsel has received confirmation of the withdrawal or modification from the primary requester.

5. If the primary requester of a measure will not be returning to the Legislature for the ~~Legislative~~ session *of the Legislature* in which the measure is to be considered, the primary requester may authorize a Legislator who will be serving during that session to become the primary sponsor of the measure, either individually or as the chair on behalf of a standing committee. If the Legislator who will be serving during that session agrees to become or have the committee become the primary sponsor of the measure, that Legislator shall notify the Legislative Counsel of that fact. Upon receipt of such notification, the Legislative Counsel shall list the name of that Legislator or the name of the committee as the primary requester of the measure on the list.

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

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

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

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

218D.150 1. ~~Each-~~ *Except as otherwise provided in subsection 2, each:*

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

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

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



(d) Newly elected member of the Senate may request the drafting of not more than 10 legislative measures submitted to the Legislative Counsel on or before December 15 preceding the commencement of a regular session of the Legislature.

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

(a) *Has not filed a declaration or an acceptance of candidacy within the time allowed for filing for election as a member of the Senate or the Assembly;*

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

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

3. *If a request made pursuant to subsection 1 is submitted:*

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

(b) *After September 1 but on or before December 15 preceding the commencement of a regular session of the Legislature, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before January 15 preceding the commencement of the regular session of the Legislature.*

4. In addition to the number *of requests* authorized pursuant to subsection 1:

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

(b) A person designated after a general election as a chair of a standing committee for the next regular ~~Legislative session,~~ *session of the Legislature*, or a person designated in the place of a chair by



1 the person designated as the Speaker of the Assembly or the
2 Majority Leader of the Senate for the next regular ~~legislative~~
3 ~~session,~~ *session of the Legislature*, may request on or before
4 December 15 preceding the commencement of the ~~next-regular~~
5 ~~legislative~~ *regular session of the Legislature* the drafting of
6 the remaining number of the legislative measures allowed for the
7 respective standing committee that were not requested by the
8 previous chair or designee.

9 ~~[3.]~~ *5. If a request made pursuant to subsection 4 is*
10 *submitted:*

11 *(a) Before the date of the general election preceding the*
12 *commencement of a regular session of the Legislature, sufficient*
13 *detail to allow complete drafting of the legislative measure must be*
14 *submitted on or before December 10 preceding the commencement*
15 *of the regular session of the Legislature.*

16 *(b) After the date of the general election but on or before*
17 *December 15 preceding the commencement of a regular session of*
18 *the Legislature, sufficient detail to allow complete drafting of the*
19 *legislative measure must be submitted on or before January 15*
20 *preceding the commencement of the regular session of the*
21 *Legislature.*

22 **6.** Each request made pursuant to this section must be on a
23 form prescribed by the Legislative Counsel.

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

25 218D.155 1. In addition to the number *of requests* authorized
26 pursuant to NRS 218D.150:

27 (a) The Speaker of the Assembly and the Majority Leader of the
28 Senate may each request before the date of the general election
29 preceding the commencement of ~~the next-regular legislative~~
30 ~~session,~~ *a regular session of the Legislature*, without limitation,
31 the drafting of not more than 15 legislative measures for that
32 session.

33 (b) The Minority Leader of the Assembly and the Minority
34 Leader of the Senate may each request before the date of the general
35 election preceding the commencement of ~~the next-regular~~
36 ~~legislative session,~~ *a regular session of the Legislature*, without
37 limitation, the drafting of not more than 10 legislative measures for
38 that session.

39 (c) A person designated after a general election as the Speaker
40 of the Assembly, the Majority Leader of the Senate, the Minority
41 Leader of the Assembly or the Minority Leader of the Senate for the
42 next regular ~~legislative~~ *session of the Legislature* may request
43 before the commencement of the ~~next-regular-legislative~~ *regular*
44 *session of the Legislature* the drafting of the remaining number of



1 the legislative measures allowed for the respective officer that were
2 not requested by the previous officer.

3 2. *If a request made pursuant to subsection 1 is submitted:*

4 (a) *Before the date of the general election preceding the*
5 *commencement of a regular session of the Legislature, sufficient*
6 *detail to allow complete drafting of the legislative measure must be*
7 *submitted on or before December 10 preceding the commencement*
8 *of the regular session of the Legislature.*

9 (b) *After the date of the general election but before the*
10 *commencement of a regular session of the Legislature, sufficient*
11 *detail to allow complete drafting of the legislative measure must be*
12 *submitted on or before March 1 following the commencement of*
13 *the regular session of the Legislature.*

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

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

20 218D.160 1. The Chair of the Legislative Commission may
21 request the drafting of not more than 15 legislative measures before
22 the commencement of a regular ~~[legislative session,]~~ *session of the*
23 *Legislature*, with the approval of the Commission, which relate to
24 the affairs of the Legislature or its employees, including measures
25 requested by the legislative staff.

26 2. The Chair of the Interim Finance Committee may request
27 the drafting of not more than 10 legislative measures before the
28 commencement of a regular ~~[legislative session,]~~ *session of the*
29 *Legislature*, with the approval of the Committee, which relate to
30 matters within the scope of the Committee.

31 3. *If a request made pursuant to subsection 1 or 2 is*
32 *submitted before the commencement of a regular session of the*
33 *Legislature, sufficient detail to allow complete drafting of the*
34 *legislative measure must be submitted on or before March 1*
35 *following the commencement of the regular session of the*
36 *Legislature.*

37 4. Except as otherwise provided by *a* specific statute , *joint*
38 *rule* or concurrent resolution of the Legislature:

39 (a) Any ~~[other]~~ legislative committee created by *a* statute , *other*
40 *than an interim legislative committee*, may request the drafting of
41 not more than 10 legislative measures which relate to matters within
42 the scope of the committee.

43 (b) ~~[An interim committee which conducts a study or~~
44 ~~investigation]~~ *Any committee or subcommittee established by an*
45 *order of the Legislative Commission* pursuant to NRS 218E.200



1 may request the drafting of not more than 5 legislative measures
2 which relate to matters within the scope of the study or
3 investigation, except that such a committee *or subcommittee* may
4 request the drafting of additional legislative measures if the
5 Legislative Commission approves each additional request by a
6 majority vote.

7 (c) Any other committee established by the Legislature which
8 conducts an interim legislative study *or investigation* may request
9 the drafting of not more than 5 legislative measures which relate to
10 matters within the scope of the study ~~[]~~ *or investigation*.

11 ~~↳ [Except as otherwise provided in NRS 218E.205, measures]~~ *The*
12 *requests* authorized ~~[to be requested]~~ pursuant to this subsection
13 must be submitted to the Legislative Counsel on or before
14 September 1 preceding the commencement of a regular session of
15 the Legislature unless the Legislative Commission authorizes
16 submitting a request after that date.

17 ~~[4.]~~ *5. If a request made pursuant to subsection 4 is*
18 *submitted on or before September 1 preceding the commencement*
19 *of a regular session of the Legislature, sufficient detail to allow*
20 *complete drafting of the legislative measure must be submitted on*
21 *or before December 1 preceding the commencement of the regular*
22 *session of the Legislature.*

23 *6.* Each request made pursuant to this section must be on a
24 form prescribed by the Legislative Counsel.

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

26 218E.205 1. The Legislative Commission shall, between
27 sessions of the Legislature, fix the work priority of all studies and
28 investigations assigned to it by concurrent resolutions of the
29 Legislature, or directed by an order of the Legislative Commission,
30 within the limits of available time, money and staff. The Legislative
31 Commission shall not make studies or investigations directed by
32 resolutions of only one House of the Legislature or studies or
33 investigations proposed but not approved during the preceding
34 ~~[legislative session.]~~ *session of the Legislature.*

35 2. All requests for the drafting of ~~[legislation]~~ *legislative*
36 *measures* to be recommended as the result of a study or
37 investigation ~~[, except a study or investigation directed by an order~~
38 ~~of the Legislative Commission.]~~ must be made ~~[before July 1 of the~~
39 ~~year preceding a legislative session.]~~ *in accordance with*
40 *NRS 218D.160.*

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



1 by concurrent resolutions of the Legislature or by an order of the
2 Legislative Commission.

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

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

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

18 7. A committee or subcommittee established to conduct a study
19 or investigation assigned to the Legislative Commission by
20 concurrent resolution of the Legislature or directed by order of
21 the Legislative Commission must, unless otherwise ordered by the
22 Legislative Commission, meet not earlier than January 1 of the
23 even-numbered year and not later than June 30 of that year.

24 **Sec. 8.** This act becomes effective on July 1, 2011.

