

ASSEMBLY BILL NO. 308—ASSEMBLYMEN FRIERSON, ARAUJO, THOMPSON, DIAZ, BUSTAMANTE ADAMS; CARLTON, CARRILLO, COHEN, JAUREGUI, JOINER, MCCURDY II, MILLER, MONROE-MORENO, OHRENSCHALL, SWANK AND YEAGER

MARCH 17, 2017

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to legislative measures. (BDR 17-854)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 legislative measures; authorizing a Legislator to request a disparate impact statement estimating the effect of a bill or joint resolution on certain persons; setting forth the procedures, form and content for such statements; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law provides for the preparation of fiscal notes on certain bills and
- 2 joint resolutions to explain the potential fiscal effect of the bill or joint resolution
- 3 on the State or a local government. (NRS 218D.400-218D.495) This bill authorizes
- 4 a Legislator to request a disparate impact statement estimating the effect that a bill
- 5 or joint resolution will have on persons in Nevada based on race, ethnicity, gender
- 6 or status as a senior citizen or veteran. A disparate impact statement is also required
- 7 to include a statement of the methodologies and assumptions used in preparing the
- 8 estimate of the effect. After completion of the disparate impact statement, this bill
- 9 requires that the statement be posted on the Legislature's Internet website.



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

Section 1. Chapter 218D of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, a Legislator may submit a request to the Director, on a form prescribed by the Director, for the preparation of a disparate impact statement regarding a bill or joint resolution that estimates the effect of the bill or joint resolution on persons in this State based on:

- (a) Race;*
- (b) Ethnicity;*
- (c) Gender;*
- (d) Status as a senior citizen; or*
- (e) Status as a veteran.*

2. If a Legislator did not request the bill or resolution regarding which the Legislator seeks to request a disparate impact statement, the Legislator must obtain approval to submit the request from:

- (a) If the Legislator is a member of the Assembly, the Speaker of the Assembly or the Minority Leader of the Assembly; or*
- (b) If the Legislator is a member of the Senate, the Majority Leader of the Senate or the Minority Leader of the Senate.*

3. Upon receipt of a request for a disparate impact statement pursuant to subsection 1, the Director shall cause a disparate impact statement to be prepared. The disparate impact statement must be factual and concise in nature and include:

- (a) To the extent practicable based on available data, an estimate of the effect, if any, that the bill or joint resolution will have on the persons described in paragraph (a), (b), (c), (d) or (e) of subsection 1, as applicable.*
- (b) A statement of the methodologies and assumptions used in preparing the estimate.*

4. The Director may retain one or more consultants with the relevant expertise to perform services related to the preparation of disparate impact statements.

5. If a state agency or local government is requested by the Director or his or her designee or a consultant retained pursuant to subsection 4 to submit information to facilitate the preparation of a disparate impact statement, the state agency or local government shall submit the requested information within 5 working days after receiving the request. Upon the request of a state agency or local government, the Director may extend the period for not more than 10 additional working days if the matter requires extended research.



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1 6. *Upon the completion of a disparate impact statement, the*
2 *Director shall:*

3 (a) *Transmit the disparate impact statement to the Legislator*
4 *who requested the statement; and*

5 (b) *Post the disparate impact statement on the public website of*
6 *the Legislature on the Internet.*

7 7. *As used in this section:*

8 (a) *“Senior citizen” means a person who is 65 years of age or*
9 *older.*

10 (b) *“Veteran” has the meaning ascribed to it in NRS 417.005.*

11 **Sec. 2.** The provisions of NRS 354.599 do not apply to any
12 additional expenses of a local government that are related to the
13 provisions of this act.

