

ASSEMBLY BILL NO. 329—ASSEMBLYWOMAN MILLER

MARCH 18, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing administrative regulations. (BDR 18-946)

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 administrative regulations; requiring the Legislative Counsel to create a system for monitoring the progress of an agency in adopting certain permanent regulations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill requires the Legislative Counsel to create a system for monitoring the progress of an agency in adopting any permanent regulation that the agency is required to adopt pursuant to a legislative measure enacted by the Legislature. **Section 1** also requires the Legislative Counsel to compile information received pursuant to the system and report to the Legislative Commission upon request the progress of any agency in adopting a permanent regulation that the agency is required to adopt pursuant to a legislative measure enacted by the Legislature.

Existing law requires the Legislative Counsel to prepare and publish a Register of Administrative Regulations which must include certain information regarding each permanent regulation adopted by an agency. (NRS 233B.0653) **Section 2** of this bill requires the Register of Administrative Regulations to include information compiled by the Legislative Counsel pursuant to the system created pursuant to **section 1**.

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

Section 1. Chapter 233B of NRS is hereby amended by adding thereto a new section to read as follows:

The Legislative Counsel shall:



1 **1. Create a system for monitoring the progress of an agency**
2 **in adopting any permanent regulation that the agency is required**
3 **to adopt pursuant to a legislative measure enacted by the**
4 **Legislature. Such system may include, without limitation, a**
5 **requirement for an agency to submit a periodic report to the**
6 **Legislative Counsel explaining the progress of the agency in**
7 **adopting the permanent regulation.**

8 **2. Compile information received pursuant to the system**
9 **created pursuant to subsection 1 for inclusion on the Register of**
10 **Administrative Regulations created pursuant to NRS 233B.0653.**

11 **3. Report to the Legislative Commission upon request the**
12 **progress of any agency in adopting a permanent regulation that**
13 **the agency is required to adopt pursuant to a legislative measure**
14 **enacted by the Legislature.**

15 **Sec. 2.** NRS 233B.0653 is hereby amended to read as follows:
16 233B.0653 1. The Legislative Counsel shall prepare and
17 publish or cause to be prepared and published a Register of
18 Administrative Regulations. The Register must include the
19 following information regarding each permanent regulation adopted
20 by an agency:

21 (a) The proposed and adopted text of the regulation and any
22 revised version of the regulation;

23 (b) The notice of intent to act upon the regulation set forth in
24 NRS 233B.0603;

25 (c) The written notice of adoption of the regulation required
26 pursuant to NRS 233B.064;

27 (d) The informational statement required pursuant to NRS
28 233B.066; and

29 (e) The effective date of the regulation, as determined pursuant
30 to NRS 233B.070.

31 ➤ In carrying out the duties set forth in this subsection, the
32 Legislative Counsel may use the services of the State Printing
33 Office.

34 **2. In addition to the information required pursuant to**
35 **subsection 1, the Register must include information compiled**
36 **pursuant to section 1 of this act.**

37 **3.** The Legislative Counsel shall publish the Register not less
38 than 10 times per year but not more than once every 2 weeks.

39 ~~3.3~~ **4.** The Register must be provided to and maintained by:

40 (a) The Secretary of State;

41 (b) The Attorney General;

42 (c) The Supreme Court Law Library;

43 (d) The State Library, Archives and Public Records;

44 (e) Each county clerk;

45 (f) Each county library; and



(g) The Legislative Counsel Bureau.

~~14.1~~ **5.** The Legislative Counsel may sell an additional copy of the Register to any person or governmental entity that requests a copy, at a price which does not exceed the cost of publishing the additional copy.

~~15.1~~ **6.** The Legislative Counsel is immune from civil liability which may result from failure to include any information in the Register.

Sec. 3. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 4. This act becomes effective on July 1, 2019.

