

APPENDIX C
NEVADA'S LEGISLATIVE PROCESS

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INITIAL STEPS

IDEA AND DRAFTING

Sources of ideas for legislation include state and local governments, elected officials, businesses, organizations and citizens. Requests for drafting may be made by Legislators, legislative committees, the Governor, constitutional officers, the Nevada Supreme Court, state agencies, local governments and certain other entities named in statute or legislation. A staff attorney for the Legislature prepares a formal draft of a bill.

2

ACTION IN THE HOUSE OF ORIGIN

INTRODUCTION AND FIRST READING

A bill is submitted for introduction by an individual Legislator or committee chair. It is then numbered, read for the first time in the legislative House of origin, referred to committee, printed and delivered to the committee.

COMMITTEE ACTION AND REPORT

A committee may make a variety of recommendations to the entire legislative body. It may recommend that the legislative House pass a bill as it is written or pass it with amendments. If a committee decides that a bill requires further committee consideration, it may recommend that the legislative House rerefer the bill to another committee with or without amendments. Alternately, a committee may vote to indefinitely postpone consideration of a bill, or may take no action at all, effectively killing it. After committee reports are read on the floor of the legislative House, bills are placed on second reading for the next legislative day unless the committee recommends the bill be placed on the Consent Calendar. This action is limited to certain noncontroversial bills reported out of committee without amendment.

SECOND READING

A bill given a "Do Pass" recommendation is read a second time and placed on General File for debate and a final vote. A bill given an "Amend and Do Pass" recommendation is read a second time, and the proposed amendment is presented to the body. If the amendment is adopted, the bill is reprinted before being placed on General File for action.

FLOOR DEBATE AND VOTE

The bill is read a third time and debated. A roll call vote follows. For passage of measures that require a constitutional majority, 11 votes are needed in the Senate and 22 in the Assembly. Bills with tax or fee increases require a two-thirds majority (14 votes in the Senate and 28 in the Assembly). A measure that does not receive at least the required number of votes is defeated. After the vote, a Legislator may make a motion to reconsider the action, pursuant to rules adopted by each House. All bills that are passed by the first legislative House are forwarded to the second legislative House, where the process begins again.

Note: This information primarily describes legislative steps for a bill or joint resolution. The process for a one-House or concurrent resolution varies slightly.

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ACTION IN THE SECOND HOUSE

FIRST READING

The bill is read for the first time on the floor of the second House and referred to committee.

COMMITTEE ACTION AND SECOND READING

Procedures and possible actions are nearly identical to those in the first legislative House.

FLOOR DEBATE AND VOTE

The procedure is the same as that in the first legislative House. If the second legislative House considers and passes a bill without amendment, it is returned to the first legislative House for enrollment and transmittal to the Governor. (Resolutions are delivered to the Secretary of State.) If the second legislative House amends a measure, it is returned to the House of origin for consideration of the amendment.

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RESOLUTION OF DIFFERENCES (IF NECESSARY)

CONCURRENCE

The House of origin decides whether to accept the second legislative House's amendment. If it concurs with the amendment, the bill is enrolled and delivered to the Governor. If the amendment is rejected by the House of origin, the bill is returned to the second legislative House for a decision on whether to withdraw (recede from) the proposed changes. If the second legislative House does not recede from its amendment, a conference committee is appointed, and the bill is returned to the House of origin with a request that it appoint a like committee to meet with a committee of the second House.

CONFERENCE AND REPORT

If the two-House conference committee is able to resolve the differences between the Houses, it sends a conference committee report with the proposed reconciliation to the two Houses. If both legislative Houses adopt the report, the bill is enrolled and delivered to the Governor. The bill fails if the members of the conference committee do not reach agreement or if a conference report is not adopted by both Houses.

5

ROLE OF THE GOVERNOR

GOVERNOR ACTION

The Governor must act on a bill within five days after it is received (Sundays excepted) if the Legislature is still in session. However, if there are fewer than five days remaining in session, or if the bill is delivered after adjournment sine die, the Governor has ten days after adjournment (Sundays excepted) to act. The Governor may sign the bill into law, allow it to become law without a signature or veto it. A vetoed bill is returned to the House of origin to consider overriding the veto. An override of the veto requires a two-thirds majority vote of each legislative House. If the Governor vetoes a bill after the session adjourns sine die, the bill is returned to the next regular legislative session. Measures become effective on October 1 following the end of the legislative session, unless otherwise specified in the bill.