

VETOES

Summary Points:

1. When a bill is enacted by the Legislature and delivered to the Governor, the Governor has the choice of: (1) signing the bill; (2) vetoing the bill; or (3) allowing the bill to become law without signing the bill.

2. Unless the Legislature has adjourned or there are not enough days remaining in the legislative session to return a bill to the House of origin, the Governor has 5 days, excluding the day on which the bill is received and excluding Sundays, to sign the bill, veto the bill or allow the bill to become law without signing the bill. If a bill is delivered to the Governor after the Legislature has adjourned *sine die* or in the last few days of the legislative session, the Governor has 10 days, excluding Sundays, after the date of adjournment to make the decision to sign the bill, veto the bill or allow the bill to become law without signing the bill.

3. A vetoed bill is returned to the House of origin. Overriding a veto requires a vote of 2/3 of the members elected to each House, in other words, 28 "Yes" votes in the Assembly and 14 "Yes" votes in the Senate.

4. If 2/3 of the members in the House of origin vote to override the veto of the Governor (A vote of "Yes" to the question "Shall the bill pass, notwithstanding the objections of the Governor?"), then the bill is transmitted to the second House. If a 2/3 vote to override the veto is not achieved in the House of origin, then the veto is sustained.

5. If 2/3 of the members of the second House vote to override the veto, the bill becomes law. If a 2/3 vote to override the veto is not achieved, then the veto is sustained.

6. If the Governor vetoes a bill after the Legislature adjourns, the Secretary of State will return the bill to the House of origin at the next regular session of the Legislature or at a special session at which vetoed bills are to be considered. A bill so returned to the House of origin is considered in the same manner as a bill returned to the House of origin during the regular legislative session.

NEVADA REVISED STATUTES PERTAINING TO VETOES

NRS 218D.675 Procedure upon delivery to Governor; computation of time for action; approval by Governor; delivery of bill to Secretary of State if approved.

1. As soon as an enrolled bill is delivered to the Governor for action, the Governor or an authorized member of the Governor's staff shall:

(a) Endorse by stamp, on the back of the enrolled bill, over the Governor's signature, from whom and which House the bill was received, the date and hour of receipt and the number of pages comprising the bill; and

(b) Compute and note thereon the time limit for action by the Governor, excluding the day of receipt and Sundays, which must not exceed the constitutional limit for such action.

2. To approve the bill, the Governor must sign the bill, within the constitutional limit for such action, following the signatures of the officials of both Houses as follows:

State of Nevada
Executive Department
Approved

.....a.m.....p.m.
.....(month).....(day).....(year)
.....(Governor)

3. Immediately after such approval, the Governor shall direct a member of the Governor's staff to deliver the bill to the Secretary of State, who shall:

(a) Endorse on the back of the bill, following the endorsement made on the bill pursuant to subsection 1:

Received and filed.
.....(hour)
.....(month).....(day).....(year)
.....(Secretary of State)

(b) Give a receipt for the bill in the manner required by NRS 218D.700.
[13:3:1949; 1943 NCL § 7298.13]—(NRS A 1969, 32; 1999, 2198; 2011, 3200)—
(Substituted in revision for NRS 218.400)

NRS 218D.680 Delivery of bill to Secretary of State if bill becomes law without Governor's signature or if veto overridden.

1. If a bill becomes a law without the Governor's signature pursuant to Section 35 of Article 4 of the Nevada Constitution, the Governor shall direct a member of the Governor's staff to deliver the bill to the Secretary of State, who shall:

(a) Endorse the bill in the manner required by NRS 218D.675; and

(b) Give a receipt for the bill in the manner required by NRS 218D.700.

2. If a bill becomes a law notwithstanding the objections of the Governor pursuant to Section 35 of Article 4 of the Nevada Constitution, the Legislative Counsel, or such person as the Legislative Counsel designates in writing, shall deliver the bill to the Secretary of State, who shall:

(a) Endorse the bill in the manner required by NRS 218D.675; and

(b) Give a receipt for the bill with the information required by NRS 218D.700.

[15:3:1949; A 1955, 732]—(NRS A 1965, 1453; 1999, 2199; 2011, 3201)—(Substituted in revision for NRS 218.420)

NEVADA CONSTITUTION (Article 4, Section 35)

Sec: 35. Bills to be presented to governor; approval; disapproval and reconsideration by legislature; failure of governor to return bill. Every bill which may have passed the Legislature, shall, before it becomes a law be presented to the Governor. If he approve it, he shall sign it, but if not he shall return it with his objections, to the House in which it originated, which House shall cause such objections to be entered upon its journal, and proceed to reconsider it; If after such reconsideration it again pass both Houses by yeas and nays, by a vote of two thirds of the members elected to each House it shall become a law notwithstanding the Governors objections. If any bill shall not be returned within five days after it shall have been presented to him (Sunday excepted) exclusive of the day on which he received it, the same shall be a law, in like manner as if he had signed it, unless the Legislature by its final adjournment, prevent such return, in which case it shall be a law, unless the Governor within ten days next after the adjournment (Sundays excepted) shall file such bill with his objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislature at its next Session, in like manner as if it had been returned by the Governor, and if the same shall receive the vote of two-thirds of the members elected to each branch of the Legislature, upon a vote taken by yeas and nays to be entered upon the journals of each house, it shall become a law. Art. 4, § 35

JOINT RULE PERTAINING TO VETOES

Rule No. 8. Special Order.

1. Bills which have passed the Legislature, and which are returned after the Governor's disapproval, or veto of the same, shall:

(a) Be taken up and considered immediately upon the coming in of the message transmitting the same; or

(b) Become the subject of a special order.

2. When the message is received or, if made a special order, when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disposed or vetoed; and the Secretary of the Senate and the Chief Clerk of the Assembly shall, without interruption, read the message and the bill consecutively, the bill following the message; and the message and the bill must not be read upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by law and custom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the Chair is, "Shall the bill pass, notwithstanding the objections of the Governor?"

3. It shall not be in order, at any time, to vote upon such vetoed bill without the same shall have first been read; and no motion shall be entertained after the Chair has stated the question save a motion for "The previous question," but the merits of the bill itself may be debated.