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FIRST REPRINT

A.B. 140

ASSEMBLY BILL NO. 140—ASSEMBLYMEN THOMAS, C.H. MILLER, MONROE-MORENO, MARZOLA, TORRES; ANDERSON, BILBRAY-AXELROD, BROWN-MAY, CARTER, COHEN, CONSIDINE, D’SILVA, DURAN, GONZÁLEZ, GORELOW, JAUREGUI, KASAMA, KOENIG, LA RUE HATCH, BRITTNEY MILLER, MOSCA, NEWBY, NGUYEN, ORENTLICHER, PETERS, SUMMERS-ARMSTRONG, TAYLOR, WATTS AND YEAGER

FEBRUARY 9, 2023

JOINT SPONSORS: SENATORS SPEARMAN, NEAL, KRASNER, CANNIZZARO, NGUYEN; AND LANGE

Referred to Committee on Government Affairs

SUMMARY—Makes Juneteenth Day a legal holiday in this State. (BDR 19-63)

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

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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 legal holidays; making Juneteenth Day a legal holiday in this State; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law declares certain days as legal holidays in this State and requires,
2 with certain exceptions, all state, county and city offices, courts, public schools and
3 the Nevada System of Higher Education to close on such legal holidays. (NRS
4 236.015) Existing law further requires the Governor to annually proclaim June 19
5 to be “Juneteenth Day” in the State of Nevada to commemorate the abolition of
6 slavery in the United States. (NRS 236.033)

7 **Section 1** of this bill makes Juneteenth Day a legal holiday in this State, rather
8 than a day of observance. **Section 1** further provides that Juneteenth Day is to be
9 observed on June 19.

10 **Section 2** of this bill makes a conforming change to account for the potential
11 closure of state, county and city governmental offices on the third Monday in June
12 in certain years when June 19 falls on the third Monday in June.



* A B 1 4 0 R 1 *

13 **Section 3** of this bill makes a conforming change to repeal the requirement that
14 the Governor proclaim June 19 to be “Juneteenth Day” in the State of Nevada as a
15 day of observance.

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

1 **Section 1.** NRS 236.015 is hereby amended to read as follows:
2 236.015 1. The following days are declared to be legal
3 holidays for state, county and city governmental offices:

- 4
5 January 1 (New Year’s Day)
6 Martin Luther King, Jr.’s birthday is on January 15 but is to
7 be observed on the third Monday in January
8 Washington’s birthday is on February 22 but is to be
9 observed on the third Monday in February
10 Last Monday in May (Memorial Day)
11 *June 19 (Juneteenth Day)*
12 July 4 (Independence Day)
13 First Monday in September (Labor Day)
14 Nevada Day is October 31 but is to be observed on the last
15 Friday in October
16 November 11 (Veterans Day)
17 Fourth Thursday in November (Thanksgiving Day)
18 Friday following the fourth Thursday in November (Family
19 Day)
20 December 25 (Christmas Day)
21 Any day that may be appointed by the President of the United
22 States for public fast, thanksgiving or as a legal holiday
23 except for any Presidential appointment of the fourth
24 Monday in October as Veterans Day.

25
26 2. Except as otherwise provided by NRS 293.560 and
27 293C.527, all state, county and city offices, courts, public schools
28 and the Nevada System of Higher Education must close on the legal
29 holidays enumerated in subsection 1 unless in the case of appointed
30 holidays all or a part thereof are specifically exempted.

31 3. If January 1, *June 19*, July 4, November 11 or December 25
32 falls upon a:

- 33 (a) Sunday, the Monday following must be observed as a legal
34 holiday.
35 (b) Saturday, the Friday preceding must be observed as a legal
36 holiday.



1 **Sec. 2.** NRS 293.165 is hereby amended to read as follows:

2 293.165 1. Except as otherwise provided in NRS 293.166, a
3 vacancy occurring in a major or minor political party nomination for
4 a partisan office may be filled by a candidate designated by the
5 party central committee of the county or State, as the case may be,
6 of the major political party or by the executive committee of the
7 minor political party subject to the provisions of subsections 3, 4
8 and 5.

9 2. A vacancy occurring in a nonpartisan office or nomination
10 for a nonpartisan office after the close of filing and before 5 p.m. of
11 the fourth Friday in July of the year in which the general election is
12 held must be filled by the person who receives or received the next
13 highest vote for the nomination in the primary election if a primary
14 election was held for that nonpartisan office. If no primary election
15 was held for that nonpartisan office or if there was not more than
16 one person who was seeking the nonpartisan nomination in the
17 primary election, a person may become a candidate for the
18 nonpartisan office at the general election if the person files a
19 declaration of candidacy with the appropriate filing officer and pays
20 the filing fee required by NRS 293.193 after 8 a.m. on the *third*
21 *Monday in June, or if the third Monday in June is a legal holiday,*
22 *on the day immediately following the* third Monday in June , and
23 before 5 p.m. on the fourth Friday in July.

24 3. If a vacancy occurs in a major political party nomination for
25 a partisan office after the primary election and before 5 p.m. on the
26 fourth Friday in July of the year in which the general election is held
27 and:

28 (a) The vacancy occurs because the nominee dies or is
29 adjudicated insane or mentally incompetent, the vacancy may be
30 filled by a candidate designated by the party central committee of
31 the county or State, as the case may be, of the major political party.

32 (b) The vacancy occurs for a reason other than the reasons
33 described in paragraph (a), the nominee's name must remain on the
34 ballot for the general election and, if elected, a vacancy exists.

35 4. No change may be made on the ballot for the general
36 election after 5 p.m. on the fourth Friday in July of the year in which
37 the general election is held. If, after that time and date:

38 (a) A nominee dies or is adjudicated insane or mentally
39 incompetent; or

40 (b) A vacancy in the nomination is otherwise created,
41 ➔ the nominee's name must remain on the ballot for the general
42 election and, if elected, a vacancy exists.

43 5. Each designation of a candidate provided for in this section
44 must be filed with the appropriate filing officer before 5 p.m. on the
45 fourth Friday in July of the year in which the general election is



1 held. In each case, the candidate must file a declaration of candidacy
2 with the appropriate filing officer and pay the filing fee required by
3 NRS 293.193 before 5 p.m. on the date the designation is filed.

4 **Sec. 3.** NRS 236.033 is hereby repealed.

5 **Sec. 4.** This act becomes effective upon passage and approval.

TEXT OF REPEALED SECTION

236.033 Juneteenth Day.

1. The Governor shall annually proclaim June 19 to be “Juneteenth Day” in the State of Nevada to commemorate the abolition of slavery in the United States.

2. The proclamation must call upon the news media, educators and appropriate governmental officers to bring to the attention of Nevada’s residents the historical significance of the day when the last slaves in the United States were emancipated and the significant contributions of African-Americans to the State.

