

Amendment No. 35

Assembly Amendment to Assembly Bill No. 140	(BDR 19-63)
Proposed by: Assembly Committee on Government Affairs	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION			Initial and Date		SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



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:

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

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

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

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

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

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

1 January 1 (New Year's Day)
2 Martin Luther King, Jr.'s birthday is on January 15 but is to be observed on
3 the third Monday in January
4 Washington's birthday is on February 22 but is to be observed on the third
5 Monday in February
6 Last Monday in May (Memorial Day)
7 **June 19 (Juneteenth Day)**
8 July 4 (Independence Day)
9 First Monday in September (Labor Day)
10 Nevada Day is October 31 but is to be observed on the last Friday in
11 October
12 November 11 (Veterans Day)
13 Fourth Thursday in November (Thanksgiving Day)
14 Friday following the fourth Thursday in November (Family Day)
15 December 25 (Christmas Day)
16 Any day that may be appointed by the President of the United States for
17 public fast, thanksgiving or as a legal holiday except for any
18 Presidential appointment of the fourth Monday in October as Veterans
19 Day.
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21
22 2. Except as otherwise provided by NRS 293.560 and 293C.527, all state,
23 county and city offices, courts, public schools and the Nevada System of Higher
24 Education must close on the legal holidays enumerated in subsection 1 unless in the
25 case of appointed holidays all or a part thereof are specifically exempted.

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

27 (a) Sunday, the Monday following must be observed as a legal holiday.

28 (b) Saturday, the Friday preceding must be observed as a legal holiday.

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

30 293.165 1. Except as otherwise provided in NRS 293.166, a vacancy
31 occurring in a major or minor political party nomination for a partisan office may
32 be filled by a candidate designated by the party central committee of the county or
33 State, as the case may be, of the major political party or by the executive committee
34 of the minor political party subject to the provisions of subsections 3, 4 and 5.

35 2. A vacancy occurring in a nonpartisan office or nomination for a
36 nonpartisan office after the close of filing and before 5 p.m. of the fourth Friday in
37 July of the year in which the general election is held must be filled by the person
38 who receives or received the next highest vote for the nomination in the primary
39 election if a primary election was held for that nonpartisan office. If no primary
40 election was held for that nonpartisan office or if there was not more than one
41 person who was seeking the nonpartisan nomination in the primary election, a
42 person may become a candidate for the nonpartisan office at the general election if
43 the person files a declaration of candidacy with the appropriate filing officer and
44 pays the filing fee required by NRS 293.193 after 8 a.m. on the **third Monday in
45 June, or if the third Monday in June is a legal holiday, on the day immediately
46 following the third Monday in June**, and before 5 p.m. on the fourth Friday in July.

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

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

1 (b) The vacancy occurs for a reason other than the reasons described in
2 paragraph (a), the nominee’s name must remain on the ballot for the general
3 election and, if elected, a vacancy exists.

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

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

8 (b) A vacancy in the nomination is otherwise created,
9 ↪ the nominee’s name must remain on the ballot for the general election and, if
10 elected, a vacancy exists.

11 5. Each designation of a candidate provided for in this section must be filed
12 with the appropriate filing officer before 5 p.m. on the fourth Friday in July of the
13 year in which the general election is held. In each case, the candidate must file a
14 declaration of candidacy with the appropriate filing officer and pay the filing fee
15 required by NRS 293.193 before 5 p.m. on the date the designation is filed.

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

17 **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.