

## **NEVADA LEGISLATIVE PROCESS – MAKING LAW 101**

Passing a bill in the Nevada Legislature may seem at first blush an easy feat, in reality it is a laborious process and a bill can endure many twists and turns before reaching the Governor's office waiting to be signed into law.

### **INITIAL STEPS BY THE AUTHOR**

#### *Idea*

Sources of ideas for legislation include state agencies, local governments, elected officials, businesses, lobbyists, organizations and citizens.

#### *Drafting*

Requests for drafting may be made by the Governor, legislators, legislative committees, state agencies and local governments. A staff attorney for the Legislature prepares a formal draft of a bill.

#### *Introduction and First Reading*

A bill is submitted for introduction by an individual legislator or committee chairman. The bill is then numbered, read for the first time, referred to the committee and printed. A bill or resolution may be introduced in either the Senate or the Assembly and cosponsors in the other house may be listed on the front of the measure. A bill however must begin in the sponsoring legislator or chairman's house of origin.

### **ACTION IN THE HOUSE OF ORIGIN**

#### *Committee*

A committee holds a hearing to take testimony and gather information about the bill. The committee may recommend that the House pass a bill as it is written, pass it with amendments or not pass it at all. If members of a committee feel a bill requires further committee consideration, it may recommend that the legislative house amend the bill and re-refer it to the same committee or that it re-refer the bill to a different committee. Finally, a committee may vote to indefinitely postpone consideration of a bill, in effect killing the bill, or it may take no action at all. After committee reports are read, bills are placed on second reading for the next legislative day unless the committee recommends the bill be placed on a Consent Calendar. This action is limited to certain, non-controversial bills reported out of committee with no amendments

#### *Second Reading Before the Full House*

A bill given a "Do Pass" recommendation is read a second time before the House and placed on the General File for debate and vote. A bill that is given an "Amend and Due Pass" recommendation is read a second time, amended and reprinted before being placed on the General File for action.

#### *Floor Debate and Vote by the Full House*

Bills are read a third time and debated. A roll-call vote follows. For passage of a measure that requires a constitutional majority, 11 votes are needed in the Senate and 22 in the Assembly. The passage of a measure that imposes or increases a tax or fee requires a two-thirds majority or 14 votes in the Senate or 28 votes in the Assembly. A measure that does not receive at least the required number of votes is defeated. Any member who votes against a measure that is defeated may serve notice of reconsideration to request a second vote. All bills that are passed by the first legislative house are then forwarded to the second legislative house where the process begins again.

## **ACTION IN THE SECOND HOUSE**

### *First Reading*

The bill is read for the first time and referred to committee.

### *Committee*

Procedures and possible actions are identical to those in the first legislative house, or house of origin.

### *Second Reading Before the Full House*

If passed by the committee, the bill is read a second time and placed on the daily file, or agenda, for debate and vote.

### *Floor Debate and Vote by the Full House*

The procedure is identical to 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 that are passed are routed to the Secretary of State\*. If the second legislative house amends a measure, it is returned to the house of origin for consideration of amendments.

## **RESOLUTION OF DIFFERENCES AS NECESSARY**

### *Consideration of Amendments*

The house of origin decides whether to accept the second legislative house's amendments. If the house of origin accepts the amendments, the bill goes to the Governor. If the amendment is rejected, the bill is returned to the second legislative house for a decision whether to withdraw the proposed changes. If the second legislative house does not recede, the bill is referred to a two-house conference committee.

### *Conference*

After meeting, the conference committee attempts to reconcile the differences and presents its recommendation in the form of a conference report and both legislative houses vote on the report. If both legislative houses accept the report, the bill goes to the Governor. If either legislative house rejects the report, a second and final conference committee may be appointed. The bill dies if the members of the second conference committee fail to agree.

## **ROLE OF THE GOVERNOR**

Generally, the Governor must act on a bill within five days of receiving it if the Legislature is still in session, not including Sundays. However, if there are fewer than five days remaining in session, or if the bill is delivered after the adjournment or sine die, the Governor has 10 days to act following sine die. The Governor may sign the bill into law, allow it to become law without signature or veto it. A vetoed bill returns to the house of origin for a possible vote of overriding the veto. An override requires a two-thirds majority vote of both legislative houses. If the Governor vetoes a bill following sine die, it returns to the next legislative session. Measures become effective on October 1 following sine die, unless otherwise specified in the bill.

\*The process for a resolution varies slightly depending upon whether it is a simple, concurrent or joint resolution. Deadlines for final action on bills and resolutions by committee and house are typically established by rule at the beginning of session.