

INSTRUCTIONS FOR SUBMISSION OF BILL
DRAFT REQUESTS (BDR's) BY EXECUTIVE BRANCH AGENCIES

I. General Information:

Time for submission to Department of Administration. **Requests must be submitted to the Department of Administration for review and transmittal on or before May 3, 2010**, and should be separated between Housekeeping (clarification or minor changes to existing statutes) and Substantive (all other requests). This will help to expedite the review process and facilitate the bill drafting. The Budget Division requires original signatures on all BDR's and an electronic copy. Therefore, please complete the electronic form provided, click on the "*submit by e-mail*" icon located at the bottom of the form, print it out, sign it and submit the original to the Budget Office. Submitting it electronically and sending in your signed copy will ensure that the Budget Division receives your BDR by the May 3, 2010 deadline.

Time for submission to Legislative Counsel. All requests for bill drafts from Executive Branch agencies must be received by the Legislative Counsel on or before September 1, 2010, pursuant to NRS 218D.105. This deadline is essential to ensure that all bill drafters are available for service to the Legislators following the November elections. Requests must be submitted to the Department of Administration (for review and transmittal) on or before May 3, 2010. Early submission permits the Legislative Counsel to schedule her workload, provides the bill drafter with ample time to study the draft for constitutionality and compatibility with other statutes and gets the draft back to you in time for you to detect any needed revision or corrections before the Legislature convenes.

Request limited to one subject only. Article 4, § 17, of the Nevada Constitution requires each law enacted to be limited to one subject only and to matters properly connected therewith. If this limitation raises a problem in any given case, please arrange for a discussion of the matter with the Legislative Counsel.

II. Instructions clarifying specific areas of the bill draft request form:

Request: Please describe the problem to be solved or the goal(s) of the proposed measure, or both. Please ensure that your description includes the intent and purpose of the proposed bill.

Intent of proposed bill. In brief, be concise. Indicate what effect the bill will have if enacted. State what you want the bill to achieve.

Justification or purpose. This provides the bill drafter with additional information on which to base his choice of language. If he/she understands the reasons behind your request, he/she can ensure that the bill that is drafted will meet your requirements. The more information you provide the better and more efficient job the bill drafter can do.

Effective Date: Unless a different date is specified in the bill, it becomes effective on October 1 of the year in which it was enacted. Please consider the relationship of the bill to the fiscal year.

Fiscal Notes:

NRS 218D.430 to 218D.445, inclusive, requires preparation of a fiscal note for every bill or joint resolution which:

1. Makes an appropriation or increases any existing appropriation;
2. Creates or increases any fiscal liability or decreases any revenue of the State in excess of \$2,000; or
3. Increases or newly provides a term of imprisonment in the State prison or makes release on parole or probation there from less likely.

Bills relating exclusively to the Executive Budget are the only exception. The requirement for a fiscal note also applies to bills which have a financial effect on a local government. In the case of bills having a financial effect on the State, if the fiscal note does not accompany the bill draft request, the Fiscal Analysis Division of the Legislative Counsel Bureau is required to notify the agency that the fiscal note is required and the agency must respond. In the case of bills having an effect on local government, the Legislative Counsel Bureau is responsible for the preparation of the local fiscal note. However, the data and expert knowledge necessary for the preparation of the local fiscal note will frequently be in the possession of state agencies. Therefore, a state agency may be requested to provide local fiscal note information as well. Questions concerning the form for fiscal notes or the fiscal effect of any proposed bill draft should be directed to the Fiscal Analysis Division at 684-6821.

III. Optional Information:

The optional information sheet provides you the opportunity to give the bill drafter specific information regarding your bill draft request such as particular language you would like included/excluded; NRS or other sites relating to the request; federal law, court cases, or Attorney General Opinions; similar requests from the current or past sessions; similar statutes held by other states; or other related articles or documentation relating to your BDR.

The following is clarifying instructions on suggested language and NRS:

Suggested language/special instructions: If there are particular words or phrases desirable because they have been judicially construed or are commonly understood in connection with the particular subject matter, or for some reason are to be avoided, please provide these words or phrases and an explanation of why you want to use or avoid them.

NRS title, chapter or section: If an existing section should be amended, please give its number. If new sections are to be added, you may wish to suggest where they are to be placed.

If you have any questions regarding the BDR process or completion of the BDR form, please contact your assigned Budget Analyst within the Budget Office.