

Bond Case Briefs

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REFERENDUM - NEVADA

Coalition for Nevada's Future v. RIP Commerce Tax, Inc.

Supreme Court of Nevada - May 11, 2016 - Slip Copy - 2016 WL 2842925

Citizen's group brought action seeking declaratory and injunctive relief, challenging referendum petition seeking voter approval or disapproval of the commerce tax provisions senate bill.

The District Court denied relief. Group appealed.

The Supreme Court of Nevada held that:

- Referendum petition complied with constitutional requirements, but
- Description of effect of petition was statutorily inadequate.

Referendum petition seeking voter approval or disapproval of the commerce tax provisions of senate bill complied with constitutional referendum requirements, where senate bill became a statute when signed into law by the governor, petition was clear that it referred senate bill to voters for approval or rejection of commerce tax, and referendum was legislative and did not violate any prohibition against direct legislation of administrative matters.

Description of effect of referendum petition seeking voter approval or disapproval of the commerce tax provisions of senate bill was not statutorily adequate, where description of effect described the commerce tax and explained the legal effect of approval and disapproval, but failed to reveal the significant practical ramifications of the measure's disapproval.