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# Office of the Governor

June 10, 2025

The Honorable Francisco Aguilar  
Nevada Secretary of State  
401 South Carson Street  
Carson City, Nevada 89701

**Re: Senate Bill 447 of the 83rd Legislative Session**

Dear Secretary of State Aguilar:

I am forwarding to you, for filing within the time limit set forth in the Nevada Constitution and without my approval, Senate Bill 447 ("SB 447"), which is titled as follows:

AN ACT relating to public works; authorizing an action seeking an alternate writ of mandamus to require a public body to award certain contracts and authorizing a court to award attorney's fees and costs to a party that prevails on such an alternate writ of mandamus; and providing other matters properly relating thereto.

If a government entity improperly awards a contract, existing Nevada law already provides a clear and adequate legal remedy for an aggrieved bidder to challenge that decision. SB 447 seeks to create a new pathway for relief—but rather than improving legal access, it risks destabilizing established public procurement processes. Nevada law already allows for writs of mandamus where appropriate and grants courts the discretion to award attorney's fees when justified. It is unclear why this bill attempts to bundle these remedies into a narrowly defined slice of public contracting law, especially when doing so adds unnecessary legal complexity without demonstrable benefit.

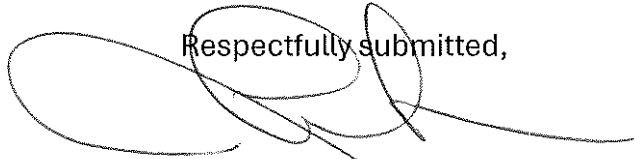
Most troubling is the bill's use of the writ of mandamus, which is meant to be an extraordinary legal tool, reserved for situations where a public entity has failed to carry out a clear, non-discretionary legal duty. However, the decisions this bill targets—such as whether a project qualifies as "maintenance" or a "public work"—are inherently fact-driven and discretionary. These are not the kinds of actions that mandamus is designed to

address. By inviting parties to pursue mandamus relief at the very outset of a project, SB 447 risks turning an extraordinary remedy into a routine litigation tactic. The likely result is delayed projects, increased costs, and strategic use of injunctions to halt public works while courts sort through complex legal classifications.

Because SB 447 would misapply a high-level judicial tool to disputes better suited to ordinary legal remedies, thereby undermining both the efficiency of public works contracting and the integrity of Nevada's procurement system, I cannot support it.

For these reasons, I veto this bill and return it to you without my signature or approval.

Respectfully submitted,

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

JOE LOMBARD  
*Governor of Nevada*

Enclosure

cc: The Honorable Stavros Anthony, President of the Senate (without enclosure)  
The Honorable Nicole Cannizzaro, Senate Majority Leader (without enclosure)  
The Honorable Steve Yeager, Speaker of the Assembly (without enclosure)  
Brendan Bucy, Secretary of the Senate (without enclosure)  
Bonnie Borda Hoffecker, Chief Clerk of the Assembly (without enclosure)  
Diane Thornton, Legislative Counsel Bureau, Director (without enclosure)  
Asher Killian, Legislative Counsel Bureau, Legislative Counsel (without enclosure)