

Nevada

The 22nd Amendment to the Constitution, which limits a person to being elected to the presidency two times, and sets additional eligibility conditions for presidents who succeed to the presidency, was voted out of Congress by a supermajority vote in both chambers. Between 1947 and 1951, the 22nd Amendment was ratified by 41 state legislatures and officially came into effect after 36 states ratified the amendment in February 1951. Since the history of the 22nd Amendment's passage and the intent of those who ratified it has become relevant again, this factsheet is part of a series covering each state's ratification process.

Nevada's consideration of the 22nd Amendment:

- Nevada's legislature voted to ratify the 22nd Amendment on February 26, 1951, becoming the 36th state to do so, officially crossing the three-fourths threshold to become part of the Constitution.
- Joint Resolution No. 6 to ratify the amendment was [introduced](#) in the Assembly on January 31, 1951 by [Representatives](#) Cada Castolas [Boak](#) (R), Frank A. Buol (R), M.A. (Tiny) Fairchild (R), Samuel Boyd Francovich (R), George H. Hawes (R), Charles A. Hendel (R) and James C. Perkins (R).
- On February 26, 1951, the Assembly [voted to pass](#) the resolution ratifying the 22nd Amendment 29 to 12, including nine Democrats.
- Later that day, the Senate also voted in a bipartisan [manner](#) to ratify the amendment by a margin of 16 to 1.
- As the [Nevada State Journal](#) reported, the Republican controlled Senate gave "lifelong Democrat" Senator John Robbins the privilege of making the motion to ratify the amendment and to consider it as an emergency measure for approval.
- Senator Robbins said: "Some have given the measure the stigma of partisan politics. To me there is no such stigma. As a Democrat, active in Nevada Democratic circles for more than 40 years, I'd like to remove that stigma. I consider it a real honor that this Republican controlled Senate has picked me to make the motion to ratify the 22nd Amendment."

Nevada Vote Changes Constitution of U. S.

Silver State Becomes 36th to Ratify Law Limiting Presidential Terms

By ROBERT BENNYHOFF, United Press Staff Correspondent
CARSON CITY, Feb. 26, (UP)—Nevada, the 36th state to be admitted to the union, today became the 36th state to ratify the constitutional amendment limiting presidents to two terms.

At 4:30 p.m., the Nevada senate voted 16 to one to pass the resolution ratifying the 22nd amendment. Earlier in the day, the assembly adopted the same resolution by a vote of 29 to 12, including nine Democrats.

Governor Charles Russell, a Republican who took office January 1, said he would immediately notify Wayne Grover, chief architect of the United States, that Nevada had become the 36th state to ratify the 22nd amendment, putting it in effect.

The Nevada senate had waited more than three hours for word from Utah, which only a few minutes earlier had become the 35th state to ratify the amendment. Lieutenant Governor Cliff Jones of Las Vegas, presiding officer of the senate, telephoned the president of the Utah senate early in the afternoon and was told the measure was to be voted on shortly. Jones was told the state of Utah would be "happy to let Nevada become the 36th ratifying state."

The senate then recessed and when informed by United Press of the Utah ratification by a vote of 14 to eight, went immediately into session.

Five minutes later, the senate voted 16 to one to approve the amendment limiting the president to two terms in office.

Until the last day of a ratification of the 22nd amendment had been regarded by many Nevada lawmakers as part of a state political issue. The Democrats, who hold a slim majority in the assembly, a slim time caucused and pledged all party members to vote against ratification.

However, after an appeal from the floor by Don Crawford, a Democratic rancher, that "this matter is too vital for partisan politics," the Democrats held an other caucus today and released the pledge.

Nine Democrats joined 20 Republicans in approving ratification and the measure was sent to the senate.

The upper chamber, where Republicans hold a 11 to six majority, acted swiftly and without debate. John E. Robbins, Elko Democrat and dean of the senate, moved that the ratification measure be made an emergency measure and that all legislative rules be suspended.

"There seems to have been some stigma of partisan politics connected with this measure," Robbins said. "To me, there is no political involved."

"As a Democrat active in party affairs in the state of Nevada for more than 40 years, I would like to remove the stigma of politics by urging adoption of this measure."

A. V. Tallman, a Winnemucca rancher and majority leader in the senate, said Republicans were very pleased with Robbins' attitude and described the impending measure as he bill as "momentous."

The ratification was approved by a margin of 16 to one on the roll call minutes later. The single dissenting vote was cast by Harry Wray, an Esmeralda mining man who said he was opposed to the 22nd amendment "on principle."

In the assembly the roll call was as follows:
For ratification: Blum, Boak, Buol, Byers, Caputo, Cavell, Chapman, Coulthard, Crawford, Fairchild, Folsom, Francovich, Fraser, Hawes, Hendel, Hume, Jenson, Kough, Lamm, McElroy, Opp, Primeaux, Ramsey, Rowntree, Shattley, Turner, Walters, Warner and Whitman.

Against ratification: Anderson, Kerr, Bastian, Christensen, Englebert, Hawkins, Housler, Mc-Nutt, Meloy, Olson, Smith, and Swachauer.
Not voting: Higgins.
Absent: Reeves.

TRUMAN GETS LAST SHOT AT THREE TERMS

Amendment Does Not Affect Present Incumbent

WASHINGTON, Feb. 26, (AP)—Final adoption of the 22nd amendment through action of the Nevada legislature left President Truman today as the last man who can expect to serve more than two terms in the nation's highest job.

But if he has the desire—and can get the vote—he can legally match the record of Franklin D. Roosevelt, only man in American political history to break the two-term tradition.

The new constitutional amendment originated with the Republicans, whom Mr. Roosevelt headed four successive hearings, but had Democratic help in the final drive that put it over.

The 22nd amendment declares that hereafter no person can be elected to more than two full terms as president of the United States.

It also says that any person who serves more than two years of a second term cannot again be elected. Mr. Truman, can run only once in his own right.

Mr. Truman is specifically exempted, however. The limitation does not apply to him because he was in the job when the proposition was submitted to the states for their approval.

Even though he served more than three years of Roosevelt's fourth term, and was elected on his own in 1948, Mr. Truman can run again in 1952 if he desires. He could keep running as long as he lives.

Some politicians believe, though, that ratification is a political obstacle to his seeking another term on the basis that it reflects widespread feeling that more than eight years is too long for any man.

If Mr. Truman should run, and be elected, in 1952 it would give him almost 12 full years in the job. Mr. Roosevelt had served three full terms and two months and 23 days of his fourth when he died.

"It was Mr. Roosevelt's breaking of the two-term tradition which prompted Republican sponsorship of the amendment," to the constitution.

The Republicans moved in just when they got control of the 80th Congress in 1947 as men who are co-sponsors of war. The payments are being made pursuant to the War Claims Act of 1948, according to Sen. Pat McCarran.

The deadline for filing claims is March 1. It was supposed that claims postmarked later than midnight of that date will not be accepted by the War Claims Commission. Claims forms may be obtained through local Veterans Administration offices or directly from the War Claims Commission, Washington 25, D. C.

\$68,355.34 Is Paid To War Prisoners

Total of \$68,355.34 has been paid by the War Claims Commission to 85 Nevadans who are co-sponsors of war. The payments are being made pursuant to the War Claims Act of 1948, according to Sen. Pat McCarran.

- The Senate went into recess and waited for confirmation that Utah voted to ratify the amendment in order for Nevada to become the 36th ratifying state.
- In a February 27, 1951 article [headlined](#) "Truman Gets Last Shot at Three Terms," The Nevada State Journal reported on the passage noting: "Final adoption of the 22nd amendment through action of the Nevada legislature left President Truman today as the last man who can aspire to more than two terms in the nation's biggest job."
- Despite the 22nd Amendment's exemption for the incumbent Truman, contemporaneous reporting indicated, "[s]ome politicians believe, though, that ratification presents an ethical obstacle to his seeking another term on the basis that it reflects widespread feeling that more than eight years is too long for any man."

Cases involving the 22nd Amendment in Nevada:

- The only relevant Nevada case law addressing the 22nd Amendment reaffirms that "the President is limited to two terms of office."
- In [*Harris v. Democratic Nat'l Comm.*](#), the plaintiff sued both the Democratic National Committee and the Republican National Committee for violating the 22nd Amendment and the Sherman Act based on the assertion that the president has been a member of one of those two parties since the nineteenth century. [No. 2:25-CV-00428-MMD-NJK, 2025 WL 1189770 \(D. Nev. Apr. 24, 2025\), appeal dismissed, No. 25-2888, 2025 WL 2237448 \(9th Cir. July 30, 2025\).](#)
- The court dismissed the case with prejudice due to frivolity, explaining: "[T]he 22nd Amendment, on its face, applies to 'person[s],' not the parties to which they belong. U.S. Const. amend. XXII(1). This view is broadly held. See, e.g., Ronald D. Rotunda, John E. Nowak, *Treatise on Constitutional Law - Substance & Procedure*, § 9.19(d)(i) *Popular Efforts to Impose Term Limits*, 2 *Treatise on Const. L.* § 9.19(d)(i) (Jul. 2024 Update) ('[T]he U.S. Constitution, since 1951, provides that the President is limited to two terms of office.') (footnote omitted)." 2025 WL 1189770, at *1.