

ASSEMBLY BILL NO. 39—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE CITY OF NORTH LAS VEGAS)

PREFILED DECEMBER 5, 2008

Referred to Committee on Government Affairs

SUMMARY—Revises the provisions of the North Las Vegas City Charter governing primary municipal elections. (BDR S-373)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the City of North Las Vegas; revising the provisions governing primary municipal elections; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 The existing Charter of the City of North Las Vegas requires that a primary
2 municipal election be held before a general election only if there are three or more
3 candidates seeking the office of Mayor or Municipal Judge or a particular City
4 Council seat. (North Las Vegas City Charter § 5.020) This bill makes the holding
5 of a primary municipal election by the City preceding every general election
6 mandatory, regardless of the number of candidates seeking a particular elective
7 office. The Charters of the Cities of Henderson and Las Vegas currently contain the
8 same requirement. (Henderson City Charter § 5.010; Las Vegas City Charter
9 § 5.010)

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Section 5.020 of the Charter of the City of North
2 Las Vegas, being chapter 573, Statutes of Nevada 1971, as last
3 amended by chapter 499, Statutes of Nevada 2005, at page 2692, is
4 hereby amended to read as follows:
5 Sec. 5.020 Primary municipal elections; declaration of
6 candidacy.



1 1. The City Council shall provide by ordinance for
2 candidates for elective office to declare their candidacy and
3 file the necessary documents. The seats for City Councilmen
4 must be designated by the numbers one through four, which
5 numbers must correspond with the wards the candidates for
6 City Councilmen will seek to represent. A candidate for the
7 office of City Councilman shall include in his declaration of
8 candidacy the number of the ward which he seeks to
9 represent. Each candidate for City Council must be
10 designated as a candidate for the City Council seat that
11 corresponds with the ward that he seeks to represent.

12 2. ~~[If for any general municipal election there are three~~
13 ~~or more candidates for the offices of Mayor or Municipal~~
14 ~~Judge, or for a particular City Council seat, a] A primary~~
15 election ~~[for any such office]~~ must be held on the Tuesday
16 following the first Monday in April preceding the general
17 election ~~[.]~~ , *at which time there must be nominated*
18 *candidates for offices to be voted for at the next general*
19 *election.* In the primary election:

20 (a) A candidate for the office of City Councilman must be
21 voted upon only by the registered voters of the ward that he
22 seeks to represent.

23 (b) Candidates for all other elective offices must be voted
24 upon by the registered voters of the City at large.

25 3. Except as otherwise provided in subsection 4, after
26 the primary election, the names of the two candidates ~~[for~~
27 ~~Mayor, Municipal Judge and each City Council seat]~~ who
28 receive the highest number of votes must be placed on the
29 ballot for the general election.

30 4. If , *regardless of the number of candidates for an*
31 *office,* one ~~[of the candidates for Mayor, Municipal Judge or~~
32 ~~a City Council seat]~~ *candidate* receives a majority of the total
33 votes cast for that office in the primary election, he ~~[shall]~~
34 *must* be declared elected to *that* office and ~~[his name must~~
35 ~~not appear on the ballot for the]~~ *no* general election ~~[.]~~ *need*
36 *be held for that office.*

37 **Sec. 2.** This act becomes effective on July 1, 2009.

