

SENATE BILL NO. 421—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 23, 2015

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to statewide primary elections. (BDR 24-1148)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

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

AN ACT relating to elections; providing in certain circumstances for a presidential preference primary election to be held in conjunction with the statewide primary election; revising the date of the statewide primary election to the last Tuesday in February of each even-numbered year; making corresponding changes to various pre-election deadlines; establishing requirements for participation by major political parties and candidates in a presidential preference primary election; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Sections 1, 2, 18-21 and 32-38** of this bill provide for a statewide presidential
2 preference primary election to be held in conjunction with the statewide primary
3 election in February of a presidential election year. **Section 32** provides that a
4 presidential preference primary election is generally governed by the same statutory
5 provisions applicable to the existing statewide primary. Pursuant to **section 33**, a
6 presidential preference primary election must be held for a major political party if:
7 (1) the chair of the national committee of that party fails timely to notify the
8 Secretary of State that the party does not desire to participate in the election; and
9 (2) two or more presidential candidates of that party timely file declarations of
10 candidacy with the Secretary of State.

11 Under existing law, the election of delegates at precinct meetings scheduled by
12 the state central committee of each major political party, commonly known as
13 “party caucuses,” may be a part of expressing preferences for candidates for the
14 party’s nomination for President of the United States. (NRS 293.137) In any year in
15 which a presidential preference primary election is held for the party, **section 4** of
16 this bill requires that the precinct meetings not be held until after the presidential
17 preference primary election has been conducted and the results of the election have



18 been certified by the Secretary of State. **Sections 5 and 6** of this bill further require
19 that any rule of a party governing the election of delegates at a precinct meeting,
20 the selection of delegates and alternates to a national party convention, or the
21 voting of delegates at the national convention, must reasonably reflect the results of
22 the presidential preference primary election, if one has been held for the party.

23 **Section 7** of this bill changes the date of the statewide primary election from
24 the second Tuesday in June of each even-numbered year to the last Tuesday in
25 February of each even-numbered year. To provide an example, if the provisions of
26 this bill had been in effect in 2014, the primary election would have been held on
27 February 25, 2014, instead of June 10, 2014. As a result of changing the date of the
28 statewide primary election, **sections 3, 8-13, 17, 22 and 23** of this bill amend
29 various other dates relating to elections, such as the date for filing a declaration of
30 candidacy.

31 **Sections 16 and 24** of this bill delete certain existing but obsolete statutory
32 references to the presidential preference primary election.

33 **Sections 37 and 42** of this bill provide that the cost of any presidential
34 preference primary election is a charge against the State and must be paid from the
35 Reserve for Statutory Contingency Account in the State General Fund.

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

1 **Section 1.** Chapter 293 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *“Presidential preference primary election” means an election*
4 *held in presidential election years pursuant to sections 32 to 38,*
5 *inclusive, of this act.*

6 **Sec. 2.** NRS 293.010 is hereby amended to read as follows:

7 293.010 As used in this title, unless the context otherwise
8 requires, the words and terms defined in NRS 293.013 to 293.121,
9 inclusive, *and section 1 of this act* have the meanings ascribed to
10 them in those sections.

11 **Sec. 3.** NRS 293.128 is hereby amended to read as follows:

12 293.128 1. To qualify as a major political party, any
13 organization must, under a common name:

14 (a) On ~~January 1~~ *September 1 of the year* preceding any
15 primary election, have been designated as a political party on the
16 applications to register to vote of at least 10 percent of the total
17 number of registered voters in this State; or

18 (b) File a petition with the Secretary of State not later than the
19 last Friday in ~~February before~~ *October of the year preceding* any
20 primary election signed by a number of registered voters equal to or
21 more than 10 percent of the total number of votes cast at the last
22 preceding general election for the offices of Representative in
23 Congress.

24 2. If a petition is filed pursuant to paragraph (b) of subsection
25 1, the names of the voters need not all be on one document, but each



1 document of the petition must be verified by the circulator thereof to
2 the effect that the signers are registered voters of this State
3 according to the circulator's best information and belief and that
4 the signatures are genuine and were signed in the circulator's
5 presence. Each document of the petition must bear the name of a
6 county, and only registered voters of that county may sign the
7 document. The documents which are circulated for signature must
8 then be submitted for verification pursuant to NRS 293.1276 to
9 293.1279, inclusive, not later than 25 working days before the last
10 Friday in ~~February~~ *October of the year* preceding a primary
11 election.

12 3. In addition to the requirements set forth in subsection 1,
13 each organization which wishes to qualify as a political party must
14 file with the Secretary of State a certificate of existence which
15 includes the:

- 16 (a) Name of the political party;
- 17 (b) Names and addresses of its officers;
- 18 (c) Names of the members of its executive committee; and
- 19 (d) Name of the person who is authorized by the party to act as
20 registered agent in this State.

21 4. A political party shall file with the Secretary of State an
22 amended certificate of existence within 5 days after any change in
23 the information contained in the certificate.

24 **Sec. 4.** NRS 293.135 is hereby amended to read as follows:

25 293.135 1. ~~The~~ *Except as otherwise provided in this*
26 *subsection, the* county central committee of each major political
27 party in each county shall have a precinct meeting of the registered
28 voters of the party residing in each voting precinct entitled to
29 delegates in the county convention called and held on the dates set
30 for the precinct meeting by the respective state central committees
31 in each year in which a general election is held. *In any year in*
32 *which a presidential preference primary election is held for the*
33 *party, the precinct meeting must not be held until after the results*
34 *of that election are certified by the Secretary of State pursuant to*
35 *subsection 5 of NRS 293.387.*

36 2. The meeting must be held in one of the following places in
37 the following order of preference:

38 (a) Any public building within the precinct if the meeting is for
39 a single precinct, or any public building which is in reasonable
40 proximity to the precincts and will accommodate a meeting of two
41 or more precincts; or

42 (b) Any private building within the precinct or one of the
43 precincts.



1 3. The county central committee shall give notice of the
2 meeting by:

3 (a) Posting in a conspicuous place outside the building where
4 the meeting is to be held; and

5 (b) Publishing in one or more newspapers of general circulation
6 in the precinct, published in the county, if any are so published,
7 ↪ on the date set for giving notice of the meeting by the respective
8 state central committees.

9 4. The notice must be printed in conspicuous display
10 advertising format of not less than 10 column inches, and must
11 include the following language, or words of similar import:

12
13 Notice to All Voters Registered
14 IN THE (STATE NAME OF MAJOR POLITICAL PARTY)
15

16 Nevada state law requires each major political party, in
17 every year during which a general election is held, to have a
18 precinct meeting held for each precinct. All persons
19 registered in the party and residing in the precinct are entitled
20 to attend the precinct meeting. Delegates to your party's
21 county convention will be elected at the meeting by those in
22 attendance. Set forth below are the time and place at which
23 your precinct meeting will be held, together with the number
24 of delegates to be elected from each precinct. If you wish to
25 participate in the organization of your party for the coming 2
26 years, attend your precinct meeting.
27

28 5. The notice must specify:

29 (a) The date, time and place of the meeting; and

30 (b) The number of delegates to the county convention to be
31 chosen at the meeting.

32 **Sec. 5.** NRS 293.137 is hereby amended to read as follows:

33 293.137 1. Promptly at the time and place appointed therefor,
34 the mass meeting must be convened and organized for each precinct.
35 If access to the premises appointed for any such meeting is not
36 available, the meeting may be convened at an accessible place
37 immediately adjacent thereto. The meeting must be conducted
38 openly and publicly and in such a manner that it is freely accessible
39 to any registered voter of the party calling the meeting who resides
40 in the precinct and is desirous of attending the meeting, until
41 the meeting is adjourned. At the meeting, the delegates to which the
42 members of the party residing in the precinct are entitled in the
43 party's county convention must be elected pursuant to the rules of
44 the state central committee of that party. In presidential election
45 years, the ~~election of delegates may be a part of expressing~~



1 ~~preferences for candidates for the party's nomination for President~~
2 ~~of the United States if the rules of the party permit such~~
3 ~~conduct.]~~ *rules of the state central committee must reasonably*
4 *reflect the results of the presidential preference primary election,*
5 *if one has been held for the party.* The result of the election must
6 be certified to the county convention of the party by the chair
7 and the secretary of the meeting upon the forms specified in
8 subsection 3.

9 2. At the precinct meetings, the delegates and alternates to the
10 party's convention must be elected. If a meeting is not held for a
11 particular precinct at the location specified, that precinct must be
12 without representation at the county convention unless the meeting
13 was scheduled, with proper notice, and no registered voter of the
14 party appeared. In that case, the meeting shall be deemed to have
15 been held and the position of delegate is vacant. If a position of
16 delegate is vacant, it must be filled by the designated alternate, if
17 any. If there is no designated alternate, the vacancy must be filled
18 pursuant to the rules of the party, if the rules of the party so provide,
19 or, if the rules of the party do not so provide, the county central
20 committee shall appoint a delegate from among the qualified
21 members of the party residing in the precinct in which the vacancy
22 occurred, and the secretary of the county central committee shall
23 certify the appointed delegate to the county convention.

24 3. The county central committee shall prepare and number
25 serially a number of certificate forms equal to the total number of
26 delegates to be elected throughout the county, and deliver the
27 appropriate number to each precinct meeting. Each certificate
28 must be in duplicate. The original must be given to the elected
29 delegate, and the duplicate transmitted to the county central
30 committee.

31 4. All duplicates must be delivered to the chair of the
32 preliminary credentials committee of the county convention. Every
33 delegate who presents a certificate matching one of the duplicates
34 must be seated without dispute.

35 5. Each state central committee shall adopt written rules
36 governing, but not limited to, the following procedures:

37 (a) The selection, rights and duties of committees of a
38 convention;

39 (b) Challenges to credentials of delegates; and

40 (c) Majority and minority reports of committees.

41 **Sec. 6.** NRS 293.163 is hereby amended to read as follows:

42 293.163 1. In presidential election years, on the call of a
43 national party convention, but one set of party conventions and but
44 one state convention shall be held on such respective dates and at
45 such places as the state central committee of the party shall



1 designate. If no earlier dates are fixed, the state convention shall be
2 held 30 days before the date set for the national convention and the
3 county conventions shall be held 60 days before the date set for the
4 national convention.

5 2. Delegates to such conventions shall be selected in the same
6 manner as prescribed in NRS 293.130 to 293.160, inclusive, and
7 each convention shall have and exercise all of the power granted it
8 under NRS 293.130 to 293.160, inclusive. In addition to such
9 powers granted it, the state convention shall select the necessary
10 delegates and alternates to the national convention of the party and,
11 if consistent with the rules and regulations of the party, shall select
12 the national committeeman and committeewoman of the party
13 from the State of Nevada. *Any rule or regulation of the party*
14 *governing the election of delegates and alternates to the national*
15 *convention of the party, or directing the votes of delegates at the*
16 *national convention, must reasonably reflect the results of the*
17 *presidential preference primary election, if one has been held for*
18 *the party.*

19 **Sec. 7.** NRS 293.175 is hereby amended to read as follows:

20 293.175 1. The primary election must be held on the ~~second~~
21 ~~Tuesday in June~~ *last Tuesday in February* of each even-numbered
22 year.

23 2. ~~[Candidates]~~ *Except as otherwise provided in this*
24 *subsection, candidates* for partisan office of a major political party
25 and candidates for nonpartisan office must be nominated at the
26 primary election. *The provisions of this subsection do not apply to*
27 *candidates for nomination for President of the United States.*

28 3. Candidates for partisan office of a minor political party must
29 be nominated in the manner prescribed pursuant to NRS 293.171 to
30 293.174, inclusive.

31 4. Independent candidates for partisan office must be
32 nominated in the manner provided in NRS 293.200.

33 5. The provisions of NRS 293.175 to 293.203, inclusive:

34 (a) Apply to a special election to fill a vacancy, except to the
35 extent that compliance with the provisions is not possible because of
36 the time at which the vacancy occurred.

37 (b) Do not apply to the nomination of the officers of
38 incorporated cities.

39 (c) Do not apply to the nomination of district officers whose
40 nomination is otherwise provided for by statute.

41 **Sec. 8.** NRS 293.176 is hereby amended to read as follows:

42 293.176 1. Except as otherwise provided in subsection 2, no
43 person may be a candidate of a major political party for partisan
44 office in any election if the person has changed:



1 (a) The designation of his or her political party affiliation; or
 2 (b) His or her designation of political party from nonpartisan to
 3 a designation of a political party affiliation,
 4 ↪ on an application to register to vote in the State of Nevada or in
 5 any other state during the time beginning on ~~[December]~~ *August* 31
 6 preceding the closing filing date for that election and ending on the
 7 date of that election whether or not the person's previous
 8 registration was still effective at the time of the change in party
 9 designation.

10 2. The provisions of subsection 1 do not apply to any person
 11 who is a candidate of a political party that is not organized pursuant
 12 to NRS 293.171 on the ~~[December]~~ *August* 31 next preceding the
 13 closing filing date for the election.

14 **Sec. 9.** NRS 293.177 is hereby amended to read as follows:

15 293.177 1. Except as otherwise provided in NRS 293.165,
 16 *and section 34 of this act*, a name may not be printed on a ballot to
 17 be used at a primary election unless the person named has filed a
 18 declaration of candidacy or an acceptance of candidacy, and has
 19 paid the fee required by NRS 293.193 not earlier than:

20 (a) For a candidate for judicial office, the first Monday in
 21 ~~[January of the year in which the election is to be held]~~ *September*
 22 nor later than 5 p.m. on the second Friday after the first Monday in
 23 ~~[January;]~~ *September of the year preceding the primary election;*
 24 and

25 (b) For all other candidates, the first Monday in ~~[March of the~~
 26 ~~year in which the election is to be held]~~ *November* nor later than 5
 27 p.m. on the second Friday after the first Monday in ~~[March.]~~
 28 *November of the year preceding the primary election.*

29 2. A declaration of candidacy or an acceptance of candidacy
 30 required to be filed by this section must be in substantially the
 31 following form:

32 (a) For partisan office:

33
 34 DECLARATION OF CANDIDACY OF FOR THE
 35 OFFICE OF

36
 37 State of Nevada

38
 39 County of

40
 41 For the purpose of having my name placed on the official
 42 ballot as a candidate for the Party nomination for
 43 the office of, I, the undersigned, do swear or
 44 affirm under penalty of perjury that I actually, as opposed to
 45 constructively, reside at, in the City or Town



1 of, County of, State of Nevada; that my actual,
 2 as opposed to constructive, residence in the State, district,
 3 county, township, city or other area prescribed by law to
 4 which the office pertains began on a date at least 30 days
 5 immediately preceding the date of the close of filing of
 6 declarations of candidacy for this office; that my telephone
 7 number is, and the address at which I receive mail, if
 8 different than my residence, is; that I am registered as a
 9 member of the Party; that I am a qualified elector
 10 pursuant to Section 1 of Article 2 of the Constitution of the
 11 State of Nevada; that if I have ever been convicted of treason
 12 or a felony, my civil rights have been restored by a court of
 13 competent jurisdiction; that I have not, in violation of the
 14 provisions of NRS 293.176, changed the designation of my
 15 political party or political party affiliation on an official
 16 application to register to vote in any state since ~~December~~
 17 *August* 31 before the closing filing date for this election; that
 18 I generally believe in and intend to support the concepts
 19 found in the principles and policies of that political party in
 20 the coming election; that if nominated as a candidate of the
 21 Party at the ensuing election, I will accept that
 22 nomination and not withdraw; that I will not knowingly
 23 violate any election law or any law defining and prohibiting
 24 corrupt and fraudulent practices in campaigns and elections
 25 in this State; that I will qualify for the office if elected
 26 thereto, including, but not limited to, complying with any
 27 limitation prescribed by the Constitution and laws of this
 28 State concerning the number of years or terms for which a
 29 person may hold the office; and that I understand that my
 30 name will appear on all ballots as designated in this
 31 declaration.

32
 33
 34 (Designation of name)

35
 36
 37 (Signature of candidate for office)

38
 39 Subscribed and sworn to before me
 40 this day of the month of of the year

41
 42
 43 Notary Public or other person
 44 authorized to administer an oath



1 (b) For nonpartisan office:
2

3 DECLARATION OF CANDIDACY OF FOR THE
4 OFFICE OF

5
6 State of Nevada

7
8 County of
9

10 For the purpose of having my name placed on the official
11 ballot as a candidate for the office of, I, the
12 undersigned, do swear or affirm under penalty of
13 perjury that I actually, as opposed to constructively, reside at
14, in the City or Town of, County of,
15 State of Nevada; that my actual, as opposed to constructive,
16 residence in the State, district, county, township, city or other
17 area prescribed by law to which the office pertains began on a
18 date at least 30 days immediately preceding the date of the
19 close of filing of declarations of candidacy for this office; that
20 my telephone number is, and the address at which I
21 receive mail, if different than my residence, is; that I
22 am a qualified elector pursuant to Section 1 of Article 2 of the
23 Constitution of the State of Nevada; that if I have ever been
24 convicted of treason or a felony, my civil rights have been
25 restored by a court of competent jurisdiction; that if
26 nominated as a nonpartisan candidate at the ensuing
27 election, I will accept the nomination and not withdraw; that I
28 will not knowingly violate any election law or any law
29 defining and prohibiting corrupt and fraudulent practices in
30 campaigns and elections in this State; that I will qualify for
31 the office if elected thereto, including, but not limited to,
32 complying with any limitation prescribed by the Constitution
33 and laws of this State concerning the number of years
34 or terms for which a person may hold the office; and my
35 name will appear on all ballots as designated in this
36 declaration.
37

38
39 (Designation of name)

40
41 (Signature of candidate for office)
42



1 Subscribed and sworn to before me
2 this day of the month of of the year

3
4

5 Notary Public or other person
6 authorized to administer an oath
7

8 3. The address of a candidate which must be included in the
9 declaration of candidacy or acceptance of candidacy pursuant to
10 subsection 2 must be the street address of the residence where the
11 candidate actually, as opposed to constructively, resides in
12 accordance with NRS 281.050, if one has been assigned. The
13 declaration or acceptance of candidacy must not be accepted for
14 filing if:

15 (a) The candidate's address is listed as a post office box unless a
16 street address has not been assigned to his or her residence; or

17 (b) The candidate does not present to the filing officer:

18 (1) A valid driver's license or identification card issued by a
19 governmental agency that contains a photograph of the candidate
20 and the candidate's residential address; or

21 (2) A current utility bill, bank statement, paycheck, or
22 document issued by a governmental entity, including a check which
23 indicates the candidate's name and residential address, but not
24 including a voter registration card issued pursuant to NRS 293.517.

25 4. The filing officer shall retain a copy of the proof of identity
26 and residency provided by the candidate pursuant to paragraph (b)
27 of subsection 3. Such a copy:

28 (a) May not be withheld from the public; and

29 (b) Must not contain the social security number or driver's
30 license or identification card number of the candidate.

31 5. By filing the declaration or acceptance of candidacy, the
32 candidate shall be deemed to have appointed the filing officer for
33 the office as his or her agent for service of process for the purposes
34 of a proceeding pursuant to NRS 293.182. Service of such process
35 must first be attempted at the appropriate address as specified by the
36 candidate in the declaration or acceptance of candidacy. If the
37 candidate cannot be served at that address, service must be made by
38 personally delivering to and leaving with the filing officer duplicate
39 copies of the process. The filing officer shall immediately send, by
40 registered or certified mail, one of the copies to the candidate at the
41 specified address, unless the candidate has designated in writing to
42 the filing officer a different address for that purpose, in which case
43 the filing officer shall mail the copy to the last address so
44 designated.

—



1 6. If the filing officer receives credible evidence indicating that
2 a candidate has been convicted of a felony and has not had his or her
3 civil rights restored by a court of competent jurisdiction, the filing
4 officer:

5 (a) May conduct an investigation to determine whether the
6 candidate has been convicted of a felony and, if so, whether the
7 candidate has had his or her civil rights restored by a court of
8 competent jurisdiction; and

9 (b) Shall transmit the credible evidence and the findings from
10 such investigation to the Attorney General, if the filing officer is the
11 Secretary of State, or to the district attorney, if the filing officer is a
12 person other than the Secretary of State.

13 7. The receipt of information by the Attorney General or
14 district attorney pursuant to subsection 6 must be treated as a
15 challenge of a candidate pursuant to subsections 4 and 5 of NRS
16 293.182. If the ballots are printed before a court of competent
17 jurisdiction makes a determination that a candidate has been
18 convicted of a felony and has not had his or her civil rights restored
19 by a court of competent jurisdiction, the filing officer must post a
20 notice at each polling place where the candidate's name will appear
21 on the ballot informing the voters that the candidate is disqualified
22 from entering upon the duties of the office for which the candidate
23 filed the declaration of candidacy or acceptance of candidacy.

24 **Sec. 10.** NRS 293.180 is hereby amended to read as follows:

25 293.180 1. Ten or more registered voters may file a
26 certificate of candidacy designating any registered voter as a
27 candidate for:

28 (a) Their major political party's nomination for any partisan
29 elective office ~~[]~~ *other than President of the United States*, or as a
30 candidate for nomination for any nonpartisan office other than a
31 judicial office, not earlier than the first Monday in ~~[February of the~~
32 ~~year in which the election is to be held]~~ *October* nor later than
33 5 p.m. on the first Friday in ~~[March;]~~ *November of the year*
34 *preceding the year in which the election is to be held*; or

35 (b) Nomination for a judicial office, not earlier than the first
36 Monday in ~~[December of the year immediately preceding the year in~~
37 ~~which the election is to be held]~~ *August* nor later than 5 p.m. on the
38 first Friday in ~~[January]~~ *September* of the year *preceding the year* in
39 which the election is to be held.

40 2. When the certificate has been filed, the officer in whose
41 office it is filed shall notify the person named in the certificate. If
42 the person named in the certificate files an acceptance of candidacy
43 and pays the required fee, as provided by law, he or she is a
44 candidate in the primary election in like manner as if he or she had
45 filed a declaration of candidacy.



1 3. If a certificate of candidacy relates to a partisan office, all of
2 the signers must be of the same major political party as the
3 candidate designated.

4 **Sec. 11.** NRS 293.205 is hereby amended to read as follows:

5 293.205 1. Except as otherwise provided in NRS 293.208, on
6 or before the third Wednesday in ~~March of every even-numbered~~
7 *November of each odd-numbered* year, the county clerk shall
8 establish election precincts, define the boundaries thereof, abolish,
9 alter, consolidate and designate precincts as public convenience,
10 necessity and economy may require.

11 2. The boundaries of each election precinct must follow visible
12 ground features or extensions of visible ground features, except
13 where the boundary coincides with the official boundary of the State
14 or a county or city.

15 3. Election precincts must be composed only of contiguous
16 territory.

17 4. As used in this section, "visible ground feature" includes a
18 street, road, highway, river, stream, shoreline, drainage ditch,
19 railroad right-of-way or any other physical feature which is clearly
20 visible from the ground.

21 **Sec. 12.** NRS 293.206 is hereby amended to read as follows:

22 293.206 1. On or before the last day in ~~March of every even-~~
23 ~~numbered~~ *November of each odd-numbered* year, the county clerk
24 shall provide the Secretary of State and the Director of the
25 Legislative Counsel Bureau with a copy or electronic file of a map
26 showing the boundaries of all election precincts in the county.

27 2. If the Secretary of State determines that the boundaries of an
28 election precinct do not comply with the provisions of NRS
29 293.205, the Secretary of State must provide the county clerk with a
30 written statement of noncompliance setting forth the reasons the
31 precinct is not in compliance. Within 15 days after receiving the
32 notice of noncompliance, the county clerk shall make any
33 adjustments to the boundaries of the precinct which are required to
34 bring the precinct into compliance with the provisions of NRS
35 293.205 and shall submit a corrected copy or electronic file of the
36 precinct map to the Secretary of State and the Director of the
37 Legislative Counsel Bureau.

38 3. If the initial or corrected election precinct map is not filed as
39 required pursuant to this section or the county clerk fails to make the
40 necessary changes to the boundaries of an election precinct pursuant
41 to subsection 2, the Secretary of State may establish appropriate
42 precinct boundaries in compliance with the provisions of NRS
43 293.205 to 293.213, inclusive. If the Secretary of State revises the
44 map pursuant to this subsection, the Secretary of State shall submit a



1 copy or electronic file of the revised map to the Director of the
2 Legislative Counsel Bureau and the appropriate county clerk.

3 4. As used in this section, "electronic file" includes, without
4 limitation, an electronic data file of a geographic information
5 system.

6 **Sec. 13.** NRS 293.208 is hereby amended to read as follows:

7 293.208 1. Except as otherwise provided in subsections 2, 3
8 and 5 and in NRS 293.206, no election precinct may be created,
9 divided, abolished or consolidated, or the boundaries thereof
10 changed, during the period between the third Wednesday in ~~[March]~~
11 **November** of any year whose last digit is ~~{6}~~ 5 and the time when
12 the Legislature has been redistricted in a year whose last digit is 1,
13 unless the creation, division, abolishment or consolidation of the
14 precinct, or the change in boundaries thereof, is:

15 (a) Ordered by a court of competent jurisdiction;

16 (b) Required to meet objections to a precinct by the Attorney
17 General of the United States pursuant to the Voting Rights Act of
18 1965, 42 U.S.C. §§ 1971 and 1973 et seq., and any amendments
19 thereto;

20 (c) Required to comply with subsection 2 of NRS 293.205;

21 (d) Required by the incorporation of a new city; or

22 (e) Required by the creation of or change in the boundaries of a
23 special district.

24 ↪ As used in this subsection, "special district" means any general
25 improvement district or any other quasi-municipal corporation
26 organized under the local improvement and service district laws of
27 this State as enumerated in title 25 of NRS which is required by law
28 to hold elections or any fire protection district which is required by
29 law to hold elections.

30 2. If a city annexes an unincorporated area located in the same
31 county as the city and adjacent to the corporate boundary, the
32 annexed area may be included in an election precinct immediately
33 adjacent to it.

34 3. A new election precinct may be established at any time if it
35 lies entirely within the boundaries of any existing precinct.

36 4. If a change in the boundaries of an election precinct is made
37 pursuant to this section during the time specified in subsection 1, the
38 county clerk must:

39 (a) Within 15 days after the change to the boundary of a precinct
40 is established by the county clerk or ordered by a court, send to the
41 Director of the Legislative Counsel Bureau and the Secretary of
42 State a copy or electronic file of a map showing the new boundaries
43 of the precinct; and

44 (b) Maintain in his or her office an index providing the name of
45 the precinct and describing all changes which were made, including



1 any change in the name of the precinct and the name of any new
2 precinct created within the boundaries of an existing precinct.

3 5. Cities of population categories two and three are exempt
4 from the provisions of subsection 1.

5 6. As used in this section, "electronic file" includes, without
6 limitation, an electronic data file of a geographic information
7 system.

8 **Sec. 14.** NRS 293.209 is hereby amended to read as follows:

9 293.209 A political subdivision of this State shall not create,
10 divide, change the boundaries of, abolish or consolidate an election
11 district ~~[after]~~ *at any time during the period between* the first day of
12 filing by candidates ~~[during any year in which a]~~ *and the date of the*
13 general election or city general election ~~[is held]~~ for that election
14 district. This section does not prohibit a political subdivision from
15 annexing territory ~~[in a year in which a general election or city~~
16 ~~general election is held for that election district.]~~ *during that period.*

17 **Sec. 15.** NRS 293.260 is hereby amended to read as follows:

18 293.260 1. *Except as otherwise provided in subsection 2:*

19 (a) Where there is no contest of election for nomination to a
20 particular office, neither the title of the office nor the name of the
21 candidate may appear on the ballot.

22 ~~[2.]~~ (b) If more than one major political party has candidates for
23 a particular office, the persons who receive the highest number of
24 votes at the primary elections must be declared the nominees of
25 those parties for the office.

26 ~~[3.]~~ (c) If only one major political party has candidates for a
27 particular office and a minor political party has nominated a
28 candidate for the office or an independent candidate has filed for the
29 office, the candidate who receives the highest number of votes in
30 the primary election of the major political party must be declared the
31 nominee of that party and his or her name must be placed on the
32 general election ballot with the name of the nominee of the minor
33 political party for the office and the name of the independent
34 candidate who has filed for the office.

35 ~~[4.]~~ (d) If only one major political party has candidates for a
36 particular office and no minor political party has nominated a
37 candidate for the office and no independent candidate has filed for
38 the office:

39 ~~[(a)]~~ (1) If there are more candidates than twice the number to
40 be elected to the office, the names of the candidates must appear on
41 the ballot for a primary election. Except as otherwise provided in
42 this ~~[paragraph,]~~ *subparagraph*, the candidates of that party who
43 receive the highest number of votes in the primary election, not to
44 exceed twice the number to be elected to that office at the general
45 election, must be declared the nominees for the office. If only one



1 candidate is to be elected to the office and a candidate receives a
2 majority of the votes in the primary election for that office, that
3 candidate must be declared the nominee for that office and his or her
4 name must be placed on the ballot for the general election.

5 ~~[(b)]~~ (2) If there are no more than twice the number of
6 candidates to be elected to the office, the candidates must, without a
7 primary election, be declared the nominees for the office.

8 ~~[(5)]~~ (e) Where no more than the number of candidates to be
9 elected have filed for nomination for:

10 ~~[(a)]~~ (1) Any partisan office, the office of judge of the Court of
11 Appeals or the office of justice of the Supreme Court, the names of
12 those candidates must be omitted from all ballots for a primary
13 election and placed on all ballots for a general election;

14 ~~[(b)]~~ (2) Any nonpartisan office, other than the office of justice
15 of the Supreme Court, office of judge of the Court of Appeals or the
16 office of member of a town advisory board, the names of those
17 candidates must appear on the ballot for a primary election unless
18 the candidates were nominated pursuant to subsection 2 of NRS
19 293.165. If a candidate receives one or more votes at the primary
20 election, the candidate must be declared elected to the office and his
21 or her name must not be placed on the ballot for the general
22 election. If a candidate does not receive one or more votes at the
23 primary election, his or her name must be placed on the ballot for
24 the general election; and

25 ~~[(e)]~~ (3) The office of member of a town advisory board, the
26 candidate must be declared elected to the office and no election
27 must be held for that office.

28 ~~[(6)]~~ (f) If there are more candidates than twice the number to be
29 elected to a nonpartisan office, the names of the candidates must
30 appear on the ballot for a primary election. Those candidates who
31 receive the highest number of votes at that election, not to exceed
32 twice the number to be elected, must be declared nominees for the
33 office.

34 ***2. The provisions of subsection 1 do not apply to candidates***
35 ***for nomination for President of the United States.***

36 **Sec. 16.** NRS 293.3604 is hereby amended to read as follows:

37 293.3604 If ballots which are voted on a mechanical recording
38 device which directly records the votes electronically are used
39 during the period for early voting by personal appearance in an
40 election : ~~[other than a presidential preference primary election:]~~

41 1. At the close of each voting day, the election board shall:

42 (a) Prepare and sign a statement for the polling place. The
43 statement must include:

44 (1) The title of the election;

45 (2) The number of the precinct or voting district;



1 (3) The number which identifies the mechanical recording
2 device and the storage device required pursuant to NRS 293B.084;

3 (4) The number of ballots voted on the mechanical recording
4 device for that day; and

5 (5) The number of signatures in the roster for early voting for
6 that day.

7 (b) Secure:

8 (1) The ballots pursuant to the plan for security required by
9 NRS 293.3594; and

10 (2) Each mechanical voting device in the manner prescribed
11 by the Secretary of State pursuant to NRS 293.3594.

12 2. At the close of the last voting day, the county clerk shall
13 deliver to the ballot board for early voting:

14 (a) The statements for all polling places for early voting;

15 (b) The voting rosters used for early voting;

16 (c) The storage device required pursuant to NRS 293B.084 from
17 each mechanical recording device used during the period for early
18 voting; and

19 (d) Any other items as determined by the county clerk.

20 3. Upon receipt of the items set forth in subsection 2 at the
21 close of the last voting day, the ballot board for early voting shall:

22 (a) Sort the items by precinct or voting district;

23 (b) Count the number of ballots voted by precinct or voting
24 district;

25 (c) Account for all ballots on an official statement of ballots;
26 and

27 (d) Place the items in the container provided to transport those
28 items to the central counting place and seal the container with a
29 numbered seal. The official statement of ballots must accompany
30 the items to the central counting place.

31 **Sec. 17.** NRS 293.368 is hereby amended to read as follows:

32 293.368 1. Except as otherwise provided in subsection 4 of
33 NRS 293.165, if a candidate on the ballot at a primary election dies
34 after 5 p.m. of the second Tuesday in ~~[April,]~~ *December of the year*
35 *preceding the election*, the deceased candidate's name must remain
36 on the ballot and the votes cast for the deceased candidate must be
37 counted in determining the nomination for the office for which the
38 decedent was a candidate.

39 2. If the deceased candidate on the ballot at the primary
40 election receives the number of votes required to receive the
41 nomination to the office for which he or she was a candidate, except
42 as otherwise provided in subsection 2 of NRS 293.165, the deceased
43 candidate shall be deemed nominated and the vacancy in the
44 nomination must be filled as provided in NRS 293.165 or 293.166.



1 If the deceased person was a candidate for a nonpartisan office, the
2 nomination must be filled pursuant to subsection 2 of NRS 293.165.

3 3. Whenever a candidate whose name appears upon the ballot
4 at a general election dies after 5 p.m. on the fourth Friday in June of
5 the year in which the general election is held, the votes cast for the
6 deceased candidate must be counted in determining the results of the
7 election for the office for which the decedent was a candidate.

8 4. If the deceased candidate on the ballot at the general election
9 receives the majority of the votes cast for the office, the deceased
10 candidate shall be deemed elected and the office to which he or she
11 was elected shall be deemed vacant at the beginning of the term for
12 which he or she was elected. The vacancy thus created must be
13 filled in the same manner as if the candidate had died after taking
14 office for that term.

15 **Sec. 18.** NRS 293.387 is hereby amended to read as follows:

16 293.387 1. As soon as the returns from all the precincts and
17 districts in any county have been received by the board of county
18 commissioners, the board shall meet and canvass the returns. The
19 canvass must be completed on or before the sixth working day
20 following the election.

21 2. In making its canvass, the board shall:

22 (a) Note separately any clerical errors discovered; and

23 (b) Take account of the changes resulting from the discovery, so
24 that the result declared represents the true vote cast.

25 3. The county clerk shall, as soon as the result is declared,
26 enter upon the records of the board an abstract of the result, which
27 must contain the number of votes cast for each candidate. The
28 board, after making the abstract, shall cause the county clerk to
29 certify the abstract and, by an order made and entered in the minutes
30 of its proceedings, to make:

31 (a) A copy of the certified abstract; and

32 (b) A mechanized report of the abstract in compliance with
33 regulations adopted by the Secretary of State,

34 ➤ and transmit them to the Secretary of State not more than 7
35 working days after the election.

36 4. The Secretary of State shall, immediately after any primary
37 election, compile the returns for all candidates voted for in more
38 than one county. The Secretary of State shall make out and file in
39 his or her office an abstract thereof, and shall certify to the county
40 clerk of each county the name of each person nominated, and the
41 name of the office for which the person is nominated.

42 *5. The Secretary of State shall, immediately after any*
43 *presidential preference primary election, compile the returns for*
44 *all the candidates. The Secretary of State shall make out and file*
45 *in his or her office an abstract thereof, and shall certify to the*



1 *state central committee and, if necessary to comply with the rules*
2 *and regulations of the party, to the national committee of each*
3 *major political party for which a presidential preference primary*
4 *election was held, the number of votes received by each candidate.*

5 **Sec. 19.** NRS 293.400 is hereby amended to read as follows:

6 293.400 1. If, after the completion of the canvass of the
7 returns of any election, two or more persons receive an equal
8 number of votes, which is sufficient for the election of one or more
9 but fewer than all of them to the office, the person or persons
10 elected must be determined as follows:

11 (a) In a general election for a United States Senator,
12 Representative in Congress, state officer who is elected statewide or
13 by district, district judge, or district officer whose district includes
14 area in more than one county, the Legislature shall, by joint vote of
15 both houses, elect one of those persons to fill the office.

16 (b) In a primary election for a United States Senator,
17 Representative in Congress, state officer who is elected statewide or
18 by district, district judge, or district officer whose district includes
19 area in more than one county, the Secretary of State shall summon
20 the candidates, *or in the case of a presidential preference primary*
21 *election, the candidates or their representatives*, who have received
22 the tie votes to appear before the Secretary of State at a time and
23 place designated by the Secretary of State and the Secretary of State
24 shall determine the tie by lot. If the tie vote is for the office of
25 Secretary of State, the Governor shall perform these duties.

26 (c) For any office of a county, township, incorporated city, city
27 organized under a special charter where the charter is silent as to
28 determination of a tie vote, or district which is wholly located within
29 one county, the county clerk shall summon the candidates who have
30 received the tie votes to appear before the county clerk at a time and
31 place designated by the county clerk and determine the tie by lot. If
32 the tie vote is for the office of county clerk, the board of county
33 commissioners shall perform these duties.

34 2. The summons mentioned in this section must be mailed to
35 the address of the candidate as it appears upon the candidate's
36 declaration of candidacy at least 5 days before the day fixed for the
37 determination of the tie vote and must contain the time and place
38 where the determination will take place.

39 3. The right to a recount extends to all candidates in case of a
40 tie.

41 **Sec. 20.** NRS 293.407 is hereby amended to read as follows:

42 293.407 1. A candidate at any election, or any registered
43 voter of the appropriate political subdivision, may contest the
44 election of any candidate, except for the office of United States
45 Senator or Representative in Congress.



1 2. Except where the contest involves the general election for
2 the office of Governor, Lieutenant Governor, Assemblyman,
3 Assemblywoman, State Senator, justice of the Supreme Court or
4 judge of the Court of Appeals, a candidate or voter who wishes to
5 contest an election, including *a presidential preference primary*
6 *election or an* election to the office of presidential elector, must,
7 within the time prescribed in NRS 293.413, file with the clerk of the
8 district court a written statement of contest, setting forth:

9 (a) The name of the contestant and , *unless the contestant is a*
10 *candidate in a presidential preference primary election*, that the
11 contestant is a registered voter of the political subdivision in which
12 the election to be contested or part of it was held;

13 (b) The name of the defendant;

14 (c) The office to which the defendant was declared elected;

15 (d) The particular grounds of contest and the section of Nevada
16 Revised Statutes pursuant to which the statement is filed; and

17 (e) The date of the declaration of the result of the election and
18 the body or board which canvassed the returns thereof.

19 3. The contestant shall verify the statement of contest in the
20 manner provided for the verification of pleadings in civil actions.

21 4. All material regarding a contest filed by a contestant with
22 the clerk of the district court must be filed in triplicate.

23 **Sec. 21.** NRS 293.417 is hereby amended to read as follows:

24 293.417 1. If, in any contest, the court finds from the
25 evidence that a person other than the defendant received the greatest
26 number of legal votes, the court, as a part of the judgment, shall
27 declare that person elected or nominated.

28 2. The person declared nominated or elected by the court is
29 entitled to a certificate of nomination or election. If a certificate has
30 not been issued to that person, the county clerk, city clerk or
31 Secretary of State shall execute and deliver to the person a
32 certificate of election or a certificate of nomination.

33 3. If a certificate of election or nomination to the same office
34 has been issued to any person other than the one declared elected by
35 the court, that certificate must be annulled by the judgment of the
36 court.

37 4. Whenever an election is annulled or set aside by the court,
38 and the court does not declare some candidate elected, the certificate
39 of election or the commission, if any has been issued, is void and the
40 office is vacant.

41 5. *In a contest over a presidential preference primary*
42 *election, the Secretary of State shall correct, in accordance with*
43 *the judgment of the court, any certification previously issued*
44 *pursuant to subsection 5 of NRS 293.387. If such a certification*



1 *has not been issued, the Secretary of State shall issue the*
2 *certification in accordance with the judgment.*

3 **Sec. 22.** NRS 293.481 is hereby amended to read as follows:

4 293.481 1. Except as otherwise provided in subsection 3,
5 every governing body of a political subdivision, public or quasi-
6 public corporation, or other local agency authorized by law to
7 submit questions to the qualified electors or registered voters of a
8 designated territory, when the governing body decides to submit a
9 question:

10 (a) At a general election, shall provide to each county clerk
11 within the designated territory on or before the third Monday in July
12 preceding the election:

13 (1) A copy of the question, including an explanation of the
14 question; and

15 (2) A description of the anticipated financial effect on the
16 local government which, if the question is an advisory question that
17 proposes a bond, tax, fee or expense, must be prepared in
18 accordance with subsection 4 of NRS 295.230.

19 (b) At a primary election, shall provide to each county clerk
20 within the designated territory on or before the second Friday after
21 the first Monday in ~~March~~ *November of the year* preceding the
22 election:

23 (1) A copy of the question, including an explanation of the
24 question; and

25 (2) A description of the anticipated financial effect on the
26 local government which, if the question is an advisory question that
27 proposes a bond, tax, fee or expense, must be prepared in
28 accordance with subsection 4 of NRS 295.230.

29 (c) At any election other than a primary or general election at
30 which the county clerk gives notice of the election or otherwise
31 performs duties in connection therewith other than the registration
32 of electors and the making of records of registered voters available
33 for the election, shall provide to each county clerk at least 60 days
34 before the election:

35 (1) A copy of the question, including an explanation of the
36 question; and

37 (2) A description of the anticipated financial effect on the
38 local government which, if the question is an advisory question that
39 proposes a bond, tax, fee or expense, must be prepared in
40 accordance with subsection 4 of NRS 295.230.

41 (d) At any city election at which the city clerk gives notice of
42 the election or otherwise performs duties in connection therewith,
43 shall provide to the city clerk at least 60 days before the election:

44 (1) A copy of the question, including an explanation of the
45 question; and



1 (2) A description of the anticipated financial effect on the
2 local government which, if the question is an advisory question that
3 proposes a bond, tax, fee or expense, must be prepared in
4 accordance with subsection 4 of NRS 295.230.

5 2. An explanation of a question required to be provided to a
6 county clerk pursuant to subsection 1 must be written in easily
7 understood language and include a digest. The digest must include a
8 concise and clear summary of any existing laws directly related to
9 the measure proposed by the question and a summary of how the
10 measure proposed by the question adds to, changes or repeals such
11 existing laws. For a measure that creates, generates, increases or
12 decreases any public revenue in any form, the first paragraph of the
13 digest must include a statement that the measure creates, generates,
14 increases or decreases, as applicable, public revenue.

15 3. A question may be submitted after the dates specified in
16 subsection 1 if the question is expressly privileged or required to be
17 submitted pursuant to the provisions of Article 19 of the
18 Constitution of the State of Nevada, or pursuant to the provisions of
19 chapter 295 of NRS or any other statute except NRS 295.230,
20 354.59817, 354.5982, 387.3285 or 387.3287 or any statute that
21 authorizes the governing body to issue bonds upon the approval of
22 the voters.

23 4. A question that is submitted pursuant to subsection 1 may be
24 withdrawn if the governing body provides notification to each of the
25 county or city clerks within the designated territory of its decision to
26 withdraw the particular question on or before the same dates
27 specified for submission pursuant to paragraph (a), (b), (c) or (d) of
28 subsection 1, as appropriate.

29 5. A county or city clerk:

30 (a) Shall assign a unique identification number to a question
31 submitted pursuant to this section; and

32 (b) May charge any political subdivision, public or quasi-public
33 corporation, or other local agency which submits a question a
34 reasonable fee sufficient to pay for the increased costs incurred in
35 including the question, explanation, arguments and description of
36 the anticipated financial effect on the ballot.

37 **Sec. 23.** NRS 293B.354 is hereby amended to read as follows:

38 293B.354 1. The county clerk shall, not later than ~~April~~
39 *December* 15 of ~~each~~ *the* year *preceding the year* in which a
40 general election is held, submit to the Secretary of State for approval
41 a written plan for the accommodation of members of the general
42 public who observe the delivery, counting, handling and processing
43 of ballots at a polling place, receiving center or central counting
44 place.



1 2. The city clerk shall, not later than January 1 of each year in
2 which a general city election is held, submit to the Secretary of State
3 for approval a written plan for the accommodation of members of
4 the general public who observe the delivery, counting, handling and
5 processing of the ballots at a polling place, receiving center or
6 central counting place.

7 3. Each plan must include:

8 (a) The location of the central counting place and of each polling
9 place and receiving center;

10 (b) A procedure for the establishment of areas within each
11 polling place and receiving center and the central counting place
12 from which members of the general public may observe the
13 activities set forth in subsections 1 and 2;

14 (c) The requirements concerning the conduct of the members of
15 the general public who observe the activities set forth in subsections
16 1 and 2; and

17 (d) Any other provisions relating to the accommodation of
18 members of the general public who observe the activities set forth in
19 subsections 1 and 2 which the county or city clerk considers
20 appropriate.

21 **Sec. 24.** NRS 293C.3604 is hereby amended to read as
22 follows:

23 293C.3604 If ballots which are voted on a mechanical
24 recording device which directly records the votes electronically are
25 used during the period for early voting by personal appearance in an
26 election : ~~other than a presidential preference primary election;~~

27 1. At the close of each voting day, the election board shall:

28 (a) Prepare and sign a statement for the polling place. The
29 statement must include:

30 (1) The title of the election;

31 (2) The number of the precinct or voting district;

32 (3) The number which identifies the mechanical recording
33 device and the storage device required pursuant to NRS 293B.084;

34 (4) The number of ballots voted on the mechanical recording
35 device for that day; and

36 (5) The number of signatures in the roster for early voting for
37 that day.

38 (b) Secure:

39 (1) The ballots pursuant to the plan for security required by
40 NRS 293C.3594; and

41 (2) Each mechanical voting device in the manner prescribed
42 by the Secretary of State pursuant to NRS 293C.3594.

43 2. At the close of the last voting day, the city clerk shall deliver
44 to the ballot board for early voting:

45 (a) The statements for all polling places for early voting;



- 1 (b) The voting rosters used for early voting;
- 2 (c) The storage device required pursuant to NRS 293B.084 from
- 3 each mechanical recording device used during the period for early
- 4 voting; and

5 (d) Any other items as determined by the city clerk.

6 3. Upon receipt of the items set forth in subsection 2 at the

7 close of the last voting day, the ballot board for early voting shall:

8 (a) Sort the items by precinct or voting district;

9 (b) Count the number of ballots voted by precinct or voting

10 district;

11 (c) Account for all ballots on an official statement of ballots;

12 and

13 (d) Place the items in the container provided to transport those

14 items to the central counting place and seal the container with a

15 number seal. The official statement of ballots must accompany the

16 items to the central counting place.

17 **Sec. 25.** (Deleted by amendment.)

18 **Sec. 26.** (Deleted by amendment.)

19 **Sec. 27.** (Deleted by amendment.)

20 **Sec. 28.** (Deleted by amendment.)

21 **Sec. 29.** (Deleted by amendment.)

22 **Sec. 30.** (Deleted by amendment.)

23 **Sec. 31.** Chapter 298 of NRS is hereby amended by adding

24 thereto the provisions set forth as sections 32 to 38, inclusive, of this

25 act.

26 **Sec. 32.** *Except as otherwise provided in sections 32 to 38,*

27 *inclusive, of this act or other specific statute, the provisions of*

28 *chapters 293 and 293B of NRS relating to a primary election also*

29 *govern a presidential preference primary election.*

30 **Sec. 33.** *1. If a major political party does not desire to*

31 *participate in a presidential preference primary election, the chair*

32 *of the national committee of the party must so notify the Secretary*

33 *of State in writing. Except as otherwise provided in this*

34 *subsection, the notice must be given by certified mail and must*

35 *be received by the Secretary of State not later than 5 p.m. on*

36 *October 25 of the year preceding a presidential election year. If*

37 *October 25 is not a business day, the notice must be received by*

38 *the Secretary of State not later than 5 p.m. of the business day*

39 *immediately preceding October 25. Any such notice may be*

40 *rescinded by a contrary notice given in the manner required by*

41 *this subsection and more than one notice may be given, but the*

42 *notice last received by the Secretary of State before the deadline*

43 *established by this subsection shall be deemed to be the operative*

44 *notice for the purposes of this section.*



1 2. *If the Secretary of State does not receive a timely notice*
2 *pursuant to subsection 1 that a major political party does not*
3 *desire to participate in a presidential preference primary election*
4 *and:*

5 (a) *More than one candidate of that party files a declaration of*
6 *candidacy pursuant to section 34 of this act, a presidential*
7 *preference primary election for that party must be held in*
8 *conjunction with the primary election held pursuant to*
9 *NRS 293.175.*

10 (b) *Only one candidate of that party files a declaration of*
11 *candidacy pursuant to section 34 of this act, a presidential*
12 *preference primary election for that party must not be held and*
13 *that candidate must be certified by the Secretary of State in the*
14 *manner provided in subsection 5 of NRS 293.387.*

15 **Sec. 34.** *1. A person who wishes to be a candidate for*
16 *nomination for President of the United States for a major political*
17 *party must, not earlier than November 1 and not later than 5 p.m.*
18 *on November 15 of the year preceding a presidential election year,*
19 *file with the Secretary of State a declaration of candidacy in the*
20 *form prescribed by the Secretary of State.*

21 2. *A person who files a declaration of candidacy pursuant to*
22 *this section is not required to file a declaration of candidacy or an*
23 *acceptance of candidacy pursuant to NRS 293.177.*

24 **Sec. 35.** *The Secretary of State shall include in the certified*
25 *list forwarded to each county clerk pursuant to NRS 293.187 the*
26 *name and mailing address of each person whose name must*
27 *appear on the primary ballot for the presidential preference*
28 *primary election.*

29 **Sec. 36.** *1. The names of the candidates for nomination for*
30 *President of the United States for each major political party for*
31 *which a presidential preference primary election is held must be*
32 *printed on the primary ballot for the election.*

33 2. *Each voter registered with a party for which a presidential*
34 *preference primary election is held may vote for one person to be*
35 *the nominee for President of the United States for that party.*

36 **Sec. 37.** *If a presidential preference primary election is held*
37 *pursuant to sections 32 to 38, inclusive, of this act, the cost of the*
38 *election is a charge against the State and must be paid from the*
39 *Reserve for Statutory Contingency Account upon recommendation*
40 *by the Secretary of State and approval by the State Board of*
41 *Examiners.*

42 **Sec. 38.** *The Secretary of State may adopt regulations to*
43 *carry out the provisions of sections 32 to 38, inclusive, of this act.*



1 **Sec. 39.** NRS 218A.635 is hereby amended to read as follows:
2 218A.635 1. Except as otherwise provided in subsections 2
3 and 4, for each day or portion of a day during which a Legislator
4 attends a presession orientation conference, a training session
5 conducted pursuant to NRS 218A.285 or a conference, meeting,
6 seminar or other gathering at which the Legislator officially
7 represents the State of Nevada or its Legislature, the Legislator is
8 entitled to receive:

9 (a) The compensation provided for a majority of the Legislators
10 during the first 60 days of the preceding regular session;

11 (b) The per diem allowance provided for state officers and
12 employees generally; and

13 (c) The travel expenses provided pursuant to NRS 218A.655.

14 2. A nonreturning Legislator must not be paid the
15 compensation or per diem allowance and travel expenses provided
16 in subsection 1 for attendance at a conference, meeting, seminar or
17 other gathering unless:

18 (a) It is conducted by a statutory committee or a legislative
19 committee and the Legislator is a member of that committee; or

20 (b) The Majority Leader of the Senate or Speaker of the
21 Assembly designates the Legislator to attend because of the
22 Legislator's knowledge or expertise.

23 3. For the purposes of this section, "nonreturning Legislator"
24 means a Legislator who : ~~[, in the year that the Legislator's term of~~
25 ~~office expires:]~~

26 (a) *In the year preceding the year in which his or her term*
27 *expires:*

28 (1) Has not filed a declaration or an acceptance of candidacy
29 within the time allowed for filing for election as a member of the
30 Senate or the Assembly; *or*

31 (2) *Has withdrawn as a candidate for the Senate or the*
32 *Assembly; or*

33 (b) ~~[Has]~~ *In the year in which his or her term expires, has*
34 *failed to win nomination as a candidate for the Senate or the*
35 *Assembly at the primary election . ~~[-or~~*

36 ~~—(c) Has withdrawn as a candidate for the Senate or the~~
37 ~~Assembly.]~~

38 4. This section does not apply:

39 (a) During a regular or special session; or

40 (b) To any Legislator who is otherwise entitled to receive a
41 salary and the per diem allowance and travel expenses.

42 **Sec. 40.** NRS 218D.150 is hereby amended to read as follows:
43 218D.150 1. Except as otherwise provided in this section,
44 each:



1 (a) Incumbent member of the Assembly may request the
2 drafting of:

3 (1) Not more than 4 legislative measures submitted to the
4 Legislative Counsel on or before August 1 preceding a regular
5 session;

6 (2) Not more than 5 legislative measures submitted to the
7 Legislative Counsel after August 1 but on or before December 10
8 preceding a regular session; and

9 (3) Not more than 1 legislative measure submitted to the
10 Legislative Counsel after a regular session has convened but on or
11 before the eighth day of the regular session at 5 p.m.

12 (b) Incumbent member of the Senate may request the drafting
13 of:

14 (1) Not more than 8 legislative measures submitted to the
15 Legislative Counsel on or before August 1 preceding a regular
16 session;

17 (2) Not more than 10 legislative measures submitted to the
18 Legislative Counsel after August 1 but on or before December 10
19 preceding a regular session; and

20 (3) Not more than 2 legislative measures submitted to the
21 Legislative Counsel after a regular session has convened but on or
22 before the eighth day of the regular session at 5 p.m.

23 (c) Newly elected member of the Assembly may request the
24 drafting of:

25 (1) Not more than 5 legislative measures submitted to the
26 Legislative Counsel on or before December 10 preceding a regular
27 session; and

28 (2) Not more than 1 legislative measure submitted to the
29 Legislative Counsel after a regular session has convened but on or
30 before the eighth day of the regular session at 5 p.m.

31 (d) Newly elected member of the Senate may request the
32 drafting of:

33 (1) Not more than 10 legislative measures submitted to the
34 Legislative Counsel on or before December 10 preceding a regular
35 session; and

36 (2) Not more than 2 legislative measures submitted to the
37 Legislative Counsel after a regular session has convened but on or
38 before the eighth day of the regular session at 5 p.m.

39 2. A Legislator may not request the drafting of a legislative
40 measure pursuant to subsection 1 on or after the date on which the
41 Legislator becomes a nonreturning Legislator. For the purposes of
42 this subsection, "nonreturning Legislator" means a Legislator who :
43 ~~[, in the year that the Legislator's term of office expires:]~~

44 (a) *In the year preceding the year in which his or her term*
45 *expires:*



1 (1) Has not filed a declaration or an acceptance of candidacy
2 within the time allowed for filing for election as a member of the
3 Senate or the Assembly; *or*

4 (2) *Has withdrawn as a candidate for the Senate or the*
5 *Assembly; or*

6 (b) ~~[Has]~~ *In the year in which his or her term expires, has*
7 *failed to win nomination as a candidate for the Senate or the*
8 *Assembly at the primary election. ~~;~~ ~~or~~*

9 ~~*—(c) Has withdrawn as a candidate for the Senate or the*~~
10 ~~*Assembly.]*~~

11 3. A Legislator may not request the drafting of a legislative
12 measure pursuant to paragraph (a) or (b) of subsection 1 on or after
13 the date on which the Legislator files a declaration or an acceptance
14 of candidacy for election to the House in which he or she is not
15 currently a member. If the Legislator is elected to the other House,
16 any request that he or she submitted pursuant to paragraph (a) or (b)
17 of subsection 1 before filing his or her declaration or acceptance of
18 candidacy for election counts against the applicable limitation set
19 forth in paragraph (c) or (d) of subsection 1 for the House in which
20 the Legislator is a newly elected member.

21 4. If a request made pursuant to subsection 1 is submitted:

22 (a) On or before August 1 preceding a regular session, sufficient
23 detail to allow complete drafting of the legislative measure must be
24 submitted on or before November 1 preceding the regular session.

25 (b) After August 1 but on or before December 10 preceding a
26 regular session, sufficient detail to allow complete drafting of the
27 legislative measure must be submitted on or before January 1
28 preceding the regular session.

29 (c) After a regular session has convened but on or before the 8th
30 day of the regular session at 5 p.m., sufficient detail to allow
31 complete drafting of the legislative measure must be submitted on or
32 before the 15th day of the regular session.

33 5. In addition to the number of requests authorized pursuant to
34 subsection 1:

35 (a) The chair of each standing committee of the immediately
36 preceding regular session, or a person designated in the place of the
37 chair by the Speaker of the Assembly or the Majority Leader of the
38 Senate, may request before the date of the general election
39 preceding a regular session the drafting of not more than 1
40 legislative measure for introduction by the committee in a subject
41 within the jurisdiction of the committee for every 18 legislative
42 measures that were referred to the respective standing committee
43 during the immediately preceding regular session.

44 (b) A person designated after the general election as a chair of a
45 standing committee for the next regular session, or a person



1 designated in the place of a chair by the person designated as the
2 Speaker of the Assembly or the Majority Leader of the Senate for
3 the next regular session, may request on or before December 10
4 preceding that regular session the drafting of the remaining number
5 of the legislative measures allowed for the respective standing
6 committee that were not requested by the previous chair or designee.

7 6. If a request made pursuant to subsection 5 is submitted:

8 (a) Before the date of the general election preceding a regular
9 session, sufficient detail to allow complete drafting of the legislative
10 measure must be submitted on or before December 10 preceding the
11 regular session.

12 (b) After the date of the general election but on or before
13 December 10 preceding a regular session, sufficient detail to allow
14 complete drafting of the legislative measure must be submitted on or
15 before January 1 preceding the regular session.

16 7. Each request made pursuant to this section must be on a
17 form prescribed by the Legislative Counsel.

18 **Sec. 41.** NRS 281.561 is hereby amended to read as follows:

19 281.561 1. Except as otherwise provided in subsections 2 and
20 3 and NRS 281.572, each candidate for public office who will be
21 entitled to receive annual compensation of \$6,000 or more for
22 serving in the office that the candidate is seeking, each candidate for
23 the office of Legislator and, except as otherwise provided in
24 subsection 3, each public officer who was elected to the office for
25 which the public officer is serving shall file electronically with the
26 Secretary of State a statement of financial disclosure, as follows:

27 (a) ~~[A]~~ *Except as otherwise provided in paragraph (b), a*
28 candidate for nomination, election or reelection to public office shall
29 file a statement of financial disclosure no later than the 10th day
30 after the last day to qualify as a candidate for the office. The
31 statement must disclose the required information for the full
32 calendar year immediately preceding the date of filing and for the
33 period between January 1 of the year in which the election for
34 the office will be held and the last day to qualify as a candidate for
35 the office. The filing of a statement of financial disclosure for a
36 portion of a calendar year pursuant to this paragraph does not relieve
37 the candidate of the requirement of filing a statement of financial
38 disclosure for the full calendar year pursuant to paragraph ~~[(b)]~~ (c)
39 in the immediately succeeding year, if the candidate is elected to the
40 office.

41 (b) *If the last day to qualify as a candidate for nomination,*
42 *election or reelection to public office is established by NRS*
43 *293.177 for a candidate, the candidate shall file a statement of*
44 *financial disclosure on or after January 1 and on or before*
45 *January 15 of the year in which the election for the office will be*



1 *held. The statement must disclose the required information for the*
2 *full calendar year immediately preceding the date of filing.*

3 (c) Each public officer shall file a statement of financial
4 disclosure on or before January 15 of:

5 (1) Each year of the term, including the year in which the
6 public officer leaves office; and

7 (2) The year immediately following the year in which the
8 public officer leaves office, unless the public officer leaves office
9 before January 15 in the prior year.

10 ↪ The statement must disclose the required information for the full
11 calendar year immediately preceding the date of filing.

12 2. Except as otherwise provided in this subsection, if a
13 candidate for public office is serving in a public office for which the
14 candidate is required to file a statement pursuant to paragraph ~~[(b)]~~
15 (c) of subsection 1 or subsection 1 of NRS 281.559, the candidate
16 need not file the statement required by subsection 1 for the full
17 calendar year for which the candidate previously filed a statement.
18 The provisions of this subsection do not relieve the candidate of the
19 requirement pursuant to paragraph (a) of subsection 1 to file a
20 statement of financial disclosure for the period between January 1 of
21 the year in which the election for the office will be held and the last
22 day to qualify as a candidate for the office.

23 3. A person elected pursuant to NRS 548.285 to the office of
24 supervisor of a conservation district is not required to file a
25 statement of financial disclosure relative to that office pursuant to
26 subsection 1.

27 4. A candidate for judicial office or a judicial officer shall file a
28 statement of financial disclosure pursuant to the requirements ~~of~~
29 ~~Canon 4H~~ of the Nevada Code of Judicial Conduct. Such a
30 statement of financial disclosure must include, without limitation,
31 all information required to be included in a statement of financial
32 disclosure pursuant to NRS 281.571.

33 5. A statement of financial disclosure shall be deemed to be
34 filed on the date that it was received by the Secretary of State.

35 6. Except as otherwise provided in NRS 281.572, the Secretary
36 of State shall provide access through a secure website to the
37 statement of financial disclosure to each person who is required to
38 file the statement with the Secretary of State pursuant to this section.

39 7. The Secretary of State may adopt regulations necessary to
40 carry out the provisions of this section.

41 **Sec. 42.** NRS 353.264 is hereby amended to read as follows:

42 353.264 1. The Reserve for Statutory Contingency Account
43 is hereby created in the State General Fund.



1 2. The State Board of Examiners shall administer the Reserve
2 for Statutory Contingency Account. The money in the Account must
3 be expended only for:

4 (a) The payment of claims which are obligations of the State
5 pursuant to NRS 41.03435, 41.0347, 62I.025, 176.485, 179.310,
6 212.040, 212.050, 212.070, 281.174, 282.290, 282.315, 288.203,
7 293.253, 293.405, 353.120, 353.262, 412.154 and 475.235 **+** and
8 *section 37 of this act*;

9 (b) The payment of claims which are obligations of the State
10 pursuant to:

11 (1) Chapter 472 of NRS arising from operations of the
12 Division of Forestry of the State Department of Conservation and
13 Natural Resources directly involving the protection of life and
14 property; and

15 (2) NRS 7.155, 34.750, 176A.640, 179.225 and 213.153,
16 ↪ except that claims may be approved for the respective purposes
17 listed in this paragraph only when the money otherwise appropriated
18 for those purposes has been exhausted;

19 (c) The payment of claims which are obligations of the State
20 pursuant to NRS 41.0349 and 41.037, but only to the extent that the
21 money in the Fund for Insurance Premiums is insufficient to pay the
22 claims; and

23 (d) The payment of claims which are obligations of the State
24 pursuant to NRS 535.030 arising from remedial actions taken by the
25 State Engineer when the condition of a dam becomes dangerous to
26 the safety of life or property.

27 3. The State Board of Examiners may authorize its Clerk or a
28 person designated by the Clerk, under such circumstances as it
29 deems appropriate, to approve, on behalf of the Board, the payment
30 of claims from the Reserve for Statutory Contingency Account. For
31 the purpose of exercising any authority granted to the Clerk of the
32 State Board of Examiners or to the person designated by the Clerk
33 pursuant to this subsection, any statutory reference to the State
34 Board of Examiners relating to such a claim shall be deemed to refer
35 to the Clerk of the Board or the person designated by the Clerk.

36 **Sec. 43.** Section 1.060 of the Charter of Carson City, being
37 chapter 213, Statutes of Nevada 1969, as last amended by chapter
38 313, Statutes of Nevada 1983, at page 756, is hereby amended to
39 read as follows:

40 Sec. 1.060 Wards: Creation; boundaries.

41 1. Carson City must be divided into four wards, which
42 must be as nearly equal in population as can be conveniently
43 provided, and the territory comprising each ward must be
44 contiguous.



1 2. The boundaries of wards must be established and
2 realigned, if necessary, by ordinance, passed by a vote of at
3 least three-fifths of the Board of Supervisors.

4 3. The Board shall realign any such boundaries on or
5 before ~~January 1~~ *October 31 of the year* preceding the next
6 general election at which Supervisors are to be elected, if
7 reliable evidence indicates that the population in any ward
8 exceeds the population in any other ward by more than 5
9 percent. In any case, the Board shall reconsider the
10 boundaries of the wards upon the receipt of the necessary
11 information from the preceding national decennial census
12 conducted by the Bureau of the Census of the United States
13 Department of Commerce.

14 **Sec. 44.** The Secretary of State shall adopt such regulations
15 and prescribe such forms as are required by or necessary to carry out
16 the provisions of:

17 1. Paragraph (b) of subsection 1 of NRS 293.180, as amended
18 by section 10 of this act, so that the regulations and forms are
19 effective and available for distribution and use on or before
20 August 1, 2015.

21 2. NRS 293.177, as amended by section 9 of this act, so that
22 the regulations and forms are effective and available for distribution
23 and use on or before September 1, 2015.

24 3. Paragraph (a) of subsection 1 of NRS 293.180, as amended
25 by section 10 of this act, so that the regulations and forms
26 are effective and available for distribution and use on or before
27 October 1, 2015.

28 4. Sections 1 to 8, inclusive, 11 to 30, inclusive, and 41 of this
29 act so that the regulations and forms are effective and available for
30 distribution and use on or before November 1, 2015.

31 5. Sections 32 to 38, inclusive, of this act so that the
32 regulations and forms are effective and available for distribution and
33 use on or before July 1, 2017.

34 **Sec. 45.** This act becomes effective:

35 1. Upon passage and approval for the purpose of adopting
36 regulations and prescribing forms; and

37 2. On July 1, 2015, for all other purposes.

