

SENATE BILL NO. 103—SENATOR SETTELMEYER

PREFILED FEBRUARY 7, 2017

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing elections. (BDR 24-521)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: Yes.

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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 elections; revising the primary election system for partisan offices; revising methods for filling a vacancy in a nomination for a partisan office; providing that a person may become a candidate for a partisan office at a primary election regardless of political affiliation; authorizing a voter, regardless of political affiliation, to cast a ballot for any candidate for a partisan office in a primary election; providing that the two candidates at a primary election for a partisan office who receive the highest number of votes must be declared nominees and have their names placed on the ballot for the general election; requiring candidates to designate a political party preference or lack thereof on a declaration of candidacy; requiring ballots and voter information to include information relating to the designation of a political party preference by a candidate; eliminating certain grounds for challenging a person who is applying to vote; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Under existing law, major party candidates for partisan office are nominated at
- 2 a primary election. (NRS 293.175) Any person who files a declaration or
- 3 acceptance of candidacy and pays a required filing fee may be named on a primary
- 4 election ballot as a major party candidate for a partisan office. (NRS 293.177) The
- 5 names of candidates for a partisan office of a minor political party do not appear on
- 6 the ballot at a primary election. Instead, if the minor political party has qualified as
- 7 such, either by receiving a certain percentage of voters at the preceding election or



8 by collecting a certain number of signatures, the party can name one candidate for
9 each partisan office, and the name of each such candidate must appear on the
10 general election ballot. (NRS 293.1715) The names of independent candidates for a
11 partisan office also do not appear on the ballot at a primary election. Instead, a
12 person wishing to run as an independent candidate can be named as such on the
13 general election ballot if he or she files a petition with a certain number of
14 signatures. (NRS 293.200)

15 This bill changes the nominating process for partisan offices to create a
16 modified nonpartisan "blanket" primary system in which the names of all
17 candidates appear on the primary election ballot and any registered voter may vote
18 for any candidate, regardless of affiliation with a political party. **Section 11** of this
19 bill provides that a person may become a candidate for partisan office at a primary
20 election regardless of the person's affiliation with a political party or lack thereof.
21 **Section 18** of this bill provides that a registered voter, regardless of the voter's
22 affiliation with a political party, may vote for any candidate in a primary election.
23 Under **section 19** of this bill, the two candidates who receive the highest number of
24 votes in the primary election are declared the nominees, and their names are placed
25 on the general election ballot. **Sections 1-4, 6-10, 13, 14, 16, 27-34 and 36-43** of
26 this bill make conforming changes.

27 When filing a declaration or acceptance of candidacy, **section 12** of this bill
28 provides that the candidate must include the political party he or she prefers or that
29 he or she has no political preference. **Sections 20 and 21** of this bill require that the
30 political party preference, or the lack thereof, of the candidate appear on the ballots
31 for the primary and general elections and on sample ballots, along with a disclaimer
32 notifying voters that the designation of a political party preference does not mean
33 that the candidate is nominated or endorsed by that political party or that the party
34 approves of or associates with the candidate. Further, **section 17** of this bill directs
35 the Secretary of State to prescribe methods of voter education to ensure that voters
36 are aware of the meaning of the designation of a political party preference on the
37 ballot for a primary or general election by a candidate for a partisan office. **Sections**
38 **15 and 26** of this bill make conforming changes.

39 Under existing law, certain vacancies in a major or minor political party
40 nomination for a partisan office may be filled by a candidate designated by certain
41 members of the major or minor party. (NRS 293.165) **Section 5** of this bill provides
42 that if a vacancy occurs in a nomination for a partisan office after the primary
43 election but before the deadline for changing the ballot for the general election, the
44 vacancy must be filled by the person receiving the next highest vote for the
45 nomination. If there are no other persons who ran in the primary, the vacancy may
46 be filled by a person who files a declaration or acceptance of candidacy by the
47 required deadline or if no person files such a declaration or acceptance, a vacancy
48 in the office will exist after the election occurs. **Sections 25 and 35** of this bill
49 make conforming changes.

50 Existing law provides that a person applying to vote may be challenged on a
51 number of grounds including that the person does not belong to the political party
52 designated on the roster or the political party of the person is not designated on the
53 roster. (NRS 293.287) **Section 22** of this bill eliminates a challenge based on the
54 political party affiliation of a voter. **Sections 23 and 24** of this bill make
55 conforming changes.



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

1 **Section 1.** NRS 293.127565 is hereby amended to read as
2 follows:

3 293.127565 1. At each building that is open to the general
4 public and occupied by the government of this State or a political
5 subdivision of this State or an agency thereof, other than a building
6 of a public elementary or secondary school, an area must be
7 designated for the use of any person to gather signatures on a
8 petition at any time that the building is open to the public. The area
9 must be reasonable and may be inside or outside of the building.
10 Each public officer or employee in control of the operation of a
11 building governed by this subsection shall:

12 (a) Designate the area at the building for the gathering of
13 signatures; and

14 (b) On an annual basis, submit to the Secretary of State and the
15 county clerk for the county in which the building is located a notice
16 of the area at the building designated for the gathering of signatures
17 on a petition. The Secretary of State and the county clerks shall
18 make available to the public a list of the areas at public buildings
19 designated for the gathering of signatures on a petition.

20 2. Before a person may use an area designated pursuant to
21 subsection 1, the person must notify the public officer or employee
22 in control of the operation of the building governed by subsection 1
23 of the dates and times that the person intends to use the area to
24 gather signatures on a petition. The public officer or employee may
25 not deny the person the use of the area.

26 3. Not later than 3 working days after the date of the decision
27 that aggrieved the person, a person aggrieved by a decision made by
28 a public officer or employee pursuant to subsection 1 or 2 may
29 appeal the decision to the Secretary of State. The Secretary of State
30 shall review the decision to determine whether the public officer or
31 employee violated subsection 1 or 2. If the Secretary of State
32 determines a public officer or employee violated subsection 1 or 2
33 and that a person was denied the use of a public building for the
34 purpose of gathering signatures on a petition, the Secretary of State
35 shall order that the deadline for filing the petition provided pursuant
36 to NRS 293.128, 293.172, ~~293.200,~~ 295.056, 298.109, 306.035 or
37 306.110 must be extended for a period equal to the time that the
38 person was denied the use of a public building for the purpose of
39 gathering signatures on a petition, but in no event may the deadline
40 be extended for a period of more than 5 days.

41 4. The decision of the Secretary of State is a final decision for
42 the purposes of judicial review. Not later than 7 days after the date



1 of the decision by the Secretary of State, the decision of the
2 Secretary of State may only be appealed in the First Judicial District
3 Court. If the First Judicial District Court determines that the public
4 officer or employee violated subsection 1 or 2 and that a person was
5 denied the use of a public building for the purpose of gathering
6 signatures on a petition, the Court shall order that the deadline for
7 filing the petition provided pursuant to NRS 293.128, 293.172,
8 ~~293.200,~~ 295.056, 298.109, 306.035 or 306.110 must be extended
9 for a period equal to the time that the person was denied the use of a
10 public building for the purpose of gathering signatures on a petition,
11 but in no event may the deadline be extended for a period of more
12 than 5 days.

13 5. The Secretary of State may adopt regulations to carry out the
14 provisions of subsection 3.

15 **Sec. 2.** NRS 293.1276 is hereby amended to read as follows:

16 293.1276 1. Within 4 days, excluding Saturdays, Sundays
17 and holidays, after the submission of a petition containing signatures
18 which are required to be verified pursuant to NRS 293.128, 295.056,
19 298.109, 306.035 or 306.110, and within 2 days, excluding
20 Saturdays, Sundays and holidays, after the submission of a petition
21 containing signatures which are required to be verified pursuant to
22 NRS 293.172 , ~~for 293.200,~~ the county clerk shall determine the
23 total number of signatures affixed to the documents and, in the case
24 of a petition for initiative or referendum proposing a constitutional
25 amendment or statewide measure, shall tally the number of
26 signatures for each petition district contained fully or partially
27 within the county and forward that information to the Secretary of
28 State.

29 2. If the Secretary of State finds that the total number of
30 signatures filed with all the county clerks is less than 100 percent of
31 the required number of registered voters, the Secretary of State shall
32 so notify the person who submitted the petition and the county
33 clerks and no further action may be taken in regard to the petition. If
34 the petition is a petition to recall a county, district or municipal
35 officer, the Secretary of State shall also notify the officer with
36 whom the petition is to be filed.

37 3. After the petition is submitted to the county clerk, it must
38 not be handled by any other person except by an employee of the
39 county clerk's office until it is filed with the Secretary of State.

40 4. The Secretary of State may adopt regulations establishing
41 procedures to carry out the provisions of this section.

42 **Sec. 3.** NRS 293.1277 is hereby amended to read as follows:

43 293.1277 1. If the Secretary of State finds that the total
44 number of signatures submitted to all the county clerks is 100
45 percent or more of the number of registered voters needed to declare



1 the petition sufficient, the Secretary of State shall immediately so
2 notify the county clerks. After the notification, each of the county
3 clerks shall determine the number of registered voters who have
4 signed the documents submitted in the county clerk's county and, in
5 the case of a petition for initiative or referendum proposing a
6 constitutional amendment or statewide measure, shall tally the
7 number of signatures for each petition district contained or fully
8 contained within the county clerk's county. This determination must
9 be completed within 9 days, excluding Saturdays, Sundays and
10 holidays, after the notification pursuant to this subsection regarding
11 a petition containing signatures which are required to be verified
12 pursuant to NRS 293.128, 295.056, 298.109, 306.035 or 306.110,
13 and within 3 days, excluding Saturdays, Sundays and holidays, after
14 the notification pursuant to this subsection regarding a petition
15 containing signatures which are required to be verified pursuant to
16 NRS 293.172 . ~~for 293.200.~~ For the purpose of verification
17 pursuant to this section, the county clerk shall not include in his or
18 her tally of total signatures any signature included in the incorrect
19 petition district.

20 2. Except as otherwise provided in subsection 3, if more than
21 500 names have been signed on the documents submitted to a
22 county clerk, the county clerk shall examine the signatures by
23 sampling them at random for verification. The random sample of
24 signatures to be verified must be drawn in such a manner that every
25 signature which has been submitted to the county clerk is given an
26 equal opportunity to be included in the sample. The sample must
27 include an examination of at least 500 or 5 percent of the signatures,
28 whichever is greater. If documents were submitted to the county
29 clerk for more than one petition district wholly contained within that
30 county, a separate random sample must be performed for each
31 petition district.

32 3. If a petition district comprises more than one county and the
33 petition is for an initiative or referendum proposing a constitutional
34 amendment or a statewide measure, and if more than 500 names
35 have been signed on the documents submitted for that petition
36 district, the appropriate county clerks shall examine the signatures
37 by sampling them at random for verification. The random sample of
38 signatures to be verified must be drawn in such a manner that every
39 signature which has been submitted to the county clerks within the
40 petition district is given an equal opportunity to be included in the
41 sample. The sample must include an examination of at least 500 or 5
42 percent of the signatures presented in the petition district, whichever
43 is greater. The Secretary of State shall determine the number of
44 signatures that must be verified by each county clerk within the
45 petition district.



1 4. In determining from the records of registration the number
2 of registered voters who signed the documents, the county clerk may
3 use the signatures contained in the file of applications to register to
4 vote. If the county clerk uses that file, the county clerk shall ensure
5 that every application in the file is examined, including any
6 application in his or her possession which may not yet be entered
7 into the county clerk's records. Except as otherwise provided in
8 subsection 5, the county clerk shall rely only on the appearance of
9 the signature and the address and date included with each signature
10 in making his or her determination.

11 5. If:

12 (a) Pursuant to NRS 293.506, a county clerk establishes a
13 system to allow persons to register to vote by computer; or

14 (b) A person registers to vote pursuant to NRS 293D.230 and
15 signs his or her application to register to vote using a digital
16 signature or an electronic signature,

17 the county clerk may rely on such other indicia as prescribed by
18 the Secretary of State in making his or her determination.

19 6. In the case of a petition for initiative or referendum
20 proposing a constitutional amendment or statewide measure, when
21 the county clerk is determining the number of registered voters who
22 signed the documents from each petition district contained fully or
23 partially within the county clerk's county, he or she must use the
24 statewide voter registration list available pursuant to NRS 293.675.

25 7. Except as otherwise provided in subsection 9, upon
26 completing the examination, the county clerk shall immediately
27 attach to the documents a certificate properly dated, showing the
28 result of the examination, including the tally of signatures by
29 petition district, if required, and transmit the documents with the
30 certificate to the Secretary of State. In the case of a petition for
31 initiative or referendum proposing a constitutional amendment or
32 statewide measure, if a petition district comprises more than one
33 county, the appropriate county clerks shall comply with the
34 regulations adopted by the Secretary of State pursuant to this section
35 to complete the certificate. A copy of this certificate must be filed in
36 the clerk's office. When the county clerk transmits the certificate to
37 the Secretary of State, the county clerk shall notify the Secretary of
38 State of the number of requests to remove a name received by the
39 county clerk pursuant to NRS 295.055 or 306.015.

40 8. A person who submits a petition to the county clerk which is
41 required to be verified pursuant to NRS 293.128, 293.172,
42 ~~293.200,~~ 295.056, 298.109, 306.035 or 306.110 must be allowed
43 to witness the verification of the signatures. A public officer who is
44 the subject of a recall petition must also be allowed to witness the
45 verification of the signatures on the petition.



1 9. For any petition containing signatures which are required to
2 be verified pursuant to the provisions of NRS ~~293.200,~~ 306.035 or
3 306.110 for any county, district or municipal office within one
4 county, the county clerk shall not transmit to the Secretary of State
5 the documents containing the signatures of the registered voters.

6 10. The Secretary of State shall by regulation establish further
7 procedures for carrying out the provisions of this section.

8 **Sec. 4.** NRS 293.1279 is hereby amended to read as follows:

9 293.1279 1. If the statistical sampling shows that the number
10 of valid signatures filed is 90 percent or more, but less than the sum
11 of 100 percent of the number of signatures of registered voters
12 needed to declare the petition sufficient plus the total number of
13 requests to remove a name received by the county clerks pursuant to
14 NRS 295.055 or 306.015, the Secretary of State shall order the
15 county clerks to examine the signatures for verification. The county
16 clerks shall examine the signatures for verification until they
17 determine that 100 percent of the number of signatures of registered
18 voters needed to declare the petition sufficient are valid. If the
19 county clerks received a request to remove a name pursuant to NRS
20 295.055 or 306.015, the county clerks may not determine that 100
21 percent of the number of signatures of registered voters needed to
22 declare the petition sufficient are valid until they have removed each
23 name as requested pursuant to NRS 295.055 or 306.015.

24 2. Except as otherwise provided in this subsection, if the
25 statistical sampling shows that the number of valid signatures filed
26 in any county is 90 percent or more but less than the sum of 100
27 percent of the number of signatures of registered voters needed to
28 constitute 10 percent of the number of voters who voted at the last
29 preceding general election in that county plus the total number of
30 requests to remove a name received by the county clerk in that
31 county pursuant to NRS 295.055 or 306.015, the Secretary of State
32 may order the county clerk in that county to examine every
33 signature for verification. If the county clerk received a request to
34 remove a name pursuant to NRS 295.055 or 306.015, the county
35 clerk may not determine that 100 percent or more of the number of
36 signatures of registered voters needed to constitute 10 percent of the
37 number of voters who voted at the last preceding general election in
38 that county are valid until the county clerk has removed each name
39 as requested pursuant to NRS 295.055 or 306.015. In the case of a
40 petition for initiative or referendum that proposes a constitutional
41 amendment or statewide measure, if the statistical sampling shows
42 that the number of valid signatures in any petition district is 90
43 percent or more but less than the sum of 100 percent of the number
44 of signatures of registered voters required for that petition district
45 pursuant to NRS 295.012 plus the total number of requests to



1 remove a name received by the county clerk or county clerks, if the
2 petition district comprises more than one county, pursuant to NRS
3 295.055, the Secretary of State may order a county clerk to examine
4 every signature for verification.

5 3. After the receipt of such an order, the county clerk or county
6 clerks shall determine from the records of registration what number
7 of registered voters have signed the petition and, if appropriate, tally
8 those signatures by petition district. This determination must be
9 completed within 12 days, excluding Saturdays, Sundays and
10 holidays, after the receipt of an order regarding a petition containing
11 signatures which are required to be verified pursuant to NRS
12 293.128, 295.056, 298.109, 306.035 or 306.110, and within 5 days,
13 excluding Saturdays, Sundays and holidays, after the receipt of an
14 order regarding a petition containing signatures which are required
15 to be verified pursuant to NRS 293.172. ~~for 293.200.~~ If necessary,
16 the board of county commissioners shall allow the county clerk
17 additional assistants for examining the signatures and provide for
18 their compensation. In determining from the records of registration
19 what number of registered voters have signed the petition and in
20 determining in which petition district the voters reside, the county
21 clerk must use the statewide voter registration list. The county clerk
22 may rely on the appearance of the signature and the address and date
23 included with each signature in determining the number of
24 registered voters that signed the petition.

25 4. Except as otherwise provided in subsection 5, upon
26 completing the examination, the county clerk or county clerks shall
27 immediately attach to the documents of the petition an amended
28 certificate, properly dated, showing the result of the examination
29 and shall immediately forward the documents with the amended
30 certificate to the Secretary of State. A copy of the amended
31 certificate must be filed in the county clerk's office. In the case of a
32 petition for initiative or referendum to propose a constitutional
33 amendment or statewide measure, if a petition district comprises
34 more than one county, the county clerks shall comply with the
35 regulations adopted by the Secretary of State pursuant to this section
36 to complete the amended certificate.

37 5. For any petition containing signatures which are required to
38 be verified pursuant to the provisions of NRS ~~293.200,~~ 306.035 or
39 306.110 for any county, district or municipal office within one
40 county, the county clerk shall not forward to the Secretary of State
41 the documents containing the signatures of the registered voters.

42 6. Except for a petition to recall a county, district or municipal
43 officer, the petition shall be deemed filed with the Secretary of State
44 as of the date on which the Secretary of State receives certificates



1 from the county clerks showing the petition to be signed by the
2 requisite number of voters of the State.

3 7. If the amended certificates received from all county clerks
4 by the Secretary of State establish that the petition is still
5 insufficient, the Secretary of State shall immediately so notify the
6 petitioners and the county clerks. If the petition is a petition to recall
7 a county, district or municipal officer, the Secretary of State shall
8 also notify the officer with whom the petition is to be filed.

9 8. The Secretary of State shall adopt regulations to carry out
10 the provisions of this section.

11 **Sec. 5.** NRS 293.165 is hereby amended to read as follows:

12 293.165 1. ~~Except as otherwise provided in NRS 293.166, a~~
13 ~~vacancy occurring in a major or minor political party nomination for~~
14 ~~a partisan office may be filled by a candidate designated by the~~
15 ~~party central committee of the county or State, as the case may be,~~
16 ~~of the major political party or by the executive committee of the~~
17 ~~minor political party subject to the provisions of subsections 3, 4~~
18 ~~and 5.~~

19 ~~2. A) If a~~ vacancy ~~occurring~~ *occurs* in a *partisan or*
20 nonpartisan office or nomination for a *partisan or* nonpartisan office
21 after the close of filing and before 5 p.m. of the fourth Friday in July
22 of the year in which the general election is held must be filled by the
23 person who receives or received the next highest vote for the
24 nomination in the primary election if a primary election was held for
25 that *partisan or* nonpartisan office. If no primary election was held
26 for that *partisan or* nonpartisan office or if there was not more than
27 one person who was seeking the *partisan or* nonpartisan nomination
28 in the primary election, a person may become a candidate for the
29 *partisan or* nonpartisan office at the general election if the person
30 files a declaration of candidacy or acceptance of candidacy, and
31 pays the fee required by NRS 293.193, on or after 8 a.m. on the
32 third Monday in June and before 5 p.m. on the fourth Friday in July.

33 ~~3. If a vacancy occurs in a major political party nomination for~~
34 ~~a partisan office after the primary election and before 5 p.m. on the~~
35 ~~fourth Friday in July of the year in which the general election is held~~
36 ~~and:~~

37 ~~(a) The vacancy occurs because the nominee dies or is~~
38 ~~adjudicated insane or mentally incompetent, the vacancy may be~~
39 ~~filled by a candidate designated by the party central committee of~~
40 ~~the county or State, as the case may be, of the major political party.~~

41 ~~(b) The vacancy occurs for a reason other than the reasons~~
42 ~~described in paragraph (a), the nominee's name must remain on the~~
43 ~~ballot for the general election and, if elected, a vacancy exists.~~



1 ~~4.~~ 2. No change may be made on the ballot for the general
2 election after 5 p.m. on the fourth Friday in July of the year in which
3 the general election is held. If, after that time and date:

4 (a) A nominee dies or is adjudicated insane or mentally
5 incompetent; or

6 (b) A vacancy in the nomination is otherwise created,
7 the nominee's name must remain on the ballot for the general
8 election and, if elected, a vacancy exists.

9 ~~{5.—All designations provided for in this section must be filed
10 on or before 5 p.m. on the fourth Friday in July of the year in which
11 the general election is held. In each case, the statutory filing fee
12 must be paid and an acceptance of the designation must be filed on
13 or before 5 p.m. on the date the designation is filed.}~~

14 **Sec. 6.** NRS 293.167 is hereby amended to read as follows:
15 293.167 ~~{Party candidates}~~ *Candidates* for United States
16 Senator and Representative in Congress shall be nominated in the
17 same manner as state officers are nominated.

18 **Sec. 7.** NRS 293.171 is hereby amended to read as follows:
19 293.171 1. To be organized as a minor political party, an
20 organization must file with the Secretary of State a certificate of
21 existence which includes the:

22 (a) Name of the political party;

23 (b) Names of its officers;

24 (c) Names of the members of its executive committee; and

25 (d) Name of the person authorized to file ~~{the list of its
26 candidates for partisan office}~~ *any information required by this title
27 on behalf of the minor political party* with the Secretary of State.

28 2. A copy of the constitution or bylaws of the party must be
29 affixed to the certificate.

30 3. A minor political party shall file with the Secretary of State
31 an amended certificate of existence within 5 days after any change
32 in the information contained in the certificate.

33 4. ~~{The constitution or bylaws of a minor political party must
34 provide a procedure for the nomination of its candidates in such a
35 manner that only one candidate may be nominated for each office.~~

36 ~~—5.~~ A minor political party ~~{whose candidates for partisan
37 office do not appear on the ballot for the general election}~~ must file
38 a notice of continued existence with the Secretary of State not later
39 than the second Friday in August preceding the general election.

40 ~~{6.}~~ 5. A minor political party which fails to file a notice of
41 continued existence as required by subsection ~~{5}~~ 4 ceases to exist as
42 a minor political party in this State.



1 **Sec. 8.** NRS 293.1715 is hereby amended to read as follows:

2 293.1715 1. ~~{The names of the candidates for partisan office~~
3 ~~of a minor political party must not appear on the ballot for a primary~~
4 ~~election.~~

5 ~~—2.}~~ The names of the candidates ~~{for partisan office off}~~ *that* a
6 minor political party *wishes to place on the ballot for the offices of*
7 *President and Vice President of the United States* must be placed
8 on the ballot for the general election if the minor political party is
9 qualified. To qualify as a minor political party, the minor political
10 party must have filed a certificate of existence and be organized
11 pursuant to NRS 293.171, must have filed ~~{a list}~~ *with the Secretary*
12 *of State the names* of its candidates for ~~{partisan office pursuant to~~
13 ~~the provisions of NRS 293.1725 with the Secretary of State}~~ *the*
14 *offices of President and Vice President of the United States not*
15 *later than the last Tuesday in August* and:

16 (a) ~~{At the last preceding general election, the minor political~~
17 ~~party must have polled for any of its candidates for partisan office a~~
18 ~~number of votes equal to or more than 1 percent of the total number~~
19 ~~of votes cast for the offices of Representative in Congress;~~

20 ~~—(b)}~~ On January 1 preceding a primary election, the minor
21 political party must have been designated as the political party on
22 the applications to register to vote of at least 1 percent of the total
23 number of registered voters in this State; or

24 ~~{(e)}~~ (b) Not later than the third Friday in June preceding the
25 general election, must file a petition with the Secretary of State
26 which is signed by a number of registered voters equal to at least 1
27 percent of the total number of votes cast at the last preceding
28 general election for the offices of Representative in Congress.

29 ~~{3. The name of only one candidate of each minor political~~
30 ~~party for each partisan office may appear on the ballot for a general~~
31 ~~election.~~

32 ~~—4.}~~ 2. A minor political party must file a copy of the petition
33 required by paragraph ~~{(e)}~~ (b) of subsection ~~{2}~~ 1 with the Secretary
34 of State before the petition may be circulated for signatures.

35 **Sec. 9.** NRS 293.172 is hereby amended to read as follows:

36 293.172 1. A petition filed pursuant to subsection ~~{2}~~ 1 of
37 NRS 293.1715 may consist of more than one document. Each
38 document of the petition must:

39 (a) Bear the name of the minor political party and ~~{, if~~
40 ~~applicable,}~~ the ~~{candidate and office to which the candidate is to be~~
41 ~~nominated.}~~ *names of the candidates for the offices of President*
42 *and Vice President of the United States.*

43 (b) Include the affidavit of the person who circulated the
44 document verifying that the signers are registered voters in this State



1 according to his or her best information and belief and that the
2 signatures are genuine and were signed in his or her presence.

3 (c) Bear the name of a county and be submitted to the county
4 clerk of that county for verification in the manner prescribed in NRS
5 293.1276 to 293.1279, inclusive, not later than 10 working days
6 before the last day to file the petition. A challenge to the form of a
7 document must be made in a district court in the county that is
8 named on the document.

9 (d) Be signed only by registered voters of the county that is
10 named on the document.

11 2. ~~If the office to which the candidate is to be nominated is a~~
12 ~~county office, only the registered voters of that county may sign the~~
13 ~~petition. If the office to which the candidate is to be nominated is a~~
14 ~~district office, only the registered voters of that district may sign the~~
15 ~~petition.~~

16 ~~3.~~ Each person who signs a petition shall also provide the
17 address of the place where he or she resides, the date that he or she
18 signs *the petition* and the name of the county in which he or she is
19 registered to vote.

20 ~~4.~~ 3. The county clerk shall not disqualify the signature of a
21 voter who failed to provide all the information required by
22 subsection ~~3~~ 2 if the voter is registered in the county named on the
23 document.

24 **Sec. 10.** NRS 293.174 is hereby amended to read as follows:

25 293.174 If the qualification of a minor political party to place
26 the names of candidates *for the offices of President and Vice*
27 *President of the United States* on the ballot pursuant to NRS
28 293.1715 is challenged, all affidavits and documents in support of
29 the challenge must be filed not later than 5 p.m. on the fourth Friday in
30 June. Any judicial proceeding resulting from the challenge must
31 be set for hearing not more than 5 days after the fourth Friday in
32 June. A challenge pursuant to this section must be filed with the
33 First Judicial District Court if the petition was filed with the
34 Secretary of State. The district court in which the challenge is filed
35 shall give priority to such proceedings over all other matters
36 pending with the court, except for criminal proceedings.

37 **Sec. 11.** NRS 293.175 is hereby amended to read as follows:

38 293.175 1. The primary election must be held on the second
39 Tuesday in June of each even-numbered year.

40 2. Candidates for partisan office ~~{of a major political party}~~ and
41 candidates for nonpartisan office must be nominated at the primary
42 election. *A person may become a candidate for partisan office at*
43 *the primary election regardless of the person's affiliation with a*
44 *political party, or lack thereof.*



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

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

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

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

10 (b) Do not apply to the nomination of the officers of
11 incorporated cities.

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

14 **Sec. 12.** NRS 293.177 is hereby amended to read as follows:

15 293.177 1. ~~Except as otherwise provided in NRS 293.165, a~~

16 ~~A~~ name may not be printed on a ballot to be used at a primary
17 election unless the person named has filed a declaration of
18 candidacy or an acceptance of candidacy, and has paid the fee
19 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 nor later
22 than 5 p.m. on the second Friday after the first Monday in January;
23 and

24 (b) For all other candidates, the first Monday in March of the
25 year in which the election is to be held nor later than 5 p.m. on the
26 second Friday after the first Monday in March.

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

30 (a) For partisan office:

31
32 DECLARATION OF CANDIDACY OF FOR THE
33 OFFICE OF

34
35 State of Nevada

36
37 County of

38
39 For the purpose of having my name placed on the official
40 ballot as a candidate for the ~~..... Party~~ nomination for
41 the office of, I, the undersigned, do swear or
42 affirm under penalty of perjury that I actually, as opposed to
43 constructively, reside at, in the City or Town of
44, County of, State of Nevada; that my actual, as
45 opposed to constructive, residence in the State, district,



1 county, township, city or other area prescribed by law to
 2 which the office pertains began on a date at least 30 days
 3 immediately preceding the date of the close of filing of
 4 declarations of candidacy for this office; that my telephone
 5 number is, and the address at which I receive mail, if
 6 different than my residence, is; that I ~~am registered as~~
 7 ~~a member of~~ *prefer* the Party ~~;~~ *or have no*
 8 *political preference*; that I am a qualified elector pursuant to
 9 Section 1 of Article 2 of the Constitution of the State of
 10 Nevada; that if I have ever been convicted of treason or a
 11 felony, my civil rights have been restored by a court of
 12 competent jurisdiction; ~~that I have not, in violation of the~~
 13 ~~provisions of NRS 293.176, changed the designation of my~~
 14 ~~political party or political party affiliation on an official~~
 15 ~~application to register to vote in any state since December 31~~
 16 ~~before the closing filing date for this election; that I generally~~
 17 ~~believe in and intend to support the concepts found in the~~
 18 ~~principles and policies of that political party in the coming~~
 19 ~~election;~~ that if nominated as a candidate ~~of the~~
 20 ~~Party~~ at the ensuing election, I will accept that nomination
 21 and not withdraw; that I will not knowingly violate any
 22 election law or any law defining and prohibiting corrupt and
 23 fraudulent practices in campaigns and elections in this State;
 24 that I will qualify for the office if elected thereto, including,
 25 but not limited to, complying with any limitation prescribed
 26 by the Constitution and laws of this State concerning the
 27 number of years or terms for which a person may hold the
 28 office; and that I understand that my name will appear on all
 29 ballots as designated in this declaration.

30
 31
 32 (Designation of name)

33
 34
 35 (Signature of candidate for office)

36
 37 Subscribed and sworn to before me
 38 this day of the month of of the year

39
 40
 41 Notary Public or other person
 42 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 election,
27 I will accept the nomination and not withdraw; that I will not
28 knowingly violate any election law or any law defining and
29 prohibiting corrupt and fraudulent practices in campaigns and
30 elections in this State; that I will qualify for the office if
31 elected thereto, including, but not limited to, complying with
32 any limitation prescribed by the Constitution and laws of this
33 State concerning the number of years or terms for which a
34 person may hold the office; and my name will appear on all
35 ballots as designated in this declaration.
36

37
38 (Designation of name)

39
40 (Signature of candidate for office)
41



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.



* S B 1 0 3 *

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. 13.** 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, or as a candidate for nomination]~~ **Nomination** for
30 any nonpartisan office other than a judicial office, not earlier than
31 the first Monday in February of the year in which the election is to
32 be held nor later than 5 p.m. on the first Friday in March; or

33 (b) Nomination for a judicial office, not earlier than the first
34 Monday in December of the year immediately preceding the year in
35 which the election is to be held nor later than 5 p.m. on the first
36 Friday in January of the year in which the election is to be held.

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

43 ~~[3. If a certificate of candidacy relates to a partisan office, all~~
44 ~~of the signers must be of the same major political party as the~~
45 ~~candidate designated.]~~



1 **Sec. 14.** NRS 293.184 is hereby amended to read as follows:
2 293.184 1. In addition to any other penalty provided by law,
3 if a person willfully files a declaration of candidacy or acceptance of
4 candidacy knowing that the declaration of candidacy or acceptance
5 of candidacy contains a false statement:

6 (a) ~~Except as otherwise provided in NRS 293.165 and 293.166,~~
7 ~~the~~ *The* name of the person must not appear on any ballot for the
8 election for which the person filed the declaration of candidacy or
9 acceptance of candidacy; and

10 (b) The person is disqualified from entering upon the duties of
11 the office for which he or she was a candidate.

12 2. If the name of a person who is disqualified from entering
13 upon the duties of an office pursuant to subsection 1 appears on a
14 ballot for the election is disqualified because the deadline set forth
15 in NRS 293.165 ~~and 293.166~~ for making changes to the ballot has
16 passed, the Secretary of State and county clerk must post a sign at
17 each polling place where the person's name will appear on the ballot
18 informing voters that the person is disqualified from entering upon
19 the duties of office.

20 **Sec. 15.** NRS 293.187 is hereby amended to read as follows:

21 293.187 1. Not later than 5 working days after the last day on
22 which any candidate may withdraw his or her candidacy pursuant to
23 NRS 293.202:

24 (a) The Secretary of State shall forward to each county clerk a
25 certified list containing the name and mailing address of each person
26 for whom candidacy papers have been filed in the Office of the
27 Secretary of State, and who is entitled to be voted for in the county
28 at the next succeeding primary election, together with the title of the
29 office for which the person is a candidate and *, if applicable,* the
30 party or principles he or she ~~represents;~~ *prefers;* and

31 (b) Each county clerk shall forward to the Secretary of State a
32 certified list containing the name and mailing address of each person
33 for whom candidacy papers have been filed in the office of the
34 county clerk, and who is entitled to be voted for in the county at the
35 next succeeding primary election, together with the title of the office
36 for which the person is a candidate and *, if applicable,* the party or
37 principles he or she ~~represents;~~ *prefers.*

38 2. There must be a party *preference* designation only for
39 candidates for partisan offices.

40 **Sec. 16.** NRS 293.194 is hereby amended to read as follows:

41 293.194 The filing fee of an independent candidate who files a
42 petition pursuant to NRS ~~293.200 or~~ 298.109 ~~, of a candidate of a~~
43 ~~minor political party or of a candidate of a new major political~~
44 ~~party,~~ *for the offices of President and Vice President of the United*
45 *States* must be returned to the candidate by the ~~officer to whom the~~



1 ~~fee was paid~~ *Secretary of State* within 10 days after the date on
2 which a final determination is made that the petition of the candidate
3 ~~of a minor political party or new major political party~~ failed to
4 contain the required number of signatures.

5 **Sec. 17.** NRS 293.250 is hereby amended to read as follows:

6 293.250 1. Except as otherwise provided in chapter 293D of
7 NRS, the Secretary of State shall, in a manner consistent with the
8 election laws of this State, prescribe:

9 (a) The form of all ballots, absent ballots, diagrams, sample
10 ballots, certificates, notices, declarations, applications to register to
11 vote, lists, applications, registers, rosters, statements and abstracts
12 required by the election laws of this State.

13 (b) The procedures to be followed and the requirements of a
14 system established pursuant to NRS 293.506 for using a computer to
15 register voters and to keep records of registration.

16 (c) *Methods of voter education intended to inform voters that*
17 *the designation of a political preference on a ballot for a primary*
18 *or general election does not imply that the candidate has been*
19 *nominated or endorsed by that political party or that the party*
20 *approves of or affiliates with that candidate.*

21 2. Except as otherwise provided in chapter 293D of NRS, the
22 Secretary of State shall prescribe with respect to the matter to be
23 printed on every kind of ballot:

24 (a) The placement and listing of all offices, candidates ,
25 *disclaimers required pursuant to NRS 293.263 and 293.267* and
26 measures upon which voting is statewide, which must be uniform
27 throughout the State.

28 (b) The listing of all other candidates required to file with the
29 Secretary of State, and the order of listing all offices, candidates and
30 measures upon which voting is not statewide, from which each
31 county or city clerk shall prepare appropriate ballot forms for use in
32 any election in his or her county.

33 3. The Secretary of State shall place the condensation of each
34 proposed constitutional amendment or statewide measure near the
35 spaces or devices for indicating the voter's choice.

36 4. The fiscal note for, explanation of, arguments for and
37 against, and rebuttals to such arguments of each proposed
38 constitutional amendment or statewide measure must be included on
39 all sample ballots.

40 5. The condensations and explanations for constitutional
41 amendments and statewide measures proposed by initiative or
42 referendum must be prepared by the Secretary of State, upon
43 consultation with the Attorney General. The arguments and rebuttals
44 for or against constitutional amendments and statewide measures
45 proposed by initiative or referendum must be prepared in the



1 manner set forth in NRS 293.252. The fiscal notes for constitutional
2 amendments and statewide measures proposed by initiative or
3 referendum must be prepared by the Secretary of State, upon
4 consultation with the Fiscal Analysis Division of the Legislative
5 Counsel Bureau. The condensations, explanations, arguments,
6 rebuttals and fiscal notes must be in easily understood language and
7 of reasonable length, and whenever feasible must be completed by
8 August 1 of the year in which the general election is to be held. The
9 explanations must include a digest. The digest must include a
10 concise and clear summary of any existing laws directly related to
11 the constitutional amendment or statewide measure and a summary
12 of how the constitutional amendment or statewide measure adds to,
13 changes or repeals such existing laws. For a constitutional
14 amendment or statewide measure that creates, generates, increases
15 or decreases any public revenue in any form, the first paragraph of
16 the digest must include a statement that the constitutional
17 amendment or statewide measure creates, generates, increases or
18 decreases, as applicable, public revenue.

19 6. The names of candidates for township and legislative or
20 special district offices must be printed only on the ballots furnished
21 to voters of that township or district.

22 7. A county clerk:

23 (a) May divide paper ballots into two sheets in a manner which
24 provides a clear understanding and grouping of all measures and
25 candidates.

26 (b) Shall prescribe the color or colors of the ballots and voting
27 receipts used in any election which the clerk is required to conduct.

28 **Sec. 18.** NRS 293.257 is hereby amended to read as follows:

29 293.257 ~~1.—There must be a separate primary ballot for each~~
30 ~~major political party. The names of candidates for partisan offices~~
31 ~~who have designated a major political party in the declaration of~~
32 ~~candidacy or acceptance of candidacy must appear on the primary~~
33 ~~ballot of the major political party designated.~~

34 ~~—2. The county clerk may choose to place the names of~~
35 ~~candidates for nonpartisan offices on the ballots for each major~~
36 ~~political party or on a separate nonpartisan primary ballot, but the~~
37 ~~arrangement which the county clerk selects must permit all~~
38 ~~registered voters to vote on them.~~

39 ~~—3. A) Any~~ registered voter may cast a ~~{primary}~~ ballot for ~~{a~~
40 ~~major political party at a primary election only if the registered voter~~
41 ~~designated on his or her application to register to vote an affiliation~~
42 ~~with that major political party.} any candidate for partisan office~~
43 ~~regardless of the political party affiliation of the voter or any~~
44 ~~political party preference indicated by the candidate.~~



1 **Sec. 19.** NRS 293.260 is hereby amended to read as follows:

2 293.260 1. If there is no contest of election for nomination to
3 a particular office, neither the title of the office nor the name of the
4 candidate may appear on the ballot at the primary election.

5 2. ~~If a major political party has two or more candidates for a~~
6 ~~particular office, the person who receives the highest number of~~
7 ~~votes at the primary election must be declared the nominee of that~~
8 ~~major political party for the office.~~ *At an election for a partisan*
9 *office, the two candidates who receive the highest number of votes*
10 *at the primary election must be declared the nominees, and their*
11 *names must be placed on the ballot at the general election.*

12 3. If not more than the number of candidates to be elected have
13 filed for nomination for:

14 (a) Any partisan office or the office of judge of a district court,
15 judge of the Court of Appeals or justice of the Supreme Court, the
16 names of those candidates must be omitted from all ballots for a
17 primary election and placed on all ballots for the general election;

18 (b) Any nonpartisan office, other than the office of judge of a
19 district court, judge of the Court of Appeals, justice of the Supreme
20 Court or member of a town advisory board, the names of those
21 candidates must appear on the ballot for a primary election unless
22 the candidates were nominated pursuant to subsection ~~12~~ 1 of NRS
23 293.165. If a candidate receives one or more votes at the primary
24 election, the candidate must be declared elected to the office and his
25 or her name must not be placed on the ballot for the general
26 election. If a candidate does not receive one or more votes at the
27 primary election, his or her name must be placed on the ballot for
28 the general election; and

29 (c) The office of member of a town advisory board, the
30 candidate must be declared elected to the office and no election
31 must be held for that office.

32 4. If there are not more than twice the number of candidates to
33 be elected to a nonpartisan office, the candidates must, without a
34 primary election, be declared the nominees for the office, and the
35 names of the candidates must be omitted from all ballots for a
36 primary election and placed on all ballots for the general election.

37 5. If there are more than twice the number of candidates to be
38 elected to a nonpartisan office, the names of the candidates must
39 appear on the ballot for a primary election. Those candidates who
40 receive the highest number of votes at the primary election, not to
41 exceed twice the number to be elected, must be declared nominees
42 for the office and the names of those candidates must be placed on
43 the ballot for the general election, except that if one of those
44 candidates receives a majority of the votes cast in the primary
45 election for:



1 (a) The office of judge of a district court, judge of the Court of
2 Appeals or justice of the Supreme Court, the candidate must be
3 declared the only nominee for the office and only his or her name
4 must be placed on the ballot for the general election.

5 (b) Any other nonpartisan office, the candidate must be declared
6 elected to the office and his or her name must not be placed on the
7 ballot for the general election.

8 **Sec. 20.** NRS 293.263 is hereby amended to read as follows:

9 293.263 ~~{On}~~

10 **1. The designation "Partisan Offices" must appear at the top**
11 **of the primary ballots for ~~fa major political party, the name of the~~**
12 **~~major political party must appear at the top of the ballot.~~ partisan**
13 **office.** Except as otherwise provided in NRS 293.2565, following
14 this designation must appear the names of candidates grouped
15 alphabetically under the title and length of term of the partisan
16 office for which those candidates filed.

17 **2. Except as otherwise provided in subsection 3, immediately**
18 **following the name of each candidate must appear the name or**
19 **abbreviation of the political party he or she prefers, the words "no**
20 **political party" or the abbreviation "NPP," as applicable.**

21 **3. Where a system of voting other than by paper ballot is**
22 **used, the Secretary of State may provide for any placement of the**
23 **name or abbreviation of the political party preference, the words**
24 **"no political party" or the abbreviation "NPP," as appropriate,**
25 **which clearly relates the designation to the name of the candidate**
26 **to whom it applies.**

27 **4. The primary ballots for partisan office must include a**
28 **conspicuously placed disclaimer in language approved by the**
29 **Secretary of State indicating that any political preference**
30 **expressed by a candidate on the ballot does not imply that the**
31 **candidate has been nominated or endorsed by that political party**
32 **or that the party approves of or affiliates with that candidate.**

33 **Sec. 21.** NRS 293.267 is hereby amended to read as follows:

34 293.267 1. Ballots for a general election must contain the
35 names of candidates who were nominated at the primary election. ~~{~~
36 ~~the names of the candidates of a minor political party and the names~~
37 ~~of independent candidates.}~~

38 2. Except as otherwise provided in NRS 293.2565, names of
39 candidates must be grouped alphabetically under the title and length
40 of term of the office for which those candidates filed.

41 3. Except as otherwise provided in subsection 4:

42 (a) Immediately following the name of each candidate for a
43 partisan office must appear the name or abbreviation of ~~{his or her}~~
44 **the** political party ~~{~~ **he or she prefers,** the words "no political
45 party" or the abbreviation "NPP," as the case may be.



1 (b) Immediately following the name of each candidate for a
2 nonpartisan office must appear the word "nonpartisan" or the
3 abbreviation "NP."

4 4. Where a system of voting other than by paper ballot is used,
5 the Secretary of State may provide for any placement of the name or
6 abbreviation of the political party, the words "no political party" or
7 "nonpartisan" or the abbreviation "NPP" or "NP," as appropriate,
8 which clearly relates the designation to the name of the candidate to
9 whom it applies.

10 5. *The ballots must include a conspicuously placed disclaimer*
11 *in language approved by the Secretary of State indicating that any*
12 *political preference expressed by a candidate on the ballot does not*
13 *imply that the candidate has been nominated or endorsed by that*
14 *political party or that the party approves of or affiliates with that*
15 *candidate.*

16 6. If the Legislature rejects a statewide measure proposed by
17 initiative and proposes a different measure on the same subject
18 which the Governor approves, the measure proposed by the
19 Legislature and approved by the Governor must be listed on the
20 ballot before the statewide measure proposed by initiative. Each
21 ballot and sample ballot upon which the measures appear must
22 contain a statement that reads substantially as follows:
23

The following questions are alternative approaches to the
25 same issue, and only one approach may be enacted into law.
26 Please vote for only one.

27 **Sec. 22.** NRS 293.287 is hereby amended to read as follows:

28 293.287 1. A registered voter applying to vote at any primary
29 election shall give his or her name ~~and political affiliation, if any,~~
30 to the election board officer in charge of the roster, and the officer
31 shall immediately announce the name ~~and political affiliation,~~ *of*
32 *the voter.*

33 2. Any person's right to vote may be challenged by any
34 registered voter upon ~~;~~

35 ~~(a) Any~~ *any* of the grounds allowed for a challenge in NRS
36 293.303. ~~;~~

37 ~~(b) The ground that the person applying does not belong to the~~
38 ~~political party designated upon the roster; or~~

39 ~~(c) The ground that the roster does not show that the person~~
40 ~~designated the political party to which he or she claims to belong.~~

41 3. Any such challenge must be disposed of in the manner
42 provided by NRS 293.303.

43 ~~[4. A registered voter who has designated on his or her~~
44 ~~application to register to vote an affiliation with a minor political~~
45 ~~party may vote a nonpartisan ballot at the primary election.]~~



1 **Sec. 23.** NRS 293.303 is hereby amended to read as follows:
2 293.303 1. A person applying to vote may be challenged:

3 (a) Orally by any registered voter of the precinct upon the
4 ground that he or she is not the person entitled to vote as claimed or
5 has voted before at the same election. A registered voter who
6 initiates a challenge pursuant to this paragraph must submit an
7 affirmation that is signed under penalty of perjury and in the form
8 prescribed by the Secretary of State stating that the challenge is
9 based on the personal knowledge of the registered voter.

10 (b) On any ground set forth in a challenge filed with the county
11 clerk pursuant to the provisions of NRS 293.547.

12 2. If a person is challenged, an election board officer shall
13 tender the challenged person the following oath or affirmation:

14 (a) ~~If the challenge is on the ground that the challenged person~~
15 ~~does not belong to the political party designated upon the roster, “I~~
16 ~~swear or affirm under penalty of perjury that I belong to the political~~
17 ~~party designated upon the roster”;~~

18 ~~—(b) If the challenge is on the ground that the roster does not~~
19 ~~show that the challenged person designated the political party to~~
20 ~~which he or she claims to belong, “I swear or affirm under penalty~~
21 ~~of perjury that I designated on the application to register to vote the~~
22 ~~political party to which I claim to belong”;~~

23 ~~—(c) If the challenge is on the ground that the challenged person~~
24 ~~does not reside at the residence for which the address is listed in the~~
25 ~~roster, “I swear or affirm under penalty of perjury that I reside at the~~
26 ~~residence for which the address is listed in the roster”;~~

27 ~~(d)~~ (b) If the challenge is on the ground that the challenged
28 person previously voted a ballot for the election, “I swear or affirm
29 under penalty of perjury that I have not voted for any of the
30 candidates or questions included on this ballot for this election”; or

31 ~~(e)~~ (c) If the challenge is on the ground that the challenged
32 person is not the person he or she claims to be, “I swear or affirm
33 under penalty of perjury that I am the person whose name is in this
34 roster.”

35 ➔ The oath or affirmation must be set forth on a form prepared by
36 the Secretary of State and signed by the challenged person under
37 penalty of perjury.

38 3. ~~Except as otherwise provided in subsection 4, if~~ If the
39 challenged person refuses to execute the oath or affirmation so
40 tendered, the person must not be issued a ballot, and the election
41 board officer shall indicate in the roster “Challenged” by the
42 person’s name.

43 4. ~~If the challenged person refuses to execute the oath or~~
44 ~~affirmation set forth in paragraph (a) or (b) of subsection 2, the~~
45 ~~election board officers shall issue the person a nonpartisan ballot.~~



1 ~~5.~~ If the challenged person refuses to execute the oath or
2 affirmation set forth in paragraph ~~(e)~~ (a) of subsection 2, the
3 election board officers shall inform the person that he or she is
4 entitled to vote only in the manner prescribed in NRS 293.304.

5 ~~6.—If the challenged person executes the oath or affirmation~~
6 ~~and the challenge is not based on the ground set forth in paragraph~~
7 ~~(e) of subsection 2, the election board officers shall issue the person~~
8 ~~a partisan ballot.~~

9 ~~7.~~ 5. If the challenge is based on the ground set forth in
10 paragraph ~~(e)~~ (a) of subsection 2, and the challenged person
11 executes the oath or affirmation, the election board shall not issue
12 the person a ballot until he or she furnishes satisfactory
13 identification which contains proof of the address at which the
14 person actually resides. For the purposes of this subsection, a voter
15 registration card issued pursuant to NRS 293.517 does not provide
16 proof of the address at which a person resides.

17 ~~8.~~ 6. If the challenge is based on the ground set forth in
18 paragraph ~~(e)~~ (c) of subsection 2 and the challenged person
19 executes the oath or affirmation, the election board shall not issue
20 the person a ballot unless the person:

21 (a) Furnishes official identification which contains a photograph
22 of the person, such as a driver's license or other official document;
23 or

24 (b) Brings before the election board officers a person who is at
25 least 18 years of age who:

26 (1) Furnishes official identification which contains a
27 photograph of that person, such as a driver's license or other official
28 document; and

29 (2) Executes an oath or affirmation under penalty of perjury
30 that the challenged person is who he or she swears to be.

31 ~~9.~~ 7. The election board officers shall:

32 (a) Record on the challenge list:

33 (1) The name of the challenged person;

34 (2) The name of the registered voter who initiated the
35 challenge; and

36 (3) The result of the challenge; and

37 (b) If possible, orally notify the registered voter who initiated
38 the challenge of the result of the challenge.

39 **Sec. 24.** NRS 293.304 is hereby amended to read as follows:

40 293.304 1. If a person is successfully challenged on the
41 ground set forth in paragraph ~~(e)~~ (a) of subsection 2 of NRS
42 293.303 or if a person refuses to provide an affirmation pursuant to
43 NRS 293.525, the election board shall instruct the voter that he or
44 she may vote only at the special polling place in the manner set forth
45 in this section.



1 2. The county clerk of each county shall maintain a special
2 polling place in the county clerk's office and at such other locations
3 as he or she deems necessary during each election. The ballots voted
4 at the special polling place must be kept separate from the ballots of
5 voters who have not been so challenged or who have provided an
6 affirmation pursuant to NRS 293.525 in a special sealed container if
7 the ballots are ballots which are voted on a mechanical recording
8 device which directly records the votes electronically.

9 3. A person who votes at a special polling place may vote only
10 for the following offices and questions:

- 11 (a) President and Vice President of the United States;
- 12 (b) United States Senator;
- 13 (c) All state officers for whom all voters in the State may vote;
- 14 (d) All officers for whom all voters in the county may vote; and
- 15 (e) Questions which have been submitted to all voters of the
16 county or State.

17 4. The ballots voted at the special polling place must be
18 counted when other ballots are counted and, if the ballots are ballots
19 which are voted on a mechanical recording device which directly
20 records the votes electronically, maintained in a separate sealed
21 container until any contest of election is resolved or the date for
22 filing a contest of election has passed, whichever is later.

23 **Sec. 25.** NRS 293.368 is hereby amended to read as follows:

24 293.368 1. Except as otherwise provided in subsection ~~1~~ **2**
25 of NRS 293.165, if a candidate on the ballot at a primary election
26 dies after 5 p.m. of the second Tuesday in April, the deceased
27 candidate's name must remain on the ballot and the votes cast for
28 the deceased candidate must be counted in determining the
29 nomination for the office for which the decedent was a candidate.

30 2. If the deceased candidate *for a partisan or nonpartisan*
31 *office* on the ballot at the primary election receives the number of
32 votes required to receive the nomination to the office for which he
33 or she was a candidate, ~~except as otherwise provided in subsection~~
34 ~~2 of NRS 293.165, the deceased candidate shall be deemed~~
35 ~~nominated and the vacancy in the nomination must be filled as~~
36 ~~provided in NRS 293.165 or 293.166. If the deceased person was a~~
37 ~~candidate for a nonpartisan office,] the nomination must be filled~~
38 pursuant to subsection ~~2~~ **1** of NRS 293.165.

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

44 4. If the deceased candidate on the ballot at the general election
45 receives the majority of the votes cast for the office, the deceased



1 candidate shall be deemed elected and the office to which he or she
2 was elected shall be deemed vacant at the beginning of the term for
3 which he or she was elected. The vacancy thus created must be
4 filled in the same manner as if the candidate had died after taking
5 office for that term.

6 **Sec. 26.** NRS 293.565 is hereby amended to read as follows:

7 293.565 1. Except as otherwise provided in subsection 3,
8 sample ballots must include:

9 (a) If applicable, the statement required by NRS 293.267;

10 (b) The fiscal note or description of anticipated financial effect,
11 as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015,
12 295.095 or 295.230 for each proposed constitutional amendment,
13 statewide measure, measure to be voted upon only by a special
14 district or political subdivision and advisory question;

15 (c) An explanation, as provided pursuant to NRS 218D.810,
16 293.250, 293.481, 295.121 or 295.230, of each proposed
17 constitutional amendment, statewide measure, measure to be voted
18 upon only by a special district or political subdivision and advisory
19 question;

20 (d) Arguments for and against each proposed constitutional
21 amendment, statewide measure, measure to be voted upon only by a
22 special district or political subdivision and advisory question, and
23 rebuttals to each argument, as provided pursuant to NRS 218D.810,
24 293.250, 293.252 or 295.121; ~~and~~

25 (e) The full text of each proposed constitutional amendment ~~H~~ ;
26 *and*

27 *(f) A conspicuously placed disclaimer in language approved by*
28 *the Secretary of State indicating that any political preference*
29 *expressed by a candidate on a ballot does not imply that the*
30 *candidate has been nominated or endorsed by that political party*
31 *or that the party approves of or affiliates with that candidate.*

32 2. If, pursuant to the provisions of NRS 293.2565, the word
33 "Incumbent" must appear on the ballot next to the name of the
34 candidate who is the incumbent, the word "Incumbent" must appear
35 on the sample ballot next to the name of the candidate who is the
36 incumbent.

37 3. Sample ballots that are mailed to registered voters may be
38 printed without the full text of each proposed constitutional
39 amendment if:

40 (a) The cost of printing the sample ballots would be significantly
41 reduced if the full text of each proposed constitutional amendment
42 were not included;

43 (b) The county clerk ensures that a sample ballot that includes
44 the full text of each proposed constitutional amendment is provided



1 at no charge to each registered voter who requests such a sample
2 ballot; and

3 (c) The sample ballots provided to each polling place include the
4 full text of each proposed constitutional amendment.

5 4. A county clerk may establish a system for distributing
6 sample ballots by electronic means to each registered voter who
7 elects to receive a sample ballot by electronic means. Such a system
8 may include, without limitation, electronic mail or electronic access
9 through an Internet website. If a county clerk establishes such a
10 system and a registered voter elects to receive a sample ballot by
11 electronic means, the county clerk shall distribute the sample ballot
12 to the registered voter by electronic means pursuant to the
13 procedures and requirements set forth by regulations adopted by the
14 Secretary of State.

15 5. If a registered voter does not elect to receive a sample ballot
16 by electronic means pursuant to subsection 4, the county clerk shall
17 distribute the sample ballot to the registered voter by mail.

18 6. Before the period for early voting for any election begins,
19 the county clerk shall distribute to each registered voter in the
20 county by mail or electronic means, as applicable, the sample ballot
21 for his or her precinct, with a notice informing the voter of the
22 location of his or her polling place. If the location of the polling
23 place has changed since the last election:

24 (a) The county clerk shall mail a notice of the change to each
25 registered voter in the county not sooner than 10 days before
26 distributing the sample ballots; or

27 (b) The sample ballot must also include a notice in bold type
28 immediately above the location which states:

29
30 NOTICE: THE LOCATION OF YOUR POLLING PLACE
31 HAS CHANGED SINCE THE LAST ELECTION
32

33 7. Except as otherwise provided in subsection 8, a sample
34 ballot required to be distributed pursuant to this section must:

35 (a) Be prepared in at least 12-point type; and

36 (b) Include on the front page, in a separate box created by bold
37 lines, a notice prepared in at least 20-point bold type that states:

38
39 NOTICE: TO RECEIVE A SAMPLE BALLOT IN
40 LARGE TYPE, CALL (Insert appropriate telephone number)
41

42 8. A portion of a sample ballot that contains a facsimile of the
43 display area of a voting device may include material in less than
44 12-point type to the extent necessary to make the facsimile fit on the
45 pages of the sample ballot.



1 9. The sample ballot distributed to a person who requests a
2 sample ballot in large type by exercising the option provided
3 pursuant to NRS 293.508, or in any other manner, must be prepared
4 in at least 14-point type, or larger when practicable.

5 10. If a person requests a sample ballot in large type, the
6 county clerk shall ensure that all future sample ballots distributed to
7 that person from the county are in large type.

8 11. The county clerk shall include in each sample ballot a
9 statement indicating that the county clerk will, upon request of a
10 voter who is elderly or disabled, make reasonable accommodations
11 to allow the voter to vote at his or her polling place and provide
12 reasonable assistance to the voter in casting his or her vote,
13 including, without limitation, providing appropriate materials to
14 assist the voter. In addition, if the county clerk has provided
15 pursuant to subsection 4 of NRS 293.2955 for the placement at
16 centralized voting locations of specially equipped voting devices for
17 use by voters who are elderly or disabled, the county clerk shall
18 include in the sample ballot a statement indicating:

19 (a) The addresses of such centralized voting locations;

20 (b) The types of specially equipped voting devices available at
21 such centralized voting locations; and

22 (c) That a voter who is elderly or disabled may cast his or her
23 ballot at such a centralized voting location rather than at his or her
24 regularly designated polling place.

25 12. The cost of distributing sample ballots for any election
26 other than a primary or general election must be borne by the
27 political subdivision holding the election.

28 **Sec. 27.** NRS 293B.070 is hereby amended to read as follows:

29 293B.070 A mechanical voting system must provide facilities
30 for voting for *all* the candidates ~~{of as many political parties or~~
31 ~~organizations as may make nominations,}~~ and for or against *all*
32 measures ~~{}~~ *to which a voter is entitled to vote.*

33 **Sec. 28.** NRS 293B.080 is hereby amended to read as follows:

34 293B.080 A mechanical voting system must ~~{, except at~~
35 ~~primary elections,}~~ permit the voter to vote for all the candidates of
36 one party *preference* or in part for the candidates of one party
37 *preference* and in part for the candidates of one or more other
38 ~~{parties,}~~ *party preferences.*

39 **Sec. 29.** NRS 293B.130 is hereby amended to read as follows:

40 293B.130 1. Before any election where a mechanical voting
41 system is to be used, the county clerk shall prepare or cause to be
42 prepared a computer program on cards, tape or other material
43 suitable for use with the computer or counting device to be
44 employed for counting the votes cast. The program must cause the
45 computer or counting device to operate in the following manner:



- 1 (a) All lawful votes cast by each voter must be counted.
2 (b) All unlawful votes, including, but not limited to, overvotes ,
3 ~~for, in a primary election, votes cast for a candidate of a major~~
4 ~~political party other than the party, if any, of the registration of the~~
5 ~~voter} must not be counted.~~
6 (c) If the election is:
7 (1) A primary election held in an even-numbered year; or
8 (2) A general election,
9 ↪ the total votes, other than absentee votes and votes in a mailing
10 precinct, must be accumulated by precinct.
11 (d) The computer or counting device must halt or indicate by
12 appropriate signal if a ballot is encountered which lacks a code
13 identifying the precinct in which it was voted . ~~{and, in a primary~~
14 ~~election, identifying the major political party of the voter.}~~
15 2. The program must be prepared under the supervision of the
16 accuracy certification board appointed pursuant to the provisions of
17 NRS 293B.140.
18 3. The county clerk shall take such measures as he or she
19 deems necessary to protect the program from being altered or
20 damaged.
21 **Sec. 30.** NRS 293C.115 is hereby amended to read as follows:
22 293C.115 1. The governing body of a city incorporated
23 pursuant to general law may by ordinance provide for a primary city
24 election and a general city election on:
25 (a) The dates set forth for primary elections and general
26 elections pursuant to the provisions of chapter 293 of NRS; or
27 (b) The dates set forth for primary city elections and general city
28 elections pursuant to the provisions of this chapter.
29 2. If a governing body of a city adopts an ordinance pursuant to
30 paragraph (a) of subsection 1, the dates set forth in NRS 293.12755,
31 ~~{in subsections 2 to 5, inclusive, of NRS}~~ 293.165, ~~{and in NRS}~~
32 293.175, 293.177, 293.345 and 293.368 apply for purposes of
33 conducting the primary city elections and general city elections of
34 the city.
35 3. If a governing body of a city adopts an ordinance pursuant to
36 subsection 1:
37 (a) The term of office of any elected city official may not be
38 shortened as a result of the ordinance; and
39 (b) Each elected city official holds office until the end of his or
40 her term and until his or her successor has been elected and
41 qualified.
42 **Sec. 31.** NRS 293C.1865 is hereby amended to read as
43 follows:
44 293C.1865 1. In addition to any other penalty provided by
45 law, if a person willfully files a declaration of candidacy or



1 acceptance of candidacy knowing that the declaration of candidacy
2 or acceptance of candidacy contains a false statement:

3 (a) ~~Except as otherwise provided in NRS 293.165 or 293.166,~~
4 ~~the~~ *The* name of the person must not appear on any ballot for the
5 election for which the person filed the declaration of candidacy or
6 acceptance of candidacy; and

7 (b) The person is disqualified from entering upon the duties of
8 the office for which he or she was a candidate.

9 2. If the name of a person who is disqualified from entering
10 upon the duties of an office pursuant to subsection 1 appears on a
11 ballot for the election is disqualified because the deadline set forth
12 in NRS 293.165 ~~and 293.166~~ for making changes to the ballot has
13 passed, the Secretary of State and city clerk must post a sign at each
14 polling place where the person's name will appear on the ballot
15 informing voters that the person is disqualified from entering upon
16 the duties of office.

17 **Sec. 32.** NRS 298.035 is hereby amended to read as follows:

18 298.035 1. Each major political party shall, at the state
19 convention of the major political party held in that year, select from
20 the qualified electors who are legally registered members of the
21 major political party:

22 (a) A nominee to the position of presidential elector; and

23 (b) An alternate to the nominee for presidential elector,

24 ↪ for each position of presidential elector required by law.

25 2. Each minor political party shall choose from the qualified
26 electors who are legally registered members of the minor political
27 party:

28 (a) A nominee to the position of presidential elector; and

29 (b) An alternate to the nominee for presidential elector,

30 ↪ for each position of presidential elector required by law. The
31 person who is authorized to file ~~the list of candidates for partisan~~
32 ~~office~~ *information on behalf* of the minor political party with the
33 Secretary of State ~~pursuant to NRS 293.1725~~ shall, not later than
34 the last Tuesday in August, submit to the Secretary of State the list
35 of nominees for presidential elector and alternates.

36 3. Each independent candidate nominated for the office of
37 President pursuant to NRS 298.109 shall, at the time of filing the
38 petition as required pursuant to subsection 1 of NRS 298.109, or
39 within 10 days thereafter, choose from the qualified electors:

40 (a) A nominee to the position of presidential elector; and

41 (b) An alternate to the nominee for presidential elector,

42 ↪ for each position of presidential elector required by law.

43 **Sec. 33.** NRS 298.045 is hereby amended to read as follows:

44 298.045 1. Except as otherwise provided in subsection 2, a
45 nominee for presidential elector or an alternate may not serve as a



1 presidential elector unless the nominee for presidential elector or the
2 alternate signs a pledge in substantially the following form:

3
4 If selected for the position of presidential elector, I agree to
5 serve as such and to vote only for the nominees for President
6 and Vice President of the political party or the independent
7 candidates who received the highest number of votes in this
8 State at the general election.
9

10 2. If a nominee for presidential elector or an alternate is
11 physically unable to sign the pledge, the pledge may be signed by
12 proxy in the presence of the nominee for presidential elector or the
13 alternate, as applicable.

14 3. The chair and secretary of the convention of a major
15 political party, the person who is authorized to file ~~{the list of~~
16 ~~candidates for partisan office}~~ *information on behalf* of a minor
17 political party with the Secretary of State ~~{pursuant to NRS~~
18 ~~293.1725}~~ or an independent candidate shall submit to the Secretary
19 of State each pledge signed pursuant to this section with the list of
20 nominees for presidential elector and alternates.

21 **Sec. 34.** NRS 304.040 is hereby amended to read as follows:

22 304.040 Except as otherwise provided in NRS 304.200 to
23 304.250, inclusive, ~~{party}~~ candidates for Representative in
24 Congress shall be nominated in the same manner as state officers are
25 nominated.

26 **Sec. 35.** NRS 304.240 is hereby amended to read as follows:

27 304.240 1. If the Governor issues an election proclamation
28 calling for a special election pursuant to NRS 304.230, no primary
29 election may be held. ~~{Except as otherwise provided in this~~
30 ~~subsection, a candidate must be nominated in the manner provided~~
31 ~~in chapter 293 of NRS and must file a declaration or acceptance of~~
32 ~~candidacy within the time prescribed by the Secretary of State~~
33 ~~pursuant to NRS 293.204, which must be established to allow a~~
34 ~~sufficient amount of time for the mailing of election ballots.}~~ A
35 candidate ~~{of a major political party}~~ is nominated by filing a
36 declaration or acceptance of candidacy within the time prescribed by
37 the Secretary of State pursuant to NRS 293.204 ~~{A minor political~~
38 ~~party that wishes to place its candidates on the ballot must file a list~~
39 ~~of its candidates with the Secretary of State not more than 46 days~~
40 ~~before the special election and not less than 32 days before the~~
41 ~~special election. To have his or her name appear on the ballot, an~~
42 ~~independent candidate must file a petition of candidacy with the~~
43 ~~appropriate filing officer not more than 46 days before the special~~
44 ~~election and not less than 32 days before the special election.}~~ *which*



1 *must be established to allow a sufficient amount of time for the*
2 *mailing of election ballots.*

3 2. Except as otherwise provided in NRS 304.200 to 304.250,
4 inclusive:

5 (a) The election must be conducted pursuant to the provisions of
6 chapter 293 of NRS.

7 (b) The general election laws of this State apply to the election.

8 **Sec. 36.** NRS 450.080 is hereby amended to read as follows:

9 450.080 Except in counties where the board of county
10 commissioners is the board of hospital trustees:

11 1. The offices of hospital trustees are hereby declared to be
12 nonpartisan, and the names of candidates for such offices shall
13 appear alike upon the ballots ~~for all parties~~ at all primary elections.

14 2. At the general election only the names of those candidates,
15 not to exceed twice the number of hospital trustees to be elected,
16 who received the highest numbers of votes at the primary election
17 shall appear on the ballot.

18 **Sec. 37.** Section 96 of the Charter of Boulder City, being
19 chapter 637, Statutes of Nevada 1999, as last amended by chapter
20 336, Statutes of Nevada 2015, at page 1888, is hereby amended to
21 read as follows:

22 Section 96. Conduct of municipal elections.

23 1. All municipal elections must be nonpartisan in
24 character and must be conducted in accordance with the
25 provisions of the general election laws of the State of Nevada
26 and any ordinance regulations as adopted by the City Council
27 which are consistent with law and this Charter. (1959
28 Charter)

29 2. All full terms of office in the City Council are 4 years,
30 and Council Members must be elected at large without regard
31 to precinct residency. Except as otherwise provided in
32 subsection 8, two full-term Council Members and the Mayor
33 are to be elected in each year immediately preceding a federal
34 presidential election, and two full-term Council Members are
35 to be elected in each year immediately following a federal
36 presidential election. In each election, the candidates
37 receiving the greatest number of votes must be declared
38 elected to the vacant full-term positions. (Add. 17; Amd. 1;
39 11-5-1996)

40 3. In the event one or more 2-year term positions on the
41 Council will be available at the time of a municipal election
42 as provided in section 12, candidates must file specifically for
43 such position(s). Candidates receiving the greatest respective
44 number of votes must be declared elected to the respective
45 available 2-year positions. (Add. 15; Amd. 2; 6-4-1991)



1 4. Except as otherwise provided in subsection 8, a
2 primary municipal election must be held on the first Tuesday
3 after the first Monday in April of each odd-numbered year
4 and a general municipal election must be held on the second
5 Tuesday after the first Monday in June of each odd-numbered
6 year.

7 5. A primary municipal election must not be held if no
8 more than double the number of Council Members to be
9 elected file as candidates. A primary municipal election must
10 not be held for the office of Mayor if no more than two
11 candidates file for that position. The primary municipal
12 election must be held for the purpose of eliminating
13 candidates in excess of a figure double the number of Council
14 Members to be elected. (Add. 17; Amd. 1; 11-5-1996)

15 6. If, in the primary municipal election, a candidate
16 receives votes equal to a majority of voters casting ballots in
17 that election, he or she shall be considered elected to one of
18 the vacancies and his or her name shall not be placed on the
19 ballot for the general municipal election. (Add. 10; Amd. 7;
20 6-2-1981)

21 7. In each primary and general municipal election, voters
22 are entitled to cast ballots for candidates in a number equal to
23 the number of seats to be filled in the municipal elections.
24 (Add. 11; Amd. 5; 6-7-1983)

25 8. The City Council may by ordinance provide for a
26 primary municipal election and general municipal election on
27 the dates set forth for primary elections and general elections
28 pursuant to the provisions of chapter 293 of NRS.

29 9. If the City Council adopts an ordinance pursuant to
30 subsection 8, the dates set forth in NRS 293.12755, ~~the~~
31 ~~subsections 2 to 5, inclusive, of NRS~~ 293.165, ~~and in NRS~~
32 293.175, 293.177, 293.345 and 293.368 apply for the
33 purposes of conducting the primary municipal elections and
34 general municipal elections.

35 10. If the City Council adopts an ordinance pursuant to
36 subsection 8, the ordinance must not affect the term of office
37 of any elected official of the City serving in office on the
38 effective date of the ordinance. The next succeeding term for
39 that office may be shortened but may not be lengthened as a
40 result of the ordinance.

41 11. The conduct of all municipal elections must be under
42 the control of the City Council, which shall adopt by
43 ordinance all regulations which it considers desirable and
44 consistent with law and this Charter. Nothing in this Charter
45 shall be construed as to deny or abridge the power of the City



1 Council to provide for supplemental regulations for the
2 prevention of fraud in such elections and for the recount of
3 ballots in cases of doubt or fraud. (Add. 24; Amd. 1; 6-3-
4 2003)

5 **Sec. 38.** Section 5.010 of the Charter of the City of Caliente,
6 being chapter 31, Statutes of Nevada 1971, as last amended by
7 chapter 336, Statutes of Nevada 2015, at page 1889, is hereby
8 amended to read as follows:

9 Sec. 5.010 Municipal elections.

10 1. Except as otherwise provided in subsection 2:

11 (a) On the second Tuesday after the first Monday in June
12 2019, and at each successive interval of 4 years thereafter,
13 there must be elected by the qualified voters of the City, at a
14 general municipal election to be held for that purpose, two
15 Council Members who shall hold office for a period of 4
16 years and until their successors have been elected and
17 qualified.

18 (b) On the second Tuesday after the first Monday in June
19 2017, and at each successive interval of 4 years, there must be
20 elected by the qualified voters of the City, at a general
21 municipal election to be held for that purpose, a Mayor and
22 two Council Members, who shall hold office for a period of 4
23 years and until their successors have been elected and
24 qualified.

25 2. The City Council may by ordinance provide for a
26 primary municipal election and general municipal election on
27 the dates set forth for primary elections and general elections
28 pursuant to the provisions of chapter 293 of NRS.

29 3. If the City Council adopts an ordinance pursuant to
30 subsection 2, the dates set forth in NRS 293.12755, ~~the~~
31 ~~subsections 2 to 5, inclusive, of NRS~~ 293.165, ~~and in NRS~~
32 293.175, 293.177, 293.345 and 293.368 apply for the
33 purposes of conducting the primary municipal elections and
34 general municipal elections.

35 4. If the City Council adopts an ordinance pursuant to
36 subsection 2, the term of office of any elected official may be
37 shortened but may not be lengthened as a result of the
38 ordinance.

39 **Sec. 39.** Section 5.020 of the Charter of the City of Henderson,
40 being chapter 266, Statutes of Nevada 1971, as last amended by
41 chapter 336, Statutes of Nevada 2015, at page 1890, is hereby
42 amended to read as follows:

43 Sec. 5.020 General municipal election.

44 1. Except as otherwise provided in subsection 2:



1 (a) A general municipal election must be held in the City
2 on the second Tuesday after the first Monday in June of each
3 odd-numbered year, at which time the registered voters of the
4 City shall elect city officers to fill the available elective
5 positions.

6 (b) All candidates for the office of Mayor, Council
7 Member and Municipal Judge must be voted upon by the
8 registered voters of the City at large. The term of office for
9 members of the City Council and the Mayor is 4 years.
10 Except as otherwise provided in subsection 3 of section
11 4.015, the term of office for a Municipal Judge is 6 years.

12 (c) On the second Tuesday after the first Monday in June
13 2019, and every 6 years thereafter, there must be elected by
14 the qualified voters of the City, at a general municipal
15 election to be held for that purpose, a Municipal Judge for
16 Department 1 who will hold office until his or her successor
17 has been elected and qualified.

18 (d) On the second Tuesday after the first Monday in June
19 2021, and every 6 years thereafter, there must be elected by
20 the qualified voters of the City, at a general municipal
21 election to be held for that purpose, a Municipal Judge for
22 Department 2 who will hold office until his or her successor
23 has been elected and qualified.

24 (e) On the second Tuesday after the first Monday in June
25 2017, and every 6 years thereafter, there must be elected by
26 the qualified voters of the City, at a general municipal
27 election to be held for that purpose, a Municipal Judge for
28 Department 3 who will hold office until his or her successor
29 has been elected and qualified.

30 2. The City Council may by ordinance provide for a
31 primary municipal election and general municipal election on
32 the dates set forth for primary elections and general elections
33 pursuant to the provisions of chapter 293 of NRS.

34 3. If the City Council adopts an ordinance pursuant to
35 subsection 2, the dates set forth in NRS 293.12755, ~~the~~
36 ~~subsections 2 to 5, inclusive, of NRS~~ 293.165, ~~and in NRS~~
37 293.175, 293.177, 293.345 and 293.368 apply for the
38 purposes of conducting the primary municipal elections and
39 general municipal elections.

40 4. If the City Council adopts an ordinance pursuant to
41 subsection 2, the ordinance must not affect the term of office
42 of any elected official of the City serving in office on the
43 effective date of the ordinance. The next succeeding term for
44 that office may be shortened but may not be lengthened as a
45 result of the ordinance.



1 **Sec. 40.** Section 5.020 of the Charter of the City of Las Vegas,
2 being chapter 517, Statutes of Nevada 1983, as last amended by
3 chapter 336, Statutes of Nevada 2015, at page 1892, is hereby
4 amended to read as follows:

5 Sec. 5.020 General municipal election.

6 1. Except as otherwise provided in subsection 2, a
7 general municipal election must be held in the City on the
8 second Tuesday after the first Monday in June of each odd-
9 numbered year and on the same day every 2 years thereafter,
10 at which time there must be elected those officers whose
11 offices are required to be filled by election in that year.

12 2. The City Council may by ordinance provide for a
13 primary municipal election and general municipal election on
14 the dates set forth for primary elections and general elections
15 pursuant to the provisions of chapter 293 of NRS.

16 3. If the City Council adopts an ordinance pursuant to
17 subsection 2, the dates set forth in NRS 293.12755, ~~the~~
18 ~~subsections 2 to 5, inclusive, of NRS~~ 293.165, ~~and in NRS~~
19 293.175, 293.177, 293.345 and 293.368 apply for the
20 purposes of conducting the primary municipal elections and
21 general municipal elections.

22 4. If the City Council adopts an ordinance pursuant to
23 subsection 2, the ordinance must not affect the term of office
24 of any elected official of the City serving in office on the
25 effective date of the ordinance. The next succeeding term for
26 that office may be shortened but may not be lengthened as a
27 result of the ordinance.

28 5. All candidates for elective office, except the office of
29 Council Member, must be voted upon by the registered voters
30 of the City at large.

31 **Sec. 41.** Section 5.025 of the Charter of the City of North Las
32 Vegas, being chapter 218, Statutes of Nevada 2011, as amended by
33 chapter 263, Statutes of Nevada 2013, at page 1184, is hereby
34 amended to read as follows:

35 Sec. 5.025 City Council authorized to provide for
36 primary and general municipal elections in even-numbered
37 years.

38 1. The City Council may by ordinance provide for a
39 primary municipal election and general municipal election on
40 the dates set forth for primary elections and general elections
41 pursuant to the provisions of chapter 293 of NRS.

42 2. If the City Council adopts an ordinance pursuant to
43 subsection 1, the dates set forth in NRS 293.12755, ~~the~~
44 ~~subsections 2 to 5, inclusive, of NRS~~ 293.165, ~~and in NRS~~
45 293.175, 293.177, 293.345 and 293.368 apply for the



1 purposes of conducting the primary municipal elections and
2 general municipal elections.

3 3. If the City Council adopts an ordinance pursuant to
4 subsection 1, the ordinance must not affect the term of office
5 of any elected official of the City serving in office on the
6 effective date of the ordinance. The next succeeding term for
7 that office may be shortened but may not be lengthened as a
8 result of the ordinance.

9 **Sec. 42.** Section 5.010 of the Charter of the City of Yerington,
10 being chapter 465, Statutes of Nevada 1971, as last amended by
11 chapter 336, Statutes of Nevada 2015, at page 1893, is hereby
12 amended to read as follows:

13 Sec. 5.010 Municipal elections.

14 1. Except as otherwise provided in subsection 2:

15 (a) On the second Tuesday after the first Monday in June
16 2019, and at each successive interval of 4 years, there must be
17 elected by the qualified voters of the City, at a general
18 municipal election to be held for that purpose, a Mayor and
19 two Council Members, who shall hold office for a period of 4
20 years and until their successors have been elected and
21 qualified.

22 (b) On the second Tuesday after the first Monday in June
23 2017, and at each successive interval of 4 years thereafter,
24 there must be elected by the qualified voters of the City, at a
25 general municipal election to be held for that purpose, two
26 Council Members, who shall hold office for a period of 4
27 years and until their successors have been elected and
28 qualified.

29 2. The City Council may by ordinance provide for a
30 primary municipal election and general municipal election on
31 the dates set forth for primary elections and general elections
32 pursuant to the provisions of chapter 293 of NRS.

33 3. If the City Council adopts an ordinance pursuant to
34 subsection 2, the dates set forth in NRS 293.12755, ~~in~~
35 ~~subsections 2 to 5, inclusive, of NRS~~ 293.165, ~~and in NRS~~
36 293.175, 293.177, 293.345 and 293.368 apply for the
37 purposes of conducting the primary municipal elections and
38 general municipal elections.

39 4. If the City Council adopts an ordinance pursuant to
40 subsection 2, the term of office of any elected official may be
41 shortened but may not be lengthened as a result of the
42 ordinance.

43 **Sec. 43.** NRS 293.166, 293.1725, 293.176, 293.200,
44 293B.190, 293B.300, 293B.305 and 293B.310 are hereby repealed.



- 1 **Sec. 44.** This act becomes effective:
2 1. Upon passage and approval for the purpose of adopting
3 regulations and performing any other preparatory administrative
4 tasks that are necessary to carry out the provisions of this act; and
5 2. On January 1, 2018, for all other purposes.

LEADLINES OF REPEALED SECTIONS

293.166 Procedure for filling vacancy in party nomination for office of State Legislator from multicounty legislative district.

293.1725 Candidates: Submission of list to Secretary of State; filing of declaration of candidacy and certificate of nomination.

293.176 When candidacy for major political party prohibited; exception.

293.200 Independent candidates: Qualification; petition of candidacy; time limit for challenge; declaration of candidacy.

293B.190 Primary elections: Partisan and nonpartisan arrangement of list of candidates and measures to be voted on at election.

293B.300 Primary elections: Issuance of partisan ballot; directions to voter.

293B.305 Primary elections: Issuance of nonpartisan ballot; alternative directions to voter.

293B.310 Primary elections: Optional manner of voting when party comprises less than 5 percent of voters.

