

Amendment No. 230

Senate Amendment to Senate Bill No. 292	(BDR 24-999)
Proposed by: Senate Committee on Legislative Operations and Elections	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will REMOVE the unfunded mandate from S.B. 292.
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ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



SENATE BILL NO. 292—SENATOR LANGE

MARCH 22, 2021

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections. (BDR 24-999)

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

~~[CONTAINS UNFUNDED MANDATE (§ 9)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)]~~

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

AN ACT relating to public office; requiring a ballot in the general election to have an option to vote a straight ticket for partisan races; revising the qualification requirements for a minor political party; revising the deadline to challenge the qualification of a minor political party; revising provisions for filling a vacancy in the office of United States Senator, Representative in Congress or State Legislator; repealing various provisions relating to major political parties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires a mechanical voting system to permit a voter to vote for all the candidates of one party or in part for the candidates of one party and in part for the candidates of one or more other parties. (NRS 293B.080) **Section 1** of this bill requires a ballot used for the general election to permit a voter to vote for all the candidates of one political party on the ballot in partisan races by marking the name of the political party at the top of the ballot, which must be available for every major political party and minor political party. **Section 1** also provides that if a voter selects the straight ticket option on the ballot and also votes for an individual candidate who is a member of a political party that is different from the political party that was selected in the straight ticket option in a partisan race, the vote for the individual candidate must prevail over the straight ticket option if the votes conflict.

Section 4 of this bill requires a voter education program provided by a county to include information concerning straight ticket voting. **Section 5** of this bill makes conforming changes relating to the requirements for straight ticket and split ticket voting on a mechanical voting device.

Existing law establishes certain requirements for a minor political party to qualify as a minor political party in this State, which include filing a petition with the Secretary of State not later than the third Friday in June preceding the general election which is signed by a number of registered voters equal to at least 1 percent of the number of voters who cast votes at the last preceding general election for the offices of Representative in Congress. (NRS 293.1715) **Section 2** of this bill revises this requirement to instead provide that to qualify as a minor political party, the minor political party must file a petition ~~signed by~~ by June 1 preceding the general election or, if that date falls on a weekend, the first Monday in June ~~signed by~~ and ~~signed by a~~ ~~the~~ number of registered voters ~~equal to at least 2 percent of the number of~~

24 voters who cast votes at the last preceding general election for the offices of Representative in
25 Congress, which] **required to sign the petition** must be equally divided among the petition
26 districts. **Section 3** of this bill makes conforming changes to move the deadline to file a
27 challenge on the qualification of a minor political party to place the names of candidates on
28 the ballot from the fourth Friday in June to the second Monday in June. (NRS 293.174)

29 Existing law requires the Governor to appoint a person to fill a vacancy in the office of
30 United States Senator. (NRS 304.030) **Section 6** of this bill requires the Governor to appoint a
31 person who is of the same political party as the former Senator.

32 Existing law requires the Governor to fill a vacancy in the office of Representative in
33 Congress by calling for a special election. **Such a special election may be consolidated with
34 a statewide election or local election under certain circumstances. (NRS 304.230,
35 304.240) Sections 8 and 9** of this bill require a candidate for a major political party to be
36 nominated at a special primary election before the special general election and require the
37 Governor to specify a date for a special primary election to be held not less than 60 days
38 before the date of the special general election. **Sections 8 and 13.5 of this bill require the
39 cost of a special primary election and special general election to be paid from the
40 Reserve for Statutory Contingency Account unless such elections are consolidated with a
41 statewide election or local election.**

42 **Section 8** removes a requirement for a special election to be conducted not more than 90
43 days after the issuance of a proclamation by the Governor if a vacancy is caused by a
44 catastrophe. **Sections 7, 10 and 15** of this bill make conforming changes by: (1) removing
45 definitions relating to a catastrophe; and (2) revising certain references relating to such
46 provisions.

47 Under existing law, a vacancy in the office of Legislator is filled by appointment by the
48 board of county commissioners of the county in which the legislative district of the former
49 Legislator is located or, if the legislative district of the former Legislator comprises more than
50 one county, the boards of county commissioners of each county within or partly within the
51 legislative district of the former Legislator. (Nev. Art. 4, §12; NRS 218A.260, 218A.262)
52 Existing law requires the board or boards of county commissioners, as applicable, to establish
53 an application process by which persons may file applications with the board or boards to fill
54 the vacancy. (NRS 218A.262) **Sections 11 and 12** of this bill: (1) require the Majority or
55 Minority Leader of the House of which the former Legislator was a member who is of the
56 same political party as the former Legislator to submit to the board or boards of county
57 commissioners, as applicable, a list of qualified nominees to fill the vacancy; and (2) require,
58 **with certain exceptions,** the board or boards of county commissioners to fill the vacancy by
59 appointing a person from the list of qualified nominees. **The board or boards of county
60 commissioners may vote to reject all of the qualified nominees on the list and request the
61 Majority or Minority Leader of the House of which the former Legislator was a member
62 who is of the same political party as the former Legislator to submit to the board or
63 boards of county commissioners, as applicable, a new list of qualified nominees to fill the
64 vacancy. In such a circumstance, the board or boards of county commissioners must
65 appoint a qualified nominee to fill the legislative vacancy from the second list of
66 qualified nominees submitted by the applicable Majority or Minority Leader.**

67 If the former Legislator is not of the same political party as the Majority or Minority
68 Leader of the House of which the former Legislator was a member, **sections 11 and 12**
69 require the board or boards of county commissioners, as applicable, to establish an application
70 process by which persons may file applications with the board or boards to fill the vacancy.
71 **Section 13** of this bill makes a conforming change to require a nominee or applicant to fill a
72 vacancy to file a declaration of eligibility with the board or boards of county commissioners.

73 Existing law sets forth various requirements for the internal organization and procedures
74 of major political parties, including requirements for the election of delegates to county and
75 state conventions, the manner of organization of county conventions and provisions governing
76 state and central committees. (NRS 293.130-293.163) **Section 15** of this bill removes these
77 provisions.

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

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

3 1. *Ballots for the general election must permit the voter to vote a straight*
4 *ticket for all the candidates of one political party in partisan races on the ballot*
5 *by marking the name of the political party at the top of the ballot.*

6 2. *If a voter marks the name of a political party at the top of the ballot and*
7 *also marks the name of a candidate who is a member of a political party that is*
8 *different from the political party that was selected in the straight ticket option on*
9 *the ballot in a partisan race, the vote for the candidate must prevail if the votes*
10 *conflict.*

11 3. *For the purposes of subsection 1, the ballot must include a straight ticket*
12 *option for every major political party and minor political party.*

13 **Sec. 2.** NRS 293.1715 is hereby amended to read as follows:

14 293.1715 1. The names of the candidates for partisan office of a minor
15 political party must not appear on the ballot for a primary election.

16 2. The names of the candidates for partisan office of a minor political party
17 must be placed on the ballot for the general election if the minor political party is
18 qualified. To qualify as a minor political party, the minor political party must have
19 filed a certificate of existence and be organized pursuant to NRS 293.171, must
20 have filed a list of its candidates for partisan office pursuant to the provisions of
21 NRS 293.1725 with the Secretary of State and:

22 (a) At the last preceding general election, the minor political party must have
23 polled for any of its candidates for partisan office a number of votes equal to or
24 more than 1 percent of the total number of votes cast for the offices of
25 Representative in Congress;

26 (b) On January 1 preceding a primary election, the minor political party must
27 have been designated as the political party on the applications to register to vote of
28 at least 1 percent of the total number of registered voters in this State; or

29 (c) ~~Not later than the third Friday in~~ *On June 1* preceding the general election
30 ~~or if the date falls on a weekend, the first Monday in June,~~ must file a petition
31 with the Secretary of State which is signed by a number of registered voters equal
32 to at least ~~1~~ *1* percent of the total number of votes cast at the last preceding
33 general election for the offices of Representative in Congress ~~which must be~~
34 ~~apportioned equally among the petition districts.~~

35 3. The name of only one candidate of each minor political party for each
36 partisan office may appear on the ballot for a general election.

37 4. A minor political party must file a copy of the petition required by
38 paragraph (c) of subsection 2 with the Secretary of State before the petition may be
39 circulated for signatures.

40 5. *To determine the number of signatures required by paragraph (c) of*
41 *subsection 2 to be gathered from each petition district, the Secretary of State shall*
42 *calculate the number that equals ~~1~~ 1 percent of the voters who voted in this*
43 *State at the last preceding general election and apportion that number by the*
44 *number of petition districts. Fractional numbers must be rounded up to the*
45 *nearest whole number.*

46 **Sec. 3.** NRS 293.174 is hereby amended to read as follows:

47 293.174 If the qualification of a minor political party to place the names of
48 candidates on the ballot pursuant to NRS 293.1715 is challenged, all affidavits and
49 documents in support of the challenge must be filed not later than 5 p.m. on the

1 ~~Fourth Friday~~ **second Monday** in June. Any judicial proceeding resulting from the
2 challenge must be set for hearing not more than 5 days after the ~~Fourth Friday~~
3 **second Monday** in June. A challenge pursuant to this section must be filed with the
4 First Judicial District Court if the petition was filed with the Secretary of State. The
5 district court in which the challenge is filed shall give priority to such proceedings
6 over all other matters pending with the court, except for criminal proceedings.

7 **Sec. 4.** NRS 293.2693 is hereby amended to read as follows:

8 293.2693 If a county or city uses paper ballots, including, without limitation,
9 for absent ballots and ballots voted in a mailing precinct, the county or city clerk
10 shall provide a voter education program specific to the voting system used by the
11 county or city. The voter education program must include, without limitation,
12 information concerning **straight ticket voting pursuant to section 1 of this act, if**
13 **applicable**, the effect of overvoting and the procedures for correcting a vote on a
14 ballot before it is cast and counted and for obtaining a replacement ballot.

15 **Sec. 5.** NRS 293B.080 is hereby amended to read as follows:

16 293B.080 A mechanical voting system must, except at primary elections,
17 permit the voter to vote for all the candidates of one party **in accordance with**
18 **section 1 of this act** or in part for the candidates of one party and in part for the
19 candidates of one or more other parties.

20 **Sec. 6.** NRS 304.030 is hereby amended to read as follows:

21 304.030 In case of a vacancy in the office of United States Senator caused by
22 death, resignation or otherwise, the Governor may appoint some qualified person to
23 fill the vacancy, **who is a member of the same political party as the former**
24 **Senator for at least 90 days immediately preceding the creation of the vacancy**
25 **and** who shall hold office until the next general election and until his or her
26 successor shall be elected and seated.

27 **Sec. 7.** NRS 304.040 is hereby amended to read as follows:

28 304.040 Except as otherwise provided in NRS ~~304.200 to 304.250,~~
29 ~~inclusive,~~ **304.230 and 304.240**, party candidates for Representative in Congress
30 shall be nominated in the same manner as state officers are nominated.

31 **Sec. 8.** NRS 304.230 is hereby amended to read as follows:

32 304.230 1. In the event of a vacancy in the office of Representative in
33 Congress, the Governor shall, within 7 days after the event giving rise to the
34 vacancy, issue an election proclamation calling for ~~it~~;

35 **(a) A special primary election to be held for selecting the nominee of each**
36 **major political party for the office of Representative in Congress; and**

37 **(b) A special general election to fill the vacancy ~~it~~ in the office of**
38 **Representative in Congress.**

39 2. The Governor shall specify the ~~date~~ **dates** of **the special primary election**
40 **and the special general election** in the proclamation. ~~Except as otherwise provided~~
41 ~~in subsection 2, the~~ **The special primary election must be held not less than 60**
42 **days before the date of the special general election.**

43 3. **A special primary election and a special general election** must be
44 conducted:

45 (a) As soon as practicable after the issuance of the proclamation ~~it~~ **but with**
46 **sufficient time to comply with the provisions of chapter 293D of NRS and the**
47 **Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et**
48 **seq.;**

49 (b) On a Tuesday; and

50 (c) Not more than 180 days after the issuance of the proclamation. ~~If the~~
51 ~~vacancy is caused by a catastrophe, the election must be conducted not more than~~
52 ~~90 days after the issuance of the proclamation.~~

1 ~~—2.1~~ **4.** A special **primary election or special general election** required
 2 pursuant to subsection 1 may be consolidated with a statewide election or local
 3 election scheduled to be conducted within 90 days after the issuance of the
 4 proclamation. The special **primary election or special general election** may be
 5 consolidated with a local election occurring wholly or partially within the same
 6 territory in which the vacancy exists only if the voters eligible to vote in the local
 7 election comprise at least 50 percent of all voters eligible to vote on the vacancy. **If**
 8 **a special primary election or a special general election is not consolidated with a**
 9 **statewide election or local election, the cost of the special primary election or**
 10 **special general election is a charge against the State and must be paid from the**
 11 **Reserve for Statutory Contingency Account upon recommendation by the**
 12 **Secretary of State and approval of the State Board of Examiners.**

13 **Sec. 9.** NRS 304.240 is hereby amended to read as follows:

14 304.240 1. ~~If the Governor issues an election proclamation calling for a~~
 15 ~~special election pursuant to NRS 304.230, no primary election may be held.~~

16 ~~—2.~~ ~~Except as otherwise provided in this section, a candidate must be~~
 17 ~~nominated in the manner provided in chapter 293 of NRS and] **A person who wants**~~
 18 ~~to be a candidate at a special primary election called pursuant to NRS 304.230~~
 19 ~~must file a declaration of candidacy with the appropriate filing officer and pay the~~
 20 ~~filing fee required by NRS 293.193 within the time prescribed by the Secretary of~~
 21 ~~State pursuant to NRS 293.204, which must be established to allow a sufficient~~
 22 ~~amount of time for the mailing of election ballots.~~

23 ~~—3.] to comply with the provisions of chapter 293D of NRS and the~~
 24 ~~Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et~~
 25 ~~seq.~~

26 **2.** A candidate of a major political party is nominated ~~by filing a declaration~~
 27 ~~of candidacy with the appropriate filing officer and paying the filing fee required by~~
 28 ~~NRS 293.193 within the time prescribed by the Secretary of State pursuant to NRS~~
 29 ~~293.204.~~

30 ~~—4.] at the special primary election.~~

31 **3.** A minor political party that wishes to place its candidates on the ballot ~~at~~
 32 ~~the special general election~~ must file a list of its candidates with the Secretary of
 33 State not ~~more than 46 days before the special election and not less than 32 days~~
 34 ~~before] later than the day following the special **primary** election.~~

35 ~~[5.] 4.~~ To have his or her name appear on the ballot ~~[.] at the special general~~
 36 ~~election, an independent candidate must file a petition of candidacy with the~~
 37 ~~appropriate filing officer not [more than 46 days before the special election and not~~
 38 ~~less than 32 days before] later than the day following the special **primary** election.~~

39 ~~[6.] 5.~~ Except as otherwise provided in ~~this section and~~ NRS ~~[304.200 to~~
 40 ~~304.250, inclusive.] 304.230:~~

41 (a) The ~~special primary election and special general~~ election must be
 42 conducted pursuant to the provisions of chapter 293 of NRS.

43 (b) The general election laws of this State apply to the ~~special primary election~~
 44 ~~and the special general~~ election.

45 **Sec. 10.** NRS 304.250 is hereby amended to read as follows:

46 304.250 The Secretary of State shall adopt such regulations as are necessary
 47 for conducting ~~special~~ elections pursuant to the provisions of NRS ~~[304.200 to~~
 48 ~~304.250, inclusive.] 304.230 and 304.240.~~

49 **Sec. 11.** NRS 218A.260 is hereby amended to read as follows:

50 218A.260 1. If, for any reason set forth in Section 12 of Article 4 of the
 51 Nevada Constitution or for any other reason, a vacancy occurs in the office of a
 52 Legislator during a regular or special session or at a time when no biennial election
 53 or regular election at which county officers are to be elected will take place

1 between the occurrence of the vacancy and the next regular or special session, the
2 vacancy must be filled in the manner provided in this section.

3 2. ~~¶¶~~ Except as otherwise provided in subsection 3, if the former Legislator
4 was elected or appointed from a district wholly within one county, the board of
5 county commissioners of the county in which the district is located shall fill the
6 vacancy by appointing a person who meets the qualifications for the office as
7 required by NRS 218A.200, who *is nominated or* timely files an application to fill
8 the vacancy, *as applicable*, pursuant to NRS 218A.262, ~~and a declaration of~~
9 ~~eligibility pursuant to NRS 218A.264,~~ who is a member of the same political party
10 as the former Legislator and who has, in accordance with NRS 281.050, actually, as
11 opposed to constructively, resided in the district for at least 30 days immediately
12 preceding the date *on which the person is nominated or the date* established
13 pursuant to ~~subsection 1 of~~ NRS 218A.262 for the close of filing of applications
14 to fill the vacancy ~~¶~~, *as applicable*.

15 3. If the board of county commissioners votes to reject all of the qualified
16 nominees submitted to the board pursuant to NRS 218A.262, if applicable, the
17 board must request a new list of one or more qualified nominees from the
18 Majority or Minority Leader of the House of which the former Legislator was a
19 member and who is of the same political party as the former Legislator. Upon
20 receipt of the new list of qualified nominees, the board of county commissioners
21 shall fill the vacancy by appointing a qualified nominee from the new list.

22 4. Except as otherwise provided in subsection 5, if the former Legislator was
23 elected or appointed from a district comprising more than one county, the boards of
24 county commissioners of each county within or partly within the district shall fill
25 the vacancy by appointing a person who meets the qualifications for the office as
26 required by NRS 218A.200, who *is nominated or* timely files an application to fill
27 the vacancy, *as applicable*, pursuant to NRS 218A.262, ~~and a declaration of~~
28 ~~eligibility pursuant to NRS 218A.264,~~ who is a member of the same political party
29 as the former Legislator and who has, in accordance with NRS 281.050, actually, as
30 opposed to constructively, resided in the district for at least 30 days immediately
31 preceding the date *on which the person is nominated or the date* established
32 pursuant to ~~subsection 2 of~~ NRS 218A.262 for the close of filing of applications
33 to fill the vacancy ~~¶~~, *as applicable*. To fill the vacancy:

34 (a) Each board of county commissioners shall first meet separately. ~~and~~
35 Each board of county commissioners shall vote to determine the single candidate
36 it will nominate to fill the vacancy ~~¶~~ or, if a list of qualified nominees was
37 submitted pursuant to NRS 218A.262, to reject all of the qualified nominees.

38 (b) The boards shall then meet jointly. The joint meeting must be chaired by
39 the person who is the chair of the board of county commissioners of the county
40 with the largest population in the district. At the joint meeting:

41 (1) The chair of each board, on behalf of that board, shall cast a
42 proportionate number of votes according to the percent, rounded to the nearest
43 whole percent, which the population of that board's county is of the population of
44 the entire district. Populations must be determined by the last decennial census or
45 special census conducted by the Bureau of the Census of the United States
46 Department of Commerce.

47 (2) The person who receives a plurality of these votes is appointed to fill
48 the vacancy. If a list of qualified nominees was not required to be submitted to the
49 boards of county commissioners pursuant to NRS 218A.262 and no person
50 receives a plurality of the votes, the boards of county commissioners of the
51 respective counties shall each select a candidate, and the appointee must be chosen
52 by drawing lots among the candidates so selected.

~~44~~ 5. *If at the joint meeting held pursuant to paragraph (b) of subsection 4 the choice to reject all of the qualified nominees from the list submitted pursuant to NRS 218A.262 receives a plurality of the votes, the boards of county commissioners must request a new list of one or more qualified nominees from the Majority or Minority Leader of the House of which the former Legislator was a member and who is of the same political party as the former Legislator. Upon receipt of the new list of qualified nominees, the board of county commissioners shall repeat the process set forth in subsection 4 but must fill the vacancy by appointing a qualified nominee from the new list of qualified nominees.*

6. The board of county commissioners or the board of the county with the largest population in the district shall issue a certificate of appointment naming the appointee. The county clerk or the clerk of the county with the largest population in the district shall give the certificate to the appointee and send a copy of the certificate to the Secretary of State.

7. *As used in this section, "qualified nominee" means a person:*

(a) Who meets the qualifications for the office as required by NRS 218A.200;

(b) Who is a member of the same political party as the former Legislator;
and

(c) Who has, in accordance with NRS 281.050, actually, as opposed to constructively, resided in the district of the former Legislator for at least 30 days immediately preceding the date on which the person is nominated by the Majority or Minority Leader of the House of which the former Legislator was a member and who is of the same political party as the former Legislator.

Sec. 12. NRS 218A.262 is hereby amended to read as follows:

1. If a vacancy in the office of a Legislator must be filled pursuant to NRS 218A.260 and the former Legislator was elected or appointed from a district wholly within one county, *the Majority or Minority Leader of the House of which the former Legislator was a member who is of the same political party as the former Legislator must submit to the board of county commissioners a list of one or more qualified nominees to fill the vacancy. If the former Legislator is not of the same political party as the Majority or Minority Leader of the House of which the former Legislator was a member,* the board of county commissioners of the county in which the district is located shall establish:

(a) A process by which persons may file applications with the board to fill the vacancy; and

(b) A specific date for the close of filing of applications to fill the vacancy.

2. If a vacancy in the office of a Legislator must be filled pursuant to NRS 218A.260 and the former Legislator was elected or appointed from a district comprising more than one county ~~44~~, *the Majority or Minority Leader of the House of which the former Legislator was a member and who is of the same political party as the former Legislator must submit to the board of county commissioners of each county within or partly within the district a list of one or more qualified nominees to fill the vacancy. If the former Legislator is not of the same political party as the Majority or Minority Leader of the House of which the former Legislator was a member:*

(a) The board of county commissioners of each county within or partly within the district shall establish a process by which persons may file applications with that board to fill the vacancy.

(b) The board of county commissioners of the county with the largest population in the district shall, after considering any recommendations made by the other boards within a reasonable time after the vacancy, establish a specific date that is the same for all of the boards for the close of filing of applications to fill the vacancy.

1 3. If, pursuant to NRS 218A.260, the board or boards of county
2 commissioners, as applicable, reject all of the qualified nominees on the list
3 submitted by the Majority or Minority Leader of the House of which the former
4 Legislator was a member who is of the same political party as the former
5 Legislator, the same Majority or Minority Leader must submit a new list of one of
6 more qualified nominees to fill the vacancy to the board or boards of county
7 commissioners.

8 4. As used in this section, "qualified nominee" means a person:

9 (a) Who meets the qualifications for the office as required by NRS 218A.200;

10 (b) Who is a member of the same political party as the former Legislator;
11 and

12 (c) Who has, in accordance with NRS 281.050, actually, as opposed to
13 constructively, resided in the district of the former Legislator for at least 30 days
14 immediately preceding the date on which the person is nominated ~~pursuant to~~
15 ~~subsection 1 or 2,~~ by the Majority or Minority Leader of the House of which the
16 former Legislator was a member and who is of the same political party as the
17 former Legislator.

18 **Sec. 13.** NRS 218A.264 is hereby amended to read as follows:

19 218A.264 1. If a person is nominated pursuant to NRS 218A.260 or
20 218A.262, or a person files an application with any board of county commissioners
21 to fill a vacancy in the office of a Legislator pursuant to NRS 218A.262, the person
22 must execute and file with ~~his or her application~~ the board of county
23 commissioners, a declaration of eligibility that must be in substantially the
24 following form:
25

26 For the purpose of applying to fill the vacancy in the office of a Legislator
27 in the following legislative district, (name of assembly or
28 senatorial district), I, the undersigned, do swear or affirm under
29 penalty of perjury that I actually, as opposed to constructively, reside at
30, in the City or Town of, County of, State of
31 Nevada; that, as required by NRS 218A.260, my actual, as opposed to
32 constructive, residence in that legislative district began on a date at least 30
33 days immediately preceding the date of nomination pursuant to NRS
34 218A.262 or the date established pursuant to NRS 218A.262 for the close
35 of filing of applications to fill the vacancy ~~;~~ , as applicable; that my
36 telephone number is, and the address at which I receive mail, if
37 different than my residence, is; that I am registered as a member
38 of the Party; that I am a qualified elector pursuant to Section 1 of
39 Article 2 of the Constitution of the State of Nevada; that if I have ever been
40 convicted of treason or a felony, my civil rights have been restored; that I
41 will otherwise qualify for the office if appointed thereto, including, but not
42 limited to, complying with any limitation prescribed by the Constitution of
43 this State concerning the number of years or terms for which a person may
44 hold the office; that I understand that knowingly and willfully filing a
45 declaration of eligibility which contains a false statement is a crime
46 punishable as a gross misdemeanor; and that, as required by NRS
47 218A.200, I will have been an actual, as opposed to constructive, citizen
48 resident of this State for 1 year immediately preceding the date of my
49 appointment and that, during such period, I will have resided at the
50 following residence or residences:

51
52 Street Address

.....
Street Address

1
2 City or Town City or Town
3
4 State State
5
6 From To From To.....
7 Dates of Residency Dates of Residency
8
9
10 Street Address Street Address
11
12 City or Town City or Town
13
14 State State
15
16 From To From To.....
17 Dates of Residency Dates of Residency
18 (Attach additional sheet or sheets of residences as necessary)

.....
(Name of applicant)

.....
(Signature of applicant)

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

.....
Notary Public or other person
authorized to administer an oath

2. Each address of the applicant that must be included in the declaration of eligibility pursuant to subsection 1 must be the street address of the residence where the applicant actually, as opposed to constructively, resided or resides in accordance with NRS 281.050, if one has been assigned. The declaration of eligibility must not be accepted for filing if any of the applicant's addresses are listed as a post office box unless a street address has not been assigned to the residence.

3. *Any person who does not submit a declaration of eligibility pursuant to this section is ineligible to fill the vacancy of the former Legislator.*

4. Any person who knowingly and willfully files a declaration of eligibility that contains a false statement in violation of this section is guilty of a gross misdemeanor.

Sec. 13.5. NRS 353.264 is hereby amended to read as follows:

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

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

- (a) The payment of claims which are obligations of the State pursuant to NRS 41.03435, 41.0347, 62I.025, 176.485, 179.310, 212.040, 212.050, 212.070, 281.174, 282.290, 282.315, 288.203, 293.253, 293.405, 304.230, 353.120, 353.262, 412.154 and 475.235;

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

2 (1) Chapter 472 of NRS arising from operations of the Division of Forestry
3 of the State Department of Conservation and Natural Resources directly involving
4 the protection of life and property; and

5 (2) NRS 7.155, 34.750, 176A.640, 179.225 and 213.153,

6 ↪ except that claims may be approved for the respective purposes listed in this
7 paragraph only when the money otherwise appropriated for those purposes has been
8 exhausted;

9 (c) The payment of claims which are obligations of the State pursuant to NRS
10 41.0349 and 41.037, but only to the extent that the money in the Fund for Insurance
11 Premiums is insufficient to pay the claims;

12 (d) The payment of claims which are obligations of the State pursuant to NRS
13 41.950; and

14 (e) The payment of claims which are obligations of the State pursuant to NRS
15 535.030 arising from remedial actions taken by the State Engineer when the
16 condition of a dam becomes dangerous to the safety of life or property.

17 3. The State Board of Examiners may authorize its Clerk or a person
18 designated by the Clerk, under such circumstances as it deems appropriate, to
19 approve, on behalf of the Board, the payment of claims from the Reserve for
20 Statutory Contingency Account. For the purpose of exercising any authority
21 granted to the Clerk of the State Board of Examiners or to the person designated by
22 the Clerk pursuant to this subsection, any statutory reference to the State Board of
23 Examiners relating to such a claim shall be deemed to refer to the Clerk of the
24 Board or the person designated by the Clerk.

25 **Sec. 14.** ~~[The provisions of NRS 354.599 do not apply to any additional~~
26 ~~expenses of a local government that are related to the provisions of this act.]~~
27 **(Deleted by amendment.)**

28 **Sec. 15.** NRS 293.130, 293.133, 293.134, 293.135, 293.137, 293.140,
29 293.143, 293.145, 293.150, 293.153, 293.155, 293.157, 293.160, 293.161, 293.163,
30 304.200, 304.210 and 304.220 are hereby repealed.

31 **Sec. 16.** 1. This section becomes effective upon passage and approval.

32 2. Sections 1 to 15, inclusive, of this act become effective:

33 (a) Upon passage and approval for the purpose of adopting regulations and
34 performing any other preparatory administrative tasks that are necessary to carry
35 out the provisions of this act; and

36 (b) On January 1, 2022, for all other purposes.

LEADLINES OF REPEALED SECTIONS

293.130 County conventions: Place; notice.

293.133 Number of delegates from voting precincts to county convention.

293.134 Use of room or space occupied by State or local government by state or county central committee.

293.135 Precinct meetings of registered voters before county convention: Time and place; notice.

293.137 Election of delegates to county convention; procedure if precinct fails to elect delegates; certificates given to elected delegates; state central committee to adopt written procedural rules.

293.140 County conventions: Manner of organization; authorized action of delegates.

- 293.143** County central committee: Number; change in membership.
- 293.145** Number of delegates to state convention.
- 293.150** State conventions: Place and actions; additional conventions.
- 293.153** Number of members of state central committee.
- 293.155** Rules of county and state conventions; delegate must be qualified elector; unit rule of voting prohibited.
- 293.157** State and county central committees: Terms of office; termination of membership; vacancies.
- 293.160** State and county central committees: Election of officers and executive committee; other powers.
- 293.161** Right of participation as delegate to county or state convention or member of county or state central committee.
- 293.163** Selection of delegates and alternates to national party convention and members of national committee by state convention in presidential election year.
- 304.200** Definitions.
- 304.210** "Catastrophe" defined.
- 304.220** "Disappearance" defined.