

SENATE BILL NO. 418—COMMITTEE ON JUDICIARY

MARCH 27, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to candidates to the office of district judge. (BDR 1-803)

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

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

AN ACT relating to judiciary; requiring a candidate to the office of district judge to submit an application attesting to his or her qualifications for office; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law sets forth certain qualifications for a person seeking to be a
2 candidate to the office of district judge, which include that the person: (1) has
3 attained the age of 25 years; (2) is an attorney licensed and admitted to practice law
4 in the courts of this State at the time of election or appointment; (3) has been
5 licensed to practice law in this State, another State or the district of Columbia for a
6 total of not less than 10 years at any time preceding the election or appointment, at
7 least 2 of which must have been in this State; (4) is a qualified elector and has been
8 a bona fide resident of this State for 2 years preceding the election or appointment;
9 and (5) has not ever been removed or retired from judicial office. (NRS 3.060) This
10 bill requires a person seeking to be a candidate to the office of district judge to
11 submit with his or her declaration of candidacy the same application that is
12 prescribed by the Commission on Judicial Selection for a person who applies to fill
13 a vacancy in the office of district judge. This bill further requires the filing officer
14 with whom the person files the declaration of candidacy to publish the application
15 on the Internet website of the filing officer. Finally, this bill provides that such an
16 application must not include any information or material that is confidential.

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

1 **Section 1.** NRS 3.060 is hereby amended to read as follows:
2 3.060 1. A person may not be a candidate for and is not
3 eligible to the office of district judge unless the person:



- 1 (a) Has attained the age of 25 years.
- 2 (b) Is an attorney licensed and admitted to practice law in the
- 3 courts of this State at the time of the election or appointment.
- 4 (c) Has been an attorney licensed and admitted to practice law in
- 5 the courts of this State, another state or the District of Columbia for
- 6 a total of not less than 10 years at any time preceding the election or
- 7 appointment, at least 2 years of which have been in this State.
- 8 (d) Is a qualified elector and has been a bona fide resident of this
- 9 State for 2 years next preceding the election or appointment.
- 10 (e) Has not ever been removed from any judicial office by the
- 11 Legislature or removed or retired from any judicial office by the
- 12 Commission on Judicial Discipline.

13 2. *Except as otherwise provided in this subsection, each*

14 *person who seeks to be a candidate to the office of district court*

15 *must submit to the filing officer with his or her declaration of*

16 *candidacy the same application that is prescribed by the*

17 *Commission on Judicial Selection for a person who applies to fill*

18 *a vacancy in the office of district judge. Upon receipt, the filing*

19 *officer shall post the person's application on the Internet website*

20 *of the filing officer. An application that is submitted or posted*

21 *pursuant to this subsection must not include any information or*

22 *material that is confidential pursuant to the rules of the*

23 *Commission or any provision of federal or state law.*

24 3. For the purposes of this section, a person is eligible to be a

25 candidate for the office of district judge if a decision to remove or

26 retire the person from a judicial office is pending appeal before the

27 Supreme Court or has been overturned by the Supreme Court.

28 4. *As used in this section:*

- 29 (a) *“Declaration of candidacy” has the meaning ascribed to it*
- 30 *in NRS 293.0455.*
- 31 (b) *“Filing officer” has the meaning ascribed to it in*
- 32 *NRS 293.057.*

