

SENATE BILL NO. 60—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE SECRETARY OF STATE)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-412)

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

CONTAINS UNFUNDED MANDATE (§ 7)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

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

AN ACT relating to elections; setting forth a specific form of a declaration of candidacy for an independent candidate for partisan office; revising the methods for paying certain filing fees; revising provisions relating to when certain candidates may be declared elected at a primary election; revising provisions relating to the form of certain ballots; revising the date by which a mail ballot central counting board must complete the counting of mail ballots; requiring the Secretary of State to adopt by regulation a cyber-incident response plan for elections; revising the deadline by which a withdrawal of candidacy must be presented by certain candidates; revising the definition of “uniformed-services voter”; repealing certain provisions relating to elections; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law requires an independent candidate for partisan office to file a
- 2 declaration of candidacy. (NRS 293.200) Existing law further sets forth the form
- 3 for a declaration of candidacy for all candidates for partisan office. (NRS 293.177)
- 4 **Section 1** of this bill sets forth the form for the declaration of candidacy for an
- 5 independent candidate for partisan office. **Section 3** of this bill makes conforming



6 changes to clarify that the declaration of candidacy for an independent candidate
7 must be in the form set forth in **section 1**.

8 Existing law provides that the fee for filing a declaration of candidacy may be
9 paid by cash, cashier's check or certified check. (NRS 293.193) **Section 2** of this
10 bill provides that such a fee may also be paid by credit card.

11 Existing law provides that, in certain circumstances, if one candidate receives a
12 majority of the votes cast in a primary election for certain nonpartisan offices, the
13 candidate must be declared elected and the candidate's name must not be placed on
14 the ballot. (NRS 293.260, 293C.175; Carson City Charter § 5.010; Henderson City
15 Charter § 5.010; Las Vegas City Charter § 5.010; North Las Vegas City Charter §
16 5.020; Sparks City Charter § 5.020) **Sections 4, 8 and 12-17** of this bill provide
17 that for the purposes of determining the majority of the votes cast in a primary
18 election for an office for which voters may select more than one candidate, each
19 ballot upon which a voter marked a valid choice for one or more candidates for that
20 office shall be deemed to be one vote cast in the primary election for that office.

21 Existing law provides that every ballot upon which appears the names of
22 candidates for any statewide office or for President or Vice President of the United
23 States must contain an additional line with a square in which the voter may select
24 "None of these candidates." (NRS 293.269) **Section 5** of this bill provides instead
25 that the additional line on such a ballot must contain a space in which the voter may
26 select "None of these candidates."

27 Existing law provides that the mail ballot central counting board must complete
28 the count of all mail ballots on or before the seventh day following the election.
29 (NRS 293.269931, 293C.26331) **Sections 6 and 10** of this bill provide instead that
30 the mail ballot central counting board must complete the count on or before the
31 ninth day following the election.

32 Existing law requires a county or city clerk or other election official to
33 immediately notify the Secretary of State if the clerk or official identifies or is
34 informed of a confirmed attack or attempted attack on the security of an
35 information system used by the clerk or official. (NRS 293.875) **Section 7** of this
36 bill requires the Secretary of State to adopt by regulation a cyber-incident response
37 plan for elections. **Section 7** also requires a county or city clerk or other election
38 official to notify the Secretary of State of any cyber-incident or attempted cyber-
39 incident on the security of an information system used by the county or city clerk or
40 other election official in accordance with the cyber-incident response plan.

41 Existing law provides that a withdrawal of candidacy must be presented: (1) for
42 a candidate for city office, to the city clerk within 2 days after the last day for filing
43 for candidacy; and (2) for all other candidates, to the county clerk within 7 days
44 after the last day for filing. (NRS 293.202, 293C.195) **Section 9** of this bill requires
45 a withdrawal of candidacy by a candidate for a city office to be presented within 7
46 days, consistent with the requirement for all other candidates.

47 Existing law authorizes uniformed-service voters and certain other voters to
48 vote in an election using a system of approved electronic transmission, a federal
49 postcard application or the federal write-in absentee ballot. (Chapter 293D of NRS)
50 **Section 11** of this bill revises the definition of "uniformed-service voter" to include
51 a member of the active or reserve components of the Space Force of the United
52 States who is on active duty.

53 **Section 19** of this bill repeals certain provisions that: (1) prohibit a counting
54 board from commencing to count the votes until all ballots are accounted for; (2)
55 provide for a recount at a hearing of any contest; and (3) require the county clerk to
56 transmit the number of registered voters in the county and their political affiliation
57 to the Secretary of State before certain elections.



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

1 **Section 1.** NRS 293.177 is hereby amended to read as follows:
2 293.177 1. Except as otherwise provided in NRS 293.165
3 and 293.166, a name may not be printed on a ballot to be used at a
4 primary election unless the person named has filed a declaration of
5 candidacy with the appropriate filing officer and paid the filing fee
6 required by NRS 293.193 not earlier than:

7 (a) For a candidate for judicial office, the first Monday in
8 January of the year in which the election is to be held and not later
9 than 5 p.m. on the second Friday after the first Monday in January;
10 and

11 (b) For all other candidates, the first Monday in March of the
12 year in which the election is to be held and not later than 5 p.m. on
13 the second Friday after the first Monday in March.

14 2. A declaration of candidacy required to be filed pursuant to
15 this chapter must be in substantially the following form:

16 (a) For partisan office:

17
18 DECLARATION OF CANDIDACY OF FOR THE
19 OFFICE OF

20
21 State of Nevada

22
23 County of

24
25 For the purpose of having my name placed on the official
26 ballot as a candidate for the Party nomination for
27 the office of, I, the undersigned, do swear or
28 affirm under penalty of perjury that I actually, as opposed to
29 constructively, reside at, in the City or Town of,
30 County of, State of Nevada; that my actual, as opposed
31 to constructive, residence in the State, district, county,
32 township, city or other area prescribed by law to which the
33 office pertains began on a date at least 30 days immediately
34 preceding the date of the close of filing of declarations of
35 candidacy for this office; that my telephone number is
36, and the address at which I receive mail, if different
37 than my residence, is; that I am registered as a member
38 of the Party; that I am a qualified elector pursuant
39 to Section 1 of Article 2 of the Constitution of the State of
40 Nevada; that if I have ever been convicted of treason or a
41 felony, my civil rights have been restored; that I have not, in
42 violation of the provisions of NRS 293.176, changed the



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

designation of my political party or political party affiliation on an official application to register to vote in any state since December 31 before the closing filing date for this election; that I generally believe in and intend to support the concepts found in the principles and policies of that political party in the coming election; that if nominated as a candidate of the Party at the ensuing election, I will accept that nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

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

(b) *For an independent candidate for partisan office:*

***DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF***

State of Nevada

County of



For the purpose of having my name placed on the official ballot at the general election as an independent candidate for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is,; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

*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*

(c) For nonpartisan office:



DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

For the purpose of having my name placed on the official ballot as a candidate for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored; that if nominated as a nonpartisan candidate at the ensuing election, I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

Subscribed and sworn to before me



1 this day of the month of of the year

2
3

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

7 3. The address of a candidate which must be included in the
8 declaration of candidacy pursuant to subsection 2 must be the street
9 address of the residence where the candidate actually, as opposed to
10 constructively, resides in accordance with NRS 281.050, if one has
11 been assigned. The declaration of candidacy must not be accepted
12 for filing if the candidate fails to comply with the following
13 provisions of this subsection or, if applicable, the provisions of
14 subsection 4:

15 (a) The candidate shall not list the candidate's address as a post
16 office box unless a street address has not been assigned to his or her
17 residence; and

18 (b) Except as otherwise provided in subsection 4, the candidate
19 shall present to the filing officer:

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

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

27 4. If the candidate executes an oath or affirmation under
28 penalty of perjury stating that the candidate is unable to present to
29 the filing officer the proof of residency required by subsection 3
30 because a street address has not been assigned to the candidate's
31 residence or because the rural or remote location of the candidate's
32 residence makes it impracticable to present the proof of residency
33 required by subsection 3, the candidate shall present to the filing
34 officer:

35 (a) A valid driver's license or identification card issued by a
36 governmental agency that contains a photograph of the candidate;
37 and

38 (b) Alternative proof of the candidate's residential address that
39 the filing officer determines is sufficient to verify where the
40 candidate actually, as opposed to constructively, resides in
41 accordance with NRS 281.050. The Secretary of State may adopt
42 regulations establishing the forms of alternative proof of the
43 candidate's residential address that the filing officer may accept to
44 verify where the candidate actually, as opposed to constructively,
45 resides in accordance with NRS 281.050.



1 5. The filing officer shall retain a copy of the proof of identity
2 and residency provided by the candidate pursuant to subsection 3 or

3 4. Such a copy:

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

5 (b) Must not contain the social security number, driver's license
6 or identification card number or account number of the candidate.

7 6. By filing the declaration of candidacy, the candidate shall be
8 deemed to have appointed the filing officer for the office as his or
9 her agent for service of process for the purposes of a proceeding
10 pursuant to NRS 293.182. Service of such process must first be
11 attempted at the appropriate address as specified by the candidate in
12 the declaration of candidacy. If the candidate cannot be served at
13 that address, service must be made by personally delivering to and
14 leaving with the filing officer duplicate copies of the process. The
15 filing officer shall immediately send, by registered or certified mail,
16 one of the copies to the candidate at the specified address, unless the
17 candidate has designated in writing to the filing officer a different
18 address for that purpose, in which case the filing officer shall mail
19 the copy to the last address so designated.

20 7. If the filing officer receives credible evidence indicating that
21 a candidate has been convicted of a felony and has not had his or her
22 civil rights restored, the filing officer:

23 (a) May conduct an investigation to determine whether the
24 candidate has been convicted of a felony and, if so, whether the
25 candidate has had his or her civil rights restored; and

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

30 8. The receipt of information by the Attorney General or
31 district attorney pursuant to subsection 7 must be treated as a
32 challenge of a candidate pursuant to subsections 4 and 5 of NRS
33 293.182 to which the provisions of NRS 293.2045 apply.

34 9. Any person who knowingly and willfully files a declaration
35 of candidacy which contains a false statement in violation of this
36 section is guilty of a gross misdemeanor.

37 **Sec. 2.** NRS 293.193 is hereby amended to read as follows:

38 293.193 1. Fees as listed in this section for filing declarations
39 of candidacy must be paid to the filing officer by cash, *credit card*,
40 cashier's check or certified check.

41		
42	United States Senator	\$500
43	Representative in Congress	300
44	Governor	300
45	Justice of the Supreme Court.....	300



1 Any state office, other than Governor or justice of the
2 Supreme Court..... \$200
3 District judge..... 150
4 Justice of the peace..... 100
5 Any county office..... 100
6 State Senator..... 100
7 Assemblyman or Assemblywoman 100
8 Any district office other than district judge..... 30
9 Constable or other town or township office 30

10
11 For the purposes of this subsection, trustee of a county school
12 district, hospital or hospital district is not a county office.

13 2. No filing fee may be required from a candidate for an office
14 the holder of which receives no compensation.

15 3. The county clerk shall pay to the county treasurer all filing
16 fees received from candidates. The county treasurer shall deposit the
17 money to the credit of the general fund of the county.

18 4. Except as otherwise provided in NRS 293.194, a filing fee
19 paid pursuant to this section is not refundable.

20 **Sec. 3.** NRS 293.200 is hereby amended to read as follows:

21 293.200 1. An independent candidate for partisan office must
22 file with the appropriate filing officer as set forth in NRS 293.185:

23 (a) A copy of the petition of candidacy that he or she intends to
24 subsequently circulate for signatures. The copy must be filed not
25 earlier than the January 2 preceding the date of the election and not
26 later than 10 working days before the last day to file the petition
27 pursuant to subsection 4. The copy of the petition must be filed with
28 the appropriate filing officer before the petition may be circulated
29 for signatures.

30 (b) Either of the following:

31 (1) A petition of candidacy signed by a number of registered
32 voters equal to at least 1 percent of the total number of ballots cast
33 in:

34 (I) This State for that office at the last preceding general
35 election in which a person was elected to that office, if the office is a
36 statewide office;

37 (II) The county for that office at the last preceding general
38 election in which a person was elected to that office, if the office is a
39 county office; or

40 (III) The district for that office at the last preceding
41 general election in which a person was elected to that office, if the
42 office is a district office.

43 (2) A petition of candidacy signed by 250 registered voters if
44 the candidate is a candidate for statewide office, or signed by 100



1 registered voters if the candidate is a candidate for any office other
2 than a statewide office.

3 2. The petition may consist of more than one document. Each
4 document must bear the name of the county in which it was
5 circulated, and only registered voters of that county may sign the
6 document. If the office is not a statewide office, only the registered
7 voters of the county, district or municipality in question may sign
8 the document. The documents that are circulated for signature in a
9 county must be submitted to that county clerk for verification in the
10 manner prescribed in NRS 293.1276 to 293.1279, inclusive, not
11 later than 10 working days before the last day to file the petition
12 pursuant to subsection 4. Each person who signs the petition shall
13 add to his or her signature the address of the place at which the
14 person actually resides, the date that he or she signs the petition and
15 the name of the county where he or she is registered to vote. The
16 person who circulates each document of the petition shall sign an
17 affidavit attesting that the signatures on the document are genuine to
18 the best of his or her knowledge and belief and were signed in his or
19 her presence by persons registered to vote in that county.

20 3. The petition of candidacy may state the principle, if any,
21 which the person qualified represents.

22 4. Petitions of candidacy must be filed not earlier than the first
23 Monday in March preceding the general election and not later than 5
24 p.m. on the third Friday in June.

25 5. No petition of candidacy may contain the name of more than
26 one candidate for each office to be filled.

27 6. A person may not file as an independent candidate if he or
28 she is proposing to run as the candidate of a political party.

29 7. The names of independent candidates must be placed on the
30 general election ballot and must not appear on the primary election
31 ballot.

32 8. If the sufficiency of the petition of the candidacy of any
33 person seeking to qualify pursuant to this section is challenged, all
34 affidavits and documents in support of the challenge must be filed
35 not later than 5 p.m. on the fourth Friday in June. Any judicial
36 proceeding resulting from the challenge must be set for hearing not
37 more than 5 days after the fourth Friday in June.

38 9. Any challenge pursuant to subsection 8 must be filed with:

39 (a) The First Judicial District Court if the petition of candidacy
40 was filed with the Secretary of State.

41 (b) The district court for the county where the petition of
42 candidacy was filed if the petition was filed with a county clerk.

43 10. The district court in which the challenge is filed shall give
44 priority to such proceedings over all other matters pending with the
45 court, except for criminal proceedings.



1 11. An independent candidate for partisan office must file a
2 declaration of candidacy *in the form required by NRS 293.177* with
3 the appropriate filing officer and pay the filing fee required by NRS
4 293.193 not earlier than the first Monday in March of the year in
5 which the election is held and not later than 5 p.m. on the second
6 Friday after the first Monday in March.

7 **Sec. 4.** NRS 293.260 is hereby amended to read as follows:

8 293.260 1. If there is no contest of election for nomination to
9 a particular office, neither the title of the office nor the name of the
10 candidate may appear on the ballot at the primary election.

11 2. If a major political party has two or more candidates for a
12 particular office, the person who receives the highest number of
13 votes at the primary election must be declared the nominee of that
14 major political party for the office.

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

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

21 (b) Any nonpartisan office, other than the office of judge of a
22 district court, judge of the Court of Appeals, justice of the Supreme
23 Court or member of a town advisory board, the names of those
24 candidates must appear on the ballot for a primary election unless
25 the candidates were nominated pursuant to subsection 2 of NRS
26 293.165. If a candidate receives one or more votes at the primary
27 election, the candidate must be declared elected to the office and his
28 or her name must not be placed on the ballot for the general
29 election. If a candidate does not receive one or more votes at the
30 primary election, his or her name must be placed on the ballot for
31 the general election.

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

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

40 5. If there are more than twice the number of candidates to be
41 elected to a nonpartisan office, the names of the candidates must
42 appear on the ballot for a primary election. Except as otherwise
43 provided in NRS 293.400, those candidates who receive the highest
44 number of votes at the primary election, not to exceed twice the
45 number to be elected, must be declared nominees for the office and



1 the names of those candidates must be placed on the ballot for the
2 general election, except that if one of those candidates receives a
3 majority of the votes cast in the primary election for:

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

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

11 *↪ For the purposes of determining whether a candidate received a*
12 *majority of the votes cast in the primary election for a nonpartisan*
13 *office for which voters were authorized to select more than one*
14 *candidate, each ballot upon which a voter marked a valid choice*
15 *for one or more candidates for that office shall be deemed to be*
16 *one vote cast in the primary election for that office.*

17 **Sec. 5.** NRS 293.269 is hereby amended to read as follows:

18 293.269 1. Every ballot upon which appears the names of
19 candidates for any statewide office or for President and Vice
20 President of the United States shall contain for each office an
21 additional line equivalent to the lines on which the candidates'
22 names appear and placed at the end of the group of lines containing
23 the names of the candidates for that office. Each additional line shall
24 contain a ~~{square}~~ *space* in which the voter may express a choice of
25 that line in the same manner as the voter would express a choice of a
26 candidate, and the line shall read "None of these candidates."

27 2. Only votes cast for the named candidates shall be counted in
28 determining nomination or election to any statewide office or
29 presidential nominations or the selection of presidential electors, but
30 for each office the number of ballots on which the additional line
31 was chosen shall be listed following the names of the candidates and
32 the number of their votes in every posting, abstract and
33 proclamation of the results of the election.

34 3. Every sample ballot or other instruction to voters prescribed
35 or approved by the Secretary of State shall clearly explain that the
36 voter may mark the choice of the line "None of these candidates"
37 only if the voter has not voted for any candidate for the office.

38 **Sec. 6.** NRS 293.269931 is hereby amended to read as
39 follows:

40 293.269931 1. The mail ballot central counting board may
41 begin counting the received mail ballots 15 days before the day of
42 the election. The board must complete the count of all mail ballots
43 on or before the ~~{seventh}~~ *ninth* day following the election. The
44 counting procedure must be public.



1 2. If two or more mail ballots are found folded together to
2 present the appearance of a single ballot, the mail ballots must be
3 rejected and placed in an envelope, upon which must be written the
4 reason for their rejection. The envelope must be signed by an
5 election board officer and placed in the container or ballot box after
6 the count is completed.

7 **Sec. 7.** NRS 293.875 is hereby amended to read as follows:

8 293.875 1. At least once each year, each county or city clerk
9 and all members of their staff whose duties include administering an
10 election must complete a training class on cybersecurity that is
11 approved by the Secretary of State.

12 2. *The Secretary of State shall adopt by regulation a cyber-*
13 *incident response plan for elections. Each county and city clerk*
14 *and other local election official is required to comply with the*
15 *requirements of the cyber-incident response plan.* If any county or
16 city clerk or other local election official identifies or is informed of
17 a confirmed ~~[attaek]~~ *cyber-incident* or attempted ~~[attaek]~~ *cyber-*
18 *incident* on the security of an information system used by the
19 county or city clerk or other local election official, the county or city
20 clerk or other local election official shall ~~[immediately]~~ notify the
21 Secretary of State regarding such ~~[attaek]~~ *cyber-incident* or
22 attempted ~~[attaek-]~~ *cyber-incident in accordance with the cyber-*
23 *incident response plan adopted by the Secretary of State pursuant*
24 *to this subsection.*

25 **Sec. 8.** NRS 293C.175 is hereby amended to read as follows:

26 293C.175 1. A primary city election must be held in each city
27 of population category one, and in each city of population category
28 two that has so provided by ordinance, on the second Tuesday in
29 June of each even-numbered year, at which time there must be
30 nominated candidates for offices to be voted for at the next general
31 city election.

32 2. A candidate for an office to be voted for at the primary or
33 general city election must file a declaration of candidacy with the
34 city clerk not earlier than:

35 (a) For the office of judge of a municipal court, the first Monday
36 in January of the year in which the applicable election is to be held
37 and not later than 5 p.m. on the second Friday after the first Monday
38 in January.

39 (b) For any other office, the first Monday in March of the year
40 in which the applicable election is to be held and not later than 5
41 p.m. on the second Friday after the first Monday in March.

42 3. At the time that a candidate files a declaration of candidacy,
43 the city clerk shall charge and collect from the candidate, and the
44 candidate must pay to the city clerk, a filing fee in an amount fixed
45 by the governing body of the city by ordinance or resolution. The



1 filing fees collected by the city clerk must be deposited to the credit
2 of the general fund of the city.

3 4. All candidates, except as otherwise provided in NRS
4 266.220, must be voted upon by the electors of the city at large.

5 5. If, in a primary city election held in a city of population
6 category one or two, one candidate receives a majority of votes cast
7 in that election for the office for which he or she is a candidate, the
8 candidate must be declared elected to the office and the candidate's
9 name must not be placed on the ballot for the general city election.
10 If, in the primary city election, no candidate receives a majority of
11 votes cast in that election for the office for which he or she is a
12 candidate, the names of the two candidates receiving the highest
13 number of votes must be placed on the ballot for the general city
14 election. *For the purposes of determining whether a candidate*
15 *received a majority of the votes cast in the primary election for an*
16 *office upon which voters were authorized to select more than one*
17 *candidate, each ballot upon which a voter marked a valid choice*
18 *for one or more candidates for that office shall be deemed to be*
19 *one vote cast in the primary city election for that office.*

20 **Sec. 9.** NRS 293C.195 is hereby amended to read as follows:

21 293C.195 A withdrawal of candidacy for a city office must be
22 in writing and presented to the city clerk by the candidate in person
23 within ~~[2]~~ 7 days, excluding Saturdays, Sundays and holidays, after
24 the last day for filing a declaration of candidacy. *If the withdrawal*
25 *of candidacy is submitted in a timely manner pursuant to the*
26 *provisions of this subsection, the withdrawal shall be deemed*
27 *effective after the seventh day, excluding Saturdays, Sundays and*
28 *holidays, after the last day for filing.*

29 **Sec. 10.** NRS 293C.26331 is hereby amended to read as
30 follows:

31 293C.26331 1. The mail ballot central counting board may
32 begin counting the received mail ballots 15 days before the day of
33 the election. The board must complete the count of all mail ballots
34 on or before the ~~[seventh]~~ *ninth* day following the election. The
35 counting procedure must be public.

36 2. If two or more mail ballots are found folded together to
37 present the appearance of a single ballot, the mail ballots must be
38 rejected and placed in an envelope, upon which must be written the
39 reason for their rejection. The envelope must be signed by an
40 election board officer and placed in the container or ballot box after
41 the count is completed.

42 **Sec. 11.** NRS 293D.090 is hereby amended to read as follows:

43 293D.090 "Uniformed-service voter" means an elector who is:



1 1. A member of the active or reserve components of the Army,
2 Navy, Air Force, Marine Corps , ~~or~~ Coast Guard *or Space Force*
3 of the United States who is on active duty;

4 2. A member of the Merchant Marine, the Commissioned
5 Corps of the Public Health Service or the Commissioned Corps of
6 the National Oceanic and Atmospheric Administration of the United
7 States;

8 3. A member of the National Guard or state militia unit who is
9 on activated status; or

10 4. A spouse or dependent of a person described in subsection 1,
11 2 or 3.

12 **Sec. 12.** Section 5.010 of the Charter of Carson City, being
13 chapter 213, Statutes of Nevada 1969, as last amended by chapter
14 295, Statutes of Nevada 2015, at page 1481, is hereby amended to
15 read as follows:

16 Sec. 5.010 Primary election.

17 1. A primary election must be held on the date fixed by
18 the election laws of this state for statewide elections, at which
19 time there must be nominated candidates for offices to be
20 voted for at the next general election.

21 2. A candidate for any office to be voted for at any
22 primary election must file a declaration of candidacy as
23 provided by the election laws of this state.

24 3. All candidates for the office of Mayor and Supervisor,
25 and candidates for the office of Municipal Judge if a third
26 department of the Municipal Court has been established, must
27 be voted upon by the registered voters of Carson City at large.

28 4. If only two persons file for a particular office, their
29 names must not appear on the primary ballot but their names
30 must be placed on the ballot for the general election.

31 5. If in the primary election one candidate receives a
32 majority of votes cast in that election for the office for which
33 he or she is a candidate, the candidate must be declared
34 elected to the office and his or her name must not be placed
35 on the ballot for the general election. If in the primary
36 election no candidate receives a majority of votes cast in that
37 election for the office for which he or she is a candidate, the
38 names of the two candidates receiving the highest numbers of
39 votes must be placed on the ballot for the general election.

40 *For the purposes of determining whether a candidate*
41 *received a majority of the votes cast in the primary election*
42 *for an office for which voters were authorized to select more*
43 *than one candidate, each ballot upon which a voter marked*
44 *a valid choice for one or more candidates for that office*



1 *shall be deemed to be one vote cast in the primary election*
2 *for that office.*

3 **Sec. 13.** Section 5.010 of the Charter of the City of Henderson,
4 being chapter 266, Statutes of Nevada 1971, as last amended by
5 chapter 558, Statutes of Nevada 2019, at page 3553, is hereby
6 amended to read as follows:

7 Sec. 5.010 Primary municipal election.

8 1. A primary municipal election must be held:

9 (a) On the first Tuesday after the first Monday in April
10 2019; and

11 (b) Beginning in 2022, on the second Tuesday in June of
12 each even-numbered year,

13 at which time there must be nominated candidates for
14 offices to be voted for at the next general municipal election.

15 2. A candidate for any office to be voted for at any
16 primary municipal election must file a declaration of
17 candidacy as provided by the election laws of this State.

18 3. All candidates for elective office must be voted upon
19 by the registered voters of the City at large.

20 4. If in the primary municipal election no candidate
21 receives a majority of votes cast in that election for the office
22 for which he or she is a candidate, the names of the two
23 candidates receiving the highest number of votes must be
24 placed on the ballot for the general municipal election. If in
25 the primary municipal election, regardless of the number of
26 candidates for an office, one candidate receives a majority of
27 votes cast in that election for the office for which he or she is
28 a candidate, he or she must be declared elected and no general
29 municipal election need be held for that office. Such
30 candidate shall enter upon his or her respective duties at:

31 (a) If the primary municipal election was held in 2019,
32 the second regular meeting of the City Council held in June
33 2019.

34 (b) If the primary municipal election was held on the
35 second Tuesday of June of an even-numbered year, the first
36 regular meeting of the City Council held in January of the
37 year following the primary municipal election.

38 *5. For the purposes of determining whether a*
39 *candidate received a majority of the votes cast in the*
40 *primary municipal election for an office for which voters*
41 *were authorized to select more than one candidate, each*
42 *ballot upon which a voter marked a valid choice for one or*
43 *more candidates for that office shall be deemed to be one*
44 *vote cast in the primary municipal election for that office.*



1 **Sec. 14.** Section 5.010 of the Charter of the City of Henderson,
2 being chapter 266, Statutes of Nevada 1971, as last amended by
3 chapters 350 and 558, Statutes of Nevada 2019, at pages 2179 and
4 3553, respectively, is hereby amended to read as follows:

5 Sec. 5.010 Primary municipal election.

6 1. A primary municipal election must be held:

7 (a) On the first Tuesday after the first Monday in April
8 2019; and

9 (b) Beginning in 2022, on the second Tuesday in June of
10 each even-numbered year,

11 ↳ at which time there must be nominated candidates for
12 offices to be voted for at the next general municipal election.

13 2. A candidate for any office to be voted for at any
14 primary municipal election must file a declaration of
15 candidacy as provided by the election laws of this State.

16 3. All candidates for elective office, other than
17 candidates for the office of Council Member, must be voted
18 upon by the registered voters of the City at large.

19 4. A candidate for the office of Council Member must be
20 voted upon only by the registered voters of the ward that he
21 or she seeks to represent.

22 5. If in the primary municipal election no candidate
23 receives a majority of votes cast in that election for the office
24 for which he or she is a candidate, the names of the two
25 candidates receiving the highest number of votes must be
26 placed on the ballot for the general municipal election. If in
27 the primary municipal election, regardless of the number of
28 candidates for an office, one candidate receives a majority of
29 votes cast in that election for the office for which he or she is
30 a candidate, he or she must be declared elected and no general
31 municipal election need be held for that office. Such
32 candidate shall enter upon his or her respective duties at:

33 (a) If the primary municipal election was held in 2019,
34 the second regular meeting of the City Council held in June
35 2019.

36 (b) If the primary municipal election was held on the
37 second Tuesday of June of an even-numbered year, the first
38 regular meeting of the City Council held in January of the
39 year following the primary municipal election.

40 6. *For the purposes of determining whether a*
41 *candidate received a majority of the votes cast in the*
42 *primary municipal election for an office for which voters*
43 *were authorized to select more than one candidate, each*
44 *ballot upon which a voter marked a valid choice for one or*



more candidates for that office shall be deemed to be one vote cast in the primary municipal election for that office.

Sec. 15. Section 5.010 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 558, Statutes of Nevada 2019, at page 3558, is hereby amended to read as follows:

Sec. 5.010 Primary municipal elections.

1. A primary municipal election must be held in the City:

(a) On the first Tuesday after the first Monday in April 2019; and

(b) Beginning in 2022, on the second Tuesday in June of each even-numbered year.

2. In the primary municipal elections:

(a) The candidates for Council Member who are to be nominated must be nominated and voted for separately according to the respective wards.

(b) If the City Council has established an additional department or departments of the Municipal Court pursuant to section 4.010 and, as a result, more than one office of Municipal Judge is to be filled at any election, the candidates for those offices must be nominated and voted upon separately according to the respective departments.

3. Each candidate for municipal office must file a declaration of candidacy with the City Clerk. All filing fees collected by the City Clerk must be paid into the City Treasury.

4. If, in the primary municipal election, regardless of the number of candidates for an office, one candidate receives a majority of votes which are cast in that election for the office for which he or she is a candidate, he or she must be declared elected for the term which commences on the day of the first regular meeting of the City Council next succeeding the meeting at which the canvass of the returns is made, and no general municipal election need be held for that office. If, in the primary municipal election, no candidate receives a majority of votes which are cast in that election for the office for which he or she is a candidate, the names of the two candidates who receive the highest number of votes must be placed on the ballot for the general municipal election.

5. For the purposes of determining whether a candidate received a majority of the votes cast in the primary municipal election for an office for which voters were authorized to select more than one candidate, each ballot upon which a voter marked a valid choice for one or



more candidates for that office shall be deemed to be one vote cast in the primary municipal election for that office.

Sec. 16. Section 5.020 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 558, Statutes of Nevada 2019, at page 3562, is hereby amended to read as follows:

Sec. 5.020 Primary municipal elections; declaration of candidacy.

1. The City Council shall provide by ordinance for candidates for elective office to declare their candidacy and file the necessary documents. The seats for City Council Members must be designated by the numbers one through four, which numbers must correspond with the wards the candidates for City Council Members will seek to represent. A candidate for the office of City Council Member shall include in his or her declaration of candidacy the number of the ward which he or she seeks to represent. Each candidate for City Council must be designated as a candidate for the City Council seat that corresponds with the ward that he or she seeks to represent.

2. A primary municipal election must be held:

(a) On the Tuesday following the first Monday in April 2019; and

(b) Beginning in 2022, on the second Tuesday in June of each even-numbered year.

3. In the primary municipal election:

(a) A candidate for the office of City Council Member must be voted upon only by the registered voters of the ward that he or she seeks to represent.

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

4. Except as otherwise provided in subsection 5, after the primary municipal election, the names of the two candidates who receive the highest number of votes must be placed on the ballot for the general municipal election.

5. If, regardless of the number of candidates for an office, one candidate receives a majority of the total votes cast for that office in the primary municipal election, he or she must be declared elected to that office and no general municipal election need be held for that office. *For the purposes of determining whether a candidate received a majority of the votes cast in the primary municipal election for an office for which voters were authorized to select more than one candidate, each ballot upon which a voter marked a valid choice for one or more candidates for that office*



1 *shall be deemed to be one vote cast in the primary municipal*
2 *election for that office.*

3 **Sec. 17.** Section 5.020 of the Charter of the City of Sparks,
4 being chapter 470, Statutes of Nevada 1975, as last amended by
5 chapter 158, Statutes of Nevada 2021, at page 716, is hereby
6 amended to read as follows:

7 Sec. 5.020 Primary elections.

8 1. At the primary election:

9 (a) Candidates for the offices of Mayor, City Attorney
10 and Municipal Judge must be voted upon by the registered
11 voters of the City at large.

12 (b) Candidates to represent a ward as a member of the
13 City Council must be voted upon by the registered voters of
14 the ward to be represented by them.

15 2. If at 5 p.m. on the last day for filing a declaration of
16 candidacy:

17 (a) There is only one candidate who has filed for
18 nomination for an office, that candidate must be declared
19 elected to the office and no election may be held for that
20 office.

21 (b) Except as otherwise provided in paragraph (a), not
22 more than twice the number of candidates to be elected have
23 filed for nomination for an office, the names of those
24 candidates must be omitted from all ballots for a primary
25 election and placed on all ballots for a general election.

26 (c) More than twice the number of candidates to be
27 elected have filed for nomination for an office, the names of
28 the candidates must be placed on the ballot for the primary
29 election.

30 3. If at the primary election:

31 (a) One candidate receives the majority of votes cast in
32 the election for the office for which he or she is a candidate,
33 he or she must be declared elected to the office and no
34 general election need be held for that office.

35 (b) No candidate receives the majority of votes cast in the
36 election for the office for which he or she is a candidate, the
37 names of the two candidates who receive the highest number
38 of votes must be placed on the ballot for the general election.

39 *↪ For the purposes of determining whether a candidate*
40 *received a majority of the votes cast in the primary election*
41 *for an office for which voters were authorized to select more*
42 *than one candidate, each ballot upon which a voter marked*
43 *a valid choice for one or more candidates for that office*
44 *shall be deemed to be one vote cast in the primary election*
45 *for that office.*



1 **Sec. 18.** The provisions of NRS 354.599 do not apply to any
2 additional expenses of a local government that are related to the
3 provisions of this act.

4 **Sec. 19.** NRS 293.365, 293.423, 293.567 and 293C.365 are
5 hereby repealed.

6 **Sec. 20.** 1. This section becomes effective upon passage and
7 approval.

8 2. Sections 1 to 12, inclusive, and 15 to 19, inclusive, of this
9 act become effective on July 1, 2023.

10 3. Section 13 of this act becomes effective on July 1, 2023, if
11 the question set forth in subsection 2 of section 5 of Assembly Bill
12 No. 282 of the 2019 Legislative Session, chapter 350, Statutes of
13 Nevada 2019, at page 2181, is not approved and ratified by the
14 registered voters of the City of Henderson at the 2022 General
15 Election.

16 4. Section 14 of this act becomes effective on July 1, 2023, if
17 the question set forth in subsection 2 of section 5 of Assembly Bill
18 No. 282 of the 2019 Legislative Session, chapter 350, Statutes of
19 Nevada 2019, at page 2181, is approved and ratified by the
20 registered voters of the City of Henderson at the 2022 General
21 Election.

LEADLINES OF REPEALED SECTIONS

**293.365 Accounting for all paper ballots before counting of
votes begins.**

293.423 Recount of ballots at hearing of contest.

**293.567 Number of registered voters in county to be
transmitted by county clerk to Secretary of State before certain
elections.**

**293C.365 Accounting for all paper ballots before counting
of votes begins.**

