
ASSEMBLY BILL NO. 40—ASSEMBLYWOMAN GIBBONS

PREFILED JANUARY 12, 1999

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Revises provisions governing election of candidate to partisan office. (BDR 24-731)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: 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 elections; removing the requirement that a candidate for certain partisan offices who receives a majority of the votes in a primary election be declared the nominee for such an office; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 293.260 is hereby amended to read as follows:
2 293.260 1. Where there is no contest for nomination to a particular
3 office, neither the title of the office nor the name of the candidate may
4 appear on the ballot.
5 2. If more than one major political party has candidates for a particular
6 office, the persons who receive the highest number of votes at the primary
7 elections must be declared the nominees of those parties for the office.
8 3. If only one major political party has candidates for a particular office
9 and a minor political party has nominated a candidate for the office or an
10 independent candidate has filed for the office, the candidate who receives
11 the highest number of votes in the primary election of the major political
12 party must be declared the nominee of that party and his name must be
13 placed on the general election ballot with the name of the nominee of the
14 minor political party for the office and the name of the independent
15 candidate who has filed for the office.
16 4. If only one major political party has candidates for a particular office
17 and no minor political party has nominated a candidate for the office or no
18 independent candidate has filed for the office:

1 (a) If there are more candidates than twice the number to be elected to
2 the office, the names of the candidates must appear on the ballot for a
3 primary election. ~~Except as otherwise provided in this paragraph, the~~ **The**
4 candidates of that party who receive the highest number of votes in the
5 primary election, not to exceed twice the number to be elected to that office
6 at the general election, must be declared the nominees for the office. ~~If~~
7 ~~only one candidate is to be elected to the office and a candidate receives a~~
8 ~~majority of the votes in the primary election for that office, that candidate~~
9 ~~must be declared the nominee for that office and his name must be placed~~
10 ~~on the ballot for the general election.]~~

11 (b) If there are no more than twice the number of candidates to be
12 elected to the office, the candidates must, without a primary election, be
13 declared the nominees for the office.

14 5. Where no more than the number of candidates to be elected have
15 filed for nomination for any office, the names of those candidates must be
16 omitted from all ballots for a primary election and placed on all ballots for a
17 general election.

18 6. If there are more candidates than twice the number to be elected to a
19 nonpartisan office, the names of the candidates must appear on the ballot
20 for a primary election. Those candidates who receive the highest number of
21 votes at that election, not to exceed twice the number to be elected, must be
22 declared nominees for the office.