

Assembly Bill No. 615—Committee on Elections,

Procedures, and Ethics

CHAPTER.....

AN ACT relating to elections; revising provisions governing the recall of public officers; revising various provisions governing the circulation of petitions and verification of signatures on petitions; changing the date of the primary city election for certain cities; revising various deadlines and procedures relating to the filing of petitions, challenges, withdrawals of candidacy, lists of candidates and reports of campaign contributions and expenditures; prohibiting the solicitation of certain contributions; revising certain provisions governing the testing of mechanical voting systems; providing a penalty; and providing other matters properly relating thereto.

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

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

A person may sign a petition required under the election laws of this state on or after the date he is deemed to be registered to vote pursuant to subsection 5 of NRS 293.517 or subsection 5 of NRS 293.5235.

Sec. 2. NRS 293.12793 is hereby amended to read as follows:

293.12793 1. If the secretary of state determines that the total number of signatures that the county clerks have certified pursuant to NRS 293.1277 or 293.1279 is less than 100 percent of the number of registered voters needed to make the petition sufficient, the person who submitted the petition may contest the verification of the ~~{votes}~~ *signatures* by filing an appeal with the secretary of state. The appeal must:

- (a) Be filed within 5 working days after receipt of notification of the determination of the secretary of state;
- (b) Include each reason for the appeal; and
- (c) Include a statement of the number of signatures, if any, that the county clerk determined were invalid.

2. The secretary of state shall ~~{consider}~~ :

(a) If the petition was circulated pursuant to chapter 306 of NRS, immediately notify the public officer who is the subject of the petition of the appeal by the person who submitted the petition; and

(b) Consider the allegations and conduct an investigation , if necessary.

Sec. 3. NRS 293.128 is hereby amended to read as follows:

293.128 1. To qualify as a major political party any organization must, under a common name:

(a) On January 1 preceding any primary election, have been designated as a political party on the applications to register to vote of at least 10 percent of the total number of registered voters in ~~{the}~~ *this* state; or

(b) File a petition with the secretary of state not later than the last Friday in April before any primary election signed by a number of registered voters equal to or more than 10 percent of the total number of votes cast at

the last preceding general election for *the offices of* Representative in Congress.

2. If a petition is filed pursuant to paragraph (b) of subsection 1, the names of the voters need not all be on one document, but each document of the petition must be verified by at least one of its signers to the effect that the signers are registered voters of ~~the~~ *this* state according to his best information and belief and that the signatures are genuine and were signed in his presence. Each document of the petition must bear the name of a county and only registered voters of that county may sign the document. The documents which are circulated for signature must then be submitted for verification pursuant to NRS 293.1276 to 293.1279, inclusive, not later than ~~65~~ *25 working* days before the last Friday in April preceding a primary election.

3. In addition to the requirements set forth in subsection 1, each organization which wishes to qualify as a political party must file with the secretary of state a certificate of existence which includes the:

- (a) Name of the political party;
- (b) Names and addresses of its officers;
- (c) Names of the members of its executive committee; and
- (d) Name of the person who is authorized by the party to act as resident agent in this state.

4. A political party shall file with the secretary of state an amended certificate of existence within 5 days after any change in the information contained in the certificate.

Sec. 4. NRS 293.165 is hereby amended to read as follows:

293.165 1. Except as otherwise provided in NRS 293.166, a vacancy occurring in a major or minor political party nomination for *a partisan* office may be filled by a candidate designated by the party central committee of the county or state, as the case may be, subject to the provisions of subsections 4 and 5.

2. A vacancy occurring in a nonpartisan nomination after the close of filing and before the first Tuesday in September must be filled by filing a nominating petition that is signed by at least 1 percent of the persons who are registered to vote and who voted for the office in question in the state, county, district or municipality at the last preceding general election. The petition must be filed not earlier than the first Tuesday in June and not later than the third Tuesday in September. A candidate nominated pursuant to the provisions of this subsection may be elected only at a general election and his name must not appear on the ballot for a primary election.

3. A vacancy occurring in a nonpartisan nomination after a primary election and before the second Tuesday in September must be filled by the person who received the next highest vote for the nomination in the primary.

4. Except to place a candidate nominated pursuant to subsection 2 on the ballot, no change may be made on the ballot after the second Tuesday in September of the year in which the general election is held. If a nominee

dies after that date, his name must remain on the ballot and, if elected, a vacancy exists.

5. All designations provided for in this section must be filed before 5 p.m. on the second Tuesday in September. In each case, the statutory filing fee must be paid and an acceptance of the designation must be filed before 5 p.m. on that date.

Sec. 5. NRS 293.171 is hereby amended to read as follows:

293.171 1. To qualify as a minor political party an organization must file with the secretary of state a certificate of existence which includes the:

- (a) Name of the political party;
- (b) Names of its officers;
- (c) Names of the members of its executive committee; and
- (d) Name of the person authorized to file the list of its candidates *for partisan office* with the secretary of state.

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

3. A minor political party shall file with the secretary of state an amended certificate of existence within 5 days after any change in the information contained in the certificate.

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

5. A minor political party whose candidates *for partisan office* do not appear on the ballot for the general election must file a notice of continued existence with the secretary of state not later than the second Friday in August preceding the general election.

6. A minor political party which fails to file a notice of continued existence as required by subsection 5 ceases to exist as a minor political party in this state.

Sec. 6. NRS 293.1715 is hereby amended to read as follows:

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

2. The names of the candidates *for partisan office* of a minor political party must be placed on the ballot for the general election if the party has filed a certificate of existence and a list of its candidates *for partisan office* pursuant to the provisions of NRS 293.1725 with the secretary of state and:

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

(b) On January 1 preceding a primary election, the minor political party has been designated as the political party on the applications to register to vote of at least 1 percent of the total number of registered voters in ~~the~~ *this* state; or

(c) Not later than the second Friday in August preceding the general election, files a petition with the secretary of state which is signed by a

number of registered voters equal to at least 1 percent of the total number of votes cast at the last preceding general election for the offices of Representative in Congress.

3. The name of a candidate *for partisan office* for a minor political party other than a candidate for the office of President or Vice President of the United States must be placed on the ballot for the general election if the party has filed:

(a) A certificate of existence;

(b) A list of candidates *for partisan office* containing the name of the candidate pursuant to the provisions of NRS 293.1725 with the secretary of state; and

(c) Not earlier than the first Monday in May preceding the general election and not later than 5 p.m. on the third Monday in May, a petition on behalf of the candidate with the secretary of state containing not less than:

(1) Two hundred fifty signatures of registered voters if the candidate is to be nominated for a statewide office; or

(2) One hundred signatures of registered voters if the candidate is to be nominated for any office except a statewide office.

A minor political party that places names of one or more candidates *for partisan office* on the ballot pursuant to this subsection may also place the names of one or more candidates *for partisan office* on the ballot pursuant to subsection 2.

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

5. A minor political party must file a copy of the petition required by paragraph (c) of subsection 2 or paragraph (c) of subsection 3 with the secretary of state before the petition may be circulated for signatures.

Sec. 7. NRS 293.172 is hereby amended to read as follows:

293.172 1. A petition filed pursuant to subsection 2 or 3 of NRS 293.1715 may consist of more than one document. Each document of the petition must:

(a) Bear the name of the minor political party and, if applicable, the candidate and office to which the candidate is to be nominated.

(b) Include the affidavit of the person who circulated the document verifying that the signers are registered voters in ~~the~~ *this* state according to his best information and belief and that the signatures are genuine and were signed in his presence.

(c) Bear the name of a county and be ~~verified by~~ *submitted to* the county clerk of that county *for verification* in the manner prescribed in NRS 293.1276 to 293.1279, inclusive, *not later than 25 working days* before *the last day to file* the petition. ~~It is filed with the secretary of state pursuant to subsection 2 or 3 of NRS 293.1715.~~ A challenge to the form of a document must be made in a district court in the county that is named on the document.

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

2. If the office to which the candidate is to be nominated is a county office, only the registered voters of that county may sign the petition. If the office to which the candidate is to be nominated is a district office, only the registered voters of that district may sign the petition.

3. Each person who signs a petition shall also provide the address of the place where he resides, the date that he signs and the name of the county in which he is registered to vote.

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

Sec. 8. NRS 293.1725 is hereby amended to read as follows:

293.1725 1. Except as otherwise provided in subsection 4, a minor political party that wishes to place its candidates *for partisan office* on the ballot for a general election and:

(a) Is entitled to do so pursuant to paragraph (a) or (b) of subsection 2 of NRS 293.1715;

(b) Files a petition pursuant to paragraph (c) of subsection 2 of NRS 293.1715; or

(c) Whose candidates are entitled to appear on the ballot pursuant to subsection 3 of NRS 293.1715, must file with the secretary of state a list of its candidates *for partisan office* not earlier than the first Monday in May preceding the election nor later than 5 p.m. on the third Monday in May. The list must be signed by the person so authorized in the certificate of existence of the minor political party before a notary public or other person authorized to take acknowledgments. The secretary of state shall strike from the list each candidate who is not entitled to appear on the ballot pursuant to subsection 3 of NRS 293.1715 if the minor political party is not entitled to place candidates on the ballot pursuant to subsection 2 of NRS 293.1715. The list must not be amended after it is filed.

2. The secretary of state shall immediately forward a certified copy of the list of candidates *for partisan office* of each minor political party to the filing officer with whom each candidate must file his declaration of candidacy.

3. Each candidate on the list must file his declaration of candidacy with the ~~proper~~ *appropriate* filing officer and pay the fee required by NRS 293.193 not earlier than the date on which the list of candidates *for partisan office* of his minor political party is filed with the secretary of state nor later than 5 p.m. on the third Monday in May.

4. A minor political party that wishes to place candidates for the offices of President and Vice President of the United States on the ballot and has qualified to place the names of its candidates *for partisan office* on the ballot for the general election pursuant to subsection 2 of NRS 293.1715 must file with the secretary of state a certificate of nomination for these offices not later than the first Tuesday in September.

Sec. 9. NRS 293.175 is hereby amended to read as follows:

293.175 1. The primary election must be held on the first Tuesday of September in each even-numbered year.

2. Candidates *for partisan office* of a major political party and candidates for nonpartisan ~~offices~~ *office* must be nominated at the primary election.

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

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

5. The provisions of NRS 293.175 to 293.203, inclusive, do not apply to:

(a) Special elections to fill vacancies.

(b) The nomination of the officers of incorporated cities.

(c) The nomination of district officers whose nomination is otherwise provided for by statute.

Sec. 10. NRS 293.176 is hereby amended to read as follows:

293.176 1. Except as otherwise provided in subsection 2, no person may be a candidate *for partisan office* in any election if he has changed:

(a) The designation of his political party affiliation; or

(b) His designation of political party from nonpartisan to a designation of a political party affiliation,

on an application to register to vote in the State of Nevada or in any other state ~~since the~~ *during the time beginning on* September 1 ~~next~~ *preceding the closing filing date for the that election and ending on the date of that* election ~~if~~ whether or not his previous registration was still effective at the time of the change in party designation.

2. The provisions of subsection 1 do not apply to any person who is a candidate of a political party that was not qualified pursuant to NRS 293.171 on the September 1 next preceding the closing filing date for the election.

Sec. 11. NRS 293.187 is hereby amended to read as follows:

293.187 1. ~~On or before the third Tuesday in June, the~~ *The* secretary of state shall forward to each county clerk a certified list containing the name and mailing address of each person for whom candidacy papers have been filed in the office of the secretary of state, and who is entitled to be voted for in the county at the next succeeding primary election, together with the title of the office for which the person is a candidate and the party or principles he represents. *The secretary of state shall forward the certified list not later than 5 working days after the last day upon which any candidate on the list may withdraw his candidacy pursuant to NRS 293.202.*

2. There must be a party designation only for candidates for partisan offices.

Sec. 12. NRS 293.197 is hereby amended to read as follows:

293.197 1. In any judicial district that has more than one district judge, each department is a separate office for the purposes of nominating and electing the district judge of that department.

2. In any judicial district that includes a county whose population is 100,000 or more:

(a) The departments of the family division of the district court must be denoted as such on all ballots and sample ballots, using the words “district court judge, family division, department” Each such department must be *separately* designated . ~~{with a letter, beginning with “A” and continuing in sequence for each department.}~~

(b) The remaining departments of the district court must be denoted as such on all ballots and sample ballots, using the words “district court judge, department” Each such department must be designated with a numeral, beginning with “1” and continuing in sequence for each department.

Sec. 13. NRS 293.200 is hereby amended to read as follows:

293.200 1. An independent candidate for partisan office must file with the ~~{proper}~~ *appropriate* filing officer:

(a) A copy of the petition of candidacy that he intends to circulate for signatures. The copy must be filed *not earlier than the January 2 preceding the date of the election and not later than 25 working days before the last day to file the petition pursuant to subsection 4. The copy must also be filed* before the petition may be circulated.

(b) Either of the following:

(1) A petition of candidacy signed by a number of registered voters equal to at least 1 percent of the total number of ballots cast in ~~{the}~~ *this* state or in the county or district electing that officer at the last preceding general election in which a person was elected to that office.

(2) A petition of candidacy signed by 250 registered voters if the candidate is a candidate for statewide office, or signed by 100 registered voters if the candidate is a candidate for any office other than a statewide office.

2. The petition may consist of more than one document. Each document must bear the name of the county in which it was circulated and only registered voters of that county may sign the document. ~~{The person who circulates the document must be a registered voter of that county.}~~ If the office is ~~{a district}~~ *not a statewide* office, only the registered voters of ~~{that}~~ *the county, district or municipality in question* may sign the document. The documents that are circulated for signature in a county must be ~~{verified by}~~ *submitted to* that county clerk *for verification* in the manner prescribed in NRS 293.1276 to 293.1279, inclusive, *not later than 25 working days* before the *last day to file the* petition ~~{is filed}~~ pursuant to subsection 4. Each ~~{signer}~~ *person who signs the petition* shall add to his signature the address of the place at which he actually resides, the date that he signs the petition and the name of the county where he is registered to vote . ~~{for the purpose of determining whether he is a registered voter.}~~ The

person who circulates each document of the petition shall sign an affidavit attesting that the signatures on the document are genuine to the best of his knowledge and belief and were signed in his presence by persons registered to vote in that county.

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

4. Petitions of candidacy must be filed not earlier than the first Monday in May preceding the general election and not later than 5 p.m. on the third Monday in May.

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

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

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

8. If the candidacy of any person seeking to qualify pursuant to this section is challenged, all affidavits and documents in support of the challenge must be filed not later than 5 p.m. on the fourth Monday in May. Any judicial proceeding resulting from the challenge must be set for hearing not more than 5 days after the fourth Monday in May.

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

(a) The first judicial district court if the petition of candidacy was filed with the secretary of state.

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

10. An independent candidate for partisan office must file a declaration of candidacy with the ~~proper~~ *appropriate* filing officer and pay the fee required by NRS 293.193 not earlier than the first Monday in May of the year in which the election is held nor later than 5 p.m. on the third Monday in May.

Sec. 14. NRS 293.202 is hereby amended to read as follows:

293.202 A withdrawal of candidacy for office must be in writing and must be presented by the candidate in person, within 7 days, *excluding Saturdays, Sundays and holidays*, after the last day for filing, to the officer whose duty it is to receive filings for candidacy for that office.

Sec. 15. NRS 293.3606 is hereby amended to read as follows:

293.3606 1. After 8 a.m. on election day, the appropriate board shall count in public the returns for early voting.

2. The returns for early voting must not be reported until after the polls have closed on election day.

3. The returns for early voting ~~may~~ *must* be reported separately from the regular votes of the precinct, unless reporting the returns separately would violate the secrecy of the voter's ballot.

4. The county clerk shall develop a procedure to ensure that each ballot is kept secret.

5. Any person who disseminates to the public information relating to the count of returns for early voting before the polls close is guilty of a gross misdemeanor.

Sec. 16. NRS 293.387 is hereby amended to read as follows:

293.387 1. As soon as the returns from all the precincts and districts in any county have been received by the board of county commissioners, the board shall meet and canvass the returns. The canvass must be completed on or before the fifth working day following the election.

2. In making its canvass, the board shall:

(a) Note separately any clerical errors discovered; and

(b) Take account of the changes resulting from the discovery, so that the result declared represents the true vote cast.

3. The county clerk shall, as soon as the result is declared, enter upon the records of the board an abstract of the result, which must contain the number of votes cast for each candidate. The board, after making the abstract, shall cause the county clerk to certify the abstract and, by an order made and entered in the minutes of its proceedings, to make:

(a) A copy of the certified abstract; and

(b) A mechanized report of the abstract in compliance with regulations adopted by the secretary of state, and transmit them to the secretary of state ~~[within 5]~~ **not more than 6** working days after ~~[the day after]~~ the election.

4. The secretary of state shall, immediately after any primary election, compile the returns for all candidates voted for in more than one county. He shall make out and file in his office an abstract thereof, and shall certify to the county clerk of each county the name of each person nominated, and the name of the office for which he is nominated.

Sec. 17. NRS 293.820 is hereby amended to read as follows:

293.820 1. It is unlawful for any person to solicit ~~[any money]~~ **a contribution** for any organization the title of which incorporates the name, or any form of the name, of any political party in this state without first having obtained written approval therefor, or a charter for that organization, from the central or executive committee of that political party the name of which is being used or incorporated in the title of that organization for the county in which the money is being solicited.

2. This section does not require any person or organization to obtain a charter or written approval if that person or organization is:

(a) Publicly organized for the sole and limited purpose of supporting the candidacy of a particular candidate in a single election.

(b) Chartered by a national political party or organization.

(c) Chartered by a state central committee in Nevada.

3. Any person who violates any provision of this section is guilty of a gross misdemeanor.

4. As used in this section, "contribution" has the meaning ascribed to it in NRS 294A.007.

Sec. 18. NRS 293B.150 is hereby amended to read as follows:

293B.150 Not earlier than 2 weeks before and not later than 5 p.m. on the day before the first day of early voting, the county or city clerk ~~{of a county or city that uses a}~~ **shall test:**

1. **The** mechanical recording device which directly records votes electronically ~~{shall test the}~~, **if any; or**

2. **The** automatic tabulating equipment and programs, **if any**, to ascertain that the **device or** equipment and programs will correctly count the votes cast for all offices and on all measures.

Sec. 19. NRS 293B.155 is hereby amended to read as follows:

293B.155 1. The tests prescribed by NRS 293B.150 and 293B.165 must be conducted by processing a preaudited group of logic and accuracy test ballots so punched, voted or marked as to record a predetermined number of valid votes for each candidate and on each measure, and must include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the **mechanical recording device or the** automatic tabulating equipment and programs to reject those votes.

2. If any error is detected, the cause therefor must be ascertained and corrected and an errorless count must be made before the **mechanical recording device or the** automatic tabulating equipment and programs are approved.

3. When satisfied with the accuracy of the **mechanical recording device or automatic tabulating equipment and** computer program, the accuracy certification board and the county or city clerk shall date and sign all reports, **and** seal the program, **if any, and** the reports ~~{}~~ and all test material in an appropriate container. The container must be kept sealed by the clerk.

4. Except as otherwise provided in this subsection, the contents of such a sealed container are not subject to the inspection of anyone except in the case of a contested election, and then only by the judge, body or board before whom the election is being contested, or by the parties to the contest, jointly, pursuant to an order of that judge, body or board. For the period set forth in NRS 293.413 during which a candidate may file a statement of contest, the results of the test must be made available in the clerk's office for public inspection.

Sec. 20. NRS 293B.170 is hereby amended to read as follows:

293B.170 After the completion of the last logic and accuracy test, the programs used, **if any, and** the logic and accuracy test ballots and the official ballots shall be sealed, retained and disposed of in the manner provided in NRS 293.391 for other ballots.

Sec. 21. NRS 293C.175 is hereby amended to read as follows:

293C.175 1. A primary city election must be held in each city of the first class, and in each city of the second class that has so provided by ordinance, on the first Tuesday after the first Monday in ~~{May}~~ **April** of every year in which a general city election is to be held, at which time there

must be nominated candidates for offices to be voted for at the next general city election.

2. A candidate for any office to be voted for at the primary city election must file a declaration of candidacy with the city clerk not less than 60 days nor more than 70 days before the date of the primary city election. The city clerk shall charge and collect from the candidate and the candidate must pay to the city clerk, at the time of filing the declaration of candidacy, a filing fee in an amount fixed by the governing body of the city by ordinance or resolution. The filing fees collected by the city clerk must be deposited to the credit of the general fund of the city.

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

4. If, in a primary city election held in a city of the first or second class, one candidate receives more than a majority of votes cast in that election for the office for which he is a candidate, his name alone must be placed on the ballot for the general city election. If, in the primary city election, no candidate receives a majority of votes cast in that election for the office for which he is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general city election.

Sec. 22. NRS 293C.190 is hereby amended to read as follows:

293C.190 1. A vacancy occurring in a nomination for a city office after the close of filing and before the first Tuesday after the first Monday in ~~May~~ April in a year in which a general city election is held must be filled by filing a nominating petition that is signed by at least 1 percent of the persons who are registered to vote and who voted for that office at the last preceding general city election. The petition must be filed not earlier than 30 days before the date of the primary city election and not later than the third Tuesday after the third Monday in ~~May~~ April. A candidate nominated pursuant to the provisions of this subsection may be elected only at a general city election and his name must not appear on the ballot for a primary city election.

2. A vacancy occurring in a nomination for a city office after a primary city election and before the second Tuesday after the second Monday in ~~May~~ April must be filled by the person who received the next highest vote for the nomination in the primary city election.

3. Except to place a candidate nominated pursuant to subsection 1 on the ballot, no change may be made on the ballot after the second Tuesday after the second Monday in ~~May~~ April of the year in which the general city election is held. If a nominee dies after that date, his name must remain on the ballot and, if elected, a vacancy exists.

4. All designations provided for in this section must be filed before 5 p.m. on the second Tuesday after the second Monday in ~~May~~ April of the year in which the general city election is held. The filing fee must be paid and an acceptance of the designation must be filed before 5 p.m. on that date.

Sec. 23. NRS 293C.195 is hereby amended to read as follows:

293C.195 A withdrawal of candidacy for a city office must be in writing and presented to the city clerk by the candidate in person within 2 days , *excluding Saturdays, Sundays and holidays*, after the last day for filing a declaration of candidacy or an acceptance of candidacy.

Sec. 24. NRS 293C.345 is hereby amended to read as follows:

293C.345 The city clerk shall mail to each registered voter in each mailing precinct and in each absent ballot mailing precinct, before 5 p.m. on the third Thursday in ~~April~~ *March* and before 5 p.m. on the fourth Tuesday in May of any year in which a general city election is held, an official mailing ballot to be voted by him at the election.

Sec. 25. NRS 293C.370 is hereby amended to read as follows:

293C.370 1. Whenever a candidate whose name appears upon the ballot at a general city election dies after 5 p.m. of the third Tuesday *after the third Monday* in ~~May~~ *April* and before the time of the closing of the polls on the day of the election, the votes cast for the deceased candidate must be counted in determining the results of the election for the office for which the decedent was a candidate.

2. If the deceased candidate receives the majority of the votes cast for the office, he shall be deemed elected and the office to which he was elected shall be deemed vacant at the beginning of the term for which he was elected. The vacancy created must be filled in the same manner as if the candidate had died after taking office for that term.

Sec. 26. NRS 294A.120 is hereby amended to read as follows:

294A.120 1. Every candidate for state, district, county or township office at a primary or general election shall, not later than:

(a) Seven days before the primary election, for the period from 30 days before the regular session of the legislature after the last election for that office up to 12 days before the primary election;

(b) Seven days before the general election, whether or not the candidate won the primary election, for the period from 12 days before the primary election up to 12 days before the general election; and

(c) The 15th day of the second month after the general election, for the remaining period up to 30 days before the next regular session of the legislature,

report the total amount of his campaign contributions on forms designed and provided by the secretary of state and signed by the candidate under penalty of perjury.

2. Except as otherwise provided in subsection 3, every candidate for a district office at a special election shall, not later than:

(a) Seven days before the special election, for the period from his nomination up to 12 days before the special election; and

(b) Thirty days after the special election, for the remaining period up to the special election,

report the total amount of his campaign contributions on forms designed and provided by the secretary of state and signed by the candidate under penalty of perjury.

3. Every candidate for state, district, county, municipal or township office at a special election to determine whether a public officer will be recalled shall report the total amount of his campaign contributions on forms designed and provided by the secretary of state and signed by the candidate under penalty of perjury, 30 days after ~~the~~ :

(a) *The special election, for the period from the filing of the notice of intent to circulate the petition for recall up to the special election ~~H~~ ; or*

(b) *A district court determines that the petition for recall is legally insufficient pursuant to subsection 5 of NRS 306.040, for the period from the filing of the notice of intent to circulate the petition for recall up to the date of the district court's decision.*

4. Reports of campaign contributions must be filed with the officer with whom the candidate filed the declaration of candidacy or acceptance of candidacy. A candidate may mail the report to that officer by certified mail. If certified mail is used, the date of mailing shall be deemed the date of filing.

5. Every county clerk who receives from candidates for legislative or judicial office, except the office of justice of the peace or municipal judge, reports of campaign contributions pursuant to subsection 4 shall file a copy of each report with the secretary of state within 10 working days after he receives the report.

6. Each contribution in excess of \$100 and contributions which a contributor has made cumulatively in excess of that amount since the beginning of the first reporting period must be separately identified with the name and address of the contributor and the date of the contribution, tabulated and reported on the form provided by the secretary of state.

Sec. 27. NRS 294A.125 is hereby amended to read as follows:

294A.125 1. In addition to complying with the requirements set forth in NRS 294A.120, 294A.200 and 294A.360, a candidate who receives contributions in any year before the year in which the general election or general city election in which the candidate intends to seek election to public office is held, shall, ~~not later than December 31 of:~~ *for:*

(a) The year in which he receives contributions in excess of \$10,000, report the total contributions received ~~H~~ *and expenditures made in that year.*

(b) Each year after the year in which he received contributions in excess of \$10,000, until the year of the general election or general city election in which the candidate intends to seek election to public office is held, report the contributions received and the expenditures made in that year.

2. The reports required by subsection 1 must be submitted on a form designed and provided by the secretary of state and signed by the candidate under penalty of perjury.

3. Each contribution in excess of \$100 and contributions that a contributor has made cumulatively in excess of that amount must be separately identified with the name and address of the contributor and the date of the contribution, tabulated and reported on the form provided by the secretary of state. Each expenditure in excess of \$100 and expenditures that the candidate made cumulatively in excess of that amount must be separately identified with the date of the expenditure, tabulated and reported on the form provided by the secretary of state.

4. The report must be filed ~~{with the secretary of state.}~~ :

(a) With the officer with whom the candidate will file the declaration of candidacy or acceptance of candidacy for the public office the candidate intends to seek. A candidate may mail the report to that officer by certified mail. If certified mail is used, the date of mailing shall be deemed the date of filing.

(b) On or before January 15 of the year immediately after the year for which the report is made.

5. A county clerk who receives from a candidate for legislative or judicial office, except the office of justice of the peace or municipal judge, a report of contributions and expenditures pursuant to subsection 4 shall file a copy of the report with the secretary of state within 10 working days after he receives the report.

Sec. 28. NRS 294A.180 is hereby amended to read as follows:

294A.180 1. Each candidate for a state, district, county, city or township office who is not elected to that office shall, not later than the 15th day of the second month after his defeat, file a report with the secretary of state stating the amount of contributions which he received for that campaign but did not spend and the disposition of those unspent contributions.

2. Each public officer who is elected to a state, district, county, city or township office shall file a report : ~~{with the secretary of state.}~~

(a) Not later than the 15th day of the second month after his election, stating the amount of campaign contributions which he received but did not spend and the amount, if any, of those unspent contributions disposed of pursuant to subsection 2 of NRS 294A.160 ~~{.}~~ *as of the last day of the first month after his election;*

(b) Not later than January 15th of each year of his term beginning the year after he filed the report required by paragraph (a), stating the amount, if any, of those unspent contributions disposed of pursuant to NRS 294A.160 during the period ~~{since}~~ *from the last date covered by* his last report *through December 31 of the immediately preceding year* and the manner in which they were disposed of; and

(c) Not later than the 15th day of the second month after he no longer holds that office, stating the amount and disposition of any remaining unspent contributions.

3. The reports required by subsections 1 and 2 must be submitted on a form designed and provided by the secretary of state and signed by the candidate or public officer under penalty of perjury.

4. A public officer filing a report pursuant to subsection 2:

(a) Shall file the report with the officer with whom he filed his declaration of candidacy or acceptance of candidacy.

(b) May file the report by certified mail. If certified mail is used, the date of mailing shall be deemed the date of filing.

5. A county clerk who receives from a legislative or judicial officer, other than a justice of the peace or municipal judge, a report pursuant to subsection 4 shall file a copy of the report with the secretary of state within 10 working days after he receives the report.

Sec. 29. NRS 294A.200 is hereby amended to read as follows:

294A.200 1. Every candidate for state, district, county or township office at a primary or general election shall, not later than:

(a) Seven days before the primary election, for the period from 30 days before the regular session of the legislature after the last election for that office up to 12 days before the primary election;

(b) Seven days before the general election, whether or not the candidate won the primary election, for the period from 12 days before the primary election up to 12 days before the general election; and

(c) The 15th day of the second month after the general election, for the remaining period up to 30 days before the next regular session of the legislature,

report his campaign expenses on forms designed and provided by the secretary of state and signed by the candidate under penalty of perjury.

2. Except as otherwise provided in subsection 3, every candidate for a district office at a special election shall, not later than:

(a) Seven days before the special election, for the period from his nomination up to 12 days before the special election; and

(b) Sixty days after the special election, for the remaining period up to 30 days after the special election, report his campaign expenses on forms designed and provided by the secretary of state and signed by the candidate under penalty of perjury.

3. Every candidate for state, district, county, municipal or township office at a special election to determine whether a public officer will be recalled shall report his campaign expenses on forms designed and provided by the secretary of state and signed by the candidate under penalty of perjury, 60 days after ~~the~~:

(a) The special election, for the period from the filing of the notice of intent to circulate the petition for recall up to 30 days after the special election ~~is~~; or

(b) A district court determines that the petition for recall is legally insufficient pursuant to subsection 5 of NRS 306.040, for the period from the filing of the notice of intent to circulate the petition for recall up to the date of the district court's decision.

4. Reports of campaign expenses must be filed with the officer with whom the candidate filed the declaration of candidacy or acceptance of candidacy. A candidate may mail the report to that officer by certified mail. If certified mail is used, the date of mailing shall be deemed the date of filing.

5. County clerks who receive from candidates for legislative or judicial office, except the office of justice of the peace or municipal judge, reports of campaign expenses pursuant to subsection 4 shall file a copy of each report with the secretary of state within 10 working days after he receives the report.

Sec. 30. NRS 294A.350 is hereby amended to read as follows:

294A.350 1. Every candidate for state, district, county, municipal or township office shall file the reports of campaign contributions and expenses required by NRS 294A.120, 294A.200 and 294A.360, even though he:

(a) Withdraws his candidacy;

(b) Receives no campaign contributions; ~~for~~

(c) Has no campaign expenses ~~for~~;

(d) Is removed from the ballot by court order; or

(e) Is the subject of a petition to recall and the special election is not held.

2. A candidate who withdraws his candidacy pursuant to NRS 293.202 may file simultaneously all the reports of campaign contributions and expenses required by NRS 294A.120, 294A.200 and 294A.360, so long as each report is filed on or before the last day for filing the respective report pursuant to NRS 294A.120, 294A.200 or 294A.360.

Sec. 31. Chapter 295 of NRS is hereby amended by adding thereto a new section to read as follows:

The legal sufficiency of a petition filed pursuant to NRS 295.015 to 295.056, inclusive, and this section, may be challenged by filing a complaint in district court not later than 5 days, Saturdays, Sundays and holidays excluded, after the petition is filed with the secretary of state. All affidavits and documents in support of the challenge must be filed with the complaint. The court shall set the matter for hearing not later than 30 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings.

Sec. 32. NRS 295.056 is hereby amended to read as follows:

295.056 1. Before a petition for initiative or referendum is filed with the secretary of state, the petitioners must submit to each county clerk for verification *pursuant to NRS 293.1276 to 293.1279, inclusive*, the document or documents which were circulated for signature within his county. The clerks shall give the person submitting a document or documents a receipt stating the number of documents and pages and the person's statement of the number of signatures contained therein.

2. If a petition for initiative proposes a statute or an amendment to a statute, the document or documents must be submitted not later than the second Tuesday in November of an even-numbered year.

3. If a petition for initiative proposes an amendment to the constitution, the document or documents must be submitted not later than the third Tuesday in June of an even-numbered year.

4. If the petition is for referendum, the document or documents must be submitted not later than the third Tuesday in May of an even-numbered year.

5. All documents which are submitted to a county clerk for verification must be submitted at the same time.

Sec. 33. NRS 298.020 is hereby amended to read as follows:

298.020 1. Each *major* political party in this state, qualified by law to place upon the general election ballot candidates for the office of President and Vice President of the United States in the year when they are to be elected, shall, at the state convention of the *major* political party held in that year, choose from the qualified electors, who are legally registered members of that political party, the number of presidential electors required by law and no more, who must be nominated by the delegates at the state convention. Upon the nomination thereof, the chairman and the secretary of the convention shall certify the names and addresses of the nominees to the secretary of state, who shall record the names in his office as the nominees of that political party for presidential elector.

2. Each minor political party in this state, qualified by law to place upon the general election ballot candidates for the office of President and Vice President of the United States in the year when they are to be elected, shall choose from the qualified electors, the number of presidential electors required by law. The person who is authorized to file the list of candidates *for partisan office* of the minor political party with the secretary of state pursuant to NRS 293.1725 shall certify the names and addresses of the nominees to the secretary of state, who shall record the names in his office as the nominees of that political party for presidential elector.

Sec. 34. NRS 298.109 is hereby amended to read as follows:

298.109 1. A person who desires to be an independent candidate for the office of President of the United States must, not later than 5 p.m. on the second Friday in August in each year in which a presidential election is to be held, pay a filing fee of \$250 and file with the secretary of state a declaration of candidacy and a petition of candidacy, in which he must also designate his nominee for Vice President. The petition must be signed by a number of registered voters equal to not less than 1 percent of the total number of votes cast at the last preceding general election for candidates for the offices of Representative in Congress and must request that the names of the proposed candidates be placed on the ballot at the general election that year. The candidate shall file a copy of the petition he intends to circulate for signatures with the secretary of state.

2. The petition may consist of more than one document. Each document must bear the name of a county and only registered voters of that county may sign the document. The documents which are circulated for signature in a county must be submitted to that county clerk for verification in the manner prescribed in NRS 293.1276 to 293.1279, inclusive, not later than ~~[40]~~ **25 working** days before ~~[filing]~~ **the last day to file** the petition of candidacy with the secretary of state ~~[.]~~ **pursuant to subsection 1**. Each person signing shall add to his signature the address of the place at which he resides, the date that he signs and the name of the county wherein he is registered to vote. Each document of the petition must also contain the affidavit of the person who circulated the document that all signatures thereon are genuine to the best of his knowledge and belief and were signed in his presence by persons registered to vote in that county.

3. Each independent candidate so nominated for the office of President shall at the time of filing his petition as provided in subsection 1, or within 10 days thereafter, file with the secretary of state his written designation of the names of the number of presidential electors then authorized by law, whom the independent candidate desires to act as his electors, all of whom must then be registered voters. Immediately following receipt of each candidate's written designation of his nominees for electors, the secretary of state shall record them in his office as the nominees for presidential electors of that independent candidate.

4. If the candidacy of any person who seeks to qualify pursuant to this section is challenged, all affidavits and documents in support of the challenge must be filed with the first judicial district court not later than 5 p.m. on the fourth Tuesday in August. Any judicial proceeding relating to the challenge must be set for hearing not later than 5 days after the fourth Tuesday in August.

5. The county clerk shall not disqualify the signature of a voter who fails to provide all ~~[of]~~ the information required by this section if the voter is registered in the county named on the document.

Sec. 35. NRS 306.015 is hereby amended to read as follows:

306.015 1. Before a petition to recall a public officer is circulated, the persons proposing to circulate the petition must file a notice of intent with the filing officer. ~~[with whom the public officer to be recalled filed his declaration of candidacy or acceptance of candidacy pursuant to NRS 293.185, 293C.145 or 293C.175.]~~

2. The notice of intent:

(a) Must be signed by three registered voters who actually voted in ~~[the]~~ **this** state or in the county, district or municipality electing the officer at the last preceding general election.

(b) Must be signed before a person authorized by law to administer oaths that the statements and signatures contained in the notice are true.

(c) Is valid until the date on which the call for a special election is issued, as set forth in NRS 306.040.

3. *The petition may consist of more than one document.* The persons filing the notice of intent shall submit the petition *that was circulated for signatures* to the ~~county clerk pursuant to NRS 306.035~~ *filing officer* within 60 days after the date on which the notice of intent was filed. *The filing officer shall immediately submit the petition to the county clerk for verification pursuant to NRS 306.035.* Any person who fails to file the petition as required by this subsection is guilty of a misdemeanor. Copies of the petition are not valid for any subsequent petition.

4. The county clerk shall, upon completing the verification of the signatures on the petition, file the petition with the filing officer. ~~with whom the public officer to be recalled filed his declaration of candidacy or acceptance of candidacy.~~

5. Any person who signs a petition to recall any public officer may remove his name from the petition by submitting a request in writing to the county clerk at any time before the petition is submitted for the verification of the signatures thereon pursuant to NRS 306.035.

6. A person who signs a notice of intent pursuant to subsection 1 or a petition to recall a public officer is immune from civil liability for conduct related to the exercise of his right to participate in the recall of a public officer.

7. *As used in this section, "filing officer" means the officer with whom the public officer to be recalled filed his declaration of candidacy or acceptance of candidacy pursuant to NRS 293.185, 293C.145 or 293C.175.*

Sec. 36. NRS 306.035 is hereby amended to read as follows:

306.035 1. Before a petition to recall a state officer who is elected statewide is filed with the secretary of state ~~the petitioners must submit to~~ *pursuant to subsection 4 of NRS 306.015*, each county clerk ~~for verification~~ *must verify, pursuant to NRS 293.1276 to 293.1279, inclusive*, the document or documents which were circulated for signature within his county.

2. Before a petition to recall a state senator, assemblyman, or a county, district or municipal officer is filed ~~with the proper officer, the petitioners must submit to~~ *pursuant to subsection 4 of NRS 306.015*, the county clerk ~~for verification limited to the relevant area in the manner prescribed in~~ *must verify, pursuant to* NRS 293.1276 to 293.1279, inclusive, the document or documents which were circulated for signatures within his county.

3. If more than one document was circulated, all the documents must be submitted to the clerk at the same time.

Sec. 37. NRS 306.040 is hereby amended to read as follows:

306.040 1. Upon determining that the number of signatures on a petition to recall is sufficient pursuant to NRS 293.1276 to 293.1279, inclusive, the secretary of state shall notify the county clerk, the officer with whom the petition is to be filed pursuant to subsection 4 of NRS 306.015 and the public officer who is the subject of the petition.

2. ~~{Any}~~ *After the verification of signatures is complete, but not later than the date a complaint is filed pursuant to subsection 5 or the date the call for a special election is issued, whichever is earlier, a* person who signs a petition to recall may request the secretary of state to strike his name from the petition . ~~{after the verification of signatures is complete and before the date the call for a special election is issued.}~~ If the person demonstrates good cause therefor, the secretary of state shall strike his name from the petition.

3. Not sooner than 10 days nor more than 20 days after the secretary of state completes the notification required by subsection 1, *if a complaint is not filed pursuant to subsection 5*, the officer with whom the petition is filed shall issue a call for a special election in the jurisdiction in which the public officer *who is the subject of the petition* was elected to determine whether the people will recall him.

4. The call *for a special election pursuant to subsection 3 or 6* must include, without limitation:

(a) The last day on which a person may register to vote to qualify to vote in the special election; and

(b) The last day on which a petition to nominate other candidates for the office may be filed.

~~{4.}~~ 5. The legal sufficiency of the petition may be challenged by filing a complaint in district court not later than 5 days, Saturdays , ~~{and}~~ Sundays *and holidays* excluded, after the secretary of state completes the notification required by subsection 1. All affidavits and documents in support of the challenge must be filed with the complaint. The court shall set the matter for hearing not later than 30 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings.

~~{5.}~~ 6. Upon the conclusion of the hearing, if the court determines that the petition is sufficient, it shall order the officer with whom the petition is filed to issue a call for a special election *in the jurisdiction in which the public officer who is the subject of the petition was elected* to determine whether the people will recall ~~{the public officer who is the subject of the petition.}~~ *him*. If the court determines that the petition is not sufficient, it shall order the officer with whom the petition is filed to cease any further proceedings regarding the petition.

Sec. 38. Section 96 of the charter of Boulder City is hereby amended to read as follows:

Section 96. Conduct of city elections.

1. All City elections ~~{shall}~~ *must* be nonpartisan in character and ~~{shall}~~ *must* be conducted in accordance with the provisions of the general election laws of the State of Nevada and any ordinance regulations as adopted by the City Council which are consistent with law and this Charter. (1959 Charter)

2. All full terms of office in the City Council ~~{shall be}~~ *are* four years, and Councilmen ~~{shall}~~ *must* be elected at large without

regard to precinct residency. Two full-term Councilmen and the Mayor are to be elected in each year immediately preceding a Federal presidential election, and two full-term Councilmen are to be elected in each year immediately following a Federal presidential election. In each election, the candidates receiving the greatest number of votes ~~{shall}~~ **must** be declared elected to the vacant full-term positions. (Add. 17; Amd. 1; 11-5-96)

A. In the event one or more two-year term positions on the Council will be available at the time of a municipal election as provided in Section 12, candidates ~~{shall}~~ **must** file specifically for such position(s). Candidates receiving the greatest respective number of votes ~~{shall}~~ **must** be declared elected to the respective available two-year positions. (Add. 15; Amd. 2; 6-4-91)

3. A city primary election ~~{shall}~~ **must** be held on the ~~{1st}~~ **first** Tuesday after the ~~{1st}~~ **first** Monday in ~~{May}~~ **April** of each odd-numbered year and a City general election ~~{shall}~~ **must** be held on the ~~{1st}~~ **first** Tuesday after the ~~{1st}~~ **first** Monday in June of each odd-numbered year.

A. ~~{No primary shall}~~ **A primary election must not** be held if no more than double the number of Councilmen to be elected file as candidates. ~~{No primary shall}~~ **A primary election must not** be held for the office of Mayor if no more than two candidates file for that position. The primary election ~~{shall}~~ **must** be held for the purpose of eliminating candidates in excess of a figure double the number of Councilmen to be elected. (Add. 17; Amd. 1; 11-5-96)

B. If, in the primary City election, a candidate receives votes equal to a majority of voters casting ballots in that election, he shall be considered elected to one of the vacancies and his name shall not be placed on the ballot for the general City election. (Add. 10; Amd. 7; 6-2-81)

C. In each primary and general election, voters shall be entitled to cast ballots for candidates in a number equal to the number of seats to be filled in the City elections. (Add. 11, Amd. 5; 6-7-83)

Sec. 39. Section 5.010 of the charter of the city of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by Assembly Bill No. 444 of this session, is hereby amended to read as follows:

Sec. 5.010 Primary election.

1. A primary election must be held on the Tuesday after the first Monday in ~~{May}~~ **April** of each odd-numbered year, at which time there must be nominated candidates for offices to be voted for at the next general municipal election.

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

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

4. If in the primary election no candidate receives a majority of votes cast in that election for the office for which he is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general election. If in the primary election, regardless of the number of candidates for an office, one candidate receives a majority of votes cast in that election for the office for which he is a candidate, he must be declared elected and no general election need be held for that office.

Sec. 40. Section 5.010 of the charter of the city of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by Senate Bill No. 274 of this session, is hereby amended to read as follows:

Sec. 5.010 Primary municipal elections.

1. On the Tuesday after the first Monday in ~~May~~ April 2001, and at each successive interval of 4 years, a primary municipal election must be held in the city at which time candidates for half of the offices of councilman and for municipal judge, department 2, must be nominated.

2. On the Tuesday after the first Monday in ~~May~~ April 2003, and at each successive interval of 4 years, a primary municipal election must be held in the city at which time candidates for mayor, for the other half of the offices of councilman and for municipal judge, department 1, must be nominated.

3. The candidates for councilman who are to be nominated as provided in subsections 1 and 2 must be nominated and voted for separately according to the respective wards. The candidates from each even-numbered ward must be nominated as provided in subsection 1, and the candidates from each odd-numbered ward must be nominated as provided in subsection 2.

4. If the city council has established an additional department or departments of the municipal court pursuant to section 4.010 of this charter, 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.

5. Each candidate for the municipal offices which are provided for in subsections 1, 2 and 4 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.

6. If, in the primary 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 is a candidate, he 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 election need be held for that office.

If, in the primary election, no candidate receives a majority of votes which are cast in that election for the office for which he 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 election.

Sec. 41. 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 215, Statutes of Nevada 1997, at page 748, 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 councilmen must be designated by the numbers one through four , which ~~number~~ **numbers** must correspond with the wards the candidates for city councilmen will seek to represent . **A candidate for** the office of city councilman shall include in his declaration of candidacy the number of the ward which he 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 seeks to represent.

2. If for any general municipal election there are three or more candidates for the offices of mayor or municipal judge, or for a particular city council seat, a primary election for any such office must be held on the Tuesday following the first Monday in ~~May~~ **April** preceding the general election.

3. Except as otherwise provided in subsection 4, after the primary election, the names of the two candidates for mayor, municipal judge and each city council seat who receive the highest number of votes must be placed on the ballot for the general election.

4. If one of the candidates for mayor, municipal judge or a city council seat receives a majority of the total votes cast for that office in the primary election, he shall be declared elected to office and his name must not appear on the ballot for the general election.

Sec. 42. Section 5.020 of the charter of the city of Sparks, being chapter 470, Statutes of Nevada 1975, as last amended by chapter 686, Statutes of Nevada 1997, at page 3482, is hereby amended to read as follows:

Sec. 5.020 Primary municipal elections: Declaration of candidacy.

1. If for any general municipal election there are three or more candidates for the offices of mayor, city attorney or municipal judge or three or more candidates from each ward to represent the ward as a member of the city council, a primary election for that office must

be held on the first Tuesday after the first Monday in ~~May~~ *April* preceding the general election.

2. Candidates for the offices of mayor, city attorney and municipal judge must be voted upon by the registered voters of the city at large. Candidates to represent a ward as a member of the city council must be voted upon by the registered voters of the ward to be represented by them.

3. The names of the two candidates for mayor, city attorney and municipal judge and the names of the two candidates to represent the ward as a member of the city council from each ward who receive the highest number of votes at the primary election must be placed on the ballot for the general election.

Sec. 43. The amendatory provisions of this act do not apply to conduct that occurred before October 1, 1999.

Sec. 44. Sections 6 to 9, inclusive, 13 and 41 of this act become effective at 12:01 a.m. on October 1, 1999.

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