

ASSEMBLY BILL NO. 144—COMMITTEE ON ELECTIONS,  
PROCEDURES, AND ETHICS

(ON BEHALF OF ADMINISTRATIVE OFFICE OF THE COURTS)

FEBRUARY 15, 2001

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Changes dates for filing of declaration of candidacy for judicial office.  
(BDR 24-516)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

AN ACT relating to elections; changing the dates during which a person who wishes to be a candidate for a judicial office must file his declaration of candidacy; 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 293.177 is hereby amended to read as follows:  
2     293.177 1. Except as otherwise provided in NRS 293.165, a name  
3     may not be printed on a ballot to be used at a primary election unless the  
4     person named has filed a declaration of candidacy or an acceptance of  
5     candidacy, and paid the fee required by NRS 293.193 not earlier than  
6     ~~the~~ :  
7     *(a) For a candidate for judicial office, the second Monday in January*  
8     *of the year in which the election is to be held nor later than 5 p.m. on the*  
9     *fourth Monday in January; and*  
10    *(b) For all other candidates, the* first Monday in May of the year in  
11    which the election is to be held nor later than 5 p.m. on the third Monday in  
12    May.  
13    2. A declaration of candidacy or an acceptance of candidacy required  
14    to be filed by this section must be in substantially the following form:  
15    (a) For partisan office:  
16         DECLARATION OF CANDIDACY OF ..... FOR THE  
17                 OFFICE OF .....  
18    State of Nevada  
19    County of.....



1 For the purpose of having my name placed on the official ballot as a  
2 candidate for the ..... Party nomination for the office of ....., I, the  
3 undersigned ....., do swear or affirm under penalty of perjury that I  
4 actually, as opposed to constructively, reside at ....., in the City or Town  
5 of ....., County of ....., State of Nevada; that my actual, as opposed to  
6 constructive, residence in the state, district, county, township, city or other  
7 area prescribed by law to which the office pertains began on a date at least  
8 30 days immediately preceding the date of the close of filing of  
9 declarations of candidacy for this office; that I am registered as a member  
10 of the ..... Party; that I have not, in violation of the provisions of  
11 NRS 293.176, changed the designation of my political party or political  
12 party affiliation on an official application to register to vote in any state  
13 since September 1 before the closing filing date for this election; that I  
14 generally believe in and intend to support the concepts found in the  
15 principles and policies of that political party in the coming election; that if  
16 nominated as a candidate of the ..... Party at the ensuing election, I  
17 will accept that nomination and not withdraw; that I will not knowingly  
18 violate any election law or any law defining and prohibiting corrupt and  
19 fraudulent practices in campaigns and elections in this state; that I will  
20 qualify for the office if elected thereto, including, but not limited to,  
21 complying with any limitation prescribed by the constitution and laws of  
22 this state concerning the number of years or terms for which a person may  
23 hold the office; and that I understand that my name will appear on all  
24 ballots as designated in this declaration.

25 .....  
26 (Designation of name)

27 .....  
28 (Signature of candidate for office)

29 Subscribed and sworn to before me  
30 this ..... day of the month of ..... of  
31 the year....

32 .....  
33 Notary Public or other person  
34 authorized to administer an oath  
35 (b) For nonpartisan office:

36 DECLARATION OF CANDIDACY OF ..... FOR THE  
37 OFFICE OF .....

38 State of Nevada

39 County of.....

40 For the purpose of having my name placed on the official ballot as a  
41 candidate for the office of ....., I, the undersigned ....., do  
42 swear or affirm under penalty of perjury that I actually, as opposed to  
43 constructively, reside at ....., in the City or Town of ....., County of  
44 ....., State of Nevada; that my actual, as opposed to constructive,  
45 residence in the state, district, county, township, city or other area  
46 prescribed by law to which the office pertains began on a date at least 30  
47 days immediately preceding the date of the close of filing of declarations of  
48 candidacy for this office; that if nominated as a nonpartisan candidate at  
49 the ensuing election, I will accept the nomination and not withdraw; that I



\* A B 1 4 4 \*

1 will not knowingly violate any election law or any law defining and  
2 prohibiting corrupt and fraudulent practices in campaigns and elections in  
3 this state; that I will qualify for the office if elected thereto, including, but  
4 not limited to, complying with any limitation prescribed by the constitution  
5 and laws of this state concerning the number of years or terms for which a  
6 person may hold the office; and my name will appear on all ballots as  
7 designated in this declaration.

8  
9 .....  
(Designation of name)

10 .....  
11 (Signature of candidate for office)

12 Subscribed and sworn to before me  
13 this ..... day of the month of ..... of  
14 the year ....

15 .....  
16 Notary Public or other person  
17 authorized to administer an oath

18 3. A person may be a candidate under his given name and surname, a  
19 contraction or familiar form of his given name followed by his surname or  
20 the initial of his given name followed by his surname. A nickname of not  
21 more than 10 letters may be incorporated into a candidate's name. The  
22 nickname must be in quotation marks and appear immediately before the  
23 candidate's surname. A nickname must not indicate any political,  
24 economic, social or religious view or affiliation and must not be the name  
25 of any person, living or dead, whose reputation is known on a statewide,  
26 nationwide or worldwide basis, or in any other manner deceive a voter  
27 regarding the person or principles for which he is voting.

28 4. The address of a candidate which must be included in the  
29 declaration of candidacy or acceptance of candidacy pursuant to subsection  
30 2 must be the street address of the residence where he actually, as opposed  
31 to constructively, resides in accordance with NRS 281.050, if one has been  
32 assigned. The declaration or acceptance of candidacy must not be accepted  
33 for filing if the candidate's address is listed as a post office box unless a  
34 street address has not been assigned to his residence.

35 **Sec. 2.** NRS 293.180 is hereby amended to read as follows:

36 293.180 1. Ten or more registered voters may ~~file, not earlier than the~~  
37 ~~first Monday in April nor later than 5 p.m. on the first Friday in May,~~ file  
38 a certificate of candidacy designating any registered voter as a candidate  
39 for ~~this~~ :

40 *(a) Their major political party's nomination for any partisan elective*  
41 *office, or as a candidate for nomination for any nonpartisan office ~~file~~ ,*  
42 *other than a judicial office, not earlier than the first Monday in April nor*  
43 *later than 5 p.m. on the first Friday in May;*

44 *(b) Nomination for a judicial office, other than the office of municipal*  
45 *judge, not earlier than the second Monday in December nor later than 5*  
46 *p.m. on the first Friday in January; or*

47 *(c) Nomination for the office of municipal judge, not earlier than 265*  
48 *days before the primary city election nor later than 5 p.m. on the 240th*  
49 *day before the primary city election.*



1     **2.** When the certificate has been filed, the officer in whose office it is  
2     filed shall notify the person named in the certificate. If the person named in  
3     the certificate files an acceptance of candidacy and pays the required fee,  
4     as provided by law, he is a candidate in the primary election in like manner  
5     as if he had filed a declaration of candidacy.

6     ~~2-1~~ **3.** If a certificate of candidacy relates to a partisan office, all of  
7     the signers must be of the same major political party as the candidate  
8     designated.

9     **Sec. 3.** NRS 293C.175 is hereby amended to read as follows:

10    293C.175 1. A primary city election must be held in each city of the  
11    first class, and in each city of the second class that has so provided by  
12    ordinance, on the first Tuesday after the first Monday in April of every  
13    year in which a general city election is to be held, at which time there must  
14    be nominated candidates for offices to be voted for at the next general city  
15    election.

16    2. A candidate for ~~any~~ :

17    (a) *The office of municipal judge to be voted for at the primary city*  
18    *election must file a declaration of candidacy with the city clerk not less*  
19    *than 225 days nor more than 240 days before the date of the primary city*  
20    *election;*

21    (b) *Any other* office to be voted for at the primary city election must file  
22    a declaration of candidacy with the city clerk not less than 60 days nor  
23    more than 70 days before the date of the primary city election.

24    The city clerk shall charge and collect from the candidate and the candidate  
25    must pay to the city clerk, at the time of filing the declaration of candidacy,  
26    a filing fee in an amount fixed by the governing body of the city by  
27    ordinance or resolution. The filing fees collected by the city clerk must be  
28    deposited to the credit of the general fund of the city.

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

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

39    **Sec. 4.** NRS 293C.185 is hereby amended to read as follows:

40    293C.185 1. Except as otherwise provided in NRS 293C.190, a name  
41    may not be printed on a ballot to be used at a primary city election, unless  
42    the person named has filed a declaration of candidacy or an acceptance of  
43    candidacy and paid the fee established by the governing body of the city  
44    not earlier than :

45    (a) *For a candidate for the office of municipal judge, 240 days before*  
46    *the primary city election and not later than 5 p.m. on the 225th day*  
47    *before the primary city election.*



1       **(b) For candidates for all other offices,** 70 days before the primary city  
2 election and not later than 5 p.m. on the 60th day before the primary city  
3 election.

4       2. A declaration of candidacy required to be filed by this section must  
5 be in substantially the following form:

6               DECLARATION OF CANDIDACY OF ..... FOR THE  
7                               OFFICE OF .....

8 State of Nevada

9 City of .....

10 For the purpose of having my name placed on the official ballot as a  
11 candidate for the office of ....., I, the undersigned ....., do  
12 swear or affirm under penalty of perjury that I actually, as opposed to  
13 constructively, reside at ....., in the City or Town of .....,  
14 County of ....., State of Nevada; that my actual, as opposed to  
15 constructive, residence in the city, township or other area prescribed by law  
16 to which the office pertains began on a date at least 30 days immediately  
17 preceding the date of the close of filing of declarations of candidacy for  
18 this office; that if nominated as a candidate at the ensuing election, I will  
19 accept the nomination and not withdraw; that I will not knowingly violate  
20 any election law or any law defining and prohibiting corrupt and fraudulent  
21 practices in campaigns and elections in this state; that I will qualify for the  
22 office if elected thereto, including, but not limited to, complying with any  
23 limitation prescribed by the constitution and laws of this state concerning  
24 the number of years or terms for which a person may hold the office; and  
25 my name will appear on all ballots as designated in this declaration.

26 .....  
27   (Designation of name)

28 .....  
29   (Signature of candidate for office)

30 Subscribed and sworn to before me  
31 this .... day of the month of ..... of  
32 the year .....

33 .....  
34       Notary Public or other person  
35       authorized to administer an oath

36       3. A person may be a candidate under his given name and surname, a  
37 contraction or familiar form of his given name followed by his surname or  
38 the initial of his given name followed by his surname. A nickname of not  
39 more than 10 letters may be incorporated into a candidate's name. The  
40 nickname must be in quotation marks and appear immediately before the  
41 candidate's surname. A nickname must not indicate any political,  
42 economic, social or religious view or affiliation and must not be the name  
43 of any person, living or dead, whose reputation is known on a statewide,  
44 nationwide or worldwide basis, or in any other manner deceive a voter  
45 concerning the person or principles for which he is voting.

46       4. The address of a candidate that must be included in the declaration  
47 or acceptance of candidacy pursuant to subsection 2 must be the street  
48 address of the residence where he actually, as opposed to constructively,  
49 resides in accordance with NRS 281.050, if one has been assigned. The



- 1 declaration or acceptance of candidacy must not be accepted for filing if
- 2 the candidate's address is listed as a post office box unless a street address
- 3 has not been assigned to his residence.
- 4 **Sec. 5.** This act becomes effective upon passage and approval.

