

ASSEMBLY BILL NO. 59—ASSEMBLYMAN COLLINS

PREFILED JANUARY 31, 2001

Referred to Committee on Government Affairs

SUMMARY—Requires special election to fill certain vacancies on or offices of additional members of governing body of city. (BDR 21-71)

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

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 cities; requiring a special election to fill a vacancy on or the office of an additional member of the governing body of a city in certain circumstances; 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. NRS 268.325 is hereby amended to read as follows:

268.325 ~~HH~~

1. Except as otherwise provided in this subsection, if a vacancy occurs on the governing body of a city ~~HH~~ or if the number of members of the governing body is increased and no specific provision is made by law for filling the office of any such additional member, the governing body ~~[may, in lieu of appointment,]~~ shall declare by resolution a special election to fill the ~~[vacancy-]~~ office. The governing body may, in lieu of declaring a special election, fill a vacancy on or the office of such an additional member by appointment pursuant to NRS 266.225 or the provisions of the city charter, as appropriate, if:

(a) The remainder of the unexpired term created by the vacancy is less than 1 year; or

(b) The number of members of the governing body is increased less than 1 year before an election at which the office of such an additional member would otherwise be filled.

2. The governing body shall set a date for a special election to be held pursuant to this section not later than 15 days after the vacancy or creation of the additional office occurs. The special election must be held

1 *on a Tuesday at least 60 days but not more than 75 days after the date on*
2 *which the governing body set the date for the special election. An*
3 *affidavit of candidacy for the office to be filled must be filed with the city*
4 *clerk at least 30 days but not more than 45 days before the date of the*
5 *special election.*

6 3. *The city clerk shall:*

7 (a) *Within 5 days after the date on which the governing body set the*
8 *date for the special election, give notice of the date and purpose of the*
9 *special election; and*

10 (b) *Not later than 25 days before the date of the special election, cause*
11 *to be prepared a list of the names of persons who have filed affidavits of*
12 *candidacy for the office to be filled.*

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

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