

SENATE BILL NO. 565—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF OFFICE OF THE SECRETARY OF STATE)

MARCH 26, 2001

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to elections. (BDR 24-608)

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

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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; allowing certain members of the Armed Forces of the United States to vote through the use of the Internet; providing for a statewide system of voter registration; providing for one presidential elector to represent each congressional district of this state and two presidential electors to represent this state at large; revising various deadlines and procedures relating to petitions, ballots, elections, recounts and campaign practices; 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.** Chapter 293 of NRS is hereby amended by adding thereto
- 2 the provisions set forth as sections 2 and 3 of this act.
- 3 **Sec. 2. 1. *A registered voter who is a member of the Armed Forces***
- 4 ***of the United States residing outside of the continental United States may***
- 5 ***vote in a primary or general election through the use of the Internet***
- 6 ***pursuant to the program developed and administered by the secretary of***
- 7 ***state pursuant to this section.***
- 8 **2. *The secretary of state shall:***
- 9 ***(a) Develop and administer a program to allow for voting through the***
- 10 ***use of the Internet as provided in this section.***
- 11 ***(b) Adopt regulations to carry out the provisions of this section.***
- 12 **Sec. 3. 1. *The secretary of state shall establish and maintain a***
- 13 ***statewide system to organize and manage the registration of voters and***
- 14 ***information relating to the registration of voters.***
- 15 **2. *Upon the request of the secretary of state, a county clerk shall***
- 16 ***provide, in the form required by the secretary of state, all requested***
- 17 ***information relating to voter registration in the county.***



1 **3. The secretary of state may adopt regulations to carry out the**
2 **provisions of this section.**

3 **Sec. 4.** NRS 293.1277 is hereby amended to read as follows:

4 293.1277 1. If the secretary of state finds that the total number of
5 signatures submitted to all the county clerks is 100 percent or more of the
6 number of registered voters needed to declare the petition sufficient, he
7 shall immediately so notify the county clerks. Within 9 days, excluding
8 Saturdays, Sundays and holidays, after notification, each of the county
9 clerks shall determine the number of registered voters who have signed the
10 documents submitted in his county.

11 2. If more than 500 names have been signed on the documents
12 submitted to him, a county clerk ~~shall~~ **may** examine the signatures by
13 sampling them at random for verification. ~~The~~ **If taken, the** random
14 sample of signatures to be verified must be drawn in such a manner that
15 every signature which has been submitted to the county clerk is given an
16 equal opportunity to be included in the sample. The sample must include
17 an examination of at least 500 or 5 percent of the signatures, whichever is
18 greater.

19 3. In determining from the records of registration the number of
20 registered voters who signed the documents, the county clerk may use the
21 signatures contained in the file of applications to register to vote. If the
22 county clerk uses that file, he shall ensure that every application in the file
23 is examined, including any application in his possession which may not yet
24 be entered into his records. The county clerk shall rely only on the
25 appearance of the signature and the address and date included with each
26 signature in making his determination.

27 4. Except as otherwise provided in subsection 6, upon completing the
28 examination, the county clerk shall immediately attach to the documents a
29 certificate properly dated, showing the result of his examination and
30 transmit the documents with the certificate to the secretary of state. A copy
31 of this certificate must be filed in the clerk's office.

32 5. A person who submits a petition to the county clerk which is
33 required to be verified pursuant to NRS 293.128, 293.165, 293.172,
34 293.200, 295.056, 298.109, 306.035 or 306.110 must be allowed to witness
35 the verification of the signatures. A public officer who is the subject of a
36 recall petition must also be allowed to witness the verification of the
37 signatures on the petition.

38 6. For any petition containing signatures which are required to be
39 verified pursuant to the provisions of NRS 293.165, 293.200, 306.035 or
40 306.110 for any county, district or municipal office within one county, the
41 county clerk shall not transmit to the secretary of state the documents
42 containing the signatures of the registered voters.

43 7. The secretary of state may by regulation establish further procedures
44 for carrying out the provisions of this section.

45 **Sec. 5.** NRS 293.128 is hereby amended to read as follows:

46 293.128 1. To qualify as a major political party, any organization
47 must, under a common name:



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

4 (b) File a petition with the secretary of state not later than the last Friday
5 in April before any primary election signed by a number of registered
6 voters equal to or more than 10 percent of the total number of votes cast at
7 the last preceding general election for the offices of Representative in
8 Congress.

9 2. If a petition is filed pursuant to paragraph (b) of subsection 1, the
10 names of the voters need not all be on one document, but each document of
11 the petition must be verified by ~~at least one of its signers~~ *the circulator of*
12 *the document* to the effect that the signers are registered voters of this state
13 according to his best information and belief and that the signatures are
14 genuine and were signed in his presence. Each document of the petition
15 must bear the name of a county and only registered voters of that county
16 may sign the document. The documents which are circulated for signature
17 must then be submitted for verification pursuant to NRS 293.1276 to
18 293.1279, inclusive, not later than 25 working days before the last Friday
19 in April preceding a primary election.

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

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

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

31 **Sec. 6.** NRS 293.1755 is hereby amended to read as follows:

32 293.1755 1. In addition to any other requirement provided by law, no
33 person may be a candidate for any office unless, for at least the 30 days
34 immediately preceding the date of the close of filing of declarations of
35 candidacy or acceptances of candidacy for the office which he seeks, he
36 has, in accordance with NRS 281.050, actually, as opposed to
37 constructively, resided in the state, district, county, township or other area
38 prescribed by law to which the office pertains and, if elected, over which
39 he will have jurisdiction or which he will represent.

40 2. Any person who knowingly and willfully files an acceptance of
41 candidacy or declaration of candidacy which contains a false statement in
42 this respect is guilty of a gross misdemeanor.

43 3. Any person convicted pursuant to the provisions of this section is
44 disqualified from entering upon the duties of the office for which he was a
45 candidate.

46 4. The provisions of this section do not apply to candidates for ~~the~~ :

- 47 (a) *The* office of district attorney ~~+~~ ; or
- 48 (b) *A federal office.*



1 **Sec. 7.** NRS 293.194 is hereby amended to read as follows:
2 293.194 **1. Except as otherwise provided in subsection 2, the filing**
3 **fee paid by a candidate must not be returned to the candidate.**

4 **2.** The filing fee of an independent candidate who files a petition
5 pursuant to NRS 293.200 or 298.109, of a candidate of a minor political
6 party or of a candidate of a new major political party, must be returned to
7 the candidate by the officer to whom the fee was paid within 10 days after
8 the date on which a final determination is made that the petition of the
9 candidate, minor political party or new major political party failed to
10 contain the required number of signatures.

11 **Sec. 8.** NRS 293.200 is hereby amended to read as follows:

12 293.200 **1.** An independent candidate for partisan office must file
13 with the appropriate filing officer:

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

19 (b) Either of the following:

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

22 (I) This state for that office at the last preceding general election in
23 which a person was elected to that office, if the office is a statewide office;

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

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

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

34 **2.** The petition may consist of more than one document. Each
35 document must bear the name of the county in which it was circulated and
36 only registered voters of that county may sign the document. If the office is
37 not a statewide office, only the registered voters of the county, district or
38 municipality in question may sign the document. The documents that are
39 circulated for signature in a county must be submitted to that county clerk
40 for verification in the manner prescribed in NRS 293.1276 to 293.1279,
41 inclusive, not later than 25 working days before the last day to file the
42 petition pursuant to subsection 4. Each person who signs the petition shall
43 add to his signature the address of the place at which he actually resides,
44 the date that he signs the petition and the name of the county where he is
45 registered to vote. The person who circulates each document of the petition
46 shall sign an affidavit attesting that the signatures on the document are
47 genuine to the best of his knowledge and belief and were signed in his
48 presence by persons registered to vote in that county.



- 1 3. The petition of candidacy may state the principle, if any, which the
- 2 person qualified represents.
- 3 4. Petitions of candidacy must be filed not earlier than the first
- 4 Monday in May preceding the general election and not later than 5 p.m. on
- 5 the third Monday in May.
- 6 5. No petition of candidacy may contain the name of more than one
- 7 candidate for each office to be filled.
- 8 6. A person may not file as an independent candidate if he is proposing
- 9 to run as the candidate of a political party.
- 10 7. The names of independent candidates must be placed on the general
- 11 election ballot and must not appear on the primary election ballot.
- 12 8. If the candidacy of any person seeking to qualify pursuant to this
- 13 section is challenged, all affidavits and documents in support of the
- 14 challenge must be filed not later than 5 p.m. on the fourth Monday in May.
- 15 Any judicial proceeding resulting from the challenge must be set for
- 16 hearing not more than 5 days after the fourth Monday in May.
- 17 9. Any challenge pursuant to subsection 8 must be filed with:
- 18 (a) The first judicial district court if the petition of candidacy was filed
- 19 with the secretary of state.
- 20 (b) The district court for the county where the petition of candidacy was
- 21 filed if the petition was filed with a county clerk.
- 22 10. An independent candidate for partisan office must file a
- 23 declaration of candidacy with the appropriate filing officer and pay the fee
- 24 required by NRS 293.193 not earlier than the first Monday in May of the
- 25 year in which the election is held nor later than 5 p.m. on the third Monday
- 26 in May.
- 27 **Sec. 9.** NRS 293.260 is hereby amended to read as follows:
- 28 293.260 1. Where there is no contest for nomination to a particular
- 29 office, neither the title of the office nor the name of the candidate may
- 30 appear on the ballot.
- 31 2. If more than one major political party has candidates for a particular
- 32 office, the persons who receive the highest number of votes at the primary
- 33 elections must be declared the nominees of those parties for the office ~~and~~
- 34 ***and their names must be placed on the ballot for the general election.***
- 35 3. If only one major political party has candidates for a particular
- 36 office and a minor political party has nominated a candidate for the office
- 37 or an independent candidate has filed for the office, the candidate who
- 38 receives the highest number of votes in the primary election of the major
- 39 political party must be declared the nominee of that party and his name
- 40 must be placed on the general election ballot with the name of the nominee
- 41 of the minor political party for the office and the name of the independent
- 42 candidate who has filed for the office.
- 43 4. If only one major political party has candidates for a particular
- 44 office, ~~and~~ no minor political party has nominated a candidate for the
- 45 office ~~or~~ ***and*** no independent candidate has filed for the office:
- 46 (a) If there are more candidates than twice the number to be elected to
- 47 the office, the names of the candidates must appear on the ballot for a
- 48 primary election. Except as otherwise provided in this paragraph, the
- 49 candidates of that party who receive the highest number of votes in the



1 primary election, not to exceed twice the number to be elected to that office
2 at the general election, must be declared the nominees for the office ~~†~~ **and**
3 **their names must be placed on the ballot for the general election.** If only
4 one candidate is to be elected to the office and a candidate receives a
5 majority of the votes in the primary election for that office, that candidate
6 must be declared the nominee for that office and his name must be placed
7 on the ballot for the general election.

8 (b) If there are no more than twice the number of candidates to be
9 elected to the office, the candidates must, without a primary election, be
10 declared the nominees for the office ~~†~~ **and their names must be placed on**
11 **the ballot for the general election.**

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

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

22 **Sec. 10.** NRS 293.269 is hereby amended to read as follows:

23 293.269 1. Every ballot upon which appears the names of candidates
24 for any statewide office **or federal office**, or for President and Vice
25 President of the United States ~~†~~ **shall**, **must** contain for each **such** office an
26 additional line equivalent to the lines on which the candidates' names
27 appear and placed at the end of the group of lines containing the names of
28 the candidates for that office. Each additional line ~~†~~ **shall** **must** contain a
29 square in which the voter may express his choice of that line in the same
30 manner as he would express his choice of a candidate, and the line ~~†~~ **shall**
31 **must** read "None of these candidates."

32 2. Only votes cast for the named candidates ~~†~~ **may** be counted in
33 determining nomination or election to any statewide office **or federal**
34 **office**, or **in determining** presidential nominations or the selection of
35 presidential electors, but for each **such** office the number of ballots on
36 which the additional line was chosen ~~†~~ **shall** **must** be listed following the
37 names of the candidates and the number of their votes in every posting,
38 abstract and proclamation of the results of the election.

39 3. Every sample ballot or other instruction to voters prescribed or
40 approved by the secretary of state ~~†~~ **shall** **must** clearly explain that the voter
41 may mark his choice of the line "None of these candidates" only if he has
42 not voted for any candidate for the office.

43 **Sec. 11.** NRS 293.302 is hereby amended to read as follows:

44 293.302 If a candidate whose name appears on the ballot at a **primary**
45 **or** general election dies ~~†~~ **within the periods set forth in NRS 293.368,**
46 **before the day of the election**, the county clerk shall post a notice of the
47 candidate's death at each polling place where the candidate's name will
48 appear on the ballot.



1 **Sec. 12.** NRS 293.3095 is hereby amended to read as follows:
2 293.3095 1. A person who, during the 6 months immediately
3 preceding an election, mails to more than a total of 500 registered voters a
4 form to request an absent ballot for the election shall:

5 (a) Mail the form prescribed by the secretary of state, which must, in
6 14-point type or larger:

7 (1) Identify the person who is mailing the form;
8 (2) Include a notice stating, "This is a request for an absent ballot.";

9 and

10 (3) State that ~~by returning the form,~~ *the registered voter must*
11 *return the form to the county clerk and that the person who mailed* the
12 form ~~will be submitted~~ *to the registered voter may not return the form* to
13 the county clerk ~~on behalf of the registered voter;~~

14 (b) Not later than 14 days before mailing such a form, ~~notify~~ *provide*
15 *written notification to* the county clerk of each county to which a form will
16 be mailed of the number of forms to be mailed to voters in the county and
17 the date of the mailing of the forms; ~~and~~

18 (c) *Not return or offer to return to a county clerk a form that was*
19 *mailed to a registered voter pursuant to this subsection; and*

20 (d) Not mail such a form later than 21 days before the election.

21 2. The provisions of this section do not authorize a person to vote by
22 absent ballot if he is not otherwise eligible to vote by absent ballot.

23 **Sec. 13.** NRS 293.315 is hereby amended to read as follows:

24 293.315 1. A registered voter referred to in NRS 293.313 may, at
25 any time before 5 p.m. on the ~~Tuesday~~ *seventh working day* preceding
26 any election, make an application to that clerk for an absent voter's ballot.
27 The application must be made available for public inspection.

28 2. When the voter has identified himself to the satisfaction of the clerk,
29 he is entitled to receive the appropriate ballot or ballots, but only for his
30 own use.

31 3. A county clerk who allows a person to copy information from an
32 application for an absent ballot is immune from any civil or criminal
33 liability for any damage caused by the distribution of that information,
34 unless he knowingly and willingly allows a person who intends to use the
35 information to further an unlawful act to copy such information.

36 **Sec. 14.** NRS 293.384 is hereby amended to read as follows:

37 293.384 1. ~~Beginning at~~ *At* 8 a.m. on the *fourth working day*
38 *before the day of an election and at 8 a.m. each day thereafter through*
39 *the day before the day of an election, the counting board, if it is responsible*
40 *for counting absent ballots, or the absent ballot central counting board shall*
41 *withdraw all the ballots* ~~deposited~~ *in the absent voters' ballot boxes*
42 ~~before that day~~ *at that time* and ascertain that each box has the required
43 number of ballots according to the county clerk's absent voters' record.

44 2. Any absent ballots received by the county clerk ~~after 8 a.m. on the~~
45 *on a* day that the ballots are withdrawn must be held by him until the
46 ballots received before that day have been withdrawn pursuant to
47 subsection 1. ~~The~~ *Thereafter, the* clerk shall deposit those absent ballots
48 in the appropriate ballot boxes.



1 3. The counting board or absent ballot central counting board shall
2 count the number of ballots in the same manner as election boards.

3 **Sec. 15.** NRS 293.403 is hereby amended to read as follows:

4 293.403 1. A candidate defeated at any election may demand and
5 receive a recount of the vote for the office for which he is a candidate if
6 within 3 working days after the canvass of the vote and the certification by
7 the county clerk or city clerk of the abstract of votes:

8 (a) He files in writing his demand with the officer with whom he filed
9 his declaration of candidacy or acceptance of candidacy; and

10 (b) He deposits in advance the estimated costs of the recount with that
11 officer.

12 2. Any voter at an election may demand and receive a recount of the
13 vote for a ballot question if within 3 working days after the canvass of the
14 vote and the certification by the county clerk or city clerk of the abstract of
15 votes:

16 (a) He files in writing his demand with:

17 (1) The secretary of state, if the demand is for a recount of a ballot
18 question affecting more than one county; or

19 (2) The county or city clerk who will conduct the recount, if the
20 demand is for a recount of a ballot question affecting only one county or
21 city; and

22 (b) He deposits in advance the estimated costs of the recount with the
23 person to whom he made his demand.

24 3. The estimated costs of the recount must be determined by the person
25 with whom the advance is deposited based on regulations adopted by the
26 secretary of state defining the term "costs."

27 4. As used in this section, "canvass" means:

28 (a) In any primary election, the canvass by the board of county
29 commissioners of the returns for a candidate or ballot question voted for in
30 one county or the canvass by the board of county commissioners last
31 completing its canvass of the returns for a candidate or ballot question
32 voted for in more than one county.

33 (b) In any primary city election, the canvass by the city council of the
34 returns for a candidate or ballot question voted for in the city.

35 (c) In any general election:

36 (1) The canvass by the supreme court of the returns for a candidate
37 for a statewide office or a statewide ballot question; or

38 (2) ~~The~~ *Except as otherwise provided in subparagraph (1), the*
39 canvass of the board of county commissioners ~~of~~ :

40 *(I) Of the returns for ~~any other~~ a candidate or ballot question ~~as~~*
41 *provided in paragraph (a);* or

42 *(II) That is the last to be completed of the returns for a candidate*
43 *or ballot question voted for in more than one county.*

44 (d) In any general city election, the canvass by the city council of the
45 returns for a candidate or ballot question voted for in the city.

46 **Sec. 16.** NRS 293.405 is hereby amended to read as follows:

47 293.405 1. If the person who demanded the recount does not prevail,
48 and it is found that the sum deposited was less than the cost of the recount,
49 the person shall, upon demand, pay the deficiency to the county clerk, city



1 clerk or secretary of state, as the case may be. If the sum deposited is in
2 excess of the cost, the excess must be refunded to him.

3 2. If the person who demanded the recount prevails, the sum deposited
4 with the secretary of state, county clerk or city clerk must be refunded to
5 the person and the cost of the recount must be paid as follows:

6 (a) If the recount concerns an office or ballot question for which voting
7 is not statewide, the cost must be borne by the county or city which
8 conducted the recount.

9 (b) If the recount concerns an office or ballot question for which voting
10 is statewide, the clerk of each county shall submit a statement of its costs in
11 the recount to the secretary of state for review and approval. The secretary
12 of state shall submit the statements to the state board of examiners, which
13 shall repay the allowable costs from the reserve for statutory contingency
14 account to the respective counties.

15 3. Each recount must be commenced within 5 days after demand, and
16 must be completed within 5 days after it is begun. Sundays and holidays
17 must not be excluded in determining each 5-day period.

18 4. *Upon completion of a recount:*

19 (a) *If the recount affected more than one county, the secretary of state*
20 *shall certify the results.*

21 (b) *Except as otherwise provided in paragraph (a), the county or city*
22 *clerk who conducted the recount shall certify the results.*

23 5. After the recount of a precinct is completed, that precinct must not
24 be subject to another recount for the same office or ballot question at the
25 same election.

26 **Sec. 17.** NRS 293.440 is hereby amended to read as follows:

27 293.440 1. Any person who desires a copy of any list of the persons
28 who are registered to vote in any precinct, district or county may obtain a
29 copy by applying at the office of the county clerk and paying therefor a
30 sum of money equal to one cent per name on the list, except that one copy
31 of each original and supplemental list for each precinct, district or county
32 must be provided to the state and county central committee of any major
33 political party ~~H~~ *or a minor political party*, upon request, without charge.

34 2. Except as otherwise provided in NRS 293.558, the copy of the list
35 provided pursuant to this section must indicate the address, date of birth,
36 telephone number and the serial number on each application to register to
37 vote. If the county maintains this information in a computer database, the
38 date of the most recent addition or revision to an entry, if made on or after
39 July 1, 1989, must be included in the database and on any resulting list of
40 the information. The date must be expressed numerically in the order of
41 month, day and year.

42 3. A county may not pay more than 10 cents per folio or more than \$6
43 per thousand copies for printed lists for a precinct or district.

44 4. A county which has a system of computers capable of recording
45 information on magnetic tape or diskette shall, upon request of the state or
46 county central committee of any major political party or *a* minor political
47 party which has filed a certificate of existence with the secretary of state,
48 record for that central committee *or minor political party* on magnetic tape
49 or diskette supplied by it:



- 1 (a) The list of persons who are registered to vote and the information
2 required in subsection 2; and
3 (b) Not more than four times per year, as requested by the committee:
4 (1) A complete list of the persons who are registered to vote with a
5 notation for the most recent entry of the date on which the entry or the
6 latest change in the information was made; or
7 (2) A list that includes additions and revisions made to the list of
8 persons who are registered to vote after a date specified by the central
9 committee.
- 10 5. If a political party does not provide its own magnetic tape or
11 diskette, or if a political party requests the list in any other form that does
12 not require printing, the county clerk may charge a fee to cover the actual
13 cost of providing the tape, diskette or list.
- 14 **Sec. 18.** NRS 293.507 is hereby amended to read as follows:
15 293.507 1. The secretary of state shall prescribe:
16 (a) A standard form for applications to register to vote; and
17 (b) A special form for registration to be used in a county where
18 registrations are performed and records of registration are kept by
19 computer.
- 20 2. The county clerks shall provide forms for applications to register to
21 vote to field registrars in the form and number prescribed by the secretary
22 of state.
- 23 3. A form for an application to register to vote must include a
24 ~~duplicate copy marked as the~~ receipt to be retained by the applicant upon
25 completion of the form.
- 26 4. The form for an application to register to vote must include:
27 (a) A line for use by the county clerk to enter the number:
28 (1) Indicated on the voter's social security card, driver's license or
29 identification card issued by the department of motor vehicles and public
30 safety, or any other identification card issued by an agency of this state or
31 the Federal Government that contains:
32 (I) A unique number; and
33 (II) A photograph or physical description of the voter; or
34 (2) Issued to the voter pursuant to subsection 5.
35 (b) A line on which to enter the address at which the voter actually
36 resides. The application must not be accepted if the address is listed as a
37 post office box unless a street address has not been assigned to his
38 residence.
39 (c) A notice that the voter may not list his address as a business unless
40 he actually resides there.
- 41 5. If a voter does not:
42 (a) Possess any of the identification set forth in subparagraph (1) of
43 paragraph (a) of subsection 4; or
44 (b) Wish to provide to the county clerk the number indicated on that
45 identification,
46 the county clerk shall issue ~~a unique~~ *an* identification number to the
47 voter.
- 48 6. The secretary of state shall adopt regulations to carry out the
49 provisions of subsections 4 and 5.



1 **Sec. 19.** NRS 293.565 is hereby amended to read as follows:
2 293.565 1. Except as otherwise provided in subsection 2, sample
3 ballots must include:

4 (a) The fiscal note, as provided pursuant to NRS 218.443 or 293.250,
5 for each proposed constitutional amendment or statewide measure;

6 (b) An explanation, as provided pursuant to NRS 218.443, of each
7 proposed constitutional amendment or statewide measure, including
8 arguments for and against it; and

9 (c) The full text of each proposed constitutional amendment.

10 2. Sample ballots that are mailed to registered voters may be printed
11 without the full text of each proposed constitutional amendment if:

12 (a) The cost of printing the sample ballots would be significantly
13 reduced if the full text of each proposed constitutional amendment were
14 not included;

15 (b) The county clerk ensures that a sample ballot that includes the full
16 text of each proposed constitutional amendment is provided at no charge to
17 each registered voter who requests such a sample ballot; and

18 (c) The sample ballots provided to each polling place include the full
19 text of each proposed constitutional amendment.

20 3. ~~At~~ *Except as otherwise provided in this subsection, at least 10*
21 *days before any election, the county clerk shall cause to be mailed to each*
22 *registered voter in the county a sample ballot for his precinct with a notice*
23 *informing the voter of the location of his polling place. If there is early*
24 *voting by personal appearance for the election, the sample ballot must be*
25 *mailed by the later of 10 days before the first day for early voting or the*
26 *earliest practicable date after all information necessary to prepare the*
27 *sample ballot is available.* If the location of the polling place has changed
28 since the last election:

29 (a) The county clerk shall mail a notice of the change to each registered
30 voter in the county not sooner than 10 days before mailing the sample
31 ballots; or

32 (b) The sample ballot must also include a notice in at least 10-point bold
33 type immediately above the location which states:

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NOTICE: THE LOCATION OF YOUR POLLING PLACE
HAS CHANGED SINCE THE LAST ELECTION

4. The county clerk shall include in each sample ballot for a primary
election, a separate page on which is printed a list of the offices and
candidates for those offices for which there is no opposition.

5. The cost of mailing sample ballots for any election other than a
primary or general election must be borne by the political subdivision
holding the election.

Sec. 20. NRS 293C.291 is hereby amended to read as follows:

293C.291 If a candidate whose name appears on the ballot at a
primary or general city election dies ~~within the periods set forth in NRS~~
293C.370, *before the day of the election,* the city clerk shall post a notice
of the candidate's death at each polling place where the candidate's name
will appear on the ballot.



1 **Sec. 21.** NRS 293C.306 is hereby amended to read as follows:
2 293C.306 1. A person who, during the 6 months immediately
3 preceding an election, mails to more than a total of 500 registered voters a
4 form to request an absent ballot for the election shall:

5 (a) Mail the form prescribed by the secretary of state, which must, in
6 14-point type or larger:

7 (1) Identify the person who is mailing the form;
8 (2) Include a notice stating, "This is a request for an absent ballot.";

9 and

10 (3) State that ~~by returning the form~~ *the registered voter must return*
11 *the form to the city clerk and that the person who mailed* the form ~~will~~
12 ~~be submitted~~ *to the registered voter may not return the form* to the city
13 clerk ~~on behalf of the registered voter;~~

14 (b) Not later than 14 days before mailing such a form, ~~notify~~ *provide*
15 *written notification to* the city clerk of each city to which a form will be
16 mailed of the number of forms to be mailed to voters in the city and the
17 date of the mailing of the forms; ~~and~~

18 (c) *Not return or offer to return to a city clerk a form that was mailed*
19 *to a registered voter pursuant to this subsection; and*

20 (d) Not mail such a form later than 21 days before the election.

21 2. The provisions of this section do not authorize a person to vote by
22 absent ballot if he is not otherwise eligible to vote by absent ballot.

23 **Sec. 22.** NRS 293C.312 is hereby amended to read as follows:

24 293C.312 1. A registered voter referred to in NRS 293C.310 may, at
25 any time before 5 p.m. on the ~~Tuesday~~ *seventh working day* preceding
26 any election, make an application to the city clerk for an absent voter's
27 ballot. The application must be made available for public inspection.

28 2. When the voter has identified himself to the satisfaction of the city
29 clerk, he is entitled to receive the appropriate ballot or ballots, but only for
30 his own use.

31 3. A city clerk who allows a person to copy information from an
32 application for an absent ballot is immune from any civil or criminal
33 liability for any damage caused by the distribution of that information,
34 unless he knowingly and willingly allows a person who intends to use the
35 information to further an unlawful act to copy the information.

36 **Sec. 23.** NRS 293C.382 is hereby amended to read as follows:

37 293C.382 1. ~~Beginning at~~ *At* 8 a.m. on the *fourth working day*
38 *before the day of an election and at 8 a.m. each day thereafter through*
39 *the day before the day of an election, the counting board, if it is responsible*
40 *for counting absent ballots, or the absent ballot central counting board shall*
41 *withdraw the ballots* ~~deposited~~ *in the absent voters' ballot boxes* ~~before~~
42 ~~that day~~ *at that time* and determine whether each box has the required
43 number of ballots according to the city clerk's absent voters' record.

44 2. Any absent ballots received by the city clerk ~~after 8 a.m. on the~~ *on*
45 *a day that the ballots are withdrawn must be held by him until the ballots*
46 *received before that day have been withdrawn pursuant to subsection 1.*
47 ~~The~~ *Thereafter, the* clerk shall deposit those absent ballots in the
48 appropriate ballot boxes.



1 3. The counting board or absent ballot central counting board shall
2 count the number of ballots in the same manner as election boards.

3 **Sec. 24.** NRS 293C.530 is hereby amended to read as follows:

4 293C.530 1. ~~At~~ *Except as otherwise provided in this subsection, at*
5 least 10 days before an election, the city clerk shall cause to be mailed to
6 each registered voter in the city a sample ballot for his precinct with a
7 notice informing the voter of the location of his polling place. *If there is*
8 *early voting by personal appearance for the election, the sample ballot*
9 *must be mailed by the later of 10 days before the first day for early voting*
10 *or the earliest practicable date after all information necessary to prepare*
11 *the sample ballot is available.* If the location of the polling place has
12 changed since the last election:

13 (a) The city clerk shall mail a notice of the change to each registered
14 voter in the city not sooner than 10 days before mailing the sample ballots;
15 or

16 (b) The sample ballot must also include a notice in at least 10-point bold
17 type immediately above the location which states:

18

19 NOTICE: THE LOCATION OF YOUR POLLING PLACE
20 HAS CHANGED SINCE THE LAST ELECTION

21

22 2. The city clerk shall include in each sample ballot for a primary city
23 election, a separate page on which is printed a list of the offices and
24 candidates for those offices for which there is no opposition.

25 3. The cost of mailing sample ballots for a city election must be borne
26 by the city holding the election.

27 **Sec. 25.** Chapter 294A of NRS is hereby amended by adding thereto a
28 new section to read as follows:

29 *“Question on the ballot” means an initiative, referendum or other*
30 *question that has qualified to appear on the ballot, including, without*
31 *limitation, a question for which the underlying petition qualified*
32 *pursuant to NRS 293.1276 to 293.1279, inclusive.*

33 **Sec. 26.** NRS 294A.002 is hereby amended to read as follows:

34 294A.002 As used in this chapter, unless the context otherwise
35 requires, the words and terms defined in NRS 294A.004 to 294A.009,
36 inclusive, *and section 25 of this act* have the meanings ascribed to them in
37 those sections.

38 **Sec. 27.** NRS 294A.180 is hereby amended to read as follows:

39 294A.180 1. Each candidate for a state, district, county, city or
40 township office who is not elected to that office shall, not later than the
41 15th day of the second month after his defeat, file a report ~~with the~~
42 ~~secretary of state~~ stating the amount of contributions which he received
43 for that campaign but did not spend and the disposition of those unspent
44 contributions.

45 2. Each public officer who is elected to a state, district, county, city or
46 township office shall file a report:

47 (a) Not later than the 15th day of the second month after his election,
48 stating the amount of campaign contributions which he received but did not
49 spend and the amount, if any, of those unspent contributions disposed of



1 pursuant to subsection 2 of NRS 294A.160 as of the last day of the first
2 month after his election;

3 (b) Not later than January 15th of each year of his term beginning the
4 year after he filed the report required by paragraph (a), stating the amount,
5 if any, of those unspent contributions disposed of pursuant to NRS
6 294A.160 during the period from the last date covered by his last report
7 through December 31 of the immediately preceding year and the manner in
8 which they were disposed of; and

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

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

15 4. A *candidate* or public officer filing a report pursuant to subsection 1
16 or 2:

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

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

21 5. A county clerk who receives from a legislative or judicial officer,
22 other than a justice of the peace or municipal judge, a report pursuant to
23 subsection 4 shall file a copy of the report with the secretary of state within
24 10 working days after he receives the report.

25 **Sec. 28.** NRS 294A.420 is hereby amended to read as follows:

26 294A.420 1. If the secretary of state receives information that a
27 person or entity that is subject to the provisions of NRS 294A.120,
28 294A.140, 294A.150, 294A.180, 294A.200, 294A.210, 294A.220,
29 294A.270, 294A.280 or 294A.360 has not filed a report pursuant to the
30 applicable provisions of those sections, the secretary of state may, after
31 giving notice to that person or entity, cause the appropriate proceedings to
32 be instituted in the first judicial district court.

33 2. Except as otherwise provided in this section, a person or entity that
34 violates an applicable provision of NRS 294A.112, 294A.120, 294A.130,
35 294A.140, 294A.150, 294A.160, 294A.170, 294A.180, 294A.200,
36 294A.210, 294A.220, 294A.270, 294A.280, 294A.300, 294A.310,
37 294A.320 or 294A.360 is subject to a civil penalty of not more than \$5,000
38 for each violation and payment of court costs and attorney's fees. The civil
39 penalty must be recovered in a civil action brought in the name of the State
40 of Nevada by the secretary of state in the first judicial district court and
41 deposited with the state treasurer for credit to the state general fund.

42 3. If a civil penalty is imposed because a person or entity has reported
43 its contributions, expenses or expenditures after the date the report is due,
44 the amount of the civil penalty is:

45 (a) If the report is ~~not~~:

46 (1) *Not* more than 7 days late, \$25 for each day the report is late ~~+~~

47 ~~—(b) If the report is more;~~

48 (2) *More* than 7 days late but not more than 15 days late, \$50 for each
49 day the report is late ~~+~~



1 ~~—(c) If the report is more~~ ; or
2 (3) *More* than 15 days late, \$100 for each day the report is late ~~+~~ ;
3 and
4 (b) *Notwithstanding the provisions of paragraph (a), not to exceed*
5 *\$100 for a person who:*
6 (1) *Was a candidate for an office the holder of which receives no*
7 *compensation;*
8 (2) *Received no contributions; and*
9 (3) *Incurred no campaign expenses and made no expenditures*
10 *except for the filing fee, if any, for the office for which he was a*
11 *candidate.*
12 4. For good cause shown, the secretary of state may waive a civil
13 penalty that would otherwise be imposed pursuant to this section. If the
14 secretary of state waives a civil penalty pursuant to this subsection, the
15 secretary of state shall:
16 (a) Create a record which sets forth that the civil penalty has been
17 waived and describes the circumstances that constitute the good cause
18 shown; and
19 (b) Ensure that the record created pursuant to paragraph (a) is available
20 for review by the general public.
21 **Sec. 29.** NRS 295.055 is hereby amended to read as follows:
22 295.055 1. The secretary of state shall by regulation specify:
23 (a) The format for the signatures on a petition for an initiative or
24 referendum and make free specimens of the format available upon request.
25 Each signature must be dated.
26 (b) The manner of fastening together several sheets circulated by one
27 person to constitute a single document.
28 2. Each document of the petition must bear the name of a county, and
29 only registered voters of that county may sign the document.
30 3. A person who signs a petition may remove his name from it by
31 transmitting his request in writing to the county clerk at any time before the
32 petition is ~~filed with~~ *submitted to* the county clerk.
33 **Sec. 30.** NRS 295.115 is hereby amended to read as follows:
34 295.115 1. When an initiative or referendum petition has been finally
35 determined sufficient, the board shall promptly consider the proposed
36 initiative ordinance in the manner provided by law for the consideration of
37 ordinances generally or reconsider the referred ordinance by voting its
38 repeal. If , *not later than 30 days after the date the petition was finally*
39 *determined sufficient*, the board fails to adopt ~~+~~ *the* proposed initiative
40 ordinance without any change in substance ~~within 60 days~~ or fails to
41 repeal the referred ordinance ~~within 30 days after the date the petition was~~
42 ~~finally determined sufficient, it~~ , *the board* shall submit the proposed or
43 referred ordinance to the registered voters of the county.
44 2. The vote of the county on ~~+~~ *the* proposed or referred ordinance
45 must be held at the next primary or general election. Copies of the
46 proposed or referred ordinance must be made available at the polls.
47 3. An initiative or referendum petition may be withdrawn at any time
48 before the 30th day preceding the day scheduled for a vote of the county or
49 the deadline for placing questions on the ballot, whichever is earlier, by



1 filing with the county clerk a request for withdrawal signed by at least four
2 members of the petitioners' original committee. Upon the filing of that
3 request, the petition has no further effect and all proceedings thereon must
4 be terminated.

5 **Sec. 31.** NRS 295.150 is hereby amended to read as follows:

6 295.150 1. The names of the registered voters petitioning need not be
7 all upon one petition, but may be contained on one or more petitions; but
8 each petition ~~shall~~ **must** be verified by ~~at least one of the voters who has~~
9 ~~signed such~~ **the circulator of that** petition.

10 2. The ~~voter~~ **circulator, in** making the verification, shall swear, on
11 information and belief, that the persons signing the petition are registered
12 voters of the county and state, and that such signatures are genuine and
13 were executed in his presence.

14 **Sec. 32.** NRS 295.210 is hereby amended to read as follows:

15 295.210 1. Within 20 days after the petition is filed, the city clerk
16 shall examine the signatures thereon, complete a certificate as to its
17 sufficiency, specifying, if it is insufficient, the particulars wherein it is
18 defective and shall promptly send a copy of the certificate to the
19 petitioners' committee by registered or certified mail.

20 2. If more than 500 names are signed on the documents filed with him,
21 the city clerk ~~must~~ **may** examine the signatures by sampling them
22 randomly for verification. ~~The~~ **If taken, the** random sample of signatures
23 to be verified must be drawn in such a manner that every signature which
24 has been submitted to the city clerk is given an equal opportunity to be
25 included in the sample. The sample must include an examination of at least
26 500 signatures or 5 percent of the signatures, whichever is greater.

27 3. A petition must not be certified insufficient for lack of the required
28 number of valid signatures if, in the absence of other proof of
29 disqualification, any signature on the face thereof does not exactly
30 correspond with the signature appearing on the official register of voters
31 and the identity of the signer can be ascertained from the face of the
32 petition. A petition certified insufficient for lack of the required number of
33 valid signatures may be amended once if the petitioners' committee files a
34 notice of intention to amend it with the city clerk within 2 days after
35 receiving the copy of his certificate and files a supplementary petition upon
36 additional papers within 10 days after receiving the copy of the certificate.
37 A supplementary petition must comply with the requirements of
38 subsections 5 and 6 of NRS 295.205, and within 5 days after it is filed the
39 city clerk shall complete a certificate as to the sufficiency of the petition as
40 amended and promptly send a copy of the certificate to the petitioners'
41 committee by registered or certified mail.

42 4. If a petition or amended petition is certified sufficient, or if a
43 petition or amended petition is certified insufficient and the petitioners'
44 committee does not elect to amend or request council review under
45 subsection 5 within the time required, the city clerk must promptly present
46 his certificate to the council and the certificate is a final determination as to
47 the sufficiency of the petition.

48 5. If a petition has been certified insufficient and the petitioners'
49 committee does not file notice of intention to amend it or if an amended



1 petition has been certified insufficient, the committee may, within 2 days
2 after receiving the copy of the certificate, file a request that it be reviewed
3 by the council. The council shall review the certificate at its next meeting
4 following the filing of the request and approve or disapprove it, and the
5 council's determination is a final determination as to the sufficiency of the
6 petition.

7 6. A final determination as to the sufficiency of a petition is subject to
8 court review. A final determination of insufficiency, even if sustained upon
9 court review, does not prejudice the filing of a new petition for the same
10 purpose.

11 **Sec. 33.** NRS 295.215 is hereby amended to read as follows:

12 295.215 1. When an initiative or referendum petition has been finally
13 determined sufficient, the council shall promptly consider the proposed
14 initiative ordinance in the manner provided by law for the consideration of
15 ordinances generally or reconsider the referred ordinance by voting its
16 repeal. If , *not later than 30 days after the date the petition was finally*
17 *determined sufficient*, the council fails to adopt ~~it~~ *the* proposed initiative
18 ordinance without any change in substance ~~within 60 days~~ or fails to
19 repeal the referred ordinance ~~within 30 days after the date the petition was~~
20 ~~finally determined sufficient, it~~ , *the council* shall submit the proposed or
21 referred ordinance to the registered voters of the city.

22 2. The vote of the city on ~~it~~ *the* proposed or referred ordinance must
23 be held at the next primary or general city election or primary or general
24 election. Copies of the proposed or referred ordinance must be made
25 available at the polls.

26 3. An initiative or referendum petition may be withdrawn at any time
27 before the 30th day preceding the day scheduled for a vote of the city or
28 the deadline for placing questions on the ballot, whichever is earlier, by
29 filing with the city clerk a request for withdrawal signed by at least four
30 members of the petitioners' original committee. Upon the filing of that
31 request the petition has no further effect and all proceedings thereon must
32 be terminated.

33 **Sec. 34.** NRS 298.020 is hereby amended to read as follows:

34 298.020 1. Each major political party in this state, qualified by law to
35 place upon the general election ballot candidates for the office of President
36 and Vice President of the United States in the year when they are to be
37 elected, shall, at the state convention of the major political party held in
38 that year, choose from the qualified electors, who are legally registered
39 members of that political party, the number of presidential electors
40 required by law and no more, who must be nominated by the delegates at
41 the state convention. *The major political party shall choose one resident*
42 *of each congressional district of this state to represent that congressional*
43 *district and two residents of this state to represent this state at large.*
44 Upon the nomination thereof, the chairman and the secretary of the
45 convention shall certify the names and addresses of the nominees to the
46 secretary of state, who shall record the names in his office as the nominees
47 of that political party for presidential elector.

48 2. Each minor political party in this state, qualified by law to place
49 upon the general election ballot candidates for the office of President and



1 Vice President of the United States in the year when they are to be elected,
2 shall choose from the qualified electors, the number of presidential electors
3 required by law. *The minor political party shall choose one resident of*
4 *each congressional district of this state to represent that congressional*
5 *district of this state and two residents of this state to represent this state at*
6 *large.* The person who is authorized to file the list of candidates for
7 partisan office of the minor political party with the secretary of state
8 pursuant to NRS 293.1725 shall certify the names and addresses of the
9 nominees to the secretary of state, who shall record the names in his office
10 as the nominees of that political party for presidential elector.

11 **Sec. 35.** NRS 298.025 is hereby amended to read as follows:

12 298.025 **1.** Presidential electors are not nominated at the primary
13 election or placed upon the general election ballot. ~~+, but the nominees of~~

14 **2.** *The residents of this state chosen to represent this state at large by*
15 *the applicable major or minor political party or independent candidate*
16 *on behalf of the presidential and vice presidential candidates who receive*
17 *the highest number of votes in this state as a whole at the general election*
18 *thereby become the official presidential electors + to represent this state*
19 *at large.*

20 **3.** *The resident of this state chosen to represent a congressional*
21 *district of this state by the applicable major or minor political party or*
22 *independent candidate on behalf of the presidential and vice presidential*
23 *candidates who receive the highest number of votes in that congressional*
24 *district at the general election thereby becomes the official presidential*
25 *elector to represent that congressional district.*

26 **4.** The presidential electors shall perform the duties of such electors as
27 required by law and the Constitution of the United States.

28 **Sec. 36.** NRS 298.040 is hereby amended to read as follows:

29 298.040 **1.** In case of the death or absence of any presidential elector
30 chosen, or if the number of presidential electors shall from any cause be
31 deficient, the ~~national committeewoman, the national committeeman and~~
32 ~~the state chairman of the party whose nominees for President and Vice~~
33 ~~President received the greatest number of votes in the state at the next~~
34 ~~preceding general election shall forthwith elect, from the qualified electors~~
35 ~~of this state registered as affiliated with such prevailing party, as many~~
36 ~~persons as will supply the deficiency. A majority of such three party~~
37 ~~officials shall be sufficient to fill such vacancies.~~ *applicable major or*
38 *minor political party or independent candidate shall choose presidential*
39 *electors as needed to replace each dead or absent presidential elector and*
40 *fill any deficiency in the number of presidential electors.*

41 **2.** *Each presidential elector chosen pursuant to this section by a*
42 *major or minor political party or independent candidate must have the*
43 *same qualifications as required of a presidential elector originally chosen*
44 *by the major or minor political party or independent candidate.*

45 **3.** *If a major or minor political party or independent candidate*
46 *chooses a presidential elector pursuant to this section, the major or*
47 *minor political party or independent candidate shall select the*
48 *presidential elector in a manner to ensure that, among all of the*
49 *presidential electors for the major or minor political party or independent*



1 *candidate, the major or minor political party or independent candidate*
2 *has chosen one resident of each congressional district of this state to*
3 *represent that congressional district and two residents of this state to*
4 *represent this state at large.*

5 **Sec. 37.** NRS 298.050 is hereby amended to read as follows:

6 298.050 The presidential electors, when convened, shall *each* vote by
7 ballot for one person for President and one person for Vice President of the
8 United States, one of whom, at least, must not be an inhabitant of this state.

9 ~~10 The presidential electors shall vote only for the nominees for President~~
11 ~~and Vice President of the party or the independent candidates that~~
12 ~~prevailed in this state in the preceding general election.] A presidential~~
13 *elector who represents:*

14 *1. A congressional district shall vote for the nominees for President*
15 *and Vice President who received the highest number of votes in that*
16 *congressional district.*

17 *2. This state at large shall vote for the nominees for President and*
18 *Vice President who received the highest number of votes in this state as a*
19 *whole.*

20 **Sec. 38.** NRS 298.109 is hereby amended to read as follows:

21 298.109 1. A person who desires to be an independent candidate for
22 the office of President of the United States must, not later than 5 p.m. on
23 the second Friday in August in each year in which a presidential election is
24 to be held, pay a filing fee of \$250 and file with the secretary of state a
25 declaration of candidacy and a petition of candidacy, in which he must also
26 designate his nominee for Vice President. The petition must be signed by a
27 number of registered voters equal to not less than 1 percent of the total
28 number of votes cast at the last preceding general election for candidates
29 for the offices of Representative in Congress and must request that the
30 names of the proposed candidates be placed on the ballot at the general
31 election that year. The candidate shall file a copy of the petition he intends
32 to circulate for signatures with the secretary of state.

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

46 3. Each independent candidate so nominated for the office of President
47 shall at the time of filing his petition as provided in subsection 1, or within
48 10 days thereafter, file with the secretary of state his written designation of
49 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



1 must then be registered voters. *The independent candidate shall choose*
2 *one resident of each congressional district of this state to represent that*
3 *congressional district and two residents of this state to represent this state*
4 *at large.* Immediately following receipt of each candidate's written
5 designation of his nominees for electors, the secretary of state shall record
6 them in his office as the nominees for presidential electors of that
7 independent candidate.

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

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

17 **Sec. 39.** NRS 306.030 is hereby amended to read as follows:

18 306.030 1. The petition may consist of any number of copies which
19 are identical in form with the original, except for the name of the county
20 and the signatures and addresses of the residences of the signers. The pages
21 of the petition with the signatures and of any copy must be consecutively
22 numbered. Each page must bear the name of a county and only registered
23 voters of that county may sign the page.

24 2. Every copy must be verified by ~~at least one of the signers~~ *the*
25 *circulator* thereof, who shall swear or affirm, before a person authorized
26 by law to administer oaths, that the statements and signatures contained in
27 the petition are true to the best of his knowledge and belief. The
28 verification must also contain a statement of the number of signatures
29 being verified by the ~~signer~~ *circulator*.

30 **Sec. 40.** NRS 306.040 is hereby amended to read as follows:

31 306.040 1. Upon determining that the number of signatures on a
32 petition to recall is sufficient pursuant to NRS 293.1276 to 293.1279,
33 inclusive, the secretary of state shall notify the county clerk, the officer
34 with whom the petition is to be filed pursuant to subsection 4 of NRS
35 306.015 and the public officer who is the subject of the petition.

36 2. After the verification of signatures is complete, but not later than the
37 date a complaint is filed pursuant to subsection 5 or the date the call for a
38 special election is issued, whichever is earlier, a person who signs a
39 petition to recall may request the secretary of state to strike his name from
40 the petition. ~~## Upon receipt of the request from the person ,~~
41 ~~{demonstrates good cause therefor,}~~ the secretary of state shall strike his
42 name from the petition.

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



1 4. The call for a special election pursuant to subsection 3 or 6 must
2 include, without limitation:
3 (a) The last day on which a person may register to vote to qualify to
4 vote in the special election; and
5 (b) The last day on which a petition to nominate other candidates for the
6 office may be filed.
7 5. The legal sufficiency of the petition may be challenged by filing a
8 complaint in district court not later than 5 days, Saturdays, Sundays and
9 holidays excluded, after the secretary of state completes the notification
10 required by subsection 1. All affidavits and documents in support of the
11 challenge must be filed with the complaint. The court shall set the matter
12 for hearing not later than 30 days after the complaint is filed and shall give
13 priority to such a complaint over all other matters pending with the court,
14 except for criminal proceedings.
15 6. Upon the conclusion of the hearing, if the court determines that the
16 petition is sufficient, it shall order the officer with whom the petition is
17 filed to issue a call for a special election in the jurisdiction in which the
18 public officer who is the subject of the petition was elected to determine
19 whether the people will recall him. If the court determines that the petition
20 is not sufficient, it shall order the officer with whom the petition is filed to
21 cease any further proceedings regarding the petition.

