

ASSEMBLY BILL NO. 136—COMMITTEE ON ELECTIONS,
PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTY CLERKS)

FEBRUARY 24, 2005

Referred to Committee on Elections, Procedures,
Ethics, and Constitutional Amendments

SUMMARY—Requires Secretary of State to post on his Internet website certain information related to proposed constitution, constitutional amendment or statewide measure in lieu of causing publication of such information. (BDR 24-418)

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; requiring the Secretary of State to post on his Internet website certain information related to any proposed constitution, constitutional amendment or statewide measure which will appear on the general election ballot in lieu of causing such information to be published in a newspaper; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Secretary of State to provide to each county clerk a copy of any proposed constitution, constitutional amendment or statewide measure which will appear on the general election ballot, together with a copy of the condensation, explanation, arguments, rebuttals and fiscal note that are prepared for any such constitution, amendment or measure. Each county clerk is then required to publish a copy of the full text of any such constitution, amendment or measure and its condensation, explanation, arguments, rebuttals and fiscal note in a newspaper of general circulation in the county three times at intervals of not less than 7 days, the first publication to be on or before the first Monday in October. (NRS 293.253)

This bill requires the Secretary of State to post on his Internet website on or before the first Monday in October a copy of the full text of any proposed constitution, constitutional amendment or statewide measure which will appear on



the general election ballot, together with the copies of the condensations, explanations, arguments, rebuttals and fiscal notes prepared for any such constitution, amendment or measure. This bill further removes the requirement that the county clerks publish such information and instead authorizes them to post the information on their Internet websites or to publish the information in any other manner.

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

Section 1. NRS 293.203 is hereby amended to read as follows:

293.203 Immediately upon receipt by the county clerk of the certified list of candidates from the Secretary of State, the county clerk shall publish a notice of primary election or general election in a newspaper of general circulation in the county once a week for 2 successive weeks. If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest Nevada county. The notice must contain:

1. The date of the election.
2. The location of the polling places.
3. The hours during which the polling places will be open for voting.
4. The names of the candidates.
5. A list of the offices to which the candidates seek nomination or election.

~~{→ The notice required for a general election pursuant to this section may be published in conjunction with the notice required for a proposed constitution, constitutional amendment or statewide measure pursuant to NRS 293.253. If the notices are combined in this manner, they must be published three times in accordance with subsection 3 of NRS 293.253.}~~

Sec. 2. NRS 293.253 is hereby amended to read as follows:

293.253 1. The Secretary of State shall ~~provide~~ :

(a) On or before the first Monday in October, post on his Internet website the full text of any proposed constitution, constitutional amendment or statewide measure which will appear on the general election ballot, together with a copy of each of the condensations, explanations, arguments, rebuttals and fiscal notes prepared pursuant to NRS 218.443, 293.250 and 293.252; and

(b) Provide each county clerk with copies of the full text of any proposed constitution, constitutional amendment or statewide measure which will appear on the general election ballot, together with ~~the copies~~ a copy of each of the condensations, explanations, arguments, rebuttals and fiscal notes prepared pursuant to NRS 218.443, 293.250 and 293.252.



1 ~~[2.]~~ Whenever feasible, ~~[he]~~ *the Secretary of State* shall
2 provide ~~[those]~~ *the* copies on or before the first Monday in August
3 of the year in which the proposals will appear on the ballot. Copies
4 of any additional proposals must be provided as soon after their
5 filing as feasible.

6 ~~[3.]~~ 2. Each county clerk ~~[shall—cause]~~ *may post on his*
7 *Internet website or publish in any other manner* a copy of the full
8 text of any such constitution, amendment or measure and its
9 condensation, explanation, arguments, rebuttals and fiscal note . ~~[to~~
10 ~~be published, in conspicuous display advertising format of not less~~
11 ~~than 10 column inches, in a newspaper of general circulation in the~~
12 ~~county three times at intervals of not less than 7 days, the first~~
13 ~~publication to be on or before the first Monday in October. If no~~
14 ~~such newspaper is published in the county, the publication may be~~
15 ~~made in a newspaper of general circulation published in the nearest~~
16 ~~Nevada county.~~

17 ~~—4.— If a copy is furnished by the Secretary of State too late to be~~
18 ~~published at 7 day intervals, it must be published three times at the~~
19 ~~longest intervals feasible in each county.~~

20 ~~—5.— The portion of the cost of publication which is attributable to~~
21 ~~publishing the questions, explanations, arguments, rebuttals and~~
22 ~~fiscal notes of proposed constitutions, constitutional amendments or~~
23 ~~statewide measures is a charge against the State and must be paid~~
24 ~~from the Reserve for Statutory Contingency Account upon~~
25 ~~recommendation by the Secretary of State and approval by the State~~
26 ~~Board of Examiners.]~~



