

ASSEMBLY BILL NO. 455—COMMITTEE ON ELECTIONS,
PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS

MARCH 28, 2005

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

SUMMARY—Makes various changes related to elections.
(BDR 24-1334)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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; providing that a primary election must be conducted on the first Tuesday after the first Monday of June in even-numbered years; extending the period that a registered voter may absent himself from his place of employment for the purpose of casting a ballot; revising provision governing areas at public buildings for the use in gathering of signatures on a petition; revising provision governing the form for application to register to vote; providing that an out-of-state student enrolled in the University and Community College System of Nevada may serve as a member of an election board; revising the period of early voting by personal appearance; revising the provision governing registration to vote prior to an election; providing that a person who has failed to file campaign finance reports or financial disclosure reports or failed to pay certain civil penalties may not file a declaration of candidacy or petition for an initiative or referendum; providing a civil 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 the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. 1. *A county clerk shall provide the form for the application to register to vote prescribed by the Secretary of State pursuant to NRS 293.507 to a candidate, major political party, minor political party or any other person submitting a request pursuant to subsection 2.*

2. A candidate, major political party, minor political party or other person shall:

(a) Submit a request for forms for the application to register to vote to the county clerk in person, by telephone, in writing or by facsimile machine; and

(b) State the number of forms for the application to register to vote that the candidate, major political party, minor political party or other person is requesting.

3. The county clerk shall respond to each such request by mailing the requested number of forms within 5 working days. The county clerk shall record the control numbers assigned to the forms by the Secretary of State pursuant to NRS 293.507 of the forms he provided in response to the request. The county clerk shall maintain a request for multiple applications with his records.

Sec. 3. *No person may be a candidate for partisan office or nonpartisan office in any election if he has, at the time of filing a declaration of candidacy or an acceptance of candidacy pursuant to NRS 293.177, failed to:*

1. Submit any campaign finance report required of the person pursuant to NRS 294A.120, 294A.125 or 294A.200;

2. Submit any statement of financial disclosure required of the person pursuant to NRS 281.559 or 281.561; or

3. Pay any civil penalty assessed pursuant to NRS 281.581 or 294A.420.

Sec. 4. 1. *The county clerk may appoint a nonresident college student as an election board officer. To qualify for such an appointment, the nonresident college student must be:*

(a) A United States citizen and not eligible to register to vote in this State;

(b) Enrolled in the University and Community College System of Nevada; and

(c) At least 16 years of age at the time of service.

2. The county clerk may only appoint a nonresident college student pursuant to subsection 1 if:



1 (a) *The nonresident college student is appointed without party*
2 *affiliation;*

3 (b) *The county clerk sends the nonresident college student a*
4 *certificate stating the date and hours that the nonresident college*
5 *student shall act as an election board officer; and*

6 (c) *The nonresident college student attends the training class*
7 *required by NRS 293B.260.*

8 3. *Except as otherwise provided in this subsection, the county*
9 *clerk may assign a nonresident college student such duties as the*
10 *county clerk deems appropriate. The county clerk shall not assign*
11 *more than one nonresident college student to serve as an election*
12 *board officer in any one precinct.*

13 4. *The county clerk may compensate a nonresident college*
14 *student for his service at the same rate fixed for election board*
15 *officers generally.*

16 Sec. 5. NRS 293.127565 is hereby amended to read as
17 follows:

18 293.127565 1. At each building that is open to the general
19 public and occupied by the government of this State or a political
20 subdivision of this State or an agency thereof, other than a building
21 of a public elementary or secondary school, an area must be ~~made~~
22 ~~available~~ *designated* for the use of any person to gather signatures
23 on a petition at any time that the building is open to the public. The
24 area must be reasonable and may be inside or outside of the
25 building. Each public officer or employee in control of the operation
26 of a building governed by this subsection shall ~~designate and~~
27 ~~approve the area required by this subsection for the building.~~ :

28 (a) *Post conspicuously a notice of the area designated for the*
29 *gathering of signatures on a petition at the building; and*

30 (b) *Submit to the county clerk for the county in which the*
31 *building is located notice of the area designated for the gathering*
32 *of signatures on a petition at the building.*

33 2. Before a person may use an area designated pursuant to
34 subsection 1, the person must notify the public officer or employee
35 in control of the operation of the building governed by subsection 1
36 of the dates and times that the person intends to use the area to
37 gather signatures on a petition. The public officer or employee may
38 not deny the person the use of the area.

39 3. A person aggrieved by a decision made by a public officer or
40 employee pursuant to subsection 1 *or 2* may appeal the decision to
41 the Secretary of State. The Secretary of State shall review the
42 decision to determine whether the public officer or employee
43 ~~designated a reasonable area as required by~~ *violated* subsection 1
44 ~~or 2.~~



4. The decision of the Secretary of State is a final decision for the purposes of judicial review. The decision of the Secretary of State may only be appealed in the First Judicial District Court. *If the First Judicial District Court determines that the public officer or employee violated subsection 1 or 2 and that a person was denied the use of a public building for the purpose of gathering signatures on a petition, the Court shall order that the deadline for filing the petition provided pursuant to NRS 293.128, 293.165, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110 must be extended for a period equal to the time that the person was denied the use of a public building for the purpose of gathering signatures on a petition.*

5. The Secretary of State may adopt regulations to carry out the provisions of subsection 3.

Sec. 6. 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}~~ *October 1 of the year immediately preceding a year in which a* primary election ~~{}~~ *is held*, 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 this State; or

(b) File a petition with the Secretary of State not later than the last Friday in ~~{April before any}~~ *January preceding a* primary election *that is* 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 the circulator thereof to the effect that the signers are registered voters of 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 25 working days before the last Friday in ~~{April}~~ *January* 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;



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

5 4. A political party shall file with the Secretary of State an
6 amended certificate of existence within 5 days after any change in
7 the information contained in the certificate.

8 **Sec. 7.** NRS 293.165 is hereby amended to read as follows:

9 293.165 1. Except as otherwise provided in NRS 293.166, a
10 vacancy occurring in a major or minor political party nomination for
11 a partisan office may be filled by a candidate designated by the
12 party central committee of the county or State, as the case may be,
13 of the major political party or by the executive committee of the
14 minor political party subject to the provisions of subsections 4
15 and 5.

16 2. A vacancy occurring in a nonpartisan nomination after the
17 close of filing and on or before 5 p.m. of the second Tuesday in
18 ~~July~~ *April* must be filled by filing a nominating petition that is
19 signed by registered voters of the State, county, district or
20 municipality who may vote for the office in question. The number
21 of registered voters who sign the petition must not be less than 1
22 percent of the number of persons who voted for the office in
23 question in the State, county, district or municipality at the last
24 preceding general election. The petition must be filed not earlier
25 than the first Tuesday in ~~June~~ *March* and not later than the fourth
26 Tuesday in ~~July~~ *April*. The petition may consist of more than one
27 document. Each document must bear the name of one county and
28 must be signed only by a person who is a registered voter of that
29 county and who may vote for the office in question. Each document
30 of the petition must be submitted for verification pursuant to NRS
31 293.1276 to 293.1279, inclusive, to the county clerk of the county
32 named on the document. A candidate nominated pursuant to the
33 provisions of this subsection:

34 (a) Must file a declaration of candidacy or acceptance of
35 candidacy and pay the statutory filing fee on or before the date the
36 petition is filed; and

37 (b) May be elected only at a general election, and his name must
38 not appear on the ballot for a primary election.

39 3. A vacancy occurring in a nonpartisan nomination after
40 5 p.m. of the second Tuesday in ~~July~~ *April* and on or before 5 p.m.
41 of the ~~second~~ Tuesday *after the second Monday* in ~~September~~
42 *May* must be filled by the person who receives the next highest vote
43 for the nomination in the primary.

44 4. No change may be made on the ballot for the general
45 election after 5 p.m. of the ~~second~~ Tuesday *after the second*



1 *Monday* in ~~[September]~~ *May* of the year in which the general
2 election is held. If a nominee dies after that time and date, his name
3 must remain on the ballot for the general election and, if elected, a
4 vacancy exists.

5 5. All designations provided for in this section must be filed on
6 or before 5 p.m. on the ~~[second]~~ Tuesday *after the second Monday*
7 in ~~[September.]~~ *May*. In each case, the statutory filing fee must be
8 paid and an acceptance of the designation must be filed on or before
9 5 p.m. on the date the designation is filed.

10 **Sec. 8.** NRS 293.166 is hereby amended to read as follows:

11 293.166 1. A vacancy occurring in a party nomination for the
12 office of State Senator or Assemblyman from a legislative district
13 comprising more than one county may be filled as follows, subject
14 to the provisions of subsections 2 and 3. The county commissioners
15 of each county, all or part of which is included within the legislative
16 district, shall meet to appoint a person who is of the same political
17 party as the former nominee and who actually, as opposed to
18 constructively, resides in the district to fill the vacancy, under the
19 chairmanship of the chairman of the board of county commissioners
20 of the county whose population residing within the district is the
21 greatest. Each board of county commissioners shall first meet
22 separately and determine the single candidate it will nominate to fill
23 the vacancy. Then, the boards shall meet jointly and the chairmen
24 on behalf of the boards shall cast a proportionate number of votes
25 according to the percent, rounded to the nearest whole percent,
26 which the population of its county is of the population of the entire
27 district. Populations must be determined by the last decennial census
28 or special census conducted by the Bureau of the Census of the
29 United States Department of Commerce. The person who receives a
30 plurality of these votes is appointed to fill the vacancy. If no person
31 receives a plurality of the votes, the boards of county commissioners
32 of the respective counties shall each as a group select one candidate,
33 and the nominee must be chosen by drawing lots among the persons
34 so selected.

35 2. No change may be made on the ballot after the ~~[second]~~
36 Tuesday *after the second Monday* in ~~[September]~~ *May* of the year
37 in which the general election is held. If a nominee dies after that
38 date, his name must remain on the ballot and, if elected, a vacancy
39 exists.

40 3. The designation of a nominee pursuant to this section must
41 be filed with the Secretary of State before 5 p.m. of the ~~[second]~~
42 Tuesday *after the second Monday* in ~~[September.]~~ *May*, and the
43 statutory filing fee must be paid with the designation.



Sec. 9. 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~~ April preceding the election nor later than 5 p.m. on the second Friday after the first Monday in ~~May~~ April. 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 may be amended not later than 5 p.m. on the second Friday after the first Monday in ~~May~~ April.

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 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 second Friday after the first Monday in ~~May~~ April.

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~~ June.

Sec. 10. NRS 293.174 is hereby amended to read as follows:

293.174 1. If the qualification of a minor political party is challenged, all affidavits and documents in support of the challenge must be filed not later than 5 p.m. on the third Friday in August. Any judicial proceeding resulting from the challenge must be set for



1 hearing not more than 5 days after the third Friday in August. A
2 challenge pursuant to this subsection must be filed with the First
3 Judicial District Court if the petition was filed with the Secretary of
4 State.

5 2. If the qualification of a candidate of a minor political party
6 other than a candidate for the office of President or Vice President
7 of the United States is challenged, all affidavits and documents in
8 support of the challenge must be filed not later than 5 p.m. on the
9 fourth Monday in ~~May~~ April. Any judicial proceeding resulting
10 from the challenge must be set for hearing not more than 5 days
11 after the fourth Monday in ~~May~~ April. A challenge pursuant to
12 this subsection must be filed with:

13 (a) The First Judicial District Court; or

14 (b) If a candidate who filed a declaration of candidacy with a
15 county clerk is challenged, the district court for the county where
16 the declaration of candidacy was filed.

17 **Sec. 11.** NRS 293.175 is hereby amended to read as follows:

18 293.175 1. The primary election must be held on the first
19 Tuesday *after the first Monday* of ~~September~~ June in each even-
20 numbered year.

21 2. Candidates for partisan office of a major political party and
22 candidates for nonpartisan office must be nominated at the primary
23 election.

24 3. Candidates for partisan office of a minor political party must
25 be nominated in the manner prescribed pursuant to NRS 293.171 to
26 293.174, inclusive.

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

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

31 (a) Special elections to fill vacancies.

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

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

35 **Sec. 12.** NRS 293.177 is hereby amended to read as follows:

36 293.177 1. Except as otherwise provided in NRS 293.165, a
37 name may not be printed on a ballot to be used at a primary election
38 unless the person named has filed a declaration of candidacy or an
39 acceptance of candidacy, and has paid the fee required by NRS
40 293.193 not earlier than the first Monday in ~~May~~ April of the year
41 in which the election is to be held nor later than 5 p.m. on the
42 second Friday after the first Monday in ~~May~~ April.

43 2. A declaration of candidacy or an acceptance of candidacy
44 required to be filed by this section must be in substantially the
45 following form:



(a) For partisan office:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

For the purpose of having my name placed on the official ballot as a candidate for the Party nomination for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am registered as a member of the Party; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; that I have not, in violation of the provisions of NRS 293.176, changed the designation of my political party or political party affiliation on an official application to register to vote in any state since September 1 before the closing filing date for this election; *that I have filed all of the campaign finance reports that I am required to file pursuant to NRS 294A.120, 294A.125 or 294A.200, if any; that I have filed all of the financial disclosure statements that I am required to file pursuant to NRS 281.559 or 281.561, if any; that I have paid any civil penalties assessed against me pursuant to NRS 281.581 or 294A.420;* that I generally believe in and intend to support the concepts found in the principles and policies of that political party in the coming election; that if nominated as a candidate of the Party at the ensuing election, I will accept that nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; and that I



1 understand that my name will appear on all ballots as designated in
2 this declaration.

3
4
5 (Designation of name)

6
7
8 (Signature of candidate for office)

9
10 Subscribed and sworn to before me
11 this day of the month of of the year

12
13
14 Notary Public or other person
15 authorized to administer an oath

16
17 (b) For nonpartisan office:

18
19 DECLARATION OF CANDIDACY OF FOR THE
20 OFFICE OF

21
22 State of Nevada

23
24 County of

25
26 For the purpose of having my name placed on the official ballot as a
27 candidate for the office of, I, the undersigned,
28 do swear or affirm under penalty of perjury that I actually, as
29 opposed to constructively, reside at, in the City or Town of
30, County of, State of Nevada; that my actual, as
31 opposed to constructive, residence in the state, district, county,
32 township, city or other area prescribed by law to which the office
33 pertains began on a date at least 30 days immediately preceding the
34 date of the close of filing of declarations of candidacy for this
35 office; that my telephone number is, and the address at
36 which I receive mail, if different than my residence, is; that I
37 am a qualified elector pursuant to Section 1 of Article 2 of the
38 Constitution of the State of Nevada; that if I have ever been
39 convicted of treason or a felony, my civil rights have been restored
40 by a court of competent jurisdiction; *that I have filed all of the*
41 *campaign finance reports that I am required to file pursuant to*
42 *NRS 294A.120, 294A.125 or 294A.200, if any; that I have filed all*
43 *of the financial disclosure statements that I am required to file*
44 *pursuant to NRS 281.559 or 281.561, if any; that I have paid any*
45 *civil penalties assessed against me pursuant to NRS 281.581 or*



1 **294A.420;** that if nominated as a nonpartisan candidate at the
2 ensuing election, I will accept the nomination and not withdraw; that
3 I will not knowingly violate any election law or any law defining
4 and prohibiting corrupt and fraudulent practices in campaigns and
5 elections in this State; that I will qualify for the office if elected
6 thereto, including, but not limited to, complying with any limitation
7 prescribed by the Constitution and laws of this State concerning the
8 number of years or terms for which a person may hold the office;
9 and my name will appear on all ballots as designated in this
10 declaration.

11
12
13 (Designation of name)
14

15
16 (Signature of candidate for office)
17

18 Subscribed and sworn to before me
19 this day of the month of of the year

20
21
22 Notary Public or other person
23 authorized to administer an oath
24

25 3. The address of a candidate which must be included in the
26 declaration of candidacy or acceptance of candidacy pursuant to
27 subsection 2 must be the street address of the residence where he
28 actually, as opposed to constructively, resides in accordance with
29 NRS 281.050, if one has been assigned. The declaration or
30 acceptance of candidacy must not be accepted for filing if:

31 (a) The candidate's address is listed as a post office box unless a
32 street address has not been assigned to his residence; or

33 (b) The candidate does not present to the filing officer:

34 (1) A valid driver's license or identification card issued by a
35 governmental agency that contains a photograph of the candidate
36 and the candidate's address; or

37 (2) A current utility bill, bank statement, paycheck, or
38 document issued by a governmental entity, including, without
39 limitation, a check, which indicates the candidate's name and
40 address.

41 4. By filing the declaration or acceptance of candidacy, the
42 candidate shall be deemed to have appointed the filing officer for
43 the office as his agent for service of process for the purposes of a
44 proceeding pursuant to NRS 293.182. Service of such process must
45 first be attempted at the appropriate address as specified by the



1 candidate in the declaration or acceptance of candidacy. If the
2 candidate cannot be served at that address, service must be made by
3 personally delivering to and leaving with the filing officer duplicate
4 copies of the process. The filing officer shall immediately send, by
5 registered or certified mail, one of the copies to the candidate at his
6 specified address, unless the candidate has designated in writing to
7 the filing officer a different address for that purpose, in which case
8 the filing officer shall mail the copy to the last address so
9 designated.

10 5. If the filing officer receives credible evidence indicating that
11 a candidate has been convicted of a felony and has not had his civil
12 rights restored by a court of competent jurisdiction, the filing
13 officer:

14 (a) May conduct an investigation to determine whether the
15 candidate has been convicted of a felony and, if so, whether he has
16 had his civil rights restored by a court of competent jurisdiction; and

17 (b) Shall transmit the credible evidence and the findings from
18 such investigation to the Attorney General, if the filing officer is the
19 Secretary of State, or to the district attorney, if the filing officer is a
20 person other than the Secretary of State.

21 6. The receipt of information by the Attorney General or
22 district attorney pursuant to subsection 5 must be treated as a
23 challenge of a candidate pursuant to subsections 4 and 5 of NRS
24 293.182. If the ballots are printed before a court of competent
25 jurisdiction makes a determination that a candidate has been
26 convicted of a felony and has not had his civil rights restored by a
27 court of competent jurisdiction, the filing officer must post a notice
28 at each polling place where the candidate's name will appear on the
29 ballot informing the voters that the candidate is disqualified from
30 entering upon the duties of the office for which the candidate filed
31 the declaration of candidacy or acceptance of candidacy.

32 **Sec. 13.** NRS 293.180 is hereby amended to read as follows:

33 293.180 1. Ten or more registered voters may, not earlier
34 than the first Monday in April nor later than 5 p.m. on the ~~first~~
35 *second Friday after the first Monday* in ~~May,~~ *April*, file a
36 certificate of candidacy designating any registered voter as a
37 candidate for his major political party's nomination for any partisan
38 elective office, or as a candidate for nomination for any nonpartisan
39 office. When the certificate has been filed, the officer in whose
40 office it is filed shall notify the person named in the certificate. If
41 the person named in the certificate files an acceptance of candidacy
42 and pays the required fee, as provided by law, he is a candidate in
43 the primary election in like manner as if he had filed a declaration of
44 candidacy.



2. If a certificate of candidacy relates to a partisan office, all of the signers must be of the same major political party as the candidate designated.

Sec. 14. NRS 293.200 is hereby amended to read as follows:

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

(a) A copy of the petition of candidacy that he intends to subsequently 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.

(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:

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

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

(III) The district for that office at the last preceding general election in which a person was elected to that office, if the office is a district 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. If the office is not a statewide office, only the registered voters of the county, district or municipality in question may sign the document. The documents that 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 25 working days before the last day to file the petition pursuant to subsection 4. Each 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. 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~~ *April* preceding the general election and not later than 5 p.m. on the second Friday after the first Monday in ~~May~~ *April*.

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~~ *April*. Any judicial proceeding resulting from the challenge must be set for hearing not more than 5 days after the fourth Monday in ~~May~~ *April*.

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 appropriate filing officer and pay the fee required by NRS 293.193 not earlier than the first Monday in ~~May~~ *April* of the year in which the election is held nor later than 5 p.m. on the second Friday after the first Monday in ~~May~~ *April*.

Sec. 15. NRS 293.205 is hereby amended to read as follows:

293.205 1. Except as otherwise provided in NRS 293.208, on or before the third Wednesday in ~~May~~ *February* of every even-numbered year, the county clerk shall establish election precincts, define the boundaries thereof, abolish, alter, consolidate and designate precincts as public convenience, necessity and economy may require.

2. The boundaries of each election precinct must follow visible ground features or extensions of visible ground features, except where the boundary coincides with the official boundary of the State or a county or city.

3. Election precincts must be composed only of contiguous territory.

4. As used in this section, "visible ground feature" includes a street, road, highway, river, stream, shoreline, drainage ditch,



1 railroad right-of-way or any other physical feature which is clearly
2 visible from the ground.

3 **Sec. 16.** NRS 293.206 is hereby amended to read as follows:

4 293.206 1. On or before the last day in ~~May~~ **February** of
5 every even-numbered year, the county clerk shall provide the
6 Secretary of State and the Director of the Legislative Counsel
7 Bureau with a copy or electronic file of a map showing the
8 boundaries of all election precincts in the county.

9 2. If the Secretary of State determines that the boundaries of an
10 election precinct do not comply with the provisions of NRS
11 293.205, he must provide the county clerk with a written statement
12 of noncompliance setting forth the reasons the precinct is not in
13 compliance. Within 15 days after receiving the notice of
14 noncompliance, the county clerk shall make any adjustments to the
15 boundaries of the precinct which are required to bring the precinct
16 into compliance with the provisions of NRS 293.205 and he shall
17 submit a corrected copy or electronic file of the precinct map to the
18 Secretary of State and the Director of the Legislative Counsel
19 Bureau.

20 3. If the initial or corrected election precinct map is not filed as
21 required pursuant to this section or the county clerk fails to make the
22 necessary changes to the boundaries of an election precinct pursuant
23 to subsection 2, the Secretary of State may establish appropriate
24 precinct boundaries in compliance with the provisions of NRS
25 293.205 to 293.213, inclusive. If the Secretary of State revises the
26 map pursuant to this subsection, he shall submit a copy or electronic
27 file of the revised map to the Director of the Legislative Counsel
28 Bureau and the appropriate county clerk.

29 4. As used in this section, "electronic file" includes, without
30 limitation, an electronic data file of a geographic information
31 system.

32 **Sec. 17.** NRS 293.208 is hereby amended to read as follows:

33 293.208 1. Except as otherwise provided in subsections 2, 3
34 and 5 and in NRS 293.206, no election precinct may be created,
35 divided, abolished or consolidated, or the boundaries thereof
36 changed, during the period between the third Wednesday in ~~May~~
37 **February** of any year whose last digit is 6 and the time when the
38 Legislature has been redistricted in a year whose last digit is 1,
39 unless the creation, division, abolishment or consolidation of the
40 precinct, or the change in boundaries thereof, is:

41 (a) Ordered by a court of competent jurisdiction;

42 (b) Required to meet objections to a precinct by the Attorney
43 General of the United States pursuant to the Voting Rights Act of
44 1965, 42 U.S.C. §§ 1971 and 1973 et seq., and any amendments
45 thereto;



- 1 (c) Required to comply with subsection 2 of NRS 293.205;
- 2 (d) Required by the incorporation of a new city; or
- 3 (e) Required by the creation of or change in the boundaries of a
- 4 special district.

5 ➡ As used in this subsection, "special district" means any general
6 improvement district or any other quasi-municipal corporation
7 organized under the local improvement and service district laws of
8 this State as enumerated in title 25 of NRS which is required by law
9 to hold elections or any fire protection district which is required by
10 law to hold elections.

11 2. If a city annexes an unincorporated area located in the same
12 county as the city and adjacent to the corporate boundary, the
13 annexed area may be included in an election precinct immediately
14 adjacent to it.

15 3. A new election precinct may be established at any time if it
16 lies entirely within the boundaries of any existing precinct.

17 4. If a change in the boundaries of an election precinct is made
18 pursuant to this section during the time specified in subsection 1, the
19 county clerk must:

20 (a) Within 15 days after the change to the boundary of a precinct
21 is established by the county clerk or ordered by a court, send to the
22 Director of the Legislative Counsel Bureau and the Secretary of
23 State a copy or electronic file of a map showing the new boundaries
24 of the precinct; and

25 (b) Maintain in his office an index providing the name of the
26 precinct and describing all changes which were made, including any
27 change in the name of the precinct and the name of any new precinct
28 created within the boundaries of an existing precinct.

29 5. Cities of population categories two and three are exempt
30 from the provisions of subsection 1.

31 6. As used in this section, "electronic file" includes, without
32 limitation, an electronic data file of a geographic information
33 system.

34 **Sec. 18.** NRS 293.217 is hereby amended to read as follows:

35 293.217 1. ~~[The]~~ *Except as otherwise provided in subsection*
36 *2, the* county clerk of each county shall appoint and notify
37 registered voters to act as election board officers for the various
38 precincts and districts in the county as provided in NRS 293.220 to
39 293.245, inclusive, and 293.384, and shall conclude those duties no
40 later than 31 days before the election. The registered voters
41 appointed as election board officers for any precinct or district must
42 not all be of the same political party. No candidate for nomination or
43 election or his relative within the second degree of consanguinity or
44 affinity may be appointed as an election board officer. Immediately



1 after election board officers are appointed, if requested by the
2 county clerk, the sheriff shall:

3 (a) Appoint a deputy sheriff for each polling place in the county
4 and for the central election board or the absent ballot central
5 counting board; or

6 (b) Deputize as a deputy sheriff for the election an election
7 board officer of each polling place in the county and for the central
8 election board or the absent ballot central counting board. The
9 deputized officer shall receive no additional compensation for his
10 services rendered as a deputy sheriff during the election for which
11 he is deputized.

12 ➤ Deputy sheriffs so appointed and deputized shall preserve order
13 during hours of voting and attend closing of the polls.

14 2. The county clerk may appoint ~~to~~:

15 (a) A trainee for the position of election board officer as set
16 forth in NRS 293.2175 ~~to~~; and

17 (b) *A nonresident college student as an election board officer*
18 *as set forth in section 4 of this act.*

19 **Sec. 19.** NRS 293.220 is hereby amended to read as follows:

20 293.220 Upon the selection of persons to act as election board
21 officers pursuant to NRS 293.217 *or section 4 of this act* or as
22 trainees pursuant to NRS 293.2175, the county clerk shall deliver,
23 by mail or other means, notifications of the appointments to those
24 persons.

25 **Sec. 20.** NRS 293.223 is hereby amended to read as follows:

26 293.223 If any person appointed to serve as an election board
27 officer pursuant to NRS 293.217 *or section 4 of this act* or as a
28 trainee pursuant to NRS 293.2175 is unwilling to serve as
29 appointed, he shall notify the county clerk within 5 days after
30 receipt of the notification that he is unwilling to serve, whereupon
31 the county clerk shall appoint some other registered voter to serve at
32 the election.

33 **Sec. 21.** NRS 293.227 is hereby amended to read as follows:

34 293.227 1. Each election board consists of at least three
35 members, one of whom must be designated chairman by the county
36 or city clerk. The boards shall make the records of election required
37 by this chapter.

38 2. The appointment of a trainee as set forth in NRS 293.2175
39 and 293C.222 *or a nonresident college student as set forth in*
40 *section 4 or 34 of this act* may be used to determine the number of
41 members on the election board, but under no circumstances may:

42 (a) The election board of any precinct include more than one
43 trainee; ~~or~~

44 (b) *The election board of any precinct include more than one*
45 *nonresident college student; or*



1 (c) A trainee *or a nonresident college student* serve as chairman
2 of the election board.

3 3. The county or city clerk shall conduct or cause to be
4 conducted, at least 5 days before the date of the election for which
5 the boards are appointed, a school to acquaint the chairmen with the
6 election laws, duties of election boards, regulations of the Secretary
7 of State and with the procedure for making the records of election
8 and using the register for election boards. If the person appointed
9 chairman is unable for any reason to attend the school, he shall
10 appoint some other member of his election board to attend the
11 school in his stead.

12 4. The board of county commissioners of any county or the city
13 council of any city may reimburse the chairmen or their designees
14 who attend the school for their travel expenses at a rate not
15 exceeding 10 cents per mile.

16 5. Each chairman shall instruct his board before election day.

17 **Sec. 22.** NRS 293.3081 is hereby amended to read as follows:

18 293.3081 A person at a polling place may cast a provisional
19 ballot in an election ~~{to vote for a candidate for federal office}~~ if the
20 person complies with the applicable provisions of NRS 293.3082
21 and:

22 1. Declares that he has registered to vote and is eligible to vote
23 at that election in that jurisdiction, but his name does not appear on
24 a voter registration list as a voter eligible to vote in that election in
25 that jurisdiction or an election official asserts that the person is not
26 eligible to vote in that election in that jurisdiction;

27 2. Applies by mail, on or after January 1, 2003, to register to
28 vote and has not previously voted in an election for federal office in
29 this State and fails to provide the identification required pursuant to
30 paragraph (a) of subsection 1 of NRS 293.2725 to the election board
31 officer at the polling place; or

32 3. Declares that he is entitled to vote after the polling place
33 would normally close as a result of a court order or other order
34 extending the time established for the closing of polls pursuant to a
35 law of this State in effect 10 days before the date of the election.

36 **Sec. 23.** NRS 293.3083 is hereby amended to read as follows:

37 293.3083 A person may cast a ballot by mail ~~{to vote for a~~
38 ~~candidate for federal office.}~~ which must be treated as a provisional
39 ballot by the county or city clerk if the person:

40 1. Applies by mail to register to vote and has not previously
41 voted in an election for federal office in this State;

42 2. Fails to provide the identification required pursuant to
43 paragraph (b) of subsection 1 of NRS 293.2725 to the county or city
44 clerk at the time that he mails his ballot; and



1 3. Completes the written affirmation set forth in subsection 1
2 of NRS 293.3082.

3 **Sec. 24.** NRS 293.345 is hereby amended to read as follows:

4 293.345 The county clerk shall mail to each registered voter in
5 each mailing precinct and in each absent ballot mailing precinct,
6 before 5 p.m. on the third Thursday in ~~August~~ **May** and before
7 5 p.m. on the fourth Tuesday in October of any year in which a
8 general election is to be held, an official mailing ballot to be voted
9 by him at the election.

10 **Sec. 25.** NRS 293.3568 is hereby amended to read as follows:

11 293.3568 1. The period for early voting by personal
12 appearance begins the ~~third Saturday~~ **second Tuesday** preceding a
13 primary or general election and extends through the Friday before
14 election day, Sundays and holidays excepted.

15 2. The county clerk may:

16 (a) Include any Sunday or holiday that falls within the period for
17 early voting by personal appearance.

18 (b) Require a permanent polling place for early voting to remain
19 open until 8 p.m. on any Saturday that falls within the period for
20 early voting.

21 3. A permanent polling place for early voting must remain
22 open:

23 (a) On Monday through Friday:

24 (1) During the first week of early voting, from 8 a.m. until
25 6 p.m.

26 (2) During the second week of early voting, from 8 a.m. until
27 6 p.m. or until 8 p.m. if the county clerk so requires.

28 (b) On any Saturday that falls within the period for early voting,
29 from 10 a.m. until 6 p.m.

30 (c) If the county clerk includes a Sunday that falls within the
31 period for early voting pursuant to subsection 2, during such hours
32 as he may establish.

33 **Sec. 26.** NRS 293.368 is hereby amended to read as follows:

34 293.368 1. Whenever a candidate whose name appears upon
35 the ballot at a primary election dies after 5 p.m. of the second
36 Tuesday in ~~July~~ **May**, his name must remain on the ballot and the
37 votes cast for the deceased candidate must be counted in
38 determining the nomination for the office for which the decedent
39 was a candidate.

40 2. If the deceased candidate on the ballot at the primary
41 election receives the number of votes required to receive the
42 nomination to the office for which he was a candidate, except as
43 otherwise provided in subsection 3 of NRS 293.165, he shall be
44 deemed nominated and there shall be a vacancy in the nomination
45 that must be filled as provided in NRS 293.165 or 293.166. If the



1 deceased person was a candidate for a nonpartisan office, the
2 nomination must be filled pursuant to subsection 2 of NRS 293.165.

3 3. Whenever a candidate whose name appears upon the ballot
4 at a general election dies after 5 p.m. of the ~~second~~ *third* Tuesday
5 in ~~September,~~ *June*, the votes cast for the deceased candidate must
6 be counted in determining the results of the election for the office
7 for which the decedent was a candidate.

8 4. If the deceased candidate on the ballot at the general election
9 receives the majority of the votes cast for the office, he shall be
10 deemed elected and the office to which he was elected shall be
11 deemed vacant at the beginning of the term for which he was
12 elected. The vacancy thus created must be filled in the same manner
13 as if the candidate had died after taking office for that term.

14 **Sec. 27.** NRS 293.463 is hereby amended to read as follows:

15 293.463 1. Any registered voter may absent himself from his
16 place of employment at a time to be designated by the employer for
17 a sufficient time to vote, if it is impracticable for him to vote before
18 or after his hours of employment. A sufficient time to vote shall be
19 determined as follows:

20 (a) If the distance between the place of such voter's employment
21 and the polling place where such person votes is 2 miles or less, ~~1~~
22 *hour,* *2 hours.*

23 (b) If the distance is more than 2 miles but not more than 10
24 miles, ~~2~~ *3* hours.

25 (c) If the distance is more than 10 miles, ~~3~~ *4* hours.

26 2. Such voter may not, because of such absence, be discharged,
27 disciplined or penalized, nor shall any deduction be made from his
28 usual salary or wages by reason of such absence.

29 3. Application for leave of absence to vote shall be made to the
30 employer or person authorized to grant such leave prior to the day of
31 the election.

32 4. Any employer or person authorized to grant the leave of
33 absence provided for in subsection 1, who denies any registered
34 voter any right granted under this section, or who otherwise violates
35 the provisions of this section, is guilty of a misdemeanor.

36 **Sec. 28.** NRS 293.481 is hereby amended to read as follows:

37 293.481 1. Except as otherwise provided in subsection 2 or
38 NRS 295.121 or 295.217, every governing body of a political
39 subdivision, public or quasi-public corporation, or other local
40 agency authorized by law to submit questions to the qualified
41 electors or registered voters of a designated territory, when the
42 governing body decides to submit a question:

43 (a) At a general election, shall provide to each county clerk
44 within the designated territory on or before the third Monday in July
45 preceding the election:



1 (1) A copy of the question, including an explanation of the
2 question;

3 (2) Arguments for and against the question; and

4 (3) If the question is an advisory question that proposes a
5 bond, tax, fee or expense, a fiscal note prepared by the governing
6 body in accordance with subsection 4 of NRS 293.482.

7 (b) At a primary election, shall provide to each county clerk
8 within the designated territory on or before the second Friday after
9 the first Monday in ~~May~~ *February* preceding the election:

10 (1) A copy of the question, including an explanation of the
11 question;

12 (2) Arguments for and against the question; and

13 (3) If the question is an advisory question that proposes a
14 bond, tax, fee or expense, a fiscal note prepared by the governing
15 body in accordance with subsection 4 of NRS 293.482.

16 (c) At any election other than a primary or general election at
17 which the county clerk gives notice of the election or otherwise
18 performs duties in connection therewith other than the registration
19 of electors and the making of records of registered voters available
20 for the election, shall provide to each county clerk at least 60 days
21 before the election:

22 (1) A copy of the question, including an explanation of the
23 question;

24 (2) Arguments for and against the question; and

25 (3) If the question is an advisory question that proposes a
26 bond, tax, fee or expense, a fiscal note prepared by the governing
27 body in accordance with subsection 4 of NRS 293.482.

28 (d) At any city election at which the city clerk gives notice of
29 the election or otherwise performs duties in connection therewith,
30 shall provide to the city clerk at least 60 days before the election:

31 (1) A copy of the question, including an explanation of the
32 question;

33 (2) Arguments for and against the question; and

34 (3) If the question is an advisory question that proposes a
35 bond, tax, fee or expense, a fiscal note prepared by the governing
36 body in accordance with subsection 4 of NRS 293.482.

37 2. A question may be submitted after the dates specified in
38 subsection 1 if the question is expressly privileged or required to be
39 submitted pursuant to the provisions of Article 19 of the
40 Constitution of the State of Nevada, or pursuant to the provisions of
41 chapter 295 of NRS or any other statute except NRS 293.482,
42 354.59817, 354.5982, 387.3285 or 387.3287 or any statute that
43 authorizes the governing body to issue bonds upon the approval of
44 the voters.



3. A county or city clerk may charge any political subdivision, public or quasi-public corporation, or other local agency which submits a question a reasonable fee sufficient to pay for the increased costs incurred in including the question, explanation, arguments and fiscal note on the ballot.

Sec. 29. NRS 293.505 is hereby amended to read as follows:

293.505 1. All justices of the peace, except those located in county seats, are ex officio field registrars to carry out the provisions of this chapter.

2. The county clerk shall appoint at least one registered voter to serve as a field registrar of voters who, except as otherwise provided in NRS 293.5055, shall register voters within the county for which he is appointed. Except as otherwise provided in subsection 1, a candidate for any office may not be appointed or serve as a field registrar. A field registrar serves at the pleasure of the county clerk and shall perform his duties as the county clerk may direct.

3. A field registrar shall demand of any person who applies for registration all information required by the application to register to vote and shall administer all oaths required by this chapter.

4. When a field registrar has in his possession five or more completed applications to register to vote, he shall forward them to the county clerk, but in no case may he hold any number of them for more than 10 days.

5. Each field registrar shall forward to the county clerk all completed applications in his possession immediately after the fifth Sunday preceding an election. Within 5 days after the fifth Sunday preceding any general election or general city election, a field registrar shall return all unused applications in his possession to the county clerk. If all of the unused applications are not returned to the county clerk, the field registrar shall account for the unreturned applications.

6. Each field registrar shall submit to the county clerk a list of the serial numbers of the completed applications to register to vote and the names of the electors on those applications. The serial numbers must be listed in numerical order.

7. Each field registrar shall post notices sent to him by the county clerk for posting in accordance with the election laws of this State.

8. A field registrar, employee of a voter registration agency or person assisting a voter pursuant to subsection 12 of NRS 293.5235 shall not:

(a) Delegate any of his duties to another person; or

(b) Refuse to register a person on account of that person's political party affiliation.



1 9. A person shall not hold himself out to be or attempt to
2 exercise the duties of a field registrar unless he has been so
3 appointed.

4 10. A county clerk, field registrar, employee of a voter
5 registration agency or person assisting a voter pursuant to subsection
6 12 of NRS 293.5235 shall not:

7 (a) Solicit a vote for or against a particular question or
8 candidate;

9 (b) Speak to a voter on the subject of marking his ballot for or
10 against a particular question or candidate; or

11 (c) Distribute any petition or other material concerning a
12 candidate or question which will be on the ballot for the ensuing
13 election,

14 ↪ while he is registering an elector.

15 11. When the county clerk receives applications to register to
16 vote from a field registrar, he shall issue a receipt to the field
17 registrar. The receipt must include:

18 (a) The number of persons registered; and

19 (b) The political party of the persons registered.

20 12. A county clerk, field registrar, employee of a voter
21 registration agency or person assisting a voter pursuant to subsection
22 12 of NRS 293.5235 shall not:

23 (a) Knowingly register a person who is not a qualified elector or
24 a person who has filed a false or misleading application to register
25 to vote; *or*

26 (b) ~~[Alter or deface an application to register to vote that has
27 been signed by an elector except to correct information contained in
28 the application after receiving notice from the elector that a change
29 in or addition to the information is required; or~~

30 ~~—(e)]~~ Register a person who fails to provide satisfactory proof of
31 identification and the address at which he actually resides.

32 13. *A county clerk, field registrar, employee of a voter
33 registration agency, person assisting a voter pursuant to
34 subsection 12 of NRS 293.5235 or any other person providing a
35 form for the application to register to vote to an elector for the
36 purpose of registering to vote shall not alter, deface or destroy an
37 application to register to vote that has been signed by an elector
38 except to correct information contained in the application after
39 receiving notice from the elector that a change in or addition to
40 the information is required.*

41 14. If a field registrar violates any of the provisions of this
42 section, the county clerk shall immediately suspend the field
43 registrar and notify the district attorney of the county in which the
44 violation occurred.



~~[14.]~~ 15. A person who violates any of the provisions of subsection 8, 9, 10, ~~[or]~~ 12 *or* 13 is guilty of a category E felony and shall be punished as provided in NRS 193.130.

Sec. 30. NRS 293.507 is hereby amended to read as follows:

293.507 1. The Secretary of State shall prescribe:

(a) A standard form for applications to register to vote; and

(b) A special form for registration to be used in a county where registrations are performed and records of registration are kept by computer.

2. The county clerks shall provide forms for applications to register to vote to field registrars in the form and number prescribed by the Secretary of State.

3. ~~[A]~~ *Each* form for an application to register to vote must include a ~~[duplicate copy or receipt]~~:

(a) *Unique control number assigned by the Secretary of State; and*

(b) *Duplicate copy* to be retained by the applicant upon completion of the form.

4. The form for an application to register to vote must include:

(a) A line for use by the county clerk to enter:

(1) The number indicated on the voter's current and valid driver's license issued by the Department of Motor Vehicles, if the voter has such a driver's license;

(2) The last four digits of the voter's social security number, if the voter does not have a driver's license issued by the Department of Motor Vehicles and does have a social security number; or

(3) The number issued to the voter pursuant to subsection 5, if the voter does not have a current and valid driver's license issued by the Department of Motor Vehicles or a social security number.

(b) A line on which to enter the address at which the voter actually resides, as set forth in NRS 293.486.

(c) A notice that the voter may not list a business as the address required pursuant to paragraph (b) unless he actually resides there.

(d) A line on which to enter an address at which the voter may receive mail, including, without limitation, a post office box or general delivery.

5. If a voter does not have the identification set forth in subparagraph (1) or (2) of paragraph (a) of subsection 4, the voter shall sign an affidavit stating that he does not have a current and valid driver's license issued by the Department of Motor Vehicles or a social security number. Upon receipt of the affidavit, the county clerk shall issue an identification number to the voter which must be the same number as the unique identifier assigned to the voter for purposes of the statewide voter registration list.



6. The Secretary of State shall adopt regulations to carry out the provisions of subsections 3, 4 and 5.

Sec. 31. NRS 293.560 is hereby amended to read as follows:

293.560 1. Except as otherwise provided in NRS 293.502, registration must close at 9 p.m. on the third Tuesday preceding any primary or general election and at 9 p.m. on the third Saturday preceding any recall or special election, except that if a recall or special election is held on the same day as a primary or general election, registration must close at 9 p.m. on the third Tuesday preceding the day of the elections.

2. The office of the county clerk must be open from 9 a.m. to 5 p.m. and from 7 p.m. to 9 p.m., including Saturdays, during the last days before the close of registration, according to the following schedule:

(a) In a county whose population is less than 100,000, the office of the county clerk must be open during the last day before registration closes.

(b) In all other counties, the office of the county clerk must be open during the last 5 days before registration closes.

3. Except for a special election held pursuant to chapter 306 or 350 of NRS:

(a) The county clerk of each county shall cause a notice signed by him to be published in a newspaper having a general circulation in the county indicating the day that registration will be closed. If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest county in this State.

(b) The notice must be published once each week for 4 consecutive weeks next preceding the close of registration for any election.

4. The offices of the county clerk and other ex officio registrars may remain open on the last Friday in October in each even-numbered year.

~~[5. For the period beginning on the fifth Sunday preceding any primary or general election and ending on the third Tuesday preceding any primary or general election, an elector may register to vote only by appearing in person at the office of the county clerk.]~~

Sec. 32. NRS 293B.354 is hereby amended to read as follows:

293B.354 1. The county clerk shall, not later than ~~[July]~~ **April** 1 of each year in which a general election is held, submit to the Secretary of State for his approval a written plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of ballots at a polling place, receiving center or central counting place.



2. The city clerk shall, not later than January 1 of each year in which a general city election is held, submit to the Secretary of State for his approval a written plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of the ballots at a polling place, receiving center or central counting place.

3. Each plan must include:

(a) The location of the central counting place and of each polling place and receiving center;

(b) A procedure for the establishment of areas within each polling place and receiving center and the central counting place from which members of the general public may observe the activities set forth in subsections 1 and 2;

(c) The requirements concerning the conduct of the members of the general public who observe the activities set forth in subsections 1 and 2; and

(d) Any other provisions relating to the accommodation of members of the general public who observe the activities set forth in subsections 1 and 2 which the county or city clerk considers appropriate.

Sec. 33. Chapter 293C of NRS is hereby amended by adding thereto the provisions set forth as sections 34 and 35 of this act.

Sec. 34. 1. *The city clerk may appoint a nonresident college student as an election board officer. To qualify for such an appointment, the nonresident college student must be:*

(a) A United States citizen and not eligible to register to vote in this State;

(b) Enrolled in the University and Community College System of Nevada; and

(c) At the time of service, at least 16 years of age.

2. *The city clerk may only appoint a nonresident college student if:*

(a) The nonresident college student is appointed without party affiliation;

(b) The city clerk sends the nonresident college student a certificate stating the date and hours that the nonresident college student shall act as an election board officer; and

(c) The nonresident college student attends the training class required by NRS 293B.260.

3. *Except as otherwise provided in this subsection, the city clerk may assign a nonresident college student such duties as the city clerk deems appropriate. The city clerk shall not assign more than one nonresident college student to serve as an election board officer in any one precinct.*



1 4. *The city clerk may compensate a nonresident college*
2 *student for his service at the same rate fixed for election board*
3 *officers generally.*

4 **Sec. 35.** *No person may be a candidate for an office in any*
5 *city election if he has, at the time of filing a declaration of*
6 *candidacy or an acceptance of candidacy pursuant to NRS*
7 *293C.185, failed to:*

8 1. *Submit any campaign finance report required of the*
9 *person pursuant to NRS 294A.360;*

10 2. *Submit any financial disclosure statement required of the*
11 *person pursuant to NRS 281.559 or 281.561; or*

12 3. *Pay any civil penalty assessed pursuant to NRS 281.581 or*
13 *294A.420.*

14 **Sec. 36.** NRS 293C.185 is hereby amended to read as follows:

15 293C.185 1. Except as otherwise provided in NRS 293C.115
16 and 293C.190, a name may not be printed on a ballot to be used at a
17 primary city election, unless the person named has filed a
18 declaration of candidacy or an acceptance of candidacy and has paid
19 the fee established by the governing body of the city not earlier than
20 70 days before the primary city election and not later than 5 p.m. on
21 the 60th day before the primary city election.

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

24 DECLARATION OF CANDIDACY OF FOR THE
25 OFFICE OF

26
27
28 State of Nevada

29
30 City of

31
32 For the purpose of having my name placed on the official ballot as a
33 candidate for the office of, I,, the
34 undersigned do swear or affirm under penalty of perjury that I
35 actually, as opposed to constructively, reside at, in the
36 City or Town of, County of, State of
37 Nevada; that my actual, as opposed to constructive, residence in the
38 city, township or other area prescribed by law to which the office
39 pertains began on a date at least 30 days immediately preceding the
40 date of the close of filing of declarations of candidacy for this
41 office; that my telephone number is, and the address at
42 which I receive mail, if different than my residence, is;
43 that I am a qualified elector pursuant to Section 1 of Article 2 of the
44 Constitution of the State of Nevada; that if I have ever been
45 convicted of treason or a felony, my civil rights have been restored



1 by a court of competent jurisdiction; *that I have filed all of the*
2 *campaign finance reports that I have been required to file*
3 *pursuant to NRS 294A.360; that I have filed all of the financial*
4 *disclosure statements that I have been required to file pursuant to*
5 *NRS 281.559 or 281.561; that I have paid any civil penalties*
6 *assessed against me pursuant to NRS 281.581 or 294A.420;* that if
7 nominated as a candidate at the ensuing election I will accept the
8 nomination and not withdraw; that I will not knowingly violate any
9 election law or any law defining and prohibiting corrupt and
10 fraudulent practices in campaigns and elections in this State; that I
11 will qualify for the office if elected thereto, including, but not
12 limited to, complying with any limitation prescribed by the
13 Constitution and laws of this State concerning the number of years
14 or terms for which a person may hold the office; and my name will
15 appear on all ballots as designated in this declaration.

16
17
18 (Designation of name)
19

20
21 (Signature of candidate for office)
22

23 Subscribed and sworn to before me
24 this day of the month of of the year
25

26
27 Notary Public or other person
28 authorized to administer an oath
29

30 3. The address of a candidate that must be included in the
31 declaration or acceptance of candidacy pursuant to subsection 2
32 must be the street address of the residence where he actually, as
33 opposed to constructively, resides in accordance with NRS 281.050,
34 if one has been assigned. The declaration or acceptance of
35 candidacy must not be accepted for filing if:

36 (a) The candidate's address is listed as a post office box unless a
37 street address has not been assigned to his residence; or

38 (b) The candidate does not present to the filing officer:

39 (1) A valid driver's license or identification card issued by a
40 governmental agency that contains a photograph of the candidate
41 and the candidate's address; or

42 (2) A current utility bill, bank statement, paycheck, or
43 document issued by a governmental entity, including, without
44 limitation, a check, which indicates the candidate's name and
45 address.



1 4. By filing the declaration or acceptance of candidacy, the
2 candidate shall be deemed to have appointed the city clerk as his
3 agent for service of process for the purposes of a proceeding
4 pursuant to NRS 293C.186. Service of such process must first be
5 attempted at the appropriate address as specified by the candidate in
6 the declaration or acceptance of candidacy. If the candidate cannot
7 be served at that address, service must be made by personally
8 delivering to and leaving with the city clerk duplicate copies of the
9 process. The city clerk shall immediately send, by registered or
10 certified mail, one of the copies to the candidate at his specified
11 address, unless the candidate has designated in writing to the city
12 clerk a different address for that purpose, in which case the city
13 clerk shall mail the copy to the last address so designated.

14 5. If the city clerk receives credible evidence indicating that a
15 candidate has been convicted of a felony and has not had his civil
16 rights restored by a court of competent jurisdiction, the city clerk:

17 (a) May conduct an investigation to determine whether the
18 candidate has been convicted of a felony and, if so, whether he has
19 had his civil rights restored by a court of competent jurisdiction; and

20 (b) Shall transmit the credible evidence and the findings from
21 such investigation to the city attorney.

22 6. The receipt of information by the city attorney pursuant to
23 subsection 5 must be treated as a challenge of a candidate pursuant
24 to subsections 4 and 5 of NRS 293C.186. If the ballots are printed
25 before a court of competent jurisdiction makes a determination that
26 a candidate has been convicted of a felony and has not had his civil
27 rights restored by a court of competent jurisdiction, the city clerk
28 must post a notice at each polling place where the candidate's name
29 will appear on the ballot informing the voters that the candidate is
30 disqualified from entering upon the duties of the office for which the
31 candidate filed the declaration of candidacy or acceptance of
32 candidacy.

33 **Sec. 37.** NRS 293C.220 is hereby amended to read as follows:

34 293C.220 1. ~~The~~ *Except as otherwise provided in*
35 *subsection 2, the* city clerk shall appoint and notify registered voters
36 to act as election board officers for the various precincts and
37 districts in the city as provided in NRS 293.225, 293.227, 293C.227
38 to 293C.250, inclusive, and 293C.382 and shall conclude those
39 duties not later than 31 days before the election. No candidate for
40 nomination or election or his relative within the second degree of
41 consanguinity or affinity may be appointed as an election board
42 officer. Immediately after election board officers are appointed, if
43 requested by the city clerk, the chief law enforcement officer of the
44 city shall:



(a) Appoint an officer for each polling place in the city and for the central election board or the absent ballot central counting board; or

(b) Deputize, as an officer for the election, an election board officer for each polling place and for the central election board or the absent ballot central counting board. The deputized officer may not receive any additional compensation for the services he provides as an officer during the election for which he is deputized.

➔ Officers so appointed and deputized shall preserve order during hours of voting and attend the closing of the polls.

2. The city clerk may appoint ~~the~~:

(a) A trainee for the position of election board officer as set forth in NRS 293C.222 ~~and~~; and

(b) A nonresident college student as an election board officer as set forth in section 35 of this act.

Sec. 38. NRS 293C.227 is hereby amended to read as follows:

293C.227 Upon the selection of persons to act as election board officers pursuant to NRS 293C.220 *or section 34 of this act* or as trainees pursuant to NRS 293C.222, the city clerk shall deliver, by mail or other means, notifications of the appointments to those persons.

Sec. 39. NRS 293C.228 is hereby amended to read as follows:

293C.228 If any person appointed to serve as an election board officer pursuant to NRS 293C.220 *or section 34 of this act* or as a trainee pursuant to NRS 293C.222 is unwilling to serve as appointed, he shall notify the city clerk within 5 days after receipt of the notification that he is unwilling to serve, whereupon the city clerk shall appoint some other registered voter to serve at the election.

Sec. 40. NRS 293C.3568 is hereby amended to read as follows:

293C.3568 1. The period for early voting by personal appearance begins the ~~third Saturday~~ *second Tuesday* preceding a primary city election or general city election, and extends through the Friday before election day, Sundays and holidays excepted.

2. The city clerk may:

(a) Include any Sunday or holiday that falls within the period for early voting by personal appearance.

(b) Require a permanent polling place for early voting to remain open until 8 p.m. on any Saturday that falls within the period for early voting.

3. A permanent polling place for early voting must remain open:

(a) On Monday through Friday:



(1) During the first week of early voting, from 8 a.m. until 6 p.m.

(2) During the second week of early voting, from 8 a.m. until 6 p.m. or until 8 p.m. if the city clerk so requires.

(b) On any Saturday that falls within the period for early voting, from 10 a.m. until 6 p.m.

(c) If the city clerk includes a Sunday that falls within the period for early voting pursuant to subsection 2, during such hours as he may establish.

Sec. 41. NRS 293C.527 is hereby amended to read as follows:

293C.527 1. Except as otherwise provided in NRS 293.502, registration must close at 9 p.m. on the third Tuesday preceding any primary city election or general city election and at 9 p.m. on the third Saturday preceding any recall or special election, except that if a recall or special election is held on the same day as a primary city election or general city election, registration must close at 9 p.m. on the third Tuesday preceding the day of the elections.

2. The office of the city clerk must be open from 9 a.m. to 5 p.m. and from 7 p.m. to 9 p.m., including Saturdays, during the last days before the close of registration before a primary city election or general city election, according to the following schedule:

(a) In a city whose population is less than 25,000, the office of the city clerk must be open during the last 3 days before registration closes.

(b) In a city whose population is 25,000 or more, the office of the city clerk must be open during the last 5 days before registration closes.

3. Except for a special election held pursuant to chapter 306 or 350 of NRS:

(a) The city clerk of each city shall cause a notice signed by him to be published in a newspaper having a general circulation in the city indicating the day that registration will be closed. If no newspaper is of general circulation in that city, the publication may be made in a newspaper of general circulation in the nearest city in this State.

(b) The notice must be published once each week for 4 consecutive weeks next preceding the close of registration for any election.

~~[4. For the period beginning on the fifth Sunday preceding any primary city election or general city election and ending on the third Tuesday preceding any primary city election or general city election, an elector may register to vote only by appearing in person at the office of the city clerk.]~~



Sec. 42. NRS 295.015 is hereby amended to read as follows:

295.015 **1.** A copy of a petition for initiative must be placed on file in the Office of the Secretary of State before it may be presented to the registered voters for their signatures.

2. *No person may place a copy of a petition for initiative on file in the Office of the Secretary of State pursuant to subsection 1 if he has, at the time at which the copy of the petition for initiative is to be filed, failed to:*

(a) *Submit any campaign finance report required of the person pursuant to NRS 294A.120, 294A.125 or 294A.200;*

(b) *Submit any financial disclosure statement required of the person pursuant to NRS 281.559 or 281.561; or*

(c) *Pay any civil penalty assessed pursuant to NRS 281.581 or 294A.420.*

Sec. 43. NRS 295.045 is hereby amended to read as follows:

295.045 **1.** A copy of a petition for referendum must be placed on file in the Office of the Secretary of State before it may be presented to the registered voters for their signatures.

2. *No person may place a copy of a petition for referendum on file in the Office of the Secretary of State pursuant to subsection 1 if he has, at the time at which the copy of the petition for referendum is to be filed, failed to:*

(a) *Submit any campaign finance report required of the person pursuant to NRS 294A.120, 294A.125 or 294A.200;*

(b) *Submit any financial disclosure statement required of the person pursuant to NRS 281.559 or 281.561; or*

(c) *Pay any civil penalty assessed pursuant to NRS 281.581 or 294A.420.*

3. A petition for referendum must be filed with the Secretary of State not less than 120 days before the date of the next succeeding general election.

~~[3-]~~ **4.** The Secretary of State shall certify the questions to the county clerks, and they shall publish them in accordance with the provisions of law requiring county clerks to publish questions and proposed constitutional amendments which are to be submitted for popular vote.

~~[4-]~~ **5.** The title of the statute or resolution must be set out on the ballot, and the question printed upon the ballot for the information of the voters must be as follows: "Shall the statute (setting out its title) be approved?"

~~[5-]~~ **6.** Where a mechanical voting system is used, the title of the statute must appear on the list of offices and candidates and the statements of measures to be voted on and may be condensed to no more than 25 words.



~~[6.]~~ 7. The votes cast upon the question must be counted and canvassed as the votes for state officers are counted and canvassed.

Sec. 44. NRS 295.095 is hereby amended to read as follows:

295.095 1. ~~[Any]~~ *Except as otherwise provided in subsection 2, any* five registered voters of the county may commence initiative or referendum proceedings by filing with the county clerk an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered.

2. *No person may serve on a petitioners' committee if he has, at the time at which the affidavit establishing the petitioners' committee is filed pursuant to subsection 1, failed to:*

(a) *Submit any campaign finance report required of the person pursuant to NRS 294A.120, 294A.125 or 294A.200;*

(b) *Submit any financial disclosure statement required of the person pursuant to NRS 281.559 or 281.561; or*

(c) *Pay any civil penalty assessed pursuant to NRS 281.581 or 294A.420.*

3. Initiative petitions must be signed by a number of registered voters of the county equal to 15 percent or more of the number of voters who voted at the last preceding general election in the county.

~~[3.]~~ 4. Referendum petitions must be signed by a number of registered voters of the county equal to 10 percent or more of the number of voters who voted at the last preceding general election in the county.

~~[4.]~~ 5. A petition must be submitted to the county clerk for verification, pursuant to NRS 295.250 to 295.290, inclusive, not later than:

(a) One hundred and eighty days after the date that the affidavit required by subsection 1 is filed with the county clerk; or

(b) One hundred and thirty days before the election,

➔ whichever is earlier.

~~[5.]~~ 6. A petition may consist of more than one document, but all documents of a petition must be uniform in size and style, numbered and assembled as one instrument for submission. Each signature must be executed in ink or indelible pencil and followed by the address of the person signing and the date on which he signed the petition. All signatures on a petition must be obtained within the period specified in subsection ~~[4.]~~ 5. Each document must contain, or have attached thereto throughout its circulation, the full text of the ordinance proposed or sought to be reconsidered.



~~[6-]~~ 7. Each document of a petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:

- (a) That he personally circulated the document;
- (b) The number of signatures thereon;
- (c) That all the signatures were affixed in his presence;
- (d) That he believes them to be genuine signatures of the persons whose names they purport to be; and
- (e) That each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.

~~[7-]~~ 8. The county clerk shall issue a receipt to any person who submits a petition pursuant to this section. The receipt must set forth the number of:

- (a) Documents included in the petition;
- (b) Pages in each document; and
- (c) Signatures that the person declares are included in the petition.

Sec. 45. NRS 295.205 is hereby amended to read as follows:

295.205 1. ~~[Any]~~ *Except as otherwise provided in subsection 2, any* five registered voters of the city may commence initiative or referendum proceedings by filing with the city clerk an affidavit:

- (a) Stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form;
- (b) Stating their names and addresses;
- (c) Specifying the address to which all notices to the committee are to be sent; and
- (d) Setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered.

2. *No person may serve on a petitioners' committee if he has, at the time at which the affidavit establishing the petitioners' committee is filed pursuant to subsection 1, failed to:*

- (a) Submit any campaign finance report required of the person pursuant to NRS 294A.120, 294A.125 or 294A.200;*
- (b) Submit any financial disclosure statement required of the person pursuant to NRS 281.559 or 281.561; or*
- (c) Pay any civil penalty assessed pursuant to NRS 281.581 or 294A.420.*

3. Initiative petitions must be signed by a number of registered voters of the city equal to 15 percent or more of the number of voters who voted at the last preceding city election.

~~[3-]~~ 4. Referendum petitions must be signed by a number of registered voters of the city equal to 10 percent or more of the number of voters who voted at the last preceding city election.



~~[4.]~~ 5. A petition must be submitted to the city clerk for verification, pursuant to NRS 295.250 to 295.290, inclusive, not later than:

(a) One hundred and eighty days after the date that the affidavit required by subsection 1 is filed with the city clerk; or

(b) One hundred and thirty days before the election,
↳ whichever is earlier.

~~[5.]~~ 6. A petition may consist of more than one document, but all documents of a petition must be uniform in size and style, numbered and assembled as one instrument for submission. Each signature must be executed in ink or indelible pencil and followed by the address of the person signing and the date on which he signed the petition. All signatures on a petition must be obtained within the period specified in subsection ~~[4.]~~ 5. Each document must contain, or have attached thereto throughout its circulation, the full text of the ordinance proposed or sought to be reconsidered.

~~[6.]~~ 7. Each document of a petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:

- (a) That he personally circulated the document;
- (b) The number of signatures thereon;
- (c) That all the signatures were affixed in his presence;
- (d) That he believes them to be genuine signatures of the persons whose names they purport to be; and
- (e) That each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.

~~[7.]~~ 8. The city clerk shall issue a receipt to any person who submits a petition pursuant to this section. The receipt must set forth the number of:

- (a) Documents included in the petition;
- (b) Pages in each document; and
- (c) Signatures that the person declares are included in the petition.

Sec. 46. Section 5.020 of the Charter of the City of Reno, being chapter 662, Statutes of Nevada 1971, as last amended by chapter 100, Statutes of Nevada 1999, at page 274, is hereby amended to read as follows:

Sec. 5.020 Primary elections; declaration of candidacy.

1. A candidate for any office to be voted for at an election must file a declaration of candidacy with the City Clerk. All filing fees collected by the City Clerk must be deposited to the credit of the General Fund of the City.

2. If for any general election, there are three or more candidates for any office to be filled at that election, a primary election for any such office must be held on the first



1 Tuesday *after the first Monday* in ~~September~~ *June*
2 preceding the general election. If for any general election
3 there are two or fewer candidates for any office to be filled at
4 that election, their names must not be placed on the ballot for
5 the primary election but must be placed on the ballot for the
6 general election.

7 3. In the primary election:

8 (a) The names of the two candidates for Municipal Judge,
9 City Attorney or a particular City Council seat, as the case
10 may be, who receive the highest number of votes must be
11 placed on the ballot for the general election.

12 (b) Candidates for Councilman who represent a specific
13 ward must be voted upon only by the registered voters of that
14 ward.

15 (c) Candidates for Mayor and Councilman at large must
16 be voted upon by all registered voters of the City.

17 4. The Mayor and all Councilmen must be voted upon
18 by all registered voters of the City at the general election.

