

**Amendment No. 472**

Assembly Amendment to Assembly Bill No. 314

(BDR 24-436)

**Proposed by:** Committee on Elections, Procedures, Ethics, and Constitutional Amendments**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by deleting section 1 and renumbering sections 2 through 5 as sections 1 through 4.

Amend sec. 2, page 3, line 4, by deleting:

“~~{30 days}~~ **6 months**” and inserting:

“~~{30}~~ **90** days”.

Amend sec. 3, pages 3 and 4, by deleting line 44 on page 3 and line 1 on page 4, and inserting:

“to which the office pertains began on a date at least ~~{30}~~ **90** days immediately preceding the date of the close of filing of”.

Amend sec. 3, page 4, by deleting lines 6 through 8 and inserting:

“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”.

JCB/KMG

Date: 4/22/2005

A.B. No. 314—Makes various changes to provisions governing eligibility for election and appointment to certain public positions and offices.

Amend sec. 3, page 5, line 18, by deleting:

“~~{30 days}~~ **6 months**” and inserting:

“~~{30}~~ **90** days”.

Amend sec. 3, page 5, by deleting lines 23 through 25 and inserting:

“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 if nominated as a”.

Amend sec. 3, page 6, lines 39 and 40, by deleting:

“, ~~[and has not had his civil rights restored by a court of competent jurisdiction,]~~” and inserting:

“and has not had his civil rights restored by a court of competent jurisdiction,”.

Amend sec. 3, page 6, lines 43 through 45, by deleting:

“, ~~[and, if so, whether he has had his civil rights restored by a court of competent jurisdiction,]~~” and inserting:

“and, if so, whether he has had his civil rights restored by a court of competent jurisdiction;”.

Amend sec. 3, page 7, lines 10 and 11, by deleting:

“, ~~[and has not had his civil rights restored by a court of competent jurisdiction,]~~” and inserting:

“and has not had his civil rights restored by a court of competent jurisdiction,”.

Amend sec. 4, page 7, line 41, by deleting:

“~~{30 days}~~ **6 months**” and inserting:

“~~{30}~~ **90** days”.

Amend sec. 4, page 8, by deleting lines 1 through 3 and inserting:

“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 if nominated as a candidate at the”.

Amend sec. 4, page 9, lines 12 and 13, by deleting:

“; ~~[and has not had his civil rights restored by a court of competent jurisdiction,]~~” and inserting:

“and has not had his civil rights restored by a court of competent jurisdiction,”.

Amend sec. 4, page 9, lines 15 through 17, by deleting:

“; ~~[and, if so, whether he has had his civil rights restored by a court of competent jurisdiction,]~~” and inserting:

“and, if so, whether he has had his civil rights restored by a court of competent jurisdiction,”.

Amend sec. 4, page 9, lines 24 and 25, by deleting:

“; ~~[and has not had his civil rights restored by a court of competent jurisdiction,]~~” and inserting:

“and has not had his civil rights restored by a court of competent jurisdiction,”.

Amend sec. 5, page 9, line 34, by deleting:

“~~[30 days]~~ **6 months**” and inserting:

“~~[30]~~ **90 days**”.

Amend the bill as a whole by deleting sections 6 through 10 and renumbering sections 11 through 15 as sections 5 through 9.

Amend sec. 11, page 17, line 9, by deleting “**6 months**” and inserting “**90 days**”.

Amend sec. 12, page 17, line 33, by deleting “**6 months**” and inserting “**90 days**”.

Amend sec. 13, page 18, line 10, by deleting “**6 months**” and inserting “**90 days**”.

Amend sec. 14, page 19, by deleting lines 7 and 8 and inserting:

“(d) Possesses his civil rights.”.

Amend sec. 15, page 19, line 33, by deleting “[1. ~~No~~]” and inserting “1. ~~[No]~~”.

Amend sec. 15, page 19, line 36, by deleting “[~~(a)~~ **I.**]” and inserting “(a)”.

Amend sec. 15, page 19, line 38, by deleting “~~[(b)] 2.~~” and inserting “(b)”.

Amend sec. 15, page 19, by deleting lines 39 through 42 and inserting:

“2. A person who has been convicted of a felony in this State or any other state is not qualified to be a candidate for or elected or appointed to the office of sheriff regardless of whether he has been restored to his civil rights.”.

Amend the bill as a whole by deleting sec. 16 and renumbering sec. 17 as sec. 10.

Amend sec. 17, page 20, line 23, by deleting “~~[1. No]~~” and inserting “1. ~~[No]~~”.

Amend sec. 17, page 20, line 26, by deleting “~~[(a)] 1.~~” and inserting “(a)”.

Amend sec. 17, page 20, line 28, by deleting “~~[(b)] 2.~~” and inserting “(b)”.

Amend sec. 17, page 20, by deleting lines 29 through 32 and inserting:

“2. A person who has been convicted of a felony in this State or any other state is not qualified to be a candidate for or elected or appointed to the office of constable regardless of whether he has been restored to his civil rights.”.

Amend the bill as a whole by deleting sec. 18 and renumbering sections 19 through 34 as sections 11 through 26.

Amend sec. 21, page 23, line 4, by deleting:

“~~[30 days]~~ **6 months**” and inserting:

“~~[30]~~ **90** days”.

Amend sec. 22, page 23, lines 25 and 26, by deleting:

“~~[30 days]~~ **6 months**” and inserting:

“~~[30]~~ **90** days”.

Amend sec. 22, page 23, line 31, by deleting:

“~~{30 days}~~ **6 months**” and inserting:

“~~{30}~~ **90** days”.

Amend sec. 23, page 24, line 17, by deleting:

“~~{30 days}~~ **6 months**” and inserting:

“~~{30}~~ **90** days”.

Amend sec. 24, page 25, line 19, by deleting:

“~~{30 days}~~ **6 months**” and inserting:

“~~{30}~~ **90** days”.

Amend sec. 26, page 26, lines 22 and 28, by deleting “**6 months**” and inserting “**90 days**”.

Amend sec. 27, page 27, line 1, by deleting “**6 months**” and inserting “**90 days**”.

Amend sec. 28, page 27, line 34, by deleting “**6 months**” and inserting “**90 days**”.

Amend sec. 29, page 28, lines 13 and 14, by deleting:

“~~{30 days}~~ **6 months**” and inserting:

“~~{30}~~ **90** days”.

Amend sec. 29, page 28, lines 22 and 23, by deleting:

“~~{30 days}~~ **6 months**” and inserting:

“~~{30}~~ **90** days”.

Amend sec. 32, page 30, lines 8 and 9, by deleting:

“~~{30 days}~~ **6 months**” and inserting:

“~~{30}~~ **90** days”.

Amend sec. 34, page 32, line 11, by deleting “1.”.

Amend sec. 34, page 32, by deleting lines 15 through 20.

Amend the title of the bill to read as follows:

“AN ACT relating to public officers; requiring elected public officers and members of public boards who are appointed by the Governor, the Legislature or members of the Legislature to have resided in the State, district, county, township or other area prescribed by law to which the office pertains for at least 90 days immediately preceding the date of the close of filing of declarations of candidacy or preceding the appointment; and providing other matters properly relating thereto.”.

**If this amendment is adopted, the Legislative  
Counsel's Digest will be changed to read as follows:**

**Legislative Counsel's Digest:**

Under existing law, including various city charters, the minimum period that a person must have been a resident before becoming a candidate for public office varies depending on the type of public office. (NRS 293.1755, 293C.200)

This bill requires, with some exceptions, that a candidate for any public office must be a resident of the district or other area he wishes to represent for at least 90 days before the last day to file a declaration or acceptance of candidacy for the office.

Existing law establishes various qualifications for persons appointed to office by the Governor or the Legislature. (Chapters 218 and 223 of NRS, NRS 232A.020)

This bill requires, with some exceptions, that a person appointed by the Governor or the Legislature to a new term or to fill a vacancy on a board, commission, committee, council, authority or similar body must have resided in Nevada or, if required, in the district or other area he represents for at least 90 days before appointment to the office.