

SENATE BILL NO. 125—SENATORS SCHNEIDER,
HORSFORD AND MATHEWS

FEBRUARY 24, 2005

JOINT SPONSORS: ASSEMBLYMEN MCCLAIN,
CONKLIN AND MUNFORD

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises period of residency required to qualify as
candidate for public office. (BDR 24-153)

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

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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 public office; revising the period of residency
required to qualify as a candidate for public office; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, including various city charters, the minimum period that a
2 candidate must have been a resident before running for public office varies. (For
3 example, NRS 293.1755, 293C.200)
4 This bill requires a candidate for public office to be a resident of the district or
5 other area he wishes to represent for at least 6 months before the last day to file a
6 declaration of candidacy for the office.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 293.1755 is hereby amended to read as
2 follows:
3 293.1755 1. In addition to any other requirement provided by
4 law, no person may be a candidate for any office unless, for at least
5 ~~the 30 days~~ **6 months** immediately preceding the date of the close
6 of filing of declarations of candidacy or acceptances of candidacy



1 for the office which he seeks, he has, in accordance with NRS
2 281.050, actually, as opposed to constructively, resided in the State,
3 district, county, township or other area prescribed by law to which
4 the office pertains and, if elected, over which he will have
5 jurisdiction or which he will represent.

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

9 3. The provisions of this section do not apply to candidates for
10 the office of district attorney.

11 **Sec. 2.** NRS 293.177 is hereby amended to read as follows:

12 293.177 1. Except as otherwise provided in NRS 293.165, a
13 name may not be printed on a ballot to be used at a primary election
14 unless the person named has filed a declaration of candidacy or an
15 acceptance of candidacy, and has paid the fee required by NRS
16 293.193 not earlier than the first Monday in May of the year in
17 which the election is to be held nor later than 5 p.m. on the second
18 Friday after the first Monday in May.

19 2. A declaration of candidacy or an acceptance of candidacy
20 required to be filed by this section must be in substantially the
21 following form:

22 (a) For partisan office:

23
24 DECLARATION OF CANDIDACY OF FOR THE
25 OFFICE OF

26
27 State of Nevada

28
29 County of

30
31 For the purpose of having my name placed on the official ballot as a
32 candidate for the Party nomination for the office of
33, I, the undersigned, do swear or affirm under penalty
34 of perjury that I actually, as opposed to constructively, reside at
35, in the City or Town of, County of, State of
36 Nevada; that my actual, as opposed to constructive, residence in the
37 State, district, county, township, city or other area prescribed by law
38 to which the office pertains began on a date at least ~~30 days~~ **6**
39 **months** immediately preceding the date of the close of filing of
40 declarations of candidacy for this office; that my telephone number
41 is, and the address at which I receive mail, if different than
42 my residence, is; that I am registered as a member of the
43 Party; that I am a qualified elector pursuant to Section 1
44 of Article 2 of the Constitution of the State of Nevada; that if I have



1 ever been convicted of treason or a felony, my civil rights have been
2 restored by a court of competent jurisdiction; that I have not, in
3 violation of the provisions of NRS 293.176, changed the designation
4 of my political party or political party affiliation on an official
5 application to register to vote in any state since September 1 before
6 the closing filing date for this election; that I generally believe in
7 and intend to support the concepts found in the principles and
8 policies of that political party in the coming election; that if
9 nominated as a candidate of the Party at the ensuing
10 election, I will accept that nomination and not withdraw; that I will
11 not knowingly violate any election law or any law defining and
12 prohibiting corrupt and fraudulent practices in campaigns and
13 elections in this State; that I will qualify for the office if elected
14 thereto, including, but not limited to, complying with any limitation
15 prescribed by the Constitution and laws of this State concerning the
16 number of years or terms for which a person may hold the office;
17 and that I understand that my name will appear on all ballots as
18 designated in this declaration.

19
20
21 (Designation of name)
22

23
24 (Signature of candidate for office)
25

26 Subscribed and sworn to before me
27 this day of the month of of the year
28

29
30 Notary Public or other person
31 authorized to administer an oath
32

33 (b) For nonpartisan office:
34

35 DECLARATION OF CANDIDACY OF FOR THE
36 OFFICE OF
37

38 State of Nevada
39

40 County of
41

42 For the purpose of having my name placed on the official ballot as a
43 candidate for the office of, I, the undersigned,
44 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]~~ **6 months** 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 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 if nominated as a
nonpartisan candidate at the ensuing election, I will accept the
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 my name will
appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

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

.....
Notary Public or other person
authorized to administer an oath

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

- (a) The candidate's address is listed as a post office box unless a
street address has not been assigned to his residence; or
- (b) The candidate does not present to the filing officer:



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

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

8 4. By filing the declaration or acceptance of candidacy, the
9 candidate shall be deemed to have appointed the filing officer for
10 the office as his agent for service of process for the purposes of a
11 proceeding pursuant to NRS 293.182. Service of such process must
12 first be attempted at the appropriate address as specified by the
13 candidate in the declaration or acceptance of candidacy. If the
14 candidate cannot be served at that address, service must be made by
15 personally delivering to and leaving with the filing officer duplicate
16 copies of the process. The filing officer shall immediately send, by
17 registered or certified mail, one of the copies to the candidate at his
18 specified address, unless the candidate has designated in writing to
19 the filing officer a different address for that purpose, in which case
20 the filing officer shall mail the copy to the last address so
21 designated.

22 5. If the filing officer receives credible evidence indicating that
23 a candidate has been convicted of a felony and has not had his civil
24 rights restored by a court of competent jurisdiction, the filing
25 officer:

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

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

33 6. The receipt of information by the Attorney General or
34 district attorney pursuant to subsection 5 must be treated as a
35 challenge of a candidate pursuant to subsections 4 and 5 of NRS
36 293.182. If the ballots are printed before a court of competent
37 jurisdiction makes a determination that a candidate has been
38 convicted of a felony and has not had his civil rights restored by a
39 court of competent jurisdiction, the filing officer must post a notice
40 at each polling place where the candidate's name will appear on the
41 ballot informing the voters that the candidate is disqualified from
42 entering upon the duties of the office for which the candidate filed
43 the declaration of candidacy or acceptance of candidacy.



Sec. 3. NRS 293.181 is hereby amended to read as follows:

293.181 1. A candidate for the Office of State Senator or Assemblyman must execute and file with his declaration of candidacy or acceptance of candidacy a declaration of residency which must be in substantially the following form:

I, the undersigned, do swear or affirm under penalty of perjury that I have been a citizen resident of this State *and the district to which the office pertains* as required by NRS 218.010 and have actually, as opposed to constructively, resided at the following residence or residences ~~[since November 1 of the preceding year:]~~ *for at least 6 months before the date of the close of filing a declaration of candidacy or acceptance of candidacy:*

.....
Street Address	Street Address
.....
City or Town	City or Town
.....
State	State
From To.....	From To.....
Dates of Residency	Dates of Residency

(Attach additional sheet or sheets of residences as necessary)

2. Each address of a candidate which must be included in the declaration of residency pursuant to subsection 1 must be the street address of the residence where he actually, as opposed to constructively, resided or resides in accordance with NRS 281.050, if one has been assigned. The declaration of residency must not be accepted for filing if any of the candidate's addresses are listed as a post office box unless a street address has not been assigned to the residence.

Sec. 4. NRS 293C.185 is hereby amended to read as follows:

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



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

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

City of

For the purpose of having my name placed on the official ballot as a candidate 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 city, township or other area prescribed by law to which the office pertains began on a date at least ~~[30 days]~~ **6 months** 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 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 if nominated as a candidate at the ensuing election I will accept the 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 my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)



1 Subscribed and sworn to before me
2 this day of the month of of the year

3
4
5 Notary Public or other person
6 authorized to administer an oath
7

8 3. The address of a candidate that must be included in the
9 declaration or acceptance of candidacy pursuant to subsection 2
10 must be the street address of the residence where he actually, as
11 opposed to constructively, resides in accordance with NRS 281.050,
12 if one has been assigned. The declaration or acceptance of
13 candidacy must not be accepted for filing if:

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

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

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

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

24 4. By filing the declaration or acceptance of candidacy, the
25 candidate shall be deemed to have appointed the city clerk as his
26 agent for service of process for the purposes of a proceeding
27 pursuant to NRS 293C.186. Service of such process must first be
28 attempted at the appropriate address as specified by the candidate in
29 the declaration or acceptance of candidacy. If the candidate cannot
30 be served at that address, service must be made by personally
31 delivering to and leaving with the city clerk duplicate copies of the
32 process. The city clerk shall immediately send, by registered or
33 certified mail, one of the copies to the candidate at his specified
34 address, unless the candidate has designated in writing to the city
35 clerk a different address for that purpose, in which case the city
36 clerk shall mail the copy to the last address so designated.

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

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

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



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

Sec. 5. NRS 293C.200 is hereby amended to read as follows:

293C.200 1. In addition to any other requirement provided by law, no person may be a candidate for a city office unless, for at least ~~[the 30 days]~~ **6 months** immediately preceding the date of the close of filing of declarations or acceptances of candidacy for the office that he seeks, he has in accordance with NRS 281.050, actually, as opposed to constructively, resided in the city or other area prescribed by law to which the office pertains and, if elected, over which he will have jurisdiction or which he will represent.

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

Sec. 6. NRS 5.020 is hereby amended to read as follows:

5.020 1. Except as provided in subsection 3 and NRS 266.405, each municipal judge must be chosen by the electors of the city within which the municipal court is established on a day to be fixed by the governing body of that city. The term of office of a municipal judge is the period fixed by:

(a) An ordinance adopted by the city if the city is organized under general law; or

(b) The charter of the city if the city is organized under a special charter.

➔ Before entering upon his duties, a municipal judge shall take the constitutional oath of office.

2. A municipal judge must:

(a) Be a citizen of the State;

(b) ~~[Except as otherwise provided in the charter of a city organized under a special charter, have]~~ **Have** been a bona fide resident of the city for not less than ~~[1 year next preceding his election;]~~ **6 months immediately preceding the last day for filing a declaration of candidacy for the office;**

(c) Be a qualified elector in the city; and



(d) Not have ever been removed or retired from any judicial office by the Commission on Judicial Discipline.

3. The governing body of a city, with the consent of the board of county commissioners and the justice of the peace, may provide that a justice of the peace of the township in which the city is located is ex officio the municipal judge of the city.

4. For the purposes of this section, a person shall not be ineligible to be a candidate for the office of municipal judge if a decision to remove or retire him from a judicial office is pending appeal before the Supreme Court or has been overturned by the Supreme Court.

Sec. 7. NRS 218.010 is hereby amended to read as follows:

218.010 No person is eligible to the office of state Senator or Assemblyman who:

1. Is not a qualified elector and who has not been an actual, as opposed to constructive, citizen resident of this State *and the district to which the office pertains* for ~~[1-year next preceding his election.]~~ *at least 6 months immediately preceding date of the close of filing of declarations of candidacy or acceptances of candidacy.*

2. At the time of election has not attained the age of 21 years.

Sec. 8. NRS 266.170 is hereby amended to read as follows:

266.170 Mayors shall be qualified electors within their respective cities and shall have been actually bona fide residents thereof for a period of at least ~~[1-year next preceding their election.]~~ *6 months immediately preceding the date of the close of filing of a declaration of candidacy for the office.*

Sec. 9. NRS 266.215 is hereby amended to read as follows:

266.215 Councilmen must be:

1. Qualified electors within their respective cities and bona fide residents thereof for a period of at least ~~[1-year next preceding their election.]~~ *6 months immediately preceding the date of the close of filing of a declaration of candidacy for the office.*

2. Except as otherwise provided in NRS 266.220, qualified electors within their respective wards ~~[1-]~~ *and bona fide residents thereof for a period of at least 6 months immediately preceding the date of the close of filing of a declaration of candidacy for the office.*

Sec. 10. Section 2.010 of the Charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 118, Statutes of Nevada 1985, at page 474, is hereby amended to read as follows:

Sec. 2.010 Board of Supervisors: Qualifications; election; term of office.



1 1. The legislative power of Carson City is vested in a
2 Board of Supervisors consisting of five Supervisors,
3 including the Mayor.

4 2. The Mayor must be:

5 (a) An actual and bona fide resident of Carson City for at
6 least 6 months immediately preceding ~~[his election.]~~ *the last*
7 *day for filing a declaration of candidacy for his office.*

8 (b) A qualified elector within Carson City.

9 3. Each Supervisor must be:

10 (a) ~~[An actual and bona fide resident of Carson City for at~~
11 ~~least 6 months immediately preceding his election.~~

12 ~~—(b)—~~ A qualified elector *who has resided* within the ward
13 which he represents ~~[-]~~

14 ~~—(c)—~~ *A] for at least 6 months immediately preceding the*
15 *last day for filing a declaration of candidacy for his office.*

16 (b) *A* resident of the ward which he represents, except
17 that changes effected in the boundaries of a ward pursuant to
18 the provisions of section 1.060 do not affect the right of any
19 elected Supervisor to continue in office for the term for which
20 he was elected.

21 4. All Supervisors, including the Mayor, must be voted
22 upon by the registered voters of Carson City at large and shall
23 serve for terms of 4 years.

24 **Sec. 11.** Section 4.030 of the Charter of Carson City, being
25 chapter 213, Statutes of Nevada 1969, as last amended by chapter
26 96, Statutes of Nevada 1997, at page 182, is hereby amended to read
27 as follows:

28 Sec. 4.030 Municipal Court: Judges.

29 1. The justices of the peace of Carson City are ex officio
30 judges of the Municipal Court of Carson City which consists
31 of at least two departments.

32 2. The Board of Supervisors may by ordinance establish
33 a third department of the Municipal Court. The judge of this
34 department must be ~~[-]~~

35 ~~—(a)—~~ *A resident of Carson City for a continuous 6 month*
36 *period immediately preceding his election.*

37 ~~—(b)—~~ *A] a* qualified elector ~~[-]~~ *who has resided within*
38 *Carson City for at least 6 months immediately preceding the*
39 *last day for filing a declaration of candidacy for his office.*

40 3. If a third department of the Municipal Court is
41 established, the municipal judge elected for that department
42 serves for a term of 6 years.



1 4. The Board may appoint a municipal judge for a
2 part-time or temporary position. The Board shall establish the
3 hours of service for this position.

4 5. The salary of the judges of the Municipal Court must
5 be fixed by the Board and be paid in the same manner as
6 provided for other elected officers.

7 **Sec. 12.** Section 2.010 of the Charter of the City of Henderson,
8 being chapter 266, Statutes of Nevada 1971, as last amended by
9 chapter 596, Statutes of Nevada 1995, at page 2206, is hereby
10 amended to read as follows:

11 Sec. 2.010 City Council: Qualifications; election; term
12 of office; salary.

13 1. The legislative power of the City is vested in a City
14 Council consisting of four Councilmen and the Mayor.

15 2. The Mayor must be:

16 (a) A bona fide resident of the territory which is
17 established by the boundaries of the City for the 12 months
18 immediately preceding the last day for filing a declaration of
19 candidacy for the office.

20 (b) A qualified elector within the City.

21 3. Each Councilman must be:

22 (a) A bona fide resident of the territory which is
23 established by the boundaries of the City for the 12 months
24 immediately preceding the last day for filing a declaration of
25 candidacy for the office.

26 (b) A qualified elector within the ward which he
27 represents.

28 (c) A resident of the ward which he represents for at least
29 ~~[30 days]~~ **6 months** immediately preceding the last day for
30 filing a declaration of candidacy for the office, except that
31 changes in ward boundaries pursuant to the provisions of
32 section 1.040 do not affect the right of any elected
33 Councilman to continue in office for the term for which he
34 was elected.

35 4. All Councilmen, including the Mayor, must be voted
36 upon by the registered voters of the City at large and shall
37 serve for terms of 4 years.

38 5. The Mayor and Councilmen are entitled to receive a
39 salary in an amount fixed by the City Council. The City
40 Council shall not adopt an ordinance which increases or
41 decreases the salary of the Mayor or the Councilmen during
42 the term for which they have been elected or appointed.



1 **Sec. 13.** Section 2.020 of the Charter of the City of Las Vegas,
2 being chapter 517, Statutes of Nevada 1983, at page 1394, is hereby
3 amended to read as follows:

4 Sec. 2.020 Mayor and Councilmen: Qualifications;
5 terms of office; salary.

6 1. The Mayor must be a qualified elector who has
7 resided within the territory which is established by the
8 boundaries of the City for a period of not less than ~~[30 days]~~
9 **6 months** immediately before the last day for filing a
10 declaration of candidacy for that office and be elected by the
11 registered voters of the City at large.

12 2. Each Councilman must be a qualified elector who has
13 resided within the ward which he represents for a period of
14 not less than ~~[30 days]~~ **6 months** immediately before the last
15 day for filing a declaration of candidacy for his office and be
16 elected by the registered voters of that ward.

17 3. The Mayor or any Councilman automatically forfeits
18 the remainder of his term of office and that office becomes
19 vacant if he ceases to be a resident of the City or of the ward
20 which he represents, as the case may be.

21 4. The respective salaries of the Mayor and Councilmen
22 must be fixed by ordinance.

23 **Sec. 14.** Section 4.020 of the Charter of the City of Las Vegas,
24 being chapter 517, Statutes of Nevada 1983, as amended by chapter
25 127, Statutes of Nevada 1989, at page 283, is hereby amended to
26 read as follows:

27 Sec. 4.020 Municipal Court: Qualifications of
28 Municipal Judges; salary; Master Judge; departments;
29 Alternate Judges.

30 1. Each Municipal Judge shall devote his full time to the
31 duties of his office and must be:

32 (a) A duly licensed member, in good standing, of the
33 State Bar of Nevada, but this qualification does not apply to
34 any Municipal Judge who is an incumbent when this Charter
35 becomes effective as long as he continues to serve as such in
36 uninterrupted terms.

37 (b) A qualified elector who has resided within the
38 territory which is established by the boundaries of the City for
39 a period of not less than ~~[30 days]~~ **6 months** immediately
40 before the last day for filing a declaration of candidacy for the
41 department for which he is a candidate.

42 (c) Voted upon by the registered voters of the City at
43 large.



2. The salary of the Municipal Judges must be fixed by ordinance and be uniform for all departments of the Municipal Court. The salary may be increased during the terms for which the Judges are elected or appointed.

3. The Municipal Judge who holds seniority in years of service in office, either elected or appointed, is the Master Judge. If two or more Judges are equal in seniority, the Master Judge must be chosen from among them by the City Council. The Master Judge:

(a) Shall establish and enforce administrative regulations for governing the affairs of the Municipal Court.

(b) Is responsible for setting trial dates and other matters which pertain to the Court calendar.

(c) Shall perform such other Court administrative duties as may be required by the City Council.

4. Alternate Judges in sufficient numbers may be appointed annually by the Mayor, each of whom:

(a) Must be a duly licensed member, in good standing, of the State Bar of Nevada and have such other qualifications as are prescribed by ordinance.

(b) Has all of the powers and jurisdiction of a Municipal Judge while he is acting as such.

(c) Is entitled to such compensation as may be fixed by the City Council.

5. Any Municipal Judge, other than an Alternate Judge, automatically forfeits his office if he ceases to be a resident of the City.

Sec. 15. Section 2.010 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 344, Statutes of Nevada 1999, at page 1413, is hereby amended to read as follows:

Sec. 2.010 City Council: Qualifications; election; term of office; salary.

1. The legislative power of the City is vested in a City Council consisting of four Councilmen and a Mayor.

2. The Mayor must be:

(a) A bona fide resident of the City for at least 6 months immediately preceding ~~this election~~ *the last day for filing a declaration of candidacy for his office.*

(b) A qualified elector within the City.

3. Each Councilman:

(a) Must be a qualified elector who has resided in the ward which he represents for at least ~~30 days~~ *6 months*



1 immediately preceding the last day for filing a declaration of
2 candidacy for his office.

3 (b) Must continue to live in the ward he represents, except
4 that changes in ward boundaries made pursuant to section
5 1.045 of this Charter will not affect the right of any elected
6 Councilman to continue in office for the term for which he
7 was elected.

8 4. At the time of filing, if so required by an ordinance
9 duly enacted, candidates for the office of Mayor and
10 Councilman shall produce evidence in satisfaction of any or
11 all of the qualifications provided in subsection 2 or 3,
12 whichever is applicable.

13 5. All Councilmen, including the Mayor, must be voted
14 upon by the registered voters of the City at large, and their
15 terms of office are 4 years.

16 6. The Mayor and Councilmen are entitled to receive a
17 salary in an amount fixed by the City Council.

18 **Sec. 16.** Section 4.020 of the Charter of the City of North Las
19 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
20 by chapter 73, Statutes of Nevada 2003, at page 485, is hereby
21 amended to read as follows:

22 Sec. 4.020 Municipal Court: Residency requirement of
23 Municipal Judge; salary.

24 1. A Municipal Judge must have been a resident of the
25 City for a continuous period of at least 6 months immediately
26 preceding ~~this election.~~ *the last day for filing a declaration*
27 *of candidacy for his office.*

28 2. If so required by an ordinance duly enacted,
29 candidates for the office of Municipal Judge, at the time of
30 filing, shall produce evidence in satisfaction of any or all of
31 the qualifications for office.

32 3. The salary of a Municipal Judge must be fixed by the
33 City Council, must be uniform for all departments of the
34 Municipal Court and may be increased during the term for
35 which a Municipal Judge is elected or appointed.

36 **Sec. 17.** Section 2.010 of the Charter of the City of Reno,
37 being chapter 662, Statutes of Nevada 1971, as last amended by
38 chapter 327, Statutes of Nevada 1999, at page 1366, is hereby
39 amended to read as follows:

40 Sec. 2.010 Mayor and City Council: Qualifications;
41 election; term of office; salary.

42 1. The legislative power of the City is vested in a City
43 Council consisting of six Councilmen and a Mayor.



2. The Mayor and ~~{Councilmen}~~ *one Councilman represent the City at large. The Mayor and that Councilman must be qualified electors who have resided within the City ~~{.}~~ for at least 6 months immediately preceding the last day for filing a declaration of candidacy for office.*

3. *One Councilman represents each ward.* Each Councilman elected from a ward must ~~{continue}~~ :

(a) *Be a qualified elector who has resided in the ward which he represents for at least 6 months immediately preceding the last day for filing a declaration of candidacy for his office.*

(b) *Continue* to live in that ward for as long as he represents the ward.

~~{3.—The Mayor and one Councilman represent the City at large and one Councilman represents each ward.}~~

4. The Mayor and Councilmen serve for terms of 4 years.

~~{4.}~~ 5. The Mayor and Councilmen are entitled to receive a salary in an amount fixed by the City Council.

Sec. 18. Section 1.060 of the Charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, as last amended by chapter 41, Statutes of Nevada 2001, at page 394, is hereby amended to read as follows:

Sec. 1.060 Elective officers: Qualifications; salaries.

1. The elective officers of the City consist of:

(a) A Mayor.

(b) Five members of the Council.

(c) A City Attorney.

(d) Municipal Judges, the number to be determined pursuant to section 4.010.

2. All elective officers of the City must be:

(a) Bona fide residents of the City for at least ~~{30 days}~~ *6 months* immediately preceding the last day for filing a declaration of candidacy for such an office.

(b) Residents of the City during their term of office, and, in the case of a member of the Council, a resident of the ward the member represents.

(c) Registered voters within the City.

3. No person may be elected or appointed as a member of the Council who was not an actual bona fide resident of the ward to be represented by him for a period of at least ~~{30 days}~~ *6 months* immediately preceding the last day for filing a declaration of candidacy for the office ~~{.}~~ or, in the case of



1 appointment, ~~[30-days]~~ *at least 6 months* immediately
2 preceding the day the office became vacant.

3 4. The City Attorney must be a licensed member of the
4 State Bar of Nevada.

5 5. Each elective officer is entitled to receive a salary in
6 an amount fixed by the City Council. At any time before
7 January 1 of the year in which a general election is held, the
8 City Council shall enact an ordinance fixing the initial salary
9 for each elective office for the term beginning on the first
10 Monday following that election. This ordinance may not be
11 amended to increase or decrease the salary for the office of
12 Mayor, City Councilman or City Attorney during the term. If
13 the City Council fails to enact such an ordinance before
14 January 1 of the election year, the succeeding elective officers
15 are entitled to receive the same salaries as their respective
16 predecessors.

17 **Sec. 19.** Section 2.010 of the Charter of the City of Yerington,
18 being chapter 465, Statutes of Nevada 1971, as last amended by
19 chapter 98, Statutes of Nevada 1977, at page 213, is hereby
20 amended to read as follows:

21 Sec. 2.010 City Council: Qualifications; election; term
22 of office; salary.

23 1. The legislative power of the City is vested in a City
24 Council consisting of four Councilmen.

25 2. The Councilmen shall be:

26 (a) Bona fide residents of the City for at least 6 months
27 immediately preceding ~~[their election.]~~ *the last day for filing*
28 *a declaration of candidacy for office.*

29 (b) Qualified electors in the City.

30 3. All Councilmen shall be voted upon by the registered
31 voters of the City at large and shall serve for terms of 4 years.

32 4. The Councilmen shall receive a salary in an amount
33 fixed by the City Council.

34 **Sec. 20.** Section 3.010 of the of the Charter of the City of
35 Yerington, being chapter 465, Statutes of Nevada 1971, as last
36 amended by chapter 98, Statutes of Nevada 1977, at page 213, is
37 hereby amended to read as follows:

38 Sec. 3.010 Mayor: Qualifications; duties.

39 1. The Mayor shall be:

40 (a) A bona fide resident of the City for at least 6 months
41 immediately preceding ~~[his election.]~~ *the last day for filing a*
42 *declaration of candidacy for his office.*

43 (b) A qualified elector in the City.

44 2. The Mayor shall:



(a) Serve as the Chief Executive and Administrative Officer of the City.

(b) Preside over the meetings of the City Council. He shall not be entitled to vote on any matter before the Council except in case of a tie.

(c) Have the right of veto on any matter passed by the City Council. A three-fourths vote of the Council is necessary to override such veto.

(d) Perform such emergency duties as may be necessary for the general health, welfare and safety of the City.

(e) Perform such other duties as may be prescribed by ordinance or by the provisions of Nevada Revised Statutes which apply to a mayor of a city organized under the provisions of a special charter.

Sec. 21. Section 6 of the Moapa Valley Water District Act, being chapter 477, Statutes of Nevada 1983, as last amended by chapter 218, Statutes of Nevada 2001, at page 991, is hereby amended to read as follows:

Sec. 6. 1. Each member of the Board must:

(a) Actually, as opposed to constructively, reside in the election area represented for at least ~~[30 days]~~ **6 months** immediately preceding the date of the close of filing of declarations of candidacy as set forth in section 7 of this chapter;

(b) Be a qualified elector of the election area represented; and

(c) Take office upon qualification therefor as provided in subsection 2, or on the first Monday in January next following the member's election, whichever is later, and leave office upon the first Monday in January next following the election of the member's successor in office.

2. Before taking office, each member of the Board must qualify by filing with the Clerk of Clark County:

(a) An oath of office taken and subscribed in the manner prescribed by the Clerk; and

(b) A corporate surety bond, at the expense of the District, in an amount determined by the Clerk, but no greater than \$10,000, which bond must guarantee the faithful performance of the duties of the member.

3. A vacancy on the Board must be filled by an appointment made by the remaining members of the Board. The person so appointed must be, for ~~[the 30 days]~~ **at least 6 months** immediately preceding the date of appointment, a resident and elector of the election area represented, and,



1 before taking office, qualify in the manner prescribed in
2 subsection 2. The person shall serve until the first Monday in
3 January following the next general district election. If that
4 general district election precedes the expiration of the term of
5 the member whose absence required the appointment, the
6 balance of that term must be filled at that general district
7 election in the same manner as prescribed for the election of
8 other members of the Board. If the Board fails, neglects or
9 refuses to fill a vacancy within 30 days after a vacancy
10 occurs, the Board of County Commissioners of Clark County
11 shall fill the vacancy.

12 **Sec. 22.** Section 7 of the Virgin Valley Water District Act,
13 being chapter 100, Statutes of Nevada 1993 at page 164, is hereby
14 amended to read as follows:

15 Sec. 7. Governing Board: Members; vacancies.

16 1. Except as otherwise provided in this section and
17 sections 4 and 5 of this act, each member of the Board must:

18 (a) Reside in the District for at least 6 months ~~[before] :~~

19 *(1) Before his appointment ; or [the election at which*
20 *the member is elected;]*

21 *(2) Immediately preceding the last day for filing a*
22 *declaration of candidacy for his office.*

23 (b) Be a qualified elector of the District;

24 (c) If he is elected to office, be elected by a plurality of
25 the qualified electors of the District; and

26 (d) Take office upon qualification therefor as provided in
27 subsection 3, or on the first Monday in January next
28 following the member's election or appointment, whichever
29 is later, and leave office upon the first Monday in January
30 next following the election or appointment of the member's
31 successor in office.

32 2. If the Board establishes various election areas within
33 the District, each member who is elected to the Board must:

34 (a) Reside in the election area represented for at least 6
35 months ~~[before the election at which the member is elected;]~~
36 *immediately preceding the last day for filing a declaration*
37 *of candidacy for his office;*

38 (b) Be a qualified elector of the election area represented;

39 (c) Be elected by a plurality of the qualified electors of
40 the election area represented; and

41 (d) Take office in the manner prescribed in paragraph (d)
42 of subsection 1.

43 3. Before taking office, each member of the Board must
44 qualify by filing with the Clerk of Clark County:



1 (a) An oath of office taken and subscribed in the manner
2 prescribed by the Clerk; and

3 (b) A corporate surety bond, at the expense of the District,
4 in an amount determined by the Clerk, but no greater than
5 \$10,000, which bond must guarantee the faithful performance
6 of the duties of the member.

7 4. A vacancy in the office of a member who is elected to
8 the Board must be filled by appointment of the remaining
9 members of the Board. The person so appointed must be a
10 resident and elector of the District ~~H~~ or , if the Board has
11 established various election areas, the election area
12 represented, and, before taking office, qualify in the manner
13 prescribed in subsection 3. The person shall serve the
14 remainder of the term of the member whose absence required
15 his appointment. If the Board fails, neglects or refuses to fill a
16 vacancy within 30 days after a vacancy occurs, the Board of
17 County Commissioners of Clark County shall fill the
18 vacancy.

19 5. A vacancy in the office of a member who is appointed
20 to the Board must be filled by appointment of the governing
21 body who made the previous appointment. The person so
22 appointed must be a resident and elector of the District and,
23 before taking office, qualify in the manner prescribed in
24 subsection 3. The person shall serve the remainder of the term
25 of the member whose absence required his appointment.

