
SENATE BILL NO. 224—SENATOR TOWNSEND

MARCH 21, 2005

JOINT SPONSOR: ASSEMBLYWOMAN GANSERT

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to elections.
(BDR 24-698)

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 elections; revising the provision governing eligibility to sign a petition required under the election laws of this State; revising the provision governing the designation of an area at a public building for the gathering of signatures on a petition; requiring nonprofit corporations to submit the names, telephone numbers and addresses of their officers to the Secretary of State under certain circumstances; requiring certain persons or groups of persons initiating or circulating a petition for a constitutional amendment or a petition for a statewide measure proposed by initiative or referendum to submit reports to the Secretary of State on campaign contributions and expenditures and expenses; requiring a petition for initiative or referendum to embrace a single subject; providing that the subject of a petition for initiative or referendum must be indicated in the title; requiring a petition for initiative or referendum to have a description of the effect of the initiative or referendum if approved by the voters; requiring the Secretary of State to obtain under certain circumstances a fiscal note from the Fiscal Analysis Division of the Legislative Counsel Bureau; requiring the Secretary of State to post a copy of the initiative petition, the description of the effect if the



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initiative is approved by the voters and any fiscal note on his Internet website; requiring a challenge to the description of the effect of an initiative to be filed not later than 7 days after the petition is certified as sufficient by the Secretary of State; revising the provisions relating to a petition for initiative or referendum by registered voters of a city or county; providing for the appeal of certain final decisions relating to a petition for an initiative or referendum by filing a complaint in court; 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. NRS 293.127565 is hereby amended to read as follows:

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

(a) Designate the area at the building for the gathering of signatures; and

(b) On an annual basis, submit to the Secretary of State and the county clerk for the county in which the building is located a notice of the area at the building designated for the gathering of signatures on a petition. The Secretary of State and the county clerks shall make available to the public a list of the areas at public buildings designated for the gathering of signatures on a petition.

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

3. ~~Not later than 3 working days after the date of the decision that aggrieved the person,~~ a person aggrieved by a decision made by a public officer or employee pursuant to subsection 1 *or 2* may appeal the decision to the Secretary of State.



1 The Secretary of State shall review the decision to determine
2 whether the public officer or employee ~~{designated a reasonable~~
3 ~~area as required by}~~ violated subsection 1 ~~[-~~
4 ~~—4.—The}~~ or 2. *If the Secretary of State determines a public*
5 *officer or employee violated subsection 1 or 2, the Secretary of*
6 *State shall order that the deadline for filing the petition provided*
7 *pursuant to NRS 293.128, 293.165, 293.172, 293.200, 295.056,*
8 *298.109, 306.035 or 306.110 be extended for a period equal to the*
9 *time that the person was denied the use of a public building for the*
10 *purpose of gathering signatures on a petition.*

11 4. The decision of the Secretary of State is a final decision for
12 the purposes of judicial review. *Not later than 7 days after the date*
13 *of the decision by the Secretary of State, the* decision of the
14 Secretary of State may only be appealed in the First Judicial District
15 Court. *If the First Judicial District Court determines that the*
16 *public officer or employee violated subsection 1 or 2 and that a*
17 *person was denied the use of a public building for the purpose of*
18 *gathering signatures on a petition, the Court shall order that the*
19 *deadline for filing the petition provided pursuant to NRS 293.128,*
20 *293.165, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110*
21 *must be extended for a period equal to the time that the person*
22 *was denied the use of a public building for the purpose of*
23 *gathering signatures on a petition.*

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

26 **Sec. 2.** NRS 293.12757 is hereby amended to read as follows:

27 293.12757 A person may sign a petition required under the
28 election laws of this State on or after the date he is deemed to be
29 registered to vote pursuant to subsection 5 of NRS 293.517 or
30 subsection ~~{S}~~ 7 of NRS 293.5235.

31 **Sec. 2.5.** NRS 293.5235 is hereby amended to read as follows:

32 293.5235 1. Except as otherwise provided in NRS 293.502, a
33 person may register to vote by mailing an application to register to
34 vote to the county clerk of the county in which he resides. The
35 county clerk shall, upon request, mail an application to register to
36 vote to an applicant. The county clerk shall make the applications
37 available at various public places in the county. An application to
38 register to vote may be used to correct information in the registrar of
39 voters' register.

40 2. An application to register to vote which is mailed to an
41 applicant by the county clerk or made available to the public at
42 various locations or voter registration agencies in the county may be
43 returned to the county clerk by mail or in person. For the purposes
44 of this section, an application which is personally delivered to the
45 county clerk shall be deemed to have been returned by mail.



3. The applicant must complete the application, including, without limitation, checking the boxes described in paragraphs (b) and (c) of subsection ~~9~~ 10 and signing the application.

4. The county clerk shall, upon receipt of an application, determine whether the application is complete.

5. If he determines that the application is complete, he shall, within 10 days after he receives the application, mail to the applicant:

(a) A notice informing him that he is registered to vote and a voter registration card as required by subsection 6 of NRS 293.517; or

(b) A notice informing him that the registrar of voters' register has been corrected to reflect any changes indicated on the application.

~~{→ The applicant shall be deemed to be registered or to have corrected the information in the register as of the date the application is postmarked or personally delivered.}~~

6. Except as otherwise provided in subsection 5 of NRS 293.518, if the county clerk determines that the application is not complete, he shall, as soon as possible, mail a notice to the applicant informing him that additional information is required to complete the application. If the applicant provides the information requested by the county clerk within 15 days after the county clerk mails the notice, the county clerk shall, within 10 days after he receives the information, mail to the applicant:

(a) A notice informing him that he is registered to vote and a voter registration card as required by subsection 6 of NRS 293.517; or

(b) A notice informing him that the registrar of voters' register has been corrected to reflect any changes indicated on the application.

~~→ {The applicant shall be deemed to be registered or to have corrected the information in the register as of the date the application is postmarked or personally delivered.}~~ If the applicant does not provide the additional information within the prescribed period, the application is void.

7. *The applicant shall be deemed to be registered or to have corrected the information in the register:*

(a) If the application is received by the county clerk or postmarked not more than 3 working days after the applicant completed the application, on the date the applicant completed the application; or

(b) If the application is received by the county clerk or postmarked more than 3 working days after the applicant



1 *completed the application, on the date the application is received*
2 *by the county clerk.*

3 8. If the applicant fails to check the box described in paragraph
4 (b) of subsection ~~9.1~~ 10, the application shall not be considered
5 invalid and the county clerk shall provide a means for the applicant
6 to correct the omission at the time the applicant appears to vote in
7 person at his assigned polling place.

8 ~~8.1~~ 9. The Secretary of State shall prescribe the form for an
9 application to register to vote by mail which must be used to register
10 to vote by mail in this State.

11 ~~9.1~~ 10. The application to register to vote by mail must
12 include:

13 (a) A notice in at least 10-point type which states:

14
15 NOTICE: You are urged to return your application to
16 register to vote to the County Clerk in person or by mail. If
17 you choose to give your completed application to another
18 person to return to the County Clerk on your behalf, and the
19 person fails to deliver the application to the County Clerk,
20 you will not be registered to vote. Please retain the duplicate
21 copy or receipt from your application to register to vote.
22

23 (b) The question, "Are you a citizen of the United States?" and
24 boxes for the applicant to check to indicate whether or not the
25 applicant is a citizen of the United States.

26 (c) The question, "Will you be at least 18 years of age on or
27 before election day?" and boxes for the applicant to check to
28 indicate whether or not the applicant will be at least 18 years of age
29 or older on election day.

30 (d) A statement instructing the applicant not to complete the
31 application if the applicant checked "no" in response to the question
32 set forth in paragraph (b) or (c).

33 (e) A statement informing the applicant that if the application is
34 submitted by mail and the applicant is registering to vote for the first
35 time, the applicant must submit the information set forth in
36 paragraph (a) of subsection 2 of NRS 293.2725 to avoid the
37 requirements of subsection 1 of NRS 293.2725 upon voting for the
38 first time.

39 ~~10.1~~ 11. Except as otherwise provided in subsection 5 of NRS
40 293.518, the county clerk shall not register a person to vote pursuant
41 to this section unless that person has provided all of the information
42 required by the application.

43 ~~11.1~~ 12. The county clerk shall mail, by postcard, the notices
44 required pursuant to subsections 5 and 6. If the postcard is returned
45 to the county clerk by the United States Postal Service because the



1 address is fictitious or the person does not live at that address, the
2 county clerk shall attempt to determine whether the person's current
3 residence is other than that indicated on his application to register to
4 vote in the manner set forth in NRS 293.530.

5 ~~{H2.}~~ **13.** A person who, by mail, registers to vote pursuant to
6 this section may be assisted in completing the application to register
7 to vote by any other person. The application must include the
8 mailing address and signature of the person who assisted the
9 applicant. The failure to provide the information required by this
10 subsection will not result in the application being deemed
11 incomplete.

12 ~~{H3.}~~ **14.** An application to register to vote must be made
13 available to all persons, regardless of political party affiliation.

14 ~~{H4.}~~ **15.** An application must not be altered or otherwise
15 defaced after the applicant has completed and signed it. An
16 application must be mailed or delivered in person to the office of the
17 county clerk within 10 days after it is completed.

18 ~~{H5.}~~ **16.** A person who willfully violates any of the provisions
19 of subsection ~~{H2, H3 or}~~ **13, 14 or 15** is guilty of a category E
20 felony and shall be punished as provided in NRS 193.130.

21 ~~{H6.}~~ **17.** The Secretary of State shall adopt regulations to
22 carry out the provisions of this section.

23 **Secs. 3 and 4.** (Deleted by amendment.)

24 **Sec. 5.** Chapter 294A of NRS is hereby amended by adding
25 thereto a new section to read as follows:

26 ***1. A nonprofit corporation shall, before it engages in any of***
27 ***the following activities in this State, submit the names, addresses***
28 ***and telephone numbers of its officers to the Secretary of State:***

29 ***(a) Soliciting or receiving contributions from any other***
30 ***person, group or entity;***

31 ***(b) Making contributions to candidates or other persons; or***

32 ***(c) Making expenditures,***

33 ***↪ designed to affect the outcome of any primary, general or***
34 ***special election or question on the ballot.***

35 ***2. The Secretary of State shall include on his Internet website***
36 ***the information submitted pursuant to subsection 1.***

37 **Secs. 6-11.** (Deleted by amendment.)

38 **Sec. 12.** NRS 294A.150 is hereby amended to read as follows:

39 294A.150 1. Every person or group of persons organized
40 formally or informally who advocates the passage or defeat of a
41 question or group of questions on the ballot at a primary election,
42 primary city election, general election or general city election ***and***
43 ***every person or group of persons who initiates or circulates a***
44 ***petition for a constitutional amendment or a petition for a***
45 ***statewide measure proposed by an initiative or a referendum and***



1 *who receives or expends money in an amount in excess of \$10,000*
2 *to support such initiation or circulation* shall, not later than
3 January 15 of each year that the provisions of this subsection apply
4 to the person or group of persons, for the period from January 1 of
5 the previous year through December 31 of the previous year, report
6 each campaign contribution in excess of \$100 received during that
7 period and contributions received during the period from a
8 contributor which cumulatively exceed \$100. The report must be
9 completed on the form designed and provided by the Secretary of
10 State pursuant to NRS 294A.373. The form must be signed by the
11 person or a representative of the group under penalty of perjury. The
12 provisions of this subsection apply to the person or group of
13 persons:

14 (a) Each year in which an election or city election is held for
15 each question for which the person or group advocates passage or
16 defeat ~~H~~ *or each year in which a person or group receives or*
17 *expends money in excess of \$10,000 to support the initiation*
18 *or circulation of a petition for a constitutional amendment or a*
19 *petition for a statewide measure proposed by an initiative or a*
20 *referendum; and*

21 (b) The year after each year described in paragraph (a).

22 2. If a question is on the ballot at a primary election or primary
23 city election and the general election or general city election
24 immediately following that primary election or primary city election
25 is held on or after January 1 and before the July 1 immediately
26 following that January 1, every person or group of persons
27 organized formally or informally who advocates the passage or
28 defeat of the question or a group of questions that includes the
29 question shall comply with the requirements of this subsection. If a
30 question is on the ballot at a general election or general city election
31 held on or after January 1 and before the July 1 immediately
32 following that January 1, every person or group of persons
33 organized formally or informally who advocates the passage or
34 defeat of the question or a group of questions that includes the
35 question shall comply with the requirements of this subsection. A
36 person or group of persons described in this subsection shall, not
37 later than:

38 (a) Seven days before the primary election or primary city
39 election, for the period from the January 1 immediately preceding
40 the primary election or primary city election through 12 days before
41 the primary election or primary city election;

42 (b) Seven days before the general election or general city
43 election, for the period from 11 days before the primary election or
44 primary city election through 12 days before the general election or
45 general city election; and



(c) July 15 of the year of the general election or general city election, for the period from 11 days before the general election or general city election through June 30 of that year,

↳ report each campaign contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373 and signed by the person or a representative of the group under penalty of perjury.

3. The name and address of the contributor and the date on which the contribution was received must be included on the report for each contribution in excess of \$100 and contributions which a contributor has made cumulatively in excess of that amount since the beginning of the current reporting period.

4. If a question is on the ballot at a primary election or primary city election and the general election or general city election immediately following that primary election or primary city election is held on or after July 1 and before the January 1 immediately following that July 1, every person or group of persons organized formally or informally who advocates the passage or defeat of the question or a group of questions that includes the question shall comply with the requirements of this subsection. If a question is on the ballot at a general election or general city election held on or after July 1 and before the January 1 immediately following that July 1, every person or group of persons organized formally or informally who advocates the passage or defeat of the question or a group of questions that includes the question shall comply with the requirements of this subsection. *Every person or group of persons who initiates or circulates a petition for a constitutional amendment or a petition for a statewide measure proposed by an initiative or a referendum and who receives or expends money in an amount in excess of \$10,000 to support such initiation or circulation shall comply with the requirements of this subsection.* A person or group of persons described in this subsection shall, not later than:

(a) Seven days before the primary election or primary city election, for the period from the January 1 immediately preceding the primary election or primary city election through 12 days before the primary election or primary city election; and

(b) Seven days before the general election or general city election, for the period from 11 days before the primary election or primary city election through 12 days before the general election or general city election,

↳ report each campaign contribution in excess of \$100 received during the period and contributions received during the period from



1 a contributor which cumulatively exceed \$100. The report must be
2 completed on the form designed and provided by the Secretary of
3 State pursuant to NRS 294A.373. The form must be signed by the
4 person or a representative of the group under penalty of perjury.

5 5. Except as otherwise provided in subsection 6, every person
6 or group of persons organized formally or informally who advocates
7 the passage or defeat of a question or group of questions on the
8 ballot at a special election shall, not later than:

9 (a) Seven days before the special election, for the period from
10 the date that the question qualified for the ballot through 12 days
11 before the special election; and

12 (b) Thirty days after the special election, for the remaining
13 period through the special election,

14 ➤ report each campaign contribution in excess of \$100 received
15 during the period and contributions received during the period from
16 a contributor which cumulatively exceed \$100. The report must be
17 completed on the form designed and provided by the Secretary of
18 State pursuant to NRS 294A.373. The form must be signed by the
19 person or a representative of the group under penalty of perjury.

20 6. Every person or group of persons organized formally or
21 informally who advocates the passage or defeat of a question or
22 group of questions on the ballot at a special election to determine
23 whether a public officer will be recalled shall report each of the
24 contributions received on the form designed and provided by the
25 Secretary of State pursuant to NRS 294A.373 and signed by
26 the person or a representative of the group under penalty of perjury,
27 30 days after:

28 (a) The special election, for the period from the filing of the
29 notice of intent to circulate the petition for recall through the special
30 election; or

31 (b) If the special election is not held because a district court
32 determines that the petition for recall is legally insufficient pursuant
33 to subsection 5 of NRS 306.040, for the period from the filing of the
34 notice of intent to circulate the petition for recall through the date of
35 the district court's decision.

36 7. The reports required pursuant to this section must be filed
37 with:

38 (a) If the question is submitted to the voters of one county, the
39 county clerk of that county;

40 (b) If the question is submitted to the voters of one city, the city
41 clerk of that city; or

42 (c) If the question is submitted to the voters of more than one
43 county or city, the Secretary of State.

44 8. A person may mail or transmit his report to the appropriate
45 officer by regular mail, certified mail, facsimile machine or



1 electronic means. A report shall be deemed to be filed with the
2 officer:

3 (a) On the date that it was mailed if it was sent by certified mail;
4 or

5 (b) On the date that it was received by the officer if the report
6 was sent by regular mail, transmitted by facsimile machine or
7 electronic means, or delivered personally.

8 9. If the person or group of persons is advocating passage or
9 defeat of a group of questions ~~§~~ *or is receiving or expending*
10 *money to support a group of petitions for constitutional*
11 *amendments, a group of petitions for statewide measures proposed*
12 *by initiative or referendum or a group of petitions for both*
13 *constitutional amendments and statewide measures proposed by*
14 *initiative or referendum, the reports must be itemized by question*
15 *§ or petition.*

16 10. Each county clerk or city clerk who receives a report
17 pursuant to this section shall file a copy of the report with the
18 Secretary of State within 10 working days after he receives the
19 report.

20 **Sec. 13.** NRS 294A.220 is hereby amended to read as follows:

21 294A.220 1. Every person or group of persons organized
22 formally or informally who advocates the passage or defeat of a
23 question or group of questions on the ballot at a primary election,
24 primary city election, general election or general city election *and*
25 *every person or group of persons who initiates or circulates a*
26 *petition for a constitutional amendment or a petition for a*
27 *statewide measure proposed by an initiative or a referendum and*
28 *who receives or expends money in an amount in excess of \$10,000*
29 *to support such initiation or circulation* shall, not later than
30 January 15 of each year that the provisions of this subsection apply
31 to the person or group of persons, for the period from January 1 of
32 the previous year through December 31 of the previous year, report
33 each expenditure made during the period on behalf of or against the
34 question, the group of questions or a question in the group of
35 questions on the ballot in excess of \$100 on the form designed and
36 provided by the Secretary of State pursuant to NRS 294A.373. The
37 form must be signed by the person or a representative of the group
38 under penalty of perjury. The provisions of this subsection apply to
39 the person or group of persons:

40 (a) Each year in which an election or city election is held for a
41 question for which the person or group advocates passage or defeat
42 ~~§~~ *or each year in which a person or group of persons receives or*
43 *expends money in excess of \$10,000 to support the initiation or*
44 *circulation of a petition for a constitutional amendment or a*



1 *petition for a statewide measure proposed by an initiative or a*
2 *referendum; and*

3 (b) The year after each year described in paragraph (a).

4 2. If a question is on the ballot at a primary election or primary
5 city election and the general election or general city election
6 immediately following that primary election or primary city election
7 is held on or after January 1 and before the July 1 immediately
8 following that January 1, every person or group of persons
9 organized formally or informally who advocates the passage or
10 defeat of the question or a group of questions that includes the
11 question shall comply with the requirements of this subsection. If a
12 question is on the ballot at a general election or general city election
13 held on or after January 1 and before the July 1 immediately
14 following that January 1, every person or group of persons
15 organized formally or informally who advocates the passage or
16 defeat of the question or a group of questions that includes the
17 question shall comply with the requirements of this subsection. A
18 person or group of persons described in this subsection shall, not
19 later than:

20 (a) Seven days before the primary election or primary city
21 election, for the period from the January 1 immediately preceding
22 the primary election or primary city election through 12 days before
23 the primary election or primary city election;

24 (b) Seven days before the general election or general city
25 election, for the period from 11 days before the primary election or
26 primary city election through 12 days before the general election or
27 general city election; and

28 (c) July 15 of the year of the general election or general city
29 election, for the period from 11 days before the general election or
30 general city election through the June 30 immediately preceding that
31 July 15,

32 ➤ report each expenditure made during the period on behalf of or
33 against the question, the group of questions or a question in the
34 group of questions on the ballot in excess of \$100 on the form
35 designed and provided by the Secretary of State pursuant to NRS
36 294A.373 and signed by the person or a representative of the group
37 under penalty of perjury.

38 3. If a question is on the ballot at a primary election or primary
39 city election and the general election or general city election
40 immediately following that primary election or primary city election
41 is held on or after July 1 and before the January 1 immediately
42 following that July 1, every person or group of persons organized
43 formally or informally who advocates the passage or defeat of the
44 question or a group of questions that includes the question shall
45 comply with the requirements of this subsection. If a question is on



1 the ballot at a general election or general city election held on or
2 after July 1 and before the January 1 immediately following that
3 July 1, every person or group of persons organized formally or
4 informally who advocates the passage or defeat of the question or a
5 group of questions that includes the question shall comply with the
6 requirements of this subsection. *Every person or group of persons*
7 *who initiates or circulates a petition for a constitutional*
8 *amendment or a petition for a statewide measure proposed by an*
9 *initiative or a referendum and who receives or expends money in*
10 *an amount in excess of \$10,000 to support such initiation or*
11 *circulation shall comply with the requirements of this subsection.*

12 A person or group of persons described in this subsection shall, not
13 later than:

14 (a) Seven days before the primary election or primary city
15 election, for the period from the January 1 immediately preceding
16 the primary election or primary city election through 12 days before
17 the primary election or primary city election; and

18 (b) Seven days before the general election or general city
19 election, for the period from 11 days before the primary election or
20 primary city election through 12 days before the general election or
21 general city election,

22 ➤ report each expenditure made during the period on behalf of or
23 against the question, the group of questions or a question in the
24 group of questions on the ballot in excess of \$100 on the form
25 designed and provided by the Secretary of State pursuant to NRS
26 294A.373. The form must be signed by the person or a
27 representative of the group under penalty of perjury.

28 4. Except as otherwise provided in subsection 5, every person
29 or group of persons organized formally or informally who advocates
30 the passage or defeat of a question or group of questions on the
31 ballot at a special election shall, not later than:

32 (a) Seven days before the special election, for the period from
33 the date the question qualified for the ballot through 12 days before
34 the special election; and

35 (b) Thirty days after the special election, for the remaining
36 period through the special election,

37 ➤ report each expenditure made during the period on behalf of or
38 against the question, the group of questions or a question in the
39 group of questions on the ballot in excess of \$100 on the form
40 designed and provided by the Secretary of State pursuant to NRS
41 294A.373. The form must be signed by the person or a
42 representative of the group under penalty of perjury.

43 5. Every person or group of persons organized formally or
44 informally who advocates the passage or defeat of a question or
45 group of questions on the ballot at a special election to determine



1 whether a public officer will be recalled shall list each expenditure
2 made during the period on behalf of or against the question, the
3 group of questions or a question in the group of questions on the
4 ballot in excess of \$100 on the form designed and provided by
5 the Secretary of State pursuant to NRS 294A.373 and signed by the
6 person or a representative of the group under penalty of perjury, 30
7 days after:

8 (a) The special election, for the period from the filing of the
9 notice of intent to circulate the petition for recall through the special
10 election; or

11 (b) If the special election is not held because a district court
12 determines that the petition for recall is legally insufficient pursuant
13 to subsection 5 of NRS 306.040, for the period from the filing of the
14 notice of intent to circulate the petition for recall through the date of
15 the district court's decision.

16 6. Expenditures made within the State or made elsewhere but
17 for use within the State, including expenditures made outside the
18 State for printing, television and radio broadcasting or other
19 production of the media, must be included in the report.

20 7. The reports required pursuant to this section must be filed
21 with:

22 (a) If the question is submitted to the voters of one county, the
23 county clerk of that county;

24 (b) If the question is submitted to the voters of one city, the city
25 clerk of that city; or

26 (c) If the question is submitted to the voters of more than one
27 county or city, the Secretary of State.

28 8. If an expenditure is made on behalf of a group of questions
29 *or a group of petitions for constitutional amendments, a group*
30 *of petitions for statewide measures proposed by initiative or*
31 *referendum or a group of petitions for both constitutional*
32 *amendments and statewide measures proposed by initiative or*
33 *referendum*, the reports must be itemized by question *or petition*.
34 A person may mail or transmit his report to the appropriate filing
35 officer by regular mail, certified mail, facsimile machine or
36 electronic means. A report shall be deemed to be filed with the filing
37 officer:

38 (a) On the date that it was mailed if it was sent by certified mail;
39 or

40 (b) On the date that it was received by the filing officer if the
41 report was sent by regular mail, transmitted by facsimile machine or
42 electronic means, or delivered personally.

43 9. Each county clerk or city clerk who receives a report
44 pursuant to this section shall file a copy of the report with the



1 Secretary of State within 10 working days after he receives the
2 report.

3 **Sec. 14.** NRS 294A.230 is hereby amended to read as follows:

4 294A.230 1. Each committee for political action shall, before
5 it engages in any activity in this State, register with the Secretary of
6 State on forms supplied by him.

7 2. The form must require:

8 (a) The name of the committee;

9 (b) The purpose for which it was organized;

10 (c) The names , ~~[and]~~ addresses *and telephone numbers* of its
11 officers;

12 (d) If the committee for political action is affiliated with any
13 other organizations, the name , ~~[and]~~ address *and telephone number*
14 of each organization;

15 (e) The name , ~~[and]~~ address *and telephone number* of its
16 resident agent; and

17 (f) Any other information deemed necessary by the Secretary of
18 State.

19 3. A committee for political action shall file with the Secretary
20 of State an amended form for registration within 30 days after any
21 change in the information contained in the form for registration.

22 *4. The Secretary of State shall include on his Internet website*
23 *the information required pursuant to subsection 2.*

24 **Secs. 15-19.** (Deleted by amendment.)

25 **Sec. 20.** Chapter 295 of NRS is hereby amended by adding
26 thereto a new section to read as follows:

27 *1. Each petition for initiative or referendum must:*

28 (a) *Embrace but one subject and matters necessarily connected*
29 *therewith and pertaining thereto; and*

30 (b) *Set forth, in not more than 200 words, a description of the*
31 *effect of the initiative or referendum if the initiative or referendum*
32 *is approved by the voters. The description must appear on each*
33 *signature page of the petition.*

34 *2. For the purposes of paragraph (a) of subsection 1, a*
35 *petition for initiative or referendum embraces but one subject and*
36 *matters necessarily connected therewith and pertaining thereto, if*
37 *the parts of the proposed initiative or referendum are functionally*
38 *related and germane to each other in a way that provides*
39 *sufficient notice of the general subject of, and of the interests*
40 *likely to be affected by, the proposed initiative or referendum.*

41 **Secs. 21 and 22.** (Deleted by amendment.)

42 **Sec. 23.** NRS 295.015 is hereby amended to read as follows:

43 295.015 ~~[A copy of]~~

44 *1. Before* a petition for initiative ~~[must be placed on file in the~~
45 ~~Office of the Secretary of State before it]~~ *or referendum* may be



presented to the registered voters for their signatures ~~[1]~~, *a copy of the petition for initiative or referendum, including the description required pursuant to section 20 of this act, must be placed on file with the Secretary of State.*

2. *Upon receipt of a petition for initiative or referendum placed on file pursuant to subsection 1, the Secretary of State shall consult with the Fiscal Analysis Division of the Legislative Counsel Bureau to determine if the initiative or referendum may have any anticipated financial effect on the State or local governments if the initiative or referendum is approved by the voters. If the Fiscal Analysis Division determines that the initiative or referendum may have an anticipated financial effect on the State or local governments if the initiative or referendum is approved by the voters, the Division must prepare a fiscal note that includes an explanation of any such effect.*

3. *Not later than 10 business days after the Secretary of State receives a petition for initiative or referendum filed pursuant to subsection 1, the Secretary of State shall post a copy of the petition, including the description required pursuant to section 20 of this act and any fiscal note prepared pursuant to subsection 2, on his Internet website.*

Sec. 24. 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.]~~ 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.]~~ 2. 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.]~~ 3. 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.]~~ 4. 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.]~~ 5. The votes cast upon the question must be counted and canvassed as the votes for state officers are counted and canvassed.



Sec. 25. NRS 295.061 is hereby amended to read as follows:

295.061 *1. The description of the effect of an initiative or referendum required pursuant to section 20 of this act may be challenged by filing a complaint in the First Judicial District Court not later than 30 days, Saturdays, Sundays and holidays excluded, after a copy of the petition is initially placed on file with the Secretary of State pursuant to NRS 295.015. All affidavits and documents in support of the challenge must be filed with the complaint. The court shall set the matter for hearing not later than 30 days after the complaint is filed and shall give priority to such a complaint over all criminal proceedings.*

2. The legal sufficiency of a petition ~~[filed pursuant to NRS 295.015 to 295.061, inclusive,]~~ *for initiative or referendum* may be challenged by filing a complaint in district court not later than ~~[5]~~ 7 days, Saturdays, Sundays and holidays excluded, after the petition is ~~[filed with]~~ *certified as sufficient by* the Secretary of State. All affidavits and documents in support of the challenge must be filed with the complaint. The court shall set the matter for hearing not later than 30 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings.

Sec. 26. NRS 295.085 is hereby amended to read as follows:

295.085 The registered voters of a county may:

1. Propose ordinances to the board and, if the board fails to adopt an ordinance so proposed without change in substance, to adopt or reject it at a ~~[primary or]~~ general election.

2. Require reconsideration by the board of any adopted ordinance and, if the board fails to repeal an ordinance so reconsidered, to approve or reject it at a ~~[primary or]~~ general election.

Sec. 27. (Deleted by amendment.)

Sec. 28. NRS 295.105 is hereby amended to read as follows:

295.105 1. Within 20 days after the petition is submitted to the county clerk pursuant to NRS 295.095, the county clerk shall complete a certificate as to its sufficiency.

2. If a petition is certified sufficient, or if a petition is certified insufficient and the petitioners' committee does not elect to request board review under subsection 3 within the time required, the county clerk shall promptly present his certificate to the board and the certificate is a final determination as to the sufficiency of the petition.

3. If a petition has been certified insufficient, the committee may, within 2 days after receiving a copy of the certificate, file a request that it be reviewed by the board. The board shall review the certificate at its next meeting following the filing of the request and



1 approve or disapprove it, and the determination of the board is a
2 final determination as to the sufficiency of the petition.

3 4. A final determination as to the sufficiency of a petition is
4 subject to judicial review. *If the final determination is challenged*
5 *by filing a complaint in district court, the court shall set the matter*
6 *for hearing not later than 3 days after the complaint is filed and*
7 *shall give priority to such a complaint over all other matters*
8 *pending with the court, except for criminal proceedings.* A final
9 determination of insufficiency, even if sustained upon judicial
10 review, does not prejudice the filing of a new petition for the same
11 purpose.

12 **Sec. 29.** NRS 295.115 is hereby amended to read as follows:

13 295.115 1. When an initiative or referendum petition has
14 been finally determined sufficient, the board shall promptly consider
15 the proposed initiative ordinance in the manner provided by law for
16 the consideration of ordinances generally or reconsider the referred
17 ordinance by voting its repeal. If, within 30 days after the date the
18 petition was finally determined sufficient, the board fails to adopt
19 the proposed initiative ordinance without any change in substance or
20 fails to repeal the referred ordinance, the board shall submit the
21 proposed or referred ordinance to the registered voters of the county.

22 2. The vote of the county on the proposed or referred ordinance
23 must be held at the next ~~[primary or]~~ general election. Copies of the
24 proposed or referred ordinance must be made available at the polls.

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

32 **Sec. 30.** NRS 295.121 is hereby amended to read as follows:

33 295.121 1. In a county whose population is 40,000 or more,
34 for each initiative, referendum or other question to be placed on the
35 ballot by:

36 (a) The board, including, without limitation, pursuant to NRS
37 293.482, 295.115 or 295.160;

38 (b) The governing body of a school district, public library or
39 water district authorized by law to submit questions to some or all of
40 the qualified electors or registered voters of the county; or

41 (c) A metropolitan police committee on fiscal affairs authorized
42 by law to submit questions to some or all of the qualified electors or
43 registered voters of the county,

44 ➤ the board shall, in consultation with the county clerk pursuant to
45 subsection 5, appoint two committees. Except as otherwise provided



1 in subsection 2, one committee must be composed of three persons
2 who favor approval by the voters of the initiative, referendum or
3 other question and the other committee must be composed of three
4 persons who oppose approval by the voters of the initiative,
5 referendum or other question.

6 2. If, after consulting with the county clerk pursuant to
7 subsection 5, the board is unable to appoint three persons who are
8 willing to serve on a committee, the board may appoint fewer than
9 three persons to that committee, but the board must appoint at least
10 one person to each committee appointed pursuant to this section.

11 3. With respect to a committee appointed pursuant to this
12 section:

13 (a) A person may not serve simultaneously on the committee
14 that favors approval by the voters of an initiative, referendum or
15 other question and the committee that opposes approval by the
16 voters of that initiative, referendum or other question.

17 (b) Members of the committee serve without compensation.

18 (c) The term of office for each member commences upon
19 appointment and expires upon the publication of the sample ballot
20 containing the initiative, referendum or other question.

21 4. The county clerk may establish and maintain a list of the
22 persons who have expressed an interest in serving on a committee
23 appointed pursuant to this section. The county clerk, after exercising
24 due diligence to locate persons who favor approval by the voters of
25 an initiative, referendum or other question to be placed on the ballot
26 or who oppose approval by the voters of an initiative, referendum or
27 other question to be placed on the ballot, may use the names on a list
28 established pursuant to this subsection to:

29 (a) Make recommendations pursuant to subsection 5; and

30 (b) Appoint members to a committee pursuant to subsection 6.

31 5. Before the board appoints a committee pursuant to this
32 section, the county clerk shall:

33 (a) Recommend to the board persons to be appointed to the
34 committee; and

35 (b) Consider recommending pursuant to paragraph (a):

36 (1) Any person who has expressed an interest in serving on
37 the committee; and

38 (2) A person who is a member of an organization that has
39 expressed an interest in having a member of the organization serve
40 on the committee.

41 6. If the board of a county whose population is 40,000 or more
42 fails to appoint a committee as required pursuant to this section, the
43 county clerk shall ~~[appoint the committee.]~~ , *in consultation with*
44 *the district attorney, prepare an argument advocating approval by*
45 *the voters of the initiative, referendum or other question and an*



argument opposing approval by the voters of the initiative, referendum or other question. Each argument prepared by the county clerk must satisfy the requirements of paragraph (f) of subsection 7 and any rules or regulations adopted by the county clerk pursuant to subsection 8. The county clerk shall not prepare the rebuttal of the arguments required pursuant to paragraph (e) of subsection 7.

7. A committee appointed pursuant to this section:

(a) Shall elect a chairman for the committee;

(b) Shall meet and conduct its affairs as necessary to fulfill the requirements of this section;

(c) May seek and consider comments from the general public;

(d) Shall prepare an argument either advocating or opposing approval by the voters of the initiative, referendum or other question, based on whether the members were appointed to advocate or oppose approval by the voters of the initiative, referendum or other question;

(e) Shall prepare a rebuttal to the argument prepared by the other committee appointed pursuant to this section;

(f) Shall address in the argument and rebuttal prepared pursuant to paragraphs (d) and (e):

(1) The fiscal impact of the initiative, referendum or other question;

(2) The environmental impact of the initiative, referendum or other question; and

(3) The impact of the initiative, referendum or other question on the public health, safety and welfare; and

(g) Shall submit the argument and rebuttal prepared pursuant to paragraphs (d), (e) and (f) to the county clerk not later than the date prescribed by the county clerk pursuant to subsection 8.

8. The county clerk of a county whose population is 40,000 or more shall provide, by rule or regulation:

(a) The maximum permissible length of an argument or rebuttal prepared pursuant to this section; and

(b) The date by which an argument or rebuttal prepared pursuant to this section must be submitted by the committee to the county clerk.

9. Upon receipt of an argument or rebuttal prepared pursuant to this section, the county clerk:

(a) May consult with persons who are generally recognized by a national or statewide organization as having expertise in the field or area to which the initiative, referendum or other question pertains; and

(b) Shall reject each statement in the argument or rebuttal that he believes is libelous or factually inaccurate.



1 ➡ Not later than 5 days after the county clerk rejects a statement
2 pursuant to this subsection, the committee may appeal that rejection
3 to the district attorney. The district attorney shall review the
4 statement and the reasons for its rejection and may receive evidence,
5 documentary or testimonial, to aid him in his decision. Not later
6 than 3 business days after the appeal by the committee, the district
7 attorney shall issue his decision rejecting or accepting the statement.
8 The decision of the district attorney is a final decision for the
9 purposes of judicial review. *If the decision of the district attorney is*
10 *challenged by filing a complaint in district court, the court shall*
11 *set the matter for hearing not later than 3 days after the complaint*
12 *is filed and shall give priority to such a complaint over all other*
13 *matters pending with the court, except for criminal proceedings.*

14 10. The county clerk shall place in the sample ballot provided
15 to the registered voters of the county each argument and rebuttal
16 prepared pursuant to this section, containing all statements that were
17 not rejected pursuant to subsection 9. The county clerk may revise
18 the language submitted by the committee so that it is clear, concise
19 and suitable for incorporation in the sample ballot, but shall not alter
20 the meaning or effect without the consent of the committee.

21 11. In a county whose population is less than 40,000:

22 (a) The board may appoint committees pursuant to this section.

23 (b) If the board appoints committees pursuant to this section, the
24 county clerk shall provide for rules or regulations pursuant to
25 subsection 8.

26 12. Except as otherwise provided in this subsection, if a
27 question is to be placed on the ballot by an entity described in
28 paragraph (b) or (c) of subsection 1, the entity must provide a copy
29 and explanation of the question to the county clerk at least 30 days
30 earlier than the date required for the submission of such documents
31 pursuant to subsection 1 of NRS 293.481. This subsection does not
32 apply to a question if the date that the question must be submitted to
33 the county clerk is governed by subsection 2 of NRS 293.481.

34 13. The provisions of chapter 241 of NRS do not apply to any
35 consultations, deliberations, hearings or meetings conducted
36 pursuant to this section.

37 **Sec. 31.** NRS 295.140 is hereby amended to read as follows:

38 295.140 1. Whenever 10 percent or more of the registered
39 voters of any county of this State, as shown by the number of
40 registered voters who voted at the last preceding general election,
41 express their wish that any act or resolution enacted by the
42 Legislature, and pertaining to that county only, be submitted to the
43 vote of the people, they shall submit to the county clerk a petition,
44 which must contain the names and residence addresses of at least 10
45 percent of the registered voters of that county, demanding that a



1 referendum vote be had by the people of the county at the next
2 ~~{primary or}~~ general election upon the act or resolution on which the
3 referendum is demanded.

4 2. A petition must be submitted to the county clerk for
5 verification, pursuant to NRS 295.250 to 295.290, inclusive, not
6 later than 130 days before the time set for the next succeeding
7 general election.

8 3. A petition may consist of more than one document, but all
9 documents of a petition must be uniform in size and style, numbered
10 and assembled as one instrument for submission. Each signature
11 must be executed in ink or indelible pencil and followed by the
12 address of the person signing and the date on which he signed the
13 petition. Each document must contain, or have attached thereto
14 throughout its circulation, the full text of the act or resolution on
15 which the referendum is demanded.

16 4. Each document of a petition must have attached to it when
17 submitted an affidavit executed by the circulator thereof stating:

18 (a) That he personally circulated the document;

19 (b) The number of signatures thereon;

20 (c) That all the signatures were affixed in his presence;

21 (d) That he believes them to be genuine signatures of the
22 persons whose names they purport to be; and

23 (e) That each signer had an opportunity before signing to read
24 the full text of the act or resolution on which the referendum is
25 demanded.

26 5. The county clerk shall issue a receipt to any person who
27 submits a petition pursuant to this section. The receipt must set forth
28 the number of:

29 (a) Documents included in the petition;

30 (b) Pages in each document; and

31 (c) Signatures that the person declares are included in the
32 petition.

33 6. Within 20 days after a petition is submitted, the county clerk
34 shall complete a certificate as to its sufficiency. Unless a request for
35 review is filed pursuant to subsection 7, the certificate is a final
36 determination as to the sufficiency of the petition.

37 7. If a petition is certified insufficient, the person who
38 submitted the petition may, within 2 days after receiving a copy of
39 the certificate, file a request that it be reviewed by the board of
40 county commissioners. The board shall review the certificate at its
41 next meeting following the filing of the request and approve or
42 disapprove it, and the determination of the board is a final
43 determination as to the sufficiency of the petition.

44 8. A final determination as to the sufficiency of a petition is
45 subject to judicial review. *If the final determination is challenged*



1 *by filing a complaint in district court, the court shall set the matter*
2 *for hearing not later than 3 days after the complaint is filed and*
3 *shall give priority to such a complaint over all other matters*
4 *pending with the court, except for criminal proceedings.* A final
5 determination of insufficiency, even if sustained upon judicial
6 review, does not prejudice the filing of a new petition for the same
7 purpose.

8 **Sec. 32.** NRS 295.160 is hereby amended to read as follows:

9 295.160 1. If the petition is determined to be sufficient, the
10 county clerk shall, at the next ~~[primary-or]~~ general election, submit
11 the act or resolution, by appropriate questions on the ballot, for the
12 approval or disapproval of the people of that county.

13 2. The county clerk shall publish those questions in accordance
14 with the provisions of law requiring county clerks to publish
15 questions and proposed constitutional amendments which are to be
16 submitted for popular vote.

17 **Sec. 33.** NRS 295.200 is hereby amended to read as follows:

18 295.200 The registered voters of a city may:

19 1. Propose ordinances to the council and, if the council fails to
20 adopt an ordinance so proposed without change in substance, adopt
21 or reject it at the next ~~[primary-or]~~ general city election or ~~[primary~~
22 ~~or]~~ general election.

23 2. Require reconsideration by the council of any adopted
24 ordinance and, if the council fails to repeal an ordinance so
25 reconsidered, approve or reject it at the next ~~[primary-or]~~ general
26 city election or ~~[primary-or]~~ general election.

27 **Sec. 34.** (Deleted by amendment.)

28 **Sec. 35.** NRS 295.210 is hereby amended to read as follows:

29 295.210 1. Within 20 days after the petition is submitted to
30 the city clerk pursuant to NRS 295.205, the city clerk shall complete
31 a certificate as to its sufficiency.

32 2. If a petition is certified sufficient, or if a petition is certified
33 insufficient and the petitioners' committee does not elect to request
34 council review under subsection 3 within the time required, the city
35 clerk must promptly present his certificate to the council and the
36 certificate is a final determination as to the sufficiency of the
37 petition.

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

44 4. A final determination as to the sufficiency of a petition is
45 subject to judicial review. *If the final determination is challenged*



1 *by filing a complaint in district court, the court shall set the matter*
2 *for hearing not later than 3 days after the complaint is filed and*
3 *shall give priority to such a complaint over all other matters*
4 *pending with the court, except for criminal proceedings.* A final
5 determination of insufficiency, even if sustained upon judicial
6 review, does not prejudice the filing of a new petition for the same
7 purpose.

8 **Sec. 36.** NRS 295.215 is hereby amended to read as follows:

9 295.215 1. When an initiative or referendum petition has
10 been finally determined sufficient, the council shall promptly
11 consider the proposed initiative ordinance in the manner provided
12 by law for the consideration of ordinances generally or reconsider
13 the referred ordinance by voting its repeal. If, within 30 days after
14 the date the petition was finally determined sufficient, the council
15 fails to adopt the proposed initiative ordinance without any change
16 in substance or fails to repeal the referred ordinance, the council
17 shall submit the proposed or referred ordinance to the registered
18 voters of the city.

19 2. The vote of the city on the proposed or referred ordinance
20 must be held at the next ~~{primary-or}~~ general city election ~~for~~
21 ~~primary}~~ or general election. Copies of the proposed or referred
22 ordinance must be made available at the polls.

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

30 **Sec. 37.** NRS 295.217 is hereby amended to read as follows:

31 295.217 1. In a city whose population is 10,000 or more, for
32 each initiative, referendum or other question to be placed on the
33 ballot by the:

34 (a) Council, including, without limitation, pursuant to NRS
35 293.482 or 295.215; or

36 (b) Governing body of a public library or water district
37 authorized by law to submit questions to some or all of the qualified
38 electors or registered voters of the city,

39 ➤ the council shall, in consultation pursuant to subsection 5 with
40 the city clerk or other city officer authorized to perform the duties of
41 the city clerk, appoint two committees. Except as otherwise
42 provided in subsection 2, one committee must be composed of three
43 persons who favor approval by the voters of the initiative,
44 referendum or other question and the other committee must be



1 composed of three persons who oppose approval by the voters of the
2 initiative, referendum or other question.

3 2. If, after consulting with the city clerk pursuant to subsection
4 5, the council is unable to appoint three persons willing to serve on a
5 committee, the council may appoint fewer than three persons to that
6 committee, but the council must appoint at least one person to each
7 committee appointed pursuant to this section.

8 3. With respect to a committee appointed pursuant to this
9 section:

10 (a) A person may not serve simultaneously on the committee
11 that favors approval by the voters of an initiative, referendum or
12 other question and the committee that opposes approval by the
13 voters of that initiative, referendum or other question.

14 (b) Members of the committee serve without compensation.

15 (c) The term of office for each member commences upon
16 appointment and expires upon the publication of the sample ballot
17 containing the initiative, referendum or other question.

18 4. The city clerk may establish and maintain a list of the
19 persons who have expressed an interest in serving on a committee
20 appointed pursuant to this section. The city clerk, after exercising
21 due diligence to locate persons who favor approval by the voters of
22 an initiative, referendum or other question to be placed on the ballot
23 or who oppose approval by the voters of an initiative, referendum or
24 other question to be placed on the ballot, may use the names on a list
25 established pursuant to this subsection to:

26 (a) Make recommendations pursuant to subsection 5; and

27 (b) Appoint members to a committee pursuant to subsection 6.

28 5. Before the council appoints a committee pursuant to this
29 section, the city clerk shall:

30 (a) Recommend to the council persons to be appointed to the
31 committee; and

32 (b) Consider recommending pursuant to paragraph (a):

33 (1) Any person who has expressed an interest in serving on
34 the committee; and

35 (2) A person who is a member of an organization that has
36 expressed an interest in having a member of the organization serve
37 on the committee.

38 6. If the council of a city whose population is 10,000 or more
39 fails to appoint a committee as required pursuant to this section, the
40 city clerk shall ~~appoint the committee.~~, *in consultation with the*
41 *city attorney, prepare an argument advocating approval by the*
42 *voters of the initiative, referendum or other question and an*
43 *argument opposing approval by the voters of the initiative,*
44 *referendum or other question. Each argument prepared by the city*
45 *clerk must satisfy the requirements of paragraph (f) of subsection*



7 and any rules or regulations adopted by the city clerk pursuant to subsection 8. The city clerk shall not prepare the rebuttal of the arguments required pursuant to paragraph (e) of subsection 7.

7. A committee appointed pursuant to this section:

(a) Shall elect a chairman for the committee;

(b) Shall meet and conduct its affairs as necessary to fulfill the requirements of this section;

(c) May seek and consider comments from the general public;

(d) Shall prepare an argument either advocating or opposing approval by the voters of the initiative, referendum or other question, based on whether the members were appointed to advocate or oppose approval by the voters of the initiative, referendum or other question;

(e) Shall prepare a rebuttal to the argument prepared by the other committee appointed pursuant to this section;

(f) Shall address in the argument and rebuttal prepared pursuant to paragraphs (d) and (e):

(1) The fiscal impact of the initiative, referendum or other question;

(2) The environmental impact of the initiative, referendum or other question; and

(3) The impact of the initiative, referendum or other question on the public health, safety and welfare; and

(g) Shall submit the argument and rebuttal prepared pursuant to paragraphs (d), (e) and (f) to the city clerk not later than the date prescribed by the city clerk pursuant to subsection 8.

8. The city clerk of a city whose population is 10,000 or more shall provide, by rule or regulation:

(a) The maximum permissible length of an argument or rebuttal prepared pursuant to this section; and

(b) The date by which an argument or rebuttal prepared pursuant to this section must be submitted by the committee to the city clerk.

9. Upon receipt of an argument or rebuttal prepared pursuant to this section, the city clerk:

(a) May consult with persons who are generally recognized by a national or statewide organization as having expertise in the field or area to which the initiative, referendum or other question pertains; and

(b) Shall reject each statement in the argument or rebuttal that he believes is libelous or factually inaccurate.

➔ Not later than 5 days after the city clerk rejects a statement pursuant to this subsection, the committee may appeal that rejection to the city attorney or other city officer appointed to hear the appeal by the city council. The city attorney or other city officer appointed to hear the appeal shall review the statement and the reasons for its



1 rejection and may receive evidence, documentary or testimonial, to
2 aid him in his decision. Not later than 3 business days after the
3 appeal by the committee, the city attorney or other city officer
4 appointed to hear the appeal shall issue his decision rejecting or
5 accepting the statement. The decision of the city attorney or other
6 city officer appointed to hear the appeal is a final decision for the
7 purposes of judicial review. *If the decision of the city attorney or*
8 *other city officer appointed to hear the appeal is challenged by*
9 *filing a complaint in district court, the court shall set the matter*
10 *for hearing not later than 3 days after the complaint is filed and*
11 *shall give priority to such a complaint over all other matters*
12 *pending with the court, except for criminal proceedings.*

13 10. The city clerk shall place in the sample ballot provided to
14 the registered voters of the city each argument and rebuttal prepared
15 pursuant to this section, containing all statements that were not
16 rejected pursuant to subsection 9. The city clerk may revise the
17 language submitted by the committee so that it is clear, concise and
18 suitable for incorporation in the sample ballot, but shall not alter the
19 meaning or effect without the consent of the committee.

20 11. In a city whose population is less than 10,000:

21 (a) The council may appoint committees pursuant to this section.

22 (b) If the council appoints committees pursuant to this section,
23 the city clerk shall provide for rules or regulations pursuant to
24 subsection 8.

25 12. If a question is to be placed on the ballot by an entity
26 described in paragraph (b) of subsection 1, the entity must provide a
27 copy and explanation of the question to the city clerk at least 30
28 days earlier than the date required for the submission of such
29 documents pursuant to subsection 1 of NRS 293.481. This
30 subsection does not apply to a question if the date that the question
31 must be submitted to the city clerk is governed by subsection 2 of
32 NRS 293.481.



