

SENATE BILL NO. 228—SENATOR HORSFORD

MARCH 21, 2005

JOINT SPONSOR: ASSEMBLYWOMAN GIUNCHIGLIANI

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to explanations and condensations of initiatives and referendums. (BDR 24-913)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to elections; revising the provisions relating to explanations and condensations of constitutional amendments and statewide measures to be placed on the ballot; revising the provisions relating to explanations and condensations of local government measures to be placed on the ballot that were proposed by initiative or referendum; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Secretary of State, in consultation with the Attorney General, to prepare a summary and explanation of a constitutional amendment or statewide measure proposed for placement on a ballot by initiative or referendum. (NRS 293.250)

This bill requires the Secretary of State to appoint a committee consisting of members of the two major political parties to prepare the summary and explanation for each such proposal. The committee must submit its work to the Secretary of State who must reject any item he believes to be libelous or factually inaccurate. The committee may appeal any such rejection to the Attorney General.

This bill adds a similar requirement for local questions proposed for placement on a ballot by initiative or referendum in counties whose population is 40,000 or more and in cities whose population is 10,000 or more. In those jurisdictions, the county commissioners or city council must appoint the committee to prepare the summary and explanation. The committee must submit its work to the county or city clerk and may appeal any rejection to the district or city attorney. In counties



16 whose population is under 40,000 and cities whose population is under 10,000  
17 where there are proposed local initiative or referendum questions, the board or  
18 council may, but is not required to, appoint such committees.

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

1     **Section 1.** Chapter 293 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3     *1. For each election at which one or more constitutional*  
4 *amendments or statewide measures proposed by initiative or*  
5 *referendum will be placed on the ballot by the Secretary of State,*  
6 *the Secretary of State shall, pursuant to subsection 4, appoint a*  
7 *committee. Except as otherwise provided in subsection 2, the*  
8 *committee must be composed of three persons from each major*  
9 *political party.*

10    *2. If the Secretary of State is unable to appoint three persons*  
11 *from each major political party who are willing to serve on a*  
12 *committee, he may appoint fewer than three persons from that*  
13 *major political party to that committee, but he must appoint at*  
14 *least one person from each major political party to each committee*  
15 *appointed pursuant to this section.*

16    *3. With respect to a committee appointed pursuant to this*  
17 *section:*

18    *(a) For each day or a portion of a day necessarily spent on the*  
19 *business of the committee, each member is entitled to receive:*

20    *(1) A salary of \$80 per day; and*

21    *(2) The per diem allowance and travel expenses provided*  
22 *for state officers and employees generally.*

23    *(b) The term of office for each member commences upon*  
24 *appointment and expires upon the publication of the sample ballot*  
25 *containing the initiative or referendum.*

26    *4. The Secretary of State shall consider appointing to a*  
27 *committee pursuant to this section any person who has expressed*  
28 *an interest in serving on the committee.*

29    *5. A committee appointed pursuant to this section shall:*

30    *(a) Elect a chairman for the committee;*

31    *(b) Meet and conduct its affairs as necessary to fulfill the*  
32 *requirements of this section;*

33    *(c) Prepare a condensation and explanation of each*  
34 *constitutional amendment or statewide measure proposed by*  
35 *initiative or referendum; and*

36    *(d) Submit the condensation and explanation for each*  
37 *constitutional amendment or statewide measure proposed by*  
38 *initiative or referendum prepared pursuant to paragraph (c) to the*



1 *Secretary of State not later than the date prescribed by the*  
2 *Secretary of State pursuant to subsection 6.*

3 6. *The Secretary of State shall prescribe by regulation:*

4 (a) *The maximum permissible length of a condensation or*  
5 *explanation prepared pursuant to this section; and*

6 (b) *The date by which a condensation and explanation*  
7 *prepared pursuant to this section must be submitted by a*  
8 *committee to the Secretary of State.*

9 7. *Upon receipt of a condensation or explanation prepared*  
10 *pursuant to this section, the Secretary of State:*

11 (a) *May consult with persons who are generally recognized by*  
12 *a national or statewide organization as having expertise in the*  
13 *field or area to which each constitutional amendment or statewide*  
14 *measure proposed by initiative or referendum pertains; and*

15 (b) *Shall reject any condensation or explanation that he*  
16 *believes is libelous or factually inaccurate.*

17 8. *Not later than 5 days after the Secretary of State rejects a*  
18 *condensation or explanation pursuant to subsection 7, the*  
19 *committee that prepared the condensation or explanation may*  
20 *appeal that rejection to the Attorney General. The Attorney*  
21 *General shall review the condensation or explanation and the*  
22 *reasons for its rejection and may receive evidence, documentary or*  
23 *testimonial, to aid him in his decision. Not later than 3 business*  
24 *days after the appeal by the committee, the Attorney General shall*  
25 *issue his decision rejecting or accepting the condensation or*  
26 *explanation. The decision of the Attorney General is a final*  
27 *decision for the purposes of judicial review.*

28 **Sec. 2.** NRS 293.250 is hereby amended to read as follows:

29 293.250 1. The Secretary of State shall, in a manner  
30 consistent with the election laws of this State, prescribe:

31 (a) The form of all ballots, absent ballots, diagrams, sample  
32 ballots, certificates, notices, declarations, applications to register to  
33 vote, lists, applications, pollbooks, registers, rosters, statements and  
34 abstracts required by the election laws of this State.

35 (b) The procedure to be followed when a computer is used to  
36 register voters and to keep records of registration.

37 2. The Secretary of State shall prescribe with respect to the  
38 matter to be printed on every kind of ballot:

39 (a) The placement and listing of all offices, candidates and  
40 measures upon which voting is statewide, which must be uniform  
41 throughout the State.

42 (b) The listing of all other candidates required to file with him,  
43 and the order of listing all offices, candidates and measures upon  
44 which voting is not statewide, from which each county or city clerk



1 shall prepare appropriate ballot forms for use in any election in his  
2 county.

3 3. The Secretary of State shall place the condensation of each  
4 proposed constitutional amendment or statewide measure near the  
5 spaces or devices for indicating the voter's choice.

6 4. The fiscal note for, explanation of, arguments for and  
7 against, and rebuttals to such arguments of each proposed  
8 constitutional amendment or statewide measure must be included on  
9 all sample ballots.

10 5. The condensations and explanations for constitutional  
11 amendments and statewide measures proposed by initiative or  
12 referendum must be prepared ~~[by the Secretary of State, upon~~  
13 ~~consultation with the Attorney General.]~~ *in the manner set forth in*  
14 *section 1 of this act.* The arguments and rebuttals for or against  
15 constitutional amendments and statewide measures proposed by  
16 initiative or referendum must be prepared in the manner set forth in  
17 NRS 293.252. The fiscal notes for constitutional amendments and  
18 statewide measures proposed by initiative or referendum must be  
19 prepared by the Secretary of State, upon consultation with the Fiscal  
20 Analysis Division of the Legislative Counsel Bureau. The  
21 condensations, explanations, arguments, rebuttals and fiscal notes  
22 must be in easily understood language and of reasonable length, and  
23 whenever feasible must be completed by August 1 of the year in  
24 which the general election is to be held.

25 6. The names of candidates for township and legislative or  
26 special district offices must be printed only on the ballots furnished  
27 to voters of that township or district.

28 7. A county clerk:

29 (a) May divide paper ballots into two sheets in a manner which  
30 provides a clear understanding and grouping of all measures and  
31 candidates.

32 (b) Shall prescribe the color or colors of the ballots and voting  
33 receipts used in any election which the clerk is required to conduct.

34 **Sec. 3.** NRS 293.253 is hereby amended to read as follows:

35 293.253 1. The Secretary of State shall provide each county  
36 clerk with copies of any proposed constitution, constitutional  
37 amendment or statewide measure which will appear on the general  
38 election ballot, together with the copies of the condensations,  
39 explanations, arguments, rebuttals and fiscal notes prepared  
40 pursuant to NRS 218.443, 293.250 and 293.252 ~~[ ]~~ *and section 1 of*  
41 *this act.*

42 2. Whenever feasible, he shall provide those copies on or  
43 before the first Monday in August of the year in which the proposals  
44 will appear on the ballot. Copies of any additional proposals must be  
45 provided as soon after their filing as feasible.



1       3. Each county clerk shall cause a copy of the full text of any  
2 such constitution, amendment or measure and its condensation,  
3 explanation, arguments, rebuttals and fiscal note to be published, in  
4 conspicuous display advertising format of not less than 10 column  
5 inches, in a newspaper of general circulation in the county three  
6 times at intervals of not less than 7 days, the first publication to be  
7 on or before the first Monday in October. If no such newspaper is  
8 published in the county, the publication may be made in a  
9 newspaper of general circulation published in the nearest Nevada  
10 county.

11       4. If a copy is furnished by the Secretary of State too late to be  
12 published at 7-day intervals, it must be published three times at the  
13 longest intervals feasible in each county.

14       5. The portion of the cost of publication which is attributable to  
15 publishing the questions, explanations, arguments, rebuttals and  
16 fiscal notes of proposed constitutions, constitutional amendments or  
17 statewide measures is a charge against the State and must be paid  
18 from the Reserve for Statutory Contingency Account upon  
19 recommendation by the Secretary of State and approval by the State  
20 Board of Examiners.

21       **Sec. 4.** NRS 293.481 is hereby amended to read as follows:

22       293.481 1. Except as otherwise provided in subsection 2 or  
23 NRS 295.121 or 295.217, *or sections 7 or 8 of this act*, every  
24 governing body of a political subdivision, public or quasi-public  
25 corporation, or other local agency authorized by law to submit  
26 questions to the qualified electors or registered voters of a  
27 designated territory, when the governing body decides to submit a  
28 question:

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

32       (1) A copy of the question, including ~~and~~ *a condensation*  
33 *and* explanation of the question;

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

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

38       (b) At a primary election, shall provide to each county clerk  
39 within the designated territory on or before the second Friday after  
40 the first Monday in May preceding the election:

41       (1) A copy of the question, including ~~and~~ *a condensation*  
42 *and* explanation of the question;

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



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

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

(1) A copy of the question, including ~~an~~ *a condensation and* explanation of the question;

(2) Arguments for and against the question; and

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

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

(1) A copy of the question, including ~~an~~ *a condensation and* explanation of the question;

(2) Arguments for and against the question; and

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

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

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

**Sec. 5.** NRS 293.565 is hereby amended to read as follows:

293.565 1. Except as otherwise provided in subsection 2, sample ballots must include:

(a) If applicable, the statement required by NRS 293.267;

(b) The fiscal note, as provided pursuant to NRS 218.443, 293.250, 293.481 or 293.482, for each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;



(c) An explanation, as provided pursuant to NRS 218.443, 293.250, 293.481, 293.482 or 295.121, *or section 1 or 7 of this act* of each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

(d) Arguments for and against each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question, and rebuttals to each argument, as provided pursuant to NRS 218.443, 293.250, 293.252, 293.481, 293.482 or 295.121; and

(e) The full text of each proposed constitutional amendment.

2. Sample ballots that are mailed to registered voters may be printed without the full text of each proposed constitutional amendment if:

(a) The cost of printing the sample ballots would be significantly reduced if the full text of each proposed constitutional amendment were not included;

(b) The county clerk ensures that a sample ballot that includes the full text of each proposed constitutional amendment is provided at no charge to each registered voter who requests such a sample ballot; and

(c) The sample ballots provided to each polling place include the full text of each proposed constitutional amendment.

3. Before the period for early voting, but not later than 10 days before any election, the county clerk shall cause to be mailed to each registered voter in the county a sample ballot for his precinct with a notice informing the voter of the location of his polling place. If the location of the polling place has changed since the last election:

(a) The county clerk shall mail a notice of the change to each registered voter in the county not sooner than 10 days before mailing the sample ballots; or

(b) The sample ballot must also include a notice in bold type immediately above the location which states:

**NOTICE: THE LOCATION OF YOUR POLLING PLACE  
HAS CHANGED SINCE THE LAST ELECTION**

4. Except as otherwise provided in subsection 5, a sample ballot required to be mailed pursuant to this section must:

(a) Be printed in at least 12-point type; and

(b) Include on the front page, in a separate box created by bold lines, a notice printed in at least 20-point bold type that states:

**NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
LARGE TYPE, CALL (Insert appropriate telephone number)**





1       5. A portion of a sample ballot that contains a facsimile of the  
2 display area of a voting device may include material in less than  
3 12-point type to the extent necessary to make the facsimile fit on the  
4 pages of the sample ballot.

5       6. The sample ballot mailed to a person who requests a sample  
6 ballot in large type by exercising the option provided pursuant to  
7 NRS 293.508, or in any other manner, must be printed in at least  
8 14-point type, or larger when practicable.

9       7. If a person requests a sample ballot in large type, the county  
10 clerk shall ensure that all future sample ballots mailed to that person  
11 from the county are in large type.

12       8. The county clerk shall include in each sample ballot a  
13 statement indicating that the county clerk will, upon request of a  
14 voter who is elderly or disabled, make reasonable accommodations  
15 to allow the voter to vote at his polling place and provide reasonable  
16 assistance to the voter in casting his vote, including, without  
17 limitation, providing appropriate materials to assist the voter. In  
18 addition, if the county clerk has provided pursuant to subsection 4 of  
19 NRS 293.2955 for the placement at centralized voting locations of  
20 specially equipped voting devices for use by voters who are elderly  
21 or disabled, the county clerk shall include in the sample ballot a  
22 statement indicating:

23       (a) The addresses of such centralized voting locations;

24       (b) The types of specially equipped voting devices available at  
25 such centralized voting locations; and

26       (c) That a voter who is elderly or disabled may cast his ballot at  
27 such a centralized voting location rather than at his regularly  
28 designated polling place.

29       9. The cost of mailing sample ballots for any election other  
30 than a primary or general election must be borne by the political  
31 subdivision holding the election.

32       **Sec. 6.** Chapter 295 of NRS is hereby amended by adding  
33 thereto the provisions set forth as sections 7 and 8 of this act.

34       **Sec. 7. 1. *In a county whose population is 40,000 or more,***  
35 ***for each election at which one or more initiatives or referenda will***  
36 ***be placed on the ballot by the board pursuant to NRS 295.115 or***  
37 ***295.160, the board shall, in consultation with the county clerk***  
38 ***pursuant to subsection 5, appoint a committee. Except as***  
39 ***otherwise provided in subsection 2, the committee must be***  
40 ***composed of three persons from each major political party.***

41       **2. *If, after consulting with the county clerk pursuant to***  
42 ***subsection 5, the board is unable to appoint three persons from***  
43 ***each major political party who are willing to serve on a committee,***  
44 ***the board may appoint fewer than three persons from a major***  
45 ***political party to that committee, but the board must appoint at***





1 *least one person from each major political party to each committee*  
2 *appointed pursuant to this section.*

3 *3. With respect to a committee appointed pursuant to this*  
4 *section:*

5 *(a) For each day or a portion of a day necessarily spent on the*  
6 *business of the committee, each member is entitled to receive:*

7 *(1) A salary of \$80 per day; and*

8 *(2) The per diem allowance and travel expenses provided*  
9 *for state officers and employees generally.*

10 *(b) The term of office for each member commences upon*  
11 *appointment and expires upon the publication of the sample ballot*  
12 *containing the initiative or referendum.*

13 *4. The county clerk may establish and maintain a list of the*  
14 *persons who have expressed an interest in serving on a committee*  
15 *appointed pursuant to this section. The county clerk, after*  
16 *exercising due diligence to locate persons from each major*  
17 *political party, may use the names on the list established pursuant*  
18 *to this subsection to:*

19 *(a) Make recommendations pursuant to subsection 5; and*

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

21 *5. Before the board appoints a committee pursuant to this*  
22 *section, the county clerk shall:*

23 *(a) Recommend to the board persons to be appointed to the*  
24 *committee; and*

25 *(b) Consider recommending pursuant to paragraph (a) any*  
26 *person who has expressed an interest in serving on the committee.*

27 *6. If the board of a county whose population is 40,000 or*  
28 *more fails to appoint a committee as required pursuant to this*  
29 *section, the county clerk shall appoint the committee.*

30 *7. A committee appointed pursuant to this section shall:*

31 *(a) Elect a chairman for the committee;*

32 *(b) Meet and conduct its affairs as necessary to fulfill the*  
33 *requirements of this section;*

34 *(c) Prepare a condensation and explanation of each initiative*  
35 *or referendum; and*

36 *(d) Submit the condensation and explanation for each*  
37 *initiative or referendum prepared pursuant to paragraph (c) to the*  
38 *county clerk not later than the date prescribed by the county clerk*  
39 *pursuant to subsection 8.*

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

42 *(a) The maximum permissible length of a condensation or*  
43 *explanation prepared pursuant to this section; and*



1       (b) *The date by which a condensation or explanation prepared*  
2 *pursuant to this section must be submitted by the committee to the*  
3 *county clerk.*

4       9. *Upon receipt of a condensation or explanation prepared*  
5 *pursuant to this section, the county clerk:*

6       (a) *May consult with persons who are generally recognized by*  
7 *a national or statewide organization as having expertise in the*  
8 *field or area to which each initiative or referendum pertains; and*

9       (b) *Shall reject each condensation or explanation that he*  
10 *believes is libelous or factually inaccurate.*

11       10. *Not later than 5 days after the county clerk rejects a*  
12 *condensation or explanation pursuant to subsection 9, the*  
13 *committee may appeal that rejection to the district attorney. The*  
14 *district attorney shall review the condensation or explanation and*  
15 *the reasons for its rejection and may receive evidence,*  
16 *documentary or testimonial, to aid him in his decision. Not later*  
17 *than 3 business days after the appeal by the committee, the district*  
18 *attorney shall issue his decision rejecting or accepting the*  
19 *condensation or explanation. The decision of the district attorney*  
20 *is a final decision for the purposes of judicial review.*

21       11. *The county clerk shall place in the sample ballot provided*  
22 *to the registered voters of the county each condensation and*  
23 *explanation prepared pursuant to this section that was not rejected*  
24 *pursuant to subsection 9.*

25       12. *In a county whose population is less than 40,000:*

26       (a) *The board may appoint committees pursuant to this*  
27 *section.*

28       (b) *If the board appoints committees pursuant to this section,*  
29 *the county clerk shall provide for rules or regulations pursuant to*  
30 *subsection 8.*

31       **Sec. 8. 1.** *In a city whose population is 10,000 or more, for*  
32 *each election at which one or more initiatives or referenda will be*  
33 *placed on the ballot by the council pursuant to NRS 295.215, the*  
34 *council shall, in consultation with the city clerk pursuant to*  
35 *subsection 5, or a city officer authorized to perform the duties of*  
36 *the city clerk, appoint a committee. Except as otherwise provided*  
37 *in subsection 2, the committee must be composed of three persons*  
38 *from each major political party.*

39       2. *If, after consulting with the city clerk pursuant to*  
40 *subsection 5, the council is unable to appoint three persons willing*  
41 *to serve on a committee, the council may appoint fewer than three*  
42 *persons from each major political party to that committee, but the*  
43 *council must appoint at least one person from each major political*  
44 *party to each committee appointed pursuant to this section.*



1       3. *With respect to a committee appointed pursuant to this*  
2 *section:*

3       (a) *For each day or a portion of a day necessarily spent on the*  
4 *business of the committee, each member is entitled to receive:*

5           (1) *A salary of \$80 per day; and*

6           (2) *The per diem allowance and travel expenses provided*  
7 *for state officers and employees generally.*

8       (b) *The term of office for each member commences upon*  
9 *appointment and expires upon the publication of the sample ballot*  
10 *containing the initiative or referendum.*

11       4. *The city clerk may establish and maintain a list of the*  
12 *persons who have expressed an interest in serving on a committee*  
13 *appointed pursuant to this section. The city clerk, after exercising*  
14 *due diligence to locate persons from each major political party,*  
15 *may use the names on the list established pursuant to this*  
16 *subsection to:*

17           (a) *Make recommendations pursuant to subsection 5; and*

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

19       5. *Before the council appoints a committee pursuant to this*  
20 *section, the city clerk shall:*

21           (a) *Recommend to the council persons to be appointed to the*  
22 *committee; and*

23           (b) *Consider recommending pursuant to paragraph (a) any*  
24 *person who has expressed an interest in serving on the committee.*

25       6. *If the council of a city whose population is 10,000 or more*  
26 *fails to appoint a committee as required pursuant to this section,*  
27 *the city clerk shall appoint the committee.*

28       7. *A committee appointed pursuant to this section shall:*

29           (a) *Elect a chairman for the committee;*

30           (b) *Meet and conduct its affairs as necessary to fulfill the*  
31 *requirements of this section;*

32           (c) *Prepare a condensation and explanation of each initiative*  
33 *or referendum; and*

34           (d) *Submit the condensation and explanation for each*  
35 *initiative or referendum prepared pursuant to paragraph (c) to the*  
36 *county clerk not later than the date prescribed by the city clerk*  
37 *pursuant to subsection 8.*

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

40           (a) *The maximum permissible length of a condensation or*  
41 *explanation prepared pursuant to this section; and*

42           (b) *The date by which a condensation or explanation prepared*  
43 *pursuant to this section must be submitted by the committee to the*  
44 *city clerk.*



1       9. *Upon receipt of a condensation or explanation prepared*  
2 *pursuant to this section, the city clerk:*

3       (a) *May consult with persons who are generally recognized by*  
4 *a national or statewide organization as having expertise in the*  
5 *field or area to which each initiative or referendum pertains; and*

6       (b) *Shall reject any condensation or explanation that he*  
7 *believes is libelous or factually inaccurate.*

8       10. *Not later than 5 days after the city clerk rejects a*  
9 *condensation or explanation pursuant to subsection 9, the*  
10 *committee may appeal that rejection to the city attorney or other*  
11 *city officer appointed to hear the appeal by the city council. The*  
12 *city attorney or other city officer appointed to hear the appeal*  
13 *shall review the condensation or explanation and the reasons for*  
14 *its rejection and may receive evidence, documentary or*  
15 *testimonial, to aid him in his decision. Not later than 3 business*  
16 *days after the appeal by the committee, the city attorney or other*  
17 *city officer appointed to hear the appeal shall issue his decision*  
18 *rejecting or accepting the condensation or explanation. The*  
19 *decision of the city attorney or other city officer appointed to hear*  
20 *the appeal is a final decision for the purposes of judicial review.*

21       11. *The city clerk shall place in the sample ballot provided to*  
22 *the registered voters of the city each condensation or explanation*  
23 *prepared pursuant to this section that was not rejected pursuant to*  
24 *subsection 9.*

25       12. *In a city whose population is less than 10,000:*

26       (a) *The council may appoint committees pursuant to this*  
27 *section.*

28       (b) *If the council appoints committees pursuant to this section,*  
29 *the city clerk shall provide for rules or regulations pursuant to*  
30 *subsection 8.*

31       **Sec. 9.** NRS 295.075 is hereby amended to read as follows:

32       295.075 As used in NRS 295.075 to 295.125, inclusive, *and*  
33 *section 7 of this act*, unless the context otherwise requires, "board"  
34 means the board of county commissioners.

35       **Sec. 10.** NRS 295.195 is hereby amended to read as follows:

36       295.195 As used in NRS 295.195 to 295.220, inclusive, *and*  
37 *section 8 of this act*, unless the context otherwise requires:

38       1. "City" means an incorporated city.

39       2. "Council" means the governing body of a city.

