

ASSEMBLY BILL NO. 604—COMMITTEE ON ELECTIONS,  
PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS

MARCH 26, 2007

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

SUMMARY—Revises provisions governing elections .  
(BDR 24-1396)

FISCAL NOTE: Effect on Local Government: No.  
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; requiring the governing body of certain political subdivisions that submits a question to the voters to create a description of anticipated financial effect; requiring the governing body of a city incorporated pursuant to general law in certain larger counties to adopt an ordinance to provide for a primary city election and general city election on the dates for state primary elections and state general elections; requiring certain persons or groups of persons advocating the passage or defeat of certain initiatives or referenda to provide various information to the Secretary of State concerning campaign contributions, expenditures and expenses; requiring circulators of certain petitions to attach an affidavit to each document of the petition; authorizing the Legislative Counsel to provide technical suggestions regarding certain initiatives and referenda; requiring the governing body of a local government to prepare a description of anticipated financial effect when a petition for initiative or referendum is filed with the county or city clerk; revising the charters of certain cities to provide for primary city elections and general city elections on the dates for state primary elections and state general elections; providing a civil penalty; and providing other matters properly relating thereto.



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**Legislative Counsel's Digest:**

**Sections 2 and 3** of this bill require the governing body of certain political subdivisions that submits a question to the voters that will appear on the ballot at certain elections to create a description of the anticipated financial effect that such a question could have on the political subdivision if the question were approved by the voters. **Sections 4 and 5** of this bill require that such descriptions appear on the sample ballots.

Existing law provides that city primary and general elections must be held in odd-numbered years while state and other local primary and general elections must be held in even-numbered years. (NRS 293.12755, 293.175, 293C.115, 293C.140, 293C.145) **Section 4.5** of this bill requires a city incorporated under general law in a county whose population is 400,000 or more (currently Clark County) to adopt an ordinance setting city elections in even-numbered years. **Sections 29-53** of this bill also amend the charter of each city that is located in a county whose population is 400,000 or more to reflect this change in election dates. Cities affected are Boulder City, Henderson, Las Vegas, Mesquite and North Las Vegas.

Chapter 294A of NRS governs campaign practices. NRS 294A.150 and 294A.220 require persons or groups of persons advocating the passage or defeat of a question on a ballot to submit reports to the Secretary of State on campaign contributions, expenditures and expenses. **Sections 11 and 12** of this bill provide a higher reporting threshold for those persons or groups. **Section 7** of this bill creates a new section for persons and groups of persons advocating the passage or defeat of a constitutional amendment or a statewide measure proposed by an initiative or referendum and that have received or expended at least \$10,000 for that purpose. The provisions of this new section require such persons or groups to submit similar campaign contribution and expense reports to the Secretary of State on a different schedule, with a higher reporting threshold and with certain additional information. **Section 8** of this bill requires such persons and groups to appoint a resident agent who lives in Nevada, regardless of the amount of money they have received or expended. **Section 9** of this bill requires such persons and groups to file an organizational statement with the Secretary of State, regardless of the amount of money they have received or expended. **Section 10** of this bill requires such persons and groups who pay others to circulate petitions to disclose certain financial information to the Secretary of State. **Section 17** of this bill provides that such persons and groups who violate **section 7** are subject to civil penalties.

Chapter 295 of NRS governs petitions for statewide and local initiatives and referenda. **Section 19** of this bill requires the county clerks who receive the petitions for statewide initiatives or referenda for the purpose of signature verification to make copies of the petitions and make them available to the public for not less than 14 days. **Section 20** of this bill requires petition circulators for statewide measures or referenda to attach an affidavit to each document of a petition attesting to certain information about the process of gathering signatures. **Section 21** of this bill prohibits paying people to sign petitions.

Existing law requires the Secretary of State to consult with the Fiscal Analysis Division of the Legislative Counsel Bureau regarding the possible financial effect on the State of any statewide initiative or referendum. (NRS 295.015) **Section 24** of this bill requires the Secretary of State also to consult with the Legislative Counsel regarding each statewide initiative or referendum and authorizes the Legislative Counsel to make technical suggestions regarding the petition. **Sections 25 and 26** of this bill provide that when a petition for county initiative or referendum or municipal initiative or referendum is filed with the county or city clerk, the clerk is required to consult with the appropriate governing body to determine whether the initiative or referendum would have a financial effect on the local government, if approved by the voters. If the appropriate governing body determines that the



initiative or referendum would have a financial effect, **sections 25 and 26** require the governing body to create a description of the anticipated financial effect and require the appropriate clerk to post such a description on his Internet website, if he maintains an Internet website.

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

**Section 1.** NRS 293.4687 is hereby amended to read as follows:

293.4687 1. The Secretary of State shall maintain a website on the Internet for public information maintained, collected or compiled by the Secretary of State that relates to elections, which must include, without limitation:

(a) The Voters' Bill of Rights required to be posted on his Internet website pursuant to the provisions of NRS 293.2549;

(b) The abstract of votes required to be posted on a website pursuant to the provisions of NRS 293.388; and

(c) All reports on campaign contributions and expenditures submitted to the Secretary of State pursuant to the provisions of NRS 294A.120, 294A.125, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280, 294A.360 and 294A.362 ~~and~~ *and section 7 of this act.*

2. The abstract of votes required to be maintained on the website pursuant to paragraph (b) of subsection 1 must be maintained in such a format as to permit the searching of the abstract of votes for specific information.

3. If the information required to be maintained by the Secretary of State pursuant to subsection 1 may be obtained by the public from a website on the Internet maintained by a county clerk or city clerk, the Secretary of State may provide a hyperlink to that website to comply with the provisions of subsection 1 with regard to that information.

**Sec. 2.** NRS 293.481 is hereby amended to read as follows:

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

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

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



(2) ~~[Arguments]~~ *Except as otherwise provided in NRS 295.121 or 295.217, arguments* for and against the question; and

(3) ~~[[A description of the anticipated financial effect on the local government which, if the question is an advisory question that proposes a bond, tax, fee or expense, [a fiscal note prepared by the governing body] must be prepared~~ in accordance with subsection 4 of NRS 293.482.

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

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

(2) Arguments for and against the question; and

(3) ~~[[A description of the anticipated financial effect on the local government which, if the question is an advisory question that proposes a bond, tax, fee or expense, [a fiscal note prepared by the governing body] must be prepared~~ 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 explanation of the question;

(2) Arguments for and against the question; and

(3) ~~[[A description of the anticipated financial effect on the local government which, if the question is an advisory question that proposes a bond, tax, fee or expense, [a fiscal note prepared by the governing body] must be prepared~~ 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 explanation of the question;

(2) Arguments for and against the question; and

(3) ~~[[A description of the anticipated financial effect on the local government which, if the question is an advisory question that proposes a bond, tax, fee or expense, [a fiscal note prepared by the governing body] must be prepared~~ 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]~~ *description of the anticipated financial effect* on the ballot.

**Sec. 3.** NRS 293.482 is hereby amended to read as follows:

293.482 1. The governing body of a county or city may, at any general election or general city election, ask the advice of the registered voters within its jurisdiction on any question which it has under consideration. No other political subdivision, public or quasi-public corporation, or other local agency may ask the advice of the registered voters within its jurisdiction on any question which it has under consideration.

2. To place an advisory question on the ballot at a general election or general city election, the governing body of a county or city must:

(a) Adopt a resolution that:

(1) Sets forth:

(I) The question, in language indicating clearly that the question is advisory only;

(II) An explanation of the question;

(III) Except as otherwise provided in NRS 295.121 and 295.217, arguments for and against the question; and

(IV) ~~##~~ *A description of the anticipated financial effect on the local government which, if* the question is an advisory question that proposes a bond, tax, fee or expense, ~~[a fiscal note]~~ *must be* prepared by the governing body in accordance with subsection 4; and

(2) States that the result of the voting on the question does not place any legal requirement on the governing body, any member of the governing body or any officer of the political subdivision; and

(b) Comply with the requirements of paragraph (a) or (d) of subsection 1 of NRS 293.481.

3. A governing body may, at any general election, ask the advice of the registered voters of part of its territory if:

(a) The advisory question to be submitted affects only that part of its territory; and



(b) The resolution adopted pursuant to subsection 2 sets forth the boundaries of the area in which the advice of the registered voters will be asked.

4. With respect to a ~~{fiscal note}~~ *description of the anticipated financial effect* that is required in connection with an advisory question:

(a) If, in the advisory question, the governing body seeks advice on whether bonds should be issued, the ~~{fiscal note}~~ *description* must include any information that is required by law to be included on the sample ballot pursuant to the provisions of law that govern the procedure for issuance of the applicable type of bond.

(b) If, in the advisory question, the governing body seeks advice on whether a limitation upon revenue from taxes ad valorem should be exceeded, the ~~{fiscal note}~~ *description* must include any information that is required by law to be included on the sample ballot pursuant to the provisions of law that govern the procedure for exceeding that limitation.

(c) If, in the advisory question, the governing body seeks advice on whether a tax other than a property tax described in paragraph (b) should be levied, the ~~{fiscal note}~~ *description* must:

(1) Identify the average annual cost that is expected to be incurred by the affected taxpayers if the tax were to be levied;

(2) Specify the period over which the tax is proposed to be levied;

(3) Disclose whether, in connection with the levy of the tax, revenue bonds are to be sold which will be backed by the full faith and credit of the assessed value of the applicable local government; and

(4) If applicable, specify whether, in connection with or following the levy of the tax, additional expenses are expected to be incurred to pay for the operation or maintenance of any program or service to be provided from the proceeds of the tax or to pay for the operation or maintenance of any building, equipment, facility, machinery, property, structure, vehicle or other thing of value to be purchased, improved or repaired with the proceeds of the tax.

(d) If, in the advisory question, the governing body seeks advice on whether a fee should be imposed, the ~~{fiscal note}~~ *description* must:

(1) Identify the average annual cost that is expected to be incurred by the affected users if the fee were to be imposed;

(2) Specify the period over which the fee is proposed to be imposed; and

(3) If applicable, specify whether, in connection with or following the imposition of the fee, additional expenses are expected to be incurred to pay for the program or service to be



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1 provided from the proceeds of the fee or to pay for the operation or  
2 maintenance of any building, equipment, facility, machinery,  
3 property, structure, vehicle or other thing of value to be purchased,  
4 improved or repaired with the proceeds of the fee.

5 (e) If, in the advisory question, the governing body seeks advice  
6 on whether the applicable local government should incur an  
7 expense, the ~~fiscal note~~ *description* must:

8 (1) Identify the source of revenue that will be used to pay the  
9 expense;

10 (2) Disclose whether it is expected that the incurring of the  
11 expense will require the levy or imposition of a new tax or fee or the  
12 increase of an existing tax or fee; and

13 (3) If a tax or fee is proposed to be levied or imposed or  
14 increased to pay the expense, contain the information required  
15 pursuant to paragraph (c) or (d), as applicable.

16 5. On the sample ballot for the general election or general city  
17 election, each advisory question must appear:

18 (a) With a title in substantially the following form: "Advisory  
19 Ballot Question No. ...."; and

20 (b) With its explanation, arguments and ~~[, if required, fiscal~~  
21 ~~note.]~~ *description of the anticipated financial effect.*

22 6. The Committee on Local Government Finance shall prepare  
23 sample advisory ballot questions to demonstrate, for each situation  
24 enumerated in paragraphs (a) to (e), inclusive, of subsection 4,  
25 examples of the manner in which ~~fiscal notes~~ *descriptions of the*  
26 *anticipated financial effect* should be prepared.

27 **Sec. 4.** NRS 293.565 is hereby amended to read as follows:

28 293.565 1. Except as otherwise provided in subsection 2,  
29 sample ballots must include:

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

31 (b) The fiscal note ~~[,]~~ *or description of anticipated financial*  
32 *effect*, as provided pursuant to NRS 218.443, 293.250, 293.481 ~~for~~  
33 ~~293.482,]~~ , *293.482, 295.015 or 295.095* for each proposed  
34 constitutional amendment, statewide measure, measure to be voted  
35 upon only by a special district or political subdivision and advisory  
36 question;

37 (c) An explanation, as provided pursuant to NRS 218.443,  
38 293.250, 293.481, 293.482 or 295.121, of each proposed  
39 constitutional amendment, statewide measure, measure to be voted  
40 upon only by a special district or political subdivision and advisory  
41 question;

42 (d) Arguments for and against each proposed constitutional  
43 amendment, statewide measure, measure to be voted upon only by a  
44 special district or political subdivision and advisory question, and



1 rebuttals to each argument, as provided pursuant to NRS 218.443,  
2 293.250, 293.252, 293.481, 293.482 or 295.121; and

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

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

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

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

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

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

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

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

26  
27 **NOTICE: THE LOCATION OF YOUR POLLING PLACE**  
28 **HAS CHANGED SINCE THE LAST ELECTION**  
29

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

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

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

35  
36 **NOTICE: TO RECEIVE A SAMPLE BALLOT IN**  
37 **LARGE TYPE, CALL (Insert appropriate telephone number)**  
38

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

43 6. The sample ballot mailed to a person who requests a sample  
44 ballot in large type by exercising the option provided pursuant to



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1 NRS 293.508, or in any other manner, must be printed in at least 14-  
2 point type, or larger when practicable.

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

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

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

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

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

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

26 **Sec. 4.5.** NRS 293C.115 is hereby amended to read as follows:

27 293C.115 1. ~~[The]~~ *Except as otherwise provided in*  
28 *subsection 2, the* governing body of a city incorporated pursuant to  
29 general law may by ordinance provide for a primary city election  
30 and a general city election on:

31 (a) The dates set forth for primary elections and general  
32 elections pursuant to the provisions of chapter 293 of NRS; or

33 (b) The dates set forth for primary city elections and general city  
34 elections pursuant to the provisions of this chapter.

35 2. *The governing body of a city incorporated pursuant to*  
36 *general law in a county whose population is 400,000 or more shall*  
37 *by ordinance provide for a primary city election and a general city*  
38 *election on the dates set forth for primary elections and general*  
39 *elections pursuant to the provisions of chapter 293 of NRS.*

40 3. If a governing body of a city adopts an ordinance pursuant to  
41 paragraph (a) of subsection 1 ~~[H]~~ *or subsection 2*, the dates set forth  
42 in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS  
43 293.165, and in NRS 293.175, 293.177, 293.345 and 293.368 apply  
44 for purposes of conducting the primary city elections and general  
45 city elections of the city.



~~[3-]~~ 4. If a governing body of a city adopts an ordinance pursuant to subsection 1 ~~[4]~~ *or is required to adopt an ordinance pursuant to subsection 2:*

(a) The term of office of any elected city official may not be shortened as a result of the ordinance; and

(b) Each elected city official holds office until the end of his term and until his successor has been elected and qualified.

**Sec. 4.7.** NRS 293C.291 is hereby amended to read as follows:

293C.291 If a candidate whose name appears on the ballot at a primary city election or general city election dies after the applicable date set forth in:

1. NRS 293C.370; or

2. NRS 293.368, if the governing body of the city has adopted an ordinance pursuant to paragraph (a) of subsection 1 *or subsection 2* of NRS 293C.115,

➔ but before the time of the closing of the polls on the day of the election, the city clerk shall post a notice of the candidate's death at each polling place where the candidate's name will appear on the ballot for the primary city election or general city election.

**Sec. 5.** NRS 293C.530 is hereby amended to read as follows:

293C.530 1. Before the period for early voting, but not later than 10 days before an election, the city clerk shall cause to be mailed to each registered voter in the city 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 city clerk shall mail a notice of the change to each registered voter in the city 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**

2. Except as otherwise provided in subsection 3, a sample ballot required to be mailed pursuant to this section must:

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

(b) Include the ~~[fiscal note]~~ *description of the anticipated financial effect* and explanation ~~[, as required pursuant to NRS 293.481 or 293.482,]~~ of each citywide measure and advisory question, including arguments for and against ~~[it:]~~ *the measure or question, as required pursuant to NRS 293.481, 293.482, 295.205 or 295.217;* and



(c) 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)

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

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

5. If a person requests a sample ballot in large type, the city clerk shall ensure that all future sample ballots mailed to that person from the city are in large type.

6. The city clerk shall include in each sample ballot a statement indicating that the city clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his polling place and provide reasonable assistance to the voter in casting his vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the city clerk has provided pursuant to subsection 4 of NRS 293C.281 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly or disabled, the city clerk shall include in the sample ballot a statement indicating:

(a) The addresses of such centralized voting locations;

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

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

7. The cost of mailing sample ballots for a city election must be borne by the city holding the election.

**Sec. 6.** Chapter 294A of NRS is hereby amended by adding thereto the sections set forth as sections 7 to 10, inclusive, of this act.

**Sec. 7. 1. Every person or group of persons organized formally or informally who advocates the passage or defeat of a constitutional amendment or statewide measure proposed by an initiative or referendum, including, without limitation, the initiation or circulation thereof, and who receives or expends**



1 *money in an amount in excess of \$10,000 for such advocacy shall,*  
2 *not later than the dates listed in subsection 2, report:*

3 *(a) Each campaign contribution in excess of \$1,000 received*  
4 *during each period described in subsection 2;*

5 *(b) Contributions received during each period described in*  
6 *subsection 2 from a contributor which cumulatively exceed*  
7 *\$1,000;*

8 *(c) Each expenditure in excess of \$1,000 the person or group*  
9 *of persons makes during each period described in subsection 2;*  
10 *and*

11 *(d) The total amount of money the person or group of persons*  
12 *has at the beginning of each period described in subsection 2,*  
13 *accounting for all contributions received and expenditures made*  
14 *during each previous period.*

15 *2. Every person or group of persons required to report*  
16 *pursuant to subsection 1 shall file that report with the Secretary of*  
17 *State:*

18 *(a) For the period beginning on the first day a copy of the*  
19 *petition may be filed with the Secretary of State before it is*  
20 *circulated for signatures pursuant to Section 1 or Section 2 of*  
21 *Article 19 of the Nevada Constitution, as applicable, and ending*  
22 *on the following March 31, not later than April 15;*

23 *(b) For the period beginning on April 1 and ending on July 31,*  
24 *not later than August 15;*

25 *(c) For the period beginning on August 1 and ending on*  
26 *September 30, not later than October 15; and*

27 *(d) For the period beginning on October 1 and ending on*  
28 *December 31, not later than the following January 15.*

29 *3. The name and address of the contributor and the date on*  
30 *which the contribution was received must be included on each*  
31 *report for each contribution in excess of \$1,000 and contributions*  
32 *which a contributor has made cumulatively in excess of that*  
33 *amount since the beginning of the applicable reporting period.*

34 *4. Expenditures made within the State or made elsewhere but*  
35 *for use within the State, including expenditures made outside the*  
36 *State for printing, television and radio broadcasting or other*  
37 *production of the media, must be included in each report.*

38 *5. Each report required pursuant to this section must:*

39 *(a) Be on the form designed and provided by the Secretary of*  
40 *State pursuant to NRS 294A.373; and*

41 *(b) Be signed by the person or a representative of the group of*  
42 *persons under penalty of perjury.*

43 *6. A person or group of persons may mail or transmit each*  
44 *report to the Secretary of State by certified mail, regular mail,*



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1 *facsimile machine or electronic means or may deliver the report*  
2 *personally.*

3 7. *A report shall be deemed to be filed with the Secretary of*  
4 *State:*

5 (a) *On the date that it was mailed if it was sent by certified*  
6 *mail; or*

7 (b) *On the date that it was received by the Secretary of State if*  
8 *the report was sent by regular mail, transmitted by facsimile*  
9 *machine or electronic means, or delivered personally.*

10 **Sec. 8.** *Each person or group of persons organized formally*  
11 *or informally who advocates the passage or defeat of a*  
12 *constitutional amendment or statewide measure proposed by an*  
13 *initiative or referendum shall appoint and keep within this State a*  
14 *resident agent who must be a natural person who resides in this*  
15 *State.*

16 **Sec. 9.** 1. *Each person or group of persons organized*  
17 *formally or informally who advocates the passage or defeat of a*  
18 *constitutional amendment or statewide measure proposed by an*  
19 *initiative or referendum, before engaging in any such advocacy in*  
20 *this State, shall file a statement of organization with the Secretary*  
21 *of State as provided in subsection 2.*

22 2. *Each statement of organization must include:*

23 (a) *The name of the person or group of persons;*

24 (b) *The purpose for which the person or group of persons is*  
25 *organized;*

26 (c) *The names and addresses of any officers of the person or*  
27 *group of persons;*

28 (d) *If the person or group of persons is affiliated with or is*  
29 *retained by any other person or group for the purpose of*  
30 *advocating the passage or defeat of a constitutional amendment or*  
31 *statewide measure proposed by initiative or referendum, the name*  
32 *and address of each such other person or group; and*

33 (e) *The name, address and telephone number of the resident*  
34 *agent of the person or group of persons.*

35 3. *A person or group of persons which has filed a statement*  
36 *of organization pursuant to this section shall file an amended*  
37 *statement with the Secretary of State within 30 days of any*  
38 *changes to the information required pursuant to subsection 2.*

39 **Sec. 10.** 1. *Each person or group of persons organized*  
40 *formally or informally who advocates the passage or defeat of a*  
41 *constitutional amendment or statewide measure proposed by an*  
42 *initiative or referendum that provides compensation to persons to*  
43 *circulate petitions shall report to the Secretary of State:*

44 (a) *The number of persons to whom such compensation is*  
45 *provided;*



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1 (b) *The least amount of such compensation that is provided*  
2 *and the greatest amount of such compensation that is provided;*  
3 *and*

4 (c) *The total amount of compensation provided.*

5 2. *The Secretary of State shall make public any information*  
6 *received pursuant to this section.*

7 **Sec. 11.** NRS 294A.150 is hereby amended to read as follows:

8 294A.150 1. ~~Every~~ *Except as otherwise provided in*  
9 *section 7 of this act, every* person or group of persons organized  
10 formally or informally who advocates the passage or defeat of a  
11 question or group of questions on the ballot at a primary election,  
12 primary city election, general election or general city election ~~and~~  
13 ~~every person or group of persons who initiates or circulates a~~  
14 ~~petition for a constitutional amendment or a petition for a statewide~~  
15 ~~measure proposed by an initiative or a referendum and who receives~~  
16 ~~or expends money in an amount in excess of \$10,000 to support~~  
17 ~~such initiation or circulation]~~ shall, not later than January 15 of each  
18 year that the provisions of this subsection apply to the person or  
19 group of persons, for the period from January 1 of the previous year  
20 through December 31 of the previous year, report each campaign  
21 contribution in excess of ~~[\$100]~~ *\$1,000* received during that period  
22 and contributions received during the period from a contributor  
23 which cumulatively exceed ~~[\$100.]~~ *\$1,000*. The report must be  
24 completed on the form designed and provided by the Secretary of  
25 State pursuant to NRS 294A.373. The form must be signed by the  
26 person or a representative of the group under penalty of perjury. The  
27 provisions of this subsection apply to the person or group of  
28 persons:

29 (a) Each year in which an election or city election is held for  
30 each question for which the person or group advocates passage or  
31 defeat ; ~~[or each year in which a person or group receives or~~  
32 ~~expends money in excess of \$10,000 to support the initiation or~~  
33 ~~circulation of a petition for a constitutional amendment or a petition~~  
34 ~~for a statewide measure proposed by an initiative or a referendum;]~~  
35 and

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

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



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1 held on or after January 1 and before the July 1 immediately  
2 following that January 1, every person or group of persons  
3 organized formally or informally who advocates the passage or  
4 defeat of the question or a group of questions that includes the  
5 question shall comply with the requirements of this subsection. A  
6 person or group of persons described in this subsection shall, not  
7 later than:

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

12 (b) Seven days before the general election or general city  
13 election, for the period from 11 days before the primary election or  
14 primary city election through 12 days before the general election or  
15 general city election; and

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

19 ➔ report each campaign contribution in excess of ~~[\$100]~~ **\$1,000**  
20 received during the period and contributions received during the  
21 period from a contributor which cumulatively exceed ~~[\$100.]~~  
22 **\$1,000.** The report must be completed on the form designed and  
23 provided by the Secretary of State pursuant to NRS 294A.373 and  
24 signed by the person or a representative of the group under penalty  
25 of perjury.

26 3. The name and address of the contributor and the date on  
27 which the contribution was received must be included on the report  
28 for each contribution in excess of ~~[\$100]~~ **\$1,000** and contributions  
29 which a contributor has made cumulatively in excess of that amount  
30 since the beginning of the current reporting period.

31 4. If a question is on the ballot at a primary election or primary  
32 city election and the general election or general city election  
33 immediately following that primary election or primary city election  
34 is held on or after July 1 and before the January 1 immediately  
35 following that July 1, every person or group of persons organized  
36 formally or informally who advocates the passage or defeat of the  
37 question or a group of questions that includes the question shall  
38 comply with the requirements of this subsection. ~~##~~ **Except as**  
39 **otherwise provided in section 7 of this act, if** a question is on the  
40 ballot at a general election or general city election held on or after  
41 July 1 and before the January 1 immediately following that July 1,  
42 every person or group of persons organized formally or informally  
43 who advocates the passage or defeat of the question or a group of  
44 questions that includes the question shall comply with the  
45 requirements of this subsection. ~~Every person or group of persons~~



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~~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]~~ **\$1,000** received during the period and contributions received during the period from a contributor which cumulatively exceed ~~[\$100.]~~ **\$1,000**. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the group under penalty of perjury.

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

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

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

➔ report each campaign contribution in excess of ~~[\$100]~~ **\$1,000** received during the period and contributions received during the period from a contributor which cumulatively exceed ~~[\$100.]~~ **\$1,000**. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the group under penalty of perjury.

6. Every person or group of persons organized formally or informally who advocates the passage or defeat of a question or group of questions on the ballot at a special election to determine whether a public officer will be recalled shall report each of the contributions received 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, 30 days after:



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

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

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

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

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

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

8. A person may mail or transmit his report to the appropriate officer by regular mail, certified mail, facsimile machine or electronic means. A report shall be deemed to be filed with the officer:

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

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

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

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

**Sec. 12.** NRS 294A.220 is hereby amended to read as follows:

294A.220 1. ~~Every~~ *Except as otherwise provided in section 7 of this act, every* person or group of persons organized formally or informally who advocates the passage or defeat of a question or group of questions on the ballot at a primary election, primary city election, general election or general city election ~~and 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~~



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1 ~~or expends money in an amount in excess of \$10,000 to support~~  
2 ~~such initiation or circulation]~~ shall, not later than January 15 of each  
3 year that the provisions of this subsection apply to the person or  
4 group of persons, for the period from January 1 of the previous year  
5 through December 31 of the previous year, report each expenditure  
6 made during the period on behalf of or against the question, the  
7 group of questions or a question in the group of questions on  
8 the ballot in excess of ~~[\$100]~~ \$1,000 on the form designed and  
9 provided by the Secretary of State pursuant to NRS 294A.373. The  
10 form must be signed by the person or a representative of the group  
11 under penalty of perjury. The provisions of this subsection apply to  
12 the person or group of persons:

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

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

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

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

41 (b) Seven days before the general election or general city  
42 election, for the period from 11 days before the primary election or  
43 primary city election through 12 days before the general election or  
44 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 the June 30 immediately preceding that July 15,

➤ report each expenditure made during the period on behalf of or against the question, the group of questions or a question in the group of questions on the ballot in excess of ~~[\$100]~~ \$1,000 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. 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. ~~##~~ *Except as otherwise provided in section 7 of this act, 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 expenditure made during the period on behalf of or against the question, the group of questions or a question in the group of questions on the ballot in excess of ~~[\$100]~~ \$1,000 on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the group under penalty of perjury.



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

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

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

→ report each expenditure made during the period on behalf of or against the question, the group of questions or a question in the group of questions on the ballot in excess of ~~[\$100]~~ \$1,000 on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the group under penalty of perjury.

5. Every person or group of persons organized formally or informally who advocates the passage or defeat of a question or group of questions on the ballot at a special election to determine whether a public officer will be recalled shall list each expenditure made during the period on behalf of or against the question, the group of questions or a question in the group of questions on the ballot in excess of ~~[\$100]~~ \$1,000 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, 30 days after:

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

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

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

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

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

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

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



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

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

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

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

**Sec. 13.** NRS 294A.365 is hereby amended to read as follows:

294A.365 1. Each report of expenditures required pursuant to  
NRS 294A.210, 294A.220 and 294A.280 *and section 7 of this act*  
must consist of a list of each expenditure in excess of \$100 *or*  
*\$1,000, as is appropriate*, that was made during the periods for  
reporting. Each report of expenses required pursuant to NRS  
294A.125 and 294A.200 must consist of a list of each expense in  
excess of \$100 that was incurred during the periods for reporting.  
The list in each report must state the category and amount of the  
expense or expenditure and the date on which the expense was  
incurred or the expenditure was made.

2. The categories of expense or expenditure for use on the  
report of expenses or expenditures are:

- (a) Office expenses;
- (b) Expenses related to volunteers;
- (c) Expenses related to travel;
- (d) Expenses related to advertising;
- (e) Expenses related to paid staff;
- (f) Expenses related to consultants;
- (g) Expenses related to polling;
- (h) Expenses related to special events;
- (i) Except as otherwise provided in NRS 294A.362, goods and  
services provided in kind for which money would otherwise have  
been paid; and
- (j) Other miscellaneous expenses.



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3. Each report of expenses or expenditures described in subsection 1 must list the disposition of any unspent campaign contributions using the categories set forth in subsection 2 of NRS 294A.160.

**Sec. 14.** NRS 294A.373 is hereby amended to read as follows:

294A.373 1. The Secretary of State shall design a single form to be used for all reports of campaign contributions and expenses or expenditures that are required to be filed pursuant to NRS 294A.120, 294A.125, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280, 294A.360 and 294A.362 ~~and~~ *and section 7 of this act.*

2. The form designed by the Secretary of State pursuant to this section must only request information specifically required by statute.

3. Upon request, the Secretary of State shall provide a copy of the form designed pursuant to this section to each person, committee, political party and group that is required to file a report described in subsection 1.

4. The Secretary of State must obtain the advice and consent of the Legislative Commission before providing a copy of a form designed or revised by the Secretary of State pursuant to this section to a person, committee, political party or group that is required to use the form.

**Sec. 15.** NRS 294A.390 is hereby amended to read as follows:

294A.390 The officer from whom a candidate or entity requests a form for:

1. A declaration of candidacy;

2. An acceptance of candidacy;

3. The registration of a committee for political action pursuant to NRS 294A.230 or a committee for the recall of a public officer pursuant to NRS 294A.250; or

4. The reporting of campaign contributions, expenses or expenditures pursuant to NRS 294A.120, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280 or 294A.360, *or section 7 of this act,*

shall furnish the candidate with the necessary forms for reporting and copies of the regulations adopted by the Secretary of State pursuant to this chapter. An explanation of the applicable provisions of NRS 294A.100, 294A.120, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280 or 294A.360 *or section 7 of this act* relating to the making, accepting or reporting of campaign contributions, expenses or expenditures and the penalties for a violation of those provisions as set forth in NRS 294A.100 or 294A.420 must be developed by the Secretary of State



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1 and provided upon request. The candidate or entity shall  
2 acknowledge receipt of the material.

3 **Sec. 16.** NRS 294A.400 is hereby amended to read as follows:

4 294A.400 The Secretary of State shall, within 30 days after  
5 receipt of the reports required by NRS 294A.120, 294A.125,  
6 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220,  
7 294A.270 and 294A.280, *and section 7 of this act*, prepare and  
8 make available for public inspection a compilation of:

9 1. The total campaign contributions, the contributions which  
10 are in excess of \$100 and the total campaign expenses of each of the  
11 candidates from whom reports of those contributions and expenses  
12 are required.

13 2. The total amount of loans to a candidate guaranteed by a  
14 third party, the total amount of loans made to a candidate that have  
15 been forgiven and the total amount of written commitments for  
16 contributions received by a candidate.

17 3. The contributions made to a committee for the recall of a  
18 public officer in excess of \$100.

19 4. The expenditures exceeding \$100 made by a:

20 (a) Person on behalf of a candidate other than himself.

21 (b) ~~{Person or group of persons on behalf of or against a~~  
22 ~~question or group of questions on the ballot.~~

23 ~~—(e)}~~ Group of persons advocating the election or defeat of a  
24 candidate.

25 ~~{(d)}~~ (c) Committee for the recall of a public officer.

26 5. The contributions in excess of \$100 made to:

27 (a) A person who is not under the direction or control of a  
28 candidate or group of candidates or of any person involved in the  
29 campaign of the candidate or group who makes an expenditure on  
30 behalf of the candidate or group which is not solicited or approved  
31 by the candidate or group.

32 (b) ~~{A person or group of persons organized formally or~~  
33 ~~informally who advocates the passage or defeat of a question or~~  
34 ~~group of questions on the ballot.~~

35 ~~—(e)}~~ A committee for political action, political party or  
36 committee sponsored by a political party which makes an  
37 expenditure on behalf of a candidate or group of candidates.

38 *6. The contributions in excess of \$1,000 made to and the*  
39 *expenditures exceeding \$1,000 made by a:*

40 (a) *Person or group of persons on behalf of or against a*  
41 *question or group of questions on the ballot, except as otherwise*  
42 *provided in paragraph (c).*

43 (b) *Person or group of persons organized formally or*  
44 *informally who advocates the passage or defeat of a question or*



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1 *group of questions on the ballot, except as otherwise provided in*  
2 *paragraph (c).*

3 *(c) Person or group of persons organized formally or*  
4 *informally who advocates the passage or defeat of a constitutional*  
5 *amendment or statewide measure proposed by an initiative or*  
6 *referendum, including, without limitation, the initiation or*  
7 *circulation thereof, and who receives or expends money in an*  
8 *amount in excess of \$10,000 for such advocacy.*

9 **Sec. 17.** NRS 294A.420 is hereby amended to read as follows:

10 294A.420 1. If the Secretary of State receives information  
11 that a person or entity that is subject to the provisions of NRS  
12 294A.120, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210,  
13 294A.220, 294A.230, 294A.270, 294A.280 or 294A.360 *or section*  
14 *7 of this act* has not filed a report or form for registration pursuant  
15 to the applicable provisions of those sections, the Secretary of State  
16 may, after giving notice to that person or entity, cause the  
17 appropriate proceedings to be instituted in the First Judicial District  
18 Court.

19 2. Except as otherwise provided in this section, a person or  
20 entity that violates an applicable provision of NRS 294A.112,  
21 294A.120, 294A.128, 294A.130, 294A.140, 294A.150, 294A.160,  
22 294A.200, 294A.210, 294A.220, 294A.230, 294A.270, 294A.280,  
23 294A.300, 294A.310, 294A.320 or 294A.360 *or section 7 of this*  
24 *act* is subject to a civil penalty of not more than \$5,000 for each  
25 violation and payment of court costs and attorney's fees. The civil  
26 penalty must be recovered in a civil action brought in the name of  
27 the State of Nevada by the Secretary of State in the First Judicial  
28 District Court and deposited by the Secretary of State for credit to  
29 the State General Fund in the bank designated by the State  
30 Treasurer.

31 3. If a civil penalty is imposed because a person or entity has  
32 reported its contributions, expenses or expenditures after the date  
33 the report is due, except as otherwise provided in this subsection, the  
34 amount of the civil penalty is:

35 (a) If the report is not more than 7 days late, \$25 for each day  
36 the report is late.

37 (b) If the report is more than 7 days late but not more than 15  
38 days late, \$50 for each day the report is late.

39 (c) If the report is more than 15 days late, \$100 for each day the  
40 report is late.

41 ➡ A civil penalty imposed pursuant to this subsection against a  
42 public officer who by law is not entitled to receive compensation for  
43 his office or a candidate for such an office must not exceed a total of  
44 \$100 if the public officer or candidate received no contributions and  
45 made no expenditures during the relevant reporting periods.



4. For good cause shown, the Secretary of State may waive a civil penalty that would otherwise be imposed pursuant to this section. If the Secretary of State waives a civil penalty pursuant to this subsection, the Secretary of State shall:

(a) Create a record which sets forth that the civil penalty has been waived and describes the circumstances that constitute the good cause shown; and

(b) Ensure that the record created pursuant to paragraph (a) is available for review by the general public.

**Sec. 18.** Chapter 295 of NRS is hereby amended by adding thereto the sections set forth as sections 19, 20 and 21 of this act.

**Sec. 19.** *After a petition for a constitutional amendment or a petition for a statewide measure proposed by an initiative or referendum is submitted for signature verification to the county clerk, the county clerk shall make true and correct copies of all the documents of the petition and signatures thereon and shall make such copies and signatures available to the public for a period of not less than 14 days.*

**Sec. 20.** *A petition for a constitutional amendment or a petition for a statewide measure proposed by an initiative or referendum may consist of more than one document. Each document of a petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:*

*1. That he personally circulated the document;*

*2. The number of signatures thereon;*

*3. That all the signatures were affixed in his presence; and*

*4. That each signer had an opportunity before signing to read the full text of the act or resolution on which the initiative or referendum is demanded.*

**Sec. 21.** *A person shall not give compensation of any kind to any person in exchange for signing a petition for initiative or referendum.*

**Sec. 22.** (Deleted by amendment.)

**Sec. 23.** (Deleted by amendment.)

**Sec. 24.** NRS 295.015 is hereby amended to read as follows:

295.015 1. Before a petition for initiative or referendum may be presented to the registered voters for their signatures, a copy of the petition for initiative or referendum, including the description required pursuant to NRS 295.009, 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]~~:

(a) *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



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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.

*(b) The Secretary of State shall consult with the Legislative Counsel regarding the petition for initiative or referendum. The Legislative Counsel may provide technical suggestions regarding the petition for initiative or referendum.*

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 NRS 295.009, ~~and~~ any fiscal note prepared pursuant to subsection 2 ~~and~~ *and any suggestions made by the Legislative Counsel pursuant to subsection 2*, on his Internet website.

**Sec. 25.** NRS 295.095 is hereby amended to read as follows:

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

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

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

4. *Upon receipt of a petition for initiative or referendum placed on file pursuant to subsection 1, the county clerk shall consult with the board to determine if the initiative or referendum may have any anticipated financial effect on the local government if the initiative or referendum is approved by the voters. If the board determines that the initiative or referendum may have an anticipated financial effect on the local government if the initiative or referendum is approved by the voters, the board must prepare a description of the anticipated financial effect and the county clerk shall post a copy of this information on his Internet website, if he maintains one.*



1       **5.** A petition must be submitted to the county clerk for  
2 verification, pursuant to NRS 295.250 to 295.290, inclusive, not  
3 later than:

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

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

8       ~~[5.]~~ **6.** A petition may consist of more than one document, but  
9 all documents of a petition must be uniform in size and style,  
10 numbered and assembled as one instrument for submission. Each  
11 signature must be executed in ink or indelible pencil and followed  
12 by the address of the person signing and the date on which he signed  
13 the petition. All signatures on a petition must be obtained within the  
14 period specified in subsection ~~[4.]~~ **5.** Each document must contain,  
15 or have attached thereto throughout its circulation, the full text of  
16 the ordinance proposed or sought to be reconsidered.

17       ~~[6.]~~ **7.** Each document of a petition must have attached to it  
18 when submitted an affidavit executed by the circulator thereof  
19 stating:

20       (a) That he personally circulated the document;

21       (b) The number of signatures thereon;

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

23       ~~[(d) That he believes them to be genuine signatures of the~~  
24 ~~persons whose names they purport to be;]~~ and

25       ~~[(e)]~~ **(d)** That each signer had an opportunity before signing to  
26 read the full text of the ordinance proposed or sought to be  
27 reconsidered.

28       ~~[7.]~~ **8.** The county clerk shall issue a receipt to any person who  
29 submits a petition pursuant to this section. The receipt must set forth  
30 the number of:

31       (a) Documents included in the petition;

32       (b) Pages in each document; and

33       (c) Signatures that the person declares are included in the  
34 petition.

35       **Sec. 26.** NRS 295.205 is hereby amended to read as follows:

36       295.205 1. Any five registered voters of the city may  
37 commence initiative or referendum proceedings by filing with the  
38 city clerk an affidavit:

39       (a) Stating they will constitute the petitioners' committee and be  
40 responsible for circulating the petition and filing it in proper form;

41       (b) Stating their names and addresses;

42       (c) Specifying the address to which all notices to the committee  
43 are to be sent; and

44       (d) Setting out in full the proposed initiative ordinance or citing  
45 the ordinance sought to be reconsidered.



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

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

4. *Upon receipt of a petition for initiative or referendum placed on file pursuant to subsection 1, the city clerk shall consult with the council to determine if the initiative or referendum may have any anticipated financial effect on the local government if the initiative or referendum is approved by the voters. If the council determines that the initiative or referendum may have an anticipated financial effect on the local government if the initiative or referendum is approved by the voters, the council must prepare a description of the anticipated financial effect and the city clerk shall post a copy of this information on his Internet website, if he maintains one.*

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

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

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

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

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

(a) That he personally circulated the document;

(b) The number of signatures thereon;

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

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

~~[(e)]~~ (d) That each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.



~~7.1~~ 8. The city clerk shall issue a receipt to any person who submits a petition pursuant to this section. The receipt must set forth the number of:

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

**Sec. 27.** NRS 295.217 is hereby amended to read as follows:

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

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

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

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

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

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

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

(b) Members of the committee serve without compensation.

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

4. The city clerk may establish and maintain a list of the persons who have expressed an interest in serving on a committee appointed pursuant to this section. The city clerk, after exercising due diligence to locate persons who favor approval by the voters of an initiative, referendum or other question to be placed on the ballot or who oppose approval by the voters of an initiative, referendum or



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1 other question to be placed on the ballot, may use the names on a list  
2 established pursuant to this subsection to:

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

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

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

7 (a) Recommend to the council persons to be appointed to the  
8 committee; and

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

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

12 (2) A person who is a member of an organization that has  
13 expressed an interest in having a member of the organization serve  
14 on the committee.

15 6. If the council of a city whose population is 10,000 or more  
16 fails to appoint a committee as required pursuant to this section, the  
17 city clerk shall, in consultation with the city attorney, prepare an  
18 argument advocating approval by the voters of the initiative,  
19 referendum or other question and an argument opposing approval by  
20 the voters of the initiative, referendum or other question. Each  
21 argument prepared by the city clerk must satisfy the requirements of  
22 paragraph (f) of subsection 7 and any rules or regulations adopted  
23 by the city clerk pursuant to subsection 8. The city clerk shall not  
24 prepare the rebuttal of the arguments required pursuant to paragraph  
25 (e) of subsection 7.

26 7. A committee appointed pursuant to this section:

27 (a) Shall elect a chairman for the committee;

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

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

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

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

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

40 (1) The *anticipated* fiscal ~~impact~~ *effect* of the initiative,  
41 referendum or other question;

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

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



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(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 rejection and may receive evidence, documentary or testimonial, to aid him in his decision. Not later than 3 business days after the appeal by the committee, the city attorney or other city officer appointed to hear the appeal shall issue his decision rejecting or accepting the statement. The decision of the city attorney or other city officer appointed to hear the appeal is a final decision for the purposes of judicial review. If the decision of the city attorney or other city officer appointed to hear the appeal is challenged by filing a complaint in district court, the court shall set the matter for hearing not later than 3 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.

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

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

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



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

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

**Sec. 28.** NRS 267.110 is hereby amended to read as follows:

267.110 1. Any city having adopted a charter pursuant to the provisions of NRS 267.010 to 267.140, inclusive, has pursuant to the charter:

(a) All of the powers enumerated in the general laws of the State for the incorporation of cities.

(b) Such other powers necessary and not in conflict with the Constitution and laws of the State of Nevada to carry out the commission form of government.

2. The charter, when submitted, must:

(a) Fix the number of commissioners, their terms of office and their duties and compensation.

(b) Provide for all necessary appointive and elective officers for the form of government therein provided, and fix their salaries and emoluments, duties and powers.

(c) Fix, in accordance with the provisions of NRS 293C.140 and 293C.175 or with the provisions of NRS 293C.145, or with the provisions of paragraph (a) of subsection 1 *or subsection 2* of NRS 293C.115, the time for the first and subsequent elections for all elective officers. After the first election and the qualification of the officers who were elected, the old officers and all boards or offices and their emoluments must be abolished.

**Sec. 29.** Section 4 of the Charter of Boulder City is hereby amended to read as follows:

Section 4. Number; selection and term; recall.

1. The City Council shall have four Councilmen and a Mayor elected from the City at large in the manner provided in Article IX . ~~[, for terms of four years and until their successors have been elected and have taken office as provided in section 16, subject to recall as provided in section 11.5.]~~ No Councilman shall represent any particular constituency or district of the City, and each Councilman shall represent the entire City. (Amd. 2; 6-4-1991; Add. 17; Amd. 1; 11-5-1996)



2. (Repealed by Amd. 1; 6-4-1991)

3. *Except as otherwise provided in section 96, all Councilmen and the Mayor shall serve for 4 years, subject to recall as provided in section 111.5.*

**Sec. 30.** Section 16 of the Charter of Boulder City is hereby amended to read as follows:

Section 16. Induction of Council into office; meetings of Council.

1. The City Council shall meet within ~~ten~~ 10 days after each ~~city~~ primary election and each ~~city~~ general election specified in Article IX ~~;~~ to canvass the returns and to declare the results. All newly elected or reelected Mayor or Council members ~~shall~~ **must** be inducted into office at the next regular Council meeting following certification of the applicable ~~city~~ general election results. Immediately following such induction, the Mayor pro tem ~~shall~~ **must** be designated as provided in section 7. Thereafter, the Council shall meet regularly at such times as it shall set by resolution from time to time, but not less frequently than once each month. (Add. 13; Amd. 1; 6-2-1987; Amd. 2; 6-4-1991; Add. 17; Amd. 1; 11-5-1996; Add. 24; Amd. 1; 6-3-2003)

A. (Add. 3; Amd. 2; 5-2-1967; Repealed by Add. 15; Amd. 1; 6-4-1991)

2. It is the intent of this Charter that deliberations and actions of the Council be conducted openly. All meetings of the City Council ~~shall~~ **must** be in accordance with chapter 241 of ~~the Nevada Revised Statutes.~~ **NRS.** (Add. 10; Amd. 1; 6-2-1981)

3. Any emergency meeting of the City Council, as defined by chapter 241 ~~, shall~~ **of NRS, must** be as provided therein, and in addition:

(a) An emergency meeting may be called by the Mayor or upon written notice issued by a majority of the Council.

(b) Prior notice of such an emergency meeting ~~shall~~ **must** be given to all members of the City Council. (Add. 10; Amd. 1; 6-2-1981)

**Sec. 31.** Section 92 of the Charter of Boulder City is hereby amended to read as follows:

Section 92. Public parks, recreation areas, parking.

1. All public parks, public recreation areas and publicly owned off-street parking areas in existence at the time of incorporation, unless under private lease, must not be sold, leased or zoned for any other use without approval of the majority of the voters voting at a special election ~~for primary~~



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~~or general~~, a *primary* municipal *and state* election, or a general *municipal and* state election.

2. A special election may be held only if the City Council determines, by a unanimous vote, that an emergency exists. The determination made by the City Council is conclusive unless it is shown that the City Council acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the City Council must be commenced within 15 days after the City Council's determination is final. As used in this subsection, "emergency" means any unexpected occurrence or combination of occurrences which requires immediate action by the City Council to prevent or mitigate a substantial financial loss to the City or to enable the City Council to provide an essential service to the residents of the City. (Add. 16; Amd. 2; 1-1-1994)

(A—Ch. 345, Stats. 1993 p. 1096)

**Sec. 32.** Section 96 of the Charter of Boulder City is hereby amended to read as follows:

Section 96. Conduct of ~~city~~ elections.

1. All city elections must be nonpartisan in character and must be conducted in accordance with the provisions of the general election laws of the State of Nevada and any ordinance regulations as adopted by the City Council which are consistent with law and this Charter. (1959 Charter)

2. ~~All~~ *Except as otherwise provided in subsections 3 and 4, all* full terms of office in the City Council are ~~four years, and~~ *4 years*. Council members must be elected at large without regard to precinct residency.

3. Two ~~full-term~~ Council members and the Mayor are to be elected ~~[in each year immediately preceding a federal presidential election, and two full-term]~~ *on the first Tuesday after the first Monday in June 2011 at a general municipal election to be held for that purpose. The two Council members and the Mayor shall hold office until their successors have been elected and qualified pursuant to subsection 5.*

4. Two Council members are to be elected ~~[in each year immediately following a federal presidential election.]~~ *on the first Tuesday after the first Monday in June 2009 at a general municipal election to be held for that purpose. The two Council members shall hold office until their successors have been elected and qualified pursuant to subsection 6.*

5. *Two Council members and the Mayor are to be elected on the first Tuesday after the first Monday in*



1 *November 2014 and at each successive interval of 4 years*  
2 *thereafter. The two Council members and the Mayor shall*  
3 *hold office for a period of 4 years and until their successors*  
4 *have been elected and qualified.*

5 6. *Two Council members are to be elected on the first*  
6 *Tuesday after the first Monday in November 2012 and at*  
7 *each successive interval of 4 years thereafter. The two*  
8 *Council members shall hold office for a period of 4 years*  
9 *and until their successors have been elected and qualified.*

10 7. In each election, the candidates receiving the greatest  
11 number of votes must be declared elected to the vacant ~~full-~~  
12 ~~term~~ positions. (Add. 17; Amd. 1; 11-5-1996)

13 (a) In the event one or more ~~two-year~~ 2-year term  
14 positions on the Council will be available at the time of a  
15 municipal election as provided in section 12, candidates must  
16 file specifically for such ~~position(s)-~~ positions. Candidates  
17 receiving the greatest respective number of votes must be  
18 declared elected to the respective available ~~two-year~~ 2-year  
19 positions. (Add. 15; Amd. 2; 6-4-1991)

20 ~~{3.-A city}~~

21 8. A primary election must be held on the first Tuesday  
22 after the first Monday in April of each odd-numbered year ,  
23 and a city general election must be held on the first Tuesday  
24 after the first Monday in June of each odd-numbered year.

25 (a) A primary election must not be held if no more than  
26 double the number of Council members to be elected file as  
27 candidates. A primary election must not be held for the office  
28 of Mayor if no more than two candidates file for that position.  
29 The primary election must be held for the purpose of  
30 eliminating candidates in excess of a figure double the  
31 number of Council members to be elected. (Add. 17; Amd. 1;  
32 11-5-1996)

33 (b) If, in the primary city election, a candidate receives  
34 votes equal to a majority of voters casting ballots in that  
35 election, he shall be considered elected to one of the  
36 vacancies and his name ~~shall~~ must not be placed on the  
37 ballot for the general city election. (Add. 10; Amd. 7; 6-2-  
38 1981)

39 (c) In each primary and general election, voters ~~shall be~~  
40 are entitled to cast ballots for candidates in a number equal to  
41 the number of seats to be filled in the city elections. (Add. 11;  
42 Amd. 5; 6-7-1983)

43 ~~{4.-}~~ 9. The conduct of all municipal elections ~~shall be~~  
44 is under the control of the City Council, which shall adopt by  
45 ordinance all regulations which it considers desirable and



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consistent with law and this Charter. Nothing in this Charter shall be construed as to deny or abridge the power of the City Council to provide for supplemental regulations for the prevention of fraud in such elections and for the recount of ballots in cases of doubt or fraud. (Add. 24; Amd. 1; 6-3-2003)

**Sec. 33.** Section 96 of the Charter of Boulder City is hereby amended to read as follows:

Section 96. Conduct of elections.

1. All city elections must be nonpartisan in character and must be conducted in accordance with the provisions of the general election laws of the State of Nevada and any ordinance regulations as adopted by the City Council which are consistent with law and this Charter. (1959 Charter)

2. Except as otherwise provided in subsections 3 and 4, all full terms of office in the City Council are 4 years. Council members must be elected at large without regard to precinct residency.

3. Two Council members and the Mayor are to be elected on the first Tuesday after the first Monday in June 2011 at a general municipal election to be held for that purpose. The two Council members and the Mayor shall hold office until their successors have been elected and qualified pursuant to subsection 5.

4. Two Council members are to be elected on the first Tuesday after the first Monday in June 2009 at a general municipal election to be held for that purpose. The two Council members shall hold office until their successors have been elected and qualified pursuant to subsection 6.

5. Two Council members and the Mayor are to be elected on the first Tuesday after the first Monday in November 2014 and at each successive interval of 4 years thereafter. The two Council members and the Mayor shall hold office for a period of 4 years and until their successors have been elected and qualified.

6. Two Council members are to be elected on the first Tuesday after the first Monday in November 2012 and at each successive interval of 4 years thereafter. The two Council members shall hold office for a period of 4 years and until their successors have been elected and qualified.

7. In each election, the candidates receiving the greatest number of votes must be declared elected to the vacant positions. (Add. 17; Amd. 1; 11-5-1996)

(a) In the event one or more 2-year term positions on the Council will be available at the time of a municipal election



as provided in section 12, candidates must file specifically for such positions. Candidates receiving the greatest respective number of votes must be declared elected to the respective available 2-year positions. (Add. 15; Amd. 2; 6-4-1991)

8. A primary election must be held on the ~~{first Tuesday after the first Monday in April}~~ *twelfth Tuesday before the general election* of each ~~{odd-numbered}~~ *even-numbered* year, and a ~~{city}~~ general election must be held on the first Tuesday after the first Monday in ~~{June}~~ *November* of each ~~{odd-numbered}~~ *even-numbered* year.

(a) A primary election must not be held if no more than double the number of Council members to be elected file as candidates. A primary election must not be held for the office of Mayor if no more than two candidates file for that position. The primary election must be held for the purpose of eliminating candidates in excess of a figure double the number of Council members to be elected. (Add. 17; Amd. 1; 11-5-1996)

(b) If, in the primary ~~{city}~~ election, a candidate receives votes equal to a majority of voters casting ballots in that election, he shall be considered elected to one of the vacancies and his name must not be placed on the ballot for the general ~~{city}~~ election. (Add. 10; Amd. 7; 6-2-1981)

(c) In each primary and general election, voters are entitled to cast ballots for candidates in a number equal to the number of seats to be filled in the city elections. (Add. 11; Amd. 5; 6-7-1983)

9. The conduct of all municipal elections is under the control of the City Council, which shall adopt by ordinance all regulations which it considers desirable and consistent with law and this Charter. Nothing in this Charter shall be construed as to deny or abridge the power of the City Council to provide for supplemental regulations for the prevention of fraud in such elections and for the recount of ballots in cases of doubt or fraud. (Add. 24; Amd. 1; 6-3-2003)

**Sec. 34.** Section 100 of the Charter of Boulder City is hereby amended to read as follows:

Section 100. Registered voters' power of initiative and referendum concerning city ordinances.

The registered voters of a city may:

1. Propose ordinances to the Council and, if the Council fails to adopt an ordinance so proposed without change in substance, ~~{to}~~ *may* adopt or reject it at a primary ~~{or general}~~ municipal *and state* election or ~~{primary or}~~ general *municipal and* state election.



2. Require reconsideration by the Council of any adopted ordinance ~~[,]~~ and , if the Council fails to repeal an ordinance so considered, ~~[to]~~ *may* approve or reject it ~~[as]~~ *at* a primary ~~[or general]~~ municipal *and state* election or ~~[primary-or]~~ general *municipal and* state election. (Add. 16; Amd. 2; 1-1-1994)

(A—Ch. 345, Stats. 1993 p. 1097)

**Sec. 35.** Section 102 of the Charter of Boulder City is hereby amended to read as follows:

Section 102. Results of election.

1. If a majority of the registered voters voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the results of the election and must be treated in all respects in the same manner as ordinances of the same kind adopted by the Council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes prevails to the extent of the conflict.

2. If a majority of the registered voters voting on a referred ordinance vote against it, it shall be considered repealed upon certification of the results of the election.

3. No initiative ordinance voted upon by the registered voters , or an initiative ordinance in substantially the same form as one voted upon by the people, may again be placed on the ballot until the next primary ~~[or-general]~~ municipal *and state* election or ~~[primary-or]~~ general *municipal and* state election. (Add. 16; Amd. 2; 1-1-1994)

(A—Ch. 345, Stats. 1993 p. 1097)

**Sec. 36.** Section 119 of the Charter of Boulder City is hereby amended to read as follows:

Section 119. Amending the Charter.

1. An amendment to this Charter:

A. May be made by the Legislature directly by the use of mandatory specific wording or indirectly by the use of wording allowing flexibility in expressing the required change.

(1) If a statute is enacted which directly amends this Charter, such an amendment is not subject to public approval as provided in subsection B and must be included in the Charter and identified as having been amended by the particular statute involved.

(2) If a statute is enacted which requires that this Charter be amended but does not require the specific wording to be used, the City Council shall propose a suitable amendment to be submitted to the registered voters of the City as provided in subsection B. If such a proposed



1 amendment is not adopted by the voters, it must be redrafted  
2 and resubmitted to the voters at one or more general city  
3 ~~elections or general~~ and state elections until an amendment  
4 is adopted.

5 B. May be proposed by the City Council and submitted  
6 to the registered voters of the City at a general city ~~election~~  
7 ~~or general~~ and state election.

8 C. May be proposed by a petition signed by registered  
9 voters of the City equal in number to 15 percent or more of  
10 the voters who voted at the latest preceding general city  
11 election and submitted to registered voters of the City at the  
12 next general city ~~election or general~~ and state election.

13 2. The City Attorney shall draft any amendment  
14 proposed pursuant to subsections A(2) or B, or if such a  
15 proposed amendment has been previously drafted, the City  
16 Attorney shall review the previous draft and recommend to  
17 the Council any suggested changes or corrections.

18 3. The City Attorney shall, upon request, review any  
19 amendment intended to be proposed by petition pursuant to  
20 subsection C, make only such corrections as are agreed to by  
21 the proposers and report to the City Council his analysis of  
22 the significance and potential effects of the proposed  
23 amendment.

24 4. A petition for amendment must be in the form  
25 specified by state law for city initiative petitions, and must be  
26 filed with the City Clerk not later than 6 months before the  
27 date of the general city ~~election or general~~ and state election  
28 at which the proposed amendment is to be submitted to the  
29 voters of the City.

30 5. When an amendment is adopted by the registered  
31 voters of the City, the City Clerk shall, within 30 days  
32 thereafter, transmit a certified copy of the amendment to the  
33 Legislative Counsel.

34 6. Any amendment to the Charter proposed ~~under~~  
35 *pursuant to* the provisions of this section ~~shall~~ *must* be  
36 adopted by a simple majority of the voters casting ballots on  
37 that question at two consecutive general elections before any  
38 such amendment ~~shall~~ *may* become effective. (Add. 25;  
39 Amd. 1; 6-3-2003)

40 **Sec. 37.** Section 138 of the Charter of Boulder City is hereby  
41 amended to read as follows:

42 Section 138. Sale of public utilities; proviso.

43 1. No public utility of any kind, after having been  
44 acquired by the City, may thereafter be sold or leased by the  
45 City, unless the proposition for the sale or lease has been



submitted to the electors of the City at a special election ~~for primary or general~~, a *primary* municipal *and state* election, or ~~primary or~~ a general *municipal and* state election. After a majority vote of those electors in favor of the sale, the sale may not be made except after 30 days' published notice thereof, except that the provisions of this section do not apply to a sale by the Council of parts, equipment, trucks, engines and tools, which have become obsolete or worn out, any of which equipment may be sold by the Council in the regular course of business.

2. A special election may be held only if the City Council determines, by a unanimous vote, that an emergency exists. The determination made by the City Council is conclusive unless it is shown that the City Council acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the City Council must be commenced within 15 days after the City Council's determination is final. As used in this subsection, "emergency" means any unexpected occurrence or combination of occurrences which requires immediate action by the City Council to prevent or mitigate a substantial financial loss to the City or to enable the City Council to provide an essential service to the residents of the City. (1959 Charter) (Add. 16; Amd. 2; 1-1-1994)

(A—Ch. 345, Stats. 1993 p. 1099)

**Sec. 38.** Section 143 of the Charter of Boulder City is hereby amended to read as follows:

Section 143. Expenditures from Capital Improvement Fund.

1. All expenditures from the Capital Improvement Fund must be approved by a simple majority of the votes cast by the registered voters of the City on a proposition placed before them in a special election ~~for primary or general~~, a *primary* municipal *and state* election, or ~~primary or~~ a general *municipal and* state election.

2. A special election may be held only if the City Council determines, by a unanimous vote, that an emergency exists. The determination made by the City Council is conclusive unless it is shown that the City Council acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the City Council must be commenced within 15 days after the City Council's determination is final. As used in this subsection, "emergency" means any unexpected occurrence or combination of occurrences which requires immediate action



1 by the City Council to prevent or mitigate a substantial  
2 financial loss to the City or to enable the City Council to  
3 provide an essential service to the residents of the City. (Add.  
4 7; Amd. 5; 6-3-1975; Add. 16; Amd. 2; 1-1-1994)

5 **Sec. 39.** Section 2.010 of the Charter of the City of Henderson,  
6 being chapter 266, Statutes of Nevada 1971, as last amended by  
7 chapter 596, Statutes of Nevada 1995, at page 2206, is hereby  
8 amended to read as follows:

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

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

13 2. The Mayor must be:

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

18 (b) A qualified elector within the City.

19 3. Each Councilman must be:

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

24 (b) A qualified elector within the ward which he  
25 represents.

26 (c) A resident of the ward which he represents for at least  
27 30 days immediately preceding the last day for filing a  
28 declaration of candidacy for the office, except that changes in  
29 ward boundaries pursuant to the provisions of section 1.040  
30 do not affect the right of any elected Councilman to continue  
31 in office for the term for which he was elected.

32 4. All Councilmen, including the Mayor, must be voted  
33 upon by the registered voters of the City at large and shall  
34 serve for terms of 4 years **[H]**, *except as otherwise provided*  
35 *in section 5.020.*

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



1     **Sec. 40.** Section 5.010 of the Charter of the City of Henderson,  
2 being chapter 266, Statutes of Nevada 1971, as last amended by  
3 chapter 637, Statutes of Nevada 1999, at page 3565, is hereby  
4 amended to read as follows:

5         Sec. 5.010 Primary election.

6         1. A primary election must be held on the *twelfth*  
7 Tuesday ~~[after the first Monday in April of each odd-~~  
8 ~~numbered year.] before the general election in November~~  
9 ~~2012, and at each successive interval of 2 years thereafter,~~  
10 at which time there must be nominated candidates for offices  
11 to be voted for at the next general ~~[municipal]~~ election.

12         2. A candidate for any office to be voted for at any  
13 primary ~~[municipal]~~ election must file a declaration of  
14 candidacy as provided by the election laws of this State.

15         3. All candidates for elective office must be voted upon  
16 by the registered voters of the City at large.

17         4. If in the primary election no candidate receives a  
18 majority of votes cast in that election for the office for which  
19 he is a candidate, the names of the two candidates receiving  
20 the highest number of votes must be placed  
21 on the ballot for the general election. If in the primary  
22 election, regardless of the number of candidates for an office,  
23 one candidate receives a majority of votes cast in that election  
24 for the office for which he is a candidate, he must be declared  
25 elected and no general election need be held for that office.

26     **Sec. 41.** Section 5.020 of the Charter of the City of Henderson,  
27 being chapter 266, Statutes of Nevada 1971, as last amended by  
28 chapter 209, Statutes of Nevada 2001, at page 971, is hereby  
29 amended to read as follows:

30         Sec. 5.020 General ~~[municipal election.] elections.~~

31         1. ~~[A general election must be held in the City on] On~~  
32 the first Tuesday after the first Monday in June ~~[of each odd-~~  
33 ~~numbered year and on the same day every 2 years thereafter,~~  
34 ~~at which time the registered voters of the City shall elect city~~  
35 ~~officers to fill the available elective positions:~~

36         —2. All candidates for the office of Mayor, Councilman  
37 and Municipal Judge must be voted upon by the registered  
38 voters of the City at large. The term of office for members of  
39 the City Council and the Mayor is 4 years. Except as  
40 otherwise provided in subsection 3 of section 4.015 of this  
41 Charter, the term of office for a Municipal Judge is 6 years.]  
42 *2009, there must be elected by the qualified voters of the*  
43 *City, at a general municipal election to be held for that*  
44 *purpose, a Mayor and a Councilman from the Third Ward,*



1 *both of whom will hold office until their successors have*  
2 *been elected and qualified pursuant to subsection 7.*

3 2. *On the first Tuesday after the first Monday in June*  
4 *2007, there must be elected by the qualified voters of the*  
5 *City, at a general municipal election to be held for that*  
6 *purpose, Councilmen from the First, Second and Fourth*  
7 *Wards, all of whom will hold office until their successors*  
8 *have been elected and qualified. On the first Tuesday after*  
9 *the first Monday in June 2011, there must be elected by the*  
10 *qualified voters of the City, at a general municipal election*  
11 *to be held for that purpose, Councilmen from the First,*  
12 *Second and Fourth Wards, all of whom will hold office*  
13 *until their successors have been elected and qualified*  
14 *pursuant to subsection 6.*

15 3. On the *first* Tuesday after the first Monday in June  
16 ~~[2001 and every 6 years thereafter,]~~ 2007, there must be  
17 elected by the qualified voters of the City, at a general  
18 municipal election to be held for that purpose, a Municipal  
19 Judge for Department 1 who will hold office until his  
20 successor has been elected and qualified. *On the first*  
21 *Tuesday after the first Monday in November 2012, there*  
22 *must be elected by the qualified voters of the City, at a*  
23 *general election held for that purpose, a Municipal Judge*  
24 *for Department 1 who will hold office until his successor*  
25 *has been elected and qualified pursuant to subsection 8.*

26 4. On the *first* Tuesday after the first Monday in June  
27 ~~[2003 and every 6 years thereafter,]~~ 2009, there must be  
28 elected by the qualified voters of the City, at a general  
29 municipal election to be held for that purpose, a Municipal  
30 Judge for Department 2 who will hold office until his  
31 successor has been elected and qualified. *On the first*  
32 *Tuesday after the first Monday in November 2012, there*  
33 *must be elected by the qualified voters of the City, at a*  
34 *general election held for that purpose, a Municipal Judge*  
35 *for Department 2, who will hold office until his successor*  
36 *has been elected and qualified pursuant to subsection 9.*

37 5. On the *first* Tuesday after the first Monday in June  
38 ~~[2005 and every 6 years thereafter,]~~ 2011, there must be  
39 elected by the qualified voters of the City, at a general  
40 municipal election to be held for that purpose, a Municipal  
41 Judge for Department 3 who will hold office until his  
42 successor has been elected and qualified ~~[ ]~~ *pursuant to*  
43 *subsection 10.*

44 6. *On the first Tuesday after the first Monday in*  
45 *November 2014, and at each successive interval of 4 years*



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1 *thereafter, there must be elected by the qualified voters of*  
2 *the City, at the general election, Councilmen from the First,*  
3 *Second and Fourth Wards, all of whom will hold office*  
4 *until their successors have been elected and qualified.*

5 7. *On the first Tuesday after the first Monday in*  
6 *November 2012, and at each successive interval of 4 years*  
7 *thereafter, there must be elected by the qualified voters of*  
8 *the City, at the general election, a Mayor and a Councilman*  
9 *from the Third Ward, both of whom will hold office until*  
10 *their successors have been elected and qualified.*

11 8. *On the first Tuesday after the first Monday in*  
12 *November 2014, and at each successive interval of 6 years*  
13 *thereafter, there must be elected by the qualified voters of*  
14 *the City, at the general election, a Municipal Judge for*  
15 *Department 1 who shall hold office until his successor has*  
16 *been elected and qualified.*

17 9. *On the first Tuesday after the first Monday in*  
18 *November 2016, and at each successive interval of 6 years*  
19 *thereafter, there must be elected by the qualified voters of*  
20 *the City, at the general election, a Municipal Judge for*  
21 *Department 2 who will hold office until his successor has*  
22 *been elected and qualified.*

23 10. *On the first Tuesday after the first Monday in*  
24 *November 2012, and at each successive interval of 6 years*  
25 *thereafter, there must be elected by the qualified voters of*  
26 *the City, at the general election, a Municipal Judge for*  
27 *Department 3 who will hold office until his successor has*  
28 *been elected and qualified.*

29 11. *All candidates for the offices of Mayor,*  
30 *Councilman and Municipal Judge must be voted upon by*  
31 *the registered voters of the City at large. Except as otherwise*  
32 *provided in subsections 1 and 2, the term of office for a*  
33 *member of the City Council and the Mayor is 4 years.*  
34 *Except as otherwise provided in subsections 3, 4 and 5 and*  
35 *subsection 3 of section 4.015, the term of office for a*  
36 *Municipal Judge is 6 years.*

37 **Sec. 42.** Section 1.140 of the Charter of the City of Las Vegas,  
38 being chapter 517, Statutes of Nevada 1983, as last amended by  
39 chapter 6, Statutes of Nevada 2001, at page 10, is hereby amended  
40 to read as follows:

41 Sec. 1.140 Elective offices.

42 1. The elective officers of the City consist of:

43 (a) A Mayor.

44 (b) One Councilman from each ward.

45 (c) Municipal Judges.



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2. ~~[The]~~ *Except as otherwise provided in section 5.010,*  
*the* terms of office of the Mayor and Councilmen are 4 years.

3. Except as otherwise provided in subsection 3 of  
section 4.010 ~~[of this Charter,]~~ *or section 5.010,* the term of  
office of a Municipal Judge is 6 years.

**Sec. 43.** Section 2.310 of the Charter of the City of Las Vegas,  
being chapter 517, Statutes of Nevada 1983, as last amended by  
chapter 416, Statutes of Nevada 2001, at page 2101, is hereby  
amended to read as follows:

Sec. 2.310 Powers of City Council: Acquisition or  
establishment of City utility.

1. Except as otherwise provided in subsection 3 of  
section 2.300 and section 2.315, the City Council, on behalf  
of the City and in its name, may acquire, establish, hold,  
manage and operate, alone or with any other government or  
any instrumentality or subdivision of any government, any  
public utility in the manner which is provided in this section.

2. The City Council ~~[must]~~ *shall* adopt a resolution  
which sets forth fully and in detail:

(a) The public utility which is proposed to be acquired or  
established.

(b) The estimated cost of that utility, as shown in a recent  
report, which has been approved by the City Council, of an  
engineer or consulting firm which had previously been  
appointed by the City Council for that purpose.

(c) The proposed bonded indebtedness which must be  
incurred to acquire or establish that utility, the terms, amount  
and rate of interest of that indebtedness and the time within  
which, and the fund from which, that indebtedness is  
redeemable.

(d) That a public hearing on the advisability of acquiring  
the public utility will be held at the first regular meeting of  
the City Council after the final publication of the resolution.

3. The resolution must be published in full at least once  
a week for 4 successive weeks.

4. At the first regular meeting of the City Council, or  
any adjournment of that meeting, after the completion of the  
publication, the City Council may, without an election, enact  
an ordinance for that purpose, which must conform in all  
respects to the terms and conditions of the resolution, unless,  
within 30 days after the final publication of the resolution, a  
petition is filed with the City Clerk which has been signed by  
a number of registered voters of the City which is not less  
than 15 percent of the registered voters of the City, as shown  
by the last preceding registration list, who own not less than



1 10 percent in assessed value of the taxable property within the  
2 City, as shown by the last preceding tax list or assessment  
3 roll, and which prays for the submission of the question of the  
4 enactment of the proposed ordinance at a special election or  
5 the next primary ~~for general~~ municipal *and state* election or  
6 ~~[primary or]~~ general *municipal and* state election. Upon the  
7 filing of that petition, the proposed ordinance may not be  
8 enacted or be effective for any purpose unless, at a special  
9 election or primary ~~for general~~ municipal *and state* election  
10 or ~~[primary or]~~ general *municipal and* state election, a  
11 majority of the votes which are cast in that election are cast in  
12 favor of the enactment of the ordinance.

13 5. A special election may be held only if the City  
14 Council determines, by a unanimous vote, that an emergency  
15 exists. The determination made by the City Council is  
16 conclusive unless it is shown that the City Council acted with  
17 fraud or a gross abuse of discretion. An action to challenge  
18 the determination made by the City Council must be  
19 commenced within 15 days after the City Council's  
20 determination is final. As used in this subsection,  
21 "emergency" means any unexpected occurrence or  
22 combination of occurrences which requires immediate action  
23 by the City Council to prevent or mitigate a substantial  
24 financial loss to the City or to enable the City Council to  
25 provide an essential service to the residents of the City.

26 6. If the proposed ordinance is adopted, without an  
27 election or as a result of an election, the City Council may  
28 issue bonds to obtain revenue for acquiring or constructing  
29 systems, plants, works, instrumentalities and properties which  
30 are needed in connection with that public utility.

31 **Sec. 44.** Section 4.010 of the Charter of the City of Las Vegas,  
32 being chapter 517, Statutes of Nevada 1983, as last amended by  
33 chapter 6, Statutes of Nevada 2001, at page 10, is hereby amended  
34 to read as follows:

35 Sec. 4.010 Municipal Court.

36 1. There is a Municipal Court of the City which consists  
37 of at least two departments, each of which must be presided  
38 over by a Municipal Judge and has such power and  
39 jurisdiction as is prescribed in, and is, in all respects which  
40 are not inconsistent with this Charter, governed by chapters 5  
41 and 266 of NRS which relate to municipal courts.

42 2. The City Council may from time to time establish  
43 additional departments of the Municipal Court and shall  
44 appoint an additional Municipal Judge for each.



3. At the first general election which follows the appointment of an additional Municipal Judge to a newly created department of the Municipal Court, the successor to that Municipal Judge must be elected for a term of not more than 6 years, as determined by the City Council, in order to effectuate the intent of this provision that, as nearly as practicable ~~[,at]~~ :

(a) *At least one-third of the number of Municipal Judges be elected every 2 years [,] ; or*

(b) *Not more than one-half of the number of Municipal Judges be elected in any 1 year.*

4. The respective departments of the Municipal Court must be numbered 1 through the appropriate Arabic number, as additional departments are approved by the City Council. A Municipal Judge must be elected for each department by number.

**Sec. 45.** Section 5.010 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 637, Statutes of Nevada 1999, at page 3565, is hereby amended to read as follows:

Sec. 5.010 Primary ~~[municipal]~~ elections.

1. On the Tuesday after the first Monday in April ~~[2001, and at each successive interval of 4 years,]~~ 2009, a primary municipal election must be held in the City , at which time candidates for ~~[half of the offices of]~~ Councilman *from the Second, Fourth and Sixth Wards* and for Municipal Judge ~~[, Department 2,]~~ *for Departments 1, 4 and 6* must be nominated.

2. ~~[On the Tuesday after the first Monday in April 2003, and at each successive interval of 4 years, a primary municipal election must be held in the City at which time candidates for Mayor, for the other half of the offices of Councilman and for Municipal Judge, Department 1, must be nominated.]~~

~~—3.]~~ *On the Tuesday after the first Monday in April 2011, a primary election must be held in the City, at which time candidates for Mayor, for Councilman from the First, Third and Fifth Wards and for Municipal Judge for Departments 2, 3 and 5 must be nominated.*

3. *On the twelfth Tuesday before the general election in November 2014, and at each successive interval of 4 years, a primary election must be held in the City, at which time candidates for Councilman from the Second, Fourth and Sixth Wards must be nominated.*



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1           4. *On the twelfth Tuesday before the general election*  
2 *in November 2016, and at each successive interval of 4*  
3 *years, a primary election must be held in the City, at which*  
4 *time candidates for Mayor and for Councilman from the*  
5 *First, Third and Fifth Wards must be nominated.*

6           5. *On the twelfth Tuesday before the general election*  
7 *in November 2016, and at each successive interval of 6*  
8 *years, a primary election must be held in the City, at which*  
9 *time candidates for Municipal Judge for Departments 1, 4*  
10 *and 6 must be nominated.*

11          6. *On the twelfth Tuesday before the general election*  
12 *in November 2018, and at each successive interval of 6*  
13 *years, a primary election must be held in the City, at which*  
14 *time candidates for Municipal Judge for Departments 2, 3*  
15 *and 5 must be nominated.*

16          7. The candidates for Councilman who are to be  
17 nominated as provided in subsections 1 ~~[and 2]~~ *to 4,*  
18 *inclusive,* must be nominated and voted for separately  
19 according to the respective wards. ~~[The candidates from each~~  
20 ~~even-numbered ward must be nominated as provided in~~  
21 ~~subsection 1, and the candidates from each odd-numbered~~  
22 ~~ward must be nominated as provided in subsection 2.~~

23 ~~—4.]~~ 8. If the City Council has established an additional  
24 department or departments of the Municipal Court pursuant to  
25 section 4.010 ~~[of this Charter,]~~ and, as a result, more than one  
26 office of Municipal Judge is to be filled at any election, the  
27 candidates for those offices must be nominated and voted  
28 upon separately according to the respective departments.

29 ~~[5.]~~ 9. Each candidate for the municipal offices which are  
30 provided for in subsections 1 ~~[, 2 and 4]~~ *to 8, inclusive,* must  
31 file a declaration of candidacy with the City Clerk. All filing  
32 fees collected by the City Clerk must be paid into the City  
33 Treasury.

34 ~~[6.]~~ 10. If, in the primary election, regardless of the  
35 number of candidates for an office, one candidate receives a  
36 majority of votes which are cast in that election for the office  
37 for which he is a candidate, he must be declared elected for  
38 the term which commences on the day of the first regular  
39 meeting of the City Council next succeeding the meeting at  
40 which the canvass of the returns is made, and no general  
41 election need be held for that office. If, in the primary  
42 election, no candidate receives a majority of votes which are  
43 cast in that election for the office for which he is a candidate,  
44 the names of the two candidates who receive the highest



number of votes must be placed on the ballot for the general election.

**Sec. 46.** Section 5.020 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, at page 1415, is hereby amended to read as follows:

Sec. 5.020 General ~~[municipal election.]~~ *elections.*

1. A general ~~[municipal]~~ election must be held in the City on the *first* Tuesday after the ~~[1st]~~ *first* Monday in ~~[June]~~ *November* of each ~~[odd-numbered]~~ *even-numbered* year and on the same day every 2 years thereafter, at which time there must be elected those officers whose offices are required to be filled by election in that year.

2. All candidates for elective office, except the office of Councilman, must be voted upon by the registered voters of the City at large.

**Sec. 47.** Section 5.110 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, at page 1416, is hereby amended to read as follows:

Sec. 5.110 Special elections: Registration of electors.

1. If a question is to be submitted to the registered voters of the City at a ~~[municipal or state]~~ primary *municipal and state* or general *municipal and state* election, no notice of registration of electors is required other than that which is required by the election laws of the State for that election. If the question is to be submitted at a special municipal election, the City Clerk shall at the expense of the City, cause to be published at least once a week for 5 consecutive weeks by five weekly insertions 1 week apart, the first publication to be not more than 60 days nor less than 45 days next preceding the election, a notice which has been signed by ~~[him]~~ *the City Clerk* to the effect that registration for the special election will be closed on the date which is designated in the notice, as provided in this section.

2. Except as *otherwise* provided in this subsection, the Office of the City Clerk must be open for the special election from 9 a.m. to 12 m. and from 1 p.m. to 5 p.m. on Mondays through Fridays, with legal holidays excepted, for the registration of any qualified elector.

**Sec. 48.** Section 1.060 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 515, Statutes of Nevada 1997, at page 2451, is hereby amended to read as follows:

Sec. 1.060 Elective offices: Vacancies. Except as otherwise provided in NRS 268.325:



1           1. A vacancy in the City Council or in the office of  
2 Mayor or Municipal Judge must be filled by a majority vote  
3 of the members of the City Council within 30 days after the  
4 occurrence of the vacancy. A person may be selected to fill a  
5 prospective vacancy in the City Council before the vacancy  
6 occurs. In such a case, each member of the Council, except  
7 any member whose term of office expires before the  
8 occurrence of the vacancy, may participate in any action  
9 taken by the Council pursuant to this section. The appointee  
10 must have the same qualifications as are required of the  
11 elective official.

12           2. No such appointment extends beyond the first day of  
13 ~~July~~ **December** after the next municipal election, at which  
14 election the office must be filled for the remaining unexpired  
15 term.

16       **Sec. 49.** Section 2.010 of the Charter of the City of North Las  
17 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended  
18 by chapter 499, Statutes of Nevada 2005, at page 2691, is hereby  
19 amended to read as follows:

20           Sec. 2.010 City Council: Qualifications; election; term  
21 of office; salary. ~~[[Effective on December 1, 2006, if the~~  
22 ~~registered voters of the City of North Las Vegas, at~~  
23 ~~the General Election held on November 7, 2006, approve the~~  
24 ~~question of whether the City Councilmen of the City of North~~  
25 ~~Las Vegas must be voted for and elected only by the~~  
26 ~~registered voters of the ward that a Councilman will~~  
27 ~~represent.]]~~

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

30           2. The Mayor must be:

31           (a) A bona fide resident of the City for at least 6 months  
32 immediately preceding his election.

33           (b) A qualified elector within the City.

34           3. Each Councilman:

35           (a) Must be a qualified elector who has resided in the  
36 ward which he represents for at least 30 days immediately  
37 preceding the last day for filing a declaration of candidacy for  
38 his office.

39           (b) Must continue to live in the ward he represents, except  
40 that changes in ward boundaries made pursuant to section  
41 1.045 ~~[of this Charter]~~ will not affect the right of any elected  
42 Councilman to continue in office for the term for which he  
43 was elected.

44           4. At the time of filing, if so required by an ordinance  
45 duly enacted, candidates for the office of Mayor and



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Councilman shall produce evidence in satisfaction of any or all of the qualifications provided in subsection 2 or 3, whichever is applicable.

5. Each Councilman must be voted upon only by the registered voters of the ward that he seeks to represent, and *except as otherwise provided in section 5.010*, his term of office is 4 years.

6. The Mayor must be voted upon by the registered voters of the City at large, and *except as otherwise provided in section 5.010*, his term of office is 4 years.

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

**Sec. 50.** Section 4.005 of the Charter of the City of North Las Vegas, being chapter 215, Statutes of Nevada 1997, as amended by chapter 73, Statutes of Nevada 2003, at page 484, is hereby amended to read as follows:

Sec. 4.005 Municipal Court.

1. There is a Municipal Court of the City which consists of at least one department. Each department must be presided over by a Municipal Judge and has such power and jurisdiction as is prescribed in, and is, in all respects which are not inconsistent with this Charter, governed by the provisions of chapters 5 and 266 of NRS which relate to municipal courts.

2. The City Council may, from time to time, by ordinance, establish additional departments of the Municipal Court and shall appoint an additional Municipal Judge for each additional department.

3. At the first municipal primary or municipal general election that follows the appointment of an additional Municipal Judge to a newly created department of the Municipal Court, the successor to that Municipal Judge must be elected for an initial term of not more than 6 years, as determined by the City Council, ~~in order~~ so that, as nearly as practicable, one-third of the number of Municipal Judges ~~be~~ is elected every 2 years.

4. Except as otherwise provided by the ordinance establishing an additional department ~~or~~ *or section 5.010*, each Municipal Judge must be voted upon by the registered voters of the City at large and holds office for a period of 6 years and until his successor has been elected and qualified.

5. The respective departments of the Municipal Court must be numbered 1 through the appropriate Arabic numeral, as additional departments are approved by the City Council.



A Municipal Judge must be elected for each department by number.

**Sec. 51.** Section 5.010 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 499, Statutes of Nevada 2005, at page 2691, is hereby amended to read as follows:

Sec. 5.010 General ~~[[municipal]]~~ elections. ~~[[Effective on December 1, 2006, if the registered voters of the City of North Las Vegas, at the General Election held on November 7, 2006, approve the question of whether the City Councilmen of the City of North Las Vegas must be voted for and elected only by the registered voters of the ward that a Councilman will represent.]]~~

1. On the *first* Tuesday after the first Monday in June ~~[[1977, and at each successive interval of 4 years thereafter, there must]]~~ *2009, there shall* be elected, at a general *municipal* election to be held for that purpose, a Mayor and two Councilmen, who shall hold office ~~[[for a period of 4 years and]]~~ until their successors have been elected and qualified ~~[[pursuant to subsection 3.]]~~

2. On the *first* Tuesday after the first Monday in June ~~[[1975, and at each successive interval of 4 years thereafter, there must]]~~ *2011, there must* be elected, at a general election to be held for that purpose, two Councilmen ~~[[who shall hold office for a period of 4 years and]]~~ until their successors have been elected and qualified ~~[[pursuant to subsection 4.]]~~

3. *On the first Tuesday after the first Monday in November 2012, and at each successive interval of 4 years thereafter, there must be elected by the qualified voters of the City, at the general election, a Mayor and two Councilmen, who shall hold office for a period of 4 years and until their successors have been elected and qualified.*

4. *On the first Tuesday after the first Monday in November 2014, and at each successive interval of 4 years thereafter, there must be elected by the qualified voters of the City, at the general election, two Councilmen who shall hold office for a period of 4 years and until their successors have been elected and qualified.*

5. *On the first Tuesday after the first Monday in November 2014, and at each successive interval of 6 years thereafter, there must be elected by the qualified voters of the City, at the general election, a Municipal Judge for Department 1 who shall hold office for a period of 6 years and until his successor has been elected and qualified.*



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6. *On the first Tuesday after the first Monday in November 2012, and at each successive interval of 6 years thereafter, there must be elected by the qualified voters of the City, at the general election, a Municipal Judge for Department 2 who shall hold office for a period of 6 years and until his successor has been elected and qualified.*

7. In such a general election:

(a) A candidate for the office of City Councilman must be elected only by the registered voters of the ward that he seeks to represent.

(b) Candidates for all other elective offices must be elected by the registered voters of the City at large.

**Sec. 52.** Section 5.020 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 499, Statutes of Nevada 2005, at page 2692, is hereby amended to read as follows:

Sec. 5.020 Primary ~~[[municipal]]~~ elections; declaration of candidacy. ~~[[Effective on December 1, 2006, if the registered voters of the City of North Las Vegas, at the General Election held on November 7, 2006, approve the question of whether the City Councilmen of the City of North Las Vegas must be voted for and elected only by the registered voters of the ward that a Councilman will represent.]]~~

1. The City Council shall provide by ordinance for candidates for elective office to declare their candidacy and file the necessary documents. The seats for City Councilmen must be designated by the numbers one through four, which numbers must correspond with the wards the candidates for City Councilmen will seek to represent. A candidate for the office of City Councilman shall include in his declaration of candidacy the number of the ward which he seeks to represent. Each candidate for City Council must be designated as a candidate for the City Council seat that corresponds with the ward that he seeks to represent.

2. If for any general municipal election there are three or more candidates for the offices of Mayor or Municipal Judge, or for a particular City Council seat, a primary election for any such office must be held on the *twelfth* Tuesday ~~[[following the first Monday in April]]~~ preceding the general election. In the primary election:

(a) A candidate for the office of City Councilman must be voted upon only by the registered voters of the ward that he seeks to represent.

(b) Candidates for all other elective offices must be voted upon by the registered voters of the City at large.



3. Except as otherwise provided in subsection 4, after the primary election, the names of the two candidates for Mayor, Municipal Judge and each City Council seat who receive the highest number of votes must be placed on the ballot for the general election.

4. If one of the candidates for Mayor, Municipal Judge or a City Council seat receives a majority of the total votes cast for that office in the primary election, he ~~shall~~ *must* be declared elected to office and his name must not appear on the ballot for the general election.

**Sec. 53.** Section 5.080 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 465, Statutes of Nevada 1985, at page 1440, is hereby amended to read as follows:

Sec. 5.080 Election returns; canvass; certificates of election; entry of officers upon duties; tie vote procedure.

1. The election returns from any special, primary or general municipal election ~~shall~~ *must* be filed with the City Clerk, who shall immediately place the returns in a safe or vault, and no person may be permitted to handle, inspect or in any manner interfere with the returns until canvassed by the City Council.

2. The City Council shall meet at any time within 16 days after any election and shall canvass the returns and declare the result. The election returns must then be sealed and kept by the City Clerk for 6 months, and no person may have access thereto except on order of a court of competent jurisdiction or by order of the City Council.

3. The City Clerk, under his hand and official seal, shall issue to each person declared to be elected a certificate of election. The officers so elected shall qualify and enter upon the discharge of their respective duties on the ~~1st~~ *first* day of ~~July~~ *December* next following their election.

4. If any election should result in a tie, the City Council shall summon the candidates who received the tie vote and determine the tie by lot. The Clerk shall then issue to the winner a certificate of election.

**Sec. 54.** On or before February 1, 2012, the governing body of a city incorporated pursuant to general law in a county whose population is 400,000 or more shall adopt the ordinance required pursuant to the provisions of subsection 2 of NRS 293C.115, as amended by section 4.5 of this act.

**Sec. 55.** 1. This section and sections 29, 32, 39, 41, 42, 44, 45, 49, 50 and 51 of this act become effective upon passage and approval.



- 1        2. Sections 1 to 4, inclusive, and 5 to 27, inclusive, of this act  
2 become effective on July 1, 2007.  
3        3. Sections 4.5, 4.7, 28, 30, 31, 33 to 38, inclusive, 40, 43, 46,  
4 47, 48, 52, 53 and 54 of this act become effective on January 1,  
5 2012.

