

SENATE BILL NO. 230—COMMITTEE ON LEGISLATIVE
OPERATIONS AND ELECTIONS

MARCH 7, 2007

Referred to Committee on Legislative Operations and Elections

SUMMARY—Requires person signing petition for initiative or referendum to print given name followed by surname on petition. (BDR 24-180)

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

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

AN ACT relating to elections; requiring that a person signing a petition for an initiative or a referendum shall print his given name followed by his surname on the petition; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Secretary of State to adopt regulations for the format of signatures on a petition for an initiative or referendum. (NRS 295.055) **Section 1** of this bill provides that the format for the signatures must require a person who signs a petition for an initiative or referendum to print his given name followed by his surname on the petition.

Existing law requires that the signature of a person on a petition for an initiative or referendum for a city or county must be followed by the address of the person signing and the date on which the petition was signed. (NRS 295.095, 295.140, 295.205) **Sections 2-4** of this bill require that, in addition to the address of the person signing a petition for an initiative or referendum for a city or county and the date on which the petition was signed, the signature of the person signing the petition must be followed by the printed given name followed by the surname of the person signing the petition.

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

Section 1. NRS 295.055 is hereby amended to read as follows:
295.055 1. The Secretary of State shall by regulation specify:



(a) The format for the signatures on a petition for an initiative or referendum and make free specimens of the format available upon request. *The regulations must ensure that the format includes, without limitation, that:*

(1) In addition to signing the petition, a person who signs a petition shall print his given name followed by his surname on the petition.

(2) Each signature must be dated.

(b) The manner of fastening together several sheets circulated by one person to constitute a single document.

2. Each document of the petition must bear the name of a county, and only registered voters of that county may sign the document.

3. A person who signs a petition may request that the county clerk remove his name from it by transmitting his request in writing to the county clerk at any time before the petition is filed with the county clerk.

Sec. 2. 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. A petition must be submitted to the county 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 county clerk; or

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

5. 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 *be* followed by the address of the person signing , *the printed given name followed by*



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1 *the surname of the person signing* and the date on which he signed
2 the petition. All signatures on a petition must be obtained within the
3 period specified in subsection 4. Each document must contain, or
4 have attached thereto throughout its circulation, the full text of the
5 ordinance proposed or sought to be reconsidered.

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

8 (a) That he personally circulated the document;

9 (b) The number of signatures thereon;

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

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

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

15 7. The county clerk shall issue a receipt to any person who
16 submits a petition pursuant to this section. The receipt must set forth
17 the number of:

18 (a) Documents included in the petition;

19 (b) Pages in each document; and

20 (c) Signatures that the person declares are included in the
21 petition.

22 **Sec. 3.** NRS 295.140 is hereby amended to read as follows:

23 295.140 1. Whenever 10 percent or more of the registered
24 voters of any county of this State, as shown by the number of
25 registered voters who voted at the last preceding general election,
26 express their wish that any act or resolution enacted by the
27 Legislature, and pertaining to that county only, be submitted to the
28 vote of the people, they shall submit to the county clerk a petition,
29 which must contain the names and residence addresses of at least 10
30 percent of the registered voters of that county, demanding that a
31 referendum vote be had by the people of the county at the next
32 general election upon the act or resolution on which the referendum
33 is demanded.

34 2. A petition must be submitted to the county clerk for
35 verification, pursuant to NRS 295.250 to 295.290, inclusive, not
36 later than 130 days before the time set for the next succeeding
37 general election.

38 3. A petition may consist of more than one document, but all
39 documents of a petition must be uniform in size and style, numbered
40 and assembled as one instrument for submission. Each signature
41 must be executed in ink or indelible pencil and *be* followed by the
42 address of the person signing , *the printed given name followed by*
43 *the surname of the person signing* and the date on which he signed
44 the petition. Each document must contain, or have attached thereto



1 throughout its circulation, the full text of the act or resolution on
2 which the referendum is demanded.

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

5 (a) That he personally circulated the document;

6 (b) The number of signatures thereon;

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

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

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

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

16 (a) Documents included in the petition;

17 (b) Pages in each document; and

18 (c) Signatures that the person declares are included in the
19 petition.

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

24 7. If a petition is certified insufficient, the person who
25 submitted the petition may, within 2 days after receiving a copy of
26 the certificate, file a request that it be reviewed by the board of
27 county commissioners. The board shall review the certificate at its
28 next meeting following the filing of the request and approve or
29 disapprove it, and the determination of the board is a final
30 determination as to the sufficiency of the petition.

31 8. A final determination as to the sufficiency of a petition is
32 subject to judicial review. If the final determination is challenged by
33 filing a complaint in district court, the court shall set the matter for
34 hearing not later than 3 days after the complaint is filed and shall
35 give priority to such a complaint over all other matters pending with
36 the court, except for criminal proceedings. A final determination of
37 insufficiency, even if sustained upon judicial review, does not
38 prejudice the filing of a new petition for the same purpose.

39 **Sec. 4.** NRS 295.205 is hereby amended to read as follows:

40 295.205 1. Any five registered voters of the city may
41 commence initiative or referendum proceedings by filing with the
42 city clerk an affidavit:

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

45 (b) Stating their names and addresses;



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

(d) 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 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. 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. 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 *be* followed by the address of the person signing, *the printed given name followed by the surname 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. Each document must contain, or have attached thereto throughout its circulation, the full text of the ordinance proposed or sought to be reconsidered.

6. 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) That each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.

7. 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.

