

SENATE BILL NO. 489—COMMITTEE ON LEGISLATIVE
OPERATIONS AND ELECTIONS

MARCH 26, 2007

Referred to Committee on Legislative Operations and Elections

SUMMARY—Prohibits threatening or intimidating persons who are gathering signatures on petitions. (BDR 24-178)

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

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

AN ACT relating to elections; prohibiting a person from threatening or intimidating a person who is gathering signatures on a petition; providing for causes of action relating to a violation; authorizing the district court to extend the period for gathering signatures on a petition upon finding a violation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Title 24 of NRS requires persons seeking to place items on election ballots to
- 2 first gather a certain number of signatures in support of the placement of the issue
- 3 on the ballot. This bill prohibits a person from threatening or intimidating a person
- 4 gathering such signatures with the intent or effect of preventing or discouraging the
- 5 signature gathering.
- 6 This bill provides for causes of action by a person aggrieved by a violation of
- 7 this bill for an injunction to prevent further violations, to request an extension of the
- 8 period for gathering signatures on a petition and to recover damages from the
- 9 person alleged to have violated the provisions of this bill. This bill also authorizes
- 10 the district court to extend the period of gathering signatures on a petition upon
- 11 finding a violation of the provisions of this bill.



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

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

1. A person shall not threaten or intimidate, through words or contact and with the intent or the effect of preventing the gathering of signatures on a petition, any person lawfully attempting to gather signatures on a petition.

2. A person aggrieved by a violation of subsection 1 may bring an action in district court:

(a) To request an extension of the deadline for filing a petition;

(b) To request an injunction restraining any person alleged in the complaint to have violated subsection 1 from further violating subsection 1; and

(c) To recover from any person alleged in the complaint to have violated subsection 1 any damages, including, without limitation, attorney's fees and costs.

3. A district court may:

(a) Expedite any hearing on any action brought pursuant to paragraph (a) or (b) of subsection 2; and

(b) Upon a determination that a violation of subsection 1 prevented or is likely to prevent the complainant from collecting the number of signatures required for the petition to be eligible to be placed on a ballot, order an extension of the time allowed for the gathering of signatures for the petition.

