

SENATE BILL NO. 80—SENATOR MCGINNESS

FEBRUARY 12, 2007

Referred to Committee on Legislative Operations and Elections

SUMMARY—Designates certain elective offices as nonpartisan offices. (BDR 24-818)

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; designating certain elective offices as nonpartisan offices; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, judicial offices, school offices, the office of county sheriff, the Board of Regents of the University of Nevada, city and town officers, the State Board of Education and boards of hospital trustees of public hospitals are designated nonpartisan offices. (NRS 293.195) **Section 1** of this bill also designates as nonpartisan offices the offices of county assessor, county clerk, county commissioner, county recorder, county treasurer, district attorney and public administrator.

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

Section 1. NRS 293.195 is hereby amended to read as follows:
293.195 1. Judicial offices, school offices, the ~~office~~ *offices* of *county assessor, county clerk, county commissioner, county recorder,* county sheriff ~~and~~ *and county treasurer, the office of district attorney, the office of public administrator,* the Board of Regents of the University of Nevada, city and town officers, the State Board of Education and members of boards of hospital trustees of public hospitals are hereby designated nonpartisan offices.



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2. No words designating the party affiliation of a candidate for nonpartisan offices may be printed upon the ballot.

Sec. 2. NRS 293.260 is hereby amended to read as follows:

293.260 1. Where there is no contest of election for nomination to a particular office, neither the title of the office nor the name of the candidate may appear on the ballot.

2. If more than one major political party has candidates for a particular office, the persons who receive the highest number of votes at the primary elections must be declared the nominees of those parties for the office.

3. If only one major political party has candidates for a particular office and a minor political party has nominated a candidate for the office or an independent candidate has filed for the office, the candidate who receives the highest number of votes in the primary election of the major political party must be declared the nominee of that party and his name must be placed on the general election ballot with the name of the nominee of the minor political party for the office and the name of the independent candidate who has filed for the office.

4. If only one major political party has candidates for a particular office and no minor political party has nominated a candidate for the office and no independent candidate has filed for the office:

(a) If there are more candidates than twice the number to be elected to the office, the names of the candidates must appear on the ballot for a primary election. Except as otherwise provided in this paragraph, the candidates of that party who receive the highest number of votes in the primary election, not to exceed twice the number to be elected to that office at the general election, must be declared the nominees for the office. If only one candidate is to be elected to the office and a candidate receives a majority of the votes in the primary election for that office, that candidate must be declared the nominee for that office and his name must be placed on the ballot for the general election.

(b) If there are no more than twice the number of candidates to be elected to the office, the candidates must, without a primary election, be declared the nominees for the office.

5. Where no more than the number of candidates to be elected have filed for nomination for:

(a) Any partisan office or the office of justice of the Supreme Court, the names of those candidates must be omitted from all ballots for a primary election and placed on all ballots for a general election; and

(b) Any nonpartisan office, other than the office of justice of the Supreme Court, the names of those candidates must appear on the



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1 ballot for a primary election unless the candidates were nominated
2 pursuant to subsection 2 of NRS 293.165. If a candidate receives
3 one or more votes at the primary election, he must be declared
4 elected to the office , ~~and~~ his name must not be placed on the
5 ballot for the general *election and, for the purposes of any specific*
6 *statute that requires the election of the candidate at a general*
7 *election, he shall be deemed to have been elected at the general*
8 election. If a candidate does not receive one or more votes at the
9 primary election, his name must be placed on the ballot for the
10 general election.

11 6. If there are more candidates than twice the number to be
12 elected to a nonpartisan office, the names of the candidates must
13 appear on the ballot for a primary election. Those candidates who
14 receive the highest number of votes at that election, not to exceed
15 twice the number to be elected, must be declared nominees for the
16 office.

