

## Amendment No. 987

Senate Amendment to Assembly Bill No. 604 Second Reprint (BDR 24-1396)

**Proposed by:** Senators Cegavske, Beers, Hardy, Horsford, Mathews, Raggio and Wiener**Amendment Box:** Consistent with Amendment No. 886**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italic* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

EGO



Date: 5/25/2007

A.B. No. 604—Revises provisions governing petitions for statewide initiatives and referenda. (BDR 24-1396)



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 ~~petitions for statewide initiatives and referenda~~ **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 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 public hearings to be conducted concerning certain initiatives and referenda; requiring circulators of certain petitions to attach an affidavit to each document of the petition; requiring circulators of certain petitions to disclose their status as volunteer or paid circulators; authorizing the Legislative Council to provide technical suggestions regarding certain initiatives and referenda; **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.

**Legislative Counsel's Digest:**

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 1.3 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 22-46 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. **Section 3** 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 and with certain additional information. **Section 4** 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 5** 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 6** 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 13** of this bill provides that such persons and groups who violate **section 3** are subject to civil penalties.

Chapter 295 of NRS governs petitions for statewide and local initiatives and referenda. **Section 15** of this bill requires the Director of the Legislative Counsel Bureau to hold public hearings on statewide initiatives and referenda. **Section 16** of this bill requires petition circulators to attach an affidavit to each document of a petition attesting to the veracity of each signature. **Section 17** of this bill prohibits paying people to sign petitions. **Section 18** of this bill requires petition circulators to disclose whether they are paid or volunteer circulators.

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 initiative or referendum. (NRS 295.015) **Section 20** of this bill requires the Secretary of State also to consult with the Legislative Counsel regarding each initiative or referendum and authorizes the Legislative Counsel to make technical suggestions regarding the petition.

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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 section 3 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. 1.3. NRS 293C.115 is hereby amended to read as follows:**

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

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

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

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

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

~~¶~~ 4. If a governing body of a city adopts an ordinance pursuant to  
subsection 1 ~~¶~~ 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. 1.7. 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. 2. Chapter 294A of NRS is hereby amended by adding thereto the  
sections set forth as sections 3 to 6, inclusive, of this act.

Sec. 3. 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  
money in an amount in excess of \$10,000 for such advocacy shall, not later than  
the dates listed in subsection 2, report:*

(a) *Each campaign contribution in excess of \$100 received during each  
period described in subsection 2;*

(b) *Contributions received during each period described in subsection 2 from  
a contributor which cumulatively exceed \$100;*

(c) *Each expenditure in excess of \$100 the person or group of persons makes  
during each period described in subsection 2; and*

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

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

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

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

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

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

11      3. The name and address of the contributor and the date on which the  
12      contribution was received must be included on each report for each contribution  
13      in excess of \$100 and contributions which a contributor has made cumulatively  
14      in excess of that amount since the beginning of the applicable reporting period.

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

19      5. Each report required pursuant to this section must:

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

22      (b) Be signed by the person or a representative of the group of persons under  
23      penalty of perjury.

24      6. A person or group of persons may mail or transmit each report to the  
25      Secretary of State by certified mail, regular mail, facsimile machine or electronic  
26      means or may deliver the report personally.

27      7. A report shall be deemed to be filed with the Secretary of State:

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

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

32      Sec. 4. Each person or group of persons organized formally or informally  
33      who advocates the passage or defeat of a constitutional amendment or statewide  
34      measure proposed by an initiative or referendum shall appoint and keep within  
35      this State a resident agent who must be a natural person who resides in this State.

36      Sec. 5. 1. Each person or group of persons organized formally or  
37      informally who advocates the passage or defeat of a constitutional amendment or  
38      statewide measure proposed by an initiative or referendum, before engaging in  
39      any such advocacy in this State, shall file a statement of organization with the  
40      Secretary of State as provided in subsection 2.

41      2. Each statement of organization must include:

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

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

44      (c) The names and addresses of any officers of the person or group of  
45      persons;

46      (d) If the person or group of persons is affiliated with or is retained by any  
47      other person or group for the purpose of advocating the passage or defeat of a  
48      constitutional amendment or statewide measure proposed by initiative or  
49      referendum, the name and address of each such other person or group; and

50      (e) The name, address and telephone number of the resident agent of the  
51      person or group of persons.

52      3. A person or group of persons which has filed a statement of organization  
53      pursuant to this section shall file an amended statement with the Secretary of

1 *State within 30 days of any changes to the information required pursuant to*  
2 *subsection 2.*

3 **Sec. 6.** *1. Each person or group of persons organized formally or*  
4 *informally who advocates the passage or defeat of a constitutional amendment or*  
5 *statewide measure proposed by an initiative or referendum that provides*  
6 *compensation to persons to circulate petitions shall report to the Secretary of*  
7 *State:*

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

9 *(b) The least amount of such compensation that is provided and the greatest*  
10 *amount of such compensation that is provided; and*

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

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

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

15 294A.150 1. ~~Every~~ *Except as otherwise provided in section 3 of this act,*  
16 *every* person or group of persons organized formally or informally who advocates  
17 the passage or defeat of a question or group of questions on the ballot at a primary  
18 election, primary city election, general election or general city election ~~and every~~  
19 ~~person or group of persons who initiates or circulates a petition for a constitutional~~  
20 ~~amendment or a petition for a statewide measure proposed by an initiative or a~~  
21 ~~referendum and who receives or expends money in an amount in excess of \$10,000~~  
22 ~~to support such initiation or circulation~~ shall, not later than January 15 of each year  
23 that the provisions of this subsection apply to the person or group of persons, for  
24 the period from January 1 of the previous year through December 31 of the  
25 previous year, report each campaign contribution in excess of \$100 received during  
26 that period and contributions received during the period from a contributor which  
27 cumulatively exceed \$100. The report must be completed on the form designed and  
28 provided by the Secretary of State pursuant to NRS 294A.373. The form must be  
29 signed by the person or a representative of the group under penalty of perjury. The  
30 provisions of this subsection apply to the person or group of persons:

31 (a) Each year in which an election or city election is held for each question for  
32 which the person or group advocates passage or defeat ; ~~for each year in which a~~  
33 ~~person or group receives or expends money in excess of \$10,000 to support the~~  
34 ~~initiation or circulation of a petition for a constitutional amendment or a petition for~~  
35 ~~a statewide measure proposed by an initiative or a referendum;~~ 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 city election  
38 and the general election or general city election immediately following that primary  
39 election or primary city election is held on or after January 1 and before the July 1  
40 immediately following that January 1, every person or group of persons organized  
41 formally or informally who advocates the passage or defeat of the question or a  
42 group of questions that includes the question shall comply with the requirements of  
43 this subsection. If a question is on the ballot at a general election or general city  
44 election held on or after January 1 and before the July 1 immediately following that  
45 January 1, every person or group of persons organized formally or informally who  
46 advocates the passage or defeat of the question or a group of questions that includes  
47 the question shall comply with the requirements of this subsection. A person or  
48 group of persons described in this subsection shall, not later than:

49 (a) Seven days before the primary election or primary city election, for the  
50 period from the January 1 immediately preceding the primary election or primary  
51 city election through 12 days before the primary election or primary city election;

(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; 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 June 30 of that year,

report each campaign contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The report must be completed 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. The name and address of the contributor and the date on which the contribution was received must be included on the report for each contribution in excess of \$100 and contributions which a contributor has made cumulatively in excess of that amount since the beginning of the current reporting period.

4. 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. 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 campaign contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. 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,

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

6     6. Every person or group of persons organized formally or informally who  
7     advocates the passage or defeat of a question or group of questions on the ballot at a  
8     special election to determine whether a public officer will be recalled shall report  
9     each of the contributions received on the form designed and provided by the  
10    Secretary of State pursuant to NRS 294A.373 and signed by the person or a  
11    representative of the group under penalty of perjury, 30 days after:

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

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

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

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

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

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

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

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

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

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

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

41    **Sec. 8.** NRS 294A.220 is hereby amended to read as follows:

42    294A.220 1. ~~[Every]~~ *Except as otherwise provided in section 3 of this act,*  
43    *every* person or group of persons organized formally or informally who advocates  
44    the passage or defeat of a question or group of questions on the ballot at a primary  
45    election, primary city election, general election or general city election ~~[and every~~  
46    ~~person or group of persons who initiates or circulates a petition for a constitutional~~  
47    ~~amendment or a petition for a statewide measure proposed by an initiative or a~~  
48    ~~referendum and who receives or expends money in an amount in excess of \$10,000~~  
49    ~~to support such initiation or circulation]~~ shall, not later than January 15 of each year  
50    that the provisions of this subsection apply to the person or group of persons, for  
51    the period from January 1 of the previous year through December 31 of the  
52    previous year, report each expenditure made during the period on behalf of or  
53    against the question, the group of questions or a question in the group of questions



on the ballot in excess of \$100 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. The provisions of this subsection apply to the person or group of persons:

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

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

2. 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 January 1 and before the July 1 immediately following that January 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. If a question is on the ballot at a general election or general city election held on or after January 1 and before the July 1 immediately following that January 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. 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;

(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; 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 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. 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:

1 (a) Seven days before the primary election or primary city election, for the  
2 period from the January 1 immediately preceding the primary election or primary  
3 city election through 12 days before the primary election or primary city election;  
4 and

5 (b) Seven days before the general election or general city election, for the  
6 period from 11 days before the primary election or primary city election through 12  
7 days before the general election or general city election,

8 ➤ report each expenditure made during the period on behalf of or against the  
9 question, the group of questions or a question in the group of questions on the ballot  
10 in excess of \$100 on the form designed and provided by the Secretary of State  
11 pursuant to NRS 294A.373. The form must be signed by the person or a  
12 representative of the group under penalty of perjury.

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

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

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

21 ➤ report each expenditure made during the period on behalf of or against the  
22 question, the group of questions or a question in the group of questions on the ballot  
23 in excess of \$100 on the form designed and provided by the Secretary of State  
24 pursuant to NRS 294A.373. The form must be signed by the person or a  
25 representative of the group under penalty of perjury.

26 5. Every person or group of persons organized formally or informally who  
27 advocates the passage or defeat of a question or group of questions on the ballot at a  
28 special election to determine whether a public officer will be recalled shall list each  
29 expenditure made during the period on behalf of or against the question, the group  
30 of questions or a question in the group of questions on the ballot in excess of \$100  
31 on the form designed and provided by the Secretary of State pursuant to NRS  
32 294A.373 and signed by the person or a representative of the group under penalty  
33 of perjury, 30 days after:

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

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

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

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

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

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

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

50 8. If an expenditure is made on behalf of a group of questions, ~~for a group of~~  
51 ~~petitions for constitutional amendments, a group of petitions for statewide measures~~  
52 ~~proposed by initiative or referendum or a group of petitions for both constitutional~~  
53 ~~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. 9.** 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 3 of this act* must consist of a list of each expenditure in excess of \$100 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.

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. 10.** 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 section 3 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. 11.** 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           1. A declaration of candidacy;  
2           2. An acceptance of candidacy;  
3           3. The registration of a committee for political action pursuant to NRS  
4           294A.230 or a committee for the recall of a public officer pursuant to NRS  
5           294A.250; or  
6           4. The reporting of campaign contributions, expenses or expenditures  
7           pursuant to NRS 294A.120, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210,  
8           294A.220, 294A.270, 294A.280 or 294A.360, *or section 3 of this act*,  
9           ☛ shall furnish the candidate with the necessary forms for reporting and copies of  
10          the regulations adopted by the Secretary of State pursuant to this chapter. An  
11          explanation of the applicable provisions of NRS 294A.100, 294A.120, 294A.128,  
12          294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280 or  
13          294A.360 *or section 3 of this act* relating to the making, accepting or reporting of  
14          campaign contributions, expenses or expenditures and the penalties for a violation  
15          of those provisions as set forth in NRS 294A.100 or 294A.420 must be developed  
16          by the Secretary of State and provided upon request. The candidate or entity shall  
17          acknowledge receipt of the material.

18          **Sec. 12.** NRS 294A.400 is hereby amended to read as follows:

19          294A.400 The Secretary of State shall, within 30 days after receipt of the  
20          reports required by NRS 294A.120, 294A.125, 294A.128, 294A.140, 294A.150,  
21          294A.200, 294A.210, 294A.220, 294A.270 and 294A.280, *and section 3 of this*  
22          *act*, prepare and make available for public inspection a compilation of:

23               1. The total campaign contributions, the contributions which are in excess of  
24               \$100 and the total campaign expenses of each of the candidates from whom reports  
25               of those contributions and expenses are required.

26               2. The total amount of loans to a candidate guaranteed by a third party, the  
27               total amount of loans made to a candidate that have been forgiven and the total  
28               amount of written commitments for contributions received by a candidate.

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

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

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

33                   (b) Person or group of persons on behalf of or against a question or group of  
34               questions on the ballot.

35                   (c) Group of persons advocating the election or defeat of a candidate.

36                   (d) Committee for the recall of a public officer.

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

38                   (a) A person who is not under the direction or control of a candidate or group  
39               of candidates or of any person involved in the campaign of the candidate or group  
40               who makes an expenditure on behalf of the candidate or group which is not  
41               solicited or approved by the candidate or group.

42                   (b) A person or group of persons organized formally or informally who  
43               advocates the passage or defeat of a question or group of questions on the ballot.

44                   (c) A committee for political action, political party or committee sponsored by  
45               a political party which makes an expenditure on behalf of a candidate or group of  
46               candidates.

47          **Sec. 13.** NRS 294A.420 is hereby amended to read as follows:

48          294A.420 1. If the Secretary of State receives information that a person or  
49          entity that is subject to the provisions of NRS 294A.120, 294A.128, 294A.140,  
50          294A.150, 294A.200, 294A.210, 294A.220, 294A.230, 294A.270, 294A.280 or  
51          294A.360 *or section 3 of this act* has not filed a report or form for registration  
52          pursuant to the applicable provisions of those sections, the Secretary of State may,

1 after giving notice to that person or entity, cause the appropriate proceedings to be  
2 instituted in the First Judicial District Court.

3 2. Except as otherwise provided in this section, a person or entity that violates  
4 an applicable provision of NRS 294A.112, 294A.120, 294A.128, 294A.130,  
5 294A.140, 294A.150, 294A.160, 294A.200, 294A.210, 294A.220, 294A.230,  
6 294A.270, 294A.280, 294A.300, 294A.310, 294A.320 or 294A.360 *or section 3 of*  
7 *this act* is subject to a civil penalty of not more than \$5,000 for each violation and  
8 payment of court costs and attorney's fees. The civil penalty must be recovered in a  
9 civil action brought in the name of the State of Nevada by the Secretary of State in  
10 the First Judicial District Court and deposited by the Secretary of State for credit to  
11 the State General Fund in the bank designated by the State Treasurer.

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

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

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

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

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

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

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

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

30 **Sec. 14.** Chapter 295 of NRS is hereby amended by adding thereto the  
31 sections set forth as sections 15 to 18, inclusive, of this act.

32 **Sec. 15. 1. *The Director of the Legislative Counsel Bureau shall hold a***  
33 ***public hearing on each petition for initiative or referendum that has been filed***  
34 ***with the Secretary of State.***

35 ***2. Each public hearing required pursuant to this section must be held not***  
36 ***later than 10 days nor more than 20 days before the general election at which the***  
37 ***initiative or referendum is submitted for popular vote.***

38 ***3. The Legislative Counsel Bureau shall provide such staff as is necessary***  
39 ***to provide appropriate research and analysis of the initiative or referendum at***  
40 ***each public hearing required pursuant to this section.***

41 ***4. Each public hearing required pursuant to this section must be an***  
42 ***opportunity for public discussion of:***

43 ***(a) Technical matters relating to the petition, including, without limitation,***  
44 ***compliance with the requirements of NRS 295.009; and***

45 ***(b) The substantive content of the initiative or referendum.***

46 **Sec. 16. *A petition for initiative or referendum may consist of more than***  
47 ***one document. Each document of a petition must have attached to it when***  
48 ***submitted an affidavit executed by the circulator thereof stating:***

49 ***1. That he personally circulated the document;***

50 ***2. The number of signatures thereon;***

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

52 ***4. That he believes the signatures to be the genuine signatures of the***  
53 ***persons whose names they purport to be; and***

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

**Sec. 18.** *Each person circulating a petition for initiative or referendum who:*

1. *Is not receiving or will not receive any compensation for circulating the petition shall disclose to signers of the petition his status as a volunteer;*

2. *Is receiving or will receive any compensation for circulating the petition shall disclose to signers of the petition his status as a paid circulator.*

**Sec. 19.** (Deleted by amendment.)

**Sec. 20.** 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 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 any suggestions made by the Legislative Counsel pursuant to subsection 2*, on his Internet website.

**Sec. 21.** **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

1 qualification of the officers who were elected, the old officers and all boards or  
2 offices and their emoluments must be abolished.

3 **Sec. 22. Section 4 of the Charter of Boulder City is hereby amended to**  
4 **read as follows:**

5 Section 4. Number; selection and term; recall.

6 1. The City Council shall have four Councilmen and a Mayor elected  
7 from the City at large in the manner provided in Article IX. ~~{for terms of~~  
8 ~~four years and until their successors have been elected and have taken~~  
9 ~~office as provided in section 16, subject to recall as provided in section~~  
10 ~~111.5.}~~ No Councilman shall represent any particular constituency or  
11 district of the City, and each Councilman shall represent the entire City.  
12 (Amd. 2; 6-4-1991; Add. 17; Amd. 1; 11-5-1996)

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

14 3. Except as otherwise provided in section 96, all Councilmen and  
15 the Mayor shall serve for 4 years, subject to recall as provided in section  
16 111.5.

17 **Sec. 23. Section 16 of the Charter of Boulder City is hereby amended to**  
18 **read as follows:**

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

20 1. The City Council shall meet within ~~ten~~ 10 days after each ~~city~~  
21 primary election and each ~~city~~ general election specified in Article IX. ~~{~~  
22 to canvass the returns and to declare the results. All newly elected or  
23 reelected Mayor or Council members ~~shall~~ must be inducted into office at  
24 the next regular Council meeting following certification of the applicable  
25 ~~city~~ general election results. Immediately following such induction, the  
26 Mayor pro tem ~~shall~~ must be designated as provided in section 7.  
27 Thereafter, the Council shall meet regularly at such times as it shall set by  
28 resolution from time to time, but not less frequently than once each month.  
29 (Add. 13; Amd. 1; 6-2-1987; Amd. 2; 6-4-1991; Add. 17; Amd. 1; 11-5-  
30 1996; Add. 24; Amd. 1; 6-3-2003)

31 A. (Add. 3; Amd. 2; 5-2-1967; Repealed by Add. 15; Amd. 1; 6-4-  
32 1991)

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

37 3. Any emergency meeting of the City Council, as defined by chapter  
38 241 ~~shall~~ of NRS, must be as provided therein, and in addition:

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

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

43 **Sec. 24. Section 92 of the Charter of Boulder City is hereby amended to**  
44 **read as follows:**

45 Section 92. Public parks, recreation areas, parking.

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

52 2. A special election may be held only if the City Council determines,  
53 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. 25. 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 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 ~~full-term~~ positions. (Add. 17; Amd. 1; 11-5-1996)

(a) In the event one or more ~~two-year~~ 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 ~~position(s)~~ positions. Candidates receiving the greatest respective number of votes must be declared elected to the respective available ~~two-year~~ 2-year positions. (Add. 15; Amd. 2; 6-4-1991)

~~3. A city~~

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

NEW FIRST  
PARALLEL  
SECTION



must be held on the first Tuesday after the first Monday in June of each odd-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 ~~shall~~ 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 ~~shall be~~ 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)

~~44~~ 2. The conduct of all municipal elections ~~shall be~~ 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. 26. 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)

NEW 25  
SECTION  
PARALLEL  
SECTION

(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. 27. 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 ~~for general~~ municipal and state election or ~~primary or~~ general municipal and state election.

2. Require reconsideration by the Council of any adopted ordinance ~~to~~ and if the Council fails to repeal an ordinance so considered, ~~to~~ may approve or reject it ~~to~~ at a primary ~~for 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. 28. 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 ~~for 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. 29. 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 amendment is not adopted by the voters, it must be redrafted and resubmitted to the voters at one or more general city ~~elections or general~~ and state elections until an amendment is adopted.

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

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

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

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

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

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

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

**Sec. 30. Section 138 of the Charter of Boulder City is hereby amended to read as follows:**

Section 138. Sale of public utilities; proviso.

1. No public utility of any kind, after having been acquired by the City, may thereafter be sold or leased by the 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. 31. 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 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. 7; Amd. 5; 6-3-1975; Add. 16; Amd. 2; 1-1-1994)

1       **Sec. 32. Section 2.010 of the Charter of the City of Henderson, being**  
2 **chapter 266, Statutes of Nevada 1971, as last amended by chapter 596, Statutes**  
3 **of Nevada 1995, at page 2206, is hereby amended to read as follows:**

4       Sec. 2.010 City Council: Qualifications; election; term of office;  
5 salary.

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

8       2. The Mayor must be:

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

12       (b) A qualified elector within the City.

13       3. Each Councilman must be:

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

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

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

23       4. All Councilmen, including the Mayor, must be voted upon by the  
24 registered voters of the City at large and shall serve for terms of 4 years, ~~for~~  
25 except as otherwise provided in section 5.020.

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

30       **Sec. 33. Section 5.010 of the Charter of the City of Henderson, being**  
31 **chapter 266, Statutes of Nevada 1971, as last amended by chapter 637, Statutes**  
32 **of Nevada 1999, at page 3565, is hereby amended to read as follows:**

33       Sec. 5.010 Primary election.

34       1. A primary election must be held on the twelfth Tuesday ~~after the~~  
35 ~~first Monday in April of each odd-numbered year,~~ before the general  
36 election in November 2012, and at each successive interval of 2 years  
37 thereafter, at which time there must be nominated candidates for offices to  
38 be voted for at the next general ~~municipal~~ election.

39       2. A candidate for any office to be voted for at any primary  
40 ~~municipal~~ election must file a declaration of candidacy as provided by the  
41 election laws of this State.

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

44       4. If in the primary election no candidate receives a majority of votes  
45 cast in that election for the office for which he is a candidate, the names of  
46 the two candidates receiving the highest number of votes must be placed  
47 on the ballot for the general election. If in the primary election, regardless  
48 of the number of candidates for an office, one candidate receives a majority  
49 of votes cast in that election for the office for which he is a candidate, he  
50 must be declared elected and no general election need be held for that  
51 office.

1        **Sec. 34. Section 5.020 of the Charter of the City of Henderson, being**  
2 **chapter 266, Statutes of Nevada 1971, as last amended by chapter 209, Statutes**  
3 **of Nevada 2001, at page 971, is hereby amended to read as follows:**

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

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

9        ~~2. All candidates for the office of Mayor, Councilman and Municipal~~  
10 ~~Judge must be voted upon by the registered voters of the City at large. The~~  
11 ~~term of office for members of the City Council and the Mayor is 4 years.~~  
12 ~~Except as otherwise provided in subsection 3 of section 4.015 of this~~  
13 ~~Charter, the term of office for a Municipal Judge is 6 years.]~~ **2009, there**  
14 **must be elected by the qualified voters of the City, at a general municipal**  
15 **election to be held for that purpose, a Mayor and a Councilman from the**  
16 **Third Ward, both of whom will hold office until their successors have**  
17 **been elected and qualified pursuant to subsection 7.**

18        **2. On the first Tuesday after the first Monday in June 2007, there**  
19 **must be elected by the qualified voters of the City, at a general municipal**  
20 **election to be held for that purpose, Councilmen from the First, Second**  
21 **and Fourth Wards, all of whom will hold office until their successors**  
22 **have been elected and qualified. On the first Tuesday after the first**  
23 **Monday in June 2011, there must be elected by the qualified voters of the**  
24 **City, at a general municipal election to be held for that purpose,**  
25 **Councilmen from the First, Second and Fourth Wards, all of whom will**  
26 **hold office until their successors have been elected and qualified**  
27 **pursuant to subsection 6.**

28        3. On the **first** Tuesday after the first Monday in June ~~[2001 and every~~  
29 ~~6 years thereafter,]~~ **2007,** there must be elected by the qualified voters of  
30 the City, at a general municipal election to be held for that purpose, a  
31 Municipal Judge for Department 1 who will hold office until his successor  
32 has been elected and qualified. **On the first Tuesday after the first Monday**  
33 **in November 2012, there must be elected by the qualified voters of the**  
34 **City, at a general election held for that purpose, a Municipal Judge for**  
35 **Department 1 who will hold office until his successor has been elected**  
36 **and qualified pursuant to subsection 8.**

37        4. On the **first** Tuesday after the first Monday in June ~~[2003 and every~~  
38 ~~6 years thereafter,]~~ **2009,** there must be elected by the qualified voters of  
39 the City, at a general municipal election to be held for that purpose, a  
40 Municipal Judge for Department 2 who will hold office until his successor  
41 has been elected and qualified. **On the first Tuesday after the first Monday**  
42 **in November 2012, there must be elected by the qualified voters of the**  
43 **City, at a general election held for that purpose, a Municipal Judge for**  
44 **Department 2, who will hold office until his successor has been elected**  
45 **and qualified pursuant to subsection 9.**

46        5. On the **first** Tuesday after the first Monday in June ~~[2005 and every~~  
47 ~~6 years thereafter,]~~ **2011,** there must be elected by the qualified voters of  
48 the City, at a general municipal election to be held for that purpose, a  
49 Municipal Judge for Department 3 who will hold office until his successor  
50 has been elected and qualified. **pursuant to subsection 10.**

51        **6. On the first Tuesday after the first Monday in November 2014,**  
52 **and at each successive interval of 4 years thereafter, there must be elected**  
53 **by the qualified voters of the City, at the general election, Councilmen**

from the First, Second and Fourth Wards, all of whom will hold office until their successors have been elected and qualified.

7. 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 a Councilman from the Third Ward, both of whom will hold office until their successors have been elected and qualified.

8. 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 until his successor has been elected and qualified.

9. On the first Tuesday after the first Monday in November 2016, 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 will hold office until his successor has been elected and qualified.

10. 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 3 who will hold office until his successor has been elected and qualified.

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

**Sec. 35. Section 1.140 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 6, Statutes of Nevada 2001, at page 10, is hereby amended to read as follows:**

Sec. 1.140 Elective offices.

1. The elective officers of the City consist of:

- (a) A Mayor.
- (b) One Councilman from each ward.
- (c) Municipal Judges.

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 ~~for this Charter.]~~ or section 5.010, the term of office of a Municipal Judge is 6 years.

**Sec. 36. 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 10 percent in assessed value of the taxable property within the City, as shown by the last preceding tax list or assessment roll, and which prays for the submission of the question of the enactment of the proposed ordinance at a special election or the next primary ~~for general~~ municipal and state election or ~~primary or~~ general municipal and state election. Upon the filing of that petition, the proposed ordinance may not be enacted or be effective for any purpose unless, at a special election or primary ~~for general~~ municipal and state election or ~~primary or~~ general municipal and state election, a majority of the votes which are cast in that election are cast in favor of the enactment of the ordinance.

5. 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.

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

**Sec. 37. Section 4.010 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 6, Statutes of Nevada 2001, at page 10, is hereby amended to read as follows:**

Sec. 4.010 Municipal Court.

1. There is a Municipal Court of the City which consists of at least two departments, each of which must be presided over by a Municipal Judge and has such power and jurisdiction as is prescribed in, and is, in all



1 respects which are not inconsistent with this Charter, governed by chapters  
2 5 and 266 of NRS which relate to municipal courts.

3 2. The City Council may from time to time establish additional  
4 departments of the Municipal Court and shall appoint an additional  
5 Municipal Judge for each.

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

11 (a) At least one-third of the number of Municipal Judges be elected  
12 every 2 years ~~four~~; or

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

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

19 **Sec. 38. Section 5.010 of the Charter of the City of Las Vegas, being**  
20 **chapter 517, Statutes of Nevada 1983, as last amended by chapter 637, Statutes**  
21 **of Nevada 1999, at page 3565, is hereby amended to read as follows:**

22 Sec. 5.010 Primary ~~municipal~~ elections.

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

28 2. ~~On the Tuesday after the first Monday in April 2003, and at each~~  
29 ~~successive interval of 4 years, a primary municipal election must be held in~~  
30 ~~the City at which time candidates for Mayor, for the other half of the offices~~  
31 ~~of Councilman and for Municipal Judge, Department 1, must be nominated.~~  
32 ~~3. On the Tuesday after the first Monday in April 2011, a primary~~

33 election must be held in the City, at which time candidates for Mayor, for  
34 Councilman from the First, Third and Fifth Wards and for Municipal  
35 Judge for Departments 2, 3 and 5 must be nominated.

36 3. On the twelfth Tuesday before the general election in November  
37 2014, and at each successive interval of 4 years, a primary election must  
38 be held in the City, at which time candidates for Councilman from the  
39 Second, Fourth and Sixth Wards must be nominated.

40 4. On the twelfth Tuesday before the general election in November  
41 2016, and at each successive interval of 4 years, a primary election must  
42 be held in the City, at which time candidates for Mayor and for  
43 Councilman from the First, Third and Fifth Wards must be nominated.

44 5. On the twelfth Tuesday before the general election in November  
45 2016, and at each successive interval of 6 years, a primary election must  
46 be held in the City, at which time candidates for Municipal Judge for  
47 Departments 1, 4 and 6 must be nominated.

48 6. On the twelfth Tuesday before the general election in November  
49 2018, and at each successive interval of 6 years, a primary election must  
50 be held in the City, at which time candidates for Municipal Judge for  
51 Departments 2, 3 and 5 must be nominated.

52 7. The candidates for Councilman who are to be nominated as  
53 provided in subsections 1 ~~and 2~~ to 4, inclusive, must be nominated and

1 voted for separately according to the respective wards. ~~[The candidates~~  
2 ~~from each even-numbered ward must be nominated as provided in~~  
3 ~~subsection 1, and the candidates from each odd-numbered ward must be~~  
4 ~~nominated as provided in subsection 2.~~

5 ~~4.]~~ 8. If the City Council has established an additional department or  
6 departments of the Municipal Court pursuant to section 4.010 ~~of this~~  
7 ~~Charter,~~ and, as a result, more than one office of Municipal Judge is to be  
8 filled at any election, the candidates for those offices must be nominated  
9 and voted upon separately according to the respective departments.

10 ~~[5.]~~ 9. Each candidate for the municipal offices which are provided for  
11 in subsections 1 ~~[, 2 and 4]~~ to 8, inclusive, must file a declaration of  
12 candidacy with the City Clerk. All filing fees collected by the City Clerk  
13 must be paid into the City Treasury.

14 ~~[6.]~~ 10. If, in the primary election, regardless of the number of  
15 candidates for an office, one candidate receives a majority of votes which  
16 are cast in that election for the office for which he is a candidate, he must  
17 be declared elected for the term which commences on the day of the first  
18 regular meeting of the City Council next succeeding the meeting at which  
19 the canvass of the returns is made, and no general election need be held for  
20 that office. If, in the primary election, no candidate receives a majority of  
21 votes which are cast in that election for the office for which he is a  
22 candidate, the names of the two candidates who receive the highest number  
23 of votes must be placed on the ballot for the general election.

24 **Sec. 39. Section 5.020 of the Charter of the City of Las Vegas, being**  
25 **chapter 517, Statutes of Nevada 1983, at page 1415, is hereby amended to read**  
26 **as follows:**

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

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

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

35 **Sec. 40. Section 5.110 of the Charter of the City of Las Vegas, being**  
36 **chapter 517, Statutes of Nevada 1983, at page 1416, is hereby amended to read**  
37 **as follows:**

38 Sec. 5.110 Special elections: Registration of electors.

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

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

**Sec. 41. 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. A vacancy in the City Council or in the office of Mayor or Municipal Judge must be filled by a majority vote of the members of the City Council within 30 days after the occurrence of the vacancy. A person may be selected to fill a prospective vacancy in the City Council before the vacancy occurs. In such a case, each member of the Council, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the Council pursuant to this section. The appointee must have the same qualifications as are required of the elective official.

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

**Sec. 42. Section 2.010 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. 2.010 City Council: Qualifications; election; term of office; salary. ~~[[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 legislative power of the City is vested in a City Council consisting of four Councilmen and a Mayor.

2. The Mayor must be:

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

(b) A qualified elector within the City.

3. Each Councilman:

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

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

4. At the time of filing, if so required by an ordinance duly enacted, candidates for the office of Mayor and 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. 43. 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 ~~it~~ 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. 44. 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 ~~it~~ 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 ~~it~~ who shall hold office ~~[for a period of 4 years and]~~ until their successors have been elected and qualified ~~it~~ 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.

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. 45. 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.

1       **Sec. 46. Section 5.080 of the Charter of the City of North Las Vegas,**  
2 **being chapter 573, Statutes of Nevada 1971, as last amended by chapter 465,**  
3 **Statutes of Nevada 1985, at page 1440, is hereby amended to read as follows:**

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

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

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

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

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

23       **Sec. 47. On or before February 1, 2012, the governing body of a city**  
24 **incorporated pursuant to general law in a county whose population is 400,000**  
25 **or more shall adopt the ordinance required pursuant to the provisions of**  
26 **subsection 2 of NRS 293C.115, as amended by section 1.3 of this act.**

27       **Sec. 48. 1. This section and sections 22, 25, 32, 34, 35, 37, 38, 42, 43 and**  
28 **44 of this act become effective upon passage and approval.**

29       **2. Sections 1 and 2 to 20, inclusive, of this act become effective on**  
30 **October 1, 2007.**

31       **3. Sections 1.3, 1.7, 21, 23, 24, 26 to 31, inclusive, 33, 36, 39, 40, 41, 45, 46**  
32 **and 47 of this act become effective on January 1, 2012.**