

## Amendment No. 768

Assembly Amendment to Senate Bill No. 78

(BDR 15-770)

**Proposed by:** Assembly Committee on Elections, Procedures, Ethics, and  
Constitutional Amendments

**Amends:** Summary: No Title: No 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 italics* 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.

JLW/BJE



Date: 5/20/2007

S.B. No. 78—Revises the provisions relating to misconduct in the signing or filing  
of petitions. (BDR 15-770)



SENATE BILL NO. 78—COMMITTEE ON LEGISLATIVE  
OPERATIONS AND ELECTIONS

FEBRUARY 12, 2007

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises the provisions relating to misconduct in the signing or filing of petitions. (BDR 15-770)

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 petitions; revising the provisions relating to misconduct in the signing or filing of petitions; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, a person is guilty of a misdemeanor if the person: (1) signs the name of another person or of a fictitious person on a petition; (2) files a petition or causes a petition to be filed knowing that the petition contains a false or wrongful signature or statement; (3) signs his name to or withdraws his name from a petition for any consideration, gratuity or reward; or (4) subscribes to any false statement concerning his age, citizenship, residence or other qualification. (NRS 205.125) This bill increases the penalty, from a misdemeanor to a category D felony, if a person: (1) signs the name of another person or of a fictitious person on a petition; or (2) files a petition or causes a petition to be filed knowing that the petition contains a false or wrongful signature or statement. This bill also prohibits a person from ~~(1) adding to, revising or altering a petition with the intent to falsify the name or any information concerning the age, citizenship (1) or residence (for other qualifications) of another person who signs the petition . (1) or (2) offering or providing any consideration, gratuity or reward to another person with the intent to induce the other person to sign his own name to or withdraw his own name from a petition.~~ A person who commits one of these new crimes is guilty of a category D felony.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:**Section 1.** NRS 205.125 is hereby amended to read as follows:

205.125 ~~{Every person who shall willfully sign the name of another person or of a fictitious person to or for any consideration, gratuity or reward shall sign his own name to or withdraw his name from any}~~

***1. A person shall not willfully sign the name of another person, whether living or deceased, or of a fictitious person to any petition. A person who violates the provisions of this subsection is guilty of a category D felony and shall be***

1 punished as provided in NRS 193.130. Each false or wrongful signature on a  
2 petition in violation of this subsection, whether related to a single petition or  
3 multiple petitions, constitutes a separate offense.

4 2. A person shall not willfully add to, revise or alter any petition with the  
5 intent to falsify the name or any information concerning the age, citizenship, ~~or~~  
6 ~~or residence for other qualifications~~ of another person who signs the petition. A  
7 person who violates the provisions of this subsection is guilty of a category D  
8 felony and shall be punished as provided in NRS 193.130. Each addition, revision  
9 or alteration to a petition in violation of this subsection, whether related to a  
10 single petition or multiple petitions, constitutes a separate offense.

11 3. A person shall not willfully offer or provide any consideration, gratuity  
12 or reward to another person with the intent to induce the other person to sign his  
13 own name to or withdraw his own name from any petition. A person who violates  
14 the provisions of this subsection is guilty of a category D felony and shall be  
15 punished as provided in NRS 193.130. Each offer or provision of consideration,  
16 gratuity or reward to another person in violation of this subsection, whether  
17 related to a single petition or multiple petitions, constitutes a separate offense.

18 4. A person shall not, knowing that any petition contains any false or  
19 wrongful signature, statement or information, file the petition or cause the  
20 petition to be filed. A person who violates the provisions of this subsection is  
21 guilty of a category D felony and shall be punished as provided in NRS 193.130.  
22 Each filing of a petition in violation of this subsection, whether related to a single  
23 petition or multiple petitions, constitutes a separate offense.

24 5. ~~A person shall not, for any consideration, gratuity or reward, sign his~~  
25 ~~own name to or withdraw his own name from any petition. A person who violates~~  
26 ~~the provisions of this subsection is guilty of a misdemeanor. Each signature on or~~  
27 ~~withdrawal from a petition in violation of this subsection, whether related to a~~  
28 ~~single petition or multiple petitions, constitutes a separate offense.~~

29 ~~6.~~ A person shall not, in signing his own name to any petition, willfully  
30 subscribe to any false statement concerning his age, citizenship, residence or  
31 other qualifications to sign the petition. A person who violates the provisions of  
32 this subsection is guilty of a misdemeanor. Each subscription to a false statement  
33 in violation of this subsection, whether related to a single petition or multiple  
34 petitions, constitutes a separate offense.

35 ~~7.~~ 6. As used in this section, "petition" means a referendum or other  
36 petition circulated in pursuance of any law of this State or any municipal ordinance  
37 . ~~;~~ ~~or in signing his name to such petition shall willfully subscribe to any false~~  
38 ~~statement concerning his age, citizenship, residence or other qualifications to sign~~  
39 ~~the same; or knowing that any such petition contains any such false or wrongful~~  
40 ~~signature or statement shall file the same, or put the same off with intent that it~~  
41 ~~should be filed, as a true and genuine petition, shall be guilty of a misdemeanor.]~~