

Amendment No. 403

Assembly Amendment to Assembly Bill No. 256

(BDR 24-713)

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 dashed underlining is newly added transitory language.

HAC/EGO



Date: 4/19/2009

A.B. No. 256—Revises provisions governing the dates for certain elections.
(BDR 24-713)



ASSEMBLY BILL NO. 256—ASSEMBLYMEN SEGERBLOM, MCCLAIN; AIZLEY,
CLABORN, MORTENSON, MUNFORD, OHRENSCHALL AND PIERCE

MARCH 6, 2009

JOINT SPONSOR: SENATOR BREEDEN

Referred to Committee on Elections, Procedures, Ethics,
and Constitutional AmendmentsSUMMARY—Revises provisions governing the dates for certain elections.
(BDR 24-713)FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.AN ACT relating to elections; revising provisions governing the dates for certain
elections; and providing other matters properly relating thereto.**Legislative Counsel's Digest:**

Section 8 of this bill changes the date of the primary election from the twelfth Tuesday before the general election in each even-numbered year to the ~~(first)~~ **second** Tuesday ~~(after the first Monday)~~ in June of each even-numbered year. (NRS 293.175) As a result of changing the date of the primary election, **sections 3-7 and 9-17** of this bill amend various other dates relating to elections, such as the date for filing declarations of candidacy.

Existing law authorizes the governing body of a city incorporated pursuant to general law to choose by ordinance whether to: (1) hold city elections on the statewide election cycle; or (2) hold a primary city election on the first Tuesday after the first Monday in April and hold a general city election on the first Tuesday after the first Monday in June of odd-numbered years. (NRS 293C.115, 293C.140, 293C.145, 293C.175) **Sections 19-22** of this bill require that cities be on the statewide election cycle as of the year 2012. **Sections 1, 2, 18 and ~~23~~ 21-29** of this bill amend various other dates relating to city elections, such as the date for filing declarations of candidacy. **Section 57** of this bill provides that officials of affected cities who are elected in 2009 will hold office until the city elections are held in 2012. The officials of such cities who are elected in 2011 will hold office until the city elections are held in 2014.

Certain cities that are created by charters hold general municipal elections in June of odd-numbered years. (Boulder City, Caliente, Elko, Henderson, Las Vegas, North Las Vegas and Yerington) **Sections 30-56** of this bill amend the charters of those cities to require that the cities hold primary and general city elections on the same dates as the statewide primary and general elections. The terms of office of officials of such cities who were elected in 2007 will be extended until the city elections are held in 2012.

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

Section 1. NRS 293.059 is hereby amended to read as follows:

293.059 "General city election" means an election held pursuant to NRS ~~293C.115, 293C.140 or 293C.145.~~ The term includes a general municipal election held pursuant to the provisions of a special charter of an incorporated city.

Sec. 2. NRS 293.079 is hereby amended to read as follows:

293.079 "Primary city election" means an election held pursuant to NRS ~~293C.115 or 293C.175.~~ The term includes a primary municipal election held pursuant to the provisions of a special charter of an incorporated city.

Sec. 3. NRS 293.128 is hereby amended to read as follows:

293.128 1. To qualify as a major political party, any organization must, under a common name:

(a) On January 1 preceding any primary election, have been designated as a political party on the applications to register to vote of at least 10 percent of the total number of registered voters in this State; or

(b) File a petition with the Secretary of State not later than the last Friday in ~~April~~ **February** before any primary election signed by a number of registered voters equal to or more than 10 percent of the total number of votes cast at the last preceding general election for the offices of Representative in Congress.

2. If a petition is filed pursuant to paragraph (b) of subsection 1, the names of the voters need not all be on one document, but each document of the petition must be verified by the circulator thereof to the effect that the signers are registered voters of this State according to his best information and belief and that the signatures are genuine and were signed in his presence. Each document of the petition must bear the name of a county, and only registered voters of that county may sign the document. The documents which are circulated for signature must then be submitted for verification pursuant to NRS 293.1276 to 293.1279, inclusive, not later than 25 working days before the last Friday in ~~April~~ **February** preceding a primary election.

3. In addition to the requirements set forth in subsection 1, each organization which wishes to qualify as a political party must file with the Secretary of State a certificate of existence which includes the:

(a) Name of the political party;

(b) Names and addresses of its officers;

(c) Names of the members of its executive committee; and

(d) Name of the person who is authorized by the party to act as registered agent in this State.

4. A political party shall file with the Secretary of State an amended certificate of existence within 5 days after any change in the information contained in the certificate.

Sec. 4. NRS 293.165 is hereby amended to read as follows:

293.165 1. Except as otherwise provided in NRS 293.166, a vacancy occurring in a major or minor political party nomination for a partisan office may be filled by a candidate designated by the party central committee of the county or State, as the case may be, of the major political party or by the executive committee of the minor political party subject to the provisions of subsections 4 and 5.

2. A vacancy occurring in a nonpartisan nomination after the close of filing and on or before 5 p.m. of the second Tuesday in ~~June~~ **April** must be filled by filing a nominating petition that is signed by registered voters of the State, county, district or municipality who may vote for the office in question. The number of

1 registered voters who sign the petition must not be less than 1 percent of the
2 number of persons who voted for the office in question in the State, county, district
3 or municipality at the last preceding general election. The petition must be filed not
4 earlier than the first Tuesday in ~~[May]~~ **March** and not later than the fourth Tuesday
5 in ~~[June]~~ **April**. The petition may consist of more than one document. Each
6 document must bear the name of one county and must be signed only by a person
7 who is a registered voter of that county and who may vote for the office in question.
8 Each document of the petition must be submitted for verification pursuant to NRS
9 293.1276 to 293.1279, inclusive, to the county clerk of the county named on the
10 document. A candidate nominated pursuant to the provisions of this subsection:

11 (a) Must file a declaration of candidacy or acceptance of candidacy and pay the
12 statutory filing fee on or before the date the petition is filed; and

13 (b) May be elected only at a general election, and his name must not appear on
14 the ballot for a primary election.

15 3. A vacancy occurring in a nonpartisan nomination after 5 p.m. of the second
16 Tuesday in ~~[June]~~ **April** and on or before 5 p.m. on the first Tuesday after the
17 primary election must be filled by the person who receives the next highest vote for
18 the nomination in the primary.

19 4. No change may be made on the ballot for the general election after 5 p.m.
20 on the first Tuesday after the primary election. ~~[of the year in which the general~~
21 ~~election is held.]~~ If a nominee dies after that time and date, his name must remain
22 on the ballot for the general election and, if elected, a vacancy exists.

23 5. All designations provided for in this section must be filed on or before
24 5 p.m. on the first Tuesday after the primary election. In each case, the statutory
25 filing fee must be paid and an acceptance of the designation must be filed on or
26 before 5 p.m. on the date the designation is filed.

27 **Sec. 5.** NRS 293.1715 is hereby amended to read as follows:

28 293.1715 1. The names of the candidates for partisan office of a minor
29 political party must not appear on the ballot for a primary election.

30 2. The names of the candidates for partisan office of a minor political party
31 must be placed on the ballot for the general election if the party has filed a
32 certificate of existence and a list of its candidates for partisan office pursuant to the
33 provisions of NRS 293.1725 with the Secretary of State and:

34 (a) At the last preceding general election, the minor political party polled for
35 any of its candidates for partisan office a number of votes equal to or more than 1
36 percent of the total number of votes cast for the offices of Representative in
37 Congress;

38 (b) On January 1 preceding a primary election, the minor political party has
39 been designated as the political party on the applications to register to vote of at
40 least 1 percent of the total number of registered voters in this State; or

41 (c) Not later than the second Friday in ~~[August]~~ **June** preceding the general
42 election, files a petition with the Secretary of State which is signed by a number of
43 registered voters equal to at least 1 percent of the total number of votes cast at the
44 last preceding general election for the offices of Representative in Congress.

45 3. The name of a candidate for partisan office for a minor political party other
46 than a candidate for the office of President or Vice President of the United States
47 must be placed on the ballot for the general election if the party has filed:

48 (a) A certificate of existence;

49 (b) A list of candidates for partisan office containing the name of the candidate
50 pursuant to the provisions of NRS 293.1725 with the Secretary of State; and

51 (c) Not earlier than the first Monday in ~~[May]~~ **March** **April** preceding the
52 general election and not later than 5 p.m. on the ~~[second]~~ **first** Friday after the first

Monday in ~~[May-]~~ ~~[March-]~~ April, a petition on behalf of the candidate with the Secretary of State containing not less than:

(1) Two hundred fifty signatures of registered voters if the candidate is to be nominated for a statewide office; or

(2) One hundred signatures of registered voters if the candidate is to be nominated for any office except a statewide office.

✎ A minor political party that places names of one or more candidates for partisan office on the ballot pursuant to this subsection may also place the names of one or more candidates for partisan office on the ballot pursuant to subsection 2.

4. The name of only one candidate of each minor political party for each partisan office may appear on the ballot for a general election.

5. A minor political party must file a copy of the petition required by paragraph (c) of subsection 2 or paragraph (c) of subsection 3 with the Secretary of State before the petition may be circulated for signatures.

Sec. 6. NRS 293.1725 is hereby amended to read as follows:

293.1725 1. Except as otherwise provided in subsection ~~[4-]~~ 6, a minor political party that wishes to place its candidates for partisan office on the ballot for a general election and:

(a) Is entitled to do so pursuant to paragraph (a) or (b) of subsection 2 of NRS 293.1715;

(b) Files or will file a petition pursuant to paragraph (c) of subsection 2 of NRS 293.1715; or

(c) Whose candidates are entitled to appear on the ballot pursuant to subsection 3 of NRS 293.1715,

✎ must file with the Secretary of State a list of its candidates for partisan office.

2. The list of candidates for partisan office required pursuant to subsection 1 must be filed with the Secretary of State:

(a) If the minor political party is described in paragraph (a) or (b) of subsection 1, not earlier than the first Monday in ~~[May-]~~ March preceding the election nor later than 5 p.m. on the ~~[second-]~~ first Friday after the first Monday in ~~[May-]~~ March. The list may be amended not later than 5 p.m. on the first Friday after the first Monday in March.

(b) If the minor political party is described in paragraph (c) of subsection 1, not earlier than the first Monday in April preceding the election nor later than 5 p.m. on the first Friday after the first Monday in April. The list may be amended not later than 5 p.m. on the first Friday after the first Monday in April.

3. The list must be signed by the person so authorized in the certificate of existence of the minor political party before a notary public or other person authorized to take acknowledgments. The Secretary of State shall strike from the list each candidate who is not entitled to appear on the ballot pursuant to subsection 3 of NRS 293.1715 if the minor political party is not entitled to place candidates on the ballot pursuant to subsection 2 of NRS 293.1715. ~~[The list may be amended not later than 5 p.m. on the second Friday after the first Monday in]~~ ~~[May-]~~ [March-]

~~[2-]~~ 4. The Secretary of State shall immediately forward a certified copy of the list of candidates for partisan office of each minor political party to the filing officer with whom each candidate must file his declaration of candidacy.

~~[3-]~~ 5. Each candidate on the list must file his declaration of candidacy with the appropriate filing officer and pay the fee required by NRS 293.193 not earlier than the date on which the list of candidates for partisan office of his minor political party is filed with the Secretary of State nor later than 5 p.m. on the ~~[second-]~~ first Friday after the first Monday in ~~[May-]~~ [March-]

~~[4-]~~ :

(a) If the list is filed pursuant to paragraph (a) of subsection 2, March.

(b) If the list is filed pursuant to paragraph (b) of subsection 2, April.
6. A minor political party that wishes to place candidates for the offices of President and Vice President of the United States on the ballot and has qualified to place the names of its candidates for partisan office on the ballot for the general election pursuant to subsection 2 of NRS 293.1715 must file with the Secretary of State a certificate of nomination for these offices not later than the first Tuesday in September.

Sec. 7. NRS 293.174 is hereby amended to read as follows:

293.174 1. If the qualification of a minor political party is challenged, all affidavits and documents in support of the challenge must be filed not later than 5 p.m. on the third Friday in ~~August~~ **June**. Any judicial proceeding resulting from the challenge must be set for hearing not more than 5 days after the third Friday in ~~August~~ **June**. A challenge pursuant to this subsection must be filed with the First Judicial District Court if the petition was filed with the Secretary of State.

2. If the qualification of a candidate of a minor political party other than a candidate for the office of President or Vice President of the United States is challenged, all affidavits and documents in support of the challenge must be filed not later than 5 p.m. on the fourth Monday in ~~May~~ ~~March~~ **April**. Any judicial proceeding resulting from the challenge must be set for hearing not more than 5 days after the fourth Monday in ~~May~~ ~~March~~ **April**. A challenge pursuant to this subsection must be filed with:

(a) The First Judicial District Court; or

(b) If a candidate who filed a declaration of candidacy with a county clerk is challenged, the district court for the county where the declaration of candidacy was filed.

Sec. 8. NRS 293.175 is hereby amended to read as follows:

293.175 1. The primary election must be held on the ~~12th Tuesday before the general election~~ ~~first~~ **second Tuesday** ~~after the first Monday~~ in **June** of each even-numbered year.

2. Candidates for partisan office of a major political party and candidates for nonpartisan office must be nominated at the primary election.

3. Candidates for partisan office of a minor political party must be nominated in the manner prescribed pursuant to NRS 293.171 to 293.174, inclusive.

4. Independent candidates for partisan office must be nominated in the manner provided in NRS 293.200.

5. The provisions of NRS 293.175 to 293.203, inclusive, do not apply to:

(a) Special elections to fill vacancies.

(b) The nomination of the officers of incorporated cities.

(c) The nomination of district officers whose nomination is otherwise provided for by statute.

Sec. 9. NRS 293.177 is hereby amended to read as follows:

293.177 1. Except as otherwise provided in NRS 293.165, a name may not be printed on a ballot to be used at a primary election unless the person named has filed a declaration of candidacy or an acceptance of candidacy, and has paid the fee required by NRS 293.193 not earlier than:

(a) For a candidate for judicial office, the first Monday in January of the year in which the election is to be held nor later than 5 p.m. on the second Friday after the first Monday in January; and

(b) For all other candidates, the first Monday in ~~May~~ **March** of the year in which the election is to be held nor later than 5 p.m. on the second Friday after the first Monday in ~~May~~ **March**.

2. A declaration of candidacy or an acceptance of candidacy required to be filed by this section must be in substantially the following form:

(a) For partisan office:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

For the purpose of having my name placed on the official ballot as a candidate for the Party nomination for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am registered as a member of the Party; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; that I have not, in violation of the provisions of NRS 293.176, changed the designation of my political party or political party affiliation on an official application to register to vote in any state since September 1 before the closing filing date for this election; that I generally believe in and intend to support the concepts found in the principles and policies of that political party in the coming election; that if nominated as a candidate of the Party at the ensuing election, I will accept that nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

Subscribed and sworn to before me
this day of the month of of the year

.....
Notary Public or other person
authorized to administer an oath

(b) For nonpartisan office:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

For the purpose of having my name placed on the official ballot as a candidate for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; that if nominated as a nonpartisan candidate at the ensuing election, I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; and my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

Subscribed and sworn to before me
this day of the month of of the year

.....
Notary Public or other person
authorized to administer an oath

3. The address of a candidate which must be included in the declaration of candidacy or acceptance of candidacy pursuant to subsection 2 must be the street address of the residence where he actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration or acceptance of candidacy must not be accepted for filing if:

(a) The candidate's address is listed as a post office box unless a street address has not been assigned to his residence; or

(b) The candidate does not present to the filing officer:

(1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's residential address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the candidate's name and residential address, but not including a voter registration card issued pursuant to NRS 293.517.

4. The filing officer shall retain a copy of the proof of identity and residency provided by the candidate pursuant to paragraph (b) of subsection 3. Such a copy:

(a) May not be withheld from the public; and

(b) Must not contain the social security number or driver's license or identification card number of the candidate.

5. By filing the declaration or acceptance of candidacy, the candidate shall be deemed to have appointed the filing officer for the office as his agent for service of process for the purposes of a proceeding pursuant to NRS 293.182. Service of such process must first be attempted at the appropriate address as specified by the candidate in the declaration or acceptance of candidacy. If the candidate cannot be served at that address, service must be made by personally delivering to and leaving with the filing officer duplicate copies of the process. The filing officer shall immediately send, by registered or certified mail, one of the copies to the candidate at his specified address, unless the candidate has designated in writing to the filing officer a different address for that purpose, in which case the filing officer shall mail the copy to the last address so designated.

6. If the filing officer receives credible evidence indicating that a candidate has been convicted of a felony and has not had his civil rights restored by a court of competent jurisdiction, the filing officer:

(a) May conduct an investigation to determine whether the candidate has been convicted of a felony and, if so, whether he has had his civil rights restored by a court of competent jurisdiction; and

(b) Shall transmit the credible evidence and the findings from such investigation to the Attorney General, if the filing officer is the Secretary of State, or to the district attorney, if the filing officer is a person other than the Secretary of State.

7. The receipt of information by the Attorney General or district attorney pursuant to subsection 6 must be treated as a challenge of a candidate pursuant to subsections 4 and 5 of NRS 293.182. If the ballots are printed before a court of competent jurisdiction makes a determination that a candidate has been convicted of a felony and has not had his civil rights restored by a court of competent jurisdiction, the filing officer must post a notice at each polling place where the candidate's name will appear on the ballot informing the voters that the candidate is disqualified from entering upon the duties of the office for which the candidate filed the declaration of candidacy or acceptance of candidacy.

Sec. 10. NRS 293.180 is hereby amended to read as follows:

293.180 1. Ten or more registered voters may file a certificate of candidacy designating any registered voter as a candidate for:

(a) Their major political party's nomination for any partisan elective office, or as a candidate for nomination for any nonpartisan office other than a judicial office, not earlier than the first Monday in ~~April~~ **February** of the year in which the election is to be held nor later than 5 p.m. on the first Friday in ~~May~~ **March**; or

(b) Nomination for a judicial office, not earlier than the first Monday in December of the year immediately preceding the year in which the election is to be held nor later than 5 p.m. on the first Friday in January of the year in which the election is to be held.

2. When the certificate has been filed, the officer in whose office it is filed shall notify the person named in the certificate. If the person named in the certificate files an acceptance of candidacy and pays the required fee, as provided

1 by law, he is a candidate in the primary election in like manner as if he had filed a
2 declaration of candidacy.

3 3. If a certificate of candidacy relates to a partisan office, all of the signers
4 must be of the same major political party as the candidate designated.

5 **Sec. 11.** NRS 293.200 is hereby amended to read as follows:

6 293.200 1. An independent candidate for partisan office must file with the
7 appropriate filing officer:

8 (a) A copy of the petition of candidacy that he intends to subsequently circulate
9 for signatures. The copy must be filed not earlier than the January 2 preceding the
10 date of the election and not later than 25 working days before the last day to file the
11 petition pursuant to subsection 4.

12 (b) Either of the following:

13 (1) A petition of candidacy signed by a number of registered voters equal
14 to at least 1 percent of the total number of ballots cast in:

15 (I) This State for that office at the last preceding general election in
16 which a person was elected to that office, if the office is a statewide office;

17 (II) The county for that office at the last preceding general election in
18 which a person was elected to that office, if the office is a county office; or

19 (III) The district for that office at the last preceding general election in
20 which a person was elected to that office, if the office is a district office.

21 (2) A petition of candidacy signed by 250 registered voters if the candidate
22 is a candidate for statewide office, or signed by 100 registered voters if the
23 candidate is a candidate for any office other than a statewide office.

24 2. The petition may consist of more than one document. Each document must
25 bear the name of the county in which it was circulated, and only registered voters of
26 that county may sign the document. If the office is not a statewide office, only the
27 registered voters of the county, district or municipality in question may sign the
28 document. The documents that are circulated for signature in a county must be
29 submitted to that county clerk for verification in the manner prescribed in NRS
30 293.1276 to 293.1279, inclusive, not later than 25 working days before the last day
31 to file the petition pursuant to subsection 4. Each person who signs the petition
32 shall add to his signature the address of the place at which he actually resides, the
33 date that he signs the petition and the name of the county where he is registered to
34 vote. The person who circulates each document of the petition shall sign an
35 affidavit attesting that the signatures on the document are genuine to the best of his
36 knowledge and belief and were signed in his presence by persons registered to vote
37 in that county.

38 3. The petition of candidacy may state the principle, if any, which the person
39 qualified represents.

40 4. Petitions of candidacy must be filed not earlier than the first Monday in
41 ~~[May]~~ ~~[March]~~ April preceding the general election and not later than 5 p.m. on the
42 ~~[second]~~ first Friday after the first Monday in ~~[May]~~ ~~[March]~~ April.

43 5. No petition of candidacy may contain the name of more than one candidate
44 for each office to be filed.

45 6. A person may not file as an independent candidate if he is proposing to run
46 as the candidate of a political party.

47 7. The names of independent candidates must be placed on the general
48 election ballot and must not appear on the primary election ballot.

49 8. If the candidacy of any person seeking to qualify pursuant to this section is
50 challenged, all affidavits and documents in support of the challenge must be filed
51 not later than 5 p.m. on the fourth Monday in ~~[May]~~ ~~[March]~~ April. Any judicial
52 proceeding resulting from the challenge must be set for hearing not more than 5
53 days after the fourth Monday in ~~[May]~~ ~~[March]~~ April.

9. Any challenge pursuant to subsection 8 must be filed with:
(a) The First Judicial District Court if the petition of candidacy was filed with the Secretary of State.

(b) The district court for the county where the petition of candidacy was filed if the petition was filed with a county clerk.

10. An independent candidate for partisan office must file a declaration of candidacy with the appropriate filing officer and pay the fee required by NRS 293.193 not earlier than the first Monday in ~~May~~ ~~March~~ April of the year in which the election is held nor later than 5 p.m. on the ~~second~~ first Friday after the first Monday in ~~May~~ ~~March~~ April.

Sec. 12. NRS 293.205 is hereby amended to read as follows:

293.205 1. Except as otherwise provided in NRS 293.208, on or before the third Wednesday in ~~May~~ March of every even-numbered year, the county clerk shall establish election precincts, define the boundaries thereof, abolish, alter, consolidate and designate precincts as public convenience, necessity and economy may require.

2. The boundaries of each election precinct must follow visible ground features or extensions of visible ground features, except where the boundary coincides with the official boundary of the State or a county or city.

3. Election precincts must be composed only of contiguous territory.

4. As used in this section, "visible ground feature" includes a street, road, highway, river, stream, shoreline, drainage ditch, railroad right-of-way or any other physical feature which is clearly visible from the ground.

Sec. 13. NRS 293.206 is hereby amended to read as follows:

293.206 1. On or before the last day in ~~May~~ March of every even-numbered year, the county clerk shall provide the Secretary of State and the Director of the Legislative Counsel Bureau with a copy or electronic file of a map showing the boundaries of all election precincts in the county.

2. If the Secretary of State determines that the boundaries of an election precinct do not comply with the provisions of NRS 293.205, he must provide the county clerk with a written statement of noncompliance setting forth the reasons the precinct is not in compliance. Within 15 days after receiving the notice of noncompliance, the county clerk shall make any adjustments to the boundaries of the precinct which are required to bring the precinct into compliance with the provisions of NRS 293.205 and he shall submit a corrected copy or electronic file of the precinct map to the Secretary of State and the Director of the Legislative Counsel Bureau.

3. If the initial or corrected election precinct map is not filed as required pursuant to this section or the county clerk fails to make the necessary changes to the boundaries of an election precinct pursuant to subsection 2, the Secretary of State may establish appropriate precinct boundaries in compliance with the provisions of NRS 293.205 to 293.213, inclusive. If the Secretary of State revises the map pursuant to this subsection, he shall submit a copy or electronic file of the revised map to the Director of the Legislative Counsel Bureau and the appropriate county clerk.

4. As used in this section, "electronic file" includes, without limitation, an electronic data file of a geographic information system.

Sec. 14. NRS 293.208 is hereby amended to read as follows:

293.208 1. Except as otherwise provided in subsections 2, 3 and 5 and in NRS 293.206, no election precinct may be created, divided, abolished or consolidated, or the boundaries thereof changed, during the period between the third Wednesday in ~~May~~ March of any year whose last digit is 6 and the time when the Legislature has been redistricted in a year whose last digit is 1, unless the

creation, division, abolishment or consolidation of the precinct, or the change in boundaries thereof, is:

(a) Ordered by a court of competent jurisdiction;

(b) Required to meet objections to a precinct by the Attorney General of the United States pursuant to the Voting Rights Act of 1965, 42 U.S.C. §§ 1971 and 1973 et seq., and any amendments thereto;

(c) Required to comply with subsection 2 of NRS 293.205;

(d) Required by the incorporation of a new city; or

(e) Required by the creation of or change in the boundaries of a special district.

➤ As used in this subsection, "special district" means any general improvement district or any other quasi-municipal corporation organized under the local improvement and service district laws of this State as enumerated in title 25 of NRS which is required by law to hold elections or any fire protection district which is required by law to hold elections.

2. If a city annexes an unincorporated area located in the same county as the city and adjacent to the corporate boundary, the annexed area may be included in an election precinct immediately adjacent to it.

3. A new election precinct may be established at any time if it lies entirely within the boundaries of any existing precinct.

4. If a change in the boundaries of an election precinct is made pursuant to this section during the time specified in subsection 1, the county clerk must:

(a) Within 15 days after the change to the boundary of a precinct is established by the county clerk or ordered by a court, send to the Director of the Legislative Counsel Bureau and the Secretary of State a copy or electronic file of a map showing the new boundaries of the precinct; and

(b) Maintain in his office an index providing the name of the precinct and describing all changes which were made, including any change in the name of the precinct and the name of any new precinct created within the boundaries of an existing precinct.

5. Cities of population categories two and three are exempt from the provisions of subsection 1.

6. As used in this section, "electronic file" includes, without limitation, an electronic data file of a geographic information system.

Sec. 15. NRS 293.368 is hereby amended to read as follows:

293.368 1. Whenever a candidate whose name appears upon the ballot at a primary election dies after 5 p.m. of the second Tuesday in ~~June,~~ April, his name must remain on the ballot and the votes cast for the deceased candidate must be counted in determining the nomination for the office for which the decedent was a candidate.

2. If the deceased candidate on the ballot at the primary election receives the number of votes required to receive the nomination to the office for which he was a candidate, except as otherwise provided in subsection 3 of NRS 293.165, he shall be deemed nominated and ~~[there shall be a]~~ the vacancy in the nomination ~~[that]~~ must be filled as provided in NRS 293.165 or 293.166. If the deceased person was a candidate for a nonpartisan office, the nomination must be filled pursuant to subsection 2 of NRS 293.165.

3. Whenever a candidate whose name appears upon the ballot at a general election dies after 5 p.m. on the first Tuesday after the primary election, the votes cast for the deceased candidate must be counted in determining the results of the election for the office for which the decedent was a candidate.

4. If the deceased candidate on the ballot at the general election receives the majority of the votes cast for the office, he shall be deemed elected and the office to which he was elected shall be deemed vacant at the beginning of the term for which

1 he was elected. The vacancy thus created must be filled in the same manner as if
2 the candidate had died after taking office for that term.

3 **Sec. 16.** NRS 293.481 is hereby amended to read as follows:

4 293.481 1. Except as otherwise provided in subsection 2, every governing
5 body of a political subdivision, public or quasi-public corporation, or other local
6 agency authorized by law to submit questions to the qualified electors or registered
7 voters of a designated territory, when the governing body decides to submit a
8 question:

9 (a) At a general election, shall provide to each county clerk within the
10 designated territory on or before the third Monday in July preceding the election:

11 (1) A copy of the question, including an explanation of the question;

12 (2) Except as otherwise provided in NRS 295.121 or 295.217, arguments
13 for and against the question; and

14 (3) A description of the anticipated financial effect on the local
15 government which, if the question is an advisory question that proposes a bond, tax,
16 fee or expense, must be prepared in accordance with subsection 4 of NRS 293.482.

17 (b) At a primary election, shall provide to each county clerk within the
18 designated territory on or before the second Friday after the first Monday in ~~May~~
19 **March** preceding the election:

20 (1) A copy of the question, including an explanation of the question;

21 (2) Arguments for and against the question; and

22 (3) A description of the anticipated financial effect on the local
23 government which, if the question is an advisory question that proposes a bond, tax,
24 fee or expense, must be prepared in accordance with subsection 4 of NRS 293.482.

25 (c) At any election other than a primary or general election at which the county
26 clerk gives notice of the election or otherwise performs duties in connection
27 therewith other than the registration of electors and the making of records of
28 registered voters available for the election, shall provide to each county clerk at
29 least 60 days before the election:

30 (1) A copy of the question, including an explanation of the question;

31 (2) Arguments for and against the question; and

32 (3) A description of the anticipated financial effect on the local
33 government which, if the question is an advisory question that proposes a bond, tax,
34 fee or expense, must be prepared in accordance with subsection 4 of NRS 293.482.

35 (d) At any city election at which the city clerk gives notice of the election or
36 otherwise performs duties in connection therewith, shall provide to the city clerk at
37 least 60 days before the election:

38 (1) A copy of the question, including an explanation of the question;

39 (2) Arguments for and against the question; and

40 (3) A description of the anticipated financial effect on the local
41 government which, if the question is an advisory question that proposes a bond, tax,
42 fee or expense, must be prepared in accordance with subsection 4 of NRS 293.482.

43 2. A question may be submitted after the dates specified in subsection 1 if the
44 question is expressly privileged or required to be submitted pursuant to the
45 provisions of Article 19 of the Constitution of the State of Nevada, or pursuant to
46 the provisions of chapter 295 of NRS or any other statute except NRS 293.482,
47 354.59817, 354.5982, 387.3285 or 387.3287 or any statute that authorizes the
48 governing body to issue bonds upon the approval of the voters.

49 3. A question that is submitted pursuant to subsection 1 may be withdrawn if
50 the governing body provides notification to each of the county or city clerks within
51 the designated territory of its decision to withdraw the particular question on or
52 before the same dates specified for submission pursuant to paragraph (a), (b), (c) or
53 (d) of subsection 1, as appropriate.

4. A county or city clerk:

(a) Shall assign a unique identification number to a question submitted pursuant to this section; and

(b) May charge any political subdivision, public or quasi-public corporation, or other local agency which submits a question a reasonable fee sufficient to pay for the increased costs incurred in including the question, explanation, arguments and description of the anticipated financial effect on the ballot.

Sec. 17. NRS 293B.354 is hereby amended to read as follows:

293B.354 1. The county clerk shall, not later than ~~June~~ April 15 of each year in which a general election is held, submit to the Secretary of State for his approval a written plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of ballots at a polling place, receiving center or central counting place.

2. The city clerk shall, not later than January 1 of each year in which a general city election is held, submit to the Secretary of State for his approval a written plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of the ballots at a polling place, receiving center or central counting place.

3. Each plan must include:

(a) The location of the central counting place and of each polling place and receiving center;

(b) A procedure for the establishment of areas within each polling place and receiving center and the central counting place from which members of the general public may observe the activities set forth in subsections 1 and 2;

(c) The requirements concerning the conduct of the members of the general public who observe the activities set forth in subsections 1 and 2; and

(d) Any other provisions relating to the accommodation of members of the general public who observe the activities set forth in subsections 1 and 2 which the county or city clerk considers appropriate.

Sec. 18. NRS 293B.354 is hereby amended to read as follows:

293B.354 1. The county clerk shall, not later than April 15 of each year in which a general election is held, submit to the Secretary of State for his approval a written plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of ballots at a polling place, receiving center or central counting place.

2. The city clerk shall, not later than ~~January 1~~ April 15 of each year in which a general city election is held, submit to the Secretary of State for his approval a written plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of the ballots at a polling place, receiving center or central counting place.

3. Each plan must include:

(a) The location of the central counting place and of each polling place and receiving center;

(b) A procedure for the establishment of areas within each polling place and receiving center and the central counting place from which members of the general public may observe the activities set forth in subsections 1 and 2;

(c) The requirements concerning the conduct of the members of the general public who observe the activities set forth in subsections 1 and 2; and

(d) Any other provisions relating to the accommodation of members of the general public who observe the activities set forth in subsections 1 and 2 which the county or city clerk considers appropriate.

1 **Sec. 19.** NRS 293C.115 is hereby amended to read as follows:

2 293C.115 ~~[1.]~~ The governing body of a city incorporated pursuant to
3 general law ~~[may]~~ **shall** by ordinance provide for a primary city election and a
4 general city election on ~~[1]~~:

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

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

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

14 ~~—3. If a governing body of a city adopts an ordinance pursuant to subsection 1:~~

15 ~~—(a) The term of office of any elected city official may not be shortened as a~~
16 ~~result of the ordinance; and~~

17 ~~—(b) Each elected city official holds office until the end of his term and until his~~
18 ~~successor has been elected and qualified.]~~

19 **Sec. 20.** NRS 293C.140 is hereby amended to read as follows:

20 293C.140 1. ~~[Except as otherwise provided in NRS 293C.115, a]~~ **A** general
21 city election must be held in each city of population categories one and two on the
22 first Tuesday after the first Monday in ~~[June]~~ **November** of the first ~~[odd-numbered]~~
23 **even-numbered** year after incorporation, and ~~[on the same day every]~~ **at each**
24 **successive interval of** 2 years , ~~[thereafter as determined by law, ordinance or~~
25 ~~resolution.]~~ at which time there must be elected the elective city officers, the offices
26 of which are required next to be filled by election. All candidates, except as
27 otherwise provided in NRS 266.220, at the general city election must be voted upon
28 by the electors of the city at large.

29 2. ~~[Unless the terms of office of city councilmen are extended by an~~
30 ~~ordinance adopted pursuant to NRS 293C.115, the]~~ **The** terms of office of city
31 councilmen are 4 years, which terms must be staggered. The councilmen elected to
32 office immediately after incorporation shall decide, by lot, among themselves
33 which of their offices expire at the next general city election, and thereafter the
34 terms of office must be 4 years . ~~[unless the terms are extended by an ordinance~~
35 ~~adopted pursuant to NRS 293C.115.]~~

36 **Sec. 21.** NRS 293C.145 is hereby amended to read as follows:

37 293C.145 1. ~~[Except as otherwise provided in NRS 293C.115, a]~~ **A** general
38 city election must be held in each city of population category three on the first
39 Tuesday after the first Monday in ~~[June]~~ **November** of the first ~~[odd-numbered]~~
40 **even-numbered** year after incorporation, and ~~[on the same day every]~~ **at each**
41 **successive interval of** 2 years . ~~[thereafter, as determined by ordinance.]~~

42 2. There must be one mayor and three or five councilmen, as the city council
43 shall provide ~~[1]~~ by ordinance, for each city of population category three. ~~[Unless~~
44 ~~the terms of office of the mayor and the councilmen are extended by an ordinance~~
45 ~~adopted pursuant to NRS 293C.115, the]~~ **The** terms of office of the mayor and the
46 councilmen are 4 years, which terms must be staggered. The mayor and councilmen
47 elected to office immediately after incorporation shall decide, by lot, among
48 themselves which two of their offices expire at the next general city election, and
49 thereafter the terms of office must be 4 years . ~~[unless the terms are extended by an~~
50 ~~ordinance adopted pursuant to NRS 293C.115.]~~ If a city council thereafter increases
51 the number of councilmen, it shall, by lot, stagger the initial terms of the additional
52 members.

3. ~~[Except as otherwise provided in NRS 293C.115, a]~~ A candidate for any office to be voted for at the general city election must file a declaration of candidacy with the city clerk not ~~[less than 60 days nor more than 70 days before the day of the general city election.]~~ earlier than the first Monday in March preceding the general election and not later than 5 p.m. on the second Friday after the first Monday in March. The city clerk shall charge and collect from the candidate and the candidate must pay to the city clerk, at the time of filing the declaration of candidacy, a filing fee in an amount fixed by the city council by ordinance or resolution.

4. Candidates for mayor must be voted upon by the electors of the city at large. Candidates for councilmen must be voted upon by the electors of their respective wards to represent the wards in which they reside or by the electors of the city at large in accordance with the provisions of chapter 266 of NRS.

Sec. 22. NRS 293C.175 is hereby amended to read as follows:

293C.175 1. ~~[Except as otherwise provided in NRS 293C.115, a]~~ A primary city election must be held in each city of population category one, and in each city of population category two that has so provided by ordinance, on the ~~[first]~~ second Tuesday ~~[after the first Monday]~~ in ~~[April]~~ June of every year in which a general city election is to be held, at which time there must be nominated candidates for offices to be voted for at the next general city election.

2. ~~[Except as otherwise provided in NRS 293C.115, a]~~ A candidate for any office to be voted for at the primary city election must file a declaration of candidacy with the city clerk not ~~[less than 60 days nor more than 70 days before the date of the primary city election.]~~ earlier than the first Monday in March preceding the general election and not later than 5 p.m. on the second Friday after the first Monday in March. The city clerk shall charge and collect from the candidate and the candidate must pay to the city clerk, at the time of filing the declaration of candidacy, a filing fee in an amount fixed by the governing body of the city by ordinance or resolution. The filing fees collected by the city clerk must be deposited to the credit of the general fund of the city.

3. All candidates, except as otherwise provided in NRS 266.220, must be voted upon by the electors of the city at large.

4. If, in a primary city election held in a city of population category one or two, one candidate receives more than a majority of votes cast in that election for the office for which he is a candidate, his name alone must be placed on the ballot for the general city election. If, in the primary city election, no candidate receives a majority of votes cast in that election for the office for which he is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general city election.

Sec. 23. NRS 293C.185 is hereby amended to read as follows:

293C.185 1. Except as otherwise provided in NRS ~~[293C.115 and]~~ 293C.190, a name may not be printed on a ballot to be used at a primary city election ~~[]~~ unless the person named has filed a declaration of candidacy or an acceptance of candidacy and has paid the fee established by the governing body of the city not earlier than ~~[70 days before the primary city election and not later than 5 p.m. on the 60th day before the primary city election.]~~ the first Monday in March preceding the general election and not later than 5 p.m. on the second Friday after the first Monday in March.

2. A declaration of candidacy required to be filed by this section must be in substantially the following form:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

City of

For the purpose of having my name placed on the official ballot as a candidate for the office of, I,, the undersigned do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the city, township or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; that if nominated as a candidate at the ensuing election I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; and my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

Subscribed and sworn to before me
this day of the month of of the year

.....
Notary Public or other person
authorized to administer an oath

3. The address of a candidate that must be included in the declaration or acceptance of candidacy pursuant to subsection 2 must be the street address of the residence where he actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration or acceptance of candidacy must not be accepted for filing if:

(a) The candidate's address is listed as a post office box unless a street address has not been assigned to his residence; or

(b) The candidate does not present to the filing officer:

(1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's residential address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the candidate's name and

1 residential address, but not including a voter registration card issued pursuant to
2 NRS 293.517.

3 4. The filing officer shall retain a copy of the proof of identity and residency
4 provided by the candidate pursuant to paragraph (b) of subsection 3. Such a copy:

5 (a) May not be withheld from the public; and

6 (b) Must not contain the social security number or driver's license or
7 identification card number of the candidate.

8 5. By filing the declaration or acceptance of candidacy, the candidate shall be
9 deemed to have appointed the city clerk as his agent for service of process for the
10 purposes of a proceeding pursuant to NRS 293C.186. Service of such process must
11 first be attempted at the appropriate address as specified by the candidate in the
12 declaration or acceptance of candidacy. If the candidate cannot be served at that
13 address, service must be made by personally delivering to and leaving with the city
14 clerk duplicate copies of the process. The city clerk shall immediately send, by
15 registered or certified mail, one of the copies to the candidate at his specified
16 address, unless the candidate has designated in writing to the city clerk a different
17 address for that purpose, in which case the city clerk shall mail the copy to the
18 last address so designated.

19 6. If the city clerk receives credible evidence indicating that a candidate has
20 been convicted of a felony and has not had his civil rights restored by a court of
21 competent jurisdiction, the city clerk:

22 (a) May conduct an investigation to determine whether the candidate has been
23 convicted of a felony and, if so, whether he has had his civil rights restored by a
24 court of competent jurisdiction; and

25 (b) Shall transmit the credible evidence and the findings from such
26 investigation to the city attorney.

27 7. The receipt of information by the city attorney pursuant to subsection 6
28 must be treated as a challenge of a candidate pursuant to subsections 4 and 5 of
29 NRS 293C.186. If the ballots are printed before a court of competent jurisdiction
30 makes a determination that a candidate has been convicted of a felony and has not
31 had his civil rights restored by a court of competent jurisdiction, the city clerk must
32 post a notice at each polling place where the candidate's name will appear on the
33 ballot informing the voters that the candidate is disqualified from entering upon the
34 duties of the office for which the candidate filed the declaration of candidacy or
35 acceptance of candidacy.

36 **Sec. 24.** NRS 293C.190 is hereby amended to read as follows:

37 293C.190 1. ~~{Except as otherwise provided in NRS 293C.115, a}~~ A vacancy
38 occurring in a nomination for a city office after the close of filing and on or before
39 5 p.m. of the ~~{first}~~ **second** Tuesday ~~{after the first Monday in March in a year in~~
40 ~~which a general city election is held}~~ **in April** must be filled by filing a nominating
41 petition that is signed by at least 1 percent of the persons who are registered to vote
42 and who voted for that office at the last preceding general city election. ~~{Except as~~
43 ~~otherwise provided in NRS 293C.115, the}~~ **The** petition must be filed not earlier
44 than the ~~{third}~~ **first** Tuesday in ~~{February}~~ **March** and not later than the ~~{third}~~
45 **fourth** Tuesday ~~{after the third Monday}~~ **in March.** **April.** A candidate nominated
46 pursuant to the provisions of this subsection may be elected only at a general city
47 election, and his name must not appear on the ballot for a primary city election.

48 2. ~~{Except as otherwise provided in NRS 293C.115, a}~~ A vacancy occurring
49 in a nomination for a city office after 5 p.m. of the ~~{first}~~ **second** Tuesday ~~{after the~~
50 ~~first Monday in March}~~ **in April** and on or before 5 p.m. of the ~~{second}~~ **first**
51 Tuesday after the ~~{second Monday in April}~~ **primary city election** must be filled by
52 the person who received the next highest vote for the nomination in the primary city
53 election.

3. ~~{Except to place a candidate nominated pursuant to subsection 1 on the ballot and except as otherwise provided in NRS 293C.115, no}~~ **No** change may be made on the ballot for the general city election after 5 p.m. ~~{of}~~ on the ~~{second}~~ **first** Tuesday after the ~~{second Monday in April of the year in which the general}~~ **primary** city election. ~~{is held.}~~ If a nominee dies after that time and date, his name must remain on the ballot for the general city election and, if elected, a vacancy exists.

4. ~~{Except as otherwise provided in NRS 293C.115, all}~~ **All** designations provided for in this section must be filed on or before 5 p.m. on the ~~{second}~~ **first** Tuesday after the ~~{second Monday in April of the year in which the general}~~ **primary** city election. ~~{is held.}~~ The filing fee must be paid and an acceptance of the designation must be filed on or before 5 p.m. on that date.

Sec. 25. 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 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. 26. NRS 293C.345 is hereby amended to read as follows:

293C.345 ~~{Except as otherwise provided in NRS 293C.115, the}~~ **The** city clerk shall mail to each registered voter in each mailing precinct and in each absent ballot mailing precinct, before 5 p.m. on the third Thursday in ~~{March}~~ **May** and before 5 p.m. on the fourth Tuesday in ~~{May}~~ **October** of any year in which a general city election is held, an official mailing ballot to be voted by him at the election.

Sec. 27. NRS 293C.370 is hereby amended to read as follows:

293C.370 ~~{Except as otherwise provided in NRS 293C.115.}~~

1. Whenever a candidate whose name appears upon the ballot at a primary city election dies after 5 p.m. of the ~~{first}~~ **second** Tuesday ~~{after the first Monday}~~ in ~~{March.}~~ **April**, his name must remain on the ballot and the votes cast for the deceased candidate must be counted in determining the nomination for the office for which the decedent was a candidate.

2. If the deceased candidate on the ballot at the primary city election receives the number of votes required to receive the nomination to the office for which he was a candidate, the nomination is filled as provided in subsection 2 of NRS 293C.190.

3. Whenever a candidate whose name appears upon the ballot at a general city election dies after 5 p.m. of the ~~{second}~~ **first** Tuesday after the ~~{second Monday in April.}~~ **primary city election**, the votes cast for the deceased candidate must be counted in determining the results of the election for the office for which the decedent was a candidate.

4. If the deceased candidate on the ballot at the general election receives the majority of the votes cast for the office, he shall be deemed elected and the office to which he was elected shall be deemed vacant at the beginning of the term for which he was elected. The vacancy created must be filled in the same manner as if the candidate had died after taking office for that term.

Sec. 28. NRS 266.405 is hereby amended to read as follows:

266.405 1. In addition to the mayor and city council, there must be in each city of population category one or two a city clerk, a city treasurer ~~{}~~ or , if those

1 offices are combined pursuant to subsection 4, a city clerk and treasurer, a
2 municipal judge and a city attorney. The offices of city clerk, city treasurer,
3 municipal judge and city attorney may be either elective or appointive offices, as
4 provided by city ordinance. Except as otherwise provided in this subsection, ~~and~~
5 ~~unless the terms of those elected officers are extended by an ordinance adopted~~
6 ~~pursuant to NRS 293C.115,]~~ the elected officers shall hold their respective offices
7 for 4 years and until their successors are elected and qualified. The cities of
8 population category three may by ordinance provide that the mayor and city
9 councilmen must be elected and shall hold office for 2 years. ~~[unless the terms of~~
10 ~~office of the mayor and city councilmen are extended by an ordinance adopted~~
11 ~~pursuant to NRS 293C.115.]~~

12 2. In each city of population category one or two ~~[.]~~ in which the officers are
13 appointed pursuant to ordinance, the mayor, with the advice and consent of the city
14 council, shall appoint all of the officers.

15 3. In cities of population category three, the mayor, with the advice and
16 consent of the city council, may appoint any officers as may be deemed expedient.

17 4. The city council may provide by ordinance for the office of city clerk and
18 the office of city treasurer to be combined into the office of city clerk and treasurer.

19 **Sec. 29.** NRS 267.110 is hereby amended to read as follows:

20 267.110 1. Any city having adopted a charter pursuant to the provisions of
21 NRS 267.010 to 267.140, inclusive, has pursuant to the charter:

22 (a) All of the powers enumerated in the general laws of the State for the
23 incorporation of cities.

24 (b) Such other powers necessary and not in conflict with the Constitution and
25 laws of the State of Nevada to carry out the commission form of government.

26 2. The charter, when submitted, must:

27 (a) Fix the number of commissioners, their terms of office and their duties and
28 compensation.

29 (b) Provide for all necessary appointive and elective officers for the form of
30 government therein provided, and fix their salaries and emoluments, duties and
31 powers.

32 (c) Fix, in accordance with the provisions of NRS 293C.140 and 293C.175 or
33 with the provisions of NRS 293C.145, ~~[, or with the provisions of paragraph (a) of~~
34 ~~subsection 1 of NRS 293C.115,]~~ the time for the first and subsequent elections for
35 all elective officers. After the first election and the qualification of the officers who
36 were elected, the old officers and all boards or offices and their emoluments must
37 be abolished.

38 **Sec. 30.** Section 4 of the charter of Boulder City is hereby amended to read
39 as follows:

40 Section 4. Number; selection; ~~[and term;]~~ recall.

41 1. The City Council shall have four Councilmen and a Mayor elected
42 from the City at large in the manner provided in Article IX. ~~[, for terms of~~
43 ~~four years and until their successors have been elected and have taken~~
44 ~~office as provided in section 16, subject to recall as provided in section~~
45 ~~111.5.]~~ No Councilman shall represent any particular constituency or
46 district of the City, and each Councilman shall represent the entire City.
47 (Amd. 2; 6-4-1991; Add. 17; Amd. 1; 11-5-1996)

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

49 3. *The Councilmen and the Mayor are subject to recall as provided*
50 *in section 111.5.*

1 **Sec. 31.** Section 96 of the charter of Boulder City is hereby amended to read
2 as follows:

3 Section 96. Conduct of city elections.

4 1. All city elections must be nonpartisan in character and must be
5 conducted in accordance with the provisions of the general election laws of
6 the State of Nevada and any ordinance regulations as adopted by the City
7 Council which are consistent with law and this Charter. (1959 Charter)

8 2. ~~{All}~~ *The Mayor and two Council members elected at the general*
9 *city election held on the Tuesday after the first Monday in June 2007*
10 *shall continue in office until the election, and qualification thereafter, of*
11 *their successors pursuant to subsection 4.*

12 3. *On the first Tuesday after the first Monday in June 2009, there*
13 *must be elected by the qualified voters of the City, at a general election to*
14 *be held for that purpose, two Council members, both of whom hold office*
15 *until their successors have been elected and qualified pursuant to*
16 *subsection 5.*

17 4. *On the first Tuesday after the first Monday in November 2012,*
18 *and at each successive interval of 4 years, there must be elected by the*
19 *qualified voters of the City, at a general city election to be held for that*
20 *purpose, a Mayor and two Council members, all of whom hold office for*
21 *a period of 4 years and until their successors have been elected and*
22 *qualified.*

23 5. *On the first Tuesday after the first Monday in November 2014,*
24 *and at each successive interval of 4 years, there must be elected by the*
25 *qualified voters of the City, at a general election to be held for that*
26 *purpose, two Council members, both of whom hold office for a period of 4*
27 *years until their successors have been elected and qualified.*

28 6. *Except as otherwise provided in subsections 2 and 3, all full terms*
29 *of office in the City Council are* ~~{four}~~ *4 years, and Council members must*
30 *be elected at large without regard to precinct residency.* ~~{Two full-term~~
31 ~~Council members and the Mayor are to be elected in each year immediately~~
32 ~~preceding a federal presidential election, and two full-term Council~~
33 ~~members are to be elected in each year immediately following a federal~~
34 ~~presidential election.}~~ *In each election, the candidates receiving the greatest*
35 *number of votes must be declared elected to the vacant full-term positions.*
36 *(Add. 17; Amd. 1; 11-5-1996)*

37 (a) In the event one or more ~~{two-year}~~ *2-year* term positions on the
38 Council will be available at the time of a municipal election as provided in
39 section 12, candidates must file specifically for such position(s). Candidates
40 receiving the greatest respective number of votes must be declared elected
41 to the respective available ~~{two-year}~~ *2-year* positions. (Add. 15; Amd. 2;
42 6-4-1991)

43 ~~{3.}~~ 7. *A city primary election must be held on the* ~~{first Tuesday~~
44 ~~after the first Monday in April of each odd-numbered year and a city~~
45 ~~general election must be held on the first Tuesday after the first Monday in~~
46 ~~June of each odd-numbered year.}~~ *date fixed by the election laws of this*
47 *State for statewide elections.*

48 (a) A primary election must not be held if no more than double the
49 number of Council members to be elected file as candidates. A primary
50 election must not be held for the office of Mayor if no more than two
51 candidates file for that position. The primary election must be held for the
52 purpose of eliminating candidates in excess of a figure double the number
53 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 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)

~~{4.}~~ **8.** The conduct of all municipal elections ~~{shall}~~ **must** be 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. 32. The Charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, at page 55, is hereby amended by adding thereto a new section to be designated section 5.120, immediately following section 5.110, to read as follows:

Sec. 5.120 Continuation of certain officers.

The two Councilmen elected at the general election held on the first Tuesday after the first Monday in June 2007 shall continue in office until the election, and qualification thereafter, of their successors pursuant to subsection 2 of section 5.010.

Sec. 33. Section 2.010 of the Charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, as last amended by chapter 98, Statutes of Nevada 1977, at page 202, is hereby amended to read as follows:

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

1. The legislative power of the City is vested in a City Council consisting of five Councilmen, including the Mayor.

2. The Mayor and each Councilman ~~{shall}~~ **must** be:

(a) Bona fide residents of the City for at least 2 years immediately prior to their election.

(b) Qualified electors within the City.

3. All Councilmen, including the Mayor, ~~{shall}~~ **must** be voted upon by the registered voters of the City at large and shall serve for terms of 4 years except as *otherwise* provided in ~~{subsection 3 of section}~~ **sections 5.010 ~~{}~~ and 5.120.**

4. The Mayor and Councilmen shall receive a salary in an amount fixed by the City Council. Such salary ~~{shall}~~ **must** not be increased or diminished during the term of the recipient.

Sec. 34. Section 5.010 of the Charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, as amended by chapter 71, Statutes of Nevada 1975, at page 82, is hereby amended to read as follows:

Sec. 5.010 ~~{Municipal}~~ ***General municipal*** elections.

1. On the ~~{1st Tuesday after the 1st Monday in June 1973, there shall be elected by the qualified voters of the City, at a general election to be held for that purpose, a Mayor and one Councilman, who shall hold office for a period of 4 years and until their successors have been elected and qualified.}~~ ***first Tuesday after the first Monday in June 2009, there must be elected by the qualified voters of the City, at a general election to be held for that purpose, a Mayor and two Councilmen who shall hold office until their successors have been elected and qualified pursuant to subsection 3.***

2. On the ~~{1st}~~ first Tuesday after the ~~{1st}~~ first Monday in ~~{June 1975,}~~ **November 2012**, and at each successive interval of 4 years, ~~{thereafter,}~~ there ~~{shall}~~ **must** be elected by the qualified voters of the City, at a general election to be held for that purpose, two Councilmen ~~{}~~ who shall hold office for a period of 4 years and until their successors have been elected and qualified.

3. ~~{On the 1st Tuesday after the 1st Monday in June 1975, there shall be elected by the qualified voters of the City at a general election to be held for that purpose one Councilman, who shall hold office for a period of 2 years and until his successor has been elected and qualified.}~~

~~—4.~~ On the ~~{1st}~~ first Tuesday after the ~~{1st}~~ first Monday in ~~{June 1977,}~~ **November 2014**, and at each successive interval of 4 years, there ~~{shall}~~ **must** be elected by the qualified voters of the City, at a general 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.

Sec. 35. The Charter of the City of Elko, being chapter 276, Statutes of Nevada 1971, at page 474, is hereby amended by adding thereto a new section to be designated section 5.110, immediately following section 5.100, to read as follows:

Sec. 5.110 Continuation of certain officers.

The Mayor and two members of the City Council elected at the general election held on the first Tuesday after the first Monday in June 2007 shall continue in office until the election, and qualification thereafter, of their successors pursuant to subsection 2 of section 5.010.

Sec. 36. Section 2.010 of the Charter of the City of Elko, being chapter 276, Statutes of Nevada 1971, as last amended by chapter 51, Statutes of Nevada 2001, at page 449, is hereby amended to read as follows:

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

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

2. The members of the City Council must be:

(a) Bona fide residents of the City for at least 2 years before their election.

(b) Qualified electors within the City.

3. All members of the City Council must be voted upon by the registered voters of the City at large and, ***except as otherwise provided in sections 5.010 and 5.110***, shall serve for terms of 4 years.

4. The members of the City Council must receive a salary in an amount fixed by the City Council.

Sec. 37. Section 5.010 of the Charter of the City of Elko, being chapter 276, Statutes of Nevada 1971, as amended by chapter 51, Statutes of Nevada 2001, at page 463, is hereby amended to read as follows:

Sec. 5.010 ~~{Municipal}~~ **General municipal elections.**

1. ~~{On the first Tuesday after the first Monday in June 1975, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general election to be held for that purpose, a Mayor and two members of the City Council, who shall hold office for a period of 4 years and until their successors have been elected and qualified.}~~

~~—2.~~ On the first Tuesday after the first Monday in June ~~{1973, and at each successive interval of 4 years thereafter,}~~ **2009**, there must be elected by the qualified voters of the City, at a general election to be held for that purpose, two members of the City Council ~~{}~~ who shall hold office ~~{for a~~

~~period of 4 years and~~ until their successors have been elected and qualified
~~[] pursuant to subsection 3.~~

2. On the first Tuesday after the first Monday in November 2012, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general election to be held for that purpose, a Mayor and two members of the City Council who shall hold office for a period of 4 years and until their successors have been elected and qualified.

3. On the first Tuesday after the first Monday in November 2014, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general election to be held for that purpose, two members of the City Council who shall hold office for a period of 4 years and until their successors have been elected and qualified.

Sec. 38. The Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 402, is hereby amended by adding thereto a new section to be designated as section 5.120, immediately following section 5.110, to read as follows:

Sec. 5.120 Continuation of certain officers.

1. The three Councilmen elected at the general election held on the first Tuesday after the first Monday in June 2007 shall continue in office until the election, and qualification thereafter, of their successors pursuant to subsection 2 of section 5.020.

2. The Municipal Judge for Department 1 elected at the general election held on the first Tuesday after the first Monday in June 2007 shall continue in office until the election, and qualification thereafter, of his successor pursuant to subsection 5 of section 5.020.

3. The Municipal Judge for Department 3 elected at the general election held on the first Tuesday after the first Monday in June 2007 shall continue in office until the election, and qualification thereafter, of his successor pursuant to subsection 3 of section 5.020.

Sec. 39. Section 2.010 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 596, Statutes of Nevada 1995, at page 2206, is hereby amended to read as follows:

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

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

2. The Mayor must be:

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

(b) A qualified elector within the City.

3. Each Councilman must be:

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

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

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

4. All Councilmen, including the Mayor, must be voted upon by the registered voters of the City at large and, *except as otherwise provided in sections 5.020 and 5.120*, shall serve for terms of 4 years.

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

Sec. 40. Section 4.015 of the Charter of the City of Henderson, being chapter 231, Statutes of Nevada 1991, as last amended by chapter 209, Statutes of Nevada 2001, at page 970, is hereby amended to read as follows:

Sec. 4.015 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 establish additional departments of the Municipal Court and shall appoint an additional Municipal Judge for each.

3. At the first municipal primary or general election which 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 a term of not more than 5 years, as determined by the City Council, in order that, as nearly as practicable, one-third of the number of Municipal Judges be elected every 2 years.

4. ~~Each~~ *Except as otherwise provided in subsection 3, each* Municipal Judge must be voted upon by the registered voters of the City at large ~~and~~ *and, except as otherwise provided in sections 5.020 and 5.120, shall serve for terms of 6 years.*

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

6. The Senior Municipal Judge is selected by a majority of the sitting judges for a term of 2 years. If no Municipal Judge receives a majority of the votes, the Senior Municipal Judge is the Municipal Judge who has continuously served as a Municipal Judge for the longest period.

Sec. 41. Section 5.010 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 637, Statutes of Nevada 1999, at page 3565, is hereby amended to read as follows:

Sec. 5.010 Primary election.

1. A primary election must be held on the ~~[Tuesday after the first Monday in April of each odd-numbered year.]~~ *date fixed by the election laws of this State for statewide elections*, at which time there must be nominated candidates for offices to be voted for at the next general ~~[municipal]~~ election.

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

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

4. If in the primary election no candidate receives a majority of votes cast in that election for the office for which he is a candidate, the names of

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

Sec. 42. Section 5.020 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 209, Statutes of Nevada 2001, at page 971, is hereby amended to read as follows:

Sec. 5.020 General municipal election.

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

~~—2. All candidates for the office of Mayor, Councilman and Municipal Judge must be voted upon by the registered voters of the City at large. The term of office for members of the City Council and the Mayor is 4 years. Except as otherwise provided in subsection 3 of section 4.015 of this Charter, the term of office for a Municipal Judge is 6 years.~~

~~—3.] On the first Tuesday after the first Monday in June 2009, there must be elected by the qualified voters of the City, at a general election to be held for that purpose, a:~~

(a) Mayor and Councilman who shall hold office until their successors have been elected and qualified pursuant to subsection 4.

(b) Municipal Judge for Department 2 who shall hold office until his successor has been elected and qualified pursuant to subsection 6.

2. On the first Tuesday after the first Monday in November 2012, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general election to be held for that purpose, three Councilmen who shall hold office for a period of 4 years and until their successors have been elected and qualified.

3. On the first Tuesday after the first Monday in November 2014, and at each successive interval of 6 years, there must be elected by the qualified voters of the City, at a general election to be held for that purpose, a Municipal Judge for Department 3 who shall hold office for a period of 6 years until his successor has been elected and qualified.

4. On the first Tuesday after the first Monday in November 2014, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general election to be held for that purpose, a Mayor and Councilman who shall hold office for a period of 4 years 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, there must be elected by the qualified voters of the City, at a general election to be held for that purpose, a Municipal Judge for Department 1 who shall hold office for a period of 6 years until his successor has been elected and qualified.

6. On the first Tuesday after the first Monday in ~~[June 2001]~~ November 2016, and ~~[every]~~ at each successive interval of 6 years, ~~[thereafter]~~ there must be elected by the qualified voters of the City, at a general ~~[municipal]~~ election to be held for that purpose, a Municipal Judge for Department ~~[1]~~ 2 who will hold office until his successor has been elected and qualified.

~~[4. On the Tuesday after the first Monday in June 2003 and every 6 years thereafter, there must be elected by the qualified voters of the City, at~~

~~a general municipal election to be held for that purpose, a Municipal Judge for Department 2 who will hold office until his successor has been elected and qualified.~~

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

Sec. 43. The Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, at page 1391, is hereby amended by adding thereto a new section to be designated as section 5.140, immediately following section 5.130, to read as follows:

Sec. 5.140 Continuation of certain officers.

1. The Mayor and Councilmen from odd-numbered wards elected at the general election held on the Tuesday after the first Monday in June 2007 shall continue in office until the election, and qualification thereafter, of their successors pursuant to subsection 2 of section 5.020.

2. The Municipal Judges for Departments 2, 3 and 5 elected at the general election held on the Tuesday after the first Monday in June 2005 shall continue in office until the election, and qualification thereafter, of their successors pursuant to subsection 3 of section 5.020.

Sec. 44. 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 sections 5.020 and 5.140, 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,~~ and *sections 5.020 and 5.140*, the term of office of a Municipal Judge is 6 years.

Sec. 45. Section 1.160 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 338, Statutes of Nevada 2007, at page 1533, is hereby amended to read as follows:

Sec. 1.160 Elective offices: Vacancies. Except as otherwise provided in NRS 268.325:

1. A vacancy in the office of Mayor, Councilman or Municipal Judge must be filled by the majority vote of the entire City Council within 30 days after the occurrence of that vacancy. A person may be selected to fill a prospective vacancy 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, including, without limitation, any applicable residency requirement.

2. No appointment extends beyond the first regular meeting of the City Council that follows the next general municipal election, at that election the office must be filled for the remainder of the unexpired term, or beyond the first regular meeting of the City Council after the Tuesday after the first Monday in the next succeeding ~~[June]~~ *November* in an

~~{odd-numbered}~~ *even-numbered* year, if no general municipal election is held in that year.

Sec. 46. Section 4.020 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 338, Statutes of Nevada 2007, at page 1536, is hereby amended to read as follows:

Sec. 4.020 Municipal Court: Qualifications of Municipal Judges; salary; Master Judge; departments; Alternate Judges.

1. Each Municipal Judge shall devote his full time to the duties of his office and must be:

(a) A duly licensed member, in good standing, of the State Bar of Nevada, but this qualification does not apply to any Municipal Judge who is an incumbent when this Charter becomes effective as long as he continues to serve as such in uninterrupted terms.

(b) A qualified elector who has resided within the territory which is established by the boundaries of the City for a period of not less than 30 days immediately before the last day for filing a declaration of candidacy for the department for which he is a candidate.

(c) Voted upon by the registered voters of the City at large.

2. The salary of the Municipal Judges must be fixed by ordinance and be uniform for all departments of the Municipal Court. The salary may be increased during the terms for which the Judges are elected or appointed.

3. The Municipal Judges of the six departments shall elect a Master Judge from among their number. The Master Judge shall hold office for a term of 2 years commencing on July 1 of each ~~{odd-numbered-year-}~~ *year of a general municipal election*. If a vacancy occurs in the position of Master Judge, the Municipal Judges shall elect a replacement for the remainder of the unexpired term. If two or more Municipal Judges receive an equal number of votes for the position of Master Judge, the candidates who have received the tie votes shall resolve the tie vote by the drawing of lots. The Master Judge:

(a) Shall establish and enforce administrative regulations for governing the affairs of the Municipal Court.

(b) Is responsible for setting trial dates and other matters which pertain to the Court calendar.

(c) Shall perform such other Court administrative duties as may be required by the City Council.

4. Alternate Judges in sufficient numbers may be appointed annually by the Mayor, each of whom:

(a) Must be a duly licensed member, in good standing, of the State Bar of Nevada and have such other qualifications as are prescribed by ordinance.

(b) Has all of the powers and jurisdiction of a Municipal Judge while he is acting as such.

(c) Is entitled to such compensation as may be fixed by the City Council.

5. Any Municipal Judge, other than an Alternate Judge, automatically forfeits his office if he ceases to be a resident of the City.

Sec. 47. Section 5.010 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 637, Statutes of Nevada 1999, at page 3565, is hereby amended to read as follows:

Sec. 5.010 Primary municipal elections.

1. ~~{On the Tuesday after the first Monday in April 2001, and at each successive interval of 4 years, a}~~ A primary ~~{municipal}~~ election must be

held in the City ~~{at which time candidates for half of the offices of Councilman and for Municipal Judge, Department 2, must be nominated.~~

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

~~— 3. — on the date fixed by the election laws of this State for statewide elections.~~

2. In the primary election:

(a) The candidates for Councilman who are to be nominated ~~{as provided in subsections 1 and 2}~~ must be nominated and voted for separately according to the respective wards. ~~{The candidates from each even numbered ward must be nominated as provided in subsection 1, and the candidates from each odd numbered ward must be nominated as provided in subsection 2.~~

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

~~{5.}~~ 3. Each candidate for ~~{the municipal offices which are provided for in subsections 1, 2 and 4}~~ **municipal office** must file a declaration of candidacy with the City Clerk. All filing fees collected by the City Clerk must be paid into the City Treasury.

~~{6.}~~ 4. If, in the primary election, regardless of the number of candidates for an office, one candidate receives a majority of votes which are cast in that election for the office for which he is a candidate, he must be declared elected for the term which commences on the day of the first regular meeting of the City Council next succeeding the meeting at which the canvass of the returns is made, and no general election need be held for that office. If, in the primary election, no candidate receives a majority of votes which are cast in that election for the office for which he is a candidate, the names of the two candidates who receive the highest number of votes must be placed on the ballot for the general election.

Sec. 48. Section 5.020 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, at page 1415, is hereby amended to read as follows:

Sec. 5.020 General municipal election.

1. ~~{A}~~ **On the first Tuesday after the first Monday in June 2009, there must be elected, at a general {municipal} election {must be}** held in the City ~~{on the Tuesday after the 1st Monday in June of each odd-numbered year and on the same day every 2 years thereafter, at which time there must be elected those officers whose offices are required to be filled by election in that year.}~~ **for that purpose:**

(a) **The Councilmen from even-numbered wards who shall hold office until their successors have been elected and qualified pursuant to subsection 4.**

(b) **The Municipal Judges for Departments 1, 4 and 6 who shall hold office until their successors have been elected and qualified pursuant to subsection 5.**

2. **On the first Tuesday after the first Monday in November 2012, and at each successive interval of 4 years, there must be elected, at a general election to be held for that purpose, the Mayor and Councilmen**

1 *from odd-numbered wards who shall hold office for a period of 4 years*
2 *and until their successors have been elected and qualified.*

3 *3. On the first Tuesday after the first Monday in November 2012,*
4 *and at each successive interval of 6 years, there must be elected, at a*
5 *general election to be held for that purpose, Municipal Judges for*
6 *Departments 2, 3 and 5 who shall hold office for a period of 6 years and*
7 *until their successors have been elected and qualified.*

8 *4. On the first Tuesday after the first Monday in November 2014,*
9 *and at each successive interval of 4 years, there must be elected, at a*
10 *general election to be held for that purpose, the Councilmen from even-*
11 *numbered wards who shall hold office for a period of 4 years and until*
12 *their successors have been elected and qualified.*

13 *5. On the first Tuesday after the first Monday in November 2016,*
14 *and at each successive interval of 6 years, there must be elected, at a*
15 *general election to be held for that purpose, Municipal Judges for*
16 *Departments 1, 4 and 6 who shall hold office for a period of 6 years and*
17 *until their successors have been elected and qualified.*

18 *6. All candidates for elective office, except the office of Councilman,*
19 *must be voted upon by the registered voters of the City at large.*

20 **Sec. 49.** The Charter of the City of North Las Vegas, being chapter 573,
21 Statutes of Nevada 1971, at page 1210, is hereby amended by adding thereto a new
22 section to be designated as section 5.100, immediately following section 5.090, to
23 read as follows:

24 ***Sec. 5.100 Continuation of certain officers.***

25 *1. The Municipal Judge for Department 1 elected at the general*
26 *election held on the Tuesday after the first Monday in June 2005 shall*
27 *continue in office until the election, and qualification thereafter, of his*
28 *successor pursuant to subsection 3 of section 5.010.*

29 *2. The two Councilmen elected at the general election held on the*
30 *Tuesday after the first Monday in June 2007 shall continue in office until*
31 *the election, and qualification thereafter, of their successors pursuant to*
32 *subsection 2 of section 5.010.*

33 **Sec. 50.** Section 2.010 of the Charter of the City of North Las Vegas, being
34 chapter 573, Statutes of Nevada 1971, as last amended by chapter 499, Statutes of
35 Nevada 2005, at page 2691, is hereby amended to read as follows:

36 **Sec. 2.010 City Council: Qualifications; election; term of office;**
37 **salary.**

38 *1. The legislative power of the City is vested in a City Council*
39 *consisting of four Councilmen and a Mayor.*

40 *2. The Mayor must be:*

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

43 *(b) A qualified elector within the City.*

44 *3. Each Councilman:*

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

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

52 *4. At the time of filing, if so required by an ordinance duly enacted,*
53 *candidates for the office of Mayor and Councilman shall produce evidence*

1 in satisfaction of any or all of the qualifications provided in subsection 2 or
2 3, whichever is applicable.

3 5. Each Councilman must be voted upon only by the registered voters
4 of the ward that he seeks to represent, and *except as otherwise provided in*
5 *sections 5.010 and 5.100*, his term of office is 4 years.

6 6. The Mayor must be voted upon by the registered voters of the City
7 at large, and *except as otherwise provided in section 5.010*, his term of
8 office is 4 years.

9 7. The Mayor and Councilmen are entitled to receive a salary in an
10 amount fixed by the City Council.

11 **Sec. 51.** Section 4.005 of the Charter of the City of North Las Vegas, being
12 chapter 215, Statutes of Nevada 1997, as amended by chapter 73, Statutes of
13 Nevada 2003, at page 484, is hereby amended to read as follows:

14 Sec. 4.005 Municipal Court.

15 1. There is a Municipal Court of the City which consists of at least
16 one department. Each department must be presided over by a Municipal
17 Judge and has such power and jurisdiction as is prescribed in, and is, in all
18 respects which are not inconsistent with this Charter, governed by the
19 provisions of chapters 5 and 266 of NRS which relate to municipal courts.

20 2. The City Council may, from time to time, by ordinance, establish
21 additional departments of the Municipal Court and shall appoint an
22 additional Municipal Judge for each additional department.

23 3. At the first municipal primary or municipal general election that
24 follows the appointment of an additional Municipal Judge to a newly
25 created department of the Municipal Court, the successor to that Municipal
26 Judge must be elected for an initial term of not more than 6 years, as
27 determined by the City Council, in order that, as nearly as practicable, one-
28 third of the number of Municipal Judges be elected every 2 years.

29 4. Except as otherwise provided by the ordinance establishing an
30 additional department, each Municipal Judge must be voted upon by the
31 registered voters of the City at large and , *except as otherwise provided in*
32 *sections 5.010 and 5.100*, holds office for a period of 6 years and until his
33 successor has been elected and qualified.

34 5. The respective departments of the Municipal Court must be
35 numbered 1 through the appropriate Arabic numeral, as additional
36 departments are approved by the City Council. A Municipal Judge must be
37 elected for each department by number.

38 **Sec. 52.** Section 5.010 of the Charter of the City of North Las Vegas, being
39 chapter 573, Statutes of Nevada 1971, as last amended by chapter 499, Statutes of
40 Nevada 2005, at page 2691, is hereby amended to read as follows:

41 Sec. 5.010 General municipal elections.

42 1. On the Tuesday after the first Monday in June ~~[1977, and at each~~
43 ~~successive interval of 4 years thereafter,]~~ 2009, there must be elected, at a
44 general election to be held for that purpose, a :

45 (a) Mayor and two Councilmen ~~[]~~ who shall hold office ~~[for a period~~
46 ~~of 4 years and]~~ until their successors have been elected and qualified ~~[]~~
47 *pursuant to subsection 4.*

48 (b) *Municipal Judge for Department 2 who shall hold office until his*
49 *successor has been elected and qualified pursuant to subsection 5.*

50 2. On the *first* Tuesday after the first Monday in ~~[June 1975,]~~
51 *November 2012*, and at each successive interval of 4 years , ~~[thereafter,]~~
52 there must be elected, at a general election to be held for that purpose, two

Councilmen ~~H~~ who shall hold office for a period of 4 years and until their successors have been elected and qualified.

3. *On the first Tuesday after the first Monday in November 2012, and at each successive interval of 6 years, there must be elected, at a general election to be held for that purpose, 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.*

4. *On the first Tuesday after the first Monday in November 2014, and at each successive interval of 4 years, there must be elected, at a general election to be held for that purpose, a Mayor and two Councilmen who shall hold office until their successors have been elected and qualified.*

5. *On the first Tuesday after the first Monday in November 2016, and at each successive interval of 6 years, there must be elected, at a general election to be held for that purpose, 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.*

6. 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. 53. Section 5.020 of the Charter of the City of North Las Vegas, being chapter 266, 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.

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 ~~[Tuesday following the first Monday in April preceding the general election.]~~ *date fixed by the election laws of this State for statewide elections.* 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 be declared elected to office and his name must not appear on the ballot for the general election.

1 **Sec. 54.** The Charter of Yerington, being chapter 465, Statutes of Nevada
2 1971, at page 901, is hereby amended by adding thereto a new section to be
3 designated as section 5.110, immediately following section 5.100, to read as
4 follows:

5 *Sec. 5.110 Continuation of certain officers.*

6 *The Mayor and two Councilmen elected at the general election held*
7 *on the first Tuesday after the first Monday in June 2007 shall continue in*
8 *office until the election, and qualification thereafter, of their successors*
9 *pursuant to subsection 2 of section 5.010.*

10 **Sec. 55.** Section 2.010 of the Charter of the City of Yerington, being chapter
11 465, Statutes of Nevada 1971, as last amended by chapter 98, Statutes of Nevada
12 1977, at page 213, is hereby amended to read as follows:

13 Sec. 2.010 City Council: Qualifications; election; term of office;
14 salary.

15 1. The legislative power of the City is vested in a City Council
16 consisting of four Councilmen.

17 2. The Councilmen ~~{shall}~~ *must* be:

18 (a) Bona fide residents of the City for at least 6 months immediately
19 preceding their election.

20 (b) Qualified electors in the City.

21 3. All Councilmen ~~{shall}~~ *must* be voted upon by the registered voters
22 of the City at large and *, except as otherwise provided in sections 5.010*
23 *and 5.110,* shall serve for terms of 4 years.

24 4. The Councilmen shall receive a salary in an amount fixed by the
25 City Council.

26 **Sec. 56.** Section 5.010 of the Charter of the City of Yerington, being chapter
27 465, Statutes of Nevada 1971, at page 912, is hereby amended to read as follows:

28 Sec. 5.010 ~~{Municipal}~~ *General municipal* elections.

29 1. ~~{On the 1st Tuesday after the 1st Monday in June 1975, and at each~~
30 ~~successive interval of 4 years, there shall be elected by the qualified voters~~
31 ~~of the City at a general election to be held for that purpose a Mayor and two~~
32 ~~Councilmen, who shall hold office for a period of 4 years and until their~~
33 ~~successors have been elected and qualified.~~

34 ~~—2—~~ On the ~~{1st}~~ *first* Tuesday after the ~~{1st}~~ *first* Monday in June
35 ~~{1977, and at each successive interval of 4 years thereafter,} 2009,~~ there
36 ~~{shall} must~~ be elected by the qualified voters of the City , at a general
37 election to be held for that purpose , two Councilmen ~~{}~~ who shall hold
38 office ~~{for a period of 4 years and}~~ until their successors have been elected
39 and qualified ~~{}~~ *pursuant to subsection 3.*

40 2. *On the first Tuesday after the first Monday in November 2012,*
41 *and at each successive interval of 4 years, there must be elected by the*
42 *qualified voters of the City, at a general election to be held for that*
43 *purpose, a Mayor and two Councilmen who shall hold office for a period*
44 *of 4 years and until their successors have been elected and qualified.*

45 3. *On the first Tuesday after the first Monday in November 2014,*
46 *and at each successive interval of 4 years, there must be elected by the*
47 *qualified voters of the City, at a general election to be held for that*
48 *purpose, two Councilmen who shall hold office for a period of 4 years*
49 *and until their successors have been elected and qualified.*

50 **Sec. 57.** Notwithstanding any other provision of law to the contrary, if a city
51 incorporated pursuant to general law holds a general city election in:

52 1. June 2009, the elective city officers who are elected at such general city
53 election shall continue in office until the election, and qualification thereafter, of

1 their successors in the general city election to be held on the first Tuesday after the
2 first Monday in November 2012.

3 2. June 2011, the elective city officers who are elected at such general city
4 election shall continue in office until the election, and qualification thereafter, of
5 their successors in the general city election to be held on the first Tuesday after the
6 first Monday in November 2014.

7 Sec. 57.5. Notwithstanding any other provision of law to the contrary, if
8 the term of any elective city officer whose term of office expires in 2011 or
9 2013 is not otherwise extended or shortened pursuant to sections 1 to 57,
10 inclusive, of this act, the person or entity designated by law to fill vacancies
11 that occur on the city council of the city shall appoint the incumbent elective
12 city officer to serve as City Councilman, Mayor, Municipal Judge or other
13 elective city officer, as applicable, in that office until his successor is elected
14 and qualified at the general election in 2012 or 2014, as applicable, if that
15 person is willing to serve in that capacity. If the person is not willing to serve in
16 that capacity, the position must be filled in the same manner as if a vacancy
17 occurred in the position.

18 Sec. 58. 1. This section and sections 3 to 17, inclusive, and ~~sections~~ 30 to
19 ~~57.1~~ 57.5, inclusive, of this act become effective upon passage and approval.

20 2. Sections 1, 2 and 18 to 29, inclusive, of this act become effective on July 1,
21 2011.