

Amendment No. 684

Assembly Amendment to Senate Bill No. 263 First Reprint (BDR S-1003)

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	☐	Lost	☐ _____	Adopted	☐	Lost	☐ _____
Concurred In	☐	Not	☐ _____	Concurred In	☐	Not	☐ _____
Receded	☐	Not	☐ _____	Receded	☐	Not	☐ _____

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.

SJA/HAC



Date: 5/14/2009

S.B. No. 263—Amends the Charters of the Cities of Carlin and Wells to revise
provisions governing municipal elections. (BDR S-1003)



SENATE BILL NO. 263—SENATOR RHODS

MARCH 16, 2009

Referred to Committee on Government Affairs

SUMMARY—Amends the Charters of the Cities of Carlin and Wells to revise provisions governing municipal elections. (BDR S-1003)

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

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

AN ACT relating to city elections; amending the Charters of the Cities of Carlin and Wells to specify the dates for filing a declaration of candidacy to become a candidate in the general city election; amending the Charters of the Cities of Carlin and Wells to specify the appropriate appearance of names on an election ballot; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The existing Charters of the Cities of Carlin and Wells provide that a Mayor and the Councilmen of the respective cities are elected at a general city election which occurs on the same day as the statewide general election. **Sections 1 and 3** of this bill amend the Charters of the Cities of Carlin and Wells to specify that a person seeking to appear on the ballot at the general city election in one of those cities must file a declaration of candidacy with the City Clerk not ~~earlier than the first Monday in May of the year in which the election is to be held or later than 5 p.m. on the second Friday after the first Monday in May. (NRS 202.177).~~ ***less than 90 days or more than 100 days before the day of the general city election.***

Sections 2 and 4 of this bill also amend the Charters of the Cities of Carlin and Wells to specify the appropriate appearance of names on an election ballot, including details on how the names of candidates with similar surnames are to appear.

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

Section 1. The Charter of the City of Carlin, being chapter 344, Statutes of Nevada 1971, at page 603, is hereby amended by adding thereto a new section to be designated as section 5.015, immediately following section 5.010, to read as follows:

Sec. 5.015 Filing of declarations of candidacy.

1. A candidate to be voted for at the general election must file a declaration of candidacy with the City Clerk ~~during the period set forth in subsection 1 of NRS 202.177.~~ not less than 90 days or more than 100 days before the day of the general election. 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.

2. If, due to the death or ineligibility of or withdrawal by a candidate, a vacancy occurs in a nomination after the close of filing and any applicable period for withdrawal of candidacy, the candidate's name must remain on the ballot for the general election and, if elected, a vacancy exists.

Sec. 2. The Charter of the City of Carlin, being chapter 344, Statutes of Nevada 1971, at page 603, is hereby amended by adding thereto a new section to be designated as section 5.040, immediately following section 5.030, to read as follows:

Sec. 5.040 Names on ballots.

1. The full names of all candidates, except those who have withdrawn, died or become ineligible before the close of filing and any applicable period for withdrawal of candidacy, must be printed on the official ballots without party designation or symbol.

2. If two or more candidates have the same surname or surnames so similar as to be likely to cause confusion and:

(a) None of them is an incumbent, their middle names or middle initials, if any, must be included in their names as printed on the ballot; or

(b) One of them is an incumbent, the name of the incumbent must be listed first and must be printed in bold type.

Sec. 3. The Charter of the City of Wells, being chapter 275, Statutes of Nevada 1971, at page 457, is hereby amended by adding thereto a new section to be designated as section 5.015, immediately following section 5.010, to read as follows:

Sec. 5.015 Filing of declarations of candidacy.

1. A candidate to be voted for at the general election must file a declaration of candidacy with the City Clerk ~~during the period set forth in subsection 1 of NRS 203.177.1~~ not less than 90 days or more than 100 days before the day of the general election. 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.

2. If, due to the death or ineligibility of or withdrawal by a candidate, a vacancy occurs in a nomination after the close of filing and any applicable period for withdrawal of candidacy, the candidate's name must remain on the ballot for the general election and, if elected, a vacancy exists.

Sec. 4. Section 5.040 of the Charter of the City of Wells, being chapter 275, Statutes of Nevada 1971, as amended by chapter 312, Statutes of Nevada 2003, at page 1731, is hereby amended to read as follows:

Sec. 5.040 Names on ballots.

1. The full names of all candidates, except those who have withdrawn, died or become ineligible ~~before the close of filing and any applicable period for withdrawal of candidacy~~, must be printed on the official ballots without party designation or symbol.

2. If two or more candidates have the same surname or surnames so similar as to be likely to cause confusion and:

(a) None of them is an incumbent, their middle names or middle initials, if any, must be included in their names as printed on the ballot; or

1 (b) One of them is an incumbent, the name of the incumbent must be
2 listed first and must be printed in bold type.

3 **Sec. 5.** This act becomes effective upon passage and approval.