

SENATE BILL NO. 263—SENATOR RHODS

MARCH 16, 2009

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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.

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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:**

- 1 The existing Charters of the Cities of Carlin and Wells provide that a Mayor  
2 and the Councilmen of the respective cities are elected at a general city election  
3 which occurs on the same day as the statewide general election. **Sections 1 and 3**  
4 of this bill amend the Charters of the Cities of Carlin and Wells to specify that a  
5 person seeking to appear on the ballot at the general city election in one of those  
6 cities must file a declaration of candidacy with the City Clerk not less than 5 days  
7 or more than 15 days before the day of the statewide primary election.  
8 **Sections 2 and 4** of this bill also amend the Charters of the Cities of Carlin and  
9 Wells to specify the appropriate appearance of names on an election ballot,  
10 including details on how the names of candidates with similar surnames are to  
11 appear.
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\* S B 2 6 3 R 4 \*

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 not less than 5 days or more than 15 days before the day of the primary election held pursuant to the provisions of NRS 293.175. 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.***



\* S B 2 6 3 R 4 \*

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

5     **Sec. 5.015 Filing of declarations of candidacy.**

6     1. *A candidate to be voted for at the general election*  
7 *must file a declaration of candidacy with the City Clerk not*  
8 *less than 5 days or more than 15 days before the day of the*  
9 *primary election held pursuant to the provisions of NRS*  
10 *293.175. The City Clerk shall charge and collect from the*  
11 *candidate and the candidate must pay to the City Clerk, at*  
12 *the time of filing the declaration of candidacy, a filing fee in*  
13 *an amount fixed by the City Council by ordinance or*  
14 *resolution.*

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

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

24     **Sec. 5.040 Names on ballots.**

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

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

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

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

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

