

ASSEMBLY BILL NO. 108—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

PREFILED JANUARY 31, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Eliminates the deadline for registering to vote in an election. (BDR 24-686)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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

AN ACT relating to elections; eliminating the deadline for registering to vote in an election; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the period for registering to vote at an election ends at
2 9 p.m. on the third Tuesday preceding an election. For the period beginning on the
3 fifth Sunday preceding an election and ending on the third Tuesday preceding an
4 election, an elector may register to vote only by appearing in person at the office of
5 the county clerk. (NRS 293.560, 293C.527) This bill eliminates the deadline for
6 registering to vote for an election and provides that a person may register to vote at
7 the office of the county or city clerk, as appropriate, from the period beginning on
8 the fifth Sunday preceding an election until the polls close on election day.

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

1 **Section 1.** NRS 293.273 is hereby amended to read as follows:
2 293.273 1. Except as otherwise provided in ~~subsection 2~~
3 ~~and~~ NRS 293.305, at all elections held under the provisions of this
4 title, the polls must open at 7 a.m. and close at 7 p.m.
5 2. ~~Whenever at any election all the votes of the precinct or~~
6 ~~district, as shown on the roster, have been cast, the election board~~
7 ~~officers shall close the polls, and the counting of votes must begin~~
8 ~~and continue without unnecessary delay until the count is~~
9 ~~completed.~~



~~3.]~~ Upon opening the polls, one of the election board officers shall cause a proclamation to be made that all present may be aware of the fact that applications of registered voters to vote will be received.

~~[4.]~~ 3. No person other than election board officers engaged in receiving, preparing or depositing ballots may be permitted inside the guardrail during the time the polls are open, except by authority of the election board as necessary to keep order and carry out the provisions of this title.

Sec. 2. NRS 293.502 is hereby amended to read as follows:

293.502 1. An elector:

(a) Who complies with the requirements for registration set forth in the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et seq.;

(b) Who, not more than 60 days before an election:

(1) Is discharged from the Armed Forces of the United States or is the spouse or dependent of an elector who is discharged from the Armed Forces; or

(2) Is separated from employment outside the territorial limits of the United States or is the spouse or dependent of an elector who is separated from employment outside the territorial limits of the United States; *and*

(c) Who presents evidence of the discharge from the Armed Forces or separation from employment described in paragraph (b) to the county clerk, ~~and~~

~~—(d) Is not registered to vote at the close of registration for that election.]~~

➔ must be allowed to register to vote in the election.

2. Such an elector must:

(a) Register in person; and

(b) Vote in the office of the county clerk unless the elector is otherwise entitled to vote an absent ballot pursuant to federal law.

3. The Secretary of State shall adopt regulations to carry out a program of registration for such electors.

Sec. 3. NRS 293.543 is hereby amended to read as follows:

293.543 1. If the registration of an elector is cancelled pursuant to subsection 2 of NRS 293.540, the county clerk shall reregister the elector upon notice from the clerk of the district court that the elector has been declared sane or mentally competent by the district court.

2. If the registration of an elector is cancelled pursuant to subsection 3 of NRS 293.540, the elector may reregister after presenting satisfactory evidence which demonstrates that the elector's:

(a) Conviction has been overturned; or



(b) Civil rights have been restored:

(1) If the elector was convicted in this State, pursuant to the provisions of NRS 213.090, 213.155 or 213.157.

(2) If the elector was convicted in another state, pursuant to the laws of the state in which he or she was convicted.

3. If the registration of an elector is cancelled pursuant to the provisions of subsection 5 of NRS 293.540, the elector may reregister immediately.

~~[4. If the registration of an elector is cancelled pursuant to the provisions of subsection 6 of NRS 293.540, after the close of registration for a primary election, the elector may not reregister until after the primary election.]~~

Sec. 4. NRS 293.557 is hereby amended to read as follows:

293.557 1. The county clerk may cause to be published once in each of the newspapers circulated in different parts of the county or cause to be published once in a newspaper circulated in the county:

(a) An alphabetical listing of all registered voters, including the precinct of each voter:

(1) Within the circulation area of each newspaper if the listing is published in each newspaper circulated in different parts of the county; or

(2) Within the entire county if the listing is published in only one newspaper in the county; or

(b) A statement notifying the public that the county clerk will provide an alphabetical listing of the names of all registered voters in the entire county and the precinct of each voter free of charge to any person upon request.

2. If the county clerk publishes the list of registered voters, the county clerk must do so:

(a) Not less than ~~[2]~~ 3 weeks before the ~~[close of registration for any]~~ primary election.

(b) After each primary election and not less than ~~[2]~~ 3 weeks before ~~[the close of registration for]~~ the ensuing general election.

3. The county may not pay more than 10 cents per name for six-point or seven-point type or 15 cents per name for eight-point type or larger to each newspaper publishing the list.

4. The list of registered voters, if published, must not be printed in type smaller than six-point.

Sec. 5. NRS 293.560 is hereby amended to read as follows:

293.560 1. Except as otherwise provided in NRS 293.502, registration must close ~~[at 9 p.m. on the third Tuesday preceding]~~ **for** any primary or general election ~~[and at 9 p.m. on the third Saturday preceding]~~ **or** any recall or special election ~~[, except that if a recall or special election is held on the same day as a primary or~~



~~general election, registration must close at 9 p.m. on the third Tuesday preceding the day of the elections.] at the time at which the polls for that election are required to close pursuant to the provisions of NRS 293.273.~~

2. The office of the county clerk must be open from 9 a.m. to 5 p.m. and from 7 p.m. to 9 p.m., including Saturdays, during the last days before the close of registration, according to the following schedule:

(a) In a county whose population is less than 100,000, the office of the county clerk must be open during the last day before registration closes.

(b) In all other counties, the office of the county clerk must be open during the last 5 days before registration closes.

3. Except for a special election held pursuant to chapter 306 or 350 of NRS:

(a) The county clerk of each county shall cause a notice signed by him or her to be published in a newspaper having a general circulation in the county indicating:

(1) The ~~[day that registration will be closed;]~~ *period during which an elector must appear in person at the office of the county clerk to register to vote for an election pursuant to subsection 5;* and

(2) If the county clerk has designated a county facility pursuant to NRS 293.5035, the location of that facility.

➤ If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest county in this State.

(b) The notice must be published once each week for 4 consecutive weeks next preceding the ~~[close of registration]~~ *last day an elector may register to vote without appearing in person* for any election.

4. The offices of the county clerk, a county facility designated pursuant to NRS 293.5035 and other ex officio registrars may remain open on the last Friday in October in each even-numbered year.

5. For the period beginning on the fifth Sunday preceding any primary or general election and ending ~~[on the third Tuesday preceding any primary or general election,]~~ *when the polls close for that election pursuant to the provisions of NRS 293.273,* an elector may register to vote only by appearing in person at the office of the county clerk or, if open, a county facility designated pursuant to NRS 293.5035. *An elector who registers to vote during the period beginning on the third Wednesday preceding a primary or general election must vote in the office of the county clerk.*



6. A county facility designated pursuant to NRS 293.5035 may be open during the periods described in this section for such hours of operation as the county clerk may determine, as set forth in subsection 3 of NRS 293.5035.

Sec. 6. NRS 293.563 is hereby amended to read as follows:

293.563 1. During the interval between the ~~closing of registration~~ *last day an elector may register to vote without appearing in person* and the election, the county clerk shall:

(a) In counties where records of registration are not kept by computer, prepare for each precinct or district a binder containing in alphabetical order the original applications to register to vote of the electors in the precinct or district. The binder constitutes the election board register.

(b) In counties where records of registration are kept by computer, have printed and placed in a binder for each precinct or district a computer listing in alphabetical order of the applications to register to vote of the electors in the precinct or district. The binder constitutes the election board register.

2. Each election board register must be delivered or caused to be delivered by the county or city clerk to an election officer of the proper precinct or district before the opening of the polls.

Sec. 7. NRS 293.567 is hereby amended to read as follows:

293.567 After the ~~close of registration~~ *last day an elector may register to vote without appearing in person* for each primary election but not later than the second Friday next preceding the primary election and after the ~~close of registration~~ *last day an elector may register to vote without appearing in person* for each general election but not later than the second Friday next preceding the general election, the county clerk shall ascertain by precinct and district the number of registered voters in the county and their political affiliation, if any, and shall transmit that information to the Secretary of State.

Sec. 8. NRS 293C.112 is hereby amended to read as follows:

293C.112 1. ~~The~~ *Except as otherwise provided in subsection 2, the* governing body of a city may conduct a city election in which all ballots must be cast by mail if:

(a) The election is a special election; or

(b) The election is a primary city election or general city election in which the ballot includes only:

(1) Offices and ballot questions that may be voted on by the registered voters of only one ward; or

(2) One office or ballot question.

2. *If a person registers to vote at the office of the city clerk pursuant to subsection 4 of NRS 293C.527, the city clerk shall*



allow that person to cast a ballot for a city election described in subsection 1 in person at the office of the city clerk.

3. The provisions of NRS 293C.265 to 293C.302, inclusive, 293C.305 to 293C.340, inclusive, and 293C.355 to 293C.361, inclusive, do not apply to an election conducted pursuant to this section.

~~[3.]~~ 4. For the purposes of an election conducted pursuant to this section, each precinct in the city shall be deemed to have been designated a mailing precinct pursuant to NRS 293C.342.

Sec. 9. NRS 293C.267 is hereby amended to read as follows:

293C.267 1. Except as otherwise provided in ~~[subsection 2 and]~~ NRS 293C.297, at all elections held pursuant to the provisions of this chapter, the polls must open at 7 a.m. and close at 7 p.m.

2. ~~[Whenever at any election all the votes of the precinct or district, as shown on the roster, have been cast, the election board officers shall close the polls and the counting of votes must begin and continue without unnecessary delay until the count is completed.]~~

~~—3.]~~ Upon opening the polls, one of the election board officers shall cause a proclamation to be made so that all present may be aware of the fact that applications of registered voters to vote will be received.

~~[4.]~~ 3. No person other than election board officers engaged in receiving, preparing or depositing ballots may be permitted inside the guardrail during the time the polls are open, except by authority of the election board as necessary to keep order and carry out the provisions of this chapter.

Sec. 10. NRS 293C.527 is hereby amended to read as follows:

293C.527 1. Except as otherwise provided in NRS 293.502, registration must close ~~[at 9 p.m. on the third Tuesday preceding]~~ *for* any primary city election or general city election ~~[and at 9 p.m. on the third Saturday preceding]~~ *or* any recall or special election ~~[except that if a recall or special election is held on the same day as a primary city election or general city election, registration must close at 9 p.m. on the third Tuesday preceding the day of the elections.]~~ *at the time at which the polls for that election are required to close pursuant to the provisions of NRS 293C.267.*

2. The office of the city clerk must be open from 9 a.m. to 5 p.m. and from 7 p.m. to 9 p.m., including Saturdays, during the last days before the close of registration before a primary city election or general city election, according to the following schedule:

(a) In a city whose population is less than 25,000, the office of the city clerk must be open during the last 3 days before registration closes.



(b) In a city whose population is 25,000 or more, the office of the city clerk must be open during the last 5 days before registration closes.

3. Except for a special election held pursuant to chapter 306 or 350 of NRS:

(a) The city clerk of each city shall cause a notice signed by him or her to be published in a newspaper having a general circulation in the city indicating:

(1) The ~~[day that registration will be closed:]~~ *period during which an elector must appear in person at the office of the city clerk to register to vote for an election pursuant to subsection 4;* and

(2) If the city clerk has designated a municipal facility pursuant to NRS 293C.520, the location of that facility.

➔ If no newspaper is of general circulation in that city, the publication may be made in a newspaper of general circulation in the nearest city in this State.

(b) The notice must be published once each week for 4 consecutive weeks next preceding the ~~[close of registration]~~ *last day an elector may register to vote without appearing in person* for any election.

4. For the period beginning on the fifth Sunday preceding any primary city election or general city election and ending ~~[on the third Tuesday preceding any primary city election or general city election,]~~ *when the polls close for that election pursuant to the provisions of NRS 293C.267,* an elector may register to vote only by appearing in person at the office of the city clerk or, if open, a municipal facility designated pursuant to NRS 293C.520. *An elector who registers to vote during the period beginning on the third Wednesday preceding a primary city election or general city election must vote in the office of the city clerk.*

5. A municipal facility designated pursuant to NRS 293C.520 may be open during the periods described in this section for such hours of operation as the city clerk may determine, as set forth in subsection 3 of NRS 293C.520.

Sec. 11. NRS 266.3864 is hereby amended to read as follows:

266.3864 1. If the question of the sale or lease of the city-owned electric light and power system is submitted at a city or state primary or general election, no notice of registration of electors is required other than that required by the general election laws for such election. If the question is submitted at a special election, the county clerk shall, at the expense of the city, cause to be published at least once a week for 5 consecutive weeks by five weekly insertions a week apart, the first publication to be not more than 60 days nor less than 45 days next preceding the election, in a



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1 newspaper published within the county and having a general
2 circulation in the city, a notice signed by the county clerk to the
3 effect that registration for the special election will be closed ~~{on a~~
4 ~~date designated therein, as provided in this section.}~~ *at the time at*
5 *which the polls for that election are required to close pursuant to*
6 *the provisions of NRS 293.273.*

7 2. ~~{Except as provided in this subsection, the}~~ *The* office of the
8 county clerk shall be open for such a special election from 9 a.m. to
9 12 m. and from 1 p.m. to 5 p.m. on Mondays through Fridays, with
10 Saturdays, Sundays and legal holidays excepted, for the registration
11 of any qualified elector. ~~{During the 5 days preceding the close of~~
12 ~~registration before such a special election, the office of the county~~
13 ~~clerk shall be open from 9 a.m. to 5 p.m. and from 7 p.m. to 9 p.m.~~
14 ~~on Monday through Saturday, with Sunday and any legal holidays~~
15 ~~excepted.~~

16 ~~—3. The office of the county clerk shall be opened for~~
17 ~~registration of voters for such special election from and including~~
18 ~~the 20th day next preceding such election and up to but excluding~~
19 ~~the 10th day next preceding such election and during regular office~~
20 ~~hours.}~~

21 **Sec. 12.** NRS 318.09525 is hereby amended to read as
22 follows:

23 318.09525 1. Any person residing within a district who is
24 otherwise qualified to vote at general elections in this State may
25 register to vote in district elections by appearing before the county
26 clerk or registrar of voters of the county in which the district is
27 located and completing an application to register to vote in
28 accordance with the general election laws of this State. Registration
29 for a district election which is not held simultaneously with a
30 general election must close at ~~{5 p.m. of the fifth Friday preceding~~
31 ~~the district election}~~ *the time at which the polls for that election are*
32 *required to close pursuant to the provisions of NRS 293.273,* and
33 registration offices must be open from 9 a.m. to 5 p.m., excluding
34 Saturdays, during the last days ~~{before the close}~~ of registration ~~{}~~
35 *as provided in subsection 2 of NRS 293.560.* If a person residing
36 within a district is otherwise registered to vote, new registration for
37 district elections is not required.

38 2. The county clerk or registrar of voters shall, at the expense
39 of the district, prepare and maintain a list of all registered voters
40 residing within the district. The county clerk or registrar of voters is
41 entitled to receive on behalf of the county the sum of 15 cents for
42 each registration placed on the list. All money so received must be
43 deposited to the credit of the general fund of the county.

44 3. Whenever a district election is required the county clerk or
45 registrar of voters shall submit the current list, showing all persons



1 who are registered to vote in that election, to the election officers
2 who are charged with the duty of conducting the required election.

3 **Sec. 13.** NRS 349.017 is hereby amended to read as follows:

4 349.017 1. If the bond question is submitted at a general
5 election, no notice of registration of electors is required other than
6 that required by the laws for a general election.

7 2. If the bond question is submitted at a special election, the
8 clerk of each county shall cause to be published, at least once a
9 week for 2 consecutive weeks by two weekly insertions a week
10 apart, the first publication to be not more than 50 days nor less than
11 42 days next preceding the election, in a newspaper published
12 within the county, if any is so published, and having a general
13 circulation therein, a notice signed by him or her to the effect that
14 registration for the special election will be closed ~~for a date~~
15 ~~designated therein, as provided in this section.]~~ *at the time at which*
16 *the polls for that election are required to close pursuant to the*
17 *provisions of NRS 293.273.*

18 3. Except as otherwise provided in subsection 4, the office of
19 the county clerk in each county of this State must be open for such a
20 special election, from 9 a.m. to 12 m. and 1 p.m. to 5 p.m. on
21 Mondays through Fridays, with Saturdays, Sundays and legal
22 holidays excepted, for the registration of any qualified elector.

23 4. The office of the county clerk must be open from 9 a.m. to
24 5 p.m. and from 7 p.m. to 9 p.m. on Monday through Saturday, with
25 Sundays and any legal holidays excepted, during the last days of
26 registration as provided in subsection 2 of NRS 293.560.

27 ~~[5. The office of the county clerk must be open for registration~~
28 ~~of voters for such a special election up to but excluding the 30th day~~
29 ~~next preceding that election and during regular office hours.]~~

30 **Sec. 14.** NRS 350.024 is hereby amended to read as follows:

31 350.024 1. The ballot question for a proposal submitted to
32 the electors of a municipality pursuant to subsection 1 of NRS
33 350.020 must contain the principal amount of the general
34 obligations to be issued or incurred, the purpose of the issuance or
35 incurrence of the general obligations and an estimate established by
36 the governing body of:

37 (a) The duration of the levy of property tax that will be used to
38 pay the general obligations; and

39 (b) The average annual increase, if any, in the amount of
40 property taxes that an owner of a new home with a fair market value
41 of \$100,000 will pay for debt service on the general obligations to
42 be issued or incurred.

43 2. Except as otherwise provided in subsection 4, the sample
44 ballot required to be mailed pursuant to NRS 293.565 or 293C.530
45 and the notice of election must contain:



- 1 (a) The time and places of holding the election.
- 2 (b) The hours during the day in which the polls will be open,
- 3 which must be the same as provided for general elections.
- 4 (c) The ballot question.
- 5 (d) The maximum amount of the obligations, including the
- 6 anticipated interest, separately stating the total principal, the total
- 7 anticipated interest and the anticipated interest rate.
- 8 (e) An estimate of the range of property tax rates stated in
- 9 dollars and cents per \$100 of assessed value necessary to provide for
- 10 debt service upon the obligations for the dates when they are to be
- 11 redeemed. The municipality shall, for each such date, furnish an
- 12 estimate of the assessed value of the property against which the
- 13 obligations are to be issued or incurred, and the governing body
- 14 shall estimate the tax rate based upon the assessed value of the
- 15 property as given in the assessor's estimates.

16 3. If an operating or maintenance rate is proposed in

17 conjunction with the question to issue obligations, the questions

18 may be combined, but the sample ballot and notice of election must

19 each state the tax rate required for the obligations separately from

20 the rate proposed for operation and maintenance.

21 4. Any election called pursuant to NRS 350.020 to 350.070,

22 inclusive, may be consolidated with a primary or general municipal

23 election or a primary or general state election. The notice of election

24 need not set forth the places of holding the election, but may instead

25 state that the places of holding the election will be the same as those

26 provided for the election with which it is consolidated.

27 ~~[5. If the election is a special election, the clerk shall cause~~

28 ~~notice of the close of registration to be published in a newspaper~~

29 ~~printed in and having a general circulation in the municipality once~~

30 ~~in each calendar week for 2 successive calendar weeks next~~

31 ~~preceding the close of registration for the election.]~~

32 **Sec. 15.** NRS 474.005 is hereby amended to read as follows:

33 474.005 1. Any person residing within a county fire

34 protection district who is otherwise qualified to vote at general

35 elections in this State may register to vote in the biennial elections

36 and other elections of the district by appearing before the county

37 clerk or registrar of voters of the county in which the district is

38 located and completing an application to register to vote in

39 accordance with the general election laws of this State. Registration

40 for a district election which is not held simultaneously with a

41 general election ~~[must close at 5 p.m. of the fifth Friday preceding~~

42 ~~the district election, and registration] ends when the polls close for~~

43 ~~the district election pursuant to the provisions of NRS 293.273.~~

44 *Registration* offices must be open from 9 a.m. to 5 p.m., excluding

45 Saturdays, during the last days ~~[before the close]~~ of registration ~~[.]~~



1 *as provided in subsection 2 of NRS 293.560.* If a person residing
2 within a district is otherwise registered to vote, new registration for
3 district elections is not required.

4 2. The county clerk or registrar of voters shall, at the expense
5 of the district, prepare and maintain a list of all registered voters
6 residing within the district. The county clerk or registrar of voters is
7 entitled to receive on behalf of the county reimbursement for the
8 actual costs of conducting the district's election. All money so
9 received must be deposited to the credit of the general fund of the
10 county.

11 **Sec. 16.** NRS 539.130 is hereby amended to read as follows:

12 539.130 1. The secretary is ex officio district registrar of the
13 district, and may, at least 4 weeks before any election, appoint a
14 field registrar in each election precinct. Each field registrar shall
15 register all electors within his or her precinct applying for
16 registration, and for this purpose the field registrar has the authority
17 to demand of the elector all information and to administer all oaths
18 required by this chapter.

19 2. The registrar and field registrars are governed in the
20 performance of their duties by the general election laws of this state
21 as far as they are applicable, and must be at their places of
22 registration to receive applications for registration ~~[from 7 a.m. until~~
23 ~~7 p.m. on the Wednesday immediately preceding the close of~~
24 ~~registration pursuant to NRS 539.133.]~~ *until the time at which the*
25 *polls for the election are required to close pursuant to the*
26 *provisions of NRS 293.273.*

27 **Sec. 17.** NRS 539.133 is hereby amended to read as follows:

28 539.133 Registration of voters for any regular or special
29 election must close ~~[14 days before]~~ *at the time at which the polls*
30 *are required to close for* the election ~~[.] pursuant to the provisions~~
31 ~~of NRS 293.273.~~

32 **Sec. 18.** NRS 710.153 is hereby amended to read as follows:

33 710.153 1. If the question of the sale or lease of the county-
34 owned telephone system is submitted at a general election, no notice
35 of registration of electors is required other than that required by the
36 general election laws for such election. If the question is submitted
37 at a special election, the county clerk shall cause to be published at
38 least once a week for 5 consecutive weeks by five weekly insertions
39 a week apart, the first publication to be not more than 60 days nor
40 less than 45 days next preceding the election, in a newspaper
41 published within the county and having a general circulation therein,
42 a notice signed by the county clerk to the effect that registration for
43 the special election will be closed ~~[on a date designated therein, as~~
44 ~~provided in this section.]~~ *at the time at which the polls are required*



1 *to close for the special election pursuant to the provisions of*
2 *NRS 293.273.*

3 2. Except as otherwise provided in this subsection, the office of
4 the county clerk must be open for such a special election from
5 9 a.m. to 12 m. and from 1 p.m. to 5 p.m. on Mondays through
6 Fridays, with Saturdays, Sundays and legal holidays excepted, for
7 the registration of any qualified elector. During the 5 days preceding
8 the ~~close of registration before such a~~ special election, the office
9 of the county clerk must be open from 9 a.m. to 5 p.m. and from
10 7 p.m. to 9 p.m. on Monday through Saturday, with Sunday and any
11 legal holidays excepted.

12 3. The office of the county clerk must be opened for
13 registration of voters for the special election from and including the
14 20th day next preceding the election and up to ~~but excluding the~~
15 ~~10th day next preceding~~ the election and during regular office
16 hours.

17 **Sec. 19.** Section 5.110 of the Charter of the City of Las Vegas,
18 being chapter 517, Statutes of Nevada 1983, at page 1416, is hereby
19 amended to read as follows:

20 Sec. 5.110 Special elections: Registration of electors.

21 1. If a question is to be submitted to the registered voters
22 of the City at a municipal or state primary or general election,
23 no notice of registration of electors is required other than that
24 which is required by the election laws of the State for that
25 election. If the question is to be submitted at a special
26 municipal election, the City Clerk shall at the expense of the
27 City, cause to be published at least once a week for 5
28 consecutive weeks by five weekly insertions 1 week apart, the
29 first publication to be not more than 60 days nor less than 45
30 days next preceding the election, a notice which has been
31 signed by him to the effect that registration for the special
32 election will be closed on the date ~~which is designated in the~~
33 ~~notice, as provided in this section.~~ *of the special election.*

34 2. Except as provided in this subsection, the Office of
35 the City Clerk must be open for the special election from
36 9 a.m. to 12 m. and from 1 p.m. to 5 p.m. on Mondays
37 through Fridays, with legal holidays excepted, for the
38 registration of any qualified elector.

39 **Sec. 20.** Section 4.5 of the Elko Convention and Visitors
40 Authority Act, being chapter 275, Statutes of Nevada 1979, as last
41 amended by chapter 351, Statutes of Nevada 1997, at page 1277, is
42 hereby amended to read as follows:

43 Sec. 4.5. Issuance of bonds by Board; qualified electors;
44 special elections.



1 1. For any purpose authorized by this act, the Board, at
2 any time or from time to time, in the name and on behalf of
3 the Authority, may:

4 (a) Issue:

5 (1) General obligation bonds, payable from taxes; and

6 (2) General obligation bonds, payable from taxes,
7 whose payment is additionally secured by a pledge of gross or
8 net revenue derived from the operation of those facilities,
9 and, if so determined by the Board, further secured by a
10 pledge of such other gross or net revenue as may be derived
11 from any other income-producing project of the Authority or
12 from any license or other taxes levied for revenue by Elko
13 County or an incorporated city in Elko County, or otherwise,
14 as may be legally made available for their payment; and

15 (b) Issue revenue bonds payable solely from the net
16 revenue to be derived from the operation of those facilities, as
17 the Board may decide.

18 2. For the purposes of this act, the electors of the
19 Authority are all persons who reside within the boundaries of
20 the Authority and are qualified to vote in Elko County upon
21 the date of ~~[close of registration for any]~~ *the* special, primary
22 or general election *held* for bonding or revenue purposes.
23 These electors are entitled to vote at elections on the
24 questions pertaining to the Authority.

25 3. A special election may be held only if the Board
26 determines, by a unanimous vote, that an emergency exists.
27 The determination made by the Board is conclusive unless it
28 is shown that the Board acted with fraud or a gross abuse of
29 discretion. An action to challenge the determination made by
30 the Board must be commenced within 15 days after the
31 Board's determination is final. As used in this subsection,
32 "emergency" means any occurrence or combination of
33 occurrences which requires immediate action by the Board to
34 prevent or mitigate a substantial financial loss to the
35 Authority or Elko County or to enable the Board to provide
36 an essential service to the residents of Elko County.

37 **Sec. 21.** Section 8 of the Elko Convention and Visitors
38 Authority Act, being chapter 227, Statutes of Nevada 1975, as last
39 amended by chapter 478, Statutes of Nevada 2007, at page 2625, is
40 hereby amended to read as follows:

41 Sec. 8. Board: Number, qualifications, election, terms
42 and removal of members; vacancy; disqualification of
43 member.



1 1. The Authority must be governed by a Board of
2 Governors consisting of five members appointed or elected as
3 follows:

4 (a) One member appointed by the Board of Supervisors of
5 the City of Elko, who must be a current member of the Board
6 of Supervisors;

7 (b) One member appointed by the Board of County
8 Commissioners of Elko County, who must be a current
9 member of the Board of County Commissioners;

10 (c) Two members elected at large, who must reside within
11 the City of Elko and within the boundaries of the Authority;
12 and

13 (d) One member elected at large, who must reside outside
14 the City of Elko but within the boundaries of the Authority.

15 2. Subject to the provisions of subsection 3, the terms of
16 those members appointed pursuant to paragraphs (a) and (b)
17 of subsection 1 are coterminous with their respective terms in
18 their specified elective offices.

19 3. Those members appointed pursuant to paragraph (a)
20 or (b) of subsection 1 may be removed by the appointing
21 board with or without cause.

22 4. Any vacancy occurring among the members of the
23 Board appointed pursuant to paragraph (a) or (b) of
24 subsection 1 must be filled promptly by the Board which
25 appointed the member whose position has become vacant.
26 Any vacancy occurring among the members of the Board
27 elected pursuant to paragraph (c) or (d) of subsection 1 must
28 be filled promptly by appointment by the Board of County
29 Commissioners of Elko County. The member appointed by
30 the Board of County Commissioners to fill a vacancy in a
31 position created pursuant to paragraph (c) or (d) must not be a
32 member of the Board of County Commissioners but must
33 meet the residency requirements for the vacant position.

34 5. If a member elected pursuant to paragraph (c) or (d)
35 of subsection 1 or appointed to fill a vacancy in a position
36 created pursuant to one of those paragraphs ceases to reside in
37 the area specified in the paragraph under which he or she was
38 elected or appointed, the member is automatically
39 disqualified from serving on the Board. A disqualified
40 member's position must be filled by the prompt appointment
41 of a successor in the manner specified in subsection 4.

42 6. The term of a person appointed to fill a vacancy is the
43 unexpired term of the member the person replaces.

44 7. A general authority election must be held in
45 conjunction with the general election in 1992 and with such



1 elections every 2 years thereafter. The three members of the
2 Board described in paragraphs (c) and (d) of subsection 1
3 must be elected at the general authority election in 1992. The
4 offices created pursuant to those paragraphs are nonpartisan.
5 Each candidate for one of these offices must file a declaration
6 of candidacy with the County Clerk not earlier than January 1
7 preceding the election and not later than 5 p.m. on the third
8 Friday in August of the year of the election. In any general
9 authority election, if, at 5 p.m. on the third Friday in August,
10 only one candidate has filed a declaration of candidacy for
11 one of the offices created pursuant to paragraph (c) or (d) of
12 subsection 1, that candidate must be declared elected to that
13 office and no election may be held for that office. The terms
14 of office of the members described in paragraphs (c) and (d)
15 of subsection 1 are 4 years, except that, the initial term of
16 office of one of the members described in paragraph (c) of
17 subsection 1 is 2 years. The County Clerk shall designate the
18 seat which will have an initial term of 2 years before any
19 candidate files a declaration of candidacy for the election.
20 The period for registering to vote in the general authority
21 election must be closed on the 30th calendar day preceding
22 the date of the election. All persons who are qualified to vote
23 at general elections in this State and reside within the
24 boundaries of the authority upon the date of the ~~close-of~~
25 ~~registration~~ **general authority election** are entitled to vote at
26 the general authority election. Except as otherwise provided
27 in this subsection, a general authority election must be carried
28 out in the same manner as provided for other general
29 elections in title 24 of NRS.

30 **Sec. 22.** NRS 293.490 and 293.513 are hereby repealed.

TEXT OF REPEALED SECTIONS

293.490 Residence not lost upon removal from county or precinct. Any registered voter removing from one county to another in the State, or from one precinct to another within the same county, after the close of registration for any election shall be deemed to retain his or her residence in the county or precinct removed from for the purposes of that election.

293.513 Elector may register for other elections despite closing of registration for impending election. If at any time the registrar of voters' register is closed for one election, but open for



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some other election, any elector must be permitted to register for the other election, but the county clerk shall retain the elector's application to register to vote in a separate file until the registrar of voters' register is again open for filing of applications at which time all applications in the temporary file must be placed in their proper position in the registrar of voters' register.

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