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FIRST REPRINT

A.B. 132

ASSEMBLY BILL NO. 132—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

FEBRUARY 11, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing the dates for certain elections. (BDR 24-684)

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; revising provisions governing the dates for certain city elections; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Certain cities that are created by charters hold general municipal elections in
2 June of odd-numbered years (Boulder City, Caliente, Elko, Henderson, Las Vegas,
3 North Las Vegas and Yerington). **Sections 20-47** of this bill amend the charters of
4 those cities to authorize the city councils of those cities to choose by ordinance
5 whether to: (1) hold city elections on the state election cycle; or (2) continue
6 holding the elections in June, as provided in their respective city charters.

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

- 1 **Section 1.** (Deleted by amendment.)
2 **Sec. 2.** (Deleted by amendment.)
3 **Sec. 3.** (Deleted by amendment.)
4 **Sec. 4.** (Deleted by amendment.)
5 **Sec. 5.** (Deleted by amendment.)
6 **Sec. 6.** (Deleted by amendment.)
7 **Sec. 7.** (Deleted by amendment.)
8 **Sec. 8.** (Deleted by amendment.)
9 **Sec. 9.** (Deleted by amendment.)
10 **Sec. 10.** (Deleted by amendment.)
11 **Sec. 11.** (Deleted by amendment.)



1 **Sec. 12.** (Deleted by amendment.)

2 **Sec. 13.** (Deleted by amendment.)

3 **Sec. 14.** (Deleted by amendment.)

4 **Sec. 15.** (Deleted by amendment.)

5 **Sec. 16.** (Deleted by amendment.)

6 **Sec. 17.** (Deleted by amendment.)

7 **Sec. 18.** (Deleted by amendment.)

8 **Sec. 19.** (Deleted by amendment.)

9 **Sec. 20.** Section 4 of the charter of Boulder City is hereby
10 amended to read as follows:

11 Section 4. Number; selection ; ~~{and term;}~~ recall.

12 1. ~~{The}~~ *Except as otherwise provided in section 96, the*
13 City Council shall have four Council Members and a Mayor
14 elected from the City at large in the manner provided in
15 Article IX, for terms of four years and until their successors
16 have been elected and have taken office as provided in
17 section 16 . ~~{, subject to recall as provided in section 111.5.}~~
18 No Council Member shall represent any particular
19 constituency or district of the City, and each Council Member
20 shall represent the entire City. (Amd. 2; 6-4-1991; Add. 17;
21 Amd. 1; 11-5-1996)

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

23 3. *The Council Members and the Mayor are subject to*
24 *recall as provided in section 111.5.*

25 **Sec. 21.** Section 96 of the charter of Boulder City is hereby
26 amended to read as follows:

27 Section 96. Conduct of ~~{city}~~ *municipal* elections.

28 1. All ~~{city}~~ *municipal* elections must be nonpartisan in
29 character and must be conducted in accordance with the
30 provisions of the general election laws of the State of Nevada
31 and any ordinance regulations as adopted by the City Council
32 which are consistent with law and this Charter. (1959
33 Charter)

34 2. ~~{All}~~ full terms of office in the City Council are ~~{four}~~
35 *4* years, and Council Members must be elected at large
36 without regard to precinct residency. ~~{Two}~~ *Except as*
37 *otherwise provided in subsection 8, two* full-term Council
38 members and the Mayor are to be elected in each year
39 immediately preceding a federal presidential election, and
40 two full-term Council members are to be elected in each year
41 immediately following a federal presidential election. In each
42 election, the candidates receiving the greatest number of
43 votes must be declared elected to the vacant full-term
44 positions. (Add. 17; Amd. 1; 11-5-1996)



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~~[(a)]~~ 3. In the event one or more ~~[two]~~ 2-year term positions on the Council will be available at the time of a municipal election as provided in section 12, candidates must file specifically for such position(s). Candidates receiving the greatest respective number of votes must be declared elected to the respective available ~~[two]~~ 2-year positions. (Add. 15; Amd. 2; 6-4-1991)

~~[3.-A city]~~

4. *Except as otherwise provided in subsection 8, a primary **municipal** election must be held on the first Tuesday after the first Monday in April of each odd-numbered year and a city general election must be held on the first Tuesday after the first Monday in June of each odd-numbered year.*

~~[(a)]~~ 5. A primary **municipal** election must not be held if no more than double the number of Council Members to be elected file as candidates. A primary **municipal** election must not be held for the office of Mayor if no more than two candidates file for that position. The primary **municipal** election must be held for the purpose of eliminating candidates in excess of a figure double the number of Council Members to be elected. (Add. 17; Amd. 1; 11-5-1996)

~~[(b)]~~ 6. If, in the primary ~~[city]~~ **municipal** election, a candidate receives votes equal to a majority of voters casting ballots in that election, he or she shall be considered elected to one of the vacancies and his or her name shall not be placed on the ballot for the general ~~[city]~~ **municipal** election. (Add. 10; Amd. 7; 6-2-1981)

~~[(c)]~~ 7. In each primary and general **municipal** 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]~~ **municipal** elections. (Add. 11; Amd. 5; 6-7-1983)

~~[4.]~~ 8. *The City Council may by ordinance provide for a primary **municipal** election and general **municipal** election on the dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS.*

9. *If the City Council adopts an ordinance pursuant to subsection 8, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165 and in NRS 293.175, 293.177, 293.345 and 293.368 apply for the purposes of conducting the primary **municipal** elections and general **municipal** elections.*

10. *If the City Council adopts an ordinance pursuant to subsection 8, the term of office of any elected official may*



be shortened but may not be lengthened as a result of the ordinance.

11. 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. 22. Section 111.5 of the charter of Boulder City is hereby amended to read as follows:

Section 111.5. Recall of *the Mayor and* Council Members.

As provided by the general laws of this State, *the Mayor and* every member of the City Council ~~{is}~~ **are** subject to recall from office. (Add. 5; Amd. 5; 6-8-1971; Add. 24; Amd. 1; 6-3-2003)

Sec. 23. (Deleted by amendment.)

Sec. 24. 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 Council Members, including the Mayor.

2. The Mayor and each Council Member ~~{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 Council Members, 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 5.010.

4. The Mayor and Council Members 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.



1 **Sec. 25.** Section 5.010 of the Charter of the City of Caliente,
2 being chapter 31, Statutes of Nevada 1971, as amended by chapter
3 71, Statutes of Nevada 1975, at page 82, is hereby amended to read
4 as follows:

5 Sec. 5.010 Municipal elections.

6 1. *Except as otherwise provided in subsection 2:*

7 (a) On the ~~{1st}~~ *first* Tuesday after the ~~{1st}~~ *first* Monday
8 in June 1973, there ~~{shall}~~ *must* be elected by the qualified
9 voters of the City, at a general election to be held for that
10 purpose, a Mayor and one Council Member who shall hold
11 office for a period of 4 years and until their successors have
12 been elected and qualified.

13 ~~{2-}~~ (b) On the ~~{1st}~~ *first* Tuesday after the ~~{1st}~~ *first*
14 Monday in June 1975, and at each successive interval of 4
15 years thereafter, there ~~{shall}~~ *must* be elected by the qualified
16 voters of the City , at a general *municipal* election to be held
17 for that purpose , two Council Members ~~{-}~~ who shall hold
18 office ~~{for a period of 4 years and}~~ until their successors have
19 been elected and qualified.

20 ~~{3-}~~ (c) On the ~~{1st}~~ *first* Tuesday after the ~~{1st}~~ *first*
21 Monday in June 1975, there shall be elected by the qualified
22 voters of the City at a general election to be held for that
23 purpose one Council Member who shall hold office for a
24 period of 2 years and until his or her successor has been
25 elected and qualified.

26 ~~{4-}~~ (d) On the ~~{1st}~~ *first* Tuesday after the ~~{1st}~~ *first*
27 Monday in June 1977, and at each successive interval of 4
28 years, there ~~{shall}~~ *must* be elected by the qualified voters of
29 the City, at a general *municipal* election to be held for that
30 purpose, a Mayor and two Council Members, who shall hold
31 office for a period of 4 years and until their successors have
32 been elected and qualified.

33 2. *The City Council may by ordinance provide for a*
34 *primary municipal election and general municipal election*
35 *on the dates set forth for primary elections and general*
36 *elections pursuant to the provisions of chapter 293 of NRS.*

37 3. *If the City Council adopts an ordinance pursuant to*
38 *subsection 2, the dates set forth in NRS 293.12755, in*
39 *subsections 2 to 5, inclusive, of NRS 293.165 and in NRS*
40 *293.175, 293.177, 293.345 and 293.368 apply for the*
41 *purposes of conducting the primary municipal elections and*
42 *general municipal elections.*

43 4. *If the City Council adopts an ordinance pursuant to*
44 *subsection 2, the term of office of any elected official may*



be shortened but may not be lengthened as a result of the ordinance.

Sec. 26. (Deleted by amendment.)

Sec. 27. 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 section 5.010*, 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. 28. 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 elections.

1. *Except as otherwise provided in subsection 2:*

(a) 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 *municipal* 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-~~ (b) On the first Tuesday after the first Monday in June 1973, and at each successive interval of 4 years thereafter, there must be elected by the qualified voters of the City, at a general *municipal* 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.

2. *The City Council may by ordinance provide for a primary municipal election and general municipal election on the dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS.*



1 3. *If the City Council adopts an ordinance pursuant to*
2 *subsection 2, the dates set forth in NRS 293.12755, in*
3 *subsections 2 to 5, inclusive, of NRS 293.165 and in NRS*
4 *293.175, 293.177, 293.345 and 293.368 apply for the*
5 *purposes of conducting the primary municipal elections and*
6 *general municipal elections.*

7 4. *If the City Council adopts an ordinance pursuant to*
8 *subsection 2, the term of office of any elected official may*
9 *be shortened but may not be lengthened as a result of the*
10 *ordinance.*

11 **Sec. 29.** (Deleted by amendment.)

12 **Sec. 30.** Section 2.010 of the Charter of the City of Henderson,
13 being chapter 266, Statutes of Nevada 1971, as last amended by
14 chapter 596, Statutes of Nevada 1995, at page 2206, is hereby
15 amended to read as follows:

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

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

20 2. The Mayor must be:

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

25 (b) A qualified elector within the City.

26 3. Each Council Member must be:

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

31 (b) A qualified elector within the ward which he or she
32 represents.

33 (c) A resident of the ward which he or she represents for
34 at least 30 days immediately preceding the last day for filing
35 a declaration of candidacy for the office, except that changes
36 in ward boundaries pursuant to the provisions of section
37 1.040 do not affect the right of any elected Council Member
38 to continue in office for the term for which he or she was
39 elected.

40 4. All Council Members, including the Mayor, must be
41 voted upon by the registered voters of the City at large and ,
42 *except as otherwise provided in section 5.020,* shall serve for
43 terms of 4 years.



5. The Mayor and Council Members 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 Council Members during the term for which they have been elected or appointed.

Sec. 31. 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 section 5.020, shall serve for a term 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.



1 **Sec. 32.** Section 5.010 of the Charter of the City of Henderson,
2 being chapter 266, Statutes of Nevada 1971, as last amended by
3 chapter 637, Statutes of Nevada 1999, at page 3565, is hereby
4 amended to read as follows:

5 Sec. 5.010 Primary *municipal* election.

6 1. ~~[A]~~ *Except as otherwise provided in section 5.020, a*
7 primary *municipal* election must be held on the Tuesday after
8 the first Monday in April of each odd-numbered year, at
9 which time there must be nominated candidates for offices to
10 be voted for at the next general municipal election.

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

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

16 4. If in the primary election no candidate receives a
17 majority of votes cast in that election for the office for which
18 he or she is a candidate, the names of the two candidates
19 receiving the highest number of votes must be placed on the
20 ballot for the general election. If in the primary election,
21 regardless of the number of candidates for an office, one
22 candidate receives a majority of votes cast in that election for
23 the office for which he or she is a candidate, he or she must
24 be declared elected and no general election need be held for
25 that office.

26 **Sec. 33.** Section 5.020 of the Charter of the City of Henderson,
27 being chapter 266, Statutes of Nevada 1971, as last amended by
28 chapter 209, Statutes of Nevada 2001, at page 971, is hereby
29 amended to read as follows:

30 Sec. 5.020 General municipal election.

31 1. *Except as otherwise provided in subsection 2:*

32 (a) A general *municipal* election must be held in the City
33 on the first Tuesday after the first Monday in June of each
34 odd-numbered year and on the same day every 2 years
35 thereafter, at which time the registered voters of the City shall
36 elect city officers to fill the available elective positions.

37 ~~[2]~~ (b) All candidates for the office of Mayor, Council
38 Member and Municipal Judge must be voted upon by the
39 registered voters of the City at large. The term of office for
40 members of the City Council and the Mayor is 4 years.
41 Except as otherwise provided in subsection 3 of section 4.015
42 of this Charter, the term of office for a Municipal Judge is 6
43 years.

44 ~~[3]~~ (c) On the Tuesday after the first Monday in
45 June 2001 , and every 6 years thereafter, there must be



1 elected by the qualified voters of the City, at a general
2 municipal election to be held for that purpose, a Municipal
3 Judge for Department 1 who will hold office until his or her
4 successor has been elected and qualified.

5 ~~[4.]~~ (d) On the Tuesday after the first Monday in
6 June 2003 and every 6 years thereafter, there must be elected
7 by the qualified voters of the City, at a general municipal
8 election to be held for that purpose, a Municipal Judge for
9 Department 2 who will hold office until his or her successor
10 has been elected and qualified.

11 ~~[5.]~~ (e) On the Tuesday after the first Monday in
12 June 2005 , and every 6 years thereafter, there must be
13 elected by the qualified voters of the City, at a general
14 municipal election to be held for that purpose, a Municipal
15 Judge for Department 3 who will hold office until his or her
16 successor has been elected and qualified.

17 *2. The City Council may by ordinance provide for a*
18 *primary municipal election and general municipal election*
19 *on the dates set forth for primary elections and general*
20 *elections pursuant to the provisions of chapter 293 of NRS.*

21 *3. If the City Council adopts an ordinance pursuant to*
22 *subsection 2, the dates set forth in NRS 293.12755, in*
23 *subsections 2 to 5, inclusive, of NRS 293.165 and in NRS*
24 *293.175, 293.177, 293.345 and 293.368 apply for the*
25 *purposes of conducting the primary municipal elections and*
26 *general municipal elections.*

27 *4. If the City Council adopts an ordinance pursuant to*
28 *subsection 2, the term of office of any elected official may*
29 *be shortened but may not be lengthened as a result of the*
30 *ordinance.*

31 **Sec. 34.** (Deleted by amendment.)

32 **Sec. 35.** Section 1.140 of the Charter of the City of Las Vegas,
33 being chapter 517, Statutes of Nevada 1983, as last amended by
34 chapter 6, Statutes of Nevada 2001, at page 10, is hereby amended
35 to read as follows:

36 Sec. 1.140 Elective offices.

37 1. The elective officers of the City consist of:

38 (a) A Mayor.

39 (b) One Council Member from each ward.

40 (c) Municipal Judges.

41 2. ~~[The]~~ *Except as otherwise provided in section 5.020,*
42 *the* terms of office of the Mayor and Council Members are 4
43 years.



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3. Except as otherwise provided in subsection 3 of section 4.010 ~~[of this Charter,]~~ *and section 5.020*, the term of office of a Municipal Judge is 6 years.

Sec. 36. 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, Council Member 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]~~ *Except as otherwise provided in section 5.010, 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 in an odd-numbered year, if no general municipal election is held in that year.

Sec. 37. 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 or her full time to the duties of his or her 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 or she 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



1 day for filing a declaration of candidacy for the department
2 for which he or she is a candidate.

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

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

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

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

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

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

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

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

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

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

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

38 **Sec. 38.** Section 5.010 of the Charter of the City of Las Vegas,
39 being chapter 517, Statutes of Nevada 1983, as last amended by
40 chapter 637, Statutes of Nevada 1999, at page 3565, is hereby
41 amended to read as follows:

42 Sec. 5.010 Primary municipal elections. *Except as*
43 *otherwise provided in section 5.020:*

44 1. On the Tuesday after the first Monday in April 2001,
45 and at each successive interval of 4 years, a primary



1 municipal election must be held in the City at which time
2 candidates for half of the offices of Council Member and for
3 Municipal Judge, Department 2, must be nominated.

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

10 3. The candidates for Council Members who are to be
11 nominated as provided in subsections 1 and 2 must be
12 nominated and voted for separately according to the
13 respective wards. The candidates from each even-numbered
14 ward must be nominated as provided in subsection 1, and the
15 candidates from each odd-numbered ward must be nominated
16 as provided in subsection 2.

17 4. If the City Council has established an additional
18 department or departments of the Municipal Court pursuant to
19 section 4.010 ~~[of this Charter,]~~ and, as a result, more than one
20 office of Municipal Judge is to be filled at any election, the
21 candidates for those offices must be nominated and voted
22 upon separately according to the respective departments.

23 5. Each candidate for the municipal offices which are
24 provided for in subsections 1, 2 and 4 must file a declaration
25 of candidacy with the City Clerk. All filing fees collected by
26 the City Clerk must be paid into the City Treasury.

27 6. If, in the primary *municipal* election, regardless of the
28 number of candidates for an office, one candidate receives a
29 majority of votes which are cast in that election for the office
30 for which he or she is a candidate, he or she must be declared
31 elected for the term which commences on the day of the first
32 regular meeting of the City Council next succeeding the
33 meeting at which the canvass of the returns is made, and no
34 general election need be held for that office. If, in the primary
35 *municipal* election, no candidate receives a majority of votes
36 which are cast in that election for the office for which he or
37 she is a candidate, the names of the two candidates who
38 receive the highest number of votes must be placed on the
39 ballot for the general election.

40 **Sec. 39.** Section 5.020 of the Charter of the City of Las Vegas,
41 being chapter 517, Statutes of Nevada 1983, at page 1415, is hereby
42 amended to read as follows:

43 Sec. 5.020 General municipal election.

44 1. ~~[A]~~ *Except as otherwise provided in subsection 2, a*
45 general municipal election must be held in the City on the



1 Tuesday after the 1st Monday in June of each odd-numbered
2 year and on the same day every 2 years thereafter, at which
3 time there must be elected those officers whose offices are
4 required to be filled by election in that year.

5 2. *The City Council may by ordinance provide for a*
6 *primary municipal election and general municipal election*
7 *on the dates set forth for primary elections and general*
8 *elections pursuant to the provisions of chapter 293 of NRS.*

9 3. *If the City Council adopts an ordinance pursuant to*
10 *subsection 2, the dates set forth in NRS 293.12755, in*
11 *subsections 2 to 5, inclusive, of NRS 293.165 and in NRS*
12 *293.175, 293.177, 293.345 and 293.368 apply for the*
13 *purposes of conducting the primary municipal elections and*
14 *general municipal elections.*

15 4. *If the City Council adopts an ordinance pursuant to*
16 *subsection 2, the term of office of any elected official may*
17 *be shortened but may not be lengthened as a result of the*
18 *ordinance.*

19 5. All candidates for elective office, except the office of
20 Council Member, must be voted upon by the registered voters
21 of the City at large.

22 **Sec. 40.** (Deleted by amendment.)

23 **Sec. 40.5.** The Charter of the City of North Las Vegas, being
24 chapter 573, Statutes of Nevada 1971, at page 1210, is hereby
25 amended by adding thereto a new section to be designated as section
26 5.025, immediately following section 5.020, to read as follows:

27 *Sec. 5.025 City Council authorized to choose dates for*
28 *primary and general elections; dates to be in accordance*
29 *with this Charter or chapter 293 of NRS; effect upon terms*
30 *of serving city officials.*

31 1. *The City Council may by ordinance provide for a*
32 *primary municipal election and general municipal election*
33 *on the dates set forth for primary elections and general*
34 *elections pursuant to the provisions of chapter 293 of NRS.*

35 2. *If the City Council adopts an ordinance pursuant to*
36 *subsection 1, the dates set forth in NRS 293.12755, in*
37 *subsections 2 to 5, inclusive, of NRS 293.165 and in NRS*
38 *293.175, 293.177, 293.345 and 293.368 apply for the*
39 *purposes of conducting the primary municipal election and*
40 *general municipal election.*



1 **3. If the City Council adopts an ordinance pursuant to**
2 **subsection 1, the term of office of any elected official may**
3 **be shortened but may not be lengthened as a result of the**
4 **ordinance.**

5 **Sec. 41.** Section 2.010 of the Charter of the City of North Las
6 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
7 by chapter 499, Statutes of Nevada 2005, at page 2691, is hereby
8 amended to read as follows:

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

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

13 2. The Mayor must be:

14 (a) A bona fide resident of the City for at least 6 months
15 immediately preceding his or her election.

16 (b) A qualified elector within the City.

17 3. Each Council Member:

18 (a) Must be a qualified elector who has resided in the
19 ward which he or she represents for at least 30 days
20 immediately preceding the last day for filing a declaration of
21 candidacy for his or her office.

22 (b) Must continue to live in the ward he or she represents,
23 except that changes in ward boundaries made pursuant to
24 section 1.045 ~~[of this Charter]~~ will not affect the right of any
25 elected Council Member to continue in office for the term for
26 which he or she was elected.

27 4. At the time of filing, if so required by an ordinance
28 duly enacted, candidates for the office of Mayor and Council
29 Member shall produce evidence in satisfaction of any or all of
30 the qualifications provided in subsection 2 or 3, whichever is
31 applicable.

32 5. Each Council Member must be voted upon only by
33 the registered voters of the ward that he or she seeks to
34 represent, and *except as otherwise provided in sections 5.010*
35 *and 5.025*, his or her term of office is 4 years.

36 6. The Mayor must be voted upon by the registered
37 voters of the City at large, and *except as otherwise provided*
38 *in sections 5.010 and 5.025*, his or her term of office is 4
39 years.

40 7. The Mayor and Council Members are entitled to
41 receive a salary in an amount fixed by the City Council.



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1 **Sec. 42.** Section 4.005 of the Charter of the City of North Las
2 Vegas, being chapter 215, Statutes of Nevada 1997, as amended by
3 chapter 73, Statutes of Nevada 2003, at page 484, is hereby
4 amended to read as follows:

5 Sec. 4.005 Municipal Court.

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

13 2. The City Council may, from time to time, by
14 ordinance, establish additional departments of the Municipal
15 Court and shall appoint an additional Municipal Judge for
16 each additional department.

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

25 4. Except as otherwise provided by the ordinance
26 establishing an additional department, each Municipal Judge
27 must be voted upon by the registered voters of the City at
28 large and , *except as otherwise provided in sections 5.010*
29 *and 5.025*, holds office for a period of 6 years and until his or
30 her successor has been elected and qualified.

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

36 **Sec. 43.** Section 5.010 of the Charter of the City of North Las
37 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
38 by chapter 499, Statutes of Nevada 2005, at page 2691, is hereby
39 amended to read as follows:

40 Sec. 5.010 General municipal elections.

41 1. *Except as otherwise provided in section 5.025:*

42 (a) On the Tuesday after the first Monday in June 1977,
43 and at each successive interval of 4 years thereafter, there
44 must be elected, at a general election to be held for that
45 purpose, a Mayor and two Council Members who shall hold



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office for a period of 4 years and until their successors have been elected and qualified.

~~(2-)~~ (b) On the Tuesday after the first Monday in June 1975, and at each successive interval of 4 years thereafter, there must be elected, at a general *municipal* election to be held for that purpose, two Council Members, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

~~(3-)~~ 2. In ~~[such]~~ a general *municipal* election:

(a) A candidate for the office of City Council Member must be elected only by the registered voters of the ward that he or she seeks to represent.

(b) Candidates for all other elective offices must be elected by the registered voters of the City at large.

Sec. 44. Section 5.020 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 9, Statutes of Nevada 2009, at page 17, 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 Council Members must be designated by the numbers one through four, which numbers must correspond with the wards the candidates for City Council Members will seek to represent. A candidate for the office of City Council Member shall include in his or her declaration of candidacy the number of the ward which he or she 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 or she seeks to represent.

2. ~~(A)~~ *Except as otherwise provided in section 5.025, a primary *municipal* election must be held on the Tuesday following the first Monday in April preceding the general *municipal* election, at which time there must be nominated candidates for offices to be voted for at the next general *municipal* election. In the primary *municipal* election:*

(a) A candidate for the office of City Council Member must be voted upon only by the registered voters of the ward that he or she 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 *municipal* election, the names of the two



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1 candidates who receive the highest number of votes must be
2 placed on the ballot for the general *municipal* election.

3 4. If, regardless of the number of candidates for an
4 office, one candidate receives a majority of the total votes
5 cast for that office in the primary *municipal* election, he or
6 she must be declared elected to that office and no general
7 *municipal* election need be held for that office.

8 **Sec. 45.** (Deleted by amendment.)

9 **Sec. 46.** Section 2.010 of the Charter of the City of Yerington,
10 being chapter 465, Statutes of Nevada 1971, as last amended by
11 chapter 98, Statutes of Nevada 1977, at page 213, is hereby
12 amended to read as follows:

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

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

17 2. The Council Members ~~[shall]~~ *must* be:

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

20 (b) Qualified electors in the City.

21 3. All Council Members ~~[shall]~~ *must* be voted upon by
22 the registered voters of the City at large and , *except as*
23 *otherwise provided in section 5.010*, shall serve for terms of
24 4 years.

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

27 **Sec. 47.** Section 5.010 of the Charter of the City of Yerington,
28 being chapter 465, Statutes of Nevada 1971, at page 912, is hereby
29 amended to read as follows:

30 Sec. 5.010 Municipal elections.

31 1. *Except as otherwise provided in subsection 2:*

32 (a) On the ~~[1st]~~ *first* Tuesday after the ~~[1st]~~ *first* Monday
33 in June 1975, and at each successive interval of 4 years, there
34 ~~[shall]~~ *must* be elected by the qualified voters of the City , at
35 a general *municipal* election to be held for that purpose , a
36 Mayor and two Council Members, who shall hold office for a
37 period of 4 years and until their successors have been elected
38 and qualified.

39 ~~[2.]~~ (b) On the ~~[1st]~~ *first* Tuesday after the ~~[1st]~~ *first*
40 Monday in June 1977, and at each successive interval of 4
41 years thereafter, there ~~[shall]~~ *must* be elected by the qualified
42 voters of the City , at a general *municipal* election to be held
43 for that purpose , two Council Members, who shall hold
44 office for a period of 4 years and until their successors have
45 been elected and qualified.



1 2. *The City Council may by ordinance provide for a*
2 *primary municipal election and general municipal election*
3 *on the dates set forth for primary elections and general*
4 *elections pursuant to the provisions of chapter 293 of NRS.*

5 3. *If the City Council adopts an ordinance pursuant to*
6 *subsection 2, the dates set forth in NRS 293.12755, in*
7 *subsections 2 to 5, inclusive, of NRS 293.165 and in NRS*
8 *293.175, 293.177, 293.345 and 293.368 apply for the*
9 *purposes of conducting the primary municipal elections and*
10 *general municipal elections.*

11 4. *If the City Council adopts an ordinance pursuant to*
12 *subsection 2, the term of office of any elected official may*
13 *be shortened but may not be lengthened as a result of the*
14 *ordinance.*

15 **Sec. 48.** (Deleted by amendment.)

16 **Sec. 49.** (Deleted by amendment.)

17 **Sec. 50.** This act becomes effective upon passage and
18 approval.

