

**Amendment No. 836**

Senate Amendment to Assembly Bill No. 473 First Reprint (BDR 24-1021)

**Proposed by:** Senate Committee on Legislative Operations and Elections

**Amendment Box:** Replaces Amendment No. 691.

**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date	
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

SRT/EGO



Date: 5/29/2011

A.B. No. 473—Revises provisions governing elections. (BDR 24-1021)



ASSEMBLY BILL NO. 473—COMMITTEE ON  
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 28, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing elections. (BDR 24-1021)

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 elections; ~~[amending the requirements of a declaration or acceptance of candidacy for certain offices;]~~ revising the deadline for preparing and sending absent ballots to certain voters; revising the hours of operation during the final days of voter registration; ~~[requiring online voter registration to remain open until midnight on the day before early voting begins;]~~ requiring that complaints challenging initiatives or referenda be given priority over all other matters pending before the court, except for criminal proceedings; revising the filing deadline for candidates for the Board of the Virgin Valley Water District; making various other changes relating to elections; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

~~[Under existing law, a person declaring or accepting candidacy must declare of which political party he or she is a registered member. (NRS 293.177) Section 1 of this bill requires a person declaring or accepting candidacy to declare that he or she is currently registered as a member of a particular party.]~~

Under existing law, the name of the political party of a partisan candidate must follow the name of the candidate on the ballot and the word "nonpartisan" must follow the name of a nonpartisan candidate. **Section 3** of this bill authorizes the use of abbreviations of the party name or "independent" or "nonpartisan," as applicable.

Under existing law, a person who registers to vote by mail must provide certain identification before voting at a polling place or by mail. (NRS 293.2725) **Section 4** of this bill requires that a photo identification used for this purpose shows the physical address of the person.

Under existing law, the county clerk of each county is required to prepare absent ballots for registered voters who have requested them. (NRS 293.309) **Sections 5 and 10** of this bill require the county or city clerk, as applicable, to prepare and have ready for distribution absent ballots for persons who applied for absent ballots pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et seq., not later than 45 days before an election.

Under existing law, a county clerk is required to consider a request for an absent ballot on a form provided by the Federal Government as a request for an absent ballot for the two

primary and general elections following receipt of the request. (NRS 293.313) **Sections 6 and 11** of this bill remove the requirement that the request be considered for two elections.

**Sections 7 and 12** of this bill remove the requirement that counting board officers record the number of votes received by each candidate or for and against any question submitted to the electors in words and figures.

~~Existing law authorizes a county to establish a system for using a computer to register voters. (NRS 292.506) Section 8 of this bill requires a county that establishes a system for online voter registration to keep online registration open until midnight on the day before early voting begins.~~

Existing law requires that city and county clerk offices be open at certain times during the registration period. (NRS 293.560, 293C.527, 349.017, 710.153) **Sections 9, 13, 15 and 16** of this bill revise the hours of operation of the office of the city or county clerk during the registration period.

Under existing law, a complaint challenging an initiative or referendum receives priority over all criminal proceedings. (NRS 295.061) **Section 14** of this bill requires the court to give such a complaint priority over all other matters pending with the court, except for criminal proceedings.

**Section 17** of this bill changes the filing deadline for candidates for election to the governing board of the Virgin Valley Water District from at least 60 days before the election to not earlier than the first Monday in March of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.

Under existing law, political parties are authorized to recommend three registered voters to the county clerk to act as election board officers. (NRS 293.219) **Section 18** of this bill removes that requirement.

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

### **Section 1.** ~~[NRS 293.177 is hereby amended to read as follows:~~

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

~~(a) For a candidate for judicial office, the first Monday in January of the year in which the election is to be held not later than 5 p.m. on the second Friday after the first Monday in January; and~~

~~(b) For all other candidates, the first Monday in March of the year in which the election is to be held not later than 5 p.m. on the second Friday after the first Monday in March.~~

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

~~(a) For partisan office:~~

~~DECLARATION OF CANDIDACY OF ..... FOR THE  
OFFICE OF .....~~

~~State of Nevada~~

~~County of .....~~

~~For the purpose of having my name placed on the official ballot as a candidate for the ..... Party nomination for the office of ....., I, the undersigned ....., do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at ....., in the City or Town of ....., County of .....~~

~~State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is \_\_\_\_\_, and the address at which I receive mail, if different than my residence, is \_\_\_\_\_; that I am currently registered as a member of the \_\_\_\_\_ Party; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; that I have not, in violation of the provisions of NRS 293.176, changed the designation of my political party or political party affiliation on an official application to register to vote in any state since December 31 before the closing filing date for this election; that I generally believe in and intend to support the concepts found in the principles and policies of that political party in the coming election; that if nominated as a candidate of the \_\_\_\_\_ Party at the ensuing election, I will accept that nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; and that I understand that my name will appear on all ballots as designated in this declaration.~~

\_\_\_\_\_  
(Designation of name)

\_\_\_\_\_  
(Signature of candidate for office)

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

\_\_\_\_\_  
Notary Public or other person  
authorized to administer an oath

~~(b) For nonpartisan office:~~

~~DECLARATION OF CANDIDACY OF \_\_\_\_\_ FOR THE  
OFFICE OF \_\_\_\_\_~~

~~State of Nevada~~

~~County of \_\_\_\_\_~~

~~For the purpose of having my name placed on the official ballot as a candidate for the office of \_\_\_\_\_, I, the undersigned \_\_\_\_\_, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at \_\_\_\_\_, in the City or Town of \_\_\_\_\_, County of \_\_\_\_\_, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is \_\_\_\_\_, and the address at~~

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

copies to the candidate at the specified address, unless the candidate has designated in writing to the filing officer a different address for that purpose, in which case the filing officer shall mail the copy to the last address so designated.

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

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

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

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

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

**Sec. 3.** NRS 293.267 is hereby amended to read as follows:

293.267 1. Ballots for a general election must contain the names of candidates who were nominated at the primary election, the names of the candidates of a minor political party and the names of independent candidates.

2. Except as otherwise provided in NRS 293.2565, names of candidates must be grouped alphabetically under the title and length of term of the office for which those candidates filed.

3. Except as otherwise provided in subsection 4:

(a) Immediately following the name of each candidate for a partisan office must appear the name *or abbreviation* of his or her political party. ~~for~~ the word "independent ~~[...]~~" *or the abbreviation "IND,"* as the case may be.

(b) Immediately following the name of each candidate for a nonpartisan office must appear the word "nonpartisan ~~[...]~~" *or the abbreviation "NP."*

4. Where a system of voting other than by paper ballot is used, the Secretary of State may provide for any placement of the name *or abbreviation* of the political party. ~~for~~ the word "independent" or "nonpartisan" *or the abbreviation "IND" or "NP," as appropriate,* which clearly relates the designation to the name of the candidate to whom it applies.

5. If the Legislature rejects a statewide measure proposed by initiative and proposes a different measure on the same subject which the Governor approves, the measure proposed by the Legislature and approved by the Governor must be listed on the ballot before the statewide measure proposed by initiative. Each ballot and sample ballot upon which the measures appear must contain a statement that reads substantially as follows:

The following questions are alternative approaches to the same issue, and only one approach may be enacted into law. Please vote for only one.

**Sec. 4.** NRS 293.2725 is hereby amended to read as follows:

293.2725 1. Except as otherwise provided in subsection 2, in NRS 293.3081 and 293.3083 and in federal law, a person who registers by mail to vote in this State and who has not previously voted in an election for federal office in this State:

(a) May vote at a polling place only if the person presents to the election board officer at the polling place:

(1) A current and valid photo identification of the person ~~+~~, *which shows his or her physical address;* or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card issued pursuant to NRS 293.517; and

(b) May vote by mail only if the person provides to the county or city clerk:

(1) A copy of a current and valid photo identification of the person ~~+~~, *which shows his or her physical address;* or

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

*➤ If there is a question as to the physical address of the person, the election board officer or clerk may request additional information.*

2. The provisions of this section do not apply to a person who:

(a) Registers to vote by mail and submits with an application to register to vote:

(1) A copy of a current and valid photo identification; or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card issued pursuant to NRS 293.517;

(b) Registers to vote by mail and submits with an application to register to vote a driver's license number or at least the last four digits of his or her social security number, if a state or local election official has matched that information with an existing identification record bearing the same number, name and date of birth as provided by the person in the application;

(c) Is entitled to vote an absent ballot pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et seq.;

(d) Is provided the right to vote otherwise than in person under the Voting Accessibility for the Elderly and Handicapped Act, 42 U.S.C. §§ 1973ee et seq.; or

(e) Is entitled to vote otherwise than in person under any other federal law.

**Sec. 5.** NRS 293.309 is hereby amended to read as follows:

293.309 1. The county clerk of each county shall prepare an absent ballot for the use of registered voters who have requested absent ballots. The county clerk shall make reasonable accommodations for the use of the absent ballot by a person who is elderly or disabled, including, without limitation, by providing, upon request, the absent ballot in 12-point type to a person who is elderly or disabled.

2. The ballot must be prepared and ready for distribution to a registered voter who:

(a) Resides within the State, not later than 20 days before the election in which it is to be used; ~~for~~

(b) ~~Resides~~ *Except as otherwise provided in paragraph (c), resides* outside the State, not later than 40 days before a primary or general election, if possible ~~+~~; *or*

*(c) Requested an absent ballot pursuant to the provisions of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et seq., not later than 45 days before the election.*

3. Any legal action which would prevent the ballot from being issued pursuant to subsection 2 is moot and of no effect.

**Sec. 6.** NRS 293.313 is hereby amended to read as follows:

293.313 1. Except as otherwise provided in NRS 293.272 and 293.502, a registered voter who provides sufficient written notice to the county clerk may vote an absent ballot as provided in this chapter.

2. A registered voter who:

(a) Is at least 65 years of age; or

(b) Has a physical disability or condition which substantially impairs his or her ability to go to the polling place,

➤ may request an absent ballot for all elections held during the year he or she requests an absent ballot.

3. A county clerk shall consider a request from a voter who has given sufficient written notice on a form provided by the Federal Government as a request for an absent ballot for the ~~two~~ primary and general elections immediately following the date on which the county clerk received the request.

4. It is unlawful for a person fraudulently to request an absent ballot in the name of another person or to induce or coerce another person fraudulently to request an absent ballot in the name of another person. A person who violates this subsection is guilty of a category E felony and shall be punished as provided in NRS 193.130.

5. As used in this section, "sufficient written notice" means a:

(a) Written request for an absent ballot which is signed by the registered voter and returned to the county clerk in person or by mail or facsimile machine;

(b) Form prescribed by the Secretary of State which is completed and signed by the registered voter and returned to the county clerk in person or by mail or facsimile machine; or

(c) Form provided by the Federal Government.

**Sec. 7.** NRS 293.370 is hereby amended to read as follows:

293.370 1. When all the votes have been counted, the counting board officers shall enter on the tally lists by the name of each candidate the number of votes the candidate received. ~~[The number must be expressed in words and figures.]~~ The vote for and against any question submitted to the electors must be entered in the same manner.

2. The tally lists must show the number of votes, other than absentee votes and votes in a mailing precinct, which each candidate received in each precinct at:

(a) A primary election held in an even-numbered year; or

(b) A general election.

**Sec. 8.** ~~NRS 293.506 is hereby amended to read as follows:~~

~~293.506 1. A county clerk may, with approval of the board of county commissioners, establish a system for using a computer to register voters and to keep records of registration. The county clerk may, for that purpose, issue to a voter a card, bearing the signature of the voter, attesting to the voter's registration.~~

~~2. If a county establishes a system for online voter registration pursuant to subsection 1, online voter registration must remain open until midnight on the day before early voting begins.] (Deleted by amendment.)~~

**Sec. 9.** 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 any primary or general election and at 9 p.m. on the third Saturday preceding any recall or special election, except~~



1 ~~that if a recall or special election is held on the same day as a primary or general~~  
2 ~~election, registration must close at 9 p.m. on the third Tuesday preceding the day of~~  
3 ~~the elections.~~

4 ~~—2. The:~~

5 *1. For a primary or special election, the* office of the county clerk must be  
6 open ~~[from 9 a.m. to 5 p.m. and from]~~ *until 7 p.m. [to 9 p.m., including Saturdays,]*  
7 during the last 2 days ~~[before the close off]~~ *on which* registration ~~[, according to the~~  
8 ~~following schedule:~~

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

11 ~~—(b) In all other counties, the office of the county clerk must be open during the~~  
12 ~~last 5 days before registration closes.]~~ *may close at 5 p.m. during the last 2 days*  
13 *before registration closes if approved by the board of county commissioners.*

14 *2. For a general election:*

15 *(a) In a county whose population is less than 100,000, the office of the*  
16 *county clerk must be open until 7 p.m. during the last 2 days on which*  
17 *registration is open. The office of the county clerk may close at 5 p.m. if approved*  
18 *by the board of county commissioners.*

19 *(b) In a county whose population is 100,000 or more, the office of the county*  
20 *clerk must be open during the last 4 days on which registration is open,*  
21 *according to the following schedule:*

22 *(1) On weekdays until 9 p.m.; and*

23 *(2) A minimum of 8 hours on Saturdays, Sundays and legal holidays.*

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

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

27 *(1) The day and time that registration will be closed; and*

28 *(2) If the county clerk has designated a county facility pursuant to NRS*  
29 *293.5035, the location of that facility.*

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

32 *(b) The notice must be published once each week for 4 consecutive weeks next*  
33 *preceding the close of registration for any election.*

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

37 *5. For the period beginning on the fifth Sunday preceding any primary or*  
38 *general election and ending on the third Tuesday preceding any primary or general*  
39 *election, an elector may register to vote only by appearing in person at the office of*  
40 *the county clerk or, if open, a county facility designated pursuant to NRS 293.5035.*

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

44 **Sec. 10.** NRS 293C.305 is hereby amended to read as follows:

45 293C.305 1. The city clerk shall prepare an absent ballot for the use of  
46 registered voters who have requested absent ballots. The city clerk shall make  
47 reasonable accommodations for the use of the absent ballot by a person who is  
48 elderly or disabled, including, without limitation, by providing, upon request, the  
49 absent ballot in 12-point type to a person who is elderly or disabled.

50 2. The ballot must be prepared and ready for distribution to a registered voter  
51 who:

52 *(a) Except as otherwise provided in paragraph (b), resides within or outside*  
53 *this State, not later than 20 days before the election in which it will be used.*

*(b) Requested an absent ballot pursuant to the provisions of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et seq., not later than 45 days before the election.*

3. Any legal action that would prevent the ballot from being issued pursuant to subsection 2 is moot and of no effect.

**Sec. 11.** NRS 293C.310 is hereby amended to read as follows:

293C.310 1. Except as otherwise provided in NRS 293.502 and 293C.265, a registered voter who provides sufficient written notice to the city clerk may vote an absent ballot as provided in this chapter.

2. A city clerk shall consider a request from a voter who has given sufficient written notice on a form provided by the Federal Government as:

(a) A request for the primary city election and the general city election unless otherwise specified in the request; and

(b) A request for an absent ballot for the ~~two~~ primary and general elections immediately following the date on which the city clerk received the request.

3. It is unlawful for a person fraudulently to request an absent ballot in the name of another person or to induce or coerce another person fraudulently to request an absent ballot in the name of another person. A person who violates any provision of this subsection is guilty of a category E felony and shall be punished as provided in NRS 193.130.

4. As used in this section, "sufficient written notice" means a:

(a) Written request for an absent ballot that is signed by the registered voter and returned to the city clerk in person or by mail or facsimile machine;

(b) Form prescribed by the Secretary of State that is completed and signed by the registered voter and returned to the city clerk in person or by mail or facsimile machine; or

(c) Form provided by the Federal Government.

**Sec. 12.** NRS 293C.372 is hereby amended to read as follows:

293C.372 When all the votes have been counted, the counting board officers shall enter on the tally lists by the name of each candidate the number of votes the candidate received. ~~[The number must be expressed in words and figures.]~~ The vote for and against any question submitted to the electors must be entered in the same manner.

**Sec. 13.** 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 any primary city election or general city election and at 9 p.m. on the third Saturday preceding 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.~~

~~—2. The]:~~

*1. For a primary city election or special city election, the* office of the city clerk must be open ~~[from 9 a.m. to 5 p.m. and from] until~~ 7 p.m. ~~[to 9 p.m., including Saturdays.]~~ during the last 2 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.] on which registration is open. In a city whose population is less than 25,000, the office of the city clerk may close at 5 p.m. if approved by the governing body of the city.~~

*2. For a general election:*

1       (a) *In a city whose population is less than 25,000, the office of the city clerk*  
2 *must be open until 7 p.m. during the last 2 days on which registration is open.*  
3 *The office of the city clerk may close at 5 p.m. if approved by the governing body*  
4 *of the city.*

5       (b) *In a city whose population is 25,000 or more, the office of the city clerk*  
6 *must be open during the last 4 days on which registration is open, according to*  
7 *the following schedule:*

8       (1) *On weekdays until 9 p.m.; and*

9       (2) *A minimum of 8 hours on Saturdays, Sundays and legal holidays.*

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

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

13       (1) The day *and time* that registration will be closed; and

14       (2) If the city clerk has designated a municipal facility pursuant to NRS  
15 293C.520, the location of that facility.

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

18      (b) The notice must be published once each week for 4 consecutive weeks next  
19 preceding the close of registration for any election.

20      4. For the period beginning on the fifth Sunday preceding any primary city  
21 election or general city election and ending on the third Tuesday preceding any  
22 primary city election or general city election, an elector may register to vote only  
23 by appearing in person at the office of the city clerk or, if open, a municipal facility  
24 designated pursuant to NRS 293C.520.

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

28      **Sec. 14.** NRS 295.061 is hereby amended to read as follows:

29      295.061 1. Except as otherwise provided in subsection 3, whether an  
30 initiative or referendum embraces but one subject and matters necessarily  
31 connected therewith and pertaining thereto, and the description of the effect of an  
32 initiative or referendum required pursuant to NRS 295.009, may be challenged by  
33 filing a complaint in the First Judicial District Court not later than 15 days,  
34 Saturdays, Sundays and holidays excluded, after a copy of the petition is placed on  
35 file with the Secretary of State pursuant to NRS 295.015. All affidavits and  
36 documents in support of the challenge must be filed with the complaint. The court  
37 shall set the matter for hearing not later than 15 days after the complaint is filed and  
38 shall give priority to such a complaint over all *other matters pending with the*  
39 *court, except for* criminal proceedings.

40      2. The legal sufficiency of a petition for initiative or referendum may be  
41 challenged by filing a complaint in district court not later than 7 days, Saturdays,  
42 Sundays and holidays excluded, after the petition is certified as sufficient by the  
43 Secretary of State. All affidavits and documents in support of the challenge must be  
44 filed with the complaint. The court shall set the matter for hearing not later than 15  
45 days after the complaint is filed and shall give priority to such a complaint over all  
46 other matters pending with the court, except for criminal proceedings.

47      3. If a description of the effect of an initiative or referendum required  
48 pursuant to NRS 295.009 is challenged successfully pursuant to subsection 1 and  
49 such description is amended in compliance with the order of the court, the amended  
50 description may not be challenged.

**Sec. 15.** NRS 349.017 is hereby amended to read as follows:

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

2. If the bond question is submitted at a special election, the clerk of each county shall cause to be published, at least once a week for 2 consecutive weeks by two weekly insertions a week apart, the first publication to be not more than 50 days nor less than 42 days next preceding the election, in a newspaper published within the county, if any is so published, and having a general circulation therein, a notice signed by him or her to the effect that registration for the special election will be closed on a date *and time* designated therein, as provided in this section.

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

4. 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. on Monday through Saturday, with Sundays and any legal holidays excepted,}~~ during the last days of registration as provided in subsection ~~{2}~~ 1 of NRS 293.560.

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

**Sec. 16.** NRS 710.153 is hereby amended to read as follows:

710.153 1. If the question of the sale or lease of the county-owned telephone system is submitted at a 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 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 newspaper published within the county and having a general circulation therein, a notice signed by the county clerk to the effect that registration for the special election will be closed on a date *and time* designated therein, as provided in this section.

2. Except as otherwise provided in this subsection, the office of the county clerk must be open for such a special election from 9 a.m. to 12 m. and from 1 p.m. to 5 p.m. on Mondays through Fridays, with Saturdays, Sundays and legal holidays excepted, for the registration of any qualified elector. ~~{During the 5 days preceding the close of registration before such a special election, the}~~ *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. on Monday through Saturday, with Sunday and any legal holidays excepted,}~~ *during the last days of registration as provided in subsection 1 of NRS 293.560.*

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

**Sec. 17.** Section 8 of the Virgin Valley Water District Act, being chapter 100, Statutes of Nevada 1993, at page 165, is hereby amended to read as follows:

Sec. 8. District Elections.

1. Unless otherwise required for purposes of an election to incur an indebtedness, the Registrar of Voters of Clark County shall conduct, supervise and, by ordinance, regulate all district elections in accordance, as nearly as practicable, with the general election laws of this state, including, but not limited to, laws relating to the time of opening and closing of polls,

the manner of conducting the election, the canvassing, announcement and certification of results and the preparation and disposition of ballots.

2. ~~{At least 90 days before the election, the Registrar of Voters of Clark County shall publish notice of the election.}~~ Each candidate for election to the Board must file a declaration of candidacy with the Registrar of Voters ~~{at least 60 days before the election.}~~ *not earlier than the first Monday in March of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.* Timely filing of such declaration is a prerequisite to election.

3. If the board establishes various election areas within the District and there are two or more seats upon the board to be filled at the same election, each of which represents the same election area, the two candidates therefor receiving the highest number of votes, respectively, are elected.

4. If a member of the Board is unopposed in seeking reelection, the Board may declare that member elected without a formal election, but that member may not participate in the declaration.

5. If no person files candidacy for election to a particular seat upon the Board, the seat must be filled in the manner provided in subsection 4 of section 7 of this act for filling a vacancy.

**Sec. 18.** NRS 293.219 is hereby repealed.

**Sec. 19.** **This act becomes effective upon passage and approval.**

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#### TEXT OF REPEALED SECTION

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#### **293.219 Recommendations by political parties of persons for service on election board.**

1. Not less than 60 days before a primary or a general election, the county central committee of each major political party for each county may recommend to the county clerk of the county three registered voters for each precinct in the county to act as election board officers of the primary or general election in the precinct or district.

2. Not less than 60 days before a general election, the executive committee of each minor political party for each county may recommend to the county clerk of the county three registered voters for each precinct in the county to act as election board officers of the general election in the precinct or district.

3. After that date the county clerk may accept recommendations for reserve election board officers for the election.