

Assembly Bill No. 23—Committee on
Legislative Operations and Elections

CHAPTER.....

AN ACT relating to elections; revising provisions governing regulations that the Secretary of State must adopt regarding the conduct of elections; changing the date of the general city election in certain cities that hold such elections in odd-numbered years; amending provisions relating to committees for political action and independent expenditures made for the purpose of affecting the outcome of elections; revising the beginning and ending dates of the period during which certain limits apply to the amount that may be committed or contributed to a candidate or a legal defense fund; providing that a petition to recall a public officer may only be signed by a registered voter who actually voted in the election at which the public officer was elected; revising other provisions governing recall petitions and elections; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Secretary of State to adopt regulations governing the conduct of primary, general, special and district elections. (NRS 293.247) **Section 1** of this bill makes various changes to the types of regulations that the Secretary of State must adopt governing the conduct of elections.

Existing law provides that certain cities must hold a general city election on the first Tuesday after the first Monday in June in odd-numbered years. (NRS 293C.140, 293C.145; Boulder City Charter § 96; Caliente City Charter § 5.010; Henderson City Charter § 5.020; Las Vegas City Charter § 5.020; North Las Vegas City Charter § 5.010; Yerington City Charter § 5.010) **Sections 1.3, 1.5, 7-13 and 15** of this bill change the date of the general city election in those cities so that it occurs 1 week later on the second Tuesday after the first Monday in June in odd-numbered years. **Sections 4-6** of this bill make the same change in the election date to the second Tuesday after the first Monday in June in odd-numbered years for certain local special elections seeking voter approval of certain local taxes and debt obligations. (NRS 350.020, 354.5982, 387.3285)

During the 77th Session of the Legislature in 2013, the Legislature enacted legislation that amended the definition of the term “committee for political action” in the campaign finance laws to include certain businesses or organizations that make expenditures of a certain amount in a calendar year for the purpose of affecting the outcome of any election or question on the ballot. (NRS 294A.0055, 294A.230; chapter 259, Statutes of Nevada 2013, pp. 1149-51) In 2013, the Legislature also enacted legislation that added a definition of the term “independent expenditure” to the campaign finance laws, but this newly defined term was not incorporated into the definition of the term “committee for political action.” (NRS 294A.0077; chapter 425, Statutes of Nevada 2013, p. 2379) **Sections 1.7 and 2.1** of this bill harmonize the 2013 legislation by incorporating the term “independent expenditure” into the definition of the term “committee for political action.”

Under existing law, a person may not contribute or commit to contribute more than \$5,000 for a primary election and \$5,000 for a general election to a candidate



for state, district, county or township office during the period beginning 30 days before the start of the regular session of the Legislature immediately after a general election for that office and ending 30 days before the start of the regular session of the Legislature immediately following the next general election for that office. During the same period, a person is prohibited from making or committing to make a contribution to a legal defense fund of a candidate or public officer in an amount which exceeds \$10,000. Existing law also prohibits a candidate or public officer, as applicable, from accepting a contribution or commitment to make a contribution in excess of those amounts. (Nev. Const. Art. 2, § 10; NRS 294A.100, 294A.287) **Section 2** of this bill changes the period to which those contribution limits apply so that the period begins on January 1 immediately after a general election for an office and ends on December 31 immediately after the next general election for that office.

Existing law provides that a violation of the contribution limits to a candidate or a legal defense fund is a category E felony. (NRS 294A.100, 294A.287) **Section 14** of this bill provides that certain contributions made or committed to be made under existing law at the end of the contribution periods in early January 2011, 2013 or 2015 shall be deemed to have been made or committed to be made on December 31, 2010, 2012 or 2014, respectively, so that no person is guilty retrospectively of committing a crime as a result of the changes made by **section 2**.

Existing law requires a committee for the recall of a public officer to report certain contributions received and expenditures made by the committee during its recall efforts. Existing law also requires such a committee to comply with the reporting requirements when it does not submit a legally sufficient recall petition to the filing officer before the expiration of the period for circulating the petition for signatures. (NRS 294A.270, 294A.280) **Sections 2.3 and 2.5** of this bill clarify that such a committee must comply with the reporting requirements if it: (1) fails to submit the petition to the filing officer; (2) submits the petition to the filing officer without any valid signatures or with fewer than the necessary number of valid signatures; or (3) otherwise submits a legally insufficient petition or suspends or ceases its efforts to obtain the necessary number of valid signatures.

Finally, in *Strickland v. Waymire*, 126 Nev. 230, 240 (2010), the Nevada Supreme Court held that Section 9 of Article 2 of the Nevada Constitution provides that, “[w]hile all registered voters can vote at a special recall election, only voters who voted at the relevant baseline election can qualify a recall petition” by signing a petition for the recall. **Section 3** of this bill conforms existing law to this ruling. (NRS 306.020)

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

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

Section 1. NRS 293.247 is hereby amended to read as follows:
293.247 1. The Secretary of State shall adopt regulations, not inconsistent with the election laws of this State, for the conduct of primary, general, special and district elections in all cities and counties. Permanent regulations of the Secretary of State that regulate the conduct of a primary, general, special or district election and are effective on or before the last business day of



February immediately preceding a primary, general, special or district election govern the conduct of that election.

2. The Secretary of State shall prescribe the forms for a declaration of candidacy, certificate of candidacy, acceptance of candidacy and any petition which is filed pursuant to the general election laws of this State.

3. The regulations must prescribe:

- ~~{(a)}~~ ~~{The duties of election boards;~~
- ~~—(b) The type and amount of election supplies;~~
- ~~—(c) The manner of printing ballots and the number of ballots to be distributed to precincts and districts;~~
- ~~{(d) The method to be used in distributing ballots to precincts and districts;~~
- ~~—(e) The method of inspection and the disposition of ballot boxes;~~
- ~~—(f) (b) The form and placement of instructions to voters;~~
- ~~{(g) The recess periods for election boards;~~
- ~~—(h) The size, lighting and placement of voting booths;~~
- ~~—(i) The amount and placement of guardrails and other furniture and equipment at voting places;~~
- ~~—(j) (c) The disposition of election returns;~~
- ~~{(k)}~~ ~~(d) The procedures to be used for canvasses, ties, recounts and contests, including, without limitation, the appropriate use of a paper record created when a voter casts a ballot on a mechanical voting system that directly records the votes electronically;~~
- ~~{(l)}~~ ~~(e) The procedures to be used to ensure the security of the ballots from the time they are transferred from the polling place until they are stored pursuant to the provisions of NRS 293.391 or 293C.390;~~
- ~~{(m)}~~ ~~(f) The procedures to be used to ensure the security and accuracy of computer programs and tapes used for elections;~~
- ~~{(n)}~~ ~~(g) The procedures to be used for the testing, use and auditing of a mechanical voting system which directly records the votes electronically and which creates a paper record when a voter casts a ballot on the system;~~
- ~~{(o) The procedures to be used for the disposition of absent ballots in case of an emergency;~~
- ~~—(p) (h) The acceptable standards for the sending and receiving of applications, forms and ballots, by approved electronic transmission, by the county clerks and the electors or registered voters who are authorized to use approved electronic transmission pursuant to the provisions of this title;~~
- ~~{(q)}~~ ~~(i) The forms for applications to register to vote and any other forms necessary for the administration of this title; and~~



~~(f)~~ (j) Such other matters as determined necessary by the Secretary of State.

4. The Secretary of State may provide interpretations and take other actions necessary for the effective administration of the statutes and regulations governing the conduct of primary, general, special and district elections in this State.

5. The Secretary of State shall prepare and distribute to each county and city clerk copies of:

- (a) Laws and regulations concerning elections in this State;
- (b) Interpretations issued by the Secretary of State's Office; and
- (c) Any Attorney General's opinions or any state or federal court decisions which affect state election laws or regulations whenever any of those opinions or decisions become known to the Secretary of State.

Sec. 1.3. NRS 293C.140 is hereby amended to read as follows:

293C.140 1. Except as otherwise provided in NRS 293C.115, a general city election must be held in each city of population categories one and two on the ~~first~~ **second** Tuesday after the first Monday in June of the first odd-numbered year after incorporation, and on the same day every 2 years thereafter as determined by law, ordinance or resolution, at which time there must be elected the elective city officers, the offices of which are required next to be filled by election. All candidates, except as otherwise provided in NRS 266.220, at the general city election must be voted upon by the electors of the city at large.

2. Unless the terms of office of city council members are extended by an ordinance adopted pursuant to NRS 293C.115, the terms of office are 4 years, which terms must be staggered. The council members elected to office immediately after incorporation shall decide, by lot, among themselves which of their offices expire at the next general city election, and thereafter the terms of office must be 4 years unless the terms are extended by an ordinance adopted pursuant to NRS 293C.115.

Sec. 1.5. NRS 293C.145 is hereby amended to read as follows:

293C.145 1. Except as otherwise provided in NRS 293C.115, a general city election must be held in each city of population category three on the ~~first~~ **second** Tuesday after the first Monday in June of the first odd-numbered year after incorporation, and on the same day every 2 years thereafter, as determined by ordinance.

2. There must be one mayor and three or five council members, as the city council shall provide by ordinance, for each city of population category three. Unless the terms of office of the mayor and the council members are extended by an ordinance adopted



pursuant to NRS 293C.115, the terms of office of the mayor and the council members are 4 years, which terms must be staggered. The mayor and council members elected to office immediately after incorporation shall decide, by lot, among themselves which two of their offices expire at the next general city election, and thereafter the terms of office must be 4 years unless the terms are extended by an ordinance adopted pursuant to NRS 293C.115. If a city council thereafter increases the number of council members, it shall, by lot, stagger the initial terms of the additional members.

3. Except as otherwise provided in NRS 293C.115, a candidate for any office to be voted for at the general city election must file a declaration of candidacy with the city clerk not less than 60 days nor more than 70 days before the day of the general city election. The city clerk shall charge and collect from the candidate and the candidate must pay to the city clerk, at the time of filing the declaration of candidacy, a filing fee in an amount fixed by the city council by ordinance or resolution.

4. Candidates for mayor must be voted upon by the electors of the city at large. Candidates for the city council must be voted upon by the electors of their respective wards to represent the wards in which they reside or by the electors of the city at large in accordance with the provisions of chapter 266 of NRS.

Sec. 1.7. NRS 294A.0055 is hereby amended to read as follows:

294A.0055 1. "Committee for political action" means:

(a) Any group of natural persons or entities that solicits or receives contributions from any other person, group or entity and:

(1) Makes or intends to make contributions to candidates or other persons; or

(2) Makes or intends to make expenditures,
➔ designed to affect the outcome of any primary election, general election, special election or question on the ballot.

(b) Any business or social organization, corporation, partnership, association, trust, unincorporated organization or labor union:

(1) Which has as its primary purpose affecting the outcome of any primary election, general election, special election or any question on the ballot and for that purpose receives contributions in excess of \$1,500 in a calendar year or makes expenditures in excess of \$1,500 in a calendar year; or

(2) Which does not have as its primary purpose affecting the outcome of any primary election, general election, special election or any question on the ballot, but for the purpose of affecting the



outcome of any election or question on the ballot receives contributions in excess of \$5,000 in a calendar year or makes **independent** expenditures in excess of \$5,000 in a calendar year.

2. "Committee for political action" does not include:

(a) An organization made up of legislative members of a political party whose primary purpose is to provide support for their political efforts.

(b) An entity solely because it provides goods or services to a candidate or committee in the regular course of its business at the same price that would be provided to the general public.

(c) An individual natural person.

(d) Except as otherwise provided in paragraph (b) of subsection 1, an individual corporation or other business organization who has filed articles of incorporation or other documentation of organization with the Secretary of State pursuant to title 7 of NRS.

(e) Except as otherwise provided in paragraph (b) of subsection 1, a labor union.

(f) A personal campaign committee or the personal representative of a candidate who receives contributions or makes expenditures that are reported as contributions or expenditures by the candidate.

(g) A committee for the recall of a public officer.

(h) A major or minor political party or any committee sponsored by a major or minor political party.

Sec. 2. NRS 294A.100 is hereby amended to read as follows:

294A.100 1. A person shall not make or commit to make a contribution or contributions to a candidate for any office, except a federal office, in an amount which exceeds \$5,000 for the primary election, regardless of the number of candidates for the office, and \$5,000 for the general election, regardless of the number of candidates for the office, during the period:

(a) Beginning ~~{from 30 days before the regular session of the Legislature}~~ **January 1 of the year** immediately following the last general election for the office and ending ~~{30 days before the regular session of the Legislature}~~ **December 31** immediately following the next general election for the office, if that office is a state, district, county or township office; or

(b) Beginning from 30 days after the last election for the office and ending 30 days after the next general city election for the office, if that office is a city office.

2. A candidate shall not accept a contribution or commitment to make a contribution made in violation of subsection 1.



3. A person who willfully violates any provision of this section is guilty of a category E felony and shall be punished as provided in NRS 193.130.

Sec. 2.1. NRS 294A.230 is hereby amended to read as follows:

294A.230 1. Except as otherwise provided in subsection 2, each committee for political action shall, before it engages in any activity in this State, register with the Secretary of State on forms supplied by the Secretary of State.

2. A person who qualifies as a committee for political action in accordance with:

(a) Subparagraph (1) of paragraph (b) of subsection 1 of NRS 294A.0055 by receiving contributions in excess of \$1,500 in a calendar year or making expenditures in excess of \$1,500 in a calendar year; or

(b) Subparagraph (2) of paragraph (b) of subsection 1 of NRS 294A.0055 by receiving contributions in excess of \$5,000 in a calendar year or making *independent* expenditures in excess of \$5,000 in a calendar year,

↪ shall, not later than 7 calendar days after the qualifying event, register with the Secretary of State on forms supplied by the Secretary of State. When reporting contributions as required by this chapter, a person who qualifies as a committee for political action in accordance with subparagraph (2) of paragraph (b) of subsection 1 of NRS 294A.0055 is required to report only those contributions received for the purpose of affecting the outcome of any primary election, general election, special election or any question on the ballot.

3. The form must require:

- (a) The name of the committee for political action;
- (b) The purpose for which it was organized;
- (c) The names, addresses and telephone numbers of its officers;
- (d) If the committee for political action is affiliated with any other organizations, the name, address and telephone number of each organization;
- (e) The name, address and telephone number of its registered agent; and
- (f) Any other information deemed necessary by the Secretary of State.

4. A committee for political action shall file with the Secretary of State:

- (a) An amended form for registration within 30 days after any change in the information contained in the form for registration.



(b) A form for registration on or before January 15 of each year, regardless of whether there is a change in the information contained in the most recent form for registration filed by the committee for political action with the Secretary of State.

5. The Secretary of State shall include on the Secretary of State's Internet website the information required pursuant to subsection 3.

6. For purposes of the civil penalty that the Secretary of State may impose pursuant to NRS 294A.420 for violating the provisions of subsection 1 or 2, if a committee for political action fails to register with the Secretary of State pursuant to subsection 1 or 2, each time the committee for political action engages in any activity in this State constitutes a separate violation of subsection 1 or 2 for which the Secretary of State may impose a civil penalty.

Sec. 2.3. NRS 294A.270 is hereby amended to read as follows:

294A.270 1. Except as otherwise provided in subsections 3 and 4, each committee for the recall of a public officer shall, not later than:

(a) Four days before the beginning of early voting by personal appearance for the special election to recall a public officer, for the period from the date the notice of intent to circulate the petition for recall is filed pursuant to NRS 306.015 through 5 days before the beginning of early voting by personal appearance for the special election;

(b) Four days before the special election, for the period from 4 days before the beginning of early voting by personal appearance for the special election through 5 days before the special election; and

(c) Thirty days after the special election, for the remaining period through the date of the special election,

↳ report each contribution received or made by the committee for the recall of a public officer during the period in excess of \$100 and contributions received from a contributor or made to one recipient which cumulatively exceed \$100.

2. ~~HH~~ *Except as otherwise provided in subsection 3, if a petition for the recall of a public officer is not ~~filed~~ submitted to the filing officer before the expiration of the notice of intent ~~H~~ pursuant to the provisions of chapter 306 of NRS or is otherwise legally insufficient when submitted to the filing officer pursuant to the provisions of chapter 306 of NRS,* the committee for the recall of a public officer shall, not later than 30 days after the expiration of the notice of intent, report each contribution received by the



committee for the recall of a public officer, and each contribution made by the committee for the recall of a public officer in excess of \$100 and contributions made to one recipient which cumulatively exceed \$100. *The provisions of this subsection apply to the committee for the recall of a public officer if the committee:*

(a) Fails to submit the petition to the filing officer as required by chapter 306 of NRS;

(b) Submits the petition to the filing officer without any valid signatures or with fewer than the necessary number of valid signatures required by chapter 306 of NRS; or

(c) Otherwise submits a legally insufficient petition or suspends or ceases its efforts to obtain the necessary number of valid signatures required by chapter 306 of NRS.

3. If a district court determines that the petition for the recall of the public officer is legally insufficient pursuant to subsection 6 of NRS 306.040, the committee for the recall of a public officer shall, not later than 30 days after the district court orders the officer with whom the petition is filed to cease any further proceedings regarding the petition, for the period from the filing of the notice of intent to circulate the petition for recall through the day of the district court's order, report each contribution received or made by the committee for the recall of a public officer in excess of \$100 and contributions received from a contributor or made to one recipient which cumulatively exceed \$100.

4. If the special election is held on the same day as a primary election or general election, the committee for the recall of a public officer shall, not later than:

(a) Twenty-one days before the special election, for the period from the filing of the notice of intent to circulate the petition for recall through 25 days before the special election;

(b) Four days before the special election, for the period from 24 days before the special election through 5 days before the special election; and

(c) The 15th day of the second month after the special election, for the remaining period through the date of the special election,
→ report each contribution received or made by the committee for the recall of a public officer in excess of \$100 and contributions received from a contributor or made to one recipient which cumulatively exceed \$100.

5. Except as otherwise provided in NRS 294A.3737, each report of contributions must be filed electronically with the Secretary of State.



6. A report shall be deemed to be filed on the date that it was received by the Secretary of State.

7. The name and address of the contributor or recipient and the date on which the contribution was received must be included on the report for each contribution, whether from or to a natural person, association or corporation.

Sec. 2.5. NRS 294A.280 is hereby amended to read as follows:

294A.280 1. Except as otherwise provided in subsections 3 and 4, each committee for the recall of a public officer shall, not later than:

(a) Four days before the beginning of early voting by personal appearance for the special election to recall a public officer, for the period from the date the notice of intent to circulate the petition for recall is filed pursuant to NRS 306.015 through 5 days before the beginning of early voting by personal appearance for the special election;

(b) Four days before the special election, for the period from 4 days before the beginning of early voting by personal appearance for the special election through 5 days before the special election; and

(c) Thirty days after the special election, for the remaining period through the date of the special election,

report each expenditure made by the committee for the recall of a public officer during the period in excess of \$100 and expenditures made to one recipient which cumulatively exceed \$100.

2. ~~It is~~ *Except as otherwise provided in subsection 3, if a petition for the recall of a public officer is not ~~filed~~ submitted to the filing officer before the expiration of the notice of intent ~~it~~ pursuant to the provisions of chapter 306 of NRS or is otherwise legally insufficient when submitted to the filing officer pursuant to the provisions of chapter 306 of NRS, the committee for the recall of a public officer shall, not later than 30 days after the expiration of the notice of intent, report each expenditure made by the committee for the recall of a public officer in excess of \$100 and expenditures made to one recipient which cumulatively exceed \$100. The provisions of this subsection apply to the committee for the recall of a public officer if the committee:*

(a) Fails to submit the petition to the filing officer as required by chapter 306 of NRS;

(b) Submits the petition to the filing officer without any valid signatures or with fewer than the necessary number of valid signatures required by chapter 306 of NRS; or



(c) Otherwise submits a legally insufficient petition or suspends or ceases its efforts to obtain the necessary number of valid signatures required by chapter 306 of NRS.

3. If a district court determines that a petition for the recall of the public officer is legally insufficient pursuant to subsection 6 of NRS 306.040, the committee for the recall of a public officer shall, not later than 30 days after the district court orders the officer with whom the petition is filed to cease any further proceedings regarding the petition, for the period from the filing of the notice of intent to circulate the petition for recall through the day of the district court's order, report each expenditure made by the committee for the recall of a public officer in excess of \$100 and expenditures made to one recipient which cumulatively exceed \$100.

4. If the special election is held on the same day as a primary election or general election, the committee for the recall of a public officer shall, not later than:

(a) Twenty-one days before the special election, for the period from the filing of the notice of intent to circulate the petition for recall through 25 days before the special election;

(b) Four days before the special election, for the period from 24 days before the special election through 5 days before the special election; and

(c) The 15th of the second month after the special election, for the remaining period through the date of the special election, report each expenditure made by the committee for the recall of a public officer in excess of \$100 and expenditures made to one recipient which cumulatively exceed \$100.

5. Except as otherwise provided in NRS 294A.3737, each report of expenditures must be filed electronically with the Secretary of State.

6. A report shall be deemed to be filed on the date that it was received by the Secretary of State.

7. The name and address of the recipient and the date on which the expenditure was made must be included on the report for each expenditure, whether to a natural person, association or corporation.

Sec. 3. NRS 306.020 is hereby amended to read as follows:

306.020 1. Every public officer in the State of Nevada is subject to recall from office by the registered voters of the State or of the county, district or municipality that the public officer represents, as provided in this chapter and Section 9 of Article 2 of the Constitution of the State of Nevada. A public officer who is



appointed to an elective office is subject to recall in the same manner as provided for an officer who is elected to that office.

2. The petition to recall a public officer may be signed by any registered voter of the State or of the county, district, municipality or portion thereof that the public officer represents ~~1, regardless of whether the registered voter cast a ballot~~ *who actually voted* in the election at which the public officer was elected.

3. The petition must, in addition to setting forth the reason why the recall is demanded:

(a) Contain the residence addresses of the signers and the date that the petition was signed;

(b) Contain a statement of the minimum number of signatures necessary to the validity of the petition;

(c) Contain at the top of each page and immediately above the signature line, in at least 10-point bold type, the words "Recall Petition";

(d) Include the date that a notice of intent was filed; and

(e) Have the designation: "Signatures of registered voters seeking the recall of (name of public officer for whom recall is sought)" on each page if the petition contains more than one page.

Sec. 4. NRS 350.020 is hereby amended to read as follows:

350.020 1. Except as otherwise provided by subsections 3 and 4, if a municipality proposes to issue or incur general obligations, the proposal must be submitted to the electors of the municipality at a special election called for that purpose or the next general municipal election or general state election.

2. Such a special election may be held:

(a) At any time, including, without limitation, on the date of a primary municipal election or a primary state election, if the governing body of the municipality determines, by a unanimous vote, that an emergency exists; or

(b) On the ~~first~~ *second* Tuesday after the first Monday in June of an odd-numbered year, *whether or not the municipality also holds a general municipal election on that date,*

↳ except that the governing body shall not determine that an emergency exists if the special election is for the purpose of submitting to the electors a proposal to refund bonds. The determination made by the governing body is conclusive unless it is shown that the governing body acted with fraud, a gross abuse of discretion or in violation of the provisions of this subsection. An action to challenge the determination made by the governing body must be commenced within 15 days after the governing body's



determination is final. As used in this subsection, “emergency” means any occurrence or combination of occurrences which requires immediate action by the governing body of the municipality to prevent or mitigate a substantial financial loss to the municipality or to enable the governing body to provide an essential service to the residents of the municipality.

3. If payment of a general obligation of the municipality is additionally secured by a pledge of gross or net revenue of a project to be financed by its issue, and the governing body determines, by an affirmative vote of two-thirds of the members elected to the governing body, that the pledged revenue will at least equal the amount required in each year for the payment of interest and principal, without regard to any option reserved by the municipality for early redemption, the municipality may, after a public hearing, incur this general obligation without an election unless, within 90 days after publication of a resolution of intent to issue the bonds, a petition is presented to the governing body signed by not less than 5 percent of the registered voters of the municipality. Any member elected to the governing body whose authority to vote is limited by charter, statute or otherwise may vote on the determination required to be made by the governing body pursuant to this subsection. The determination by the governing body becomes conclusive on the last day for filing the petition. For the purpose of this subsection, the number of registered voters must be determined as of the close of registration for the last preceding general election. The resolution of intent need not be published in full, but the publication must include the amount of the obligation and the purpose for which it is to be incurred. Notice of the public hearing must be published at least 10 days before the day of the hearing. The publications must be made once in a newspaper of general circulation in the municipality. When published, the notice of the public hearing must be at least as large as 5 inches high by 4 inches wide.

4. The board of trustees of a school district may issue general obligation bonds which are not expected to result in an increase in the existing property tax levy for the payment of bonds of the school district without holding an election for each issuance of the bonds if the qualified electors approve a question submitted by the board of trustees that authorizes issuance of bonds for a period of 10 years after the date of approval by the voters. If the question is approved, the board of trustees of the school district may issue the bonds for a period of 10 years after the date of approval by the voters, after obtaining the approval of the debt management commission in the county in which the school district is located and, in a county whose



population is 100,000 or more, the approval of the oversight panel for school facilities established pursuant to NRS 393.092 in that county, if the board of trustees of the school district finds that the existing tax for debt service will at least equal the amount required to pay the principal and interest on the outstanding general obligations of the school district and the general obligations proposed to be issued. The finding made by the board of trustees is conclusive in the absence of fraud or gross abuse of discretion. As used in this subsection, "general obligations" does not include medium-term obligations issued pursuant to NRS 350.087 to 350.095, inclusive.

5. At the time of issuance of bonds authorized pursuant to subsection 4, the board of trustees shall establish a reserve account in its debt service fund for payment of the outstanding bonds of the school district. The reserve account must be established and maintained in an amount at least equal to the lesser of:

(a) For a school district located in a county whose population is 100,000 or more, 25 percent; and

(b) For a school district located in a county whose population is less than 100,000, 50 percent,

→ of the amount of principal and interest payments due on all of the outstanding bonds of the school district in the next fiscal year or 10 percent of the outstanding principal amount of the outstanding bonds of the school district.

6. If the amount in the reserve account falls below the amount required by subsection 5:

(a) The board of trustees shall not issue additional bonds pursuant to subsection 4 until the reserve account is restored to the level required by subsection 5; and

(b) The board of trustees shall apply all of the taxes levied by the school district for payment of bonds of the school district that are not needed for payment of the principal and interest on bonds of the school district in the current fiscal year to restore the reserve account to the level required pursuant to subsection 5.

7. A question presented to the voters pursuant to subsection 4 may authorize all or a portion of the revenue generated by the debt rate which is in excess of the amount required:

(a) For debt service in the current fiscal year;

(b) For other purposes related to the bonds by the instrument pursuant to which the bonds were issued; and

(c) To maintain the reserve account required pursuant to subsection 5,



↳ to be transferred to the county school district's fund for capital projects established pursuant to NRS 387.328 and used to pay the cost of capital projects which can lawfully be paid from that fund. Any such transfer must not limit the ability of the school district to issue bonds during the period of voter authorization if the findings and approvals required by subsection 4 are obtained.

8. A municipality may issue special or medium-term obligations without an election.

Sec. 5. NRS 354.5982 is hereby amended to read as follows:

354.5982 1. The local government may exceed the limit imposed by NRS 354.59811 upon the calculated receipts from taxes ad valorem only if its governing body proposes to its registered voters an additional property tax, and the proposal is approved by a majority of the voters voting on the question at a general election, a general city election or a special election called for that purpose. The question submitted to the voters must contain the rate of the proposed additional property tax stated in dollars and cents per \$100 assessed valuation, the purpose of the proposed additional property tax, the duration of the proposed additional property tax and an estimate established by the governing body of the increase in the amount of property taxes that an owner of a new home with a fair market value of \$100,000 will pay per year as a result of the passage of the question. The duration of the levy must not exceed 30 years. The governing body may discontinue the levy before it expires and may not thereafter reimpose it in whole or in part without following the procedure required for its original imposition.

2. A special election may be held:

(a) At any time, including, without limitation, on the date of a primary city election or a primary state election, if the governing body of the local government determines, by a unanimous vote, that an emergency exists; or

(b) On the ~~first~~ **second** Tuesday after the first Monday in June of an odd-numbered year ~~H~~ **, whether or not the local government also holds a general city election on that date.**

3. The determination made by the governing body pursuant to subsection 2 that an emergency exists is conclusive unless it is shown that the governing body acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the governing body must be commenced within 15 days after the governing body's determination is final. As used in this subsection, "emergency" means any unexpected occurrence or combination of occurrences which requires immediate action by the governing body of the local government to prevent or mitigate a substantial financial



loss to the local government or to enable the governing body to provide an essential service to the residents of the local government.

4. To the allowed revenue from taxes ad valorem determined pursuant to NRS 354.59811 for a local government, the Executive Director of the Department of Taxation shall add any amount approved by the Legislature for the cost to that local government of any substantial program or expense required by legislative enactment.

Sec. 6. NRS 387.3285 is hereby amended to read as follows:

387.3285 1. Upon the approval of a majority of the registered voters of a county voting upon the question at a general or special election, the board of county commissioners in each county with a school district whose enrollment is fewer than 25,000 pupils may levy a tax which, when combined with any tax imposed pursuant to NRS 387.3287, is not more than 75 cents on each \$100 of assessed valuation of taxable property within the county. The question submitted to the registered voters must contain the rate of the proposed additional property tax, stated in dollars and cents per \$100 assessed valuation, the purpose of the proposed additional property tax, the duration of the proposed additional property tax and an estimate established by the board of trustees of the increase in the amount of property taxes that an owner of a new home with a fair market value of \$100,000 will pay per year as a result of the passage of the question. The duration may not exceed 20 years.

2. Upon the approval of a majority of the registered voters of a county voting upon the question at a general or special election, the board of county commissioners in each county with a school district whose enrollment is 25,000 pupils or more may levy a tax which, when combined with any tax imposed pursuant to NRS 387.3287, is not more than 50 cents on each \$100 of assessed valuation of taxable property within the county. The question submitted to the registered voters must contain the rate of the proposed additional property tax, stated in dollars and cents per \$100 assessed valuation, the purpose of the proposed additional property tax, the duration of the proposed additional property tax and an estimate established by the board of trustees of the increase in the amount of property taxes that an owner of a new home with a fair market value of \$100,000 will pay per year as a result of the passage of the question. The duration may not exceed 20 years.

3. Any money collected pursuant to this section must be deposited in the county treasury to the credit of the fund for capital projects to be held and, except as otherwise provided in



NRS 387.3287, to be expended in the same manner as other money deposited in that fund.

4. A special election may be held:

(a) At any time, including, without limitation, on the date of a primary city election or a primary state election if the board of trustees of the school district determines, by a unanimous vote, that an emergency exists; or

(b) On the ~~first~~ **second** Tuesday after the first Monday in June of an odd-numbered year ~~H~~, **whether or not any local government also holds a general city election on that date.**

5. The determination made by the board of trustees pursuant to subsection 4 that an emergency exists is conclusive unless it is shown that the board of trustees acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the board of trustees must be commenced within 15 days after the determination made by board of trustees is final. As used in this subsection, “emergency” means an unexpected occurrence or combination of occurrences that requires immediate action by the board of trustees of the school district to prevent or mitigate a substantial financial loss to the school district or to enable the board of trustees to provide an essential service.

Sec. 7. Section 96 of the Charter of Boulder City is hereby amended to read as follows:

Section 96. Conduct of municipal elections.

1. All municipal elections must be nonpartisan in character and must be conducted in accordance with the provisions of the general election laws of the State of Nevada and any ordinance regulations as adopted by the City Council which are consistent with law and this Charter. (1959 Charter)

2. All full terms of office in the City Council are 4 years, and Council Members must be elected at large without regard to precinct residency. Except as otherwise provided in subsection 8, two full-term Council Members and the Mayor are to be elected in each year immediately preceding a federal presidential election, and two full-term Council Members are to be elected in each year immediately following a federal presidential election. In each election, the candidates receiving the greatest number of votes must be declared elected to the vacant full-term positions. (Add. 17; Amd. 1; 11-5-1996)

3. In the event one or more 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 2-year positions. (Add. 15; Amd. 2; 6-4-1991)

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 general municipal election must be held on the ~~first~~ **second** Tuesday after the first Monday in June of each odd-numbered year.

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)

6. If, in the primary 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 municipal election. (Add. 10; Amd. 7; 6-2-1981)

7. In each primary and general municipal election, voters are entitled to cast ballots for candidates in a number equal to the number of seats to be filled in the municipal elections. (Add. 11; Amd. 5; 6-7-1983)

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 ordinance must not affect the term of office of any elected official of the City serving in office on the effective date of the ordinance. The next succeeding term for



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

11. The conduct of all municipal elections 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. 8. Section 5.010 of the Charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, as last amended by chapter 263, Statutes of Nevada 2013, at page 1182, 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 1973, 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 one Council Member who shall hold office for a period of 4 years and until their successors have been elected and qualified.~~

—(b)} On the ~~{first}~~ **second** Tuesday after the first Monday in June ~~{1975,}~~ **2019**, 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 Council Members who shall hold office for a period of 4 years and until their successors have been elected and qualified.

~~{(c) On the first Tuesday after the first Monday in June 1975, there shall be elected by the qualified voters of the City at a general municipal election to be held for that purpose one Council Member who shall hold office for a period of 2 years and until his or her successor has been elected and qualified.~~

—(d)} (b) On the ~~{first}~~ **second** Tuesday after the first Monday in June ~~{1977,}~~ **2017**, 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 Council Members, 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.

3. If the City Council adopts an ordinance pursuant to subsection 2, 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.

4. If the City Council adopts an ordinance pursuant to 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. 9. Section 5.020 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 266, Statutes of Nevada 2013, at page 1215, is hereby amended to read as follows:

Sec. 5.020 General municipal election.

1. Except as otherwise provided in subsection 2:

(a) A general municipal election must be held in the City on the ~~first~~ **second** Tuesday after the first Monday in June of each odd-numbered year, at which time the registered voters of the City shall elect city officers to fill the available elective positions.

(b) All candidates for the office of Mayor, Council Member and Municipal Judge must be voted upon by the registered voters of the City at large. The term of office for members of the City Council and the Mayor is 4 years. Except as otherwise provided in subsection 3 of section 4.015, the term of office for a Municipal Judge is 6 years.

(c) On the **second** Tuesday after the first Monday in June ~~2001,~~ **2019**, and every 6 years thereafter, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Municipal Judge for Department 1 who will hold office until his or her successor has been elected and qualified.

(d) On the **second** Tuesday after the first Monday in June ~~2003,~~ **2021**, and every 6 years thereafter, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Municipal Judge for Department 2 who will hold office until his or her successor has been elected and qualified.



(e) On the ~~second~~ **second** Tuesday after the first Monday in June ~~2005,~~ **2017**, and every 6 years thereafter, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Municipal Judge for Department 3 who will hold office until his or her successor has 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.

3. If the City Council adopts an ordinance pursuant to subsection 2, 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.

4. If the City Council adopts an ordinance pursuant to subsection 2, the ordinance must not affect the term of office of any elected official of the City serving in office on the effective date of the ordinance. The next succeeding term for that office may be shortened but may not be lengthened as a result of the ordinance.

Sec. 10. Section 1.160 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 218, Statutes of Nevada 2011, at page 958, 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. 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 **second** 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. 11. Section 5.020 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 263, Statutes of Nevada 2013, at page 1183, is hereby amended to read as follows:

Sec. 5.020 General municipal election.

1. Except as otherwise provided in subsection 2, a general municipal election must be held in the City on the **second** Tuesday after the first Monday in June of each odd-numbered year and on the same day every 2 years thereafter, at which time there must be elected those officers whose offices are required to be filled by election in that year.

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.

3. If the City Council adopts an ordinance pursuant to subsection 2, 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.

4. If the City Council adopts an ordinance pursuant to subsection 2, the ordinance must not affect the term of office of any elected official of the City serving in office on the effective date of the ordinance. The next succeeding term for that office may be shortened but may not be lengthened as a result of the ordinance.

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

Sec. 12. Section 5.010 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 218, Statutes of Nevada 2011, at page 962, is hereby amended to read as follows:

Sec. 5.010 General municipal elections.

1. Except as otherwise provided in section 5.025:

(a) On the **second** Tuesday after the first Monday in June ~~1977~~ **2017**, and at each successive interval of 4 years thereafter, there must be elected, at a general municipal



election to be held for that purpose, a Mayor and two Council Members, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

(b) On the ~~first~~ **second** Tuesday after the first Monday in June ~~1975~~ **2019**, 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.

2. In 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. 13. Section 5.010 of the Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as last amended by chapter 263, Statutes of Nevada 2013, at page 1184, is hereby amended to read as follows:

Sec. 5.010 Municipal elections.

1. Except as otherwise provided in subsection 2:

(a) On the ~~first~~ **second** Tuesday after the first Monday in June ~~1975~~ **2019**, 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 Council Members, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

(b) On the ~~first~~ **second** Tuesday after the first Monday in June ~~1977~~ **2017**, 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 Council Members, 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.

3. If the City Council adopts an ordinance pursuant to subsection 2, 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.

4. If the City Council adopts an ordinance pursuant to 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. 14. 1. For the purposes of NRS 294A.100, as amended by section 2 of this act:

(a) A person who, on or after January 1, 2011, and on or before January 8, 2011, made or committed to make a contribution to a candidate for an office having a term of 6 years, the last preceding general election for which was in 2010, shall be deemed to have made or committed to make the contribution on December 31, 2010.

(b) A candidate for an office described in paragraph (a) who, on or after January 1, 2011, and on or before January 8, 2011, accepted a contribution or a commitment to make a contribution, shall be deemed to have accepted the contribution or commitment on December 31, 2010.

(c) A person who, on or after January 1, 2013, and on or before January 5, 2013, made or committed to make a contribution to a candidate for an office having a term of 4 years or more, the last preceding general election for which was in 2012, shall be deemed to have made or committed to make the contribution on December 31, 2012.

(d) A candidate for an office described in paragraph (c) who, on or after January 1, 2013, and on or before January 5, 2013, accepted a contribution or a commitment to make a contribution, shall be deemed to have accepted the contribution or commitment on December 31, 2012.

(e) A person who, on or after January 1, 2015, and on or before January 3, 2015, made or committed to make a contribution to a candidate for an office having a term of 2 years or more, the last preceding general election for which was in 2014, shall be deemed to have made or committed to make the contribution on December 31, 2014.

(f) A candidate for an office described in paragraph (e) who, on or after January 1, 2015, and on or before January 3, 2015, accepted a contribution or a commitment to make a contribution, shall be deemed to have accepted the contribution or commitment on December 31, 2014.

2. For the purposes of NRS 294A.287, as affected by section 2 of this act:



(a) A person who, on or after January 1, 2011, and on or before January 8, 2011, made or committed to make a contribution to the legal defense fund of a candidate for an office having a term of 6 years or a public officer who held such an office, the last preceding general election for which was in 2010, shall be deemed to have made or committed to make the contribution on December 31, 2010.

(b) A candidate for an office or a public officer who held an office described in paragraph (a), the last preceding general election for which was in 2010, and who accepted a contribution or a commitment to make a contribution to his or her legal defense fund on or after January 1, 2011, and on or before January 8, 2011, shall be deemed to have accepted the contribution or commitment on December 31, 2010.

(c) A person who, on or after January 1, 2013, and on or before January 5, 2013, made or committed to make a contribution to the legal defense fund of a candidate for an office having a term of 4 years or more or a public officer who held such an office, the last preceding general election for which was in 2012, shall be deemed to have made or committed to make the contribution on December 31, 2012.

(d) A candidate for an office or a public officer who held an office described in paragraph (c), the last preceding general election for which was in 2012, and who accepted a contribution or a commitment to make a contribution to his or her legal defense fund on or after January 1, 2013, and on or before January 5, 2013, shall be deemed to have accepted the contribution or commitment on December 31, 2012.

(e) A person who, on or after January 1, 2015, and on or before January 3, 2015, made or committed to make a contribution to the legal defense fund of a candidate for an office having a term of 2 years or more or a public officer who held such an office, the last preceding general election for which was in 2014, shall be deemed to have made or committed to make the contribution on December 31, 2014.

(f) A candidate for an office or a public officer who held an office described in paragraph (e), the last preceding general election for which was in 2014, and who accepted a contribution or a commitment to make a contribution to his or her legal defense fund on or after January 1, 2015, and on or before January 3, 2015, shall be deemed to have accepted the contribution or commitment on December 31, 2014.

3. Nothing in this section authorizes a person to make a contribution or commitment to make a contribution, or a candidate



or public officer to accept a contribution or commitment to make a contribution, in excess of the limits set forth in NRS 294A.100 or 294A.287.

Sec. 15. The amendatory provisions of this act do not abrogate or affect the current term of office of any municipal officer who is serving in that office on January 1, 2016.

Sec. 16. 1. This section and sections 1, 1.7 to 3, inclusive, and 14 of this act become effective on July 1, 2015.

2. Sections 1.3, 1.5, 4 to 13, inclusive, and 15 of this act become effective on January 1, 2016.

