

Amendment No. 1012

Assembly Amendment to Senate Bill No. 421 Second Reprint (BDR 24-1148)

Proposed by: Assembly Committee on Legislative Operations and Elections

Amends: Summary: Yes 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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

KCP



Date: 5/29/2015

S.B. No. 421—Makes various changes relating to statewide primary elections.
(BDR 24-1148)



SENATE BILL NO. 421—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 23, 2015

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to ~~statewide~~ **political parties and presidential preference** primary elections. (BDR 24-1148)

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

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

AN ACT relating to elections; **making various changes relating to political parties and presidential preference primary elections; revising provisions governing the organization and operation of major political parties;** providing in certain circumstances for a presidential preference primary election to be held ~~in conjunction with the statewide primary election; revising the date of the statewide primary election to the last Tuesday in February of each even numbered year; making corresponding changes to various pre election deadlines;~~ **for each major political party;** establishing **certain** requirements **and procedures** for ~~participation by major political parties and candidates in~~ **conducting** a presidential preference primary election; **requiring delegates to a national party convention to vote according to the results of the state party's presidential preference process in certain circumstances; providing penalties;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a major political party must: (1) hold precinct meetings in each county; (2) select delegates to the county, state and national party conventions; (3) provide certain types of notice regarding its meetings and conventions; and (4) follow certain procedural requirements when conducting its affairs. (NRS 293.130-293.163) Sections 3.5-6 of this bill revise various aspects of the organization and operation of major political parties.

Sections 3.5 and 4 authorize major political parties to adopt rules for providing notice of meetings and conventions through an Internet website or other social media. Section 4 also provides that precinct meetings may be consolidated or held for the county at large. Section 5 allows delegates to be selected through a nomination process instead of being selected at precinct meetings and permits the county central committee to provide for forms to be prepared and delivered electronically. Section 6 provides that until the end of the first ballot at the national party convention, the state party's delegates are bound to vote at each stage of the presidential nomination process according to the results of the state party's presidential preference process.

Sections ~~1, 2, 18, 21 and 32, 38~~ 1-2.5, 31.1-38 and 42 of this bill provide, with certain exceptions, for a statewide presidential preference primary election to be held ~~in conjunction with the statewide primary election~~ for each major political party on the last Tuesday in February of a presidential election year. Section 32 provides that a presidential preference primary election is generally governed by the same statutory provisions applicable to the existing statewide primary ~~1, except that the specific provisions of sections 31.1-38 and any regulations adopted by the Secretary of State to carry out those provisions take precedence and control if there is any conflict.~~ Pursuant to section 33, a major political party may opt out of a presidential preference primary election. Such an election must be held for a major political party if: (1) the chair of the national committee of that party ~~fails~~ does not timely ~~to~~ notify the Secretary of State that the party ~~does not desire~~ wants to ~~participate in~~ opt out of the election; and (2) two or more ~~presidential~~ qualified candidates of that party timely file declarations of candidacy for the election with the Secretary of State.

~~Under existing law, the election of delegates at precinct meetings scheduled by the state central committee of each major political party, commonly known as "party caucuses," may be a part of expressing preferences for candidates for the party's nomination for President of the United States. (NRS 293.137) In any year in which a presidential preference primary election is held for the party, section 4 of this bill requires that the precinct meetings not be held until after the presidential preference primary election has been conducted and the results of the election have been certified by the Secretary of State. Sections 5 and 6 of this bill further require that any rule of a party governing the election of delegates at a precinct meeting, the selection of delegates and alternates to a national party convention, or the voting of delegates at the national convention, must reasonably reflect the results of the presidential preference primary election, if one has been held for the party.~~

~~Section 7 of this bill changes the date of the statewide primary election from the second Tuesday in June of each even-numbered year to the last Tuesday in February of each even-numbered year. To provide an example, if the provisions of this bill had been in effect in 2014, the primary election would have been held on February 25, 2014, instead of June 10, 2014. As a result of changing the date of the statewide primary election, sections 3, 8, 13, 17, 22 and 23 of this bill amend various other dates relating to elections, such as the date for filing a declaration of candidacy.~~

~~Sections 16 and 24 of this bill delete certain existing but obsolete statutory references to the presidential preference primary election.~~

Sections 35-38 establish certain requirements and procedures for conducting a presidential preference primary election. In particular, section 35 specifies which registered voters are entitled to cast a ballot at the election, and section 36 states that local election officials: (1) shall not distribute sample ballots or conduct early voting for the election; (2) shall permit voting by absent ballot and military-overseas ballot for the election; and (3) shall establish polling places for the election that must be open from 7 a.m. until 7 p.m. on the day of the election. Section 36 also provides that a registered voter in the county who is entitled to cast a ballot at the election may do so at any polling place in the county on the day of the election. Finally, sections 37 and 42 ~~of this bill~~ provide that the cost of any presidential preference primary election is a charge against the State and must be paid from the Reserve for Statutory Contingency Account in the State General Fund.

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

Section 1. Chapter 293 of NRS is hereby amended by adding thereto a new section to read as follows:

"Presidential preference primary election" means an election held in a presidential election ~~years~~ year pursuant to sections ~~32~~ 31.1 to 38, inclusive, of this act ~~to~~ to determine the preferences of the registered voters of a major political party regarding the party's nominee for President of the United States.

Sec. 2. NRS 293.010 is hereby amended to read as follows:

293.010 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 293.013 to 293.121, inclusive, *and section 1 of this act* have the meanings ascribed to them in those sections.

Sec. 2.5. NRS 293.080 is hereby amended to read as follows:

293.080 1. "Primary election" means the election held pursuant to NRS 293.175.

2. Except as otherwise provided in sections 31.1 to 38, inclusive, of this act, the term includes a presidential preference primary election.

Sec. 3. ~~NRS 293.128 is hereby amended to read as follows:~~

~~293.128 1. To qualify as a major political party, any organization must, under a common name:~~

~~(a) On [January 1] *September 1 of the year* preceding any primary election, have been designated as a political party on the applications to register to vote of at least 10 percent of the total number of registered voters in this State; or~~

~~(b) File a petition with the Secretary of State not later than the last Friday in [February before] *October of the year* preceding any primary election signed by a number of registered voters equal to or more than 10 percent of the total number of votes cast at the last preceding general election for the offices of Representative in Congress.~~

~~2. If a petition is filed pursuant to paragraph (b) of subsection 1, the names of the voters need not all be on one document, but each document of the petition must be verified by the circulator thereof to the effect that the signers are registered voters of this State according to the circulator's best information and belief and that the signatures are genuine and were signed in the circulator's presence. Each document of the petition must bear the name of a county, and only registered voters of that county may sign the document. The documents which are circulated for signature must then be submitted for verification pursuant to NRS 293.1276 to 293.1279, inclusive, not later than 25 working days before the last Friday in [February] *October of the year* preceding a primary election.~~

~~3. In addition to the requirements set forth in subsection 1, each organization which wishes to qualify as a political party must file with the Secretary of State a certificate of existence which includes the:~~

~~(a) Name of the political party;~~
~~(b) Names and addresses of its officers;~~
~~(c) Names of the members of its executive committee; and~~
~~(d) Name of the person who is authorized by the party to act as registered agent in this State.~~

~~4. A political party shall file with the Secretary of State an amended certificate of existence within 5 days after any change in the information contained in the certificate. (Deleted by amendment.)~~

Sec. 3.5. NRS 293.130 is hereby amended to read as follows:

293.130 1. On the dates set by the respective state central committees in each year in which a general election is to be held, a county convention of each major political party must be held at the county seat of each county or at such other place in the county as the county central committee designates.

2. The county central committee of each major political party shall cause notice of the holding of the county convention of its party to be ~~published~~ :

(a) Published in one or more newspapers, if any, published in the county. ~~†† ;~~
or

(b) If consistent with the rules of the party, posted on an Internet website or other social media.

3. The notice must be in substantially the following form:

NOTICE OF.....(NAME OF PARTY).....CONVENTION

Notice is hereby given that the county Convention of the
Party for County will be held at in, on the
.....day of the month of of the year; that at the
convention delegates to the State Convention will be elected, a county
central committee to serve for the ensuing 2 years will be chosen, and other
party affairs may be considered; that delegates to such county convention
will be chosen at(name of party)..... precinct meetings to be held in
each voting precinct in the county on or before the day of the month of
..... of the year; and that a voting precinct is entitled to a
number of delegates in proportion to the number of registered voters of the
..... Party residing in the precinct as set forth in NRS 293.133.

County Central Committee of County, Nevada
By (Its Chair)
And (Its Secretary)

Sec. 4. NRS 293.135 is hereby amended to read as follows:

293.135 1. ~~That~~ Except as otherwise provided in this subsection ~~4~~ and
subsection 3 of NRS 293.137, the county central committee of each major political
party in each county shall have a precinct meeting of the registered voters of the
party residing in each voting precinct entitled to delegates in the county convention
called and held on the dates set for the precinct meeting by the respective state
central committees in each year in which a general election is held. If consistent
with the rules of the party, the county central committee may have precinct
meetings consisting of two or more precincts or may have a precinct meeting for
the county at large. In any year in which a presidential preference primary
election is held for the party, the precinct ~~meeting must~~ meetings may not be
held until after the results of that election are certified by the Secretary of State
pursuant to ~~subsection 5 of NRS 293.387,~~ sections 31.1 to 38, inclusive, of this
act.

2. ~~That~~ Each meeting regarding one or more precincts must be held in one
of the following places in the following order of preference:

(a) Any public building within the precinct if the meeting is for a single
precinct, or any public building which is in reasonable proximity to the precincts
and will accommodate a meeting of two or more precincts; or

(b) Any private building within the precinct or one of the precincts.

3. ~~That~~ On the date set by the respective state central committees for giving
notice of the precinct meetings, the county central committee shall give notice of
~~that~~ each meeting by:

(a) Posting in a conspicuous place outside the building where the meeting is to
be held; and

(b) Publishing in one or more newspapers of general circulation in the precinct,
published in the county, if any are so published,

~~on the date set for giving notice of the meeting by the respective state central~~
~~committees,~~ or, if consistent with the rules of the party, posting on an Internet
website or other social media.

4. The notice must be ~~printed~~ prepared in conspicuous display advertising
format of not less than 10 column inches, and must include the following language,
or words of similar import:

Notice to All Voters Registered
IN THE (STATE NAME OF MAJOR POLITICAL PARTY)

Nevada state law requires each major political party, in every year during which a general election is held, to have ~~for each precinct~~ meetings. All persons registered in the party and residing in ~~that~~ your precinct are entitled to attend the ~~precinct meeting~~ meeting regarding your precinct. Delegates to your party's county convention will be elected at the meeting regarding your precinct by those in attendance. Set forth below are the time and place at which the meeting regarding your precinct ~~meeting~~ will be held, together with the number of delegates to be elected from each precinct. If you wish to participate in the organization of your party for the coming 2 years, attend the meeting regarding your precinct ~~meeting~~.

5. The notice must specify:

- (a) The date, time and place of the meeting; ~~and~~
- (b) The number of delegates to the county convention to be chosen at the meeting; ~~and~~ and

(c) Any fees which may be charged to attend the county or state convention.

Sec. 5. NRS 293.137 is hereby amended to read as follows:

293.137 1. ~~Promptly~~ Except as otherwise provided in subsection 3, promptly at the time and place appointed therefor, the ~~mass~~ meeting regarding one or more precincts must be convened and organized ~~for each precinct~~. If access to the premises appointed for any such meeting is not available, the meeting may be convened at an accessible place immediately adjacent thereto. The meeting must be conducted openly and publicly and in such a manner that it is freely accessible to any registered voter of the party calling the meeting who resides in one of the precincts and is desirous of attending the meeting, until the meeting is adjourned. At the meeting, the delegates to which the members of the party residing in one of the precincts are entitled in the party's county convention must be elected pursuant to the rules of the state central committee of ~~that~~ the party. In presidential election years, ~~in which a presidential preference primary election is not held for the party,~~ the election of delegates may be a part of expressing preferences for candidates for the party's nomination for President of the United States if the rules of the party permit such conduct. ~~rules of the state central committee must reasonably reflect the results of the presidential preference primary election, if one has been held for the party.~~ The result of the election must be certified to the county convention of the party by the chair and the secretary of the meeting upon the forms specified in subsection ~~2~~ 5.

2. ~~At~~ Except as otherwise provided in subsection 3, at the precinct meetings, the delegates and alternates to the party's convention must be elected. If a meeting is not held for a particular precinct at the location specified, that precinct must be without representation at the county convention unless the meeting was scheduled, with proper notice, and no registered voter of the party appeared. In that case, the meeting shall be deemed to have been held and the position of delegate is vacant. If a position of delegate is vacant, it must be filled by the designated alternate, if any. If there is no designated alternate, the vacancy must be filled pursuant to the rules of the party, if the rules of the party so provide, or, if the rules of the party do not so provide, the county central committee shall appoint a delegate from among the qualified members of the party residing in the precinct in which the vacancy occurred, and the secretary of the county central committee shall certify the appointed delegate to the county convention.

3. If consistent with the rules of the party, the delegates and alternates to the party's convention may be elected through a nomination process and may be chosen by precinct or at large. The number of delegates elected may not exceed

the number authorized pursuant to NRS 293.133. In presidential election years in which a presidential preference primary election is held for the party, the rules must reasonably reflect the results of the presidential preference primary election. The results of the nomination process must be certified to the county convention of the party by the chair and the secretary overseeing the process upon the forms specified in subsection 5.

4. If the county central committee elects to nominate delegates and alternates to the party's convention pursuant to subsection 3, the county central committee shall give notice of the nomination process. The notice:

(a) May be given, without limitation, by:

(1) Publishing in one or more newspapers of general circulation published in the precinct or county, if any; or

(2) If consistent with the rules of the party, posting on an Internet website or other social media.

(b) Must include, without limitation:

(1) The name of the party;

(2) The purpose of the nomination process;

(3) The process that will be used to elect delegates and alternates;

(4) Any relevant dates, times or locations for the process;

(5) The number of delegates to be chosen; and

(6) Any fees which may be charged to attend the county or state convention.

5. The county central committee shall prepare and number serially a number of certificate forms equal to the total number of delegates to be elected throughout the county, and deliver the appropriate number to ~~each precinct meeting,~~ the precinct meetings. Each certificate must be in duplicate. The original must be given to the elected delegate, and the duplicate transmitted to the county central committee. The county central committee may provide for such forms to be prepared and delivered electronically pursuant to the rules of the party.

~~4.4.~~ 6. All duplicates must be delivered to the chair of the preliminary credentials committee of the county convention. Every delegate who presents a certificate matching one of the duplicates must be seated without dispute.

~~5.1.~~ 7. Each state central committee shall adopt written rules governing, but not limited to, the following procedures:

(a) The selection, rights and duties of committees of a convention;

(b) Challenges to credentials of delegates; and

(c) Majority and minority reports of committees.

Sec. 5.5. NRS 293.143 is hereby amended to read as follows:

293.143 1. The county central committee of a major political party to be elected by the county convention of the party must consist of such number of members as may be determined by the convention, but each voting precinct, entitled to one or more delegates in the convention, is entitled to have at least one committeeman or committeewoman and no precinct may have more committeemen or committeewomen than its authorized number of delegates to the county convention.

2. After the county convention of the party, the composition of the county central committee may be changed, and during a presidential election year, must be changed, by the county central committee to reflect changes in the organization of precincts and in the number of registered voters of the party, using the same standards adopted by the party to elect delegates to the county convention.

Sec. 6. NRS 293.163 is hereby amended to read as follows:

293.163 1. In presidential election years, on the call of a national party convention, but one set of party conventions and but one state convention shall be

held on such respective dates and at such places as the state central committee of the party shall designate. If no earlier dates are fixed, the state convention shall be held 30 days before the date set for the national convention and the county conventions shall be held 60 days before the date set for the national convention.

2. Delegates to such conventions shall be selected in the same manner as prescribed in NRS 293.130 to 293.160, inclusive, and each convention shall have and exercise all of the power granted it under NRS 293.130 to 293.160, inclusive. In addition to such powers granted it, the state convention shall select the necessary delegates and alternates to the national convention of the party and, if consistent with the rules ~~and regulations~~ of the party, shall select the national committeeman and committeewoman of the party from the State of Nevada. ~~Any rule or regulation~~ rules of the party governing the election of delegates and alternates to the national convention of the party, or directing the votes of delegates at the national convention, must reasonably reflect the results of ~~the~~ any presidential preference primary election ~~if one has been~~ held for the party.

3. Until the end of the first ballot at the national convention of the party, a delegate or alternate to the national convention of the party is bound to vote at each stage of the presidential nomination process at the national convention in accordance with:

(a) The preference expressed by the members of the state party through any presidential preference process prescribed by NRS 293.130 to 293.160, inclusive, or any presidential preference primary election held for the party; and

(b) Any rules of the party adopted pursuant to subsection 4.

4. The state central committee of the party shall adopt rules of the party to govern whether the delegates or alternates to the national convention of the party are bound to vote:

(a) For the presidential candidate receiving the highest percentage of votes during the presidential candidate selection process; or

(b) In a proportional manner in relation to the presidential preferences expressed during the presidential candidate selection process.

5. If a delegate violates the provisions of subsection 3, the delegate and the state party:

(a) Shall each pay to the candidate for whom the vote of the delegate was bound, an amount equal to the fee paid by the candidate to file with the state party; or

(b) If the candidate did not pay a fee to file with the state party, shall each pay a civil penalty in an amount not to exceed \$1,000 for each violation. This penalty must be recovered in a civil action brought in the name of the State of Nevada by the Attorney General in a court of competent jurisdiction. Any civil penalty collected pursuant to this section must be deposited by the Attorney General for credit to the State General Fund in the bank designated by the State Treasurer.

Sec. 7. ~~[NRS 293.175 is hereby amended to read as follows:~~

~~293.175 1. The primary election must be held on the [second Tuesday in June] last Tuesday in February of each even numbered year.~~

~~2. [Candidates] Except as otherwise provided in this subsection, candidates for partisan office of a major political party and candidates for nonpartisan office must be nominated at the primary election. The provisions of this subsection do not apply to candidates for nomination for President of the United States.~~

~~3. Candidates for partisan office of a minor political party must be nominated in the manner prescribed pursuant to NRS 293.171 to 293.174, inclusive.~~

~~4. Independent candidates for partisan office must be nominated in the manner provided in NRS 293.200.~~

~~5. The provisions of NRS 202.175 to 202.202, inclusive:~~
~~(a) Apply to a special election to fill a vacancy, except to the extent that compliance with the provisions is not possible because of the time at which the vacancy occurred.~~
~~(b) Do not apply to the nomination of the officers of incorporated cities.~~
~~(c) Do not apply to the nomination of district officers whose nomination is otherwise provided for by statute. (Deleted by amendment.)~~

Sec. 8. ~~[NRS 202.176 is hereby amended to read as follows:~~

~~202.176 1. Except as otherwise provided in subsection 2, no person may be a candidate of a major political party for partisan office in any election if the person has changed:~~

~~(a) The designation of his or her political party affiliation; or~~
~~(b) His or her designation of political party from nonpartisan to a designation of a political party affiliation;~~

~~on an application to register to vote in the State of Nevada or in any other state during the time beginning on [December] August 31 preceeding the closing filing date for that election and ending on the date of that election whether or not the person's previous registration was still effective at the time of the change in party designation.~~

~~2. The provisions of subsection 1 do not apply to any person who is a candidate of a political party that is not organized pursuant to NRS 202.171 on the [December] August 31 next preceeding the closing filing date for the election. (Deleted by amendment.)~~

Sec. 9. ~~[NRS 202.177 is hereby amended to read as follows:~~

~~202.177 1. Except as otherwise provided in NRS 202.165, and section 34 of this act, 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 202.193 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] September nor later than 5 p.m. on the second Friday after the first Monday in [January;] September of the year preceeding the primary election; and~~

~~(b) For all other candidates, the first Monday in [March of the year in which the election is to be held] November nor later than 5 p.m. on the second Friday after the first Monday in [March.] November of the year preceeding the primary election.~~

~~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 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 202.176, changed the designation of my political party or political party affiliation on an official application to register to vote in any state since [December], ~~August 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 which I receive mail, if different than my residence, is; 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 if nominated as a nonpartisan candidate at the ensuing election, I will accept the 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 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

~~3. The address of a candidate which must be included in the declaration of candidacy or acceptance of candidacy pursuant to subsection 2 must be the street address of the residence where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration or acceptance of candidacy must not be accepted for filing if:~~

~~(a) The candidate's address is listed as a post office box unless a street address has not been assigned to his or her residence; or~~

~~(b) The candidate does not present to the filing officer:~~

~~(1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's residential address; or~~

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

~~4. The filing officer shall retain a copy of the proof of identity and residency provided by the candidate pursuant to paragraph (b) of subsection 3. Such a copy:~~

~~(a) May not be withheld from the public; and~~

~~(b) Must not contain the social security number or driver's license or identification card number of the candidate.~~

~~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. 10. ~~NRS 293.180 is hereby amended to read as follows:~~

~~293.180 1. Ten or more registered voters may file a certificate of candidacy designating any registered voter as a candidate for:~~

~~(a) Their major political party's nomination for any partisan elective office [other than President of the United States, or as a candidate for nomination for any nonpartisan office other than a judicial office, not earlier than the first Monday in February of the year in which the election is to be held] October nor later than 5 p.m. on the first Friday in [March;] November of the year preceding the year in which the election is to be held; or~~

~~(b) Nomination for a judicial office, not earlier than the first Monday in [December of the year immediately preceding the year in which the election is to be held] August nor later than 5 p.m. on the first Friday in [January] September of the year preceding the year in which the election is to be held.~~

~~2. When the certificate has been filed, the officer in whose office it is filed shall notify the person named in the certificate. If the person named in the certificate files an acceptance of candidacy and pays the required fee, as provided by law, he or she is a candidate in the primary election in like manner as if he or she had filed a declaration of candidacy.~~

~~3. If a certificate of candidacy relates to a partisan office, all of the signers must be of the same major political party as the candidate designated. (Deleted by amendment.)~~

Sec. 11. ~~NRS 293.205 is hereby amended to read as follows:~~

~~293.205 1. Except as otherwise provided in NRS 293.208, on or before the third Wednesday in [March of every even numbered] November of each odd-numbered year, the county clerk shall establish election precincts, define the boundaries thereof, abolish, alter, consolidate and designate precincts as public convenience, necessity and economy may require.~~

~~2. The boundaries of each election precinct must follow visible ground features or extensions of visible ground features, except where the boundary coincides with the official boundary of the State or a county or city.~~

~~3. Election precincts must be composed only of contiguous territory.~~

~~4. As used in this section, "visible ground feature" includes a street, road, highway, river, stream, shoreline, drainage ditch, railroad right of way or any other physical feature which is clearly visible from the ground.]~~ (Deleted by amendment.)

Sec. 12. ~~[NRS 293.206 is hereby amended to read as follows:~~

~~293.206 1. On or before the last day in [March of every even numbered] *November of each odd numbered* year, the county clerk shall provide the Secretary of State and the Director of the Legislative Counsel Bureau with a copy or electronic file of a map showing the boundaries of all election precincts in the county.~~

~~2. If the Secretary of State determines that the boundaries of an election precinct do not comply with the provisions of NRS 293.205, the Secretary of State must provide the county clerk with a written statement of noncompliance setting forth the reasons the precinct is not in compliance. Within 15 days after receiving the notice of noncompliance, the county clerk shall make any adjustments to the boundaries of the precinct which are required to bring the precinct into compliance with the provisions of NRS 293.205 and shall submit a corrected copy or electronic file of the precinct map to the Secretary of State and the Director of the Legislative Counsel Bureau.~~

~~3. If the initial or corrected election precinct map is not filed as required pursuant to this section or the county clerk fails to make the necessary changes to the boundaries of an election precinct pursuant to subsection 2, the Secretary of State may establish appropriate precinct boundaries in compliance with the provisions of NRS 293.205 to 293.213, inclusive. If the Secretary of State revises the map pursuant to this subsection, the Secretary of State shall submit a copy or electronic file of the revised map to the Director of the Legislative Counsel Bureau and the appropriate county clerk.~~

~~4. As used in this section, "electronic file" includes, without limitation, an electronic data file of a geographic information system.]~~ (Deleted by amendment.)

Sec. 13. ~~[NRS 293.208 is hereby amended to read as follows:~~

~~293.208 1. Except as otherwise provided in subsections 2, 3 and 5 and in NRS 293.206, no election precinct may be created, divided, abolished or consolidated, or the boundaries thereof changed, during the period between the third Wednesday in [March] *November* of any year whose last digit is [6] 5 and the time when the Legislature has been redistricted in a year whose last digit is 1, unless the creation, division, abolishment or consolidation of the precinct, or the change in boundaries thereof, is:~~

~~(a) Ordered by a court of competent jurisdiction;~~
~~(b) Required to meet objections to a precinct by the Attorney General of the United States pursuant to the Voting Rights Act of 1965, 42 U.S.C. §§ 1971 and 1973 et seq., and any amendments thereto;~~

~~(c) Required to comply with subsection 2 of NRS 293.205;~~

~~(d) Required by the incorporation of a new city; or~~

~~(e) Required by the creation of or change in the boundaries of a special district.~~

~~As used in this subsection, "special district" means any general improvement district or any other quasi-municipal corporation organized under the local improvement and service district laws of this State as enumerated in title 25 of NRS which is required by law to hold elections or any fire protection district which is required by law to hold elections.~~

~~2. If a city annexes an unincorporated area located in the same county as the city and adjacent to the corporate boundary, the annexed area may be included in an election precinct immediately adjacent to it.~~

~~3. A new election precinct may be established at any time if it lies entirely within the boundaries of any existing precinct.~~

~~4. If a change in the boundaries of an election precinct is made pursuant to this section during the time specified in subsection 1, the county clerk must:~~

~~(a) Within 15 days after the change to the boundary of a precinct is established by the county clerk or ordered by a court, send to the Director of the Legislative Counsel Bureau and the Secretary of State a copy or electronic file of a map showing the new boundaries of the precinct; and~~

~~(b) Maintain in his or her office an index providing the name of the precinct and describing all changes which were made, including any change in the name of the precinct and the name of any new precinct created within the boundaries of an existing precinct.~~

~~5. Cities of population categories two and three are exempt from the provisions of subsection 1.~~

~~6. As used in this section, "electronic file" includes, without limitation, an electronic data file of a geographic information system.] (Deleted by amendment.)~~

Sec. 14. [NRS 293.209 is hereby amended to read as follows:

~~293.209 A political subdivision of this State shall not create, divide, change the boundaries of, abolish or consolidate an election district [after] *at any time during the period between* the first day of filing by candidates [during any year in which a] *and the date of the* general election or city general election [is held] for that election district. This section does not prohibit a political subdivision from annexing territory [in a year in which a general election or city general election is held for that election district] *during that period.] (Deleted by amendment.)*~~

Sec. 15. [NRS 293.260 is hereby amended to read as follows:

~~293.260 1. *Except as otherwise provided in subsection 2:*~~

~~(a) Where there is no contest of election for nomination to a particular office, neither the title of the office nor the name of the candidate may appear on the ballot.~~

~~[2.] (b) If more than one major political party has candidates for a particular office, the persons who receive the highest number of votes at the primary elections must be declared the nominees of those parties for the office.~~

~~[3.] (c) If only one major political party has candidates for a particular office and a minor political party has nominated a candidate for the office or an independent candidate has filed for the office, the candidate who receives the highest number of votes in the primary election of the major political party must be declared the nominee of that party and his or her name must be placed on the general election ballot with the name of the nominee of the minor political party for the office and the name of the independent candidate who has filed for the office.~~

~~[4.] (d) If only one major political party has candidates for a particular office and no minor political party has nominated a candidate for the office and no independent candidate has filed for the office:~~

~~[(a)] (1) If there are more candidates than twice the number to be elected to the office, the names of the candidates must appear on the ballot for a primary election. Except as otherwise provided in this [paragraph.] *subparagraph*, the candidates of that party who receive the highest number of votes in the primary election, not to exceed twice the number to be elected to that office at the general election, must be declared the nominees for the office. If only one candidate is to be elected to the office and a candidate receives a majority of the votes in the primary election for~~

~~that office, that candidate must be declared the nominee for that office and his or her name must be placed on the ballot for the general election.~~

~~[(b)] (2) If there are no more than twice the number of candidates to be elected to the office, the candidates must, without a primary election, be declared the nominees for the office.~~

~~[5.] (c) Where no more than the number of candidates to be elected have filed for nomination for:~~

~~[(a)] (1) Any partisan office, the office of judge of the Court of Appeals or the office of justice of the Supreme Court, the names of those candidates must be omitted from all ballots for a primary election and placed on all ballots for a general election;~~

~~[(b)] (2) Any nonpartisan office, other than the office of justice of the Supreme Court, office of judge of the Court of Appeals or the office of member of a town advisory board, the names of those candidates must appear on the ballot for a primary election unless the candidates were nominated pursuant to subsection 2 of NRS 293.165. If a candidate receives one or more votes at the primary election, the candidate must be declared elected to the office and his or her name must not be placed on the ballot for the general election. If a candidate does not receive one or more votes at the primary election, his or her name must be placed on the ballot for the general election; and~~

~~[(c)] (3) The office of member of a town advisory board, the candidate must be declared elected to the office and no election must be held for that office.~~

~~[6.] (f) If there are more candidates than twice the number to be elected to a nonpartisan office, the names of the candidates must appear on the ballot for a primary election. Those candidates who receive the highest number of votes at that election, not to exceed twice the number to be elected, must be declared nominees for the office.~~

~~2. The provisions of subsection 1 do not apply to candidates for nomination for President of the United States.~~ **(Deleted by amendment.)**

Sec. 16. ~~[NRS 293.3604 is hereby amended to read as follows:~~

~~293.3604 If ballots which are voted on a mechanical recording device which directly records the votes electronically are used during the period for early voting by personal appearance in an election : [other than a presidential preference primary election]~~

~~1. At the close of each voting day, the election board shall:~~

~~(a) Prepare and sign a statement for the polling place. The statement must include:~~

~~(1) The title of the election;~~

~~(2) The number of the precinct or voting district;~~

~~(3) The number which identifies the mechanical recording device and the storage device required pursuant to NRS 293B.084;~~

~~(4) The number of ballots voted on the mechanical recording device for that day; and~~

~~(5) The number of signatures in the roster for early voting for that day.~~

~~(b) Secure:~~

~~(1) The ballots pursuant to the plan for security required by NRS 293.3594; and~~

~~(2) Each mechanical voting device in the manner prescribed by the Secretary of State pursuant to NRS 293.3594.~~

~~2. At the close of the last voting day, the county clerk shall deliver to the ballot board for early voting:~~

~~(a) The statements for all polling places for early voting;~~

~~(b) The voting rosters used for early voting;~~

~~(c) The storage device required pursuant to NRS 202B.084 from each mechanical recording device used during the period for early voting; and~~

~~(d) Any other items as determined by the county clerk.~~

~~3. Upon receipt of the items set forth in subsection 2 at the close of the last voting day, the ballot board for early voting shall:~~

~~(a) Sort the items by precinct or voting district;~~

~~(b) Count the number of ballots voted by precinct or voting district;~~

~~(c) Account for all ballots on an official statement of ballots; and~~

~~(d) Place the items in the container provided to transport those items to the central counting place and seal the container with a numbered seal. The official statement of ballots must accompany the items to the central counting place.]~~

(Deleted by amendment.)

Sec. 17. ~~[NRS 293.268 is hereby amended to read as follows:~~

~~293.268 1. Except as otherwise provided in subsection 4 of NRS 293.165, if a candidate on the ballot at a primary election dies after 5 p.m. of the second Tuesday in [April.] *December of the year preceding the election*, the deceased candidate's name must remain on the ballot and the votes cast for the deceased candidate must be counted in determining the nomination for the office for which the decedent was a candidate.~~

~~2. If the deceased candidate on the ballot at the primary election receives the number of votes required to receive the nomination to the office for which he or she was a candidate, except as otherwise provided in subsection 2 of NRS 293.165, the deceased candidate shall be deemed nominated and the vacancy in the nomination must be filled as provided in NRS 293.165 or 293.166. If the deceased person was a candidate for a nonpartisan office, the nomination must be filled pursuant to subsection 2 of NRS 293.165.~~

~~3. Whenever a candidate whose name appears upon the ballot at a general election dies after 5 p.m. on the fourth Friday in June of the year in which the general election is held, the votes cast for the deceased candidate must be counted in determining the results of the election for the office for which the decedent was a candidate.~~

~~4. If the deceased candidate on the ballot at the general election receives the majority of the votes cast for the office, the deceased candidate shall be deemed elected and the office to which he or she was elected shall be deemed vacant at the beginning of the term for which he or she was elected. The vacancy thus created must be filled in the same manner as if the candidate had died after taking office for that term.]~~ (Deleted by amendment.)

Sec. 18. ~~[NRS 293.287 is hereby amended to read as follows:~~

~~293.287 1. As soon as the returns from all the precincts and districts in any county have been received by the board of county commissioners, the board shall meet and canvass the returns. The canvass must be completed on or before the sixth working day following the election.~~

~~2. In making its canvass, the board shall:~~

~~(a) Note separately any clerical errors discovered; and~~

~~(b) Take account of the changes resulting from the discovery, so that the result declared represents the true vote cast.~~

~~3. The county clerk shall, as soon as the result is declared, enter upon the records of the board an abstract of the result, which must contain the number of votes cast for each candidate. The board, after making the abstract, shall cause the county clerk to certify the abstract and, by an order made and entered in the minutes of its proceedings, to make:~~

~~(a) A copy of the certified abstract; and~~

~~(b) A mechanized report of the abstract in compliance with regulations adopted by the Secretary of State,~~

~~and transmit them to the Secretary of State not more than 7 working days after the election.~~

~~4. The Secretary of State shall, immediately after any primary election, compile the returns for all candidates voted for in more than one county. The Secretary of State shall make out and file in his or her office an abstract thereof, and shall certify to the county clerk of each county the name of each person nominated, and the name of the office for which the person is nominated.~~

~~5. The Secretary of State shall, immediately after any presidential preference primary election, compile the returns for all the candidates. The Secretary of State shall make out and file in his or her office an abstract thereof, and shall certify to the state central committee and, if necessary to comply with the rules and regulations of the party, to the national committee of each major political party for which a presidential preference primary election was held, the number of votes received by each candidate. (Deleted by amendment.)~~

Sec. 19. ~~[NRS 293.400 is hereby amended to read as follows:~~

~~293.400 1. If, after the completion of the canvass of the returns of any election, two or more persons receive an equal number of votes, which is sufficient for the election of one or more but fewer than all of them to the office, the person or persons elected must be determined as follows:~~

~~(a) In a general election for a United States Senator, Representative in Congress, state officer who is elected statewide or by district, district judge, or district officer whose district includes area in more than one county, the Legislature shall, by joint vote of both houses, elect one of those persons to fill the office.~~

~~(b) In a primary election for a United States Senator, Representative in Congress, state officer who is elected statewide or by district, district judge, or district officer whose district includes area in more than one county, the Secretary of State shall summon the candidates, or in the case of a presidential preference primary election, the candidates or their representatives, who have received the tie votes to appear before the Secretary of State at a time and place designated by the Secretary of State and the Secretary of State shall determine the tie by lot. If the tie vote is for the office of Secretary of State, the Governor shall perform these duties.~~

~~(c) For any office of a county, township, incorporated city, city organized under a special charter where the charter is silent as to determination of a tie vote, or district which is wholly located within one county, the county clerk shall summon the candidates who have received the tie votes to appear before the county clerk at a time and place designated by the county clerk and determine the tie by lot. If the tie vote is for the office of county clerk, the board of county commissioners shall perform these duties.~~

~~2. The summons mentioned in this section must be mailed to the address of the candidate as it appears upon the candidate's declaration of candidacy at least 5 days before the day fixed for the determination of the tie vote and must contain the time and place where the determination will take place.~~

~~3. The right to a recount extends to all candidates in case of a tie. (Deleted by amendment.)~~

Sec. 20. ~~[NRS 293.407 is hereby amended to read as follows:~~

~~293.407 1. A candidate at any election, or any registered voter of the appropriate political subdivision, may contest the election of any candidate, except for the office of United States Senator or Representative in Congress.~~

~~2. Except where the contest involves the general election for the office of Governor, Lieutenant Governor, Assemblyman, Assemblywoman, State Senator, justice of the Supreme Court or judge of the Court of Appeals, a candidate or voter~~

who wishes to contest an election, including ~~a presidential preference primary election or an~~ election to the office of presidential elector, must, within the time prescribed in NRS 292.412, file with the clerk of the district court a written statement of contest, setting forth:

(a) The name of the contestant and, ~~unless the contestant is a candidate in a presidential preference primary election,~~ that the contestant is a registered voter of the political subdivision in which the election to be contested or part of it was held;

(b) The name of the defendant;

(c) The office to which the defendant was declared elected;

(d) The particular grounds of contest and the section of Nevada Revised Statutes pursuant to which the statement is filed; and

(e) The date of the declaration of the result of the election and the body or board which canvassed the returns thereof.

3. The contestant shall verify the statement of contest in the manner provided for the verification of pleadings in civil actions.

4. All material regarding a contest filed by a contestant with the clerk of the district court must be filed in triplicate. **(Deleted by amendment.)**

Sec. 21. [NRS 292.417 is hereby amended to read as follows:

292.417 1. If, in any contest, the court finds from the evidence that a person other than the defendant received the greatest number of legal votes, the court, as a part of the judgment, shall declare that person elected or nominated.

2. The person declared nominated or elected by the court is entitled to a certificate of nomination or election. If a certificate has not been issued to that person, the county clerk, city clerk or Secretary of State shall execute and deliver to the person a certificate of election or a certificate of nomination.

3. If a certificate of election or nomination to the same office has been issued to any person other than the one declared elected by the court, that certificate must be annulled by the judgment of the court.

4. Whenever an election is annulled or set aside by the court, and the court does not declare some candidate elected, the certificate of election or the commission, if any has been issued, is void and the office is vacant.

5. ~~In a contest over a presidential preference primary election, the Secretary of State shall correct, in accordance with the judgment of the court, any certification previously issued pursuant to subsection 5 of NRS 292.387. If such a certification has not been issued, the Secretary of State shall issue the certification in accordance with the judgment.~~ **(Deleted by amendment.)**

Sec. 22. [NRS 292.481 is hereby amended to read as follows:

292.481 1. Except as otherwise provided in subsection 3, every governing body of a political subdivision, public or quasi-public corporation, or other local agency authorized by law to submit questions to the qualified electors or registered voters of a designated territory, when the governing body decides to submit a question:

(a) At a general election, shall provide to each county clerk within the designated territory on or before the third Monday in July preceding the election:

(1) A copy of the question, including an explanation of the question; and

(2) A description of the anticipated financial effect on the local government which, if the question is an advisory question that proposes a bond, tax, fee or expense, must be prepared in accordance with subsection 4 of NRS 295.220.

(b) At a primary election, shall provide to each county clerk within the designated territory on or before the second Friday after the first Monday in ~~[March]~~ **November of the year** preceding the election:

(1) A copy of the question, including an explanation of the question; and

~~(2) A description of the anticipated financial effect on the local government which, if the question is an advisory question that proposes a bond, tax, fee or expense, must be prepared in accordance with subsection 4 of NRS 295.230.~~

~~(c) At any election other than a primary or general election at which the county clerk gives notice of the election or otherwise performs duties in connection therewith other than the registration of electors and the making of records of registered voters available for the election, shall provide to each county clerk at least 60 days before the election:~~

~~(1) A copy of the question, including an explanation of the question; and~~

~~(2) A description of the anticipated financial effect on the local government which, if the question is an advisory question that proposes a bond, tax, fee or expense, must be prepared in accordance with subsection 4 of NRS 295.230.~~

~~(d) At any city election at which the city clerk gives notice of the election or otherwise performs duties in connection therewith, shall provide to the city clerk at least 60 days before the election:~~

~~(1) A copy of the question, including an explanation of the question; and~~

~~(2) A description of the anticipated financial effect on the local government which, if the question is an advisory question that proposes a bond, tax, fee or expense, must be prepared in accordance with subsection 4 of NRS 295.230.~~

~~2. An explanation of a question required to be provided to a county clerk pursuant to subsection 1 must be written in easily understood language and include a digest. The digest must include a concise and clear summary of any existing laws directly related to the measure proposed by the question and a summary of how the measure proposed by the question adds to, changes or repeals such existing laws. For a measure that creates, generates, increases or decreases any public revenue in any form, the first paragraph of the digest must include a statement that the measure creates, generates, increases or decreases, as applicable, public revenue.~~

~~3. A question may be submitted after the dates specified in subsection 1 if the question is expressly privileged or required to be submitted pursuant to the provisions of Article 19 of the Constitution of the State of Nevada, or pursuant to the provisions of chapter 295 of NRS or any other statute except NRS 295.230, 354.59817, 354.5982, 387.3285 or 387.3287 or any statute that authorizes the governing body to issue bonds upon the approval of the voters.~~

~~4. A question that is submitted pursuant to subsection 1 may be withdrawn if the governing body provides notification to each of the county or city clerks within the designated territory of its decision to withdraw the particular question on or before the same dates specified for submission pursuant to paragraph (a), (b), (c) or (d) of subsection 1, as appropriate.~~

~~5. A county or city clerk:~~

~~(a) Shall assign a unique identification number to a question submitted pursuant to this section; and~~

~~(b) May charge any political subdivision, public or quasi public corporation, or other local agency which submits a question a reasonable fee sufficient to pay for the increased costs incurred in including the question, explanation, arguments and description of the anticipated financial effect on the ballot. (Deleted by amendment.)~~

Sec. 23. ~~[NRS 293B.354 is hereby amended to read as follows:~~

~~293B.354 1. The county clerk shall, not later than [April] **December 15** of [each] **the year preceding the year** in which a general election is held, submit to the Secretary of State for approval a written plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of ballots at a polling place, receiving center or central counting place.~~

~~2. The city clerk shall, not later than January 1 of each year in which a general city election is held, submit to the Secretary of State for approval a written plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of the ballots at a polling place, receiving center or central counting place.~~

~~3. Each plan must include:~~

~~(a) The location of the central counting place and of each polling place and receiving center;~~

~~(b) A procedure for the establishment of areas within each polling place and receiving center and the central counting place from which members of the general public may observe the activities set forth in subsections 1 and 2;~~

~~(c) The requirements concerning the conduct of the members of the general public who observe the activities set forth in subsections 1 and 2; and~~

~~(d) Any other provisions relating to the accommodation of members of the general public who observe the activities set forth in subsections 1 and 2 which the county or city clerk considers appropriate. (Deleted by amendment.)~~

Sec. 24. ~~NRS 202C.3604 is hereby amended to read as follows:~~

~~202C.3604 If ballots which are voted on a mechanical recording device which directly records the votes electronically are used during the period for early voting by personal appearance in an election : {other than a presidential preference primary election:}~~

~~1. At the close of each voting day, the election board shall:~~

~~(a) Prepare and sign a statement for the polling place. The statement must include:~~

~~(1) The title of the election;~~

~~(2) The number of the precinct or voting district;~~

~~(3) The number which identifies the mechanical recording device and the storage device required pursuant to NRS 202B.084;~~

~~(4) The number of ballots voted on the mechanical recording device for that day; and~~

~~(5) The number of signatures in the roster for early voting for that day.~~

~~(b) Secure:~~

~~(1) The ballots pursuant to the plan for security required by NRS 202C.3594; and~~

~~(2) Each mechanical voting device in the manner prescribed by the Secretary of State pursuant to NRS 202C.3594.~~

~~2. At the close of the last voting day, the city clerk shall deliver to the ballot board for early voting:~~

~~(a) The statements for all polling places for early voting;~~

~~(b) The voting rosters used for early voting;~~

~~(c) The storage device required pursuant to NRS 202B.084 from each mechanical recording device used during the period for early voting; and~~

~~(d) Any other items as determined by the city clerk.~~

~~3. Upon receipt of the items set forth in subsection 2 at the close of the last voting day, the ballot board for early voting shall:~~

~~(a) Sort the items by precinct or voting district;~~

~~(b) Count the number of ballots voted by precinct or voting district;~~

~~(c) Account for all ballots on an official statement of ballots; and~~

~~(d) Place the items in the container provided to transport those items to the central counting place and seal the container with a number seal. The official statement of ballots must accompany the items to the central counting place. (Deleted by amendment.)~~

Sec. 25. (Deleted by amendment.)

Sec. 26. (Deleted by amendment.)

Sec. 27. (Deleted by amendment.)

Sec. 28. (Deleted by amendment.)

Sec. 29. (Deleted by amendment.)

Sec. 30. (Deleted by amendment.)

Sec. 31. Chapter 298 of NRS is hereby amended by adding thereto the provisions set forth as sections ~~322~~ 31.1 to 38, inclusive, of this act.

Sec. 31.1. As used in sections 31.1 to 38, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 31.2 to 31.6, inclusive, of this act have the meanings ascribed to them in those sections.

Sec. 31.2. "Military-overseas ballot" has the meaning ascribed to it in NRS 293D.050.

Sec. 31.3. "National committee" means the national committee of a party.

Sec. 31.4. "Party" means a major political party.

Sec. 31.5. "Qualified candidate" means a person who is qualified to be a party's nominee for President of the United States pursuant to the Constitution and laws of the United States and the rules of the party.

Sec. 31.6. "State central committee" means the state central committee of a party.

Sec. 32. ~~Except as otherwise provided in~~

1. The Secretary of State may adopt regulations to carry out the provisions of sections ~~322~~ 31.1 to 38, inclusive, of this act, ~~for other specific statutes.~~

2. To the extent possible, the provisions of chapters 293, ~~and~~ 293B and 293D of NRS ~~relating to~~ governing the conduct of a primary election also govern the conduct of a presidential preference primary election ~~and~~ and must be given effect to the extent that the provisions of chapters 293, 293B and 293D of NRS do not conflict with the provisions of sections 31.1 to 38, inclusive, of this act and the regulations adopted by the Secretary of State to carry out those provisions.

3. If there is a conflict between the provisions of chapters 293, 293B and 293D of NRS and the provisions of 31.1 to 38, inclusive, of this act and the regulations adopted by the Secretary of State to carry out those provisions, the provisions of sections 31.1 to 38, inclusive, of this act and the regulations adopted by the Secretary of State to carry out those provisions control.

Sec. 33. 1. Except as otherwise provided in this section, a presidential preference primary election for each party must be held on the last Tuesday in February of a presidential election year to determine the preferences of the registered voters of the party regarding the party's nominee for President of the United States.

2. If a ~~major political~~ party ~~does not desire~~ wants to ~~participate in~~ opt out of a presidential preference primary election, the chair of the national committee of the party must so notify the Secretary of State in writing. Except as otherwise provided in this subsection, the notice must be given by certified mail and must be received by the Secretary of State not later than 5 p.m. on October 25 of the year immediately preceding ~~the~~ the presidential election year. If October 25 is not a business day, the notice must be received by the Secretary of State not later than 5 p.m. of the ~~last~~ business day immediately preceding October 25. Any such notice may be rescinded by a contrary notice given in the manner required by this subsection and more than one notice may be given, but the notice last received by the Secretary of State before the deadline established by this subsection shall be deemed to be the operative notice for the purposes of this section.

~~2. 3. If [the Secretary of State] a party does not receive a timely notice pursuant to opt out of a presidential preference primary election in the manner required by subsection 1 that a major political party does not desire to participate in a presidential preference primary election] 2 and:~~

(a) More than one qualified candidate of ~~that~~ the party files a declaration of candidacy pursuant to section 34 of this act, a presidential preference primary election for ~~that~~ the party must be held ~~in conjunction with the primary election held pursuant to NRS 293.175, the provisions of sections 31.1 to 38, inclusive, of this act.~~

(b) Only one qualified candidate or no qualified candidate of ~~that~~ the party files a declaration of candidacy pursuant to section 34 of this act, a presidential preference primary election for ~~that~~ the party must not be held. ~~and that candidate must be certified by~~ If only one qualified candidate of the party files a declaration of candidacy, the Secretary of State in the manner provided in subsection 5 of NRS 293.387, shall certify the name of the qualified candidate to:

(1) The state central committee; and

(2) The national committee if necessary to comply with the rules of the party.

Sec. 34. 1. ~~1. If a person who wishes to be is a qualified candidate for nomination to be a party's nominee for President of the United States for a major political party wants to appear on the ballot for a presidential preference primary election that is held for the party, the person must, not earlier than November 1 and not later than 5 p.m. on November 15 of the year immediately preceding the presidential election year, file with the Secretary of State a declaration of candidacy in the form prescribed by the Secretary of State.~~

2. A person who files a declaration of candidacy pursuant to this section is not required to file a declaration of candidacy or an acceptance of candidacy pursuant to NRS 293.177.

Sec. 35. ~~The~~

1. If a presidential preference primary election is held for a party, the Secretary of State shall include in the certified list forwarded forward to each county clerk pursuant to NRS 293.187 the name and mailing address of each person qualified candidate of the party whose name must appear on the primary ballot for the presidential preference primary election for the party pursuant to sections 33 and 34 of this act.

2. A registered voter may cast a ballot at a presidential preference primary election for a party only if the registered voter designated on his or her application to register to vote an affiliation with the party. Such a registered voter may vote for only one qualified candidate on the ballot for the party as the voter's preference to be the nominee for President of the United States for the party.

3. If a person who is not such a registered voter wants to become a registered voter who may cast a ballot at a presidential preference primary election for a party, the person must register to vote and designate on his or her application to register to vote an affiliation with the party in the manner and within the time required by chapters 293 and 293D of NRS for a primary election.

Sec. 36. 1. ~~The names of the candidates for nomination for President of the United States for each major political party for which a presidential preference primary election is held must be printed on the primary ballot for the election.~~

2. ~~Each voter registered with a party for which In conducting a presidential preference primary election that is held may vote for one person to~~

~~be the nominee for President of the United States} for {that} a party {, the county clerk:~~

(a) Shall not distribute sample ballots for the presidential preference primary election.

(b) Shall not establish any polling places for early voting by personal appearance for the presidential preference primary election, and no registered voter of the party may request to vote early for the presidential preference primary election.

(c) Shall permit voting by registered voters of the party by absent ballot and military-overseas ballot for the presidential preference primary election in the manner and within the time required by chapters 293 and 293D of NRS for voting by absent ballot and military-overseas ballot for a primary election.

(d) Shall establish polling places for voting by registered voters of the party on the day of the presidential preference primary election. The polling places must open at 7 a.m. and close at 7 p.m. on the day of the presidential preference primary election.

2. A registered voter of the party who is a registered voter in the county and who is entitled to cast a ballot at the presidential preference primary election for the party may do so at any polling place in the county on the day of the presidential preference primary election.

Sec. 37. If a presidential preference primary election is held {pursuant to sections 32 to 38, inclusive, of this act} for one or more parties, the cost of the presidential preference primary election is a charge against the State and must be paid from the Reserve for Statutory Contingency Account upon recommendation by the Secretary of State and approval by the State Board of Examiners.

Sec. 38. ~~{The}~~

1. Immediately after a presidential preference primary election is held for a party, the Secretary of State {may adopt regulations to carry out the provisions of sections 32 to 38, inclusive, of this act} shall compile the returns for each qualified candidate of the party whose name appeared on the ballot for the party.

2. The Secretary of State shall make out and file in his or her office an abstract of the returns and shall certify the number of votes received by each qualified candidate of the party to:

(a) The state central committee; and

(b) The national committee if necessary to comply with the rules of the party.

Sec. 39. {NRS 218A.635 is hereby amended to read as follows:

~~218A.635 1. Except as otherwise provided in subsections 2 and 4, for each day or portion of a day during which a Legislator attends a pre-session orientation conference, a training session conducted pursuant to NRS 218A.285 or a conference, meeting, seminar or other gathering at which the Legislator officially represents the State of Nevada or its Legislature, the Legislator is entitled to receive:~~

~~—(a) The compensation provided for a majority of the Legislators during the first 60 days of the preceding regular session;~~

~~—(b) The per diem allowance provided for state officers and employees generally; and~~

~~—(c) The travel expenses provided pursuant to NRS 218A.655.~~

~~2. A nonreturning Legislator must not be paid the compensation or per diem allowance and travel expenses provided in subsection 1 for attendance at a conference, meeting, seminar or other gathering unless:~~

~~—(a) It is conducted by a statutory committee or a legislative committee and the Legislator is a member of that committee; or~~

~~(b) The Majority Leader of the Senate or Speaker of the Assembly designates the Legislator to attend because of the Legislator's knowledge or expertise.~~

~~2. For the purposes of this section, "nonreturning Legislator" means a Legislator who : 1. in the year that the Legislator's term of office expires;~~

~~(a) In the year preceding the year in which his or her term expires;~~

~~(1) Has not filed a declaration or an acceptance of candidacy within the time allowed for filing for election as a member of the Senate or the Assembly; or~~

~~(2) Has withdrawn as a candidate for the Senate or the Assembly; or~~

~~(b) [Has] In the year in which his or her term expires, has failed to win nomination as a candidate for the Senate or the Assembly at the primary election. ; or~~

~~(c) Has withdrawn as a candidate for the Senate or the Assembly.]~~

~~4. This section does not apply:~~

~~(a) During a regular or special session; or~~

~~(b) To any Legislator who is otherwise entitled to receive a salary and the per diem allowance and travel expenses.] (Deleted by amendment.)~~

Sec. 40. ~~[NRS 218D.150 is hereby amended to read as follows:~~

~~218D.150 1. Except as otherwise provided in this section, each:~~

~~(a) Incumbent member of the Assembly may request the drafting of:~~

~~(1) Not more than 4 legislative measures submitted to the Legislative Counsel on or before August 1 preceding a regular session;~~

~~(2) Not more than 5 legislative measures submitted to the Legislative Counsel after August 1 but on or before December 10 preceding a regular session; and~~

~~(3) Not more than 1 legislative measure submitted to the Legislative Counsel after a regular session has convened but on or before the eighth day of the regular session at 5 p.m.~~

~~(b) Incumbent member of the Senate may request the drafting of:~~

~~(1) Not more than 8 legislative measures submitted to the Legislative Counsel on or before August 1 preceding a regular session;~~

~~(2) Not more than 10 legislative measures submitted to the Legislative Counsel after August 1 but on or before December 10 preceding a regular session; and~~

~~(3) Not more than 2 legislative measures submitted to the Legislative Counsel after a regular session has convened but on or before the eighth day of the regular session at 5 p.m.~~

~~(c) Newly elected member of the Assembly may request the drafting of:~~

~~(1) Not more than 5 legislative measures submitted to the Legislative Counsel on or before December 10 preceding a regular session; and~~

~~(2) Not more than 1 legislative measure submitted to the Legislative Counsel after a regular session has convened but on or before the eighth day of the regular session at 5 p.m.~~

~~(d) Newly elected member of the Senate may request the drafting of:~~

~~(1) Not more than 10 legislative measures submitted to the Legislative Counsel on or before December 10 preceding a regular session; and~~

~~(2) Not more than 2 legislative measures submitted to the Legislative Counsel after a regular session has convened but on or before the eighth day of the regular session at 5 p.m.~~

~~2. A Legislator may not request the drafting of a legislative measure pursuant to subsection 1 on or after the date on which the Legislator becomes a nonreturning Legislator. For the purposes of this subsection, "nonreturning Legislator" means a Legislator who : 1. in the year that the Legislator's term of office expires;~~

~~(a) In the year preceding the year in which his or her term expires;~~

~~(1) Has not filed a declaration or an acceptance of candidacy within the time allowed for filing for election as a member of the Senate or the Assembly; or~~

~~(2) Has withdrawn as a candidate for the Senate or the Assembly or~~

~~(b) [Has] In the year in which his or her term expires, has failed to win nomination as a candidate for the Senate or the Assembly at the primary election. [;~~

~~or~~

~~(c) Has withdrawn as a candidate for the Senate or the Assembly.]~~

~~3. A Legislator may not request the drafting of a legislative measure pursuant to paragraph (a) or (b) of subsection 1 on or after the date on which the Legislator files a declaration or an acceptance of candidacy for election to the House in which he or she is not currently a member. If the Legislator is elected to the other House, any request that he or she submitted pursuant to paragraph (a) or (b) of subsection 1 before filing his or her declaration or acceptance of candidacy for election counts against the applicable limitation set forth in paragraph (c) or (d) of subsection 1 for the House in which the Legislator is a newly elected member.~~

~~4. If a request made pursuant to subsection 1 is submitted:~~

~~(a) On or before August 1 preceding a regular session, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before November 1 preceding the regular session.~~

~~(b) After August 1 but on or before December 10 preceding a regular session, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before January 1 preceding the regular session.~~

~~(c) After a regular session has convened but on or before the 8th day of the regular session at 5 p.m., sufficient detail to allow complete drafting of the legislative measure must be submitted on or before the 15th day of the regular session.~~

~~5. In addition to the number of requests authorized pursuant to subsection 1:~~

~~(a) The chair of each standing committee of the immediately preceding regular session, or a person designated in the place of the chair by the Speaker of the Assembly or the Majority Leader of the Senate, may request before the date of the general election preceding a regular session the drafting of not more than 1 legislative measure for introduction by the committee in a subject within the jurisdiction of the committee for every 18 legislative measures that were referred to the respective standing committee during the immediately preceding regular session.~~

~~(b) A person designated after the general election as a chair of a standing committee for the next regular session, or a person designated in the place of a chair by the person designated as the Speaker of the Assembly or the Majority Leader of the Senate for the next regular session, may request on or before December 10 preceding that regular session the drafting of the remaining number of the legislative measures allowed for the respective standing committee that were not requested by the previous chair or designee.~~

~~6. If a request made pursuant to subsection 5 is submitted:~~

~~(a) Before the date of the general election preceding a regular session, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before December 10 preceding the regular session.~~

~~(b) After the date of the general election but on or before December 10 preceding a regular session, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before January 1 preceding the regular session.~~

~~7. Each request made pursuant to this section must be on a form prescribed by the Legislative Counsel.] (Deleted by amendment.)~~

Sec. 41. ~~NRS 281.561 is hereby amended to read as follows:~~

~~281.561 1. Except as otherwise provided in subsections 2 and 3 and NRS 281.572, each candidate for public office who will be entitled to receive annual compensation of \$6,000 or more for serving in the office that the candidate is seeking, each candidate for the office of Legislator and, except as otherwise provided in subsection 3, each public officer who was elected to the office for which the public officer is serving shall file electronically with the Secretary of State a statement of financial disclosure, as follows:~~

~~(a) [A] Except as otherwise provided in paragraph (b), a candidate for nomination, election or reelection to public office shall file a statement of financial disclosure no later than the 10th day after the last day to qualify as a candidate for the office. The statement must disclose the required information for the full calendar year immediately preceding the date of filing and for the period between January 1 of the year in which the election for the office will be held and the last day to qualify as a candidate for the office. The filing of a statement of financial disclosure for a portion of a calendar year pursuant to this paragraph does not relieve the candidate of the requirement of filing a statement of financial disclosure for the full calendar year pursuant to paragraph [(b)] (c) in the immediately succeeding year, if the candidate is elected to the office.~~

~~(b) If the last day to qualify as a candidate for nomination, election or reelection to public office is established by NRS 293.177 for a candidate, the candidate shall file a statement of financial disclosure on or after January 1 and on or before January 15 of the year in which the election for the office will be held. The statement must disclose the required information for the full calendar year immediately preceding the date of filing.~~

~~(c) Each public officer shall file a statement of financial disclosure on or before January 15 of:~~

~~(1) Each year of the term, including the year in which the public officer leaves office; and~~

~~(2) The year immediately following the year in which the public officer leaves office, unless the public officer leaves office before January 15 in the prior year.~~

~~The statement must disclose the required information for the full calendar year immediately preceding the date of filing.~~

~~2. Except as otherwise provided in this subsection, if a candidate for public office is serving in a public office for which the candidate is required to file a statement pursuant to paragraph [(b)] (c) of subsection 1 or subsection 1 of NRS 281.559, the candidate need not file the statement required by subsection 1 for the full calendar year for which the candidate previously filed a statement. The provisions of this subsection do not relieve the candidate of the requirement pursuant to paragraph (a) of subsection 1 to file a statement of financial disclosure for the period between January 1 of the year in which the election for the office will be held and the last day to qualify as a candidate for the office.~~

~~3. A person elected pursuant to NRS 548.205 to the office of supervisor of a conservation district is not required to file a statement of financial disclosure relative to that office pursuant to subsection 1.~~

~~4. A candidate for judicial office or a judicial officer shall file a statement of financial disclosure pursuant to the requirements [of Canon 4] of the Nevada Code of Judicial Conduct. Such a statement of financial disclosure must include, without limitation, all information required to be included in a statement of financial disclosure pursuant to NRS 281.571.~~

~~5. A statement of financial disclosure shall be deemed to be filed on the date that it was received by the Secretary of State.~~

~~6. Except as otherwise provided in NRS 281.572, the Secretary of State shall provide access through a secure website to the statement of financial disclosure to each person who is required to file the statement with the Secretary of State pursuant to this section.~~

~~7. The Secretary of State may adopt regulations necessary to carry out the provisions of this section.~~ **(Deleted by amendment.)**

Sec. 42. NRS 353.264 is hereby amended to read as follows:

353.264 1. The Reserve for Statutory Contingency Account is hereby created in the State General Fund.

2. The State Board of Examiners shall administer the Reserve for Statutory Contingency Account. The money in the Account must be expended only for:

(a) The payment of claims which are obligations of the State pursuant to NRS 41.03435, 41.0347, 621.025, 176.485, 179.310, 212.040, 212.050, 212.070, 281.174, 282.290, 282.315, 288.203, 293.253, 293.405, 353.120, 353.262, 412.154 and 475.235 **and section 37 of this act;**

(b) The payment of claims which are obligations of the State pursuant to:

(1) Chapter 472 of NRS arising from operations of the Division of Forestry of the State Department of Conservation and Natural Resources directly involving the protection of life and property; and

(2) NRS 7.155, 34.750, 176A.640, 179.225 and 213.153,

except that claims may be approved for the respective purposes listed in this paragraph only when the money otherwise appropriated for those purposes has been exhausted;

(c) The payment of claims which are obligations of the State pursuant to NRS 41.0349 and 41.037, but only to the extent that the money in the Fund for Insurance Premiums is insufficient to pay the claims; and

(d) The payment of claims which are obligations of the State pursuant to NRS 535.030 arising from remedial actions taken by the State Engineer when the condition of a dam becomes dangerous to the safety of life or property.

3. The State Board of Examiners may authorize its Clerk or a person designated by the Clerk, under such circumstances as it deems appropriate, to approve, on behalf of the Board, the payment of claims from the Reserve for Statutory Contingency Account. For the purpose of exercising any authority granted to the Clerk of the State Board of Examiners or to the person designated by the Clerk pursuant to this subsection, any statutory reference to the State Board of Examiners relating to such a claim shall be deemed to refer to the Clerk of the Board or the person designated by the Clerk.

Sec. 43. ~~[Section 1.060 of the Charter of Carson City, being chapter 212, Statutes of Nevada 1969, as last amended by chapter 312, Statutes of Nevada 1983, at page 756, is hereby amended to read as follows:~~

~~Sec. 1.060 Wards: Creation; boundaries.~~

~~1. Carson City must be divided into four wards, which must be as nearly equal in population as can be conveniently provided, and the territory comprising each ward must be contiguous.~~

~~2. The boundaries of wards must be established and realigned, if necessary, by ordinance, passed by a vote of at least three fifths of the Board of Supervisors.~~

~~3. The Board shall realign any such boundaries on or before [January 1] October 31 of the year preceding the next general election at which Supervisors are to be elected, if reliable evidence indicates that the population in any ward exceeds the population in any other ward by more than 5 percent. In any case, the Board shall reconsider the boundaries of the wards upon the receipt of the necessary information from the preceding~~

~~national decennial census conducted by the Bureau of the Census of the United States Department of Commerce.~~ **(Deleted by amendment.)**

Sec. 44. The Secretary of State shall adopt such regulations and prescribe such forms as are required by or necessary to carry out the provisions of ~~the~~

~~1. Paragraph (b) of subsection 1 of NRS 292.180, as amended by section 10 of this act, so that the regulations and forms are effective and available for distribution and use on or before August 1, 2015.~~

~~2. NRS 292.177, as amended by section 9 of this act, so that the regulations and forms are effective and available for distribution and use on or before September 1, 2015.~~

~~3. Paragraph (a) of subsection 1 of NRS 292.180, as amended by section 10 of this act, so that the regulations and forms are effective and available for distribution and use on or before October 1, 2015.~~

~~4. Sections 1 to 8, inclusive, 11 to 30, inclusive, and 41 of this act so that the regulations and forms are effective and available for distribution and use on or before November 1, 2015.~~

~~5. Sections 32~~ **sections 31.1** to 38, inclusive, of this act so that the regulations and forms are effective and available for distribution and use ~~on or before July 1, 2017.~~ **as soon as practicable before the next presidential election year.**

Sec. 45. This act becomes effective ~~the~~

~~1. Upon passage and approval for the purpose of adopting regulations and prescribing forms; and~~

~~2. On~~ **on** July 1, 2015, ~~for all other purposes.~~