

Amendment No. 527

Senate Amendment to Senate Bill No. 434 (BDR 24-1150)

Proposed by: Senate Committee on Legislative Operations and Elections

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

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to S.B. 434 (§§ 1-2.2, 5).

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: 5/12/2015

S.B. No. 434—Makes various changes relating to initiative and referendum petitions. (BDR 24-1150)



SENATE BILL NO. 434—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 23, 2015

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to initiative and referendum petitions. (BDR 24-1150)

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

CONTAINS UNFUNDED MANDATE (§§ 1, 5)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 ballot questions; enacting and revising various provisions governing statewide and local petitions for initiative or referendum; making changes relating to the single-subject and description-of-effect requirements applicable to such petitions; prescribing a remedy for violations of those requirements; requiring the filing and qualification of a proposed petition ~~for an initiative or referendum, and the preparation of a title and description of effect for the petition,~~ as a prerequisite to the filing and circulation of a statewide petition; ~~establishing~~ changing the process ~~by which the title and~~ for challenging the description of effect ~~are prepared,~~ for a statewide petition; requiring the Secretary of State to prepare ~~an informational~~ handbook for ~~the~~ proponents and circulators of ~~certain petitions; requiring the proponent of such a petition to file with the Secretary of State a list of paid circulators; revising the single-subject requirement applicable to such a petition;~~ a statewide petition; revising the process by which a person may assert certain challenges to a statewide petition; defining certain circumstances when the Legislature proposes a different measure on the same subject as certain statewide petitions; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under the Nevada Constitution, the Legislature is authorized to provide by law for procedures to facilitate the operation of the provisions of Article 19 of the Nevada Constitution regarding a statewide or local petition for initiative or referendum, including procedures to facilitate the process of proposing, circulating and submitting such a petition to the registered voters of this State. (Nev. Const. Art. 19, § 5) To this

end, the Legislature has enacted procedures in existing law that are intended to facilitate the efficiency, veracity and clarity of the petition process and election process. (Chapter 295 of NRS) Such procedures include the statutory single-subject and description-of-effect requirements, which provide that each statewide or local petition must be limited to a single subject and include on each signature page a description of the effect of the petition if it is approved by the voters. (NRS 295.009; *Las Vegas Taxpayer Accountability Comm. v. City Council*, 125 Nev. 165, 176-78 (2009)) The procedures also require circulators of a statewide petition to verify in affidavits that they have complied with certain statutory safeguards during the petition process. (NRS 295.0575; *Las Vegas Convention & Visitors Auth. v. Miller*, 124 Nev. 669, 680-86 (2008)) The Nevada Supreme Court has upheld these procedures against constitutional challenges because the procedures carry out the State's important regulatory interests in protecting against fraud, subterfuge, misunderstanding, mischief and abuse and thereby safeguard the public's faith and confidence in the fairness, veracity and integrity of the petition process and election process. (*Nevadans for Prot. of Prop. Rights, Inc. v. Heller*, 122 Nev. 894, 901-03 (2006); *Nevadans for Nevada v. Beers*, 122 Nev. 930, 939-40 (2006); *Las Vegas Convention & Visitors Auth. v. Miller*, 124 Nev. 669, 691-95 (2008))

This bill enacts new and revised procedures that are intended to further facilitate the efficiency, veracity and clarity of the petition process and election process and carry out the State's important regulatory interests. Section 3.01 of this bill sets forth the Legislature's objectives in enacting the new and revised procedures. In particular, the procedures ensure that each petition receives a threshold level of support from the voters to discourage frivolous, spurious, vexatious or harassing petitions that unnecessarily consume public and private resources and cause disorder, inefficiency, unfairness and waste. The procedures also ensure that the voters receive accurate, reliable, truthful and helpful information to assist them in making informed decisions. The procedures also ensure that the single-subject and description-of-effect requirements: (1) give the voters a clear and definite choice; (2) prevent confusion, inattention and deception; and (3) focus each proposal on a single subject so that the voters are presented with a meaningful opportunity to consider the merits and consequences of each proposal separately without being confused, misled or manipulated by intricate, complex or complicated multi-subject proposals.

Under existing law, in order for a statewide or local petition to comply with the single-subject requirement, the Nevada Supreme Court has held that all the parts of the initiative or referendum proposed by the petition must be functionally related and germane to each other and to the petition's purpose or subject. (*Las Vegas Taxpayer Accountability Comm. v. City Council*, 125 Nev. 165, 180 (2009); *Educ. Initiative PAC v. Comm. to Protect Nev. Jobs*, 129 Nev. Adv. Op. 5, 293 P.3d 874, 884 (2013)) Section 12 of this bill provides that if a proposed initiative creates, generates or increases any public revenue, each part of the proposed initiative that makes an appropriation or requires the expenditure of the money raised by the proposed initiative must be functionally related and germane to each other in a way that each such appropriation or expenditure is necessarily connected with and pertinent to achieving, advancing or implementing only the single purpose of the proposed initiative and no other purpose.

Under existing law, the Nevada Supreme Court has held that if a statewide or local petition violates the description-of-effect requirement, the petition is void in its entirety and is not severable, and no part of the petition may be submitted to the voters. (NRS 295.009, 295.015; *Las Vegas Taxpayer Accountability Comm. v. City Council*, 125 Nev. 165, 182-85 (2009); *Taxpayers for Prot. of Nev. Jobs v. Arena Initiative Comm.*, Nos. 57157, 58350 (Nev. Aug. 1, 2012)) By contrast, the Nevada Supreme Court has held that in the absence of a statute that prescribes a remedy for a violation of the single-subject requirement, the court will apply, on a case-by-case basis, common-law rules governing severance to determine whether the parts of the petition which violate the single-subject requirement may be severed from the petition and the remaining parts submitted to the voters. (*Nevadans for Prot. of Prop. Rights, Inc. v. Heller*, 122 Nev. 894, 909-13 (2006)) Section 3.08 of this bill requires the same remedy for a violation of the single-subject and description-of-effect requirements and provides that if a petition violates either requirement, the petition is void in its entirety and is not severable, and no part of the petition may be submitted to the voters at any election.

Under existing law, before a statewide ~~initiative or referendum~~ petition may be circulated for ~~signature~~ signatures by the voters, the proponent of the petition must file a copy of the petition with the Secretary of State. (Nev. Const. Art. 19, §§ 1, 2; NRS 295.015) Existing law further provides that ~~such a petition must: (1) be limited to a single subject; and (2) include on each signature page a description of the effect of the petition if it is approved by the voters. The~~ the description of effect for a statewide petition is prepared by the proponent of the petition, but any person may challenge the description of effect or the petition's compliance with the single-subject requirement by filing an action in the First Judicial District Court after the copy of the petition is placed on file with the Secretary of State. (NRS 295.009, 295.061) ~~It~~ Nevadans for Prot. of Prop. Rights, Inc. v. Heller, 122 Nev. 894, 901-03 (2006); Nevadans for Nevada v. Beers, 122 Nev. 930, 939-40 (2006); PEST Comm. v. Miller, 626 F.3d 1097, 1099-1101 (9th Cir. 2010) Existing law also provides that the number of signatures required to qualify the statewide petition for the ballot must be apportioned equally among Nevada's petition districts, which are coextensive with Nevada's congressional districts, and the number of signatures required from each petition district must be equal. (NRS 293.069, 293.127563, 295.012, 295.055; Angle v. Miller, 673 F.3d 1122, 1126-27 (9th Cir. 2012))

Sections ~~4-9~~ 3.1-6.5 and 13-15 of this bill revise the ~~process by which the required procedures for a proponent of a statewide petition to propose, file and qualify the petition for the ballot and for a person to challenge the petition's description of effect ~~is prepared~~ and ~~challenged. Initially,~~ compliance with the single-subject requirement. Section 3.9, however, provides that these revised procedures do not apply to a proponent of a local petition.~~

Sections 4-6 provide that before the proponent may file a copy of the statewide petition ~~to be circulated may be filed~~ with the Secretary of State, ~~section 4 requires the~~ to begin the process of qualifying the petition for the ballot, the proponent must comply with certain threshold procedural requirements, including: (1) filing a copy of ~~the~~ the proposed petition ~~signed by~~ with the Secretary of State setting forth the full text of the measure proposed and a neutral summary; (2) filing an informational statement with certain contact information; and (3) circulating the proposed petition and collecting the signatures of not less than ~~2,000~~ 1,000 registered voters.

~~Under section 5, the signed documents of the proposed petition must be submitted to and verified by the county clerks in the manner provided by existing law for any statewide initiative or referendum. If the Secretary of State determines, based upon the county clerks' process of verification, that the required signatures have been obtained, section 6 provides that the proposed petition is deemed to have been filed. Section 6 requires the Secretary of State to notify the Attorney General of the filing and provide the Attorney General with a copy of the proposed petition.~~

~~Sections 7-9 require the Attorney General, or his or her designee, to initiate a process of public notice, comment and hearing, culminating in the preparation and adoption by the Attorney General of a title and description of effect for the proposed petition. Section 7 sets forth the requirements for the content of the title and description of effect. If the proposed petition creates, generates, increases or provides for the expenditure of any public revenue, section 7 requires that the title and description of effect identify the manner in which the revenue is to be produced or expended. After the final title and description of effect are adopted by the Attorney General or his or her designee, section 9 provides that the proponent of the proposed petition must incorporate the title and description of effect in a revised petition and place a copy of the revised petition on file with the Secretary of State. This revised petition is the copy required by existing law to be filed before circulation of the petition may begin.~~ in this State who support the proposed petition, except that the signatures do not have to be apportioned equally among Nevada's petition districts. Sections 4-6 also establish procedures for assigning a standard title with an identifying number to the proposed petition, submitting the proposed petition for signature verification and issuing a declaration of sufficiency if the proposed petition has a sufficient number of signatures. Section 5 also establishes procedures for the proponent to withdraw the proposed petition at any time before it is submitted for signature verification.

Sections ~~4-9~~ 6, 6.5 and 15 ~~of this bill also~~ revise the process by which a person may assert that a description of effect for a statewide petition is deficient or that such a petition

fails to comply with the single-subject requirement. ~~[Section 9 provides that the title and description of effect adopted by the Attorney General may be challenged through judicial review in the manner provided by existing law for the review of an administrative decision. (NRS 222B.120-222B.150) Section]~~ If the Secretary of State gives the proponent notice that a declaration of sufficiency has been issued for the proposed petition, sections 6 and 15 ~~(provide)~~ provide that a complaint asserting a single-subject challenge must be filed within 15 ~~(business)~~ working days after such notice is given ~~(of the filing of)~~ regarding the proposed petition. If a complaint is not filed within the prescribed time, any single-subject challenge is forever barred.

~~[Section 12 of this bill revises the single subject requirement itself, in accordance with certain decisions of the Supreme Court of Florida. Under the revised standard, a petition must embrace one subject and matters directly connected therewith. This requirement is satisfied if the parts of the proposed measure may logically be viewed as having a natural relation to a single dominant plan or scheme. (Fino v. Firestone, 448 So. 2d 984 (Fla. 1984); Floridians Against Casino Takeover v. Let's Help Fla., 363 So. 2d 337 (Fla. 1978))]~~

Section 6.5 provides that after such notice is given regarding the proposed petition, the proponent must file the description of effect with the Secretary of State, and any person who wants to object to the proponent's description of effect must file an objection with the Secretary of State and provide: (1) an explanation of how the description of effect violates the statutory requirements; and (2) one or more revised or substitute versions of the description of effect that are drafted to remedy the alleged violations. If an objection is filed, the parties may agree to meet and confer in good faith to negotiate a stipulated description of effect. If the parties fail to negotiate a stipulated description of effect, the Attorney General must file a complaint in the First Judicial District Court naming the proponent as the defendant and asking for a declaratory judgment regarding whether the proponent's description of effect violates the statutory requirements, and any person who timely filed an objection with the Secretary of State has an unconditional right and standing to intervene as a party in the proceeding. The district court must conduct expedited proceedings and enter an order that approves or revises the proponent's description of effect. After the district court enters its order, the proponent may file the petition, including the description of effect, with the Secretary of State to begin the process of qualifying the petition for the ballot on or after the applicable date set forth in Article 19 of the Nevada Constitution.

Sections 1-2.2, 13-14.6 and 15.5 of this bill make conforming changes to carry out the new and revised procedures governing the petition process. Section 10 of this bill requires the Secretary of State to prepare ~~for~~ an informational handbook for ~~(petition)~~ proponents and circulators of statewide petitions setting forth the requirements of statute and regulation that govern the circulation of ~~a petition for an initiative or referendum.~~

~~Before a petition for an initiative or referendum is circulated for signature, section 11 of this bill requires the proponent of the petition to file with the Secretary of State a list of the persons who will be paid to circulate the petition. This list must be updated monthly during the circulation of the petition.]~~ such petitions.

Finally, existing law provides that if a statewide petition for an initiative proposes a statute or an amendment to a statute, the Legislature may propose a different measure on the same subject as the initiative to compete on the ballot. (Nev. Const. Art. 19, § 2; Tesoriere v. Dist. Court, 50 Nev. 302, 309-10 (1927)) Under such circumstances, existing law prescribes certain requirements for how the Legislature's proposed measure and the initiative are presented to the voters on the ballot. (NRS 293.267)

Section 11.5 of this bill defines certain circumstances under which the Legislature shall be deemed to have proposed a different measure on the same subject as an initiative. Section 2.5 of this bill requires certain information to be included on the ballot explaining that: (1) the competing ballot questions propose different measures on the same subject and only one of the measures may be enacted into law; and (2) if both of the measures are approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes is enacted into law.

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:

As used in this section and NRS 293.127563 to 293.12795, inclusive, unless the context otherwise requires, "proposed petition" has the meaning ascribed to it in section 3.5 of this act.

Sec. 1.7. NRS 293.127563 is hereby amended to read as follows:

293.127563 1. As soon as practicable after each general election, the Secretary of State shall determine the number of signatures required to be gathered from each petition district within the State for a petition for initiative or referendum ~~that proposes~~ **proposing** a constitutional amendment or statewide measure ~~that~~ **other than a proposed petition.**

2. To determine the number of signatures required to be gathered from each petition district, the Secretary of State shall calculate the amount that equals 10 percent of the voters who voted in this State at the last preceding general election and divide that amount by the number of petition districts. Fractional numbers must be rounded up to the nearest whole number.

~~Section 1.9.~~ **Sec. 1.9.** NRS 293.1276 is hereby amended to read as follows:

293.1276 1. Within 4 days, excluding Saturdays, Sundays and holidays, after the submission of a petition containing signatures which are required to be verified pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110, **or section 5 of this act,** the county clerk shall determine the total number of signatures affixed to the documents and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, **other than a proposed petition,** shall tally the number of signatures for each petition district contained fully or partially within the county and forward that information to the Secretary of State.

2. If the Secretary of State finds that the total number of signatures filed with all the county clerks is less than 100 percent of the required number of registered voters, the Secretary of State shall so notify the person who submitted the petition and the county clerks and no further action may be taken in regard to the petition. If the petition is a petition to recall a county, district or municipal officer, the Secretary of State shall also notify the officer with whom the petition is to be filed.

3. After the petition is submitted to the county clerk, it must not be handled by any other person except by an employee of the county clerk's office until it is filed with the Secretary of State.

4. The Secretary of State may adopt regulations establishing procedures to carry out the provisions of this section.

Sec. 2. NRS 293.1277 is hereby amended to read as follows:

293.1277 1. If the Secretary of State finds that the total number of signatures submitted to all the county clerks is 100 percent or more of the number of registered voters needed to declare the petition sufficient, the Secretary of State shall immediately so notify the county clerks. Within 9 days, excluding Saturdays, Sundays and holidays, after notification, each of the county clerks shall determine the number of registered voters who have signed the documents submitted in the county clerk's county and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, **other than a proposed petition,** shall tally the number of signatures for each petition district contained or fully contained within the county clerk's county. For the purpose of verification

1 pursuant to this section, the county clerk shall not include in his or her tally of total
2 signatures any signature included in the incorrect petition district.

3 2. Except as otherwise provided in subsection 3, if more than 500 names have
4 been signed on the documents submitted to a county clerk, the county clerk shall
5 examine the signatures by sampling them at random for verification. The random
6 sample of signatures to be verified must be drawn in such a manner that every
7 signature which has been submitted to the county clerk is given an equal
8 opportunity to be included in the sample. The sample must include an examination
9 of at least 500 or 5 percent of the signatures, whichever is greater. If documents
10 were submitted to the county clerk for more than one petition district wholly
11 contained within that county, a separate random sample must be performed for each
12 petition district.

13 3. If a petition district comprises more than one county and the petition is for
14 an initiative or referendum proposing a constitutional amendment or a statewide
15 measure, other than a proposed petition, and if more than 500 names have been
16 signed on the documents submitted for that petition district, the appropriate county
17 clerks shall examine the signatures by sampling them at random for verification.
18 The random sample of signatures to be verified must be drawn in such a manner
19 that every signature which has been submitted to the county clerks within the
20 petition district is given an equal opportunity to be included in the sample. The
21 sample must include an examination of at least 500 or 5 percent of the signatures
22 presented in the petition district, whichever is greater. The Secretary of State shall
23 determine the number of signatures that must be verified by each county clerk
24 within the petition district.

25 4. In determining from the records of registration the number of registered
26 voters who signed the documents, the county clerk may use the signatures
27 contained in the file of applications to register to vote. If the county clerk uses that
28 file, the county clerk shall ensure that every application in the file is examined,
29 including any application in his or her possession which may not yet be entered into
30 the county clerk's records. Except as otherwise provided in subsection 5, the county
31 clerk shall rely only on the appearance of the signature and the address and date
32 included with each signature in making his or her determination.

33 5. If:

34 (a) Pursuant to NRS 293.506, a county clerk establishes a system to allow
35 persons to register to vote by computer; or

36 (b) A person registers to vote pursuant to NRS 293D.230 and signs his or her
37 application to register to vote using a digital signature or an electronic signature,
38 the county clerk may rely on such other indicia as prescribed by the Secretary of
39 State in making his or her determination.

40 6. In the case of a petition for initiative or referendum proposing a
41 constitutional amendment or statewide measure, other than a proposed petition,
42 when the county clerk is determining the number of registered voters who signed
43 the documents from each petition district contained fully or partially within the
44 county clerk's county, he or she must use the statewide voter registration list
45 available pursuant to NRS 293.675.

46 7. Except as otherwise provided in subsection 9, upon completing the
47 examination, the county clerk shall immediately attach to the documents a
48 certificate properly dated, showing the result of the examination, including the tally
49 of signatures by petition district, if required, and transmit the documents with the
50 certificate to the Secretary of State. In the case of a petition for initiative or
51 referendum proposing a constitutional amendment or statewide measure, other than
52 a proposed petition, if a petition district comprises more than one county, the
53 appropriate county clerks shall comply with the regulations adopted by the

Secretary of State pursuant to this section to complete the certificate. A copy of this certificate must be filed in the clerk's office. When the county clerk transmits the certificate to the Secretary of State, the county clerk shall notify the Secretary of State of the number of requests to remove a name received by the county clerk pursuant to NRS 295.055 or 306.015.

8. A person who submits a petition to the county clerk which is required to be verified pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110 or section 5 of this act must be allowed to witness the verification of the signatures. A public officer who is the subject of a recall petition must also be allowed to witness the verification of the signatures on the petition.

9. For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not transmit to the Secretary of State the documents containing the signatures of the registered voters.

10. The Secretary of State shall by regulation establish further procedures for carrying out the provisions of this section.

Sec. 2.1. NRS 293.1278 is hereby amended to read as follows:

293.1278 1. If the certificates received by the Secretary of State from all the county clerks establish that the number of valid signatures is less than 90 percent of the required number of registered voters, the petition shall be deemed to have failed to qualify, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

2. If those certificates establish that the number of valid signatures is equal to or more than the sum of 100 percent of the number of registered voters needed to make the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or 306.015 and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, other than a proposed petition, that the petition has the minimum number of signatures required for each petition district, the petition shall be deemed to qualify as of the date of receipt by the Secretary of State of those certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

3. If the certificates establish that the petitioners have 100 percent or more of the number of registered voters needed to make the petition sufficient but the petition fails to qualify pursuant to subsection 2, each county clerk who received a request to remove a name pursuant to NRS 295.055 or 306.015 shall remove each name as requested, amend the certificate and transmit the amended certificate to the Secretary of State. If the amended certificates establish that the petitioners have 100 percent or more of the number of registered voters needed to make the petition sufficient and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, other than a proposed petition, that the petition has the minimum number of signatures required for each petition district, the petition shall be deemed to qualify as of the date of receipt by the Secretary of State of the amended certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

Sec. 2.2. NRS 293.1279 is hereby amended to read as follows:

293.1279 1. If the statistical sampling shows that the number of valid signatures filed is 90 percent or more, but less than the sum of 100 percent of the number of signatures of registered voters needed to declare the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or 306.015, the Secretary of State shall order the county clerks to examine the signatures for verification. The county clerks shall examine

1 the signatures for verification until they determine that 100 percent of the number
2 of signatures of registered voters needed to declare the petition sufficient are valid.
3 If the county clerks received a request to remove a name pursuant to NRS 295.055
4 or 306.015, the county clerks may not determine that 100 percent of the number of
5 signatures of registered voters needed to declare the petition sufficient are valid
6 until they have removed each name as requested pursuant to NRS 295.055 or
7 306.015.

8 2. Except as otherwise provided in this subsection, if the statistical sampling
9 shows that the number of valid signatures filed in any county is 90 percent or more
10 but less than the sum of 100 percent of the number of signatures of registered voters
11 needed to constitute 10 percent of the number of voters who voted at the last
12 preceding general election in that county plus the total number of requests to
13 remove a name received by the county clerk in that county pursuant to NRS
14 295.055 or 306.015, the Secretary of State may order the county clerk in that
15 county to examine every signature for verification. If the county clerk received a
16 request to remove a name pursuant to NRS 295.055 or 306.015, the county clerk
17 may not determine that 100 percent or more of the number of signatures of
18 registered voters needed to constitute 10 percent of the number of voters who voted
19 at the last preceding general election in that county are valid until the county clerk
20 has removed each name as requested pursuant to NRS 295.055 or 306.015. In the
21 case of a petition for initiative or referendum ~~that proposes~~ proposing a
22 constitutional amendment or statewide measure, other than a proposed petition, if
23 the statistical sampling shows that the number of valid signatures in any petition
24 district is 90 percent or more but less than the sum of 100 percent of the number of
25 signatures of registered voters required for that petition district pursuant to NRS
26 295.012 plus the total number of requests to remove a name received by the county
27 clerk or county clerks, if the petition district comprises more than one county,
28 pursuant to NRS 295.055, the Secretary of State may order a county clerk to
29 examine every signature for verification.

30 3. Within 12 days, excluding Saturdays, Sundays and holidays, after receipt
31 of such an order, the county clerk or county clerks shall determine from the records
32 of registration what number of registered voters have signed the petition and, if
33 appropriate, tally those signatures by petition district. If necessary, the board of
34 county commissioners shall allow the county clerk additional assistants for
35 examining the signatures and provide for their compensation. In determining from
36 the records of registration what number of registered voters have signed the petition
37 and in determining in which petition district the voters reside, the county clerk must
38 use the statewide voter registration list. The county clerk may rely on the
39 appearance of the signature and the address and date included with each signature
40 in determining the number of registered voters that signed the petition.

41 4. Except as otherwise provided in subsection 5, upon completing the
42 examination, the county clerk or county clerks shall immediately attach to the
43 documents of the petition an amended certificate, properly dated, showing the result
44 of the examination and shall immediately forward the documents with the amended
45 certificate to the Secretary of State. A copy of the amended certificate must be filed
46 in the county clerk's office. In the case of a petition for initiative or referendum ~~to~~
47 propose proposing a constitutional amendment or statewide measure, other than a
48 proposed petition, if a petition district comprises more than one county, the county
49 clerks shall comply with the regulations adopted by the Secretary of State pursuant
50 to this section to complete the amended certificate.

51 5. For any petition containing signatures which are required to be verified
52 pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county,
53 district or municipal office within one county, the county clerk shall not forward to

the Secretary of State the documents containing the signatures of the registered voters.

6. Except for a petition to recall a county, district or municipal officer, the petition shall be deemed filed with the Secretary of State as of the date on which the Secretary of State receives certificates from the county clerks showing the petition to be signed by the requisite number of voters of the State.

7. If the amended certificates received from all county clerks by the Secretary of State establish that the petition is still insufficient, the Secretary of State shall immediately so notify the petitioners and the county clerks. If the petition is a petition to recall a county, district or municipal officer, the Secretary of State shall also notify the officer with whom the petition is to be filed.

8. The Secretary of State shall adopt regulations to carry out the provisions of this section.

Sec. 2.5. NRS 293.267 is hereby amended to read as follows:

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

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

3. Except as otherwise provided in subsection 4:

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

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

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

5. If the Legislature ~~rejects a statewide measure proposed by initiative and~~ proposes a different measure on the same subject ~~[which the Governor approves,]~~ as an initiative in accordance with section 11.5 of this act and the Nevada Constitution, the measure proposed by the Legislature ~~[and approved by the Governor]~~ must be listed on the ballot before the ~~[statewide]~~ measure proposed by the initiative. Each ballot and sample ballot upon which the measures appear must contain a statement that reads substantially as follows:

The following questions ~~[are alternative approaches to]~~ propose different measures on the same ~~[issue,]~~ subject, and only one ~~[approach]~~ of the measures may be enacted into law. ~~[Please vote for only one.]~~ If both of the measures are approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes is enacted into law as provided in Section 2 of Article 19 of the Nevada Constitution.

Sec. 3. Chapter 295 of NRS is hereby amended by adding thereto the provisions set forth as sections ~~[4 to 11,]~~ 3.01 to 11.5, inclusive, of this act.

Sec. 3.01. The Legislature hereby finds and declares that:

1. Section 5 of Article 19 of the Nevada Constitution authorizes the Legislature to provide by law for procedures to facilitate the operation of the provisions of Article 19 of the Nevada Constitution regarding a statewide or local petition for initiative or referendum, including, without limitation, procedures to

1 facilitate the process of proposing, circulating and submitting such a petition to
2 the registered voters of this State.

3 2. When a statewide or local petition for initiative or referendum proposes a
4 measure for consideration by the voters, the petition process does not include the
5 same procedural components and safeguards provided by the state or local
6 legislative process for consideration of a proposed measure, including, without
7 limitation:

8 (a) The development, drafting, review, analysis, evaluation and revision of
9 the form, substance and terms of the proposed measure throughout a multistage
10 procedural process conducted by legislative and other public bodies and
11 committees;

12 (b) Public input and scrutiny regarding the form, substance and terms of the
13 proposed measure, and any changes thereto, throughout the multistage
14 procedural process; and

15 (c) When required, executive approval or disapproval of the proposed
16 measure as part of the multistage procedural process, with any executive
17 disapproval subject to legislative override by a supermajority.

18 3. In the absence of such procedural components and safeguards, the
19 petition process is more vulnerable and susceptible to fraud, subterfuge,
20 misunderstanding, mischief and abuse which creates a significant risk of voter
21 confusion, inattention and deception and which undermines the public's faith
22 and confidence in the fairness, veracity and integrity of the petition process and
23 election process.

24 4. The provisions of this chapter establish procedures to facilitate the
25 petition process and election process which are intended to:

26 (a) Ensure that each petition receives a threshold level of support from the
27 voters in order to:

28 (1) Discourage frivolous, spurious, vexatious or harassing petitions that
29 consume and waste valuable public and private resources; and

30 (2) Encourage order, efficiency and fairness and the cost-effective and
31 economical use of public and private resources throughout the petition process
32 and election process.

33 (b) Ensure that the voters receive accurate, reliable, truthful and helpful
34 information regarding each petition in order to assist the voters in reviewing,
35 understanding, analyzing, evaluating and making informed decisions throughout
36 the petition process and election process.

37 (c) Ensure that the voters are provided with a description of effect on each
38 petition and that each petition embraces but one subject and matters necessarily
39 connected therewith and pertaining thereto pursuant to NRS 295.009 in order to:

40 (1) Give the voters a clear and definite choice;

41 (2) Prevent confusion, inattention and deception; and

42 (3) Focus each proposal on a single subject so that the voters are
43 presented with a meaningful opportunity to consider the merits and consequences
44 of each proposal separately without being confused, misled or manipulated by
45 intricate, complex or complicated multi-subject proposals that:

46 (I) Conceal, obscure or obfuscate the intent or purpose of the
47 proposal; or

48 (II) Combine more popular provisions with less popular provisions to
49 obtain approval of provisions that the voters otherwise would reject if the
50 provisions were presented separately in single-subject proposals.

51 (d) Protect against fraud, subterfuge, misunderstanding, mischief and abuse
52 in the petition process and election process.

1 (e) Safeguard the public's faith and confidence in the fairness, veracity and
2 integrity of the petition process and election process.

3 Sec. 3.02. As used in this chapter, unless the context otherwise requires,
4 the words and terms defined in sections 3.04 and 3.06 of this act have the
5 meanings ascribed to them in those sections.

6 Sec. 3.04. "Local petition for initiative or referendum" means any county,
7 city or other local petition for initiative or referendum authorized by the Nevada
8 Constitution or laws of this State.

9 Sec. 3.06. "Statewide petition for initiative or referendum" means a
10 petition for initiative or referendum authorized by Section 1 or 2 of Article 19 of
11 the Nevada Constitution, as applicable, to:

12 1. Approve or disapprove a statute or resolution or any part thereof enacted
13 by the Legislature; or

14 2. Propose a statute, an amendment to a statute or an amendment to the
15 Nevada Constitution.

16 Sec. 3.08. 1. If, in any preelection action, a statewide or local petition for
17 initiative or referendum, or any part thereof, is declared invalid by a court of
18 competent jurisdiction for any violation of the description-of-effect or single-
19 subject requirements of NRS 295.009:

20 (a) The petition is void in its entirety and is not severable, and no part of the
21 petition may be submitted to the voters at any election; and

22 (b) Any signatures collected on the petition are not valid for any purpose.

23 2. The provisions of this section do not alter, abrogate or affect the
24 application of any other statutory or common-law rules governing severance of a
25 petition, or any part thereof, if the petition complies with the description-of-effect
26 and single-subject requirements of NRS 295.009 but is declared invalid by a court
27 of competent jurisdiction for reasons other than those expressly set forth in this
28 section.

29 Sec. 3.1. As used in NRS 295.012 to 295.061, inclusive, and sections 3.1 to
30 11.5, inclusive, of this act, unless the context otherwise requires, the words and
31 terms defined in sections 3.2 to 3.8, inclusive, of this act have the meanings
32 ascribed to them in those sections.

33 Sec. 3.2. "Description of effect" means the description of the effect of an
34 initiative or referendum that must appear on each signature page of a statewide
35 petition pursuant to paragraph (b) of subsection 1 of NRS 295.009.

36 Sec. 3.3. "Formalized petition" means a statewide petition that complies
37 with the provisions of NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5,
38 inclusive, of this act in order to become a formalized petition that may be filed
39 with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada
40 Constitution, as applicable, and NRS 295.015.

41 Sec. 3.4. "Proponent of a statewide petition" or "proponent" means the
42 person or persons who propose a statewide petition.

43 Sec. 3.5. "Proposed petition" means a statewide petition described in
44 section 4 of this act.

45 Sec. 3.6. "Single-subject challenge" means any challenge alleging that a
46 statewide petition violates the single-subject requirement in paragraph (a) of
47 subsection 1 of NRS 295.009 which requires that the petition must embrace but
48 one subject and matters necessarily connected therewith and pertaining thereto.

49 Sec. 3.7. 1. "Statewide petition" or "petition" has the meaning ascribed to
50 "statewide petition for initiative or referendum" in section 3.06 of this act.

51 2. Except as otherwise provided in NRS 295.012 to 295.061, inclusive, and
52 sections 3.1 to 11.5, inclusive, of this act, the term includes a proposed petition.

1 Sec. 3.8. 1. "Working day" means a day on which the Office of the
2 Secretary of State or the appropriate court, as applicable, is regularly open for
3 the transaction of business.

4 2. In computing any period of time measured by working days, the
5 provisions of Rule 6 of the Nevada Rules of Civil Procedure which provide that 3
6 days shall be added to the prescribed period after service by mail or electronic
7 means do not apply to any period of working days prescribed by the provisions of
8 NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act.

9 Sec. 3.9. 1. The proponent of a statewide petition may not circulate the
10 petition for signatures unless the proponent complies with the provisions of NRS
11 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act.

12 2. The proponent of a local petition for initiative or referendum is not
13 subject to the provisions of NRS 295.012 to 295.061, inclusive, and sections 3.1 to
14 11.5, inclusive, of this act.

15 Sec. 4. 1. Before ~~placing~~ the proponent of a statewide petition may file a
16 copy of ~~for~~ the formalized petition ~~for initiative or referendum on file~~ with the
17 Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada
18 Constitution, as applicable, and NRS 295.015, the following procedural
19 requirements must be satisfied:

20 (a) Not earlier than 90 days before the first day on which a copy of the
21 formalized petition may be filed with the Secretary of State pursuant to Section 1
22 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015,
23 the proponent ~~of the petition~~ must file with the Secretary of State a copy of the
24 proposed petition, in the form required by this section, setting forth the full text
25 of the measure proposed ~~and bearing~~ for the initiative or referendum;

26 (b) The proponent must circulate the proposed petition for signatures and
27 collect the signatures of not less than ~~2,000~~ 1,000 persons who are registered
28 voters in this State ~~for those~~, but the signatures do not have to be apportioned
29 equally among the petition districts pursuant to NRS 295.012;

30 (c) The proposed petition must be submitted for verification pursuant to
31 section 5 of this act;

32 (d) The Secretary of State must issue a declaration of sufficiency that the
33 proposed petition has a sufficient number of signatures pursuant to section 6 of
34 this act; and

35 (e) The description of effect for the formalized petition must be determined
36 pursuant to section 6.5 of this act.

37 2. The signatures collected on the proposed petition are valid only for the
38 purposes of the proposed petition and are not valid thereafter for the purposes of
39 collecting signatures for the formalized petition ~~for initiative or referendum~~
40 ~~thereafter placed on file~~ if it is filed with the Secretary of State pursuant to
41 ~~section 9 of this act.~~

42 ~~2.1~~ Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable,
43 and NRS 295.015.

44 3. The proponent may not circulate a copy of the proposed petition that is
45 different in any way from the copy of the proposed petition filed with the
46 Secretary of State, and any signatures collected on a copy of the proposed petition
47 that is different in any way from the filed copy are not valid for any purpose.

48 4. The proposed petition may not be amended, changed or revised in any
49 way after the proposed petition is filed with the Secretary of State. If the
50 proponent wants to amend, change or revise the proposed petition in any way
51 after the proposed petition is filed with the Secretary of State, the proponent must
52 file another proposed petition pursuant to this section, and any signatures

collected on the previous proposed petition are not valid for the purposes of collecting signatures for any subsequent petition.

5. The proposed petition must be in the form required by Section 3 of Article 19 of the Nevada Constitution, NRS 295.009, 295.055 and 295.0575 and section 4.5 of this act and any regulations adopted pursuant thereto, except that the proposed petition:

(a) Must not include ~~that~~ :

(1) Any references to the petition districts; or

(2) A description of effect ; ~~required by NRS 295.009~~ and

(b) Must set forth a neutral summary, in not more than 200 words, of the purpose of the ~~proposed~~ initiative or referendum ~~in~~ in the proposed petition. The summary must appear on each signature page of the proposed petition and is not subject to challenge in any judicial or administrative proceeding.

~~3.6.~~ 6. Except as otherwise provided in this section, the provisions of NRS 295.009, 295.055 and 295.0575 that apply to a formalized petition ~~for an initiative or referendum~~, other than the provisions relating to the petition districts, also apply to a proposed petition ~~filed pursuant to this section~~ and any reference to a petition in those ~~sections to a petition for an initiative or referendum~~ provisions of NRS shall be deemed to include a proposed petition.

Sec. 4.3. 1. When the proponent files the proposed petition with the Secretary of State pursuant to section 4 of this act, the proponent shall also file an informational statement with the Secretary of State on a form prescribed by the Secretary of State.

2. The form for the informational statement must include, without limitation:

(a) The purpose of the proposed petition.

(b) The name, address and telephone number of the proponent or, if there is more than one proponent, the name, address and telephone number of each proponent.

(c) If any such proponent is a business or social organization, corporation, partnership, association, trust, unincorporated organization, labor union or other legal entity, the name, address and telephone number of each of its officers.

(d) The designation of a contact person and the name, address and telephone number of the contact person. The contact person is not required to be a proponent but must be authorized to address questions or issues relating to the proposed petition.

(e) Any other information deemed necessary by the Secretary of State.

3. During the period beginning on the date on which the proponent files the initial informational statement and ending on the date on which the proponent files a notice of termination of activities pursuant to subsection 4, the proponent shall file with the Secretary of State:

(a) An updated informational statement not later than 30 days after the date on which there is any change in the information contained in the most recently filed informational statement; and

(b) An annual informational statement not later than January 15 after the end of each year, regardless of whether there is any change in the information contained in the most recently filed informational statement.

4. The provisions of subsection 3 apply to the proponent until the proponent files a notice of termination of activities with the Secretary of State on a form prescribed by the Secretary of State. The form for the notice must include, without limitation:

1 (a) A statement that the proponent has ceased all activities relating to the
2 proposed petition or, if the proposed petition becomes a formalized petition, the
3 formalized petition.

4 (b) Any other information deemed necessary by the Secretary of State.

5 5. Any form filed with the Secretary of State pursuant to this section must
6 be signed by a proponent under an oath to God or penalty of perjury. A
7 proponent who signs the form under an oath to God is subject to the same
8 penalties as if the proponent had signed the form under penalty of perjury.

9 Sec. 4.5. 1. If the proponent properly files the proposed petition and
10 informational statement with the Secretary of State pursuant to sections 4 and 4.3
11 of this act, the Secretary of State shall assign to the proposed petition a title with
12 an identifying number in substantially the following form, as applicable:

13 (a) "Proposed Initiative Petition No."; or

14 (b) "Proposed Referendum Petition No."

15 2. The title with the identifying number that is assigned to the proposed
16 petition pursuant to this section must appear on each signature page of the
17 proposed petition above the neutral summary. No title, description, caption,
18 heading, slogan, word, term or phrase may appear on the proposed petition for
19 the purpose of identifying the proposed petition other than the title with the
20 identifying number that is assigned to the proposed petition pursuant to this
21 section and the neutral summary.

22 3. Except as otherwise provided in subsection 4, the Secretary of State shall
23 assign the title with an identifying number to the proposed petition in numerical
24 sequence based on the date and time that the proposed petition and informational
25 statement are filed with the Secretary of State during the current election cycle.

26 4. If, when the Secretary of State assigns the title with an identifying
27 number to the proposed petition, the next number in the numerical sequence is
28 already assigned to an initiative from the prior election cycle that proposes an
29 amendment to the Nevada Constitution and will be resubmitted to the voters
30 during the current election cycle under the same number pursuant to NRS
31 295.035, the Secretary of State shall not use that number but shall assign the next
32 available number in the numerical sequence to the proposed petition.

33 5. After the Secretary of State assigns the title with the identifying number
34 to the proposed petition, the Secretary of State shall use the same identifying
35 number for the title of the formalized petition if it is filed with the Secretary of
36 State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as
37 applicable, and NRS 295.015.

38 6. The Secretary of State shall post on the Internet website of the Secretary
39 of State:

40 (a) A copy of the proposed petition;

41 (b) The title with the identifying number that is assigned to the proposed
42 petition; and

43 (c) The date on which the proposed petition was filed with the Secretary of
44 State.

45 Sec. 5. 1. ~~{Before a}~~ After the proposed petition ~~is filed with the~~
46 ~~Secretary of State pursuant to section 4 of this act,~~ has been circulated for
47 signatures, the proposed petition is not effective for any purpose unless it is
48 submitted for verification in the manner required by this section. If the proposed
49 petition is not submitted for verification in the manner required by this section,
50 the proposed petition is void, and any signatures collected on the proposed
51 petition are not valid for any purpose.

52 2. The proposed petition may not be circulated for signatures on or after the
53 day on which it is submitted for verification. To submit the proposed petition for

1 verification, the proponent or a person acting on behalf of the proponent must
2 submit to each county clerk for verification the document or documents of the
3 proposed petition which were circulated for ~~signature~~ signatures within the
4 clerk's county. The county clerk shall give the person submitting a document or
5 documents a receipt stating the number of documents and pages and the
6 statement of the person of the number of signatures contained therein.

7 ~~2.3.~~ 3. All documents of ~~the~~ the proposed petition which are submitted to a
8 county clerk for verification must be submitted at the same time. If documents ~~of~~
9 ~~of~~ concerning the same proposed petition are submitted for verification to more
10 than one county clerk, the documents must be submitted to each county clerk on
11 the same day. At the time that the proposed petition is submitted to a county clerk
12 for verification, the person submitting the document or documents shall
13 designate a contact person who is authorized to address questions or issues
14 relating to the proposed petition.

15 ~~3.4.~~ 4. The provisions of NRS 293.12758 to 293.12795, inclusive, that apply
16 to the verification of a formalized petition ~~for an initiative or referendum~~
17 ~~proposing a constitutional amendment or statewide measure~~, other than the
18 provisions relating to the petition districts, also apply to the verification of ~~the~~
19 ~~documents of the~~ a proposed petition, and any reference to a petition in those
20 ~~sections of such a petition~~ provisions of NRS shall be deemed to include a
21 proposed petition.

22 5. The proponent may withdraw the proposed petition at any time before the
23 proposed petition is submitted to the county clerks for verification pursuant to
24 this section by filing a notice of withdrawal with the Secretary of State on a form
25 prescribed by the Secretary of State. If the proponent files a notice of withdrawal,
26 the proposed petition is void, and any signatures collected on the proposed
27 petition are not valid for any purpose.

28 Sec. 6. 1. If ~~the~~ the proposed petition is in proper form and the certificates
29 received by the Secretary of State from all the county clerks establish that the
30 proposed petition has not less than the minimum number of signatures required
31 ~~for each petition district~~ by section 4 of this act, the Secretary of State shall
32 ~~declare~~ issue a declaration of sufficiency that the proposed petition ~~to be~~ has a
33 sufficient ~~and it shall be deemed to have been filed with the Secretary of State~~
34 ~~for the purposes of section 4 of this act as of the date of receipt by the Secretary~~
35 ~~of State of those certificates and the document or documents comprising the~~
36 ~~proposed petition.~~ number of signatures.

37 2. ~~The~~ After issuing the declaration of sufficiency, the Secretary of State
38 shall:

39 (a) ~~Notify~~ Send a notice to the proponent of the proposed petition ~~and the~~
40 ~~Attorney General of~~ that the ~~filing of~~ declaration of sufficiency has been issued
41 ~~for the proposed petition and the declaration of sufficiency~~, and ~~and~~ provide a
42 copy of the declaration of sufficiency to the proponent;

43 (b) Transmit a copy of the notice, declaration of sufficiency and proposed
44 petition to the Attorney General ~~if~~; and

45 (c) Post on the Internet website of the Secretary of State:

46 (1) The notice and declaration of sufficiency; and

47 (2) The date on which the notice was sent to the proponent by the
48 Secretary of State.

49 3. A declaration of sufficiency issued by the Secretary of State pursuant to
50 this section ~~is~~

51 ~~(a) Does not bar the timely filing of~~ is not subject to review in any judicial or
52 administrative proceeding.

1 4. On or after the date on which the Secretary of State sends the notice to
2 the proponent pursuant to subsection 2, any person who wants to bring a single-
3 subject challenge against the proposed petition must file a complaint against the
4 proponent pursuant to NRS 295.061 that the proposed petition embraces more
5 than one subject. Any such claim that, within the time provided by that section. If
6 a complaint is not filed within the time provided by NRS 295.061, any single-
7 subject challenge is forever barred, both with respect to the proposed petition and
8 any the formalized petition for initiative or referendum thereafter placed on
9 file if it is filed with the Secretary of State.

10 (b) Except as otherwise provided in paragraph (a), is not subject to review in
11 any judicial or administrative proceeding pursuant to Section 1 or 2 of Article
12 19 of the Nevada Constitution, as applicable, and NRS 295.015.

13 Sec. 6.5. 1. Not later than 5 working days after the date on which the
14 Secretary of State sends the notice to the proponent that the declaration of
15 sufficiency has been issued for the proposed petition pursuant to section 6 of this
16 act, the proponent shall file with the Secretary of State, in the manner prescribed
17 by the Secretary of State, the proponent's description of effect for the initiative or
18 referendum.

19 2. The Secretary of State shall post on the Internet website of the Secretary
20 of State:

21 (a) The proponent's description of effect; and

22 (b) The date on which the proponent's description of effect was filed with the
23 Secretary of State.

24 3. If any person wants to object to the proponent's description of effect, the
25 person must:

26 (a) File the objection with the Secretary of State, in the manner prescribed by
27 the Secretary of State, not later than 7 working days after the date on which the
28 proponent filed the description of effect with the Secretary of State; and

29 (b) Include with the objection:

30 (1) An explanation of how the proponent's description of effect allegedly
31 violates NRS 295.009; and

32 (2) One or more revised or substitute versions of the description of effect
33 that are drafted to remedy the alleged violations.

34 4. If there are no objections filed to the proponent's description of effect
35 within the period prescribed by subsection 3:

36 (a) Any challenge to the description of effect is forever barred; and

37 (b) The proposed petition becomes the formalized petition, except that the
38 neutral summary must be replaced by the description of effect, and the proponent
39 may file a copy of the formalized petition, including the description of effect, with
40 the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada
41 Constitution, as applicable, and NRS 295.015.

42 5. If there are any objections filed to the proponent's description of effect
43 within the period prescribed by subsection 3, the proponent and the persons who
44 timely filed the objections may agree to meet and confer in good faith to negotiate
45 a stipulated description of effect. If, within 5 working days after the end of the
46 period prescribed by subsection 3, the parties have negotiated a stipulated
47 description of effect:

48 (a) The parties shall, not later than the first working day thereafter, notify
49 the Secretary of State and the Attorney General, in the manner prescribed by
50 those officers, that the parties have negotiated a stipulated description of effect
51 and provide those officers with a copy of the stipulated description of effect;

52 (b) Any challenge to the stipulated description of effect is forever barred; and

1 (c) The proposed petition becomes the formalized petition, except that the
2 neutral summary must be replaced by the description of effect, and the proponent
3 may file a copy of the formalized petition, including the description of effect, with
4 the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada
5 Constitution, as applicable, and NRS 295.015.

6 6. If, within 5 working days after the end of the period prescribed by
7 subsection 3, the parties have not negotiated a stipulated description of effect, the
8 parties shall, not later than the first working day thereafter, notify the Secretary
9 of State and the Attorney General, in the manner prescribed by those officers,
10 that the parties have not negotiated a stipulated description of effect.

11 7. If the parties notify the Attorney General that they have not negotiated a
12 stipulated description of effect or if they fail to provide that notice within the
13 period prescribed by subsection 6, the Attorney General shall, not later than 5
14 working days thereafter, file a complaint in the First Judicial District Court
15 naming the proponent as the defendant and asking for a declaratory judgment
16 regarding whether the proponent's description of effect violates NRS 295.009.
17 The Attorney General may serve the complaint on the proponent by certified mail
18 or, with the consent of the proponent, by electronic mail, and is not required to
19 serve the proponent personally. The State and any officer or employee thereof
20 may not be assessed or held liable in the proceeding for any attorney's fees or
21 other fees, costs or expenses of any other parties.

22 8. If a person filed an objection with the Secretary of State within the period
23 prescribed by subsection 3, the person has an unconditional right and standing to
24 intervene as a party in the proceeding for a declaratory judgment if the person
25 files a motion to intervene not later than 5 working days after the Attorney
26 General files the complaint. The motion to intervene must be accompanied by a
27 memorandum of points and authorities and all affidavits and documents in
28 support of the person's objection. A person may not intervene as a party in the
29 proceeding if the person:

30 (a) Failed to file an objection with the Secretary of State within the period
31 prescribed by subsection 3; or

32 (b) Filed an objection with the Secretary of State within the period prescribed
33 by subsection 3 but failed to file a motion to intervene within the period
34 prescribed by this subsection.

35 9. Unless otherwise ordered by the district court or stipulated by the parties,
36 the district court:

37 (a) Shall set the matter for hearing not later than 7 working days after the
38 complaint is filed;

39 (b) Shall conduct the hearing not later than 21 working days after the
40 complaint is filed;

41 (c) Shall give priority to the matter over all other matters pending with the
42 district court, except for criminal proceedings; and

43 (d) Shall not consolidate the hearing with any single-subject challenge
44 regarding the proposed petition.

45 10. The district court shall enter a judgment or order that approves or
46 revises the proponent's description of effect. A party who is aggrieved by the
47 district court's judgment or order may appeal from that judgment or order by
48 filing a notice of appeal with the district court clerk not later than 10 working
49 days after the date that written notice of entry of the judgment or order appealed
50 from is served.

51 11. After the district court enters its judgment or order:

52 (a) If no appeal is taken, any challenge to the approved or revised description
53 of effect is forever barred and the proposed petition becomes the formalized

petition, except that the neutral summary must be replaced by the description of effect, and the proponent may file a copy of the formalized petition, including the description of effect, with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015.

(b) If an appeal is taken, the proponent may treat the proposed petition as the formalized petition, except that the neutral summary must be replaced by the description of effect, and the proponent may file a copy of the formalized petition, including the description of effect, with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015, except that the formalized petition is subject to any judgment or order of the appellate court or district court as a result of the appeal.

12. The provisions of this section provide the exclusive means to challenge the proponent's description of effect, and no judicial or administrative proceeding may be commenced to challenge the proponent's description of effect other than by a complaint for a declaratory judgment filed by the Attorney General in the First Judicial District Court pursuant to this section.

Sec. 7. ~~1. After receiving notice of the filing of a proposed petition from the Secretary of State pursuant to section 6 of this act, the Attorney General or his or her designee shall prepare a title and description of effect for the proposed petition in accordance with this section and sections 8 and 9 of this act. Subject to judicial review, the title and description of effect adopted for the proposed petition by the Attorney General must be used on the petition for initiative or referendum thereafter placed on file with the Secretary of State.~~

~~2. Not later than 3 business days after receiving the notice described in subsection 1 or, if a complaint has been filed with respect to the proposed petition pursuant to NRS 295.061, not later than 3 business days after receiving written notice of the entry of an order of the district court dismissing the complaint, whichever is later, the Attorney General or his or her designee shall cause to be posted on the Internet website of the Attorney General and served upon the proponent of the proposed petition a notice:~~

~~(a) Containing the summary and text of the proposed petition;~~

~~(b) Reciting that the Attorney General is required by law to prepare a title and description of effect for the proposed petition after receiving public comment and conducting a public hearing;~~

~~(c) Soliciting written comments from any interested person concerning the title and description of effect for the proposed petition and setting forth the deadline for the submission of comments; and~~

~~(d) Setting forth the date, time and place of the public hearing required by section 8 of this act.~~

~~3. The Attorney General or his or her designee shall accept written comments concerning the title and description of effect for the proposed petition for 10 business days after the posting of the notice required by subsection 2.~~

~~4. Not more than 5 business days after the close of the period of public comment, the Attorney General or his or her designee shall prepare a proposed title and description of effect for the proposed petition. The proposed title must set forth, in not more than 15 words, the general nature of the proposed petition. The proposed description of effect must set forth, in not more than 250 words, a straightforward, succinct and nonargumentative statement of what the proposed petition is intended to accomplish and how it will achieve those goals, to the extent that such information can reasonably be determined from the text of the proposed petition and any matters of which the Attorney General or his or her designee may properly take official notice. The proposed description of effect must not be deceptive or misleading, but need not be an accurate forecast of all of~~

1 ~~the potential or hypothetical effects of the proposed petition. If a proposed~~
2 ~~petition proposes to create, generate, increase or provide for the expenditure of~~
3 ~~any public revenue in any form, the proposed title and description of effect must~~
4 ~~identify the manner in which such revenue is proposed to be created, generated,~~
5 ~~increased or expended, as applicable.~~

6 ~~5. Not less than 3 business days but not more than 10 business days before~~
7 ~~the public hearing required by section 8 of this act, the Attorney General or his or~~
8 ~~her designee shall cause copies of the proposed title and description of effect to be~~
9 ~~posted on the Internet website of the Attorney General and give notice of the~~
10 ~~posting to the proponent of the proposed petition.) (Deleted by amendment.)~~

11 Sec. 8. ~~1. Not less than 30 but not more than 40 calendar days after the~~
12 ~~date of the posting required by subsection 2 of section 7 of this act, the Attorney~~
13 ~~General or his or her designee shall conduct a public hearing on the proposed~~
14 ~~title and description of effect prepared for the proposed petition.~~

15 ~~2. At the hearing, the proponent of the proposed petition and any person~~
16 ~~interested in the proposed petition may appear, personally or by counsel, and~~
17 ~~present arguments and evidence relating to the proposed title and description of~~
18 ~~effect and their compliance or lack of compliance with the requirements of~~
19 ~~subsection 4 of section 7 of this act.~~

20 ~~3. The rules of evidence are not applicable to the hearing. The Attorney~~
21 ~~General or his or her designee may, with or without prior notice, limit the~~
22 ~~presentation of arguments or evidence as necessary to expedite the conduct of the~~
23 ~~hearing.) (Deleted by amendment.)~~

24 Sec. 9. ~~1. Not later than 5 business days after the close of the hearing~~
25 ~~required by section 8 of this act, the Attorney General or his or her designee~~
26 ~~shall~~

27 ~~(a) Adopt the final title and description of effect for the proposed petition;~~

28 ~~(b) Cause copies of the final title and description of effect to be posted on the~~
29 ~~Internet website of the Attorney General and give notice of the posting to the~~
30 ~~proponent of the proposed petition and any other person who appeared at the~~
31 ~~hearings;~~

32 ~~(c) Notify the Secretary of State of the adoption of the final title and~~
33 ~~description of effect; and~~

34 ~~(d) Provide the Secretary of State with the text of the final title and~~
35 ~~description of effect.~~

36 ~~2. Before the petition for initiative or referendum may be presented to the~~
37 ~~voters for their signatures, the proponent of the petition shall revise the proposed~~
38 ~~petition to incorporate the final title and description of effect adopted by the~~
39 ~~Attorney General and place a copy of the revised petition on file with the~~
40 ~~Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada~~
41 ~~Constitution and NRS 295.015.~~

42 ~~3. Any person aggrieved by the action of the Attorney General or his or her~~
43 ~~designee in adopting the final title and description of effect may seek judicial~~
44 ~~review in the manner provided by chapter 233B of NRS. If the final title or~~
45 ~~description of effect is challenged successfully on judicial review and the title or~~
46 ~~description of effect, as applicable, is amended in compliance with the order of~~
47 ~~the court, the amended title or description of effect may not be challenged.)~~
48 ~~(Deleted by amendment.)~~

49 Sec. 10. 1. The Secretary of State shall:

50 ~~1-1 (a) Prepare a handbook for petition~~ proponents and circulators of
51 statewide petitions ~~setting forth the requirements of statute and regulation that~~
52 ~~govern the proposal and circulation of a petition for an initiative or~~
53 ~~referendum.)~~ proposed and formalized petitions; and

~~12.7~~ (b) Post a copy of the handbook on the Internet website of the Secretary of State in a form suitable for downloading and printing.

2. The handbook prepared by the Secretary of State pursuant to this section:

(a) Is intended as a general reference document to provide proponents and circulators of statewide petitions with general information only;

(b) Does not have the force and effect of law; and

(c) May not reasonably or justifiably be used or relied on by any proponent or circulator as a substitute for carefully reading and understanding the most recently enacted or adopted requirements of statute and regulation that govern the proposal and circulation of proposed and formalized petitions.

~~Sec. 11. 1. Before presenting a petition for initiative or referendum to the registered voters for their signatures, the proponent of the petition shall file with the Secretary of State a list of all persons who will be paid to circulate the petition. The list must include the full name of each such person and the contact information required by NRS 295.0575. The proponent shall file a current list of such circulators with the Secretary of State on or before the fifth day of each month following the initial filing until the petition is presented to the county clerks for verification.~~

~~2. If the handbook required by section 10 of this act is available, the proponent of the petition shall provide a copy of the handbook to each person who is paid to circulate the petition.~~

~~3. Any person who is paid to circulate the petition shall identify himself or herself as a paid circulator upon presenting a petition document for signature to a prospective signer of the petition.] (Deleted by amendment.)~~

Sec. 11.5. 1. For the purposes of Section 2 of Article 19 of the Nevada Constitution, if an initiative proposes a statute or an amendment to a statute, the Legislature shall be deemed to have proposed a different measure on the same subject as the initiative if the Legislature proposes a measure for submission to the voters that:

(a) Has a purpose which is the same as or similar to the purpose of the initiative but uses different means to accomplish that purpose;

(b) Relates to the subject or purpose of the initiative but contains one or more provisions that conflict in substance with one or more provisions of the initiative; or

(c) Prohibits or otherwise prevents the purpose of the initiative from being accomplished.

2. The provisions of subsection 1:

(a) Are intended to be illustrative;

(b) Are not intended to be exhaustive or exclusive; and

(c) Must not be interpreted as a limitation on the Legislature's power to propose a different measure on the same subject as an initiative in accordance with the Nevada Constitution.

3. If the Legislature proposes a different measure on the same subject as an initiative in accordance with the Nevada Constitution, the Secretary of State shall submit the Legislature's measure and the initiative to the voters at the next succeeding general election in the manner prescribed by NRS 293.267.

Sec. 12. NRS 295.009 is hereby amended to read as follows:

295.009 1. Each statewide or local petition for initiative or referendum must:

(a) Embrace but one subject and matters necessarily ~~and directly~~ connected therewith ~~and~~ and pertaining thereto; and

(b) ~~Set~~ Except as otherwise provided in section 4 of this act, set forth, in not more than 200 words, a description of the effect of the initiative or referendum if the initiative or referendum is approved by the voters. The description must appear on each signature page of the petition. ~~the title and description of effect adopted by the Attorney General pursuant to sections 7, 8 and 9 of this act.~~

2. For the purposes of paragraph (a) of subsection 1 ~~the~~ :

(a) A petition for initiative or referendum embraces but one subject and matters necessarily ~~directly~~ connected therewith and pertaining thereto, if the parts of the proposed initiative or referendum are functionally related and germane to each other in a way that provides sufficient notice of the general subject of, and of the interests likely to be affected by, the proposed initiative or referendum ~~may logically be viewed as having a natural relation to a single dominant plan or scheme;~~ and

(b) If a petition for initiative proposes to create, generate or increase any public revenue in any form, each part of the proposed initiative that makes an appropriation or otherwise requires the expenditure of the money raised by the proposed initiative must be functionally related and germane to each other in a way that each such appropriation or expenditure is necessarily connected with and pertinent to achieving, advancing or implementing only the single purpose of the proposed initiative and no other purpose.

Sec. 13. NRS 295.012 is hereby amended to read as follows:

295.012 The number of registered voters required pursuant to ~~the~~ as applicable, to propose a statewide petition ~~for initiative or referendum; or~~ 2. Section 4 of this act for, other than a proposed petition, ~~the~~ must be apportioned equally among the petition districts, and the number of signatures required from each petition district must be equal.

Sec. 14. NRS 295.015 is hereby amended to read as follows:

295.015 1. Before the proponent of a statewide petition ~~for initiative or referendum~~ may ~~be presented~~ begin to circulate the petition to the registered voters for their signatures ~~the~~ pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable;

(a) The petition must become a formalized petition pursuant to NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act; and

(b) The proponent must file with the Secretary of State, not earlier than the first day on which such filing is permitted by Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, a copy of the formalized petition that includes:

(1) The full text of the measure proposed for the initiative or referendum, including, in the identical form as set forth in the ~~title~~ proposed petition pursuant to section 4 of this act; and

(2) The description of effect ~~required~~ for the formalized petition in the identical form as determined pursuant to ~~by NRS 295.009, must be placed on file with the Secretary of State;~~ section 6.5 of this act.

2. If the proponent properly files the formalized petition with the Secretary of State, the Secretary of State shall assign to the formalized petition a title with the same identifying number assigned to the proposed petition pursuant to section 4.5 of this act in substantially the following form, as applicable:

(a) "Initiative Petition No."; or

(b) "Referendum Petition No."

3. The title with the identifying number that is assigned to the formalized petition pursuant to this section must appear on each signature page of the formalized petition above the description of effect. No title, description, caption,

heading, slogan, word, term or phrase may appear on the formalized petition for the purpose of identifying the formalized petition other than the title with the identifying number that is assigned to the formalized petition pursuant to this section and the description of effect.

4. The proponent may not circulate a copy of the formalized petition that is different in any way from the copy of the formalized petition, including the description of effect, filed with the Secretary of State, and any signatures collected on a copy of the formalized petition that is different in any way from the filed copy are not valid for any purpose.

5. The formalized petition, including the description of effect, may not be amended, changed or revised in any way after it is filed with the Secretary of State. If ~~the~~ the proponent wants to amend, change or revise the formalized petition ~~for initiative or referendum or a~~ ~~the title or~~, including the description of ~~the~~ effect ~~of an initiative or referendum required pursuant to by NRS 295.009 is amended~~, in any way after ~~the petition~~ it is ~~placed on file~~ filed with the Secretary of State ~~pursuant to subsection 1~~.

~~(a) The revised petition must be placed on file with the Secretary of State before it is presented to the registered voters for their signatures;~~

~~(b) Any~~ , the proponent must file another proposed petition pursuant to section 4 of this act, and any signatures ~~that were~~ collected on the ~~original~~ formalized petition ~~before it was amended~~ are not valid ~~;~~ and

~~(c) The requirements for submission of the petition to each county clerk set forth in NRS 295.056 apply to the revised petition.~~

3. Upon receipt of a ~~for the purposes of collecting signatures for any subsequent petition.~~

6. After the proponent files the formalized petition ~~for initiative or referendum placed on file pursuant to subsection 1 or 2~~

~~(a) The~~ with the Secretary of State, the Secretary of State shall consult with the Fiscal Analysis Division of the Legislative Counsel Bureau to determine ~~if~~ whether the initiative or referendum in the formalized petition may have any anticipated financial effect on the State or local governments if the initiative or referendum is approved by the voters. If the Fiscal Analysis Division determines that the initiative or referendum may have an anticipated financial effect on the State or local governments if the initiative or referendum is approved by the voters, the Fiscal Analysis Division ~~must~~ shall prepare a fiscal note that includes an explanation of ~~any such~~ the anticipated financial effect.

~~(b) The Secretary of State shall consult with the Legislative Counsel regarding the petition for initiative or referendum. The Legislative Counsel may provide technical suggestions regarding the petition for initiative or referendum.~~

~~4. 7. Not later than 10 ~~business~~ working days after the proponent files the formalized petition with the~~ Secretary of State, ~~receives a petition for initiative or referendum filed pursuant to subsection 1 or 2,~~ the Secretary of State shall post on the Internet website of the Secretary of State a copy of ~~the~~ the :

(a) The formalized petition, including the ~~title and~~ description of effect ~~required pursuant to by NRS 295.009, any~~ ; and

(b) Any fiscal note prepared by the Fiscal Analysis Division pursuant to ~~subsection 3 and any suggestions made by the Legislative Counsel pursuant to subsection 3, on the Secretary of State's Internet website,~~ this section.

Sec. 14.1. NRS 295.035 is hereby amended to read as follows:

295.035 If ~~the~~ a statewide petition for an initiative ~~petition~~ that proposes an amendment to the Nevada Constitution ~~it~~ is approved by the voters when it is submitted for the first time at a general election pursuant to Section 2 of Article 19 of the Nevada Constitution and NRS 295.012 to 295.061, inclusive, and

sections 3.1 to 11.5, inclusive, of this act, the Secretary of State, in resubmitting the initiative to the voters ~~by the Secretary of State~~ at the next succeeding general election, shall use the same identifying number or other identification used for the first submission.

Sec. 14.2. NRS 295.045 is hereby amended to read as follows:

295.045 1. ~~1. If a statewide~~ petition for a referendum ~~must be filed with the Secretary of State not less than 120 days before the date of~~ is submitted by the Secretary of State ~~to the voters at the next succeeding general election~~.

~~2. The~~ pursuant to Section 1 of Article 19 of the Nevada Constitution and NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act, the Secretary of State shall certify the ~~questions~~ referendum to the county clerks, and they shall publish ~~them~~ the referendum in accordance with the provisions of law requiring county clerks to publish ~~questions and proposed constitutional amendments which are to be submitted for popular vote.~~

~~3. statewide measures pursuant to NRS 293.253.~~

2. The title of the statute or resolution on which the referendum is proposed must be set out on the ballot, and the question printed upon the ballot for the information of the voters must be as follows: "Shall the statute or resolution (setting out its title) be approved?"

~~1. 3.~~ Where a mechanical voting system is used, the title of the statute or resolution must appear on the list of offices and candidates and the statements of statewide measures to be voted on and may be condensed to no more than 25 words.

~~1. 4.~~ The votes cast upon the question must be counted and canvassed as the votes for state officers are counted and canvassed.

Sec. 14.3. NRS 295.055 is hereby amended to read as follows:

295.055 1. The Secretary of State shall by regulation specify:

(a) The format for the signatures on a statewide petition ~~for an initiative or referendum~~, and make free specimens of the format available upon request. The regulations must ensure that the format includes, without limitation, that:

(1) ~~In addition to signing the petition, a~~ Each person who signs ~~a~~ the petition ~~shall, in addition to signing the petition:~~

(I) ~~Shall print~~ Print the person's given name followed by the person's surname on the petition before the person's signature; and

(II) ~~Must indicate~~ Indicate on the petition, other than a proposed petition, the petition district in which the person resides, if known.

(2) Each signature must be dated.

(b) The manner of fastening together several sheets circulated by one person to constitute a single document.

2. The registered voter may consult the list of the registered voters in this State posted on the website maintained by the Secretary of State pursuant to subsection 1 of NRS 293.4687 to determine the petition district in which the registered voter resides. The registered voter may rely on the information contained in the list when the registered voter indicates the appropriate petition district, unless the registered voter believes that the information is inaccurate.

3. Each document of the petition, other than a proposed petition, must bear the name of a petition district, and only registered voters of that petition district may sign the document.

4. A person who signs a petition may request that the county clerk remove the person's name from the petition by transmitting a request in writing to the county clerk at any time before the petition is ~~filed with~~ submitted for signature verification to the county clerk ~~by~~ pursuant to NRS 295.056 or section 5 of this act, as applicable.

1 **Sec. 14.4. NRS 295.056 is hereby amended to read as follows:**

2 295.056 1. ~~{Before}~~ After a formalized petition {for initiative or referendum
3 is filed with the Secretary of State, the petitioners} has been circulated for
4 signatures, the formalized petition is not effective for any purpose unless it is
5 submitted for verification in the manner required by this section. If the
6 formalized petition is not submitted for verification in the manner required by
7 this section, the formalized petition is void, and any signatures collected on the
8 formalized petition are not valid for any purpose.

9 2. The formalized petition may not be circulated for signatures on or after
10 the day on which it is submitted for verification. To submit the formalized petition
11 for verification, the proponent or a person acting on behalf of the proponent must
12 submit to each county clerk for verification pursuant to NRS 293.1276 to 293.1279,
13 inclusive, the document or documents which were circulated for ~~{signature}~~
14 signatures within the clerk's county. The clerks shall give the person submitting a
15 document or documents a receipt stating the number of documents and pages and
16 the person's statement of the number of signatures contained therein.

17 ~~{2.}~~ 3. If ~~{a}~~ the formalized petition ~~{for}~~ is an initiative that proposes a
18 statute or an amendment to a statute, the document or documents must be submitted
19 not later than the second Tuesday in November of an even-numbered year.

20 ~~{3.}~~ 4. If ~~{a}~~ the formalized petition ~~{for}~~ is an initiative that proposes an
21 amendment to the Nevada Constitution, the document or documents must be
22 submitted not later than the third Tuesday in June of an even-numbered year.

23 ~~{4.}~~ 5. If the formalized petition is ~~{for}~~ a referendum, the document or
24 documents must be submitted not later than the third Tuesday in June of an even-
25 numbered year.

26 ~~{5.}~~ 6. All documents of the formalized petition which are submitted to a
27 county clerk for verification must be submitted at the same time. If documents
28 concerning the same formalized petition are submitted for verification to more than
29 one county clerk, the documents must be submitted to each county clerk on the
30 same day. At the time that the formalized petition is submitted to a county clerk for
31 verification, the ~~{petitioners may}~~ person submitting the document or documents
32 shall designate a contact person who is authorized ~~{by the petitioners}~~ to address
33 questions or issues relating to the formalized petition.

34 7. The proponent may withdraw the formalized petition at any time before
35 the formalized petition is submitted to the county clerks for verification pursuant
36 to this section by filing a notice of withdrawal with the Secretary of State on a
37 form prescribed by the Secretary of State. If the proponent files a notice of
38 withdrawal, the formalized petition is void, and any signatures collected on the
39 formalized petition are not valid for any purpose.

40 **Sec. 14.5. NRS 295.0575 is hereby amended to read as follows:**

41 295.0575 A statewide petition ~~{for a constitutional amendment or a petition~~
42 ~~{for a statewide measure proposed by an initiative or referendum}~~ may consist of
43 more than one document. Each document of ~~{a}~~ the petition must have attached to it
44 when submitted an affidavit executed by the circulator thereof stating:

45 1. That the circulator personally circulated the document.

46 2. The contact information of the circulator, including, without limitation, the
47 street address of the residence where the circulator actually resides, unless a street
48 address has not been assigned. If a street address has not been assigned, the
49 document must contain the mailing address of the circulator.

50 3. That the circulator is 18 years of age or older.

51 4. The number of signatures thereon.

52 5. That all the signatures were affixed in the circulator's presence.

6. That each signer had an opportunity before signing to read the full text of the ~~fact or resolution on which~~ measure proposed for the initiative or referendum. ~~is demanded.~~

Sec. 14.6. NRS 295.0585 is hereby amended to read as follows:

295.0585 After a statewide petition ~~for a constitutional amendment or a petition for a statewide measure proposed by an initiative or referendum~~ is submitted for signature verification to the county clerk ~~if~~ pursuant to NRS 295.056 or section 5 of this act, as applicable, the county clerk shall make true and correct copies of all the documents of the petition and signatures thereon and shall make such copies and signatures available to the public for a period of not less than 14 days.

Sec. 15. NRS 295.061 is hereby amended to read as follows:

295.061 1. ~~Except as otherwise provided in subsection 3, whether or not an initiative or referendum embraces but one subject and matters necessarily directly connected therewith and pertaining thereto, and the description of the effect of an initiative or referendum required pursuant to NRS 295.009, may be challenged by filing~~ If any person wants to bring a single-subject challenge against a statewide petition, the person must file a complaint against the proponent of the petition in the First Judicial District Court not later than 15 working days, Saturdays, Sundays and holidays excluded, after a copy of the petition is placed on file with notice of the filing of the proposed petition is given by the date on which the Secretary of State sends the notice to the proponent that the declaration of sufficiency has been issued for the proposed petition pursuant to NRS 295.015, subsection 2 of section 6 of this act. All

2. If a complaint is filed pursuant to subsection 1, the plaintiff shall file all affidavits and documents in support of the challenge must be filed with the complaint. Not later than 3 working days after the filing of the complaint, Saturdays, Sundays and holidays excluded, the plaintiff shall cause a copy of the complaint and all supporting affidavits and other documents to be served upon the:

(a) The proponent; and

(b) The Secretary of State and the Attorney General and the proponent of the proposed petition. They who are entitled to be heard in the proceeding but who may not be made a party to the proceeding unless either officer intervenes as a party. Whether or not either officer intervenes as a party, the State and any officer or employee thereof may not be assessed or held liable in the proceeding for any attorney's fees or other fees, costs or expenses of any other parties.

3. Unless otherwise ordered by the court or stipulated by the parties, the court shall set:

(a) Set the matter for hearing not later than 7 working days after the complaint is filed conduct;

(b) Conduct the hearing not later than 21 working days after the complaint is filed; and shall give;

(c) Give priority to such a complaint the matter over all other matters pending with the court, except for criminal proceedings.

4. The court, or any party at the direction of the court, shall promptly give written notice to the Secretary of State and Attorney General of the entry of each order or judgment entered in the proceeding.

5. The legal sufficiency provisions of subsections 1 to 4, inclusive, provide the exclusive means to bring a single-subject challenge against a statewide petition, and no judicial or administrative proceeding may be commenced to bring such a challenge other than by a complaint filed in the First Judicial District Court pursuant to subsections 1 to 4, inclusive.

6. If any person wants to challenge:

(a) A determination by the Secretary of State pursuant to NRS 293.1276 to 293.1279, inclusive, that a statewide petition ~~for initiative or referendum may be challenged by filing~~, other than a proposed petition, has a sufficient number of signatures; or

(b) The validity of a statewide petition, other than a proposed petition, based on any other issue that:

(1) May be raised in a preelection challenge;

(2) Has not been decided on the merits in a prior proceeding with regard to that petition; and

(3) Is not expressly barred from being challenged by the provisions of NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act, the person must file a complaint against the proponent of the petition and the Secretary of State in ~~district court~~ the First Judicial District Court not later than 7 working days ~~on Saturdays, Sundays and holidays excluded~~, after the date on which the Secretary of State certifies that the petition ~~is certified as~~ has a sufficient ~~by the Secretary of State. All~~ number of signatures.

7. If a complaint is filed pursuant to subsection 6, the plaintiff shall file all affidavits and documents in support of the challenge ~~must be filed~~ with the complaint.

8. The State and any officer or employee thereof may not be assessed or held liable in the proceeding for any attorney's fees or other fees, costs or expenses of any other parties.

9. Unless otherwise ordered by the court or stipulated by the parties, the court shall ~~set~~:

(a) Set the matter for hearing not later than 15 working days after the complaint is filed; and ~~shall give~~

(b) Give priority to ~~such a complaint~~ the matter over all other matters pending with the court, except for criminal proceedings.

~~13. If a description of the effect of an initiative or referendum required pursuant to NRS 295.009 is challenged successfully pursuant to subsection 1 and such description is amended in compliance with the order of the court, the amended description may not be challenged.~~

10. The provisions of subsections 6 to 9, inclusive, provide the exclusive means to bring a challenge described in those provisions against a statewide petition, and no judicial or administrative proceeding may be commenced to bring such a challenge other than by a complaint filed in the First Judicial District Court pursuant to subsections 6 to 9, inclusive.

Sec. 15.5. NRS 295.300 is hereby amended to read as follows:

295.300 A person shall not give compensation of any kind to any person in exchange for signing a statewide or local petition for initiative or referendum.

Sec. 16. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 17. This act becomes effective on July 1, 2015.