

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 (§§1-2.2, 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 as a prerequisite to the filing and circulation of a statewide petition; changing the process for challenging the description of effect for a statewide petition; requiring the Secretary of State to prepare an informational handbook for proponents and circulators of 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:

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



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6 Art. 19, § 5) To this end, the Legislature has enacted procedures in existing law that
7 are intended to facilitate the efficiency, veracity and clarity of the petition process
8 and election process. (Chapter 295 of NRS) Such procedures include the statutory
9 single-subject and description-of-effect requirements, which provide that each
10 statewide or local petition must be limited to a single subject and include on each
11 signature page a description of the effect of the petition if it is approved by the
12 voters. (NRS 295.009; *Las Vegas Taxpayer Accountability Comm. v. City Council*,
13 125 Nev. 165, 176-78 (2009)) The procedures also require circulators of a
14 statewide petition to verify in affidavits that they have complied with certain
15 statutory safeguards during the petition process. (NRS 295.0575; *Las Vegas*
16 *Convention & Visitors Auth. v. Miller*, 124 Nev. 669, 680-86 (2008)) The Nevada
17 Supreme Court has upheld these procedures against constitutional challenges
18 because the procedures carry out the State's important regulatory interests in
19 protecting against fraud, subterfuge, misunderstanding, mischief and abuse and
20 thereby safeguard the public's faith and confidence in the fairness, veracity and
21 integrity of the petition process and election process. (*Nevadans for Prot. of Prop.*
22 *Rights, Inc. v. Heller*, 122 Nev. 894, 901-03 (2006); *Nevadans for Nevada v. Beers*,
23 122 Nev. 930, 939-40 (2006); *Las Vegas Convention & Visitors Auth. v. Miller*,
24 124 Nev. 669, 691-95 (2008))

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

41 Under existing law, in order for a statewide or local petition to comply with the
42 single-subject requirement, the Nevada Supreme Court has held that all the parts of
43 the initiative or referendum proposed by the petition must be functionally related
44 and germane to each other and to the petition's purpose or subject. (*Las Vegas*
45 *Taxpayer Accountability Comm. v. City Council*, 125 Nev. 165, 180 (2009); *Educ.*
46 *Initiative PAC v. Comm. to Protect Nev. Jobs*, 129 Nev. Adv. Op. 5, 293 P.3d 874,
47 884 (2013)) **Section 12** of this bill provides that if a proposed initiative creates,
48 generates or increases any public revenue, each part of the proposed initiative that
49 makes an appropriation or requires the expenditure of the money raised by the
50 proposed initiative must be functionally related and germane to each other in a way
51 that each such appropriation or expenditure is necessarily connected with and
52 pertinent to achieving, advancing or implementing only the single purpose of the
53 proposed initiative and no other purpose.

54 Under existing law, the Nevada Supreme Court has held that if a statewide or
55 local petition violates the description-of-effect requirement, the petition is void in
56 its entirety and is not severable, and no part of the petition may be submitted to the
57 voters. (NRS 295.009, 295.015; *Las Vegas Taxpayer Accountability Comm. v. City*
58 *Council*, 125 Nev. 165, 182-85 (2009); *Taxpayers for Prot. of Nev. Jobs v. Arena*
59 *Initiative Comm.*, Nos. 57157, 58350 (Nev. Aug. 1, 2012)) By contrast, the Nevada
60 Supreme Court has held that in the absence of a statute that prescribes a remedy for



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61 a violation of the single-subject requirement, the court will apply, on a case-by-case
62 basis, common-law rules governing severance to determine whether the parts of the
63 petition which violate the single-subject requirement may be severed from the
64 petition and the remaining parts submitted to the voters. (*Nevadans for Prot. of*
65 *Prop. Rights, Inc. v. Heller*, 122 Nev. 894, 909-13 (2006)) **Section 3.08** of this bill
66 requires the same remedy for a violation of the single-subject and description-of-
67 effect requirements and provides that if a petition violates either requirement, the
68 petition is void in its entirety and is not severable, and no part of the petition may
69 be submitted to the voters at any election.

70 Under existing law, before a statewide petition may be circulated for signatures
71 by the voters, the proponent of the petition must file a copy of the petition with the
72 Secretary of State. (Nev. Const. Art. 19, §§ 1, 2; NRS 295.015) Existing law further
73 provides that the description of effect for a statewide petition is prepared by the
74 proponent of the petition, but any person may challenge the description of effect or
75 the petition's compliance with the single-subject requirement by filing an action
76 in the First Judicial District Court after the copy of the petition is placed on file
77 with the Secretary of State. (NRS 295.009, 295.061; *Nevadans for Prot. of Prop.*
78 *Rights, Inc. v. Heller*, 122 Nev. 894, 901-03 (2006); *Nevadans for Nevada v. Beers*,
79 122 Nev. 930, 939-40 (2006); *PEST Comm. v. Miller*, 626 F.3d 1097, 1099-1101
80 (9th Cir. 2010)) Existing law also provides that the number of signatures required
81 to qualify the statewide petition for the ballot must be apportioned equally among
82 Nevada's petition districts, which are coextensive with Nevada's congressional
83 districts, and the number of signatures required from each petition district must be
84 equal. (NRS 293.069, 293.127563, 295.012, 295.055; *Angle v. Miller*, 673 F.3d
85 1122, 1126-27 (9th Cir. 2012))

86 **Sections 3.1-6.5 and 13-15** of this bill revise the procedures for a proponent of
87 a statewide petition to propose, file and qualify the petition for the ballot and for a
88 person to challenge the petition's description of effect and compliance with the
89 single-subject requirement. **Section 3.9**, however, provides that these revised
90 procedures do not apply to a proponent of a local petition.

91 **Sections 4-6** provide that before the proponent may file a copy of the statewide
92 petition with the Secretary of State to begin the process of qualifying the petition
93 for the ballot, the proponent must comply with certain threshold procedural
94 requirements, including: (1) filing a copy of the proposed petition with the
95 Secretary of State setting forth the full text of the measure proposed and a neutral
96 summary; (2) filing an informational statement with certain contact information;
97 and (3) circulating the proposed petition and collecting the signatures of not less
98 than 1,000 registered voters in this State who support the proposed petition, except
99 that the signatures do not have to be apportioned equally among Nevada's petition
100 districts. **Sections 4-6** also establish procedures for assigning a standard title with
101 an identifying number to the proposed petition, submitting the proposed petition for
102 signature verification and issuing a declaration of sufficiency if the proposed
103 petition has a sufficient number of signatures. **Section 5** also establishes procedures
104 for the proponent to withdraw the proposed petition at any time before it is
105 submitted for signature verification.

106 **Sections 6, 6.5 and 15** revise the process by which a person may assert that a
107 description of effect for a statewide petition is deficient or that such a petition fails
108 to comply with the single-subject requirement. If the Secretary of State gives the
109 proponent notice that a declaration of sufficiency has been issued for the proposed
110 petition, **sections 6 and 15** provide that a complaint asserting a single-subject
111 challenge must be filed within 15 working days after such notice is given regarding
112 the proposed petition. If a complaint is not filed within the prescribed time, any
113 single-subject challenge is forever barred.

114 **Section 6.5** provides that after such notice is given regarding the proposed
115 petition, the proponent must file the description of effect with the Secretary of



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

133 **Sections 1-2.2, 13-14.6 and 15.5** of this bill make conforming changes to carry
134 out the new and revised procedures governing the petition process. **Section 10** of
135 this bill requires the Secretary of State to prepare an informational handbook for
136 proponents and circulators of statewide petitions setting forth the requirements of
137 statute and regulation that govern the circulation of such petitions.

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

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

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

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

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

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

8 293.127563 1. As soon as practicable after each general
9 election, the Secretary of State shall determine the number of
10 signatures required to be gathered from each petition district within



1 the State for a petition for initiative or referendum ~~{that proposes}~~
2 *proposing* a constitutional amendment or statewide measure ~~{~~ ,
3 *other than a proposed petition.*

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

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

11 293.1276 1. Within 4 days, excluding Saturdays, Sundays
12 and holidays, after the submission of a petition containing signatures
13 which are required to be verified pursuant to NRS 293.128, 293.172,
14 293.200, 295.056, 298.109, 306.035 or 306.110, *or section 5 of this*
15 *act*, the county clerk shall determine the total number of signatures
16 affixed to the documents and, in the case of a petition for initiative
17 or referendum proposing a constitutional amendment or statewide
18 measure, *other than a proposed petition*, shall tally the number of
19 signatures for each petition district contained fully or partially
20 within the county and forward that information to the Secretary of
21 State.

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

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

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

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

36 293.1277 1. If the Secretary of State finds that the total
37 number of signatures submitted to all the county clerks is 100
38 percent or more of the number of registered voters needed to declare
39 the petition sufficient, the Secretary of State shall immediately so
40 notify the county clerks. Within 9 days, excluding Saturdays,
41 Sundays and holidays, after notification, each of the county clerks
42 shall determine the number of registered voters who have signed the
43 documents submitted in the county clerk's county and, in the case of
44 a petition for initiative or referendum proposing a constitutional
45 amendment or statewide measure, *other than a proposed petition*,



1 shall tally the number of signatures for each petition district
2 contained or fully contained within the county clerk's county. For
3 the purpose of verification pursuant to this section, the county clerk
4 shall not include in his or her tally of total signatures any signature
5 included in the incorrect petition district.

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

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

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

42 5. If:

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



1 (b) A person registers to vote pursuant to NRS 293D.230 and
2 signs his or her application to register to vote using a digital
3 signature or an electronic signature,

4 the county clerk may rely on such other indicia as prescribed by
5 the Secretary of State in making his or her determination.

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

13 7. Except as otherwise provided in subsection 9, upon
14 completing the examination, the county clerk shall immediately
15 attach to the documents a certificate properly dated, showing the
16 result of the examination, including the tally of signatures by
17 petition district, if required, and transmit the documents with the
18 certificate to the Secretary of State. In the case of a petition for
19 initiative or referendum proposing a constitutional amendment or
20 statewide measure, *other than a proposed petition*, if a petition
21 district comprises more than one county, the appropriate county
22 clerks shall comply with the regulations adopted by the Secretary of
23 State pursuant to this section to complete the certificate. A copy of
24 this certificate must be filed in the clerk's office. When the county
25 clerk transmits the certificate to the Secretary of State, the county
26 clerk shall notify the Secretary of State of the number of requests to
27 remove a name received by the county clerk pursuant to NRS
28 295.055 or 306.015.

29 8. A person who submits a petition to the county clerk which is
30 required to be verified pursuant to NRS 293.128, 293.172, 293.200,
31 295.056, 298.109, 306.035 or 306.110 *or section 5 of this act* must
32 be allowed to witness the verification of the signatures. A public
33 officer who is the subject of a recall petition must also be allowed to
34 witness the verification of the signatures on the petition.

35 9. For any petition containing signatures which are required to
36 be verified pursuant to the provisions of NRS 293.200, 306.035 or
37 306.110 for any county, district or municipal office within one
38 county, the county clerk shall not transmit to the Secretary of State
39 the documents containing the signatures of the registered voters.

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

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

43 293.1278 1. If the certificates received by the Secretary of
44 State from all the county clerks establish that the number of valid
45 signatures is less than 90 percent of the required number of



1 registered voters, the petition shall be deemed to have failed to
2 qualify, and the Secretary of State shall immediately so notify the
3 petitioners and the county clerks.

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

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

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

33 293.1279 1. If the statistical sampling shows that the number
34 of valid signatures filed is 90 percent or more, but less than the sum
35 of 100 percent of the number of signatures of registered voters
36 needed to declare the petition sufficient plus the total number of
37 requests to remove a name received by the county clerks pursuant to
38 NRS 295.055 or 306.015, the Secretary of State shall order the
39 county clerks to examine the signatures for verification. The county
40 clerks shall examine the signatures for verification until they
41 determine that 100 percent of the number of signatures of registered
42 voters needed to declare the petition sufficient are valid. If the
43 county clerks received a request to remove a name pursuant to NRS
44 295.055 or 306.015, the county clerks may not determine that 100
45 percent of the number of signatures of registered voters needed to



1 declare the petition sufficient are valid until they have removed each
2 name as requested pursuant to NRS 295.055 or 306.015.

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

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

44 4. Except as otherwise provided in subsection 5, upon
45 completing the examination, the county clerk or county clerks shall



1 immediately attach to the documents of the petition an amended
2 certificate, properly dated, showing the result of the examination
3 and shall immediately forward the documents with the amended
4 certificate to the Secretary of State. A copy of the amended
5 certificate must be filed in the county clerk's office. In the case of a
6 petition for initiative or referendum ~~to propose~~ *proposing* a
7 constitutional amendment or statewide measure, *other than a*
8 *proposed petition*, if a petition district comprises more than one
9 county, the county clerks shall comply with the regulations adopted
10 by the Secretary of State pursuant to this section to complete the
11 amended certificate.

12 5. For any petition containing signatures which are required to
13 be verified pursuant to the provisions of NRS 293.200, 306.035 or
14 306.110 for any county, district or municipal office within one
15 county, the county clerk shall not forward to the Secretary of State
16 the documents containing the signatures of the registered voters.

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

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

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

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

31 293.267 1. Ballots for a general election must contain the
32 names of candidates who were nominated at the primary election,
33 the names of the candidates of a minor political party and the names
34 of independent candidates.

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

38 3. Except as otherwise provided in subsection 4:

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

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



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

7 5. If the Legislature ~~rejects a statewide measure proposed by~~
8 ~~initiative and~~ proposes a different measure on the same subject
9 ~~which the Governor approves,~~ *as an initiative in accordance with*
10 *section 11.5 of this act and the Nevada Constitution*, the measure
11 proposed by the Legislature ~~and approved by the Governor~~ must
12 be listed on the ballot before the ~~statewide~~ measure proposed by
13 *the* initiative. Each ballot and sample ballot upon which the
14 measures appear must contain a statement that reads substantially as
15 follows:
16

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

25 **Sec. 3.** Chapter 295 of NRS is hereby amended by adding
26 thereto the provisions set forth as sections 3.01 to 11.5, inclusive, of
27 this act.

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

29 *1. Section 5 of Article 19 of the Nevada Constitution*
30 *authorizes the Legislature to provide by law for procedures to*
31 *facilitate the operation of the provisions of Article 19 of the*
32 *Nevada Constitution regarding a statewide or local petition for*
33 *initiative or referendum, including, without limitation, procedures*
34 *to facilitate the process of proposing, circulating and submitting*
35 *such a petition to the registered voters of this State.*

36 *2. When a statewide or local petition for initiative or*
37 *referendum proposes a measure for consideration by the voters,*
38 *the petition process does not include the same procedural*
39 *components and safeguards provided by the state or local*
40 *legislative process for consideration of a proposed measure,*
41 *including, without limitation:*

42 *(a) The development, drafting, review, analysis, evaluation and*
43 *revision of the form, substance and terms of the proposed measure*
44 *throughout a multistage procedural process conducted by*
45 *legislative and other public bodies and committees;*



1 ***(b) Public input and scrutiny regarding the form, substance***
2 ***and terms of the proposed measure, and any changes thereto,***
3 ***throughout the multistage procedural process; and***

4 ***(c) When required, executive approval or disapproval of the***
5 ***proposed measure as part of the multistage procedural process,***
6 ***with any executive disapproval subject to legislative override by a***
7 ***supermajority.***

8 ***3. In the absence of such procedural components and***
9 ***safeguards, the petition process is more vulnerable and susceptible***
10 ***to fraud, subterfuge, misunderstanding, mischief and abuse which***
11 ***creates a significant risk of voter confusion, inattention and***
12 ***deception and which undermines the public's faith and confidence***
13 ***in the fairness, veracity and integrity of the petition process and***
14 ***election process.***

15 ***4. The provisions of this chapter establish procedures to***
16 ***facilitate the petition process and election process which are***
17 ***intended to:***

18 ***(a) Ensure that each petition receives a threshold level of***
19 ***support from the voters in order to:***

20 ***(1) Discourage frivolous, spurious, vexatious or harassing***
21 ***petitions that consume and waste valuable public and private***
22 ***resources; and***

23 ***(2) Encourage order, efficiency and fairness and the cost-***
24 ***effective and economical use of public and private resources***
25 ***throughout the petition process and election process.***

26 ***(b) Ensure that the voters receive accurate, reliable, truthful***
27 ***and helpful information regarding each petition in order to assist***
28 ***the voters in reviewing, understanding, analyzing, evaluating and***
29 ***making informed decisions throughout the petition process and***
30 ***election process.***

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

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

36 ***(2) Prevent confusion, inattention and deception; and***

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

42 ***(I) Conceal, obscure or obfuscate the intent or purpose***
43 ***of the proposal; or***

44 ***(II) Combine more popular provisions with less popular***
45 ***provisions to obtain approval of provisions that the voters***



1 otherwise would reject if the provisions were presented separately
2 in single-subject proposals.

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

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

7 **Sec. 3.02.** As used in this chapter, unless the context
8 otherwise requires, the words and terms defined in sections 3.04
9 and 3.06 of this act have the meanings ascribed to them in those
10 sections.

11 **Sec. 3.04.** "Local petition for initiative or referendum"
12 means any county, city or other local petition for initiative or
13 referendum authorized by the Nevada Constitution or laws of this
14 State.

15 **Sec. 3.06.** "Statewide petition for initiative or referendum"
16 means a petition for initiative or referendum authorized by Section
17 1 or 2 of Article 19 of the Nevada Constitution, as applicable, to:

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

20 2. Propose a statute, an amendment to a statute or an
21 amendment to the Nevada Constitution.

22 **Sec. 3.08.** 1. If, in any preelection action, a statewide or
23 local petition for initiative or referendum, or any part thereof, is
24 declared invalid by a court of competent jurisdiction for any
25 violation of the description-of-effect or single-subject
26 requirements of NRS 295.009:

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

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

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

39 **Sec. 3.1.** As used in NRS 295.012 to 295.061, inclusive, and
40 sections 3.1 to 11.5, inclusive, of this act, unless the context
41 otherwise requires, the words and terms defined in sections 3.2 to
42 3.8, inclusive, of this act have the meanings ascribed to them in
43 those sections.

44 **Sec. 3.2.** "Description of effect" means the description of the
45 effect of an initiative or referendum that must appear on each



1 *signature page of a statewide petition pursuant to paragraph (b) of*
2 *subsection 1 of NRS 295.009.*

3 **Sec. 3.3.** *“Formalized petition” means a statewide petition*
4 *that complies with the provisions of NRS 295.012 to 295.061,*
5 *inclusive, and sections 3.1 to 11.5, inclusive, of this act in order to*
6 *become a formalized petition that may be filed with the Secretary*
7 *of State pursuant to Section 1 or 2 of Article 19 of the Nevada*
8 *Constitution, as applicable, and NRS 295.015.*

9 **Sec. 3.4.** *“Proponent of a statewide petition” or “proponent”*
10 *means the person or persons who propose a statewide petition.*

11 **Sec. 3.5.** *“Proposed petition” means a statewide petition*
12 *described in section 4 of this act.*

13 **Sec. 3.6.** *“Single-subject challenge” means any challenge*
14 *alleging that a statewide petition violates the single-subject*
15 *requirement in paragraph (a) of subsection 1 of NRS 295.009*
16 *which requires that the petition must embrace but one subject and*
17 *matters necessarily connected therewith and pertaining thereto.*

18 **Sec. 3.7. 1.** *“Statewide petition” or “petition” has the*
19 *meaning ascribed to “statewide petition for initiative or*
20 *referendum” in section 3.06 of this act.*

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

24 **Sec. 3.8. 1.** *“Working day” means a day on which the*
25 *Office of the Secretary of State or the appropriate court, as*
26 *applicable, is regularly open for the transaction of business.*

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

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

38 **2.** *The proponent of a local petition for initiative or*
39 *referendum is not subject to the provisions of NRS 295.012 to*
40 *295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act.*

41 **Sec. 4. 1.** *Before the proponent of a statewide petition may*
42 *file a copy of the formalized petition with the Secretary of State*
43 *pursuant to Section 1 or 2 of Article 19 of the Nevada*
44 *Constitution, as applicable, and NRS 295.015, the following*
45 *procedural requirements must be satisfied:*



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

8 (b) The proponent must circulate the proposed petition for
9 signatures and collect the signatures of not less than 1,000
10 persons who are registered voters in this State, but the signatures
11 do not have to be apportioned equally among the petition districts
12 pursuant to NRS 295.012;

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

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

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

20 2. The signatures collected on the proposed petition are valid
21 only for the purposes of the proposed petition and are not valid
22 thereafter for the purposes of collecting signatures for the
23 formalized petition if it is filed with the Secretary of State pursuant
24 to Section 1 or 2 of Article 19 of the Nevada Constitution, as
25 applicable, and NRS 295.015.

26 3. The proponent may not circulate a copy of the proposed
27 petition that is different in any way from the copy of the proposed
28 petition filed with the Secretary of State, and any signatures
29 collected on a copy of the proposed petition that is different in any
30 way from the filed copy are not valid for any purpose.

31 4. The proposed petition may not be amended, changed or
32 revised in any way after the proposed petition is filed with the
33 Secretary of State. If the proponent wants to amend, change or
34 revise the proposed petition in any way after the proposed petition
35 is filed with the Secretary of State, the proponent must file another
36 proposed petition pursuant to this section, and any signatures
37 collected on the previous proposed petition are not valid for the
38 purposes of collecting signatures for any subsequent petition.

39 5. The proposed petition must be in the form required by
40 Section 3 of Article 19 of the Nevada Constitution, NRS 295.009,
41 295.055 and 295.0575 and section 4.5 of this act and any
42 regulations adopted pursuant thereto, except that the proposed
43 petition:

44 (a) Must not include:

45 (1) Any references to the petition districts; or



1 (2) *A description of effect; and*
2 (b) *Must set forth a neutral summary, in not more than 200*
3 *words, of the purpose of the initiative or referendum in the*
4 *proposed petition. The summary must appear on each signature*
5 *page of the proposed petition and is not subject to challenge in any*
6 *judicial or administrative proceeding.*

7 6. *Except as otherwise provided in this section, the provisions*
8 *of NRS 295.009, 295.055 and 295.0575 that apply to a formalized*
9 *petition, other than the provisions relating to the petition districts,*
10 *also apply to a proposed petition, and any reference to a petition in*
11 *those provisions of NRS shall be deemed to include a proposed*
12 *petition.*

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

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

19 (a) *The purpose of the proposed petition.*

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

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

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

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

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

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

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



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

5 (a) A statement that the proponent has ceased all activities
6 relating to the proposed petition or, if the proposed petition
7 becomes a formalized petition, the formalized petition.

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

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

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

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

21 (b) "Proposed Referendum Petition No."

22 2. The title with the identifying number that is assigned to the
23 proposed petition pursuant to this section must appear on each
24 signature page of the proposed petition above the neutral
25 summary. No title, description, caption, heading, slogan, word,
26 term or phrase may appear on the proposed petition for the
27 purpose of identifying the proposed petition other than the title
28 with the identifying number that is assigned to the proposed
29 petition pursuant to this section and the neutral summary.

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

35 4. If, when the Secretary of State assigns the title with an
36 identifying number to the proposed petition, the next number in
37 the numerical sequence is already assigned to an initiative from
38 the prior election cycle that proposes an amendment to the Nevada
39 Constitution and will be resubmitted to the voters during the
40 current election cycle under the same number pursuant to NRS
41 295.035, the Secretary of State shall not use that number but shall
42 assign the next available number in the numerical sequence to the
43 proposed petition.

44 5. After the Secretary of State assigns the title with the
45 identifying number to the proposed petition, the Secretary of State



1 shall use the same identifying number for the title of the
2 formalized petition if it is filed with the Secretary of State pursuant
3 to Section 1 or 2 of Article 19 of the Nevada Constitution, as
4 applicable, and NRS 295.015.

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

7 (a) A copy of the proposed petition;

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

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

12 **Sec. 5. 1.** After the proposed petition has been circulated
13 for signatures, the proposed petition is not effective for any
14 purpose unless it is submitted for verification in the manner
15 required by this section. If the proposed petition is not submitted
16 for verification in the manner required by this section, the
17 proposed petition is void, and any signatures collected on the
18 proposed petition are not valid for any purpose.

19 2. The proposed petition may not be circulated for signatures
20 on or after the day on which it is submitted for verification. To
21 submit the proposed petition for verification, the proponent or a
22 person acting on behalf of the proponent must submit to each
23 county clerk for verification the document or documents of the
24 proposed petition which were circulated for signatures within the
25 clerk's county. The county clerk shall give the person submitting a
26 document or documents a receipt stating the number of documents
27 and pages and the statement of the person of the number of
28 signatures contained therein.

29 3. All documents of the proposed petition which are submitted
30 to a county clerk for verification must be submitted at the same
31 time. If documents concerning the same proposed petition are
32 submitted for verification to more than one county clerk, the
33 documents must be submitted to each county clerk on the same
34 day. At the time that the proposed petition is submitted to a county
35 clerk for verification, the person submitting the document or
36 documents shall designate a contact person who is authorized to
37 address questions or issues relating to the proposed petition.

38 4. The provisions of NRS 293.12758 to 293.12795, inclusive,
39 that apply to the verification of a formalized petition, other than
40 the provisions relating to the petition districts, also apply to the
41 verification of a proposed petition, and any reference to a petition
42 in those provisions of NRS shall be deemed to include a proposed
43 petition.

44 5. The proponent may withdraw the proposed petition at any
45 time before the proposed petition is submitted to the county clerks



1 *for verification pursuant to this section by filing a notice of*
2 *withdrawal with the Secretary of State on a form prescribed by the*
3 *Secretary of State. If the proponent files a notice of withdrawal,*
4 *the proposed petition is void, and any signatures collected on the*
5 *proposed petition are not valid for any purpose.*

6 **Sec. 6. 1.** *If the proposed petition is in proper form and the*
7 *certificates received by the Secretary of State from all the county*
8 *clerks establish that the proposed petition has not less than the*
9 *minimum number of signatures required by section 4 of this act,*
10 *the Secretary of State shall issue a declaration of sufficiency that*
11 *the proposed petition has a sufficient number of signatures.*

12 **2.** *After issuing the declaration of sufficiency, the Secretary*
13 *of State shall:*

14 (a) *Send a notice to the proponent of the proposed petition that*
15 *the declaration of sufficiency has been issued for the proposed*
16 *petition and provide a copy of the declaration of sufficiency to the*
17 *proponent;*

18 (b) *Transmit a copy of the notice, declaration of sufficiency*
19 *and proposed petition to the Attorney General; and*

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

21 (1) *The notice and declaration of sufficiency; and*

22 (2) *The date on which the notice was sent to the proponent*
23 *by the Secretary of State.*

24 **3.** *A declaration of sufficiency issued by the Secretary of*
25 *State pursuant to this section is not subject to review in any*
26 *judicial or administrative proceeding.*

27 **4.** *On or after the date on which the Secretary of State sends*
28 *the notice to the proponent pursuant to subsection 2, any person*
29 *who wants to bring a single-subject challenge against the*
30 *proposed petition must file a complaint against the proponent*
31 *pursuant to NRS 295.061 within the time provided by that section.*
32 *If a complaint is not filed within the time provided by NRS*
33 *295.061, any single-subject challenge is forever barred, both with*
34 *respect to the proposed petition and the formalized petition if it is*
35 *filed with the Secretary of State pursuant to Section 1 or 2 of*
36 *Article 19 of the Nevada Constitution, as applicable, and*
37 *NRS 295.015.*

38 **Sec. 6.5. 1.** *Not later than 5 working days after the date on*
39 *which the Secretary of State sends the notice to the proponent that*
40 *the declaration of sufficiency has been issued for the proposed*
41 *petition pursuant to section 6 of this act, the proponent shall file*
42 *with the Secretary of State, in the manner prescribed by the*
43 *Secretary of State, the proponent's description of effect for the*
44 *initiative or referendum.*



1 2. *The Secretary of State shall post on the Internet website of*
2 *the Secretary of State:*

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

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

6 3. *If any person wants to object to the proponent's description*
7 *of effect, the person must:*

8 (a) *File the objection with the Secretary of State, in the*
9 *manner prescribed by the Secretary of State, not later than 7*
10 *working days after the date on which the proponent filed the*
11 *description of effect with the Secretary of State; and*

12 (b) *Include with the objection:*

13 (1) *An explanation of how the proponent's description of*
14 *effect allegedly violates NRS 295.009; and*

15 (2) *One or more revised or substitute versions of the*
16 *description of effect that are drafted to remedy the alleged*
17 *violations.*

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

20 (a) *Any challenge to the description of effect is forever barred;*
21 *and*

22 (b) *The proposed petition becomes the formalized petition,*
23 *except that the neutral summary must be replaced by the*
24 *description of effect, and the proponent may file a copy of the*
25 *formalized petition, including the description of effect, with the*
26 *Secretary of State pursuant to Section 1 or 2 of Article 19 of*
27 *the Nevada Constitution, as applicable, and NRS 295.015.*

28 5. *If there are any objections filed to the proponent's*
29 *description of effect within the period prescribed by subsection 3,*
30 *the proponent and the persons who timely filed the objections may*
31 *agree to meet and confer in good faith to negotiate a stipulated*
32 *description of effect. If, within 5 working days after the end of the*
33 *period prescribed by subsection 3, the parties have negotiated a*
34 *stipulated description of effect:*

35 (a) *The parties shall, not later than the first working day*
36 *thereafter, notify the Secretary of State and the Attorney General,*
37 *in the manner prescribed by those officers, that the parties have*
38 *negotiated a stipulated description of effect and provide those*
39 *officers with a copy of the stipulated description of effect;*

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

42 (c) *The proposed petition becomes the formalized petition,*
43 *except that the neutral summary must be replaced by the*
44 *description of effect, and the proponent may file a copy of the*
45 *formalized petition, including the description of effect, with*



1 *the Secretary of State pursuant to Section 1 or 2 of Article 19 of*
2 *the Nevada Constitution, as applicable, and NRS 295.015.*

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

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

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

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

35 (b) *Filed an objection with the Secretary of State within the*
36 *period prescribed by subsection 3 but failed to file a motion to*
37 *intervene within the period prescribed by this subsection.*

38 9. *Unless otherwise ordered by the district court or stipulated*
39 *by the parties, the district court:*

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

42 (b) *Shall conduct the hearing not later than 21 working days*
43 *after the complaint is filed;*



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

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

6 10. The district court shall enter a judgment or order that
7 approves or revises the proponent's description of effect. A party
8 who is aggrieved by the district court's judgment or order may
9 appeal from that judgment or order by filing a notice of appeal
10 with the district court clerk not later than 10 working days after
11 the date that written notice of entry of the judgment or order
12 appealed from is served.

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

14 (a) If no appeal is taken, any challenge to the approved or
15 revised description of effect is forever barred and the proposed
16 petition becomes the formalized petition, except that the neutral
17 summary must be replaced by the description of effect, and the
18 proponent may file a copy of the formalized petition, including the
19 description of effect, with the Secretary of State pursuant to
20 Section 1 or 2 of Article 19 of the Nevada Constitution, as
21 applicable, and NRS 295.015.

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

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

37 Sec. 7. (Deleted by amendment.)

38 Sec. 8. (Deleted by amendment.)

39 Sec. 9. (Deleted by amendment.)

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

41 (a) Prepare a handbook for proponents and circulators of
42 statewide petitions setting forth the requirements of statute and
43 regulation that govern the proposal and circulation of proposed
44 and formalized petitions; and



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

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

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

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

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

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

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

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

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

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

30 2. The provisions of subsection 1:

31 (a) Are intended to be illustrative;

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

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

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

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

42 295.009 1. Each *statewide or local* petition for initiative or
43 referendum must:

44 (a) Embrace but one subject and matters necessarily connected
45 therewith and pertaining thereto; and



1 (b) ~~Set~~ *Except as otherwise provided in section 4 of this act,*
2 *set* forth, in not more than 200 words, a description of the effect of
3 the initiative or referendum if the initiative or referendum is
4 approved by the voters. The description must appear on each
5 signature page of the petition.

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

7 (a) *A* petition for initiative or referendum embraces but one
8 subject and matters necessarily connected therewith and pertaining
9 thereto, if the parts of the proposed initiative or referendum are
10 functionally related and germane to each other in a way that
11 provides sufficient notice of the general subject of, and of the
12 interests likely to be affected by, the proposed initiative or
13 referendum ~~1~~; and

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

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

24 295.012 The number of registered voters required pursuant to
25 Section 1 or 2 of Article 19 of the Nevada Constitution, *as*
26 *applicable*, to propose a *statewide* petition ~~for initiative or~~
27 ~~referendum~~, *other than a proposed petition*, must be apportioned
28 equally among the petition districts, and the number of signatures
29 required from each petition district must be equal.

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

31 295.015 1. Before *the proponent of a statewide* petition ~~for~~
32 ~~initiative or referendum~~ may ~~be presented~~ *begin to circulate the*
33 *petition* to the registered voters for their signatures ~~1~~ *pursuant to*
34 *Section 1 or 2 of Article 19 of the Nevada Constitution, as*
35 *applicable*:

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

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

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



1 (2) *The description of effect ~~required~~ for the formalized*
2 *petition in the identical form as determined pursuant to ~~NRS~~*
3 *~~295.009, must be placed on file with the Secretary of State.~~ section*
4 *6.5 of this act.*

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

10 (a) *“Initiative Petition No.”*; or

11 (b) *“Referendum Petition No.”*

12 3. *The title with the identifying number that is assigned to the*
13 *formalized petition pursuant to this section must appear on each*
14 *signature page of the formalized petition above the description of*
15 *effect. No title, description, caption, heading, slogan, word, term*
16 *or phrase may appear on the formalized petition for the purpose of*
17 *identifying the formalized petition other than the title with the*
18 *identifying number that is assigned to the formalized petition*
19 *pursuant to this section and the description of effect.*

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

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

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

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

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

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



1 **6. After the proponent files the formalized** petition ~~for~~
 2 ~~initiative or referendum placed on file pursuant to subsection 1 or 2:~~
 3 ~~—(a) The~~ **with the Secretary of State, the** Secretary of State shall
 4 consult with the Fiscal Analysis Division of the Legislative Counsel
 5 Bureau to determine ~~if~~ **whether** the initiative or referendum **in the**
 6 **formalized petition** may have any anticipated financial effect on the
 7 State or local governments if the initiative or referendum is
 8 approved by the voters. If the Fiscal Analysis Division determines
 9 that the initiative or referendum may have an anticipated financial
 10 effect on the State or local governments if the initiative or
 11 referendum is approved by the voters, the **Fiscal Analysis** Division
 12 ~~must~~ **shall** prepare a fiscal note that includes an explanation of
 13 ~~any such~~ **the anticipated financial** effect.

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

18 ~~4.~~ **7.** Not later than 10 ~~business~~ **working** days after the
 19 **proponent files the formalized petition with the** Secretary of State ,
 20 ~~receives a petition for initiative or referendum filed pursuant to~~
 21 ~~subsection 1 or 2.~~ the Secretary of State shall post **on the Internet**
 22 **website of the Secretary of State** a copy of ~~the~~ :

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

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

29 **Sec. 14.1.** NRS 295.035 is hereby amended to read as follows:
 30 295.035 If ~~the~~ **a statewide petition for an** initiative ~~petition~~
 31 **that** proposes an amendment to the **Nevada** Constitution ~~it~~ **is**
 32 **approved by the voters when it is submitted for the first time at a**
 33 **general election pursuant to Section 2 of Article 19 of the Nevada**
 34 **Constitution and NRS 295.012 to 295.061, inclusive, and sections**
 35 **3.1 to 11.5, inclusive, of this act, the Secretary of State,** in
 36 resubmitting the initiative to the voters ~~, the Secretary of State,~~ **at**
 37 **the next succeeding general election,** shall use the same identifying
 38 number or other identification used for the first submission.

39 **Sec. 14.2.** NRS 295.045 is hereby amended to read as follows:
 40 295.045 1. ~~A~~ **If a statewide** petition for a referendum ~~must~~
 41 ~~be filed with~~ **is submitted by** the Secretary of State ~~not less than~~
 42 ~~120 days before the date of~~ **to the voters at** the next succeeding
 43 general election ~~it~~;

44 ~~2.~~ ~~The~~ **pursuant to Section 1 of Article 19 of the Nevada**
 45 **Constitution and NRS 295.012 to 295.061, inclusive, and sections**



1 **3.1 to 11.5, inclusive, of this act, the** Secretary of State shall certify
2 the ~~{questions}~~ **referendum** to the county clerks, and they shall
3 publish ~~{them}~~ **the referendum** in accordance with the provisions of
4 law requiring county clerks to publish ~~{questions and proposed~~
5 ~~constitutional amendments which are to be submitted for popular~~
6 ~~vote.~~

7 ~~—3.1~~ **statewide measures pursuant to NRS 293.253.**

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

13 ~~{4.}~~ **3.** Where a mechanical voting system is used, the title of
14 the statute **or resolution** must appear on the list of offices and
15 candidates and the statements of **statewide** measures to be voted on
16 and may be condensed to no more than 25 words.

17 ~~{5.}~~ **4.** The votes cast upon the question must be counted and
18 canvassed as the votes for state officers are counted and canvassed.

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

20 295.055 1. The Secretary of State shall by regulation specify:

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

25 (1) ~~{In addition to signing the petition, a}~~ **Each** person who
26 signs ~~{a}~~ **the** petition ~~{}~~ **shall, in addition to signing the petition:**

27 (I) ~~{Shall print}~~ **Print** the person’s given name followed
28 by the person’s surname on the petition before the person’s
29 signature; and

30 (II) ~~{Must indicate}~~ **Indicate on the petition, other than a**
31 **proposed petition,** the petition district in which the person resides, if
32 known.

33 (2) Each signature must be dated.

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

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



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

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

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

11 295.056 1. ~~Before~~ *After a formalized* petition ~~for initiative~~
12 ~~or referendum is filed with the Secretary of State, the petitioners~~
13 *has been circulated for signatures, the formalized petition is not*
14 *effective for any purpose unless it is submitted for verification in*
15 *the manner required by this section. If the formalized petition is*
16 *not submitted for verification in the manner required by this*
17 *section, the formalized petition is void, and any signatures*
18 *collected on the formalized petition are not valid for any purpose.*

19 2. *The formalized petition may not be circulated for*
20 *signatures on or after the day on which it is submitted for*
21 *verification. To submit the formalized petition for verification, the*
22 *proponent or a person acting on behalf of the proponent* must
23 submit to each county clerk for verification pursuant to NRS
24 293.1276 to 293.1279, inclusive, the document or documents which
25 were circulated for ~~signature~~ *signatures* within the clerk’s county.
26 The clerks shall give the person submitting a document or
27 documents a receipt stating the number of documents and pages and
28 the person’s statement of the number of signatures contained
29 therein.

30 ~~2.~~ 3. If ~~it~~ *the formalized* petition ~~for~~ *is an* initiative *that*
31 proposes a statute or an amendment to a statute, the document or
32 documents must be submitted not later than the second Tuesday in
33 November of an even-numbered year.

34 ~~3.~~ 4. If ~~it~~ *the formalized* petition ~~for~~ *is an* initiative *that*
35 proposes an amendment to the *Nevada* Constitution, the document
36 or documents must be submitted not later than the third Tuesday in
37 June of an even-numbered year.

38 ~~4.~~ 5. If the *formalized* petition is ~~for~~ *a* referendum, the
39 document or documents must be submitted not later than the third
40 Tuesday in June of an even-numbered year.

41 ~~5.~~ 6. All documents *of the formalized petition* which are
42 submitted to a county clerk for verification must be submitted at the
43 same time. If documents concerning the same *formalized* petition
44 are submitted for verification to more than one county clerk, the
45 documents must be submitted to each county clerk on the same day.



1 At the time that the *formalized* petition is submitted to a county
2 clerk for verification, the ~~{petitioners may}~~ *person submitting the*
3 *document or documents shall* designate a contact person who is
4 authorized ~~{by the petitioners}~~ to address questions or issues relating
5 to the *formalized* petition.

6 *7. The proponent may withdraw the formalized petition at any*
7 *time before the formalized petition is submitted to the county*
8 *clerks for verification pursuant to this section by filing a notice of*
9 *withdrawal with the Secretary of State on a form prescribed by the*
10 *Secretary of State. If the proponent files a notice of withdrawal,*
11 *the formalized petition is void, and any signatures collected on the*
12 *formalized petition are not valid for any purpose.*

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

15 295.0575 A *statewide* petition ~~{for a constitutional amendment~~
16 ~~or a petition for a statewide measure proposed by an initiative or~~
17 ~~referendum}~~ may consist of more than one document. Each
18 document of ~~{a}~~ *the* petition must have attached to it when
19 submitted an affidavit executed by the circulator thereof stating:

20 1. That the circulator personally circulated the document.

21 2. The contact information of the circulator, including, without
22 limitation, the street address of the residence where the circulator
23 actually resides, unless a street address has not been assigned. If a
24 street address has not been assigned, the document must contain the
25 mailing address of the circulator.

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

27 4. The number of signatures thereon.

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

30 6. That each signer had an opportunity before signing to read
31 the full text of the ~~{act or resolution on which}~~ *measure proposed*
32 *for* the initiative or referendum. ~~{is demanded.}~~

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

35 295.0585 After a *statewide* petition ~~{for a constitutional~~
36 ~~amendment or a petition for a statewide measure proposed by an~~
37 ~~initiative or referendum}~~ is submitted for signature verification to
38 the county clerk ~~{}~~ *pursuant to NRS 295.056 or section 5 of this*
39 *act, as applicable,* the county clerk shall make true and correct
40 copies of all the documents of the petition and signatures thereon
41 and shall make such copies and signatures available to the public for
42 a period of not less than 14 days.

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

44 295.061 1. ~~{Except as otherwise provided in subsection 3,~~
45 ~~whether an initiative or referendum embraces but one subject and~~



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

12 2. *If a complaint is filed pursuant to subsection 1, the*
13 *plaintiff shall file all affidavits and documents in support of the*
14 *challenge } must be filed} with the complaint. } The} Not later than 3*
15 *working days after the filing of the complaint, the plaintiff shall*
16 *cause a copy of the complaint and all supporting affidavits and*
17 *other documents to be served upon:*

18 (a) *The proponent; and*

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

26 3. *Unless otherwise ordered by the court or stipulated by the*
27 *parties, the court shall } set} :*

28 (a) *Set the matter for hearing not later than } 15} 7 working days*
29 *after the complaint is filed ;*

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

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

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

38 ~~2-} 5. The } legal sufficiency} provisions of subsections 1 to 4,~~
39 ~~inclusive, provide the exclusive means to bring a single-subject~~
40 ~~challenge against a statewide petition, and no judicial or~~
41 ~~administrative proceeding may be commenced to bring such a~~
42 ~~challenge other than by a complaint filed in the First Judicial~~
43 ~~District Court pursuant to subsections 1 to 4, inclusive.~~

44 6. *If any person wants to challenge:*



1 (a) A determination by the Secretary of State pursuant to NRS
2 293.1276 to 293.1279, inclusive, that a statewide petition ~~for~~
3 ~~initiative or referendum may be challenged by filing~~, other than a
4 proposed petition, has a sufficient number of signatures; or

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

7 (1) May be raised in a preelection challenge;

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

10 (3) Is not expressly barred from being challenged by the
11 provisions of NRS 295.012 to 295.061, inclusive, and sections 3.1
12 to 11.5, inclusive, of this act,

13 ~~the person must file a complaint against the proponent of the~~
14 ~~petition and the Secretary of State in {district court} the First~~
15 ~~Judicial District Court not later than 7 working days {, Saturdays,~~
16 ~~Sundays and holidays excluded,} after the date on which the~~
17 ~~Secretary of State certifies that the petition {is certified as} has a~~
18 ~~sufficient {by the Secretary of State. All} number of signatures.~~

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

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

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

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

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

31 ~~{3. If a description of the effect of an initiative or referendum~~
32 ~~required pursuant to NRS 295.009 is challenged successfully~~
33 ~~pursuant to subsection 1 and such description is amended in~~
34 ~~compliance with the order of the court, the amended description~~
35 ~~may not be challenged.}~~

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

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

43 295.300 A person shall not give compensation of any kind to
44 any person in exchange for signing a *statewide or local* petition for
45 initiative or referendum.



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

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

⑩



* S B 4 3 4 R 1 *