

ASSEMBLY BILL NO. 50—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE SECRETARY OF STATE)

PREFILED NOVEMBER 18, 2018

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing the dates for certain city elections. (BDR 24-473)

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

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

AN ACT relating to elections; revising provisions governing the dates for certain city elections; revising provisions relating to candidates in certain city elections; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under the Nevada Constitution, the Legislature may require city elections to be held in even-numbered years on the statewide election cycle by amending: (1) the general law governing cities and their elections; and (2) the charters of the cities organized under special legislative acts or the commission form of government. (Nev. Const. Art. 4, § 27, Art. 8, § 1; chapters 266, 267 and 293C of NRS) In transitioning city elections to even-numbered years, the Legislature may shorten or lengthen the existing terms of office of elected city officers, without violating federal and state constitutional limitations, where the object of the legislation is to regulate the time of holding city elections, and not merely to reduce or extend the terms of particular incumbents. (Nev. Att'y Gen. Op. 2005-02 (Feb. 8, 2005); *Spencer v. Knight*, 98 N.E. 342, 346 (Ind. 1912); *Long v. City of New York*, 81 N.Y. 425, 427-28 (1880); *Lanza v. Wagner*, 183 N.E.2d 670, 673-74 (N.Y. 1962); *State ex rel. Voss v. Davis*, 418 S.W.2d 163, 167-72 (Mo. 1967))

Existing law authorizes the governing body of a city incorporated pursuant to general law to choose by ordinance whether to: (1) hold city elections on the statewide election cycle; or (2) hold a primary city election on the first Tuesday after the first Monday in April and hold a general city election on the second Tuesday after the first Monday in June of odd-numbered years. (NRS 293C.115, 293C.140, 293C.145, 293C.175) Existing provisions of various city charters also authorize the cities incorporated under those charters to make the same choice by ordinance regarding the dates of their city elections, and some of the charter cities currently hold their city elections on the statewide election cycle in even-numbered



years, while other charter cities currently hold their city elections in odd-numbered years.

Sections 1, 2, 4, 5, 6.4, 7.4 and 17-50 of this bill require that all cities hold elections on the statewide election cycle beginning in the year 2022. **Sections 3, 3.8, 6.2, 7.2 and 8-16** of this bill amend various provisions relating to city elections, such as the date for filing declarations of candidacy, in order to facilitate the transition to the statewide election cycle.

Under existing law, the cities of Ely and Fallon are the only cities incorporated pursuant to general law that currently hold their city elections in odd-numbered years. To carry out the transition to the statewide election cycle in those general-law cities, **section 51** of this bill provides that officials of those cities who were elected in 2017 will hold office until the city elections are held in 2022, and officials of those cities who will be elected in 2019 will hold office until the city elections are held in 2024.

Certain charter cities currently hold general municipal elections in June of odd-numbered years (Boulder City, Caliente, Henderson, Las Vegas, North Las Vegas and Yerington). **Sections 17-50** of this bill amend the charter of each of those cities to require that the cities hold their city elections on the same dates as the statewide election cycle in even-numbered years. **Section 52** of this bill provides for the terms of office of officials of such cities who were elected in 2017 or who will be elected in 2019, and the terms of office of municipal judges who were elected to 6-year terms in 2015 or 2017 or who will be elected in 2019, to be extended by 1 year to allow for the transition to the statewide election cycle. **Section 52.5** of this bill requires Boulder City to transition to the statewide election cycle in accordance with the ordinance adopted by the City Council of Boulder City for such purpose effective November 1, 2018.

Under existing law, with limited exception, a judicial candidate for justice of the Supreme Court, judge of the Court of Appeals, judge of a district court or justice of the peace must file a declaration of candidacy with the appropriate filing officer in January in even-numbered years. (NRS 293.177) Depending on the organization of a city and its population category, existing law provides that a judge of a municipal court of the city may be either elected or appointed to office or, under certain circumstances, a justice of the peace of the township in which the city is located may serve ex officio as a judge of a municipal court of the city. (NRS 5.020, 266.405) If a judge of a municipal court is elected to office, existing law provides that a judicial candidate for the elective office must file a declaration of candidacy with the city clerk: (1) in cities that currently hold their city elections in even-numbered years, in March in even-numbered years; and (2) in cities that currently hold their city elections in odd-numbered years, not less than 60 days or more than 70 days before the date of the primary city election or, if the city does not hold a primary city election, not less than 60 days nor more than 70 days before the date of the general city election. (NRS 293.177, 293C.115, 293C.145, 293C.175)

Sections 3.8, 6.2 and 7.2 of this bill provide that, beginning in the year 2020, a judicial candidate for the elective office of judge of a municipal court in cities that currently hold their city elections in even-numbered years must file a declaration of candidacy with the city clerk not earlier than the first Monday in January and not later than 5 p.m. on the second Friday after the first Monday in January in even-numbered years, consistent with the filing period for all other judicial candidates in even-numbered years. When all other cities transition to the statewide election cycle beginning in the year 2022, **sections 6.4 and 7.4** of this bill provide that all judicial candidates for the elective office of judge of a municipal court must file a declaration of candidacy with the city clerk during that same period in January in even-numbered years.



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

1 **Section 1.** NRS 293.059 is hereby amended to read as follows:
2 293.059 “General city election” means an election held
3 pursuant to NRS ~~[293C.115]~~ 293C.140 or 293C.145. The term
4 includes a general municipal election held pursuant to the provisions
5 of a special charter of an incorporated city.

6 **Sec. 2.** NRS 293.079 is hereby amended to read as follows:
7 293.079 “Primary city election” means an election held
8 pursuant to NRS ~~[293C.115 or]~~ 293C.175. The term includes a
9 primary municipal election held pursuant to the provisions of a
10 special charter of an incorporated city.

11 **Sec. 3.** NRS 293B.354 is hereby amended to read as follows:
12 293B.354 1. The county clerk shall, not later than April 15 of
13 each year in which a general election is held, submit to the Secretary
14 of State for approval a written plan for the accommodation of
15 members of the general public who observe the delivery, counting,
16 handling and processing of ballots at a polling place, receiving
17 center or central counting place.

18 2. The city clerk shall, not later than ~~[January 1]~~ *April 15*
19 of each year in which a general city election is held, submit
20 to the Secretary of State for approval a written plan for the
21 accommodation of members of the general public who observe the
22 delivery, counting, handling and processing of the ballots at a
23 polling place, receiving center or central counting place.

24 3. Each plan must include:

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

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

31 (c) The requirements concerning the conduct of the members of
32 the general public who observe the activities set forth in subsections
33 1 and 2; and

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

38 **Sec. 3.8.** NRS 293C.115 is hereby amended to read as follows:
39 293C.115 1. The governing body of a city incorporated
40 pursuant to general law may by ordinance provide for a primary city
41 election and a general city election on:



(a) The dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS; or

(b) The dates set forth for primary city elections and general city elections pursuant to the provisions of this chapter.

2. If a governing body of a city adopts an ordinance pursuant to paragraph (a) of subsection 1, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165, and in NRS 293.175, ~~293.177,~~ 293.345 and 293.368 apply for purposes of conducting the primary city elections and general city elections of the city.

3. If a governing body of a city adopts an ordinance pursuant to subsection 1:

(a) The term of office of any elected city official may not be shortened as a result of the ordinance; and

(b) Each elected city official holds office until the end of his or her term and until his or her successor has been elected and qualified.

Sec. 4. NRS 293C.115 is hereby amended to read as follows:

293C.115 ~~1.~~ The governing body of a city incorporated pursuant to general law ~~may~~ *shall* by ordinance provide for a primary city election and a general city election on ~~1:~~

~~—(a) The dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS; or~~

~~—(b) The~~ *the* dates set forth for primary city elections and general city elections pursuant to the provisions of this chapter.

~~2. If a governing body of a city adopts an ordinance pursuant to paragraph (a) of subsection 1, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165, and in NRS 293.175, 293.345 and 293.368 apply for purposes of conducting the primary city elections and general city elections of the city.~~

~~3. If a governing body of a city adopts an ordinance pursuant to subsection 1:~~

~~—(a) The term of office of any elected city official may not be shortened as a result of the ordinance; and~~

~~—(b) Each elected city official holds office until the end of his or her term and until his or her successor has been elected and qualified.]~~

Sec. 5. NRS 293C.140 is hereby amended to read as follows:

293C.140 1. ~~Except as otherwise provided in NRS 293C.115, a~~ A general city election must be held in each city of population categories one and two on the ~~second~~ *first* Tuesday after the first Monday in ~~June~~ *November* of the first ~~odd-numbered~~ *even-numbered* year after incorporation, and ~~on the same day every~~ *at each successive interval of* 2 years, ~~thereafter~~



1 ~~as determined by law, ordinance or resolution,~~ at which time there
2 must be elected the elective city officers, the offices of which are
3 required next to be filled by election. All candidates, except as
4 otherwise provided in NRS 266.220, at the general city election
5 must be voted upon by the electors of the city at large.

6 2. ~~{Unless the terms of office of city council members are~~
7 ~~extended by an ordinance adopted pursuant to NRS 293C.115, the}~~
8 *The terms of office of the council members* are 4 years, which
9 terms must be staggered. The council members elected to office
10 immediately after incorporation shall decide, by lot, among
11 themselves which of their offices expire at the next general city
12 election, and thereafter the terms of office must be 4 years . ~~{unless~~
13 ~~the terms are extended by an ordinance adopted pursuant to~~
14 ~~NRS 293C.115.}}~~

15 **Sec. 6.** (Deleted by amendment.)

16 **Sec. 6.2.** NRS 293C.145 is hereby amended to read as follows:

17 293C.145 1. Except as otherwise provided in NRS 293C.115,
18 a general city election must be held in each city of population
19 category three on the second Tuesday after the first Monday in June
20 of the first odd-numbered year after incorporation, and on the same
21 day every 2 years thereafter, as determined by ordinance.

22 2. There must be one mayor and three or five council members,
23 as the city council shall provide by ordinance, for each city of
24 population category three. Unless the terms of office of the mayor
25 and the council members are extended by an ordinance adopted
26 pursuant to NRS 293C.115, the terms of office of the mayor and the
27 council members are 4 years, which terms must be staggered. The
28 mayor and council members elected to office immediately after
29 incorporation shall decide, by lot, among themselves which two of
30 their offices expire at the next general city election, and thereafter
31 the terms of office must be 4 years unless the terms are extended by
32 an ordinance adopted pursuant to NRS 293C.115. If a city council
33 thereafter increases the number of council members, it shall, by lot,
34 stagger the initial terms of the additional members.

35 3. ~~{Except as otherwise provided in NRS 293C.115, a}~~ A
36 candidate for ~~{any}~~ *an* office to be voted for at the general city
37 election must file a declaration of candidacy with the city clerk :

38 *(a) If the city has provided by ordinance for a general city*
39 *election on the same date as the statewide general election*
40 *pursuant to chapter 293 of NRS and the candidate is filing for:*

41 *(1) The office of judge of a municipal court, not earlier*
42 *than the first Monday in January of the year in which the*
43 *applicable election is to be held and not later than 5 p.m. on the*
44 *second Friday after the first Monday in January.*



(2) Any other office, not earlier than the first Monday in March of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.

(b) If the city has not provided by ordinance for a general city election on the same date as the statewide general election pursuant to chapter 293 of NRS, not ~~[less]~~ earlier than ~~[60 days nor more]~~ the 70th day before the applicable election is to be held and not later than ~~[70 days]~~ 5 p.m. on the 60th day before the ~~[day of the general city election. The]~~ applicable election is to be held.

4. At the time that a candidate files a declaration of candidacy, the city clerk shall charge and collect from the candidate, and the candidate must pay to the city clerk, ~~[at the time of filing the declaration of candidacy,]~~ a filing fee in an amount fixed by the city council by ordinance or resolution.

~~[4.]~~ 5. Candidates for mayor must be voted upon by the electors of the city at large. Candidates for the city council must be voted upon by the electors of their respective wards to represent the wards in which they reside or by the electors of the city at large in accordance with the provisions of chapter 266 of NRS.

Sec. 6.4. NRS 293C.145 is hereby amended to read as follows:

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

2. There must be one mayor and three or five council members, as the city council shall provide by ordinance, for each city of population category three. ~~[Unless the terms of office of the mayor and the council members are extended by an ordinance adopted pursuant to NRS 293C.115, the]~~ The terms of office of the mayor and the council members are 4 years, which terms must be staggered. The mayor and council members elected to office immediately after incorporation shall decide, by lot, among themselves which two of their offices expire at the next general city election, and thereafter the terms of office must be 4 years . ~~[unless the terms are extended by an ordinance adopted pursuant to NRS 293C.115.]~~ If a city council thereafter increases the number of council members, it shall, by lot, stagger the initial terms of the additional members.

3. A candidate for an office to be voted for at the general city election must file a declaration of candidacy with the city clerk ~~[:]~~ not earlier than:



(a) ~~If the city has provided by ordinance for a general city election on the same date as the statewide general election pursuant to chapter 293 of NRS and the candidate is filing for:~~

~~— (1) The~~ *For the* office of judge of a municipal court, ~~[not earlier than]~~ the first Monday in January of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in January.

~~[(2) Any]~~

(b) For any other office, ~~[not earlier than]~~ the first Monday in March of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.

~~[(b) If the city has not provided by ordinance for a general city election on the same date as the statewide general election pursuant to chapter 293 of NRS, not earlier than the 70th day before the applicable election is to be held and not later than 5 p.m. on the 60th day before the applicable election is to be held.]~~

4. At the time that a candidate files a declaration of candidacy, the city clerk shall charge and collect from the candidate, and the candidate must pay to the city clerk, a filing fee in an amount fixed by the city council by ordinance or resolution.

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

Sec. 7. (Deleted by amendment.)

Sec. 7.2. NRS 293C.175 is hereby amended to read as follows:

293C.175 1. Except as otherwise provided in NRS 293C.115, a primary city election must be held in each city of population category one, and in each city of population category two that has so provided by ordinance, on the first Tuesday after the first Monday in April of every year in which a general city election is to be held, at which time there must be nominated candidates for offices to be voted for at the next general city election.

2. ~~[Except as otherwise provided in NRS 293C.115, a]~~ *A* candidate for ~~[any]~~ *an* office to be voted for at the primary ~~or~~ *general* city election must file a declaration of candidacy with the city clerk :

(a) If the city has provided by ordinance for the primary and general city elections on the same dates, respectively, as the statewide primary and general elections pursuant to chapter 293 of NRS and the candidate is filing for:

(1) The office of judge of a municipal court, not earlier than the first Monday in January of the year in which the



* A B 5 0 R 2 *

1 applicable election is to be held and not later than 5 p.m. on the
2 second Friday after the first Monday in January.

3 (2) Any other office, not earlier than the first Monday in
4 March of the year in which the applicable election is to be held
5 and not later than 5 p.m. on the second Friday after the first
6 Monday in March.

7 (b) If the city has not provided by ordinance for the primary
8 and general city elections on the same dates, respectively, as the
9 statewide primary and general elections pursuant to chapter 293
10 of NRS, not ~~Hess~~ earlier than ~~{60 days or more}~~ the 70th day
11 before the applicable election is to be held and not later than ~~{70~~
12 ~~days}~~ 5 p.m. on the 60th day before the ~~{date of the primary city~~
13 ~~election. The}~~ applicable election is to be held.

14 3. At the time that a candidate files a declaration of
15 candidacy, the city clerk shall charge and collect from the candidate
16 , and the candidate must pay to the city clerk, ~~{at the time of filing~~
17 ~~the declaration of candidacy.}~~ a filing fee in an amount fixed by the
18 governing body of the city by ordinance or resolution. The filing
19 fees collected by the city clerk must be deposited to the credit of the
20 general fund of the city.

21 ~~{3-}~~ 4. All candidates, except as otherwise provided in NRS
22 266.220, must be voted upon by the electors of the city at large.

23 ~~{4-}~~ 5. If, in a primary city election held in a city of population
24 category one or two, one candidate receives a majority of votes cast
25 in that election for the office for which he or she is a candidate, the
26 candidate must be declared elected to the office and the candidate's
27 name must not be placed on the ballot for the general city election.
28 If, in the primary city election, no candidate receives a majority of
29 votes cast in that election for the office for which he or she is a
30 candidate, the names of the two candidates receiving the highest
31 number of votes must be placed on the ballot for the general city
32 election.

33 Sec. 7.3. (Deleted by amendment.)

34 Sec. 7.4. NRS 293C.175 is hereby amended to read as follows:

35 293C.175 1. ~~{Except as otherwise provided in NRS~~
36 ~~293C.115, a}~~ A primary city election must be held in each city of
37 population category one, and in each city of population category two
38 that has so provided by ordinance, on the ~~{first}~~ second Tuesday
39 ~~{after the first Monday}~~ in ~~{April}~~ June of ~~{every}~~ each even-
40 numbered year , ~~{in which a general city election is to be held.}~~ at
41 which time there must be nominated candidates for offices to be
42 voted for at the next general city election.

43 2. A candidate for an office to be voted for at the primary or
44 general city election must file a declaration of candidacy with the
45 city clerk ~~{-}~~ not earlier than:



(a) ~~If the city has provided by ordinance for the primary and general city elections on the same dates, respectively, as the statewide primary and general elections pursuant to chapter 293 of NRS and the candidate is filing for:~~

~~— (1) The~~ **For the** office of judge of a municipal court, ~~[not earlier than]~~ the first Monday in January of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in January.

~~[(2) Any]~~

(b) For any other office, ~~[not earlier than]~~ the first Monday in March of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.

~~[(b) If the city has not provided by ordinance for the primary and general city elections on the same dates, respectively, as the statewide primary and general elections pursuant to chapter 293 of NRS, not earlier than the 70th day before the applicable election is to be held and not later than 5 p.m. on the 60th day before the applicable election is to be held.]~~

3. At the time that a candidate files a declaration of candidacy, the city clerk shall charge and collect from the candidate, and the candidate must pay to the city clerk, a filing fee in an amount fixed by the governing body of the city by ordinance or resolution. The filing fees collected by the city clerk must be deposited to the credit of the general fund of the city.

4. All candidates, except as otherwise provided in NRS 266.220, must be voted upon by the electors of the city at large.

5. If, in a primary city election held in a city of population category one or two, one candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the candidate must be declared elected to the office and the candidate's name must not be placed on the ballot for the general city election. If, in the primary city election, no candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general city election.

Sec. 7.7. NRS 293C.180 is hereby amended to read as follows:

293C.180 1. If at 5 p.m. on the last day for filing a declaration of candidacy, there is only one candidate who has filed for nomination for an office, that candidate must be declared elected and no election may be held for that office.

2. Except as otherwise provided in subsection 1, if not more than twice the number of candidates to be elected have filed for nomination for an office, the names of those candidates must be



omitted from all ballots for a primary city election and placed on all ballots for a general city election.

3. If more than twice the number of candidates to be elected have filed for nomination for an office, the names of the candidates must appear on the ballot for a primary city election. Except as otherwise provided in subsection ~~[4]~~ 5 of NRS 293C.175, those candidates who receive the highest number of votes at that election, not to exceed twice the number to be elected, must be declared nominees for the office.

Sec. 8. NRS 293C.185 is hereby amended to read as follows:

293C.185 1. Except as otherwise provided in NRS ~~[293C.145 and]~~ 293C.190, a name may not be printed on a ballot to be used at a primary *or general* city election unless the person named has *, in accordance with NRS 293C.145 or 293C.175, as applicable, timely* filed a declaration of candidacy or an acceptance of candidacy and ~~[has]~~ paid the fee established by the governing body of the city . ~~[not earlier than 70 days before the primary city election and not later than 5 p.m. on the 60th day before the primary city election.]~~

2. A declaration *or acceptance* of candidacy required to be filed ~~[by]~~ *pursuant to* this ~~[section]~~ *chapter* must be in substantially the following form:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

City of.....

For the purpose of having my name placed on the official ballot as a candidate for the office of, I,, the undersigned do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the city, township or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; that if



1 nominated as a candidate at the ensuing election I will accept
2 the nomination and not withdraw; that I will not knowingly
3 violate any election law or any law defining and prohibiting
4 corrupt and fraudulent practices in campaigns and elections in
5 this State; that I will qualify for the office if elected thereto,
6 including, but not limited to, complying with any limitation
7 prescribed by the Constitution and laws of this State
8 concerning the number of years or terms for which a person
9 may hold the office; that I understand that knowingly and
10 willfully filing a declaration of candidacy or acceptance of
11 candidacy which contains a false statement is a crime
12 punishable as a gross misdemeanor and also subjects me to a
13 civil action disqualifying me from entering upon the duties of
14 the office; and that I understand that my name will appear on
15 all ballots as designated in this declaration.

16
17
18 (Designation of name)

19
20
21 (Signature of candidate for office)

22
23 Subscribed and sworn to before me
24 this day of the month of of the year

25
26
27 Notary Public or other person
28 authorized to administer an oath
29

30 3. The address of a candidate that must be included in the
31 declaration or acceptance of candidacy pursuant to subsection 2
32 must be the street address of the residence where the candidate
33 actually, as opposed to constructively, resides in accordance with
34 NRS 281.050, if one has been assigned. The declaration or
35 acceptance of candidacy must not be accepted for filing if the
36 candidate fails to comply with the following provisions of this
37 subsection or, if applicable, the provisions of subsection 4:

38 (a) The candidate shall not list the candidate's address as a post
39 office box unless a street address has not been assigned to the
40 residence; and

41 (b) Except as otherwise provided in subsection 4, the candidate
42 shall present to the filing officer:

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



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

4. If the candidate executes an oath or affirmation under penalty of perjury stating that the candidate is unable to present to the filing officer the proof of residency required by subsection 3 because a street address has not been assigned to the candidate's residence or because the rural or remote location of the candidate's residence makes it impracticable to present the proof of residency required by subsection 3, the candidate shall present to the filing officer:

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

(b) Alternative proof of the candidate's residential address that the filing officer determines is sufficient to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050. The Secretary of State may adopt regulations establishing the forms of alternative proof of the candidate's residential address that the filing officer may accept to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050.

5. The filing officer shall retain a copy of the proof of identity and residency provided by the candidate pursuant to subsection 3 or 4. Such a copy:

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

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

6. By filing the declaration or acceptance of candidacy, the candidate shall be deemed to have appointed the city clerk as his or her agent for service of process for the purposes of a proceeding pursuant to NRS 293C.186. Service of such process must first be attempted at the appropriate address as specified by the candidate in the declaration or acceptance of candidacy. If the candidate cannot be served at that address, service must be made by personally delivering to and leaving with the city clerk duplicate copies of the process. The city clerk shall immediately send, by registered or certified mail, one of the copies to the candidate at the specified address, unless the candidate has designated in writing to the city clerk a different address for that purpose, in which case the city clerk shall mail the copy to the last address so designated.

7. If the city clerk receives credible evidence indicating that a candidate has been convicted of a felony and has not had his or her



civil rights restored by a court of competent jurisdiction, the city clerk:

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

(b) Shall transmit the credible evidence and the findings from such investigation to the city attorney.

8. The receipt of information by the city attorney pursuant to subsection 7 must be treated as a challenge of a candidate pursuant to subsections 4 and 5 of NRS 293C.186 to which the provisions of NRS 293.2045 apply.

9. Any person who knowingly and willfully files a declaration of candidacy or acceptance of candidacy which contains a false statement in violation of this section is guilty of a gross misdemeanor.

Sec. 9. NRS 293C.190 is hereby amended to read as follows:

293C.190 1. ~~{Except as otherwise provided in NRS 293C.115, a vacancy occurring in a nomination for a city office after the close of filing and on or before 5 p.m. of the first Tuesday after the first Monday in March in a year in which a general city election is held must be filled by filing a nominating petition that is signed by at least 1 percent of the persons who are registered to vote and who voted for that office at the last preceding general city election. Except as otherwise provided in NRS 293C.115, the petition must be filed not earlier than the third Tuesday in February and not later than the third Tuesday after the third Monday in March. A candidate nominated pursuant to the provisions of this subsection may be elected only at a general city election, and the candidate's name must not appear on the ballot for a primary city election.~~

~~— 2. Except as otherwise provided in NRS 293C.115, a~~ A vacancy occurring in a nomination for a city office ~~{after 5 p.m. of the first Tuesday after the first Monday in March and on or}~~ before 5 p.m. of the ~~{second Tuesday after the second Monday in April}~~ *fourth Friday in July of the year in which the general city election is held* must be filled by the person who received the next highest vote for the nomination in the primary city election ~~{~~

~~— 3. Except to place a candidate nominated pursuant to subsection 1 on the ballot and except as otherwise provided in NRS 293C.115, no~~ *if a primary city election was held for that office. If no primary city election was held for that city office or if there was not more than one person who was seeking the nomination in the primary city election, a person may become a candidate for the city office at the general city election if the person files a declaration*



1 *of candidacy or acceptance of candidacy and pays the appropriate*
2 *filing fee before 5 p.m. on the fourth Friday in July.*

3 2. No change may be made on the ballot for the general city
4 election after 5 p.m. ~~{of the second Tuesday after the second~~
5 ~~Monday in April}~~ *on the fourth Friday in July* of the year in which
6 the general city election is held. If ~~[a]~~, *after that time and date:*

7 (a) A nominee dies ~~{after that time and date,}~~ *or is adjudicated*
8 *insane or mentally incompetent; or*

9 (b) *A vacancy in the nomination is otherwise created,*

10 *the nominee's name must remain on the ballot for the general city*
11 *election and, if elected, a vacancy exists.*

12 ~~{4. Except as otherwise provided in NRS 293C.115, all~~
13 ~~designations provided for in this section must be filed on or before 5~~
14 ~~p.m. on the second Tuesday after the second Monday in April of the~~
15 ~~year in which the general city election is held. The filing fee must be~~
16 ~~paid and an acceptance of the designation must be filed on or before~~
17 ~~5 p.m. on that date.}~~

18 **Sec. 10.** NRS 293C.2675 is hereby amended to read as
19 follows:

20 293C.2675 1. If an Indian reservation or Indian colony is
21 located in whole or in part within a city, the Indian tribe may submit
22 a request to the city clerk for the establishment of a polling place
23 within the boundaries of the Indian reservation or Indian colony for
24 the day of a primary city election or general city election.

25 2. A request for the establishment of a polling place within the
26 boundaries of an Indian reservation or Indian colony for the day of a
27 primary city election or general city election:

28 (a) Must be submitted to the city clerk by the Indian tribe on or
29 before:

30 (1) If the request is for a primary city election, ~~{that is held:~~
31 ~~(I) On the dates set forth for primary elections pursuant to~~
32 ~~the provisions of chapter 293 of NRS,}~~ the first Friday in January of
33 the year in which the primary city election is to be held.

34 ~~{(II) On the dates set forth for primary city elections~~
35 ~~pursuant to the provisions of this chapter, the first Friday in~~
36 ~~December of the year immediately preceding the year in which the~~
37 ~~primary city election is to be held.}~~

38 (2) If the request is for a general city election, ~~{that is held:~~
39 ~~(I) On the dates set forth for general elections pursuant to~~
40 ~~the provisions of chapter 293 of NRS,}~~ the first Friday in July of the
41 year in which the general city election is to be held.

42 ~~{(II) On the dates set forth for general city elections~~
43 ~~pursuant to the provisions of this chapter, the first Friday in January~~
44 ~~of the year in which the general city election is to be held.}~~



(b) May include one or more proposed locations within the boundaries of the Indian reservation or Indian colony for the polling place. Any proposed location for a polling place must satisfy the criteria the city clerk uses for the establishment of any other polling place.

3. Except as otherwise provided in this subsection, if the city clerk receives a request that satisfies the requirements set forth in subsection 2, the city clerk must establish at least one polling place within the boundaries of the Indian reservation or Indian colony at a location or locations, as applicable, approved by the Indian tribe for the day of a primary city election or general city election. The city clerk is not required to establish a polling place within the boundaries of the Indian reservation or Indian colony for the day of a primary city election or general city election if the city clerk established a temporary branch polling place for early voting pursuant to NRS 293C.3572 within the boundaries of the Indian reservation or Indian colony for the same election.

Sec. 11. NRS 293C.291 is hereby amended to read as follows:

293C.291 If a candidate whose name appears on the ballot at a primary city election or general city election dies after the applicable date set forth in ~~1.~~

~~1.] NRS 293C.370 ~~1.~~ or~~

~~2.] NRS 293.368, if the governing body of the city has adopted an ordinance pursuant to paragraph (a) of subsection 1 of NRS 293C.115;~~

~~2.] but before the time of the closing of the polls on the day of the election, the city clerk shall post a notice of the candidate's death at each polling place where the candidate's name will appear on the ballot for the primary city election or general city election.~~

Sec. 12. NRS 293C.345 is hereby amended to read as follows:

293C.345 ~~[Except as otherwise provided in NRS 293C.115, the]~~ *The* city clerk shall mail to each registered voter in each mailing precinct and in each absent ballot mailing precinct ~~[, before 5 p.m. on the third Thursday in March and before 5 p.m. on the fourth Tuesday in May of any year in which a general city election is held,]~~ an official mailing ballot to be voted by the voter at the election ~~[.] before 5 p.m. on the last business day preceding the first day of the period for early voting for any primary city election or general city election, as applicable.~~

Sec. 13. NRS 293C.3572 is hereby amended to read as follows:

293C.3572 1. In addition to permanent polling places for early voting, except as otherwise provided in subsection ~~[3.]~~ *4*, the city clerk may establish temporary branch polling places for early voting pursuant to NRS 293C.3561.



2. If an Indian reservation or Indian colony is located in whole or in part within a city, the Indian tribe may submit a request to the city clerk for the establishment of a temporary branch polling place within the boundaries of the Indian reservation or Indian colony.

3. A request for the establishment of a temporary branch polling place within the boundaries of an Indian reservation or Indian colony:

(a) Must be submitted to the city clerk by the Indian tribe on or before:

(1) If the request is for a primary city election, ~~[that is held: (I) On the dates set forth for primary elections pursuant to the provisions of chapter 293 of NRS,]~~ the first Friday in January of the year in which the primary city election is to be held.

~~[(II) On the dates set forth for primary city elections pursuant to the provisions of this chapter, the first Friday in December of the year immediately preceding the year in which the primary city election is to be held.]~~

(2) If the request is for a general city election, ~~[that is held: (I) On the dates set forth for general elections pursuant to the provisions of chapter 293 of NRS,]~~ the first Friday in July of the year in which the general city election is to be held.

~~[(II) On the dates set forth for general city elections pursuant to the provisions of this chapter, the first Friday in January of the year in which the general city election is to be held.]~~

(b) May include one or more proposed locations within the boundaries of the Indian reservation or Indian colony for the temporary branch polling place and proposed hours thereof. Any proposed location must satisfy the criteria established by the city clerk pursuant to NRS 293C.3561.

4. Except as otherwise provided in this subsection, if the city clerk receives a request that satisfies the requirements set forth in subsection 3, the city clerk must establish at least one temporary branch polling place for early voting within the boundaries of the Indian reservation or Indian colony. The location and hours of operation of such a temporary branch polling place for early voting must be approved by the Indian tribe. The city clerk is not required to establish a temporary branch polling place within the boundaries of the Indian reservation or Indian colony if the city clerk determines that it is not logistically feasible to establish a temporary branch polling place within the boundaries of the Indian reservation or Indian colony.

5. The provisions of subsection 3 of NRS 293C.3568 do not apply to a temporary branch polling place. Voting at a temporary branch polling place may be conducted on any one or more days and



during any hours within the period for early voting by personal appearance, as determined by the city clerk.

6. The schedules for conducting voting are not required to be uniform among the temporary branch polling places.

7. The legal rights and remedies which inure to the owner or lessor of private property are not impaired or otherwise affected by the leasing of the property for use as a temporary branch polling place for early voting, except to the extent necessary to conduct early voting at that location.

Sec. 14. NRS 293C.370 is hereby amended to read as follows:

293C.370 Except as otherwise provided in NRS ~~[293C.115:]~~
293C.190:

1. Whenever a candidate whose name appears upon the ballot at a primary city election dies after 5 p.m. ~~[of]~~ on the ~~[first]~~ **second** Tuesday ~~[after the first Monday]~~ in ~~[March.]~~ **April**, the deceased candidate's name must remain on the ballot and the votes cast for the deceased candidate must be counted in determining the nomination for the office for which the decedent was a candidate.

2. If the deceased candidate on the ballot at the primary city election receives the number of votes required to receive the nomination to the office for which he or she was a candidate, the nomination is filled ~~[as provided in subsection 2 of NRS 293C.190.]~~
by the person who received the next highest vote for the nomination in the primary election.

3. Whenever a candidate whose name appears upon the ballot at a general city election dies after 5 p.m. ~~[of]~~ on the ~~[second Tuesday after the second Monday in April.]~~ **fourth Friday in July of the year in which the primary city election was held**, the votes cast for the deceased candidate must be counted in determining the results of the **general city** election for the office for which the decedent was a candidate.

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

Sec. 15. NRS 266.405 is hereby amended to read as follows:

266.405 1. In addition to the mayor and city council, there must be in each city of population category one or two a city clerk, a city treasurer, or if those offices are combined pursuant to subsection 4, a city clerk and treasurer, a municipal judge and a city attorney. The offices of city clerk, city treasurer, municipal judge and city attorney may be either elective or appointive offices, as



provided by city ordinance. Except as otherwise provided in this subsection, ~~[and unless the terms of those elected officers are extended by an ordinance adopted pursuant to NRS 293C.115.]~~ the elected officers shall hold their respective offices for 4 years and until their successors are elected and qualified. The cities of population category three may by ordinance provide that the mayor and city council members must be elected and shall hold office for 2 years. ~~[unless the terms of office of the mayor and city council members are extended by an ordinance adopted pursuant to NRS 293C.115.]~~

2. In each city of population category one or two, in which the officers are appointed pursuant to ordinance, the mayor, with the advice and consent of the city council, shall appoint all of the officers.

3. In cities of population category three, the mayor, with the advice and consent of the city council, may appoint any officers as may be deemed expedient.

4. The city council may provide by ordinance for the office of city clerk and the office of city treasurer to be combined into the office of city clerk and treasurer.

Sec. 16. NRS 267.110 is hereby amended to read as follows:

267.110 1. Any city having adopted a charter pursuant to the provisions of NRS 267.010 to 267.140, inclusive, has pursuant to the charter:

(a) All of the powers enumerated in the general laws of the State for the incorporation of cities.

(b) Such other powers necessary and not in conflict with the Constitution and laws of the State of Nevada to carry out the commission form of government.

2. The charter, when submitted, must:

(a) Fix the number of commissioners, their terms of office and their duties and compensation.

(b) Provide for all necessary appointive and elective officers for the form of government therein provided, and fix their salaries and emoluments, duties and powers.

(c) Fix, in accordance with the provisions of NRS 293C.140 and 293C.175 or with the provisions of NRS 293C.145, ~~[or with the provisions of paragraph (a) of subsection 1 of NRS 293C.115.]~~ the time for the first and subsequent elections for all elective officers. After the first election and the qualification of the officers who were elected, the old officers and all boards or offices and their emoluments must be abolished.



Sec. 17. Section 4 of the Charter of Boulder City is hereby amended to read as follows:

Section 4. Number; selection ; ~~and term;~~ eligibility for office; recall.

1. Except as otherwise provided in section 96, the City Council shall have four Council Members and a Mayor elected from the City at large in the manner provided in Article IX . ~~[, for terms of four years and until their successors have been elected and have taken office as provided in section 16.]~~ No Council Member shall represent any particular constituency or district of the City, and each Council Member shall represent the entire City. (Amd. 2; 6-4-1991; Add. 17; Amd. 1; 11-5-1996)

2. (Repealed by Amd. 1; 6-4-1991)

3. No person may be elected to the office of Mayor who has served in that office for 12 years or more, unless the permissible number of terms or duration of service is otherwise specified in the Nevada Constitution. (Add. 26; Amd. 4; 11-2-2010)

4. No person may be elected to the office of Council Member who has served in that office for 12 years or more, unless the permissible number of terms or duration of service is otherwise specified in the Nevada Constitution. (Add. 26; Amd. 4; 11-2-2010)

5. The Council Members and the Mayor are subject to recall as provided in section 111.5.

Sec. 18. Section 12 of the Charter of Boulder City is hereby amended to read as follows:

Section 12. Vacancies in Council.

Except as otherwise provided in NRS 268.325, a vacancy on the Council must be filled by appointment by a majority of the remaining members of the Council within 30 days or after three regular or special meetings, whichever is the shorter period of time. In the event of a tie vote among the remaining members of the Council, selection must be made by lot. No such appointment extends beyond the next *general* municipal election. (Add. 19; Amd. 1; 7-16-1997)

Sec. 19. Section 96 of the Charter of Boulder City is hereby amended to read as follows:

Section 96. Conduct of municipal elections.

1. All municipal elections must be nonpartisan in character and must be conducted in accordance with the provisions of the general election laws of the State of Nevada and any ordinance regulations as adopted by the City Council



which are consistent with law and this Charter. (1959 Charter)

2. ~~{A}~~ *On the first Tuesday after the first Monday in November 2022, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Mayor and two Council Members who shall hold office for a period of 4 years and until their successors have been elected and qualified.*

3. *On the first Tuesday after the first Monday in November 2024, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, two Council Members who shall hold office for a period of 4 years and until their successors have been elected and qualified.*

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

~~{3}~~ 5. In the event one or more 2-year term positions on the Council will be available at the time of a *general* municipal election as provided in section 12, candidates must file specifically for such position(s). Candidates receiving the greatest respective number of votes must be declared elected to the respective available 2-year positions. (Add. 15; Amd. 2; 6-4-1991)

~~{4}~~ 6. Except as otherwise provided in subsection ~~{8}~~ 7, a primary municipal election must be held ~~{on}~~ :

(a) *On the first Tuesday after the first Monday in April* ~~{of each odd-numbered year and a general municipal election must be held on the second Tuesday after the first Monday in June of each odd-numbered year.~~

~~—5.~~ *2019; and*

(b) *Beginning in 2022, on the second Tuesday in June of each even-numbered year.*



7. A primary municipal election must not be held if no more than double the number of Council Members to be elected file as candidates. A primary municipal election must not be held for the office of Mayor if no more than two candidates file for that position. The primary municipal election must be held for the purpose of eliminating candidates in excess of a figure double the number of Council Members to be elected. (Add. 17; Amd. 1; 11-5-1996)

~~[6-]~~ 8. If, in the primary municipal election, a candidate receives votes equal to a majority of voters casting ballots in that election, he or she shall be considered elected to one of the vacancies and his or her name shall not be placed on the ballot for the general municipal election. (Add. 10; Amd. 7; 6-2-1981)

~~[7-]~~ 9. In each primary and general municipal election, voters are entitled to cast ballots for candidates in a number equal to the number of seats to be filled in the municipal elections. (Add. 11; Amd. 5; 6-7-1983)

~~[8. The City Council may by ordinance provide for a primary municipal election and general municipal election on the dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS.~~

~~—9. If the City Council adopts an ordinance pursuant to subsection 8, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165 and in NRS 293.175, 293.177, 293.345 and 293.368 apply for the purposes of conducting the primary municipal elections and general municipal elections.~~

~~—10. If the City Council adopts an ordinance pursuant to subsection 8, the ordinance must not affect the term of office of any elected official of the City serving in office on the effective date of the ordinance. The next succeeding term for that office may be shortened but may not be lengthened as a result of the ordinance.~~

~~—11.]~~ 10. The conduct of all municipal elections must be under the control of the City Council, which shall adopt by ordinance all regulations which it considers desirable and consistent with law and this Charter. Nothing in this Charter shall be construed as to deny or abridge the power of the City Council to provide for supplemental regulations for the prevention of fraud in such elections and for the recount of ballots in cases of doubt or fraud. (Add. 24; Amd. 1; 6-3-2003)



1 **Sec. 20.** The Charter of the City of Caliente, being chapter 31,
2 Statutes of Nevada 1971, at page 55, is hereby amended by adding
3 thereto a new section to be designated as section 5.120, immediately
4 following section 5.110, to read as follows:

5 ***Sec. 5.120 Continuation of certain officers.***

6 ***The Mayor and two Council Members elected at the***
7 ***general municipal election held on the second Tuesday after***
8 ***the first Monday in June 2017 shall continue in office until***
9 ***the election, and qualification thereafter, of their successors***
10 ***pursuant to subsection 2 of section 5.010.***

11 **Sec. 21.** Section 1.060 of the Charter of the City of Caliente,
12 being chapter 31, Statutes of Nevada 1971, as last amended by
13 chapter 515, Statutes of Nevada 1997, at page 2449, is hereby
14 amended to read as follows:

15 Sec. 1.060 Elective offices: Vacancies. Except as
16 otherwise provided in NRS 268.325:

17 1. A vacancy in the City Council or in the office of
18 Mayor must be filled by a majority vote of the members of
19 the City Council within 30 days after the occurrence of the
20 vacancy. A person may be selected to fill a prospective
21 vacancy in the Council before the vacancy occurs. In such a
22 case, each member of the Council, except any member whose
23 term of office expires before the occurrence of the vacancy,
24 may participate in any action taken by the Council pursuant to
25 this section. The appointee must have the same qualifications
26 as are required of the elected official.

27 2. The appointee shall serve until the next *general*
28 municipal election and his or her successor is elected and
29 qualified. At the time of the election, if a balance remains in
30 the term of office to which the appointee was appointed, the
31 successor may be elected only for the balance of that term.

32 **Sec. 22.** Section 2.010 of the Charter of the City of Caliente,
33 being chapter 31, Statutes of Nevada 1971, as last amended by
34 chapter 218, Statutes of Nevada 2011, at page 954, is hereby
35 amended to read as follows:

36 Sec. 2.010 City Council: Qualifications; election; term
37 of office; salary.

38 1. The legislative power of the City is vested in a City
39 Council consisting of five Council Members, including the
40 Mayor.

41 2. The Mayor and each Council Member must be:

42 (a) Bona fide residents of the City for at least 2 years
43 immediately prior to their election.

44 (b) Qualified electors within the City.



3. All Council Members, including the Mayor, must be voted upon by the registered voters of the City at large and shall serve for terms of 4 years except as otherwise provided in ~~{section}~~ *sections 5.010 ~~{}~~ and 5.120.*

4. The Mayor and Council Members shall receive a salary in an amount fixed by the City Council. Such salary must not be increased or diminished during the term of the recipient.

Sec. 23. Section 5.010 of the Charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, as last amended by chapter 336, Statutes of Nevada 2015, at page 1889, is hereby amended to read as follows:

Sec. 5.010 ~~{Municipal}~~ *General municipal* elections.

1. ~~{Except as otherwise provided in subsection 2:~~

~~—(a) On the second Tuesday after the first Monday in June 2019, ~~and at each successive interval of 4 years thereafter,~~ there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, two Council Members who shall hold office ~~{for a period of 4 years and}~~ until their successors have been elected and qualified ~~{}~~ *pursuant to subsection 3.*~~

~~{(b)}~~ *2.* On the ~~{second}~~ *first* Tuesday after the first Monday in ~~{June 2017,}~~ *November 2022*, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Mayor and two Council Members, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

~~{2. The City Council may by ordinance provide for a primary municipal election and general municipal election on the dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS.~~

~~—3. If the City Council adopts an ordinance pursuant to subsection 2, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165 and in NRS 293.175, 293.177, 293.345 and 293.368 apply for the purposes of conducting the primary municipal elections and general municipal elections.~~

~~—4. If the City Council adopts an ordinance pursuant to subsection 2, the term of office of any elected official may be shortened but may not be lengthened as a result of the ordinance.~~

3. On the first Tuesday after the first Monday in November 2024, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a



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

Sec. 24. Section 5.100 of the Charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, as amended by chapter 185, Statutes of Nevada 2007, at page 627, is hereby amended to read as follows:

Sec. 5.100 Election returns; canvass; certificates of election; entry of officers upon duties; tie vote procedure.

1. The election returns from any municipal election shall be filed with the City Clerk, who shall immediately place such returns in a safe or vault, and no person shall be permitted to handle, inspect or in any manner interfere with such returns until canvassed by the City Council.

2. The City Council shall meet within 6 working days after any election and canvass the returns and declare the result. The election returns shall then be sealed and kept by the City Clerk for 6 months, and no person shall have access thereto except on order of a court of competent jurisdiction or by order of the City Council.

3. The City Clerk, under his or her hand and official seal, shall issue to each person declared to be elected a certificate of election. The officers so elected shall qualify and enter upon the discharge of their respective duties on the first Monday in :

(a) July next following their election ~~H~~ *for those officers elected in June 2019.*

(b) *January next following their election for those officers elected in November 2022 and November of every even-numbered year thereafter.*

4. If any election should result in a tie, the City Council shall summon the candidates who received the tie vote and determine the tie by lot. The Clerk shall then issue to the winner a certificate of election.

Sec. 25. The Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 402, is hereby amended by adding thereto a new section to be designated as section 5.120, immediately following section 5.110, to read as follows:

Sec. 5.120 Continuation of certain officers.

1. The Municipal Judge for Department 2 elected at the general municipal election held in June 2015 shall continue in office until the election, and qualification thereafter, of his or her successor pursuant to subsection 3 of section 5.020.



2. *The Municipal Judge for Department 3 elected at the general municipal election held in June 2017 shall continue in office until the election, and qualification thereafter, of his or her successor pursuant to subsection 5 of section 5.020.*

3. *The Mayor and one Council Member elected at the general municipal election held in June 2017 shall continue in office until the election, and qualification thereafter, of his or her successor pursuant to subsection 2 of section 5.020.*

Sec. 26. Section 2.010 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 218, Statutes of Nevada 2011, at page 955, is hereby amended to read as follows:

Sec. 2.010 City Council: Qualifications; election; term of office; salary.

1. The legislative power of the City is vested in a City Council consisting of four Council Members and the Mayor.

2. The Mayor must be:

(a) A bona fide resident of the territory which is established by the boundaries of the City for the 12 months immediately preceding the last day for filing a declaration of candidacy for the office.

(b) A qualified elector within the City.

3. Each Council Member must be:

(a) A bona fide resident of the territory which is established by the boundaries of the City for the 12 months immediately preceding the last day for filing a declaration of candidacy for the office.

(b) A qualified elector within the ward which he or she represents.

(c) A resident of the ward which he or she represents for at least 30 days immediately preceding the last day for filing a declaration of candidacy for the office, except that changes in ward boundaries pursuant to the provisions of section 1.040 do not affect the right of any elected Council Member to continue in office for the term for which he or she was elected.

4. All Council Members, including the Mayor, must be voted upon by the registered voters of the City at large and, except as otherwise provided in ~~section~~ **sections** 5.020 ~~and~~ **5.120**, shall serve for terms of 4 years.

5. The Mayor and Council Members are entitled to receive a salary in an amount fixed by the City Council. The City Council shall not adopt an ordinance which increases or



decreases the salary of the Mayor or the Council Members during the term for which they have been elected or appointed.

Sec. 27. Section 3.010 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 412, is hereby amended to read as follows:

Sec. 3.010 Mayor: Duties; Mayor pro tempore.

1. The Mayor shall:

(a) Serve as a member of the City Council and preside over its meetings.

(b) Have no administrative duties.

(c) Be recognized as the head of the City government for all ceremonial purposes.

(d) Perform such emergency duties as may be necessary for the general health, welfare and safety of the City.

(e) Perform such other duties, except administrative duties, as may be prescribed by ordinance or by the provisions of Nevada Revised Statutes which apply to a mayor of a city organized under the provisions of a special charter.

2. The City Council shall elect one of its members to be Mayor pro tempore. Such person shall:

(a) Hold such office and title, without additional compensation, during the term for which he or she was elected.

(b) Perform the duties of Mayor during the absence or disability of the Mayor.

(c) Act as Mayor until the ~~next municipal election if the office of Mayor becomes vacant.~~ *vacancy is filled pursuant to section 1.070.*

Sec. 28. Section 4.015 of the Charter of the City of Henderson, being chapter 231, Statutes of Nevada 1991, as last amended by chapter 218, Statutes of Nevada 2011, at page 955, is hereby amended to read as follows:

Sec. 4.015 Municipal Court.

1. There is a Municipal Court of the City which consists of at least one department. Each department must be presided over by a Municipal Judge and has such power and jurisdiction as is prescribed in, and is, in all respects which are not inconsistent with this Charter, governed by, the provisions of chapters 5 and 266 of NRS which relate to municipal courts.

2. The City Council may from time to time establish additional departments of the Municipal Court and shall appoint an additional Municipal Judge for each.



3. At the first primary or general municipal election which follows the appointment of an additional Municipal Judge to a newly created department of the Municipal Court, the successor to that Municipal Judge must be elected for a term of not more than 5 years, as determined by the City Council, in order that, as nearly as practicable, one-third of the number of Municipal Judges be elected every 2 years.

4. Except as otherwise provided in subsection 3, each Municipal Judge must be voted upon by the registered voters of the City at large and, except as otherwise provided in ~~section~~ *subsection 3 and sections 5.020 and 5.120*, shall serve for a term of 6 years.

5. The respective departments of the Municipal Court must be numbered 1 through the appropriate Arabic number, as additional departments are approved by the City Council. A Municipal Judge must be elected for each department by number.

6. The Senior Municipal Judge is selected by a majority of the sitting judges for a term of 2 years. If no Municipal Judge receives a majority of the votes, the Senior Municipal Judge is the Municipal Judge who has continuously served as a Municipal Judge for the longest period.

Sec. 29. Section 5.010 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 266, Statutes of Nevada 2013, at page 1214, is hereby amended to read as follows:

Sec. 5.010 Primary municipal election.

1. ~~Except as otherwise provided in section 5.020, a~~ A primary municipal election must be held ~~on~~ :

(a) *On the first Tuesday after the first Monday in April of each odd-numbered year, 2019; and*

(b) *Beginning in 2022, on the second Tuesday in June of each even-numbered year,*

↪ at which time there must be nominated candidates for offices to be voted for at the next general municipal election.

2. A candidate for any office to be voted for at any primary municipal election must file a declaration of candidacy as provided by the election laws of this State.

3. All candidates for elective office must be voted upon by the registered voters of the City at large.

4. If in the primary municipal election no candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general municipal election. If in



the primary municipal election, regardless of the number of candidates for an office, one candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, he or she must be declared elected and no general municipal election need be held for that office. Such candidate shall enter upon his or her respective duties at :

(a) If the primary municipal election was held in 2019, the second regular meeting of the City Council held in June [of the year of the general municipal election.] 2019.

(b) If the primary municipal election was held on the second Tuesday of June of an even-numbered year, the first regular meeting of the City Council held in January of the year following the primary municipal election.

Sec. 30. Section 5.020 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 336, Statutes of Nevada 2015, at page 1890, is hereby amended to read as follows:

Sec. 5.020 General municipal election.

1. ~~[Except as otherwise provided in subsection 2:~~

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

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

~~—(c) On the second Tuesday after the first Monday in June 2019, [and every 6 years thereafter,] there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose [a] :~~

(a) Three Council Members who shall hold office until their successors have been elected and qualified pursuant to subsection 4; and

(b) A Municipal Judge for Department 1 who [will] shall hold office until his or her successor has been elected and qualified [;

~~—(d) pursuant to subsection 6.~~

2. On the first Tuesday after the first Monday in November 2022, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a



Mayor and one Council Member who shall hold office for a period of 4 years and until their successors have been elected and qualified.

3. On the ~~{second}~~ *first* Tuesday after the first Monday in ~~{June 2021,}~~ *November 2022*, and ~~{every}~~ *at each successive interval of* 6 years , ~~{thereafter,}~~ there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Municipal Judge for Department 2 who ~~{will}~~ *shall* hold office *for a period of 6 years and* until his or her successor has been elected and qualified.

~~{(e)}~~ 4. On the ~~{second}~~ *first* Tuesday after the first Monday in ~~{June 2017,}~~ *November 2024*, and *at each successive interval of 4 years*, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, *three Council Members who shall hold office for a period of 4 years and until their successors have been elected and qualified.*

5. *On the first Tuesday after the first Monday in November 2024*, and ~~{every}~~ *at each successive interval of* 6 years , ~~{thereafter,}~~ there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Municipal Judge for Department 3 who ~~{will}~~ *shall* hold office *for a period of 6 years and* until his or her successor has been elected and qualified.

~~{2. The City Council may by ordinance provide for a primary municipal election and general municipal election on the dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS.~~

~~—3. If the City Council adopts an ordinance pursuant to subsection 2, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165 and in NRS 293.175, 293.177, 293.345 and 293.368 apply for the purposes of conducting the primary municipal elections and general municipal elections.~~

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

6. *On the first Tuesday after the first Monday in November 2026*, and *at each successive interval of 6 years*, there must be elected by the qualified voters of the City, at a general municipal election held for that purpose, a



Municipal Judge for Department 1 who shall hold office for a period of 6 years and until his or her successor has been elected and qualified.

Sec. 31. Section 5.100 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 266, Statutes of Nevada 2013, at page 1216, is hereby amended to read as follows:

Sec. 5.100 Election returns; canvass; certificates of election; entry of officers upon duties; tie vote procedure.

1. The election returns from any special, primary or general municipal election must be filed with the City Clerk, who shall immediately place the returns in a safe or vault, and no person may handle, inspect or in any manner interfere with the returns until canvassed by the City Council.

2. The City Council shall meet at any time within 10 days after any election and canvass the returns and declare the result. The election returns must then be sealed and kept by the City Clerk for 6 months. No person may have access to the returns except on order of a court of competent jurisdiction or by order of the City Council.

3. The City Clerk, under his or her hand and official seal, shall issue to each person elected a certificate of election. Except as otherwise provided in section 1.070, ~~the officers~~ *an officer* so elected shall qualify and enter upon the discharge of ~~their~~ *his or her* respective duties at :

(a) If the officer is elected pursuant to subsection 1 of section 5.020, the second regular meeting of the City Council held in June of the year of the general municipal election.

(b) If the officer is elected pursuant to subsection 2, 3, 4, 5 or 6 of section 5.020, the first regular meeting of the City Council held in January of the year following the general municipal election.

4. If any election results in a tie, the City Council shall summon the candidates who received the tie vote and determine the tie by lot. The City Clerk shall then issue to the winner a certificate of election.

Sec. 32. The Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, at page 1391, is hereby amended by adding thereto a new section to be designated as section 5.140, immediately following section 5.130, to read as follows:

Sec. 5.140 Continuation of certain officers.

1. The Municipal Judges for Departments 1, 4 and 6 elected at the general municipal election held in June 2015 shall continue in office until the general municipal election,



and qualification thereafter, of their successors pursuant to subsection 3 of section 5.020.

2. The Municipal Judges for Departments 2, 3 and 5 elected at the general municipal election held in June 2017 shall continue in office until the general municipal election, and qualification thereafter, of their successors pursuant to subsection 5 of section 5.020.

3. The Council Members from even-numbered wards elected at the general municipal election held in June 2017 shall continue in office until the general municipal election, and qualification thereafter, of their successors pursuant to subsection 2 of section 5.020.

Sec. 33. Section 1.140 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 218, Statutes of Nevada 2011, at page 958, is hereby amended to read as follows:

Sec. 1.140 Elective offices.

1. The elective officers of the City consist of:

(a) A Mayor.

(b) One Council Member from each ward.

(c) Municipal Judges.

2. Except as otherwise provided in ~~section~~ *sections* 5.020 ~~and~~ *5.140*, the terms of office of the Mayor and Council Members are 4 years.

3. Except as otherwise provided in subsection 3 of section 4.010 and ~~section~~ *sections* 5.020 ~~and~~ *5.140*, the term of office of a Municipal Judge is 6 years.

Sec. 34. Section 1.160 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 336, Statutes of Nevada 2015, at page 1891, is hereby amended to read as follows:

Sec. 1.160 Elective offices: Vacancies. Except as otherwise provided in NRS 268.325:

1. A vacancy in the office of Mayor, Council Member or Municipal Judge must be filled by the majority vote of the entire City Council within 30 days after the occurrence of that vacancy. A person may be selected to fill a prospective vacancy before the vacancy occurs. In such a case, each member of the Council, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the Council pursuant to this section. The appointee must have the same qualifications as are required of the elective official, including, without limitation, any applicable residency requirement.



2. Except as otherwise provided in section 5.010, no appointment extends beyond the first regular meeting of the City Council that follows the next general municipal election, at that election the office must be filled for the remainder of the unexpired term . ~~[, or beyond the first regular meeting of the City Council after the second Tuesday after the first Monday in the next succeeding June in an odd-numbered year, if no general municipal election is held in that year.]~~

Sec. 35. Section 2.030 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, at page 1394, is hereby amended to read as follows:

Sec. 2.030 Mayor: Duties; Mayor pro tempore; duties.

1. The Mayor shall preside over and conduct the meetings of the City Council.

2. The City Council shall elect one of its members to be Mayor pro tempore. That person:

(a) Shall hold that office and title without additional compensation during the term for which he or she was elected as Mayor pro tempore.

(b) Possesses the powers and shall perform the duties of Mayor during the absence or disability of the Mayor.

(c) Shall act as Mayor until the ~~[next municipal election, if the office of Mayor becomes vacant.]~~ *vacancy is filled pursuant to section 1.160.*

Sec. 36. Section 4.020 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 218, Statutes of Nevada 2011, at page 958, is hereby amended to read as follows:

Sec. 4.020 Municipal Court: Qualifications of Municipal Judges; salary; Master Judge; departments; Alternate Judges.

1. Each Municipal Judge shall devote his or her full time to the duties of his or her office and must be:

(a) A duly licensed member, in good standing, of the State Bar of Nevada, but this qualification does not apply to any Municipal Judge who is an incumbent when this Charter becomes effective as long as he or she continues to serve as such in uninterrupted terms.

(b) A qualified elector who has resided within the territory which is established by the boundaries of the City for a period of not less than 30 days immediately before the last day for filing a declaration of candidacy for the department for which he or she is a candidate.

(c) Voted upon by the registered voters of the City at large.



2. The salary of the Municipal Judges must be fixed by ordinance and be uniform for all departments of the Municipal Court. The salary may be increased during the terms for which the Judges are elected or appointed.

3. The Municipal Judges of the six departments shall elect a Master Judge from among their number. The Master Judge shall hold office for a term of 2 years commencing on :

(a) If the general municipal election is held in an odd-numbered year, July 1 of each year of a general municipal election.

(b) If the general municipal election is held in an even-numbered year, January 1 of the year following the general municipal election.

4. If a vacancy occurs in the position of Master Judge, the Municipal Judges shall elect a replacement for the remainder of the unexpired term. If two or more Municipal Judges receive an equal number of votes for the position of Master Judge, the candidates who have received the tie votes shall resolve the tie vote by the drawing of lots. The Master Judge:

(a) Shall establish and enforce administrative regulations for governing the affairs of the Municipal Court.

(b) Is responsible for setting trial dates and other matters which pertain to the Court calendar.

(c) Shall perform such other Court administrative duties as may be required by the City Council.

~~[4-]~~ 5. Alternate Judges in sufficient numbers may be appointed annually by the Mayor, each of whom:

(a) Must be a duly licensed member, in good standing, of the State Bar of Nevada and have such other qualifications as are prescribed by ordinance.

(b) Has all of the powers and jurisdiction of a Municipal Judge while acting as such.

(c) Is entitled to such compensation as may be fixed by the City Council.

~~[5-]~~ 6. Any Municipal Judge, other than an Alternate Judge, automatically forfeits his or her office if he or she ceases to be a resident of the City.

Sec. 37. Section 5.010 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 218, Statutes of Nevada 2011, at page 959, is hereby amended to read as follows:

Sec. 5.010 Primary municipal elections. ~~[Except as otherwise provided in section 5.020:-~~



~~1. On the Tuesday after the first Monday in April 2001, and at each successive interval of 4 years, a]~~

~~1. A primary municipal election must be held in the City [at which time candidates for half of the offices of Council Member and for Municipal Judge, Department 2, must be nominated.~~

~~—2.] :~~

~~(a) On the first Tuesday after the first Monday in April [2003, and at each successive interval of 4 years, a primary municipal election must be held in the City at which time candidates for Mayor, for the other half of the offices of Council Member and for Municipal Judge, Department 1, must be nominated.~~

~~—3.] 2019; and~~

~~(b) Beginning in 2022, on the second Tuesday in June of each even-numbered year.~~

2. In the primary municipal elections:

~~(a) The candidates for Council Member who are to be nominated [as provided in subsections 1 and 2] must be nominated and voted for separately according to the respective wards. [The candidates from each even-numbered ward must be nominated as provided in subsection 1, and the candidates from each odd-numbered ward must be nominated as provided in subsection 2.~~

~~—4.] (b) If the City Council has established an additional department or departments of the Municipal Court pursuant to section 4.010 and, as a result, more than one office of Municipal Judge is to be filled at any election, the candidates for those offices must be nominated and voted upon separately according to the respective departments.~~

~~[5.] 3. Each candidate for [the municipal offices which are provided for in subsections 1, 2 and 4] municipal office must file a declaration of candidacy with the City Clerk. All filing fees collected by the City Clerk must be paid into the City Treasury.~~

~~[6.] 4. If, in the primary municipal election, regardless of the number of candidates for an office, one candidate receives a majority of votes which are cast in that election for the office for which he or she is a candidate, he or she must be declared elected for the term which commences on the day of the first regular meeting of the City Council next succeeding the meeting at which the canvass of the returns is made, and no general municipal election need be held for that office. If, in the primary municipal election, no candidate receives a majority of votes which are cast in that election for~~



the office for which he or she is a candidate, the names of the two candidates who receive the highest number of votes must be placed on the ballot for the general municipal election.

Sec. 38. Section 5.020 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as amended by chapter 336, Statutes of Nevada 2015, at page 1892, is hereby amended to read as follows:

Sec. 5.020 General municipal election.

1. ~~[Except as otherwise provided in subsection 2,]~~ *On the second Tuesday after the first Monday in June 2019, there must be elected, at* a general municipal election ~~[must be held in the City on the second Tuesday after the first Monday in June of each odd-numbered year and on the same day every 2 years thereafter, at which time there must be elected those officers whose offices are required to be filled by election in that year.~~

~~—2. The City Council may by ordinance provide for a primary municipal election and general municipal election on the dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS.~~

~~—3. If the City Council adopts an ordinance pursuant to subsection 2, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165 and in NRS 293.175, 293.177, 293.345 and 293.368 apply for the purposes of conducting the primary municipal elections and general municipal elections.~~

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

~~—5.]~~ *held for that purpose, the Mayor and Council Members from odd-numbered wards who shall hold office until their successors have been elected and qualified pursuant to subsection 4.*

2. On the first Tuesday after the first Monday in November 2022, and at each successive interval of 4 years, there must be elected, at a general municipal election held for that purpose, the Council Members from even-numbered wards who shall hold office for a period of 4 years and until their successors have been elected and qualified.

3. On the first Tuesday after the first Monday in November 2022, and at each successive interval of 6 years, there must be elected, at a general municipal election held



for that purpose, Municipal Judges for Departments 1, 4 and 6 who shall hold office for a period of 6 years and until their successors have been elected and qualified.

4. On the first Tuesday after the first Monday in November 2024, and at each successive interval of 4 years, there must be elected, at a general municipal election held for that purpose, the Mayor and Council Members from odd-numbered wards who shall hold office for a period of 4 years and until their successors have been elected and qualified.

5. On the first Tuesday after the first Monday in November 2024, and at each successive interval of 6 years, there must be elected, at a general municipal election held for that purpose, Municipal Judges for Departments 2, 3 and 5 who shall hold office for a period of 6 years and until their successors have been elected and qualified.

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

Sec. 39. The Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, at page 1210, is hereby amended by adding thereto a new section to be designated as section 5.100, immediately following section 5.090, to read as follows:

Sec. 5.100 Continuation of certain officers.

1. The Municipal Judge elected at the general municipal election held in June 2015 shall continue in office until the election, and qualification thereafter, of his or her successor pursuant to subsection 3 of section 5.010.

2. The Mayor and two Council Members elected at the general municipal election held in June 2017 shall continue in office until the election, and qualification thereafter, of their successors pursuant to subsection 2 of section 5.010.

Sec. 40. Section 1.060 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 515, Statutes of Nevada 1997, at page 2451, is hereby amended to read as follows:

Sec. 1.060 Elective offices: Vacancies. Except as otherwise provided in NRS 268.325:

1. A vacancy in the City Council or in the office of Mayor or Municipal Judge must be filled by a majority vote of the members of the City Council within 30 days after the occurrence of the vacancy. A person may be selected to fill a prospective vacancy in the City Council before the vacancy occurs. In such a case, each member of the Council, except any member whose term of office expires before the



occurrence of the vacancy, may participate in any action taken by the Council pursuant to this section. The appointee must have the same qualifications as are required of the elective official.

2. No such appointment extends beyond the first day of ~~[July after]~~ *the month following* the next *general* municipal election, at which election the office must be filled for the remaining unexpired term.

Sec. 41. Section 2.010 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 218, Statutes of Nevada 2011, at page 961, is hereby amended to read as follows:

Sec. 2.010 City Council: Qualifications; election; term of office; salary.

1. The legislative power of the City is vested in a City Council consisting of four Council Members and a Mayor.

2. The Mayor must be:

(a) A bona fide resident of the City for at least 6 months immediately preceding his or her election.

(b) A qualified elector within the City.

3. Each Council Member:

(a) Must be a qualified elector who has resided in the ward which he or she represents for at least 30 days immediately preceding the last day for filing a declaration of candidacy for his or her office.

(b) Must continue to live in the ward he or she represents, except that changes in ward boundaries made pursuant to section 1.045 will not affect the right of any elected Council Member to continue in office for the term for which he or she was elected.

4. At the time of filing, if so required by an ordinance duly enacted, candidates for the office of Mayor and Council Member shall produce evidence in satisfaction of any or all of the qualifications provided in subsection 2 or 3, whichever is applicable.

5. Each Council Member must be voted upon only by the registered voters of the ward that he or she seeks to represent, and except as otherwise provided in sections 5.010 and ~~[5.025,]~~ *5.100*, his or her term of office is 4 years.

6. The Mayor must be voted upon by the registered voters of the City at large, and except as otherwise provided in sections 5.010 and ~~[5.025,]~~ *5.100*, his or her term of office is 4 years.

7. The Mayor and Council Members are entitled to receive a salary in an amount fixed by the City Council.



Sec. 42. Section 4.005 of the Charter of the City of North Las Vegas, being chapter 215, Statutes of Nevada 1997, as last amended by chapter 218, Statutes of Nevada 2011, at page 962, is hereby amended to read as follows:

Sec. 4.005 Municipal Court.

1. There is a Municipal Court of the City which consists of at least one department. Each department must be presided over by a Municipal Judge and has such power and jurisdiction as is prescribed in, and is, in all respects which are not inconsistent with this Charter, governed by the provisions of chapters 5 and 266 of NRS which relate to municipal courts.

2. The City Council may, from time to time, by ordinance, establish additional departments of the Municipal Court and shall appoint an additional Municipal Judge for each additional department.

3. At the first primary or general municipal election that follows the appointment of an additional Municipal Judge to a newly created department of the Municipal Court, the successor to that Municipal Judge must be elected for an initial term of not more than 6 years, as determined by the City Council, in order that, as nearly as practicable, one-third of the number of Municipal Judges be elected every 2 years.

4. Except as otherwise provided by the ordinance establishing an additional department, each Municipal Judge must be voted upon by the registered voters of the City at large and, except as otherwise provided in sections 5.010 and ~~[5.025.]~~ **5.100**, holds office for a period of 6 years and until his or her successor has been elected and qualified.

5. The respective departments of the Municipal Court must be numbered 1 through the appropriate Arabic numeral, as additional departments are approved by the City Council. A Municipal Judge must be elected for each department by number.

Sec. 43. Section 5.010 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 336, Statutes of Nevada 2015, at page 1892, is hereby amended to read as follows:

Sec. 5.010 General municipal elections.

1. ~~[Except as otherwise provided in section 5.025:—(a)]~~ On the second Tuesday after the first Monday in June ~~[2017, and at each successive interval of 4 years thereafter,]~~ **2019**, there must be elected, at a general municipal election to be held for that purpose, ~~[a Mayor and]~~ two Council



Members, who shall hold office ~~for a period of 4 years and~~
until their successors have been elected and qualified ~~[-~~

~~—(b)] pursuant to subsection 4.~~

2. On the ~~second~~ *first* Tuesday after the first Monday
in ~~June 2019,~~ *November 2022*, and at each successive
interval of 4 years thereafter, there must be elected, at a
general municipal election to be held for that purpose, *a*
Mayor and two Council Members, who shall hold office for a
period of 4 years and until their successors have been elected
and qualified.

~~[2.]~~ 3. *On the first Tuesday after the first Monday in
November 2022, and at each successive interval of 6 years,
there must be elected, at a general municipal election to be
held for that purpose, a Municipal Judge who shall hold
office for a period of 6 years and until his or her successor
has been elected and qualified.*

4. *On the first Tuesday after the first Monday in
November 2024, and at each successive interval of 4 years
thereafter, there must be elected, at a general municipal
election to be held for that purpose, two Council Members
who shall hold office for a period of 4 years and until their
successors have been elected and qualified.*

5. In a general municipal election:

(a) A candidate for the office of City Council Member
must be elected only by the registered voters of the ward that
he or she seeks to represent.

(b) Candidates for all other elective offices must be
elected by the registered voters of the City at large.

Sec. 44. Section 5.020 of the Charter of the City of North Las
Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
by chapter 218, Statutes of Nevada 2011, at page 963, is hereby
amended to read as follows:

Sec. 5.020 Primary municipal elections; declaration of
candidacy.

1. The City Council shall provide by ordinance for
candidates for elective office to declare their candidacy and
file the necessary documents. The seats for City Council
Members must be designated by the numbers one through
four, which numbers must correspond with the wards the
candidates for City Council Members will seek to represent.
A candidate for the office of City Council Member shall
include in his or her declaration of candidacy the number of
the ward which he or she seeks to represent. Each candidate
for City Council must be designated as a candidate for the



City Council seat that corresponds with the ward that he or she seeks to represent.

2. ~~Except as otherwise provided in section 5.025, a~~ A primary municipal election must be held ~~on~~ :

(a) *On* the Tuesday following the first Monday in April ~~[preceding the general municipal election, at which time there must be nominated candidates for offices to be voted for at the next general municipal election.] 2019; and~~

(b) *Beginning in 2022, on the second Tuesday in June of each even-numbered year.*

3. In the primary municipal election:

(a) A candidate for the office of City Council Member must be voted upon only by the registered voters of the ward that he or she seeks to represent.

(b) Candidates for all other elective offices must be voted upon by the registered voters of the City at large.

~~[3.] 4.~~ Except as otherwise provided in subsection ~~[4.]~~ 5, after the primary municipal election, the names of the two candidates who receive the highest number of votes must be placed on the ballot for the general municipal election.

~~[4.] 5.~~ If, regardless of the number of candidates for an office, one candidate receives a majority of the total votes cast for that office in the primary municipal election, he or she must be declared elected to that office and no general municipal election need be held for that office.

Sec. 45. Section 5.080 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 465, Statutes of Nevada 1985, at page 1440, is hereby amended to read as follows:

Sec. 5.080 Election returns; canvass; certificates of election; entry of officers upon duties; tie vote procedure.

1. The election returns from any special, primary or general municipal election shall be filed with the City Clerk, who shall immediately place the returns in a safe or vault, and no person may be permitted to handle, inspect or in any manner interfere with the returns until canvassed by the City Council.

2. The City Council shall meet at any time within 16 days after any election and shall canvass the returns and declare the result. The election returns must then be sealed and kept by the City Clerk for 6 months, and no person may have access thereto except on order of a court of competent jurisdiction or by order of the City Council.

3. The City Clerk, under his or her hand and official seal, shall issue to each person declared to be elected a



certificate of election. The officers so elected shall qualify and enter upon the discharge of their respective duties on the 1st day of ~~July~~ *the month* next following their election.

4. If any election should result in a tie, the City Council shall summon the candidates who received the tie vote and determine the tie by lot. The Clerk shall then issue to the winner a certificate of election.

Sec. 46. The Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, at page 901, is hereby amended by adding thereto a new section to be designated as section 5.110, immediately following section 5.100, to read as follows:

Sec. 5.110 Continuation of certain officers.

The two Council Members elected at the general municipal election held in June 2017 shall continue in office until the election, and qualification thereafter, of their successors pursuant to subsection 2 of section 5.010.

Sec. 47. Section 1.060 of the Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as amended by chapter 515, Statutes of Nevada 1997, at page 2453, is hereby amended to read as follows:

Sec. 1.060 Elective offices: Vacancies. Except as otherwise provided in NRS 268.325:

1. A vacancy in the City Council or in the office of Mayor must be filled by a majority vote of the members of the City Council, or the remaining members, in the case of a vacancy in the City Council, within 30 days after the occurrence of the vacancy. The appointee must have the same qualifications as are required of the elective official.

2. No such appointment extends beyond the first Monday ~~in July after~~ *of the month following* the next municipal election, at which election the office must be filled.

Sec. 48. Section 2.010 of the Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as last amended by chapter 218, Statutes of Nevada 2011, at page 963, is hereby amended to read as follows:

Sec. 2.010 City Council: Qualifications; election; term of office; salary.

1. The legislative power of the City is vested in a City Council consisting of four Council Members.

2. The Council Members must be:

(a) Bona fide residents of the City for at least 6 months immediately preceding their election.

(b) Qualified electors in the City.

3. All Council Members must be voted upon by the registered voters of the City at large and, except as otherwise



provided in ~~[section]~~ *sections* 5.010 ~~[]~~ *and 5.110*, shall serve for terms of 4 years.

4. The Council Members shall receive a salary in an amount fixed by the City Council.

Sec. 49. Section 5.010 of the Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as last amended by chapter 336, Statutes of Nevada 2015, at page 1893, is hereby amended to read as follows:

Sec. 5.010 Municipal elections.

1. ~~[Except as otherwise provided in subsection 2:]~~

~~—(a) On the second Tuesday after the first Monday in June 2019, [and at each successive interval of 4 years,] there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Mayor and two Council Members, who shall hold office [for a period of 4 years and] until their successors have been elected and qualified [~~

~~—(b)] pursuant to subsection 3.~~

2. On the ~~[second]~~ *first* Tuesday after the first Monday in ~~[June 2017,] November 2022~~, and at each successive interval of 4 years, ~~[thereafter,]~~ there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, two Council Members, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

~~[2. The City Council may by ordinance provide for a primary municipal election and general municipal election on the dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS.~~

~~—3. If the City Council adopts an ordinance pursuant to subsection 2, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165 and in NRS 293.175, 293.177, 293.345 and 293.368 apply for the purposes of conducting the primary municipal elections and general municipal elections.~~

~~—4. If the City Council adopts an ordinance pursuant to subsection 2, the term of office of any elected official may be shortened but may not be lengthened as a result of the ordinance.]~~

3. On the first Tuesday after the first Monday in November 2024, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Mayor and two Council Members who shall hold office for



a period of 4 years and until their successors have been elected and qualified.

Sec. 50. Section 5.090 of the Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, at page 913, is hereby amended to read as follows:

Sec. 5.090 Election returns; canvass; certificates of election; entry of officers upon duties; tie vote procedure.

1. The election returns from any municipal election shall be filed with the City Clerk, who shall immediately place such returns in a safe or vault, and no person shall be permitted to handle, inspect or in any manner interfere with such returns until canvassed by the City Council.

2. The City Council shall meet within 10 days after any election and canvass the returns and declare the results. The election returns shall then be sealed and kept by the City Clerk for 6 months, and no person shall have access thereto except on order of a court of competent jurisdiction or by order of the City Council.

3. The City Clerk, under his or her hand and official seal, shall issue to each person declared to be elected a certificate of election. The officers so elected shall qualify and enter upon the discharge of their respective duties on the 1st Monday ~~[in July next]~~ *of the month* following their election.

4. If any election should result in a tie, the City Council shall summon the candidates who received the tie vote and determine the tie by lot. The Clerk shall then issue to the winner a certificate of election.

Sec. 51. Notwithstanding any other provision of law to the contrary, if a city incorporated pursuant to general law held a general city election in:

1. June 2017, the elective city officers elected at such general city election shall continue in office until the election, and qualification thereafter, of their successors in the general city election to be held on the first Tuesday after the first Monday in November 2022.

2. June 2019, the elective city officers elected at such general city election shall continue in office until the election, and qualification thereafter, of their successors in the general city election to be held on the first Tuesday after the first Monday in November 2024.

Sec. 52. Except as otherwise provided in section 52.5 of this act, notwithstanding any other provision of law to the contrary, if the term of any elective city officer whose term of office expires in 2021, 2023 or 2025 is not otherwise extended or shortened pursuant



to sections 1 to 51, inclusive, of this act, the person or entity designated by law to fill vacancies that occur on the city council of the city shall appoint the incumbent elective city officer to serve as city council member, mayor, municipal judge or other elective city officer, as applicable, in that office until his or her successor is elected and qualified at the general city election in 2022, 2024 or 2026, as applicable, if that person is willing to serve in that capacity. If the person is not willing to serve in that capacity, the position must be filled in the same manner as if a vacancy occurred in the position.

Sec. 52.5. 1. Notwithstanding any other provision of this act, Boulder City shall transition to the statewide election cycle pursuant to Ordinance No. 1613, effective on November 1, 2018, and any amendments consistent thereto, passed by the City Council of Boulder City.

2. To carry out and accomplish this purpose, Ordinance No. 1613, and any amendments consistent thereto, are not preempted or repealed, either expressly or by implication, by the provisions of this act and must remain in effect until Boulder City has completed its transition to the statewide election cycle and is conducting elections in a manner consistent with the provisions of this act.

3. Any person elected to the office of Mayor or Council Member in Boulder City in June 2019 or June 2021 under Ordinance No. 1613, and any amendments consistent thereto, shall serve a shortened term in office pursuant to Ordinance No. 1613, and any amendments consistent thereto, until their successors are elected and qualified at the general city election in November 2022 or November 2024, as applicable.

Sec. 52.7. The amendatory provisions of this act do not abrogate, alter or affect the results of any election conducted before July 1, 2019.

Sec. 53. Section 5.025 of the Charter of the City of North Las Vegas, being chapter 218, Statutes of Nevada 2011, at page 961, is hereby repealed.

Sec. 54. 1. This section and sections 3.8, 6.2, 7.2, 7.7, 8, 17, 18 and 20 to 53, inclusive, of this act become effective on July 1, 2019.

2. Sections 1, 2, 3, 4, 5, 6.4, 7.4, 9 to 16, inclusive, and 19 of this act become effective on July 1, 2021.



TEXT OF REPEALED SECTION

Sec. 5.025 City Council authorized to provide for primary and general municipal elections in even-numbered years.

1. The City Council may by ordinance provide for a primary municipal election and general municipal election on the dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS.

2. If the City Council adopts an ordinance pursuant to subsection 1, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165 and in NRS 293.175, 293.177, 293.345 and 293.368 apply for the purposes of conducting the primary municipal elections and general municipal elections.

3. If the City Council adopts an ordinance pursuant to subsection 1, the ordinance must not affect the term of office of any elected official of the City serving in office on the effective date of the ordinance. The next succeeding term for that office may be shortened but may not be lengthened as a result of the ordinance.

