

SENATE BILL NO. 107—SENATORS
GOICOECHEA AND SETTELMAYER

PREFILED JANUARY 28, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to public office.
(BDR 24-18)

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; requiring certain elected public officers to resign before filing nomination papers for another elected public office; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits, with limited exception, a person from: (1) filing nomination papers for more than one elective office at any election; or (2) holding more than one elective office at the same time. A person may file nomination papers for or hold an elective office of a special district such as an irrigation district, local or general improvement district, soil conservation district or fire protection district and at the same time file nomination papers for or hold an elective office of the State, or any political subdivision or municipal corporation thereof. (NRS 281.055)

Section 1 of this bill requires, with limited exception, an elected public officer to resign before filing nomination papers for any other elected public office unless the current term of office of the elected public officer expires less than 12 months preceding the date of the close of filing nomination papers. **Section 1** also exempts from this requirement any person previously described who is authorized to file nomination papers for or hold more than one elective office.

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

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

1. Except as otherwise provided in subsection 2:



* S B 1 0 7 *

1 (a) An elected public officer shall resign that public office
2 before he or she files nomination papers for any other elected
3 public office unless the current term of office of the elected public
4 officer expires less than 12 months preceding the date of the close
5 of filing nomination papers.

6 (b) If the elected public officer does not resign as required
7 pursuant to paragraph (a), he or she shall be deemed to have
8 resigned, effective on the date of the close of filing nomination
9 papers.

10 2. The provisions of this subsection 1 do not apply to a person
11 who is authorized pursuant to NRS 281.055 to:

12 (a) File nomination papers for more than one elective office at
13 any election; or

14 (b) Hold more than one elective office at the same time.

15 **Sec. 2.** The provisions of section 1 of this act apply to a person
16 who is an elected public officer on or after October 1, 2019.

