

ASSEMBLY BILL NO. 95—ASSEMBLYMAN ORENTLICHER

PREFILED FEBRUARY 1, 2023

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to public office.
(BDR 24-445)

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

CONTAINS UNFUNDED MANDATE (§§ 3, 4, 9-11, 28-34)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to public office; requiring, with certain exceptions, candidates to submit petitions of candidacy; setting forth the requirements for county and city clerks to verify petitions of candidacy; authorizing a candidate or public officer to use campaign contributions to pay for expenses related to circulating a petition of candidacy and certain expenses related to caregiving services; requiring that expenses related to caregiving services be reported on campaign finance reports; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, with certain exceptions, in order for a person to be named as a candidate on an official ballot at any election, the person must file a declaration of candidacy with the appropriate filing officer. (NRS 293.057, 293.165, 293.166, 293.177, 293.185, 293C.145, 293C.175, 293C.185) In addition to a declaration of candidacy, an independent candidate for partisan office is required under existing law to submit a petition of candidacy signed by a certain number of registered voters. (NRS 293.200) **Sections 3, 4 and 28** of this bill, respectively: (1) require a candidate for nonpartisan office, a candidate for partisan office of a major political party and a candidate for city office to file a petition of candidacy in addition to filing a declaration of candidacy; and (2) set forth the requirements for a petition of candidacy. **Sections 9-11** of this bill amend existing provisions of law that set forth the process for county clerks to verify certain election-related petitions so that these provisions apply to the process for county clerks to verify petitions of candidacy. **Sections 29-34** of this bill set forth the process for city clerks to verify petitions of candidacy.



Sections 2, 5-7, 8, 12-18, 20, 21, 23-26, 35-42, 46, 48, 49 and 51-88 of this bill make conforming changes to incorporate into relevant provisions of law the requirement for certain candidates to file a petition of candidacy.

Section 19 of this bill provides that no filing fee is required to file a petition of candidacy.

Section 22 increases from 10 working days to 20 working days the amount of time that a county clerk has to complete the signature verification of an independent candidate for partisan office, consistent with the time that is allowed pursuant to sections 3, 4 and 28 to verify other petitions of candidacy.

Existing law makes it unlawful for a candidate or public officer to spend money received as a contribution for his or her "personal use," which is defined as any use of contributions to fulfill a commitment, obligation or expense of a candidate or public officer that would exist irrespective of his or her campaign or public office, as applicable. (NRS 294A.160, 294A.011) Section 47 of this bill provides that "personal use" of campaign contributions does not include, without limitation, the use of contributions to fulfill a commitment, obligation or expense for caregiving services that are incurred in direct connection to the campaign of a candidate or public officer of a public officer. Section 43 of this bill defines the term "caregiving services." Section 44 of this bill indicates the proper placement of section 43 in the Nevada Revised Statutes.

Sections 45 and 50 of this bill require that expenses related to caregiving services be reported on campaign finance reports as a campaign expense. Sections 45 and 50 also require that expenses related to circulating a petition of candidacy be reported on campaign finance reports as a campaign expense.

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 the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. *"Petition of candidacy" means a petition of candidacy that must be filed with the appropriate filing officer pursuant to this title by a person in order to become:*

1. *A candidate for nonpartisan office other than a director on the board of directors of an irrigation district pursuant to NRS 539.120;*

2. *A candidate for partisan office who is seeking to be the nominee of a major political party for that partisan office; or*

3. *An independent candidate for partisan office.*

Sec. 3. 1. *A candidate for nonpartisan office must, in addition to the requirements set forth in NRS 293.177 and 293.193, file with the appropriate filing officer as set forth in NRS 293.185:*

(a) *A copy of the petition of candidacy that he or she intends to subsequently circulate for signatures. The copy must be filed not earlier than the January 2 preceding the date of the election and not later than 20 working days before the last day to file the petition pursuant to subsection 4. The copy of the petition must be*



1 *filed with the appropriate filing officer before the petition may be*
2 *circulated for signatures.*

3 *(b) Either of the following:*

4 *(1) A petition of candidacy signed by a number of*
5 *registered voters equal to at least 1 percent of the total number of*
6 *ballots cast in:*

7 *(I) This State for that office at the last preceding general*
8 *election in which a person was elected to that office, if the office is*
9 *a statewide office;*

10 *(II) The county for that office at the last preceding*
11 *general election in which a person was elected to that office, if the*
12 *office is a county office; or*

13 *(III) The district for that office at the last preceding*
14 *general election in which a person was elected to that office, if the*
15 *office is a district office.*

16 *(2) A petition of candidacy signed by 250 registered voters*
17 *if the candidate is a candidate for statewide office, or signed by*
18 *100 registered voters if the candidate is a candidate for any office*
19 *other than a statewide office.*

20 *2. The petition may consist of more than one document. Each*
21 *document must bear the name of the county in which it was*
22 *circulated, and only registered voters of that county may sign the*
23 *document. If the office is not a statewide office, only the registered*
24 *voters of the county, district or municipality in question may sign*
25 *the document. The documents that are circulated for signature in*
26 *a county must be submitted to that county clerk for verification in*
27 *the manner prescribed in NRS 293.1276 to 293.1279, inclusive,*
28 *not later than 20 working days before the last day to file the*
29 *petition pursuant to subsection 4. Each person who signs the*
30 *petition shall add to his or her signature the address of the place at*
31 *which the person actually resides, the date that he or she signs the*
32 *petition and the name of the county where he or she is registered*
33 *to vote. The person who circulates each document of the petition*
34 *shall sign an affidavit attesting that the signatures on the*
35 *document are genuine to the best of his or her knowledge and*
36 *belief and were signed in his or her presence by persons registered*
37 *to vote in that county.*

38 *3. The petition of candidacy may state the principle, if any,*
39 *which the person qualified represents.*

40 *4. Petitions of candidacy must be filed not earlier than the*
41 *first Monday in March preceding the general election and not*
42 *later than 5 p.m. on the second Friday after the first Monday in*
43 *March.*

44 *5. No petition of candidacy may contain the name of more*
45 *than one candidate for each office to be filled.*



6. *The sufficiency of the petition of candidacy of any person seeking to qualify pursuant to this section may be challenged pursuant to NRS 293.182.*

7. *Any challenge pursuant to subsection 6 must be filed with:*

(a) *The First Judicial District Court if the petition of candidacy was filed with the Secretary of State.*

(b) *The district court for the county where the petition of candidacy was filed if the petition was filed with a county clerk.*

8. *The district court in which the challenge is filed shall give priority to such proceedings over all other matters pending with the court, except for criminal proceedings.*

Sec. 4. 1. *A candidate for partisan office of a major political party must, in addition to the requirements set forth in NRS 293.177 and 293.193, file with the appropriate filing officer as set forth in NRS 293.185:*

(a) *A copy of the petition of candidacy that he or she intends to subsequently circulate for signatures. The copy must be filed not earlier than the January 2 preceding the date of the election and not later than 20 working days before the last day to file the petition pursuant to subsection 4. The copy of the petition must be filed with the appropriate filing officer before the petition may be circulated for signatures.*

(b) *Either of the following:*

(1) *A petition of candidacy signed by a number of registered voters equal to at least 1 percent of the total number of ballots cast in:*

(I) *This State for that office at the last preceding general election in which a person was elected to that office, if the office is a statewide office;*

(II) *The county for that office at the last preceding general election in which a person was elected to that office, if the office is a county office; or*

(III) *The district for that office at the last preceding general election in which a person was elected to that office, if the office is a district office.*

(2) *A petition of candidacy signed by 250 registered voters if the candidate is a candidate for statewide office, or signed by 100 registered voters if the candidate is a candidate for any office other than a statewide office.*

2. *The petition may consist of more than one document. Each document must bear the name of the county in which it was circulated, and only registered voters of that county may sign the document. If the office is not a statewide office, only the registered voters of the county, district or municipality in question may sign the document. The documents that are circulated for signature in*



1 *a county must be submitted to that county clerk for verification in*
2 *the manner prescribed in NRS 293.1276 to 293.1279, inclusive,*
3 *not later than 20 working days before the last day to file the*
4 *petition pursuant to subsection 4. Each person who signs the*
5 *petition shall add to his or her signature the address of the place at*
6 *which the person actually resides, the date that he or she signs the*
7 *petition and the name of the county where he or she is registered*
8 *to vote. The person who circulates each document of the petition*
9 *shall sign an affidavit attesting that the signatures on the*
10 *document are genuine to the best of his or her knowledge and*
11 *belief and were signed in his or her presence by persons registered*
12 *to vote in that county.*

13 3. *The petition of candidacy must state the major political*
14 *party for which the person is seeking to be the nominee.*

15 4. *Petitions of candidacy must be filed not earlier than the*
16 *first Monday in March preceding the general election and not*
17 *later than 5 p.m. on the second Friday after the first Monday in*
18 *March.*

19 5. *No petition of candidacy may contain the name of more*
20 *than one candidate for each office to be filled.*

21 6. *The sufficiency of the petition of candidacy of any person*
22 *seeking to qualify pursuant to this section may be challenged*
23 *pursuant to NRS 293.182.*

24 7. *Any challenge pursuant to subsection 6 must be filed with:*

25 (a) *The First Judicial District Court if the petition of*
26 *candidacy was filed with the Secretary of State.*

27 (b) *The district court for the county where the petition of*
28 *candidacy was filed if the petition was filed with a county clerk.*

29 8. *The district court in which the challenge is filed shall give*
30 *priority to such proceedings over all other matters pending with*
31 *the court, except for criminal proceedings.*

32 **Sec. 5.** NRS 293.010 is hereby amended to read as follows:

33 293.010 As used in this title, unless the context otherwise
34 requires, the words and terms defined in NRS 293.016 to 293.121,
35 inclusive, *and section 2 of this act* have the meanings ascribed to
36 them in those sections.

37 **Sec. 6.** NRS 293.0455 is hereby amended to read as follows:

38 293.0455 “Declaration of candidacy” means a declaration of
39 candidacy that a person must file with the appropriate filing officer
40 pursuant to this title . ~~[in order to be named as a candidate on an~~
41 ~~official ballot at any election.]~~

42 **Sec. 7.** NRS 293.057 is hereby amended to read as follows:

43 293.057 “Filing officer” means the Secretary of State, county
44 or city clerk or any other officer authorized by law to receive
45 designations and declarations of candidacy, *petitions of candidacy,*



certificates and acceptances of nomination or any other nomination papers.

Sec. 8. NRS 293.127565 is hereby amended to read as follows:

293.127565 1. At each building that is open to the general public and occupied by the government of this State or a political subdivision of this State or an agency thereof, other than a building of a public elementary or secondary school, an area must be designated for the use of any person to gather signatures on a petition at any time that the building is open to the public. The area must be reasonable and may be inside or outside of the building. Each public officer or employee in control of the operation of a building governed by this subsection shall:

(a) Designate the area at the building for the gathering of signatures; and

(b) On an annual basis, submit to the Secretary of State and the county clerk for the county in which the building is located a notice of the area at the building designated for the gathering of signatures on a petition. The Secretary of State and the county clerks shall make available to the public a list of the areas at public buildings designated for the gathering of signatures on a petition.

2. Before a person may use an area designated pursuant to subsection 1, the person must notify the public officer or employee in control of the operation of the building governed by subsection 1 of the dates and times that the person intends to use the area to gather signatures on a petition. The public officer or employee may not deny the person the use of the area.

3. Not later than 3 working days after the date of the decision that aggrieved the person, a person aggrieved by a decision made by a public officer or employee pursuant to subsection 1 or 2 may appeal the decision to the Secretary of State. The Secretary of State shall review the decision to determine whether the public officer or employee violated subsection 1 or 2. If the Secretary of State determines a public officer or employee violated subsection 1 or 2 and that a person was denied the use of a public building for the purpose of gathering signatures on a petition, the Secretary of State shall order that the deadline for filing the petition provided pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.015 or 306.110 *or section 3, 4 or 28 of this act* must be extended for a period equal to the time that the person was denied the use of a public building for the purpose of gathering signatures on a petition, but in no event may the deadline be extended for a period of more than 5 days.

4. The decision of the Secretary of State is a final decision for the purposes of judicial review. Not later than 7 days after the date



1 of the decision by the Secretary of State, the decision of the
2 Secretary of State may only be appealed in the First Judicial District
3 Court. If the First Judicial District Court determines that the public
4 officer or employee violated subsection 1 or 2 and that a person was
5 denied the use of a public building for the purpose of gathering
6 signatures on a petition, the Court shall order that the deadline for
7 filing the petition provided pursuant to NRS 293.128, 293.172,
8 293.200, 295.056, 298.109, 306.015 or 306.110 *or section 3, 4 or 28*
9 *of this act* must be extended for a period equal to the time that the
10 person was denied the use of a public building for the purpose of
11 gathering signatures on a petition, but in no event may the deadline
12 be extended for a period of more than 5 days.

13 5. The Secretary of State may adopt regulations to carry out the
14 provisions of subsection 3.

15 **Sec. 9.** NRS 293.1276 is hereby amended to read as follows:

16 293.1276 1. Within 4 days, excluding Saturdays, Sundays
17 and holidays, after the submission of a petition containing signatures
18 which are required to be verified pursuant to NRS 293.128, 295.056,
19 298.109, 306.035 or 306.110, and within 2 days, excluding
20 Saturdays, Sundays and holidays, after the submission of a petition
21 containing signatures which are required to be verified pursuant to
22 NRS 293.172 or 293.200, *or section 3 or 4 of this act*, the county
23 clerk shall determine the total number of signatures affixed to the
24 documents and, in the case of a petition for initiative or referendum
25 proposing a constitutional amendment or statewide measure, shall
26 tally the number of signatures for each petition district contained
27 fully or partially within the county and forward that information to
28 the Secretary of State.

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

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

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

42 **Sec. 10.** NRS 293.1277 is hereby amended to read as follows:

43 293.1277 1. If the Secretary of State finds that the total
44 number of signatures submitted to all the county clerks is 100
45 percent or more of the number of registered voters needed to declare



1 the petition sufficient, the Secretary of State shall immediately so
2 notify the county clerks. After the notification, each of the county
3 clerks shall determine the number of registered voters who have
4 signed the documents submitted in the county clerk's county and, in
5 the case of a petition for initiative or referendum proposing a
6 constitutional amendment or statewide measure, shall tally the
7 number of signatures for each petition district contained or fully
8 contained within the county clerk's county. This determination must
9 be completed within 9 days, excluding Saturdays, Sundays and
10 holidays, after the notification pursuant to this subsection regarding
11 a petition containing signatures which are required to be verified
12 pursuant to NRS 293.128, 295.056, 298.109 or 306.110, *or section*
13 *3 or 4 of this act*, within 20 days, excluding Saturdays, Sundays and
14 holidays, after the notification pursuant to this subsection regarding
15 a petition containing signatures which are required to be verified
16 pursuant to NRS 306.035, and within 3 days, excluding Saturdays,
17 Sundays and holidays, after the notification pursuant to this
18 subsection regarding a petition containing signatures which are
19 required to be verified pursuant to NRS 293.172 or 293.200. For the
20 purpose of verification pursuant to this section, the county clerk
21 shall not include in his or her tally of total signatures any signature
22 included in the incorrect petition district.

23 2. Except as otherwise provided in subsections 3 and 4, if more
24 than 500 names have been signed on the documents submitted to a
25 county clerk, the county clerk shall examine the signatures by
26 sampling them at random for verification. The random sample of
27 signatures to be verified must be drawn in such a manner that every
28 signature which has been submitted to the county clerk is given an
29 equal opportunity to be included in the sample. The sample must
30 include an examination of:

31 (a) Except as otherwise provided in paragraph (b), at least 500
32 or 5 percent of the signatures, whichever is greater.

33 (b) If the petition is for the recall of a public officer who holds a
34 statewide office, at least 25 percent of the signatures.

35 ➤ If documents were submitted to the county clerk for more than
36 one petition district wholly contained within that county, a separate
37 random sample must be performed for each petition district.

38 3. If a petition district comprises more than one county and the
39 petition is for an initiative or referendum proposing a constitutional
40 amendment or a statewide measure, and if more than 500 names
41 have been signed on the documents submitted for that petition
42 district, the appropriate county clerks shall examine the signatures
43 by sampling them at random for verification. The random sample of
44 signatures to be verified must be drawn in such a manner that every
45 signature which has been submitted to the county clerks within the



petition district is given an equal opportunity to be included in the sample. The sample must include an examination of at least 500 or 5 percent of the signatures presented in the petition district, whichever is greater. The Secretary of State shall determine the number of signatures that must be verified by each county clerk within the petition district.

4. If a petition is for the recall of a public officer who does not hold a statewide office, each county clerk:

(a) Shall not examine the signatures by sampling them at random for verification;

(b) Shall examine for verification every signature on the documents submitted to the county clerk; and

(c) When determining the total number of valid signatures on the documents, shall remove each name of a registered voter who submitted a request to have his or her name removed from the petition pursuant to NRS 306.015.

5. In determining from the records of registration the number of registered voters who signed the documents, the county clerk may use the signatures contained in the file of applications to register to vote. If the county clerk uses that file, the county clerk shall ensure that every application in the file is examined, including any application in his or her possession which may not yet be entered into the county clerk's records. Except as otherwise provided in subsection 6, the county clerk shall rely only on the appearance of the signature and the address and date included with each signature in making his or her determination.

6. If:

(a) A person registers to vote using the system established by the Secretary of State pursuant to NRS 293.671;

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

(c) A person is registered to vote by an automatic voter registration agency,

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

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



8. Except as otherwise provided in subsection 10, upon completing the examination, the county clerk shall immediately attach to the documents a certificate properly dated, showing the result of the examination, including the tally of signatures by petition district, if required, and transmit the documents with the certificate to the Secretary of State. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, if a petition district comprises more than one county, the appropriate county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the certificate. A copy of this certificate must be filed in the clerk's office. When the county clerk transmits the certificate to the Secretary of State, the county clerk shall notify the Secretary of State of the number of requests to remove a name received by the county clerk pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable.

9. A person who submits a petition to the county clerk which is required to be verified pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110 *or section 3 or 4 of this act* must be allowed to witness the verification of the signatures. A public officer who is the subject of a recall petition must also be allowed to witness the verification of the signatures on the petition.

10. For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 *or section 3 or 4 of this act* for any county, district or municipal office within one county, the county clerk shall not transmit to the Secretary of State the documents containing the signatures of the registered voters.

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

Sec. 11. NRS 293.1279 is hereby amended to read as follows:

293.1279 1. If the statistical sampling shows that the number of valid signatures filed is 90 percent or more, but less than the sum of 100 percent of the number of signatures of registered voters needed to declare the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, the Secretary of State shall order the county clerks to examine the signatures for verification. The county clerks shall examine the signatures for verification until they determine that 100 percent of the number of signatures of registered voters needed to declare the petition sufficient are valid. If the county clerks received a request to remove a name pursuant to NRS 295.055 or pursuant to



1 NRS 306.015 for a petition to recall a public officer who holds a
2 statewide office, if applicable, the county clerks may not determine
3 that 100 percent of the number of signatures of registered voters
4 needed to declare the petition sufficient are valid until they have
5 removed each name as requested pursuant to NRS 295.055 or
6 306.015.

7 2. Except as otherwise provided in this subsection, if the
8 statistical sampling shows that the number of valid signatures filed
9 in any county is 90 percent or more but less than the sum of 100
10 percent of the number of signatures of registered voters needed to
11 constitute 10 percent of the number of voters who voted at the last
12 preceding general election in that county plus the total number of
13 requests to remove a name received by the county clerk in that
14 county pursuant to NRS 295.055 or pursuant to NRS 306.015 for a
15 petition to recall a public officer who holds a statewide office, if
16 applicable, the Secretary of State may order the county clerk in that
17 county to examine every signature for verification. If the county
18 clerk received a request to remove a name pursuant to NRS 295.055
19 or pursuant to NRS 306.015 for a petition to recall a public officer
20 who holds a statewide office, if applicable, the county clerk may not
21 determine that 100 percent or more of the number of signatures of
22 registered voters needed to constitute 10 percent of the number of
23 voters who voted at the last preceding general election in that county
24 are valid until the county clerk has removed each name as requested
25 pursuant to NRS 295.055 or 306.015. In the case of a petition for
26 initiative or referendum that proposes a constitutional amendment or
27 statewide measure, if the statistical sampling shows that the number
28 of valid signatures in any petition district is 90 percent or more but
29 less than the sum of 100 percent of the number of signatures of
30 registered voters required for that petition district pursuant to NRS
31 295.012 plus the total number of requests to remove a name
32 received by the county clerk or county clerks, if the petition district
33 comprises more than one county, pursuant to NRS 295.055, the
34 Secretary of State may order a county clerk to examine every
35 signature for verification.

36 3. After the receipt of such an order, the county clerk or county
37 clerks shall determine from the records of registration what number
38 of registered voters have signed the petition and, if appropriate, tally
39 those signatures by petition district. This determination must be
40 completed within 12 days, excluding Saturdays, Sundays and
41 holidays, after the receipt of an order regarding a petition containing
42 signatures which are required to be verified pursuant to NRS
43 293.128, 295.056, 298.109 or 306.110, or pursuant to NRS 306.035
44 for a petition to recall a public officer who holds a statewide office,
45 and within 5 days, excluding Saturdays, Sundays and holidays, after



1 the receipt of an order regarding a petition containing signatures
2 which are required to be verified pursuant to NRS 293.172 or
3 293.200 ~~§~~ *or section 3 or 4 of this act*. If necessary, the board of
4 county commissioners shall allow the county clerk additional
5 assistants for examining the signatures and provide for their
6 compensation. In determining from the records of registration what
7 number of registered voters have signed the petition and in
8 determining in which petition district the voters reside, the county
9 clerk must use the statewide voter registration list. The county clerk
10 may rely on the appearance of the signature and the address and date
11 included with each signature in determining the number of
12 registered voters that signed the petition.

13 4. Except as otherwise provided in subsection 5, upon
14 completing the examination, the county clerk or county clerks shall
15 immediately attach to the documents of the petition an amended
16 certificate, properly dated, showing the result of the examination
17 and shall immediately forward the documents with the amended
18 certificate to the Secretary of State. A copy of the amended
19 certificate must be filed in the county clerk's office. In the case of a
20 petition for initiative or referendum to propose a constitutional
21 amendment or statewide measure, if a petition district comprises
22 more than one county, the county clerks shall comply with the
23 regulations adopted by the Secretary of State pursuant to this section
24 to complete the amended certificate.

25 5. For any petition containing signatures which are required to
26 be verified pursuant to the provisions of NRS 293.200, 306.035 or
27 306.110 *or section 3 or 4 of this act* for any county, district or
28 municipal office within one county, the county clerk shall not
29 forward to the Secretary of State the documents containing the
30 signatures of the registered voters.

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

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



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

Sec. 12. NRS 293.1755 is hereby amended to read as follows:

293.1755 1. In addition to any other requirement provided by law, no person may be a candidate for any office unless, for at least the 30 days immediately preceding the date of the close of filing of declarations of candidacy *and petitions of candidacy* for the office which the person seeks, the person has, in accordance with NRS 281.050, actually, as opposed to constructively, resided in the State, district, county, township or other area prescribed by law to which the office pertains and, if elected, over which he or she will have jurisdiction or will represent.

2. Any person who knowingly and willfully files a declaration of candidacy *or petition of candidacy* which contains a false statement regarding the person's residency in violation of this section is guilty of a gross misdemeanor.

3. The provisions of this section do not apply to candidates for:

- (a) Any federal office.
- (b) The office of district attorney.

Sec. 13. NRS 293.177 is hereby amended to read as follows:

293.177 1. Except as otherwise provided in NRS 293.165 and 293.166, a name may not be printed on a ballot to be used at a primary election unless , *in addition to submitting the petition of candidacy pursuant to section 3 or 4 of this act, as applicable, that has been properly verified*, the person named has filed a declaration of candidacy with the appropriate filing officer and paid the filing fee required by NRS 293.193 not earlier than:

(a) For a candidate for judicial office, the first Monday in January of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in January; and

(b) For all other candidates, the first Monday in March of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.

2. A declaration of candidacy required to be filed pursuant to this chapter must be in substantially the following form:

(a) For partisan office:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of



For the purpose of having my name placed on the official ballot as a candidate for the Party nomination for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am registered as a member of the Party; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored; that I have not, in violation of the provisions of NRS 293.176, changed the designation of my political party or political party affiliation on an official application to register to vote in any state since December 31 before the closing filing date for this election; that I generally believe in and intend to support the concepts found in the principles and policies of that political party in the coming election; that if nominated as a candidate of the Party at the ensuing election, I will accept that nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)



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

.....
Notary Public or other person
authorized to administer an oath

(b) For nonpartisan office:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

For the purpose of having my name placed on the official ballot as a candidate for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored; that if nominated as a nonpartisan candidate at the ensuing election, I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of



the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

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

.....
Notary Public or other person
authorized to administer an oath

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

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

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

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

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

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 of candidacy, the candidate shall be deemed to have appointed the filing officer for the office as his or her agent for service of process for the purposes of a proceeding pursuant to NRS 293.182. Service of such process must first be attempted at the appropriate address as specified by the candidate in the declaration of candidacy. If the candidate cannot be served at that address, service must be made by personally delivering to and leaving with the filing officer duplicate copies of the process. The filing officer shall immediately send, by registered or certified mail, one of the copies to the candidate at the specified address, unless the candidate has designated in writing to the filing officer a different address for that purpose, in which case the filing officer shall mail the copy to the last address so designated.

7. If the filing officer receives credible evidence indicating that a candidate has been convicted of a felony and has not had his or her civil rights restored, the filing officer:

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

(b) Shall transmit the credible evidence and the findings from such investigation to the Attorney General, if the filing officer is the Secretary of State, or to the district attorney, if the filing officer is a person other than the Secretary of State.

8. The receipt of information by the Attorney General or district attorney pursuant to subsection 7 must be treated as a challenge of a candidate pursuant to subsections 4 and 5 of NRS 293.182 to which the provisions of NRS 293.2045 apply.



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

Sec. 14. NRS 293.182 is hereby amended to read as follows:

293.182 1. After a person files a declaration of candidacy *and petition of candidacy* to be a candidate for an office, and not later than 5 days after the last day the person may withdraw his or her candidacy pursuant to NRS 293.202, an elector may file with the filing officer for the office a written challenge of the person on the grounds that the person fails to meet any qualification required for the office pursuant to the Constitution or laws of this State. Before accepting the challenge from the elector, the filing officer shall notify the elector that if the challenge is found by a court to be frivolous, the elector may be required to pay the reasonable attorney's fees and court costs of the person who is being challenged.

2. A challenge filed pursuant to subsection 1 must:

(a) Indicate each qualification the person fails to meet;

(b) Have attached all documentation and evidence supporting the challenge; and

(c) Be in the form of an affidavit, signed by the elector under penalty of perjury.

3. Upon receipt of a challenge pursuant to subsection 1:

(a) The Secretary of State shall immediately transmit the challenge to the Attorney General.

(b) A filing officer other than the Secretary of State shall immediately transmit the challenge to the district attorney.

4. If the Attorney General or district attorney determines that probable cause exists to support the challenge, the Attorney General or district attorney shall, not later than 5 working days after receiving the challenge, petition a court of competent jurisdiction to order the person to appear before the court. Upon receipt of such a petition, the court shall enter an order directing the person to appear before the court at a hearing, at a time and place to be fixed by the court in the order, to show cause why the challenge is not valid. A certified copy of the order must be served upon the person. The court shall give priority to such proceedings over all other matters pending with the court, except for criminal proceedings.

5. If, at the hearing, the court determines by a preponderance of the evidence that the challenge is valid or that the person otherwise fails to meet any qualification required for the office pursuant to the Constitution or laws of this State, or if the person fails to appear at the hearing, the person is subject to the provisions of NRS 293.2045.



6. If, at the hearing, the court determines that the challenge is frivolous, the court may order the elector who filed the challenge to pay the reasonable attorney's fees and court costs of the person who was challenged.

Sec. 15. NRS 293.184 is hereby amended to read as follows:

293.184 1. In addition to any other remedy or penalty provided by law, if a person knowingly and willfully files a declaration of candidacy *or petition of candidacy* which contains a false statement:

(a) The name of the person must not appear on any ballot for the election for which the person filed the declaration of candidacy ~~and~~ *and petition of candidacy*, except that if the statutory deadline for making changes to the ballot has passed, the provisions of subsection 2 apply; and

(b) The person is disqualified from entering upon the duties of the office for which the person filed the declaration of candidacy ~~and~~ *and petition of candidacy*.

2. If the name of a person who is disqualified from entering upon the duties of an office pursuant to subsection 1 appears on a ballot for the election because the statutory deadline for making changes to the ballot has passed, the appropriate election officers shall post a sign at each polling place where the person's name will appear on the ballot informing voters that the person is disqualified from entering upon the duties of the office.

3. The provisions of this section may be enforced in any preelection action to which the provisions of NRS 293.2045 apply.

Sec. 16. NRS 293.185 is hereby amended to read as follows:

293.185 A declaration of candidacy *and a petition of candidacy* must be filed with the appropriate filing officer, during regular office hours, as follows:

1. For United States Senator, Representative in Congress, statewide offices, State Senators, Assemblymen and Assemblywomen to be elected from districts comprising more than one county, and all other offices whose districts comprise more than one county, with the Secretary of State.

2. For Representative in Congress and district offices voted for wholly within one county, State Senators, Assemblymen and Assemblywomen to be elected from districts comprising but one or part of one county, county and township officers, with the county clerk.

Sec. 17. NRS 293.186 is hereby amended to read as follows:

293.186 The Secretary of State and each county clerk, or the registrar of voters of the county if one was appointed pursuant to NRS 244.164, or city clerk who receives from a candidate for public



office a declaration of candidacy *or petition of candidacy* shall give to the candidate:

1. If the candidate is a candidate for judicial office, the form prescribed by the Administrative Office of the Courts for the making of a financial disclosure statement;

2. If the candidate is not a candidate for judicial office and is required to file electronically the financial disclosure statement, access to the electronic form prescribed by the Secretary of State; or

3. If the candidate is not a candidate for judicial office, is required to submit the financial disclosure statement electronically and has submitted an affidavit to the Secretary of State pursuant to NRS 281.572, the form prescribed by the Secretary of State, accompanied by instructions on how to complete the form and the time by which it must be filed.

Sec. 18. NRS 293.190 is hereby amended to read as follows:

293.190 Not later than 15 days after the primary election at which candidates are nominated for any public office:

1. The Secretary of State shall certify to each county clerk the name of each person nominated and the title of the office for which he or she is nominated for all candidates required to file declarations, certificates, *petitions* and acceptances of candidacies in the Office of the Secretary of State; and

2. Each county clerk shall certify to the Secretary of State the name of each person nominated and the title of the office for which he or she is nominated for all candidates required to file declarations, certificates, *petitions* and acceptances of candidacies in the office of the county clerk.

Sec. 19. NRS 293.193 is hereby amended to read as follows:

293.193 1. Fees as listed in this section for filing declarations of candidacy must be paid to the filing officer by cash, cashier's check or certified check.

United States Senator	\$500
Representative in Congress	300
Governor	300
Justice of the Supreme Court	300
Any state office, other than Governor or justice of the Supreme Court	200
District judge	150
Justice of the peace	100
Any county office	100
State Senator	100
Assemblyman or Assemblywoman	100
Any district office other than district judge	30
Constable or other town or township office	30



1 For the purposes of this subsection, trustee of a county school
2 district, hospital or hospital district is not a county office.

3 2. No filing fee may be required ~~from~~ :

4 (a) *From* a candidate for an office the holder of which receives
5 no compensation ~~from~~; or

6 (b) *From a person who files a petition of candidacy pursuant*
7 *to section 3 or 4 of this act.*

8 3. The county clerk shall pay to the county treasurer all filing
9 fees received from candidates. The county treasurer shall deposit the
10 money to the credit of the general fund of the county.

11 4. Except as otherwise provided in NRS 293.194, a filing fee
12 paid pursuant to this section is not refundable.

13 **Sec. 20.** NRS 293.196 is hereby amended to read as follows:

14 293.196 For purposes of elections only, the Secretary of State
15 shall establish designations which separately identify each office of
16 justice of the Supreme Court. Before any person is allowed to file a
17 declaration of candidacy *and petition of candidacy* for the office of
18 justice of the Supreme Court, the person shall designate the
19 particular office for which he or she is declaring candidacy.

20 **Sec. 21.** NRS 293.1965 is hereby amended to read as follows:

21 293.1965 For the purposes of elections only, the Secretary of
22 State shall establish designations which separately identify each
23 office of judge of the Court of Appeals. Before any person is
24 allowed to file a declaration of candidacy *and petition of candidacy*
25 for the office of judge of the Court of Appeals, the person shall
26 designate the particular office for which he or she is declaring
27 candidacy.

28 **Sec. 22.** NRS 293.200 is hereby amended to read as follows:

29 293.200 1. An independent candidate for partisan office must
30 file with the appropriate filing officer as set forth in NRS 293.185:

31 (a) A copy of the petition of candidacy that he or she intends to
32 subsequently circulate for signatures. The copy must be filed not
33 earlier than the January 2 preceding the date of the election and not
34 later than ~~four~~ 20 working days before the last day to file the
35 petition pursuant to subsection 4. The copy of the petition must be
36 filed with the appropriate filing officer before the petition may be
37 circulated for signatures.

38 (b) Either of the following:

39 (1) A petition of candidacy signed by a number of registered
40 voters equal to at least 1 percent of the total number of ballots cast
41 in:

42 (I) This State for that office at the last preceding general
43 election in which a person was elected to that office, if the office is a
44 statewide office;



(II) The county for that office at the last preceding general election in which a person was elected to that office, if the office is a county office; or

(III) The district for that office at the last preceding general election in which a person was elected to that office, if the office is a district office.

(2) A petition of candidacy signed by 250 registered voters if the candidate is a candidate for statewide office, or signed by 100 registered voters if the candidate is a candidate for any office other than a statewide office.

2. The petition may consist of more than one document. Each document must bear the name of the county in which it was circulated, and only registered voters of that county may sign the document. If the office is not a statewide office, only the registered voters of the county, district or municipality in question may sign the document. The documents that are circulated for signature in a county must be submitted to that county clerk for verification in the manner prescribed in NRS 293.1276 to 293.1279, inclusive, not later than ~~40~~ 20 working days before the last day to file the petition pursuant to subsection 4. Each person who signs the petition shall add to his or her signature the address of the place at which the person actually resides, the date that he or she signs the petition and the name of the county where he or she is registered to vote. The person who circulates each document of the petition shall sign an affidavit attesting that the signatures on the document are genuine to the best of his or her knowledge and belief and were signed in his or her presence by persons registered to vote in that county.

3. The petition of candidacy may state the principle, if any, which the person qualified represents.

4. Petitions of candidacy must be filed not earlier than the first Monday in March preceding the general election and not later than 5 p.m. on the third Friday in June.

5. No petition of candidacy may contain the name of more than one candidate for each office to be filled.

6. A person may not file as an independent candidate if he or she is proposing to run as the candidate of a political party.

7. The names of independent candidates must be placed on the general election ballot and must not appear on the primary election ballot.

8. If the sufficiency of the petition of the candidacy of any person seeking to qualify pursuant to this section is challenged, all affidavits and documents in support of the challenge must be filed not later than 5 p.m. on the fourth Friday in June. Any judicial proceeding resulting from the challenge must be set for hearing not more than 5 days after the fourth Friday in June.



1 9. Any challenge pursuant to subsection 8 must be filed with:
2 (a) The First Judicial District Court if the petition of candidacy
3 was filed with the Secretary of State.

4 (b) The district court for the county where the petition of
5 candidacy was filed if the petition was filed with a county clerk.

6 10. The district court in which the challenge is filed shall give
7 priority to such proceedings over all other matters pending with the
8 court, except for criminal proceedings.

9 11. An independent candidate for partisan office must file a
10 declaration of candidacy with the appropriate filing officer and pay
11 the filing fee required by NRS 293.193 not earlier than the first
12 Monday in March of the year in which the election is held and not
13 later than 5 p.m. on the second Friday after the first Monday in
14 March.

15 **Sec. 23.** NRS 293.2045 is hereby amended to read as follows:
16 293.2045 1. In addition to any other remedy or penalty
17 provided by law, but except as otherwise provided in NRS
18 293.1265, if a court of competent jurisdiction finds in any
19 preelection action that a person who is a candidate for any office
20 fails to meet any qualification required for the office pursuant to the
21 Constitution or laws of this State:

22 (a) The name of the person must not appear on any ballot for the
23 election for which the person filed a declaration of candidacy ~~§~~ *and*
24 *petition of candidacy*, except that if the statutory deadline for
25 making changes to the ballot has passed, the provisions of
26 subsection 2 apply; and

27 (b) The person is disqualified from entering upon the duties of
28 the office for which the person filed a declaration of candidacy ~~§~~
29 *and petition of candidacy*.

30 2. If the name of a person who is disqualified from entering
31 upon the duties of an office pursuant to subsection 1 appears on a
32 ballot for the election because the statutory deadline for making
33 changes to the ballot has passed, the appropriate election officers
34 shall post a sign at each polling place where the person's name will
35 appear on the ballot informing voters that the person is disqualified
36 from entering upon the duties of the office.

37 3. The provisions of this section apply to any preelection action
38 brought to challenge a person who is a candidate for any office on
39 the grounds that the person fails to meet any qualification required
40 for the office pursuant to the Constitution or laws of this State,
41 including, without limitation, any action brought pursuant to NRS
42 281.050, 293.182 or 293C.186 or any action brought for:

43 (a) Declaratory or injunctive relief pursuant to chapter 30 or 33
44 of NRS;

45 (b) Writ relief pursuant to chapter 34 of NRS; or



(c) Any other legal or equitable relief.

Sec. 24. NRS 293.247 is hereby amended to read as follows:

293.247 1. The Secretary of State shall adopt regulations, not inconsistent with the election laws of this State, for the conduct of primary, presidential preference primary, general, special and district elections in all cities and counties. Permanent regulations of the Secretary of State that regulate the conduct of a primary, general, special or district election and are effective on or before the last business day of February immediately preceding a primary, general, special or district election govern the conduct of that election. Permanent regulations of the Secretary of State that regulate the conduct of a presidential preference primary election and are effective on or before the last business day of September immediately preceding a presidential preference primary election govern the conduct of that election.

2. The Secretary of State shall prescribe the forms for a declaration of candidacy , *a petition of candidacy* and any *other* petition which is filed pursuant to the election laws of this State.

3. The regulations must prescribe:

(a) The manner of printing ballots and the number of ballots to be distributed to precincts and districts;

(b) The form and placement of instructions to voters;

(c) The disposition of election returns;

(d) The procedures to be used for canvasses, ties, recounts and contests, including, without limitation, the appropriate use of a paper record created when a voter casts a ballot on a mechanical voting system that directly records the votes electronically;

(e) The procedures to be used to ensure the security of the ballots from the time they are transferred from the polling place until they are stored pursuant to the provisions of NRS 293.391 or 293C.390;

(f) The procedures to be used to ensure the security and accuracy of computer programs and tapes used for elections;

(g) The procedures to be used for the testing, use and auditing of a mechanical voting system which directly records the votes electronically and which creates a paper record when a voter casts a ballot on the system;

(h) The acceptable standards for the sending and receiving of applications, forms and ballots, by approved electronic transmission, by the county clerks and the electors, registered voters or other persons who are authorized to use approved electronic transmission pursuant to the provisions of this title;

(i) The forms for applications to preregister and register to vote and any other forms necessary for the administration of this title; and



(j) Such other matters as determined necessary by the Secretary of State.

4. The Secretary of State may provide interpretations and take other actions necessary for the effective administration of the statutes and regulations governing the conduct of primary, presidential preference primary, general, special and district elections in this State.

5. The Secretary of State shall prepare and distribute to each county and city clerk copies of:

(a) Laws and regulations concerning elections in this State;

(b) Interpretations issued by the Secretary of State's Office; and

(c) Any Attorney General's opinions or any state or federal court decisions which affect state election laws or regulations whenever any of those opinions or decisions become known to the Secretary of State.

Sec. 25. NRS 293.257 is hereby amended to read as follows:

293.257 1. There must be a separate primary ballot for each major political party. The names of candidates for partisan offices who have designated a major political party in the declaration of candidacy *and petition of candidacy* must appear on the primary ballot of the major political party designated.

2. The county clerk may choose to place the names of candidates for nonpartisan offices on the ballots for each major political party or on a separate nonpartisan primary ballot, but the arrangement which the county clerk selects must permit all registered voters to vote on them.

3. A registered voter may cast a primary ballot for a major political party at a primary election only if the registered voter designated on his or her application to register to vote an affiliation with that major political party.

Sec. 26. NRS 293.403 is hereby amended to read as follows:

293.403 1. A candidate defeated at any election may demand and receive a recount of the vote for the office for which he or she is a candidate to determine the number of votes received for the candidate and the number of votes received for the person who won the election if, within 3 working days after the canvass of the vote and the certification by the county clerk or city clerk of the abstract of votes, the candidate who demands the recount:

(a) Files in writing a demand with the officer with whom the candidate filed his or her declaration of candidacy ~~and~~ *and petition of candidacy*; and

(b) Deposits in advance the estimated costs of the recount with that officer.

2. Any voter at an election may demand and receive a recount of the vote for a ballot question if, within 3 working days after the



1 canvass of the vote and the certification by the county clerk or city
2 clerk of the abstract of votes, the voter:

3 (a) Files in writing a demand with:

4 (1) The Secretary of State, if the demand is for a recount of a
5 ballot question affecting more than one county; or

6 (2) The county or city clerk who will conduct the recount, if
7 the demand is for a recount of a ballot question affecting only one
8 county or city; and

9 (b) Deposits in advance the estimated costs of the recount with
10 the person to whom the demand was made.

11 3. The estimated costs of the recount must be determined by
12 the person with whom the advance is deposited based on regulations
13 adopted by the Secretary of State defining the term “costs.”

14 4. As used in this section, “canvass” means:

15 (a) In any primary election, the canvass by the board of county
16 commissioners of the returns for a candidate or ballot question voted
17 for in one county or the canvass by the board of county
18 commissioners last completing its canvass of the returns for a
19 candidate or ballot question voted for in more than one county.

20 (b) In any primary city election, the canvass by the city council
21 of the returns for a candidate or ballot question voted for in the city.

22 (c) In any general election:

23 (1) The canvass by the Supreme Court of the returns for a
24 candidate for a statewide office or a statewide ballot question; or

25 (2) The canvass of the board of county commissioners of the
26 returns for any other candidate or ballot question, as provided in
27 paragraph (a).

28 (d) In any general city election, the canvass by the city council
29 of the returns for a candidate or ballot question voted for in the city.

30 **Sec. 27.** Chapter 293C of NRS is hereby amended by adding
31 thereto the provisions set forth as sections 28 to 34, inclusive, of this
32 act.

33 **Sec. 28. 1. A candidate for city office must, in addition to**
34 **meeting the requirements set forth in NRS 293C.185, file with the**
35 **appropriate filing officer:**

36 (a) *A copy of the petition of candidacy that he or she intends to*
37 *subsequently circulate for signatures. The copy must be filed not*
38 *earlier than the January 2 preceding the date of the election and*
39 *not later than 20 working days before the last day to file the*
40 *petition pursuant to subsection 4. The copy of the petition must be*
41 *filed with the appropriate filing officer before the petition may be*
42 *circulated for signatures.*

43 (b) *Either of the following:*

44 (1) *A petition of candidacy signed by a number of*
45 *registered voters equal to at least 1 percent of the total number of*



1 *ballots cast in the city for that office at the last preceding general*
2 *city election in which a person was elected to that office.*

3 *(2) A petition of candidacy signed by 100 registered voters.*

4 *2. The petition may consist of more than one document. Each*
5 *document must bear the name of the city in which it was*
6 *circulated, and only registered voters of that city may sign the*
7 *document. The documents must be submitted to the city clerk for*
8 *verification in the manner prescribed in sections 29 to 34,*
9 *inclusive, of this act not later than 20 working days before the last*
10 *day to file the petition pursuant to subsection 4. Each person who*
11 *signs the petition shall add to his or her signature the address of*
12 *the place at which the person actually resides, the date that he or*
13 *she signs the petition and the name of the county where he or she*
14 *is registered to vote. The person who circulates each document of*
15 *the petition shall sign an affidavit attesting that the signatures on*
16 *the document are genuine to the best of his or her knowledge and*
17 *belief and were signed in his or her presence by persons registered*
18 *to vote in that city.*

19 *3. The petition of candidacy may state the principle, if any,*
20 *which the person qualified represents.*

21 *4. Petitions of candidacy must be filed not earlier than the*
22 *first Monday in March preceding the general city election and not*
23 *later than 5 p.m. on the second Friday after the first Monday in*
24 *March.*

25 *5. No petition of candidacy may contain the name of more*
26 *than one candidate for each office to be filled.*

27 *6. The sufficiency of the petition of candidacy of any person*
28 *seeking to qualify pursuant to this section may be challenged*
29 *pursuant to NRS 293C.186.*

30 *7. Any challenge pursuant to subsection 6 must be filed with*
31 *the district court for the county in which the city is located.*

32 *8. The district court in which the challenge is filed shall give*
33 *priority to such proceedings over all other matters pending with*
34 *the court, except for criminal proceedings.*

35 **Sec. 29.** *The city clerk shall use the date prescribed by*
36 *subsection 1 of NRS 293.12757 for the purposes of the verification*
37 *of a person's signature on a petition of candidacy.*

38 **Sec. 30.** *1. Upon submission of a petition of candidacy*
39 *containing signatures that are required to be verified pursuant to*
40 *section 28 of this act, the city clerk shall determine the total*
41 *number of signatures on the petition.*

42 *2. If the city clerk finds that the total number of signatures on*
43 *the petition is:*



(a) One hundred percent or more of the required number of signatures of registered voters, the city clerk shall determine the signatures as provided in section 31 of this act.

(b) Less than 100 percent of the required number of signatures of registered voters:

(1) The petition shall be deemed insufficient; and

(2) The city clerk shall not examine the signatures for verification as provided in section 31 of this act.

Sec. 31. 1. If the total number of signatures on the petition is 500 or less, the city clerk shall examine every signature on the petition for verification.

2. Except as otherwise provided in this subsection, if the total number of signatures on the petition is more than 500, the city clerk shall examine the signatures only by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the city clerk is given an equal opportunity to be included in the sample. The sample must include an examination of at least 500, or 5 percent, of the signatures, whichever is greater. If the examination of the random sample shows that the number of valid signatures is less than 90 percent of the number of signatures of registered voters needed to certify the petition sufficient, the petition must be certified insufficient pursuant to subsection 5. If the examination of the random sample shows that the number of valid signatures is 90 percent or more but less than 100 percent of the number of signatures of registered voters needed to certify the petition sufficient, the city clerk shall continue to examine the signatures for verification until he or she has:

(a) Determined that 100 percent of the number of signatures of registered voters needed to certify the petition sufficient are valid; or

(b) Examined every signature for verification.

3. In determining from the records of registration the number of registered voters who have signed the petition, and in examining the signatures on the petition for verification, the city clerk may use any file or list of registered voters maintained by his or her office or facsimiles of the signatures of voters. If the city clerk uses the file of applications to register to vote, he or she shall ensure that every application in the file is examined, including any application in his or her possession which may not yet be entered into his or her records. The city clerk may rely on the appearance of the signature, and the address and date included with each signature, in making the determination. Notwithstanding the provisions of this subsection, a petition must not be certified



insufficient for lack of the required number of valid signatures if, in the absence of other proof of disqualification, any signature on the face thereof does not exactly correspond with the signature appearing on the file or list of registered voters used by the city clerk and the identity of the signer can be ascertained from the face of the petition.

4. If necessary, the governing body of the city shall allow the city clerk additional assistants for examining the signatures and provide for their compensation.

5. If, pursuant to the examination of signatures for verification as required by this section, the number of valid signatures is:

(a) One hundred percent or more of the number of signatures of registered voters needed to certify the petition sufficient, the petition must be certified sufficient.

(b) Less than 100 percent of the number of signatures of registered voters needed to certify the petition sufficient, the petition must be certified insufficient.

Sec. 32. 1. Upon the determination of the sufficiency or insufficiency of the petition pursuant to section 30 or 31 of this act, the city clerk shall:

(a) Attach a certificate to the petition indicating the date and the sufficiency or insufficiency of the petition;

(b) If the petition is certified insufficient, specify the deficiencies in the petition that render it insufficient;

(c) Promptly send a copy of the certificate by registered or certified mail to the candidate; and

(d) Retain the petition and the original certificate at the office of the city clerk.

2. The petition shall be deemed filed with the city clerk as of the date of the certificate showing the petition to be validly signed by the number of registered voters needed to certify the petition sufficient.

Sec. 33. After the submission of the petition to the city clerk for verification pursuant to section 28 of this act, the petition must not be handled by any person other than an employee of the office of the city clerk until the city clerk has attached a certificate to the petition pursuant to section 32 of this act.

Sec. 34. The city clerk shall allow the candidate who submitted the petition to witness:

1. The determination of the total number of signatures on the petition; and

2. The examination of the signatures on the petition for verification.



Sec. 35. NRS 293C.145 is hereby amended to read as follows:

293C.145 1. A general city election must be held in each city of population category three on the first Tuesday after the first Monday in November of the first even-numbered year after incorporation, and at each successive interval of 2 years.

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. 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. 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 *and petition of candidacy* with the city clerk not earlier than:

(a) For the office of judge of a municipal court, 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.

(b) For any other office, 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.

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

293C.175 1. 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 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 city election.

2. A candidate for an office to be voted for at the primary or general city election must file a declaration of candidacy *and petition of candidacy* with the city clerk not earlier than:



(a) For the office of judge of a municipal court, 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.

(b) For any other office, 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.

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. 37. 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 ~~or~~ *and petition 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 NRS 293.400 and subsection 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. 38. NRS 293C.185 is hereby amended to read as follows:
293C.185 1. Except as otherwise provided in NRS 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, *and in addition to
filing a petition of candidacy pursuant to section 28 of this act,*
timely filed a declaration of candidacy with the appropriate filing
officer and paid the filing fee established by the governing body of
the city.

2. A declaration of candidacy required to be filed pursuant to
this 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; that if nominated as a candidate at the ensuing
election I will accept the nomination and not withdraw; that I
will not knowingly violate any election law or any law
defining and prohibiting corrupt and fraudulent practices in
campaigns and elections in this State; that I will qualify for
the office if elected thereto, including, but not limited to,
complying with any limitation prescribed by the Constitution
and laws of this State concerning the number of years or
terms for which a person may hold the office; that I
understand that knowingly and willfully filing a declaration
of candidacy which contains a false statement is a crime



punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

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

.....
Notary Public or other person
authorized to administer an oath

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

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

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

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

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

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



1 required by subsection 3, the candidate shall present to the filing
2 officer:

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

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

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

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

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

20 6. By filing the declaration of candidacy, the candidate shall be
21 deemed to have appointed the city clerk as his or her agent for
22 service of process for the purposes of a proceeding pursuant to NRS
23 293C.186. Service of such process must first be attempted at the
24 appropriate address as specified by the candidate in the declaration
25 of candidacy. If the candidate cannot be served at that address,
26 service must be made by personally delivering to and leaving with
27 the city clerk duplicate copies of the process. The city clerk shall
28 immediately send, by registered or certified mail, one of the copies
29 to the candidate at the specified address, unless the candidate has
30 designated in writing to the city clerk a different address for that
31 purpose, in which case the city clerk shall mail the copy to the last
32 address so designated.

33 7. If the city clerk receives credible evidence indicating that a
34 candidate has been convicted of a felony and has not had his or her
35 civil rights restored, the city clerk:

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

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

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



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

Sec. 39. NRS 293C.186 is hereby amended to read as follows:

293C.186 1. After a person files a declaration of candidacy *and petition of candidacy* to be a candidate for an office, and not later than 5 days after the last day the person may withdraw his or her candidacy pursuant to NRS 293C.195, an elector may file with the city clerk a written challenge of the person on the grounds that the person fails to meet any qualification required for the office pursuant to the Constitution or laws of this State. Before accepting the challenge from the elector, the filing officer shall notify the elector that if the challenge is found by a court to be frivolous, the elector may be required to pay the reasonable attorney's fees and court costs of the person who is being challenged.

2. A challenge filed pursuant to subsection 1 must:

(a) Indicate each qualification the person fails to meet;

(b) Have attached all documentation and evidence supporting the challenge; and

(c) Be in the form of an affidavit, signed by the elector under penalty of perjury.

3. Upon receipt of a challenge pursuant to subsection 1, the city clerk shall immediately transmit the challenge to the city attorney.

4. If the city attorney determines that probable cause exists to support the challenge, the city attorney shall, not later than 5 working days after receiving the challenge, petition a court of competent jurisdiction to order the person to appear before the court. Upon receipt of such a petition, the court shall enter an order directing the person to appear before the court at a hearing, at a time and place to be fixed by the court in the order, to show cause why the challenge is not valid. A certified copy of the order must be served upon the person. The court shall give priority to such proceedings over all other matters pending with the court, except for criminal proceedings.

5. If, at the hearing, the court determines by a preponderance of the evidence that the challenge is valid or that the person otherwise fails to meet any qualification required for the office pursuant to the Constitution or laws of this State, or if the person fails to appear at the hearing, the person is subject to the provisions of NRS 293.2045.

6. If, at the hearing, the court determines that the challenge is frivolous, the court may order the elector who filed the challenge to pay the reasonable attorney's fees and court costs of the person who was challenged.



Sec. 40. NRS 293C.1865 is hereby amended to read as follows:

293C.1865 1. In addition to any other remedy or penalty provided by law, if a person knowingly and willfully files a declaration of candidacy *or petition of candidacy* which contains a false statement:

(a) The name of the person must not appear on any ballot for the election for which the person filed the declaration of candidacy ~~or~~ *and petition of candidacy*, except that if the statutory deadline for making changes to the ballot has passed, the provisions of subsection 2 apply; and

(b) The person is disqualified from entering upon the duties of the office for which the person filed the declaration of candidacy ~~or~~ *and petition of candidacy*.

2. If the name of a person who is disqualified from entering upon the duties of an office pursuant to subsection 1 appears on a ballot for the election because the statutory deadline for making changes to the ballot has passed, the appropriate election officers shall post a sign at each polling place where the person's name will appear on the ballot informing voters that the person is disqualified from entering upon the duties of the office.

3. The provisions of this section may be enforced in any preelection action to which the provisions of NRS 293.2045 apply.

Sec. 41. NRS 293C.195 is hereby amended to read as follows:

293C.195 A withdrawal of candidacy for a city office must be in writing and presented to the city clerk by the candidate in person within 2 days, excluding Saturdays, Sundays and holidays, after the last day for filing a declaration of candidacy ~~or~~ *and petition of candidacy*.

Sec. 42. NRS 293C.200 is hereby amended to read as follows:

293C.200 1. In addition to any other requirement provided by law, *including, without limitation, submitting a petition of candidacy*, no person may be a candidate for a city office unless, for at least the 30 days immediately preceding the date of the close of filing of declarations of candidacy for the office that the person seeks, the person has in accordance with NRS 281.050, actually, as opposed to constructively, resided in the city or other area prescribed by law to which the office pertains and, if elected, over which he or she will have jurisdiction or which he or she will represent.

2. Any person who knowingly and willfully files a declaration of candidacy which contains a false statement regarding the person's residency in violation of this section is guilty of a gross misdemeanor.



Sec. 43. Chapter 294A of NRS is hereby amended by adding thereto a new section to read as follows:

“Caregiving services” means the direct care, protection and supervision of a person with a disability or medical condition or a child for whom a candidate or public officer has a direct responsibility for caregiving.

Sec. 44. NRS 294A.002 is hereby amended to read as follows:
294A.002 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 294A.0025 to 294A.014, inclusive, *and section 43 of this act*, have the meanings ascribed to them in those sections.

Sec. 45. NRS 294A.0035 is hereby amended to read as follows:

294A.0035 “Campaign expenses” means:

1. All expenses incurred by a candidate for a campaign, including, without limitation:

- (a) Office expenses;
- (b) Expenses related to volunteers;
- (c) Expenses related to travel;
- (d) Expenses related to advertising;
- (e) Expenses related to paid staff;
- (f) Expenses related to consultants;
- (g) Expenses related to polling;
- (h) Expenses related to special events;
- (i) Expenses related to a legal defense fund;
- (j) *Expenses related to circulating a petition of candidacy;*
- (k) *Expenses for caregiving that are directly related to the campaign of the candidate;*

(l) Contributions made to another candidate, a nonprofit corporation that is registered or required to be registered pursuant to NRS 294A.225, a committee for political action that is registered or required to be registered pursuant to NRS 294A.230 or a committee for the recall of a public officer that is registered or required to be registered pursuant to NRS 294A.250;

~~((k))~~ (m) Fees for filing declarations of candidacy; and

~~((j))~~ (n) Repayment or forgiveness of a loan.

2. Expenditures, as defined in NRS 294A.0075.

3. The disposal of any unspent contributions pursuant to NRS 294A.117 or 294A.160.

Sec. 46. NRS 294A.005 is hereby amended to read as follows:
294A.005 “Candidate” means any person:

1. Who files a declaration of candidacy ~~§~~ *and petition of candidacy;*

2. Whose name appears on an official ballot at any election; or



3. Who has received one or more contributions in excess of \$100, regardless of whether:

(a) The person has filed a declaration of candidacy ~~and~~ *petition of candidacy*; or

(b) The name of the person appears on an official ballot at any election.

Sec. 47. NRS 294A.011 is hereby amended to read as follows:

294A.011 *1.* "Personal use" means any use of contributions to fulfill a commitment, obligation or expense of:

~~(1)~~ *(a)* A candidate that would exist irrespective of his or her campaign.

~~(2)~~ *(b)* A public officer that would exist irrespective of the duties of his or her public office,

↪ as applicable.

2. The term does not include, without limitation, the use of contributions to fulfill a commitment, obligation or expense for caregiving services that are incurred in direct connection to the campaign of the candidate or public office of the public officer.

Sec. 48. NRS 294A.160 is hereby amended to read as follows:

294A.160 *1.* It is unlawful for:

(a) A candidate to spend money received as a contribution:

(1) For the candidate's personal use; or

(2) To pay himself or herself a salary.

(b) A public officer to spend unspent contributions:

(1) For the public officer's personal use; or

(2) To pay himself or herself a salary.

2. Notwithstanding the provisions of NRS 294A.286, a candidate or public officer may use contributions to pay for any legal expenses that the candidate or public officer incurs in relation to a campaign or serving in public office without establishing a legal defense fund. Any such candidate or public officer shall report any expenditure of contributions to pay for legal expenses in the same manner and at the same time as the report filed pursuant to NRS 294A.120 or 294A.200. A candidate or public officer shall not use contributions to satisfy a civil or criminal penalty imposed by law.

3. Except as otherwise provided in subsection 5, every candidate for office at a primary election, general election or special election who is elected to that office and received contributions that were not spent or committed for expenditure before the primary election, general election or special election shall dispose of the money through one or any combination of the following methods:

(a) Return the unspent money to contributors;

(b) Use the money in the candidate's next election or for the payment of other expenses related to public office or his or her



campaign, regardless of whether he or she is a candidate for a different office in the candidate's next election;

(c) Contribute the money to:

(1) The campaigns of other candidates for public office or for the payment of debts related to their campaigns;

(2) If the candidate was elected to the office of a Legislator, another member of the Legislature who is authorized to solicit or accept contributions pursuant to NRS 294A.117;

(3) A political party; or

(4) Any combination of persons or groups set forth in subparagraphs (1), (2) and (3);

(d) Donate the money to any tax-exempt nonprofit entity; or

(e) Donate the money to any governmental entity or fund of this State or a political subdivision of this State. A candidate who donates money pursuant to this paragraph may request that the money be used for a specific purpose.

4. Except as otherwise provided in subsection 5, every candidate for office at a primary election, general election or special election who withdraws pursuant to NRS 293.202 or 293C.195 after filing a declaration of candidacy **§ and petition of candidacy**, is removed from the ballot by court order or is defeated for or otherwise not elected to that office and who received contributions that were not spent or committed for expenditure before the primary election, general election or special election shall, not later than the 15th day of the second month after the election, dispose of the money through one or any combination of the following methods:

(a) Return the unspent money to contributors;

(b) Contribute the money to:

(1) The campaigns of other candidates for public office or for the payment of debts related to their campaigns;

(2) A political party; or

(3) Any combination of persons or groups set forth in subparagraphs (1) and (2);

(c) Donate the money to any tax-exempt nonprofit entity; or

(d) Donate the money to any governmental entity or fund of this State or a political subdivision of this State. A candidate who donates money pursuant to this paragraph may request that the money be used for a specific purpose.

5. Every candidate for office at a special election to recall a public officer shall dispose of the unspent contributions through one or any combination of the methods set forth in subsection 4 not later than the 15th day of the second month following the last day for the candidate to receive a contribution pursuant to NRS 294A.115.

6. Every candidate for office who withdraws after filing a declaration of candidacy **§ and petition of candidacy**, is defeated



1 for that office at a primary election or is removed from the ballot by
2 court order before a primary election or general election and who
3 received a contribution from a person in excess of \$5,000 shall, not
4 later than the 15th day of the second month after the primary
5 election or general election, as applicable, return any money in
6 excess of \$5,000 to the contributor.

7 7. Except for a former public officer who is subject to the
8 provisions of subsection 11, every person who qualifies as a
9 candidate by receiving one or more qualifying contributions in
10 excess of \$100 but who, within 4 years after the date of receiving
11 the first of those qualifying contributions, does not:

12 (a) File a declaration of candidacy ~~H~~ *and petition of candidacy;*
13 or

14 (b) Appear on an official ballot at any election,
15 ➤ shall, not later than the 15th day of the month after the end of the
16 4-year period, dispose of all contributions that have not been spent
17 or committed for expenditure through one or any combination of the
18 methods set forth in subsection 4.

19 8. Except as otherwise provided in subsection 9, every public
20 officer who:

21 (a) Does not run for reelection to the office which he or she
22 holds;

23 (b) Is not a candidate for any other office and does not qualify as
24 a candidate by receiving one or more qualifying contributions in
25 excess of \$100; and

26 (c) Has contributions that are not spent or committed for
27 expenditure remaining from a previous election,

28 ➤ shall, not later than the 15th day of the second month after the
29 expiration of the public officer's term of office, dispose of those
30 contributions in the manner provided in subsection 4.

31 9. Every public officer who:

32 (a) Resigns from his or her office;

33 (b) Is not a candidate for any other office and does not qualify as
34 a candidate by receiving one or more qualifying contributions in
35 excess of \$100; and

36 (c) Has contributions that are not spent or committed for
37 expenditure remaining from a previous election,

38 ➤ shall, not later than the 15th day of the second month after the
39 effective date of the resignation, dispose of those contributions in
40 the manner provided in subsection 4.

41 10. Except as otherwise provided in subsection 11, every
42 public officer who:

43 (a) Does not run for reelection to the office which he or she
44 holds or who resigns from his or her office;



(b) Is a candidate for any other office or qualifies as a candidate by receiving one or more qualifying contributions in excess of \$100; and

(c) Has contributions that are not spent or committed for expenditure remaining from a previous election,

↳ may use the unspent contributions in a future election. Such a public officer is subject to the reporting requirements set forth in NRS 294A.120, 294A.125, 294A.128, 294A.200 and 294A.362 for as long as the public officer is a candidate for any office or qualifies as a candidate by receiving one or more qualifying contributions in excess of \$100.

11. Every former public officer described in subsection 10 who qualifies as a candidate by receiving one or more qualifying contributions in excess of \$100 but who, within 4 years after the date of receiving the first of those qualifying contributions, does not:

(a) File a declaration of candidacy ~~and~~ *and petition of candidacy*; or

(b) Appear on an official ballot at any election,

↳ shall, not later than the 15th day of the month after the end of the 4-year period, dispose of all contributions that have not been spent or committed for expenditure through one or any combination of the methods set forth in subsection 4.

12. In addition to the methods for disposing of the unspent money set forth in this section, a Legislator may donate not more than \$500 of that money to the Nevada Silver Haired Legislative Forum created pursuant to NRS 427A.320.

13. Any contributions received before a candidate for office at a primary election, general election or special election dies that were not spent or committed for expenditure before the death of the candidate must be disposed of in the manner provided in subsection 4.

14. The court shall, in addition to any penalty which may be imposed pursuant to NRS 294A.420, order the candidate or public officer to dispose of any remaining contributions in the manner provided in this section.

15. As used in this section:

(a) “Contribution” includes, without limitation, any interest and other income earned on a contribution.

(b) “Qualifying contribution” means the receipt of a contribution that causes a person to qualify as a candidate pursuant to subsection 3 of NRS 294A.005.

Sec. 49. NRS 294A.290 is hereby amended to read as follows:

294A.290 1. The filing officer shall give to each candidate who files a declaration of candidacy *and petition of candidacy* a



copy of the form set forth in subsection 2. The filing officer shall inform the candidate that subscription to the Code is voluntary.

2. The Code must be in the following form:

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty and fair play which every candidate for public office in the State of Nevada has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, the voters may exercise their constitutional right to vote for the candidate of their choice and that the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

1. I will conduct my campaign openly and publicly and limit attacks against my opponent to legitimate challenges to my opponent's voting record or qualifications for office.

2. I will not use character defamation or other false attacks on a candidate's personal or family life.

3. I will not use campaign material which misrepresents, distorts or otherwise falsifies the facts, nor will I use malicious or unfounded accusations which are intended to create or exploit doubts, without justification, about the personal integrity of my opposition.

4. I will not condone any dishonest or unethical practice which undermines the American system of free elections or impedes or prevents the full and free expression of the will of the voters.

I, the undersigned, as a candidate for election to public office in the State of Nevada, hereby voluntarily pledge myself to conduct my campaign in accordance with the principles and practices set forth in this Code.

.....
Date

.....
Signature of Candidate

3. A candidate who subscribes to the Code and submits the form set forth in subsection 2 to the filing officer may indicate on the candidate's campaign materials that he or she subscribes to the Code.

4. The Secretary of State shall provide a sufficient number of copies of the form to the county clerks, registrar of voters and other filing officers.



Sec. 50. NRS 294A.365 is hereby amended to read as follows:

294A.365 1. Each report required pursuant to NRS 294A.210, 294A.220 and 294A.280 must consist of a list of each expenditure in excess of \$100 or \$1,000, as is appropriate, that was made during the periods for reporting. Each report required pursuant to NRS 294A.125 and 294A.200 must consist of a list of each campaign expense in excess of \$100 that was incurred during the periods for reporting. The list in each report must state the category and amount of the campaign expense or expenditure and the date on which the campaign expense was incurred or the expenditure was made.

2. The categories of campaign expense or expenditure for use on the report of campaign expenses or expenditures are:

- (a) Office expenses;
- (b) Expenses related to volunteers;
- (c) Expenses related to travel;
- (d) Expenses related to advertising;
- (e) Expenses related to paid staff;
- (f) Expenses related to consultants;
- (g) Expenses related to polling;
- (h) Expenses related to special events;
- (i) Expenses related to a legal defense fund;
- (j) *Expenses related to circulating a petition of candidacy;*
- (k) *Expenses for caregiving;*
- (l) Except as otherwise provided in NRS 294A.362, goods and services provided in kind for which money would otherwise have been paid;

~~((k))~~ (m) Contributions made to another candidate, a nonprofit corporation that is registered or required to be registered pursuant to NRS 294A.225, a committee for political action that is registered or required to be registered pursuant to NRS 294A.230 or a committee for the recall of a public officer that is registered or required to be registered pursuant to NRS 294A.250;

~~((j))~~ (n) Fees for filing declarations of candidacy;

~~((m))~~ (o) Repayments or forgiveness of loans;

~~((n))~~ (p) The disposal of unspent contributions pursuant to NRS 294A.117 or 294A.160; and

~~((o))~~ (q) Other miscellaneous expenses.

3. Each report of campaign expenses or expenditures described in subsection 1 must:

(a) List the disposition of any unspent contributions using the categories set forth in NRS 294A.117, subsection 3 of NRS 294A.160 or subsection 3 of NRS 294A.286, as applicable; and

(b) For any campaign expense or expenditure that is paid for using a credit card or debit card, itemize each transaction and



1 identify the business or other entity from whom the purchase of the
2 campaign expense or expenditure was made.

3 **Sec. 51.** NRS 294A.390 is hereby amended to read as follows:

4 294A.390 The officer from whom a candidate or entity
5 requests a form for:

6 1. A declaration of candidacy ~~and~~ *and petition of candidacy*;

7 2. The registration of a nonprofit corporation pursuant to NRS
8 294A.225, a committee for political action pursuant to NRS
9 294A.230 or a committee for the recall of a public officer pursuant
10 to NRS 294A.250; or

11 3. The reporting of the creation of a legal defense fund
12 pursuant to NRS 294A.286,

13 ↪ shall furnish the candidate or entity with the necessary forms for
14 reporting and copies of the regulations adopted by the Secretary of
15 State pursuant to this chapter. An explanation of the applicable
16 provisions of NRS 294A.100, 294A.120, 294A.128, 294A.140,
17 294A.150, 294A.200, 294A.210, 294A.220, 294A.270 or 294A.280
18 relating to the making, accepting or reporting of contributions,
19 campaign expenses or expenditures and the penalties for a violation
20 of those provisions as set forth in NRS 294A.100 or 294A.420, and
21 an explanation of NRS 294A.286 and 294A.287 relating to the
22 accepting or reporting of contributions received by and expenditures
23 made from a legal defense fund and the penalties for a violation of
24 those provisions as set forth in NRS 294A.287 and 294A.420, must
25 be developed by the Secretary of State and provided upon request.
26 The candidate or entity shall acknowledge receipt of the material.

27 **Sec. 52.** NRS 306.015 is hereby amended to read as follows:

28 306.015 1. Before a petition to recall a public officer is
29 circulated, the persons proposing to circulate the petition must file a
30 notice of intent with the filing officer with whom the public officer
31 filed his or her declaration of candidacy ~~and~~ *and petition of*
32 *candidacy*.

33 2. The notice of intent:

34 (a) Must be signed by:

35 (1) If the public officer holds a statewide office, three
36 registered voters who actually:

37 (I) Voted in this State at the election at which the public
38 officer was elected; and

39 (II) Reside in this State on the date that the notice of
40 intent is filed with the filing officer.

41 (2) If the public officer does not hold a statewide office,
42 three registered voters who actually:

43 (I) Voted in the county, district or municipality that the
44 public officer represents at the election at which the public officer
45 was elected; and



(II) Reside in the county, district or municipality that the public officer represents on the date that the notice of intent is filed with the filing officer.

(b) Must be signed before a person authorized by law to administer oaths that the statements and signatures contained in the notice are true.

(c) Is valid until the date on which the call for a special election is issued, as set forth in NRS 306.040.

3. The petition may consist of more than one document and must be circulated for signatures and submitted to the filing officer in accordance with this subsection. The persons filing the notice of intent shall submit to the filing officer:

(a) On or before the 48th day after the date on which the notice of intent was filed, all signatures that were collected on the petition during the period beginning on the date on which the notice of intent was filed and ending on the 45th day after the date on which the notice of intent was filed. If any such signature is not timely submitted to the filing officer pursuant to this paragraph, it shall be deemed that the signature is not a valid signature.

(b) On or before the 90th day after the date on which the notice of intent was filed, all signatures that were collected on the petition during the period beginning on the 46th day after the date on which the notice of intent was filed and ending on the date of submission of the petition to the filing officer for signature verification pursuant to this paragraph. The circulation of the petition must cease on the date of submission of the petition to the filing officer for signature verification pursuant to this paragraph or on the 90th day after the date on which the notice of intent was filed, whichever occurs first. If the persons filing the notice of intent timely submit the petition to the filing officer for signature verification pursuant to this paragraph and comply with the provisions of NRS 306.016, the filing officer shall immediately submit the petition to the county clerk for the verification pursuant to NRS 306.035 of the signatures that were collected on the petition and timely submitted to the filing officer pursuant to this subsection.

4. Any person who fails to submit the petition to the filing officer as required by subsection 3 is guilty of a misdemeanor. Copies of the petition are not valid for any subsequent petition.

5. The county clerk shall, upon completing the verification of the signatures on the petition pursuant to NRS 306.035, file the petition with the filing officer.

6. Any person who signs a petition to recall any public officer may request that the county clerk remove the person's name from the petition by submitting a request in writing to the county clerk at



any time before the verification of the signatures thereon is completed.

Sec. 53. NRS 217.468 is hereby amended to read as follows:

217.468 1. Except as otherwise provided in subsections 2 and 3, the Division shall cancel the fictitious address of a participant 4 years after the date on which the Division approved the application.

2. The Division shall not cancel the fictitious address of a participant if, before the fictitious address of the participant is cancelled, the participant shows to the satisfaction of the Division that the participant remains in imminent danger of becoming a victim of domestic violence, human trafficking, sexual assault or stalking.

3. The Division may cancel the fictitious address of a participant at any time if:

(a) The participant changes his or her confidential address from the one listed in the application and fails to notify the Division within 48 hours after the change of address;

(b) The Division determines that false or incorrect information was knowingly provided in the application; or

(c) The participant files a declaration of candidacy, as defined in NRS 293.0455 **[H]**, *and a petition of candidacy, as defined in section 2 of this act.*

Sec. 54. Chapter 218A of NRS is hereby amended by adding thereto a new section to read as follows:

“Petition of candidacy” has the meaning ascribed to it in section 2 of this act.

Sec. 55. NRS 218A.003 is hereby amended to read as follows:

218A.003 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 218A.006 to 218A.090, inclusive, *and section 54 of this act*, have the meanings ascribed to them in those sections.

Sec. 56. NRS 218A.635 is hereby amended to read as follows:

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

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

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

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



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

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

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

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

(a) Has not filed a declaration of candidacy *and petition of candidacy* within the time allowed for filing for election as a member of the Senate or the Assembly;

(b) Has failed to win nomination as a candidate for the Senate or the Assembly at the primary election; or

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

4. This section does not apply:

(a) During a regular or special session; or

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

Sec. 57. NRS 218A.660 is hereby amended to read as follows:

218A.660 1. Except as otherwise provided in this section and NRS 218A.655, each Legislator is entitled to receive, during the legislative interim, an allowance for travel within the State to participate in a meeting of a legislative committee or subcommittee of which the Legislator is not a member or with an officer, employee, agency, board, bureau, commission, department, division, district or other unit of federal, state or local government or any other public entity regarding an issue relating to the State.

2. The allowance for travel payable pursuant to this section applies only to trips whose one-way distance is 50 miles or more or whose round-trip distance is 100 miles or more.

3. The maximum allowance for travel payable to each Legislator pursuant to this section during a legislative interim is \$3,000, except that no allowance for travel pursuant to this section is payable to a Legislator for travel that occurs during the legislative interim at any time after the date on which the Legislator has filed a declaration of candidacy *and petition of candidacy* for an elective office and remains a candidate for that office.

4. Transportation must be by the most economical means, considering total cost and time spent in transit. The allowance is:



(a) If the travel is by private conveyance, the standard mileage reimbursement rate for which a deduction is allowed for the purposes of federal income tax.

(b) If the travel is not by private conveyance, the actual amount expended.

5. Claims made pursuant to this section must be paid from the Legislative Fund unless otherwise provided by specific statute. A claim must not be paid unless the Legislator submits a signed statement affirming:

(a) The date of travel;

(b) The purpose of the travel and of the participant's attendance; and

(c) The places of departure and arrival and, if the travel is by private conveyance, the actual miles traveled. If the travel is not by private conveyance, the claim must include a receipt or other evidence of the expenditure.

Sec. 58. NRS 218D.150 is hereby amended to read as follows:

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

2. Except as otherwise provided in this subsection, on or before the first day of a regular session, each:

(a) Incumbent member of the Assembly must:

(1) Prefile at least 4 of the legislative measures that he or she requested pursuant to subparagraphs (1) and (2) of paragraph (a) of subsection 1; or

(2) Inform the Legislative Counsel of which 4 legislative measures that he or she requested pursuant to subparagraphs (1) and (2) of paragraph (a) of subsection 1 that he or she withdraws.

➤ If an incumbent member of the Assembly does not request the maximum number of legislative measures authorized by subparagraphs (1) and (2) of paragraph (a) of subsection 1, the number of legislative measures that he or she must prefile or withdraw pursuant to this paragraph is reduced by that number of unused requests.

(b) Incumbent member of the Senate must:

(1) Prefile at least 8 of the legislative measures that he or she requested pursuant to subparagraphs (1) and (2) of paragraph (b) of subsection 1; or

(2) Inform the Legislative Counsel of which 8 legislative measures that he or she requested pursuant to subparagraphs (1) and (2) of paragraph (b) of subsection 1 that he or she withdraws.

➤ If an incumbent member of the Senate does not request the maximum number of legislative measures authorized by subparagraphs (1) and (2) of paragraph (b) of subsection 1, the number of legislative measures that he or she must prefile or withdraw pursuant to this paragraph is reduced by that number of unused requests.

(c) Newly elected member of the Assembly must:



(1) Prefile at least 2 of the legislative measures that he or she requested pursuant to subparagraph (1) of paragraph (c) of subsection 1; or

(2) Inform the Legislative Council of which 2 legislative measures that he or she requested pursuant to subparagraph (1) of paragraph (c) of subsection 1 that he or she withdraws.

➔ If a newly elected member of the Assembly does not request the maximum number of legislative measures authorized by subparagraph (1) of paragraph (c) of subsection 1, the number of legislative measures that he or she must prefile or withdraw pursuant to this paragraph is reduced by that number of unused requests.

(d) Newly elected member of the Senate must:

(1) Prefile at least 4 of the legislative measures that he or she requested pursuant to subparagraph (1) of paragraph (d) of subsection 1; or

(2) Inform the Legislative Council of which 4 legislative measures that he or she requested pursuant to subparagraph (1) of paragraph (d) of subsection 1 that he or she withdraws.

➔ If a newly elected member of the Senate does not request the maximum number of legislative measures authorized by subparagraph (1) of paragraph (d) of subsection 1, the number of legislative measures that he or she must prefile or withdraw pursuant to this paragraph is reduced by that number of unused requests.

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

(a) Has not filed a declaration of candidacy *and petition of candidacy* within the time allowed for filing for election as a member of the Senate or the Assembly;

(b) Has failed to win nomination as a candidate for the Senate or the Assembly at the primary election; or

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

4. A Legislator may not request the drafting of a legislative measure pursuant to paragraph (a) or (b) of subsection 1 on or after the date on which the Legislator files a declaration of candidacy *and petition of candidacy* for election to the House in which he or she is not currently a member. If the Legislator is elected to the other House, any request that he or she submitted pursuant to paragraph (a) or (b) of subsection 1 before filing his or her declaration of candidacy *and petition of candidacy* for election counts against the



1 applicable limitation set forth in paragraph (c) or (d) of subsection 1
2 for the House in which the Legislator is a newly elected member.

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

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

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

22 6. Each request made pursuant to this section must be on a
23 form prescribed by the Legislative Counsel.

24 **Sec. 59.** NRS 244.027 is hereby amended to read as follows:

25 244.027 1. Whenever two or more members of a board of
26 county commissioners are to be elected at the same election for the
27 same term in any county in this state having less than 100,000
28 population, and the county has not been divided into commissioner
29 districts in the manner provided by NRS 244.050, the county clerk
30 shall designate the offices to be filled alphabetically or numerically.
31 The designation must be made on or before the first Monday in June
32 of the year in which the election is held.

33 2. For purposes of election, the offices must be considered
34 separate offices and no declaration of candidacy, as defined in NRS
35 293.0455, *and petition of candidacy, as defined in section 2 of this*
36 *act*, may be accepted unless the declaration of candidacy *indicates*
37 *and petition of candidacy indicate* the particular office for which it
38 is filed.

39 **Sec. 60.** NRS 245.170 is hereby amended to read as follows:

40 245.170 Except as otherwise provided by specific statute:

41 1. If a vacancy is declared in any county or township office,
42 except the offices of district judge and county commissioner:

43 (a) Thirty days or more before the date of the close of filing of
44 declarations of candidacy specified in NRS 293.177 *and petitions*
45 *of candidacy pursuant to sections 3 and 4 of this act*, and the office



1 is not otherwise scheduled for election at the next ensuing biennial
2 election:

3 (1) The board of county commissioners shall appoint a
4 suitable person who is an elector of the county to fill the vacancy
5 until the first Monday of January after the next ensuing biennial
6 election;

7 (2) The office must be placed on the ballot at that election;
8 and

9 (3) The person elected shall serve the remainder of the
10 unexpired term.

11 (b) At any other time, the board of county commissioners shall
12 appoint a suitable person who is an elector of the county to serve the
13 remainder of the unexpired term.

14 2. If a vacancy is declared in the position of a member of a
15 town board appointed or elected pursuant to the provisions of NRS
16 269.016 to 269.022, inclusive:

17 (a) Thirty days or more before the date of the close of filing of
18 declarations of candidacy specified in NRS 293.177 ~~§~~ *and petitions*
19 *of candidacy pursuant to sections 3 and 4 of this act*, and the
20 position is not otherwise scheduled for election at the next ensuing
21 biennial election:

22 (1) The board of county commissioners shall appoint a
23 suitable person who is an elector of the unincorporated town to fill
24 the vacancy until the first Monday of January after the next ensuing
25 biennial election;

26 (2) The position must be placed on the ballot at that election;
27 and

28 (3) The person elected shall serve the remainder of the
29 unexpired term.

30 (b) At any other time, the board of county commissioners shall
31 appoint a suitable person who is an elector of the unincorporated
32 town to serve the remainder of the unexpired term.

33 **Sec. 61.** NRS 248.005 is hereby amended to read as follows:

34 248.005 1. No person is eligible to the office of sheriff unless
35 the person:

36 (a) Will have attained the age of 21 years on the date he or she
37 would take office if so elected;

38 (b) Is a qualified elector; and

39 (c) On or after January 1, 2010, meets the requirements set forth
40 in subsection 2 or 3, as applicable.

41 2. If a person described in paragraph (c) of subsection 1 is a
42 candidate for the office of sheriff in a county whose population is
43 30,000 or more, the person must meet the following requirements at
44 the time he or she files his or her declaration of candidacy *and*
45 *petition of candidacy* for the office:



(a) He or she has a history of at least 5 consecutive years of employment or service:

(1) As a peace officer;

(2) As a law enforcement officer of an agency of the United States;

(3) As a law enforcement officer of another state or political subdivision thereof; or

(4) In any combination of the positions described in subparagraphs (1), (2) and (3); and

(b) He or she has:

(1) Been certified as a category I peace officer by the Commission;

(2) Been certified as a category I peace officer or its equivalent by the certifying authority of another state that, as determined by the Commission, imposes requirements for certification as a category I peace officer in this State; or

(3) Successfully completed a federal law enforcement training program approved by the Commission.

3. If a person described in paragraph (c) of subsection 1 is a candidate for the office of sheriff in a county whose population is less than 30,000, the person is not required to meet any requirements with respect to employment, service, certification or training at the time he or she files his or her declaration of candidacy *and petition of candidacy* for the office. However, such a person forfeits his or her office if, within 1 year after the date on which the person takes office, the person fails to earn certification by the Commission as a category I peace officer, category II peace officer or category III peace officer.

4. A person who has been convicted of a felony in this State or any other state is not qualified to be a candidate for or elected or appointed to the office of sheriff regardless of whether the person has been restored to his or her civil rights.

5. As used in this section:

(a) “Category I peace officer” has the meaning ascribed to it in NRS 289.460.

(b) “Category II peace officer” has the meaning ascribed to it in NRS 289.470.

(c) “Category III peace officer” has the meaning ascribed to it in NRS 289.480.

(d) “Commission” means the Peace Officers’ Standards and Training Commission created pursuant to NRS 289.500.

(e) “Declaration of candidacy” has the meaning ascribed to it in NRS 293.0455.

(f) “Peace officer” has the meaning ascribed to it in NRS 289.010.



(g) *“Petition of candidacy” has the meaning ascribed to it in section 2 of this act.*

Sec. 62. NRS 258.007 is hereby amended to read as follows:

258.007 1. Except as otherwise provided in subsection 2, each constable of a township whose population is 15,000 or more or a township that has within its boundaries a city whose population is 15,000 or more shall become certified by the Peace Officers’ Standards and Training Commission as a category I or category II peace officer within 1 year after the date on which the constable commences his or her term of office or appointment unless the Commission, for good cause shown, grants in writing an extension of time, which must not exceed 6 months.

2. Any person who is a candidate for the office of constable in a township whose population is 100,000 or more must be certified by the Peace Officers’ Standards and Training Commission as a category I or category II peace officer before filing a declaration of candidacy *and petition of candidacy* for the office. A person who does not comply with the provisions of this subsection is not eligible to be a candidate for the office of constable.

3. A constable forfeits his or her office and a vacancy is created which must be filled in accordance with NRS 258.030 if the constable:

(a) Does not become certified by the Peace Officers’ Standards and Training Commission as required pursuant to subsection 1; or

(b) Does not maintain the certification by the Peace Officers’ Standards and Training Commission required pursuant to subsection 1 or 2 during his or her term of office.

Sec. 63. NRS 266.038 is hereby amended to read as follows:

266.038 A person who wishes to become a candidate for an elective office of a newly created city must:

1. Reside within the boundaries of the newly created city; and

2. File a declaration of candidacy, as defined in NRS 293.0455, *and a petition of candidacy, as defined in section 2 of this act*, with the county clerk not less than 30 days and not more than 90 days before the date of the election.

Sec. 64. Chapter 281 of NRS is hereby amended by adding thereto a new section to read as follows:

“Petition of candidacy” has the meaning ascribed to it in section 2 of this act.

Sec. 65. NRS 281.050 is hereby amended to read as follows:

281.050 1. The residence of a person with reference to his or her eligibility to any office is the person’s actual residence within the State, county, district, ward, subdistrict or any other unit prescribed by law, as the case may be, during all the period for which residence is claimed by the person.



2. Except as otherwise provided in subsections 3 and 4, if any person absents himself or herself from the jurisdiction of that person's actual residence with the intention in good faith to return without delay and continue such actual residence, the period of absence must not be considered in determining the question of residence.

3. If a person who has filed a declaration of candidacy *and petition of candidacy* for any elective office moves the person's actual residence out of the State, county, district, ward, subdistrict or any other unit prescribed by law, as the case may be, in which the person is required actually, as opposed to constructively, to reside in order for the person to be eligible to the office, a vacancy is created thereby and the appropriate action for filling the vacancy must be taken.

4. Once a person's actual residence is fixed, the person shall be deemed to have moved the person's actual residence for the purposes of this section if:

(a) The person has acted affirmatively and has actually removed himself or herself from the place of permanent habitation where the person actually resided and was legally domiciled;

(b) The person has an intention to abandon the place of permanent habitation where the person actually resided and was legally domiciled; and

(c) The person has an intention to remain in another place of permanent habitation where the person actually resides and is legally domiciled.

5. Except as otherwise provided in this subsection and NRS 293.1265, the district court has jurisdiction to determine the question of residence in any preelection action for declaratory judgment brought against a person who has filed a declaration of candidacy *and petition of candidacy* for any elective office. If the question of residence relates to whether an incumbent meets any qualification concerning residence required for the term of office in which the incumbent is presently serving, the district court does not have jurisdiction to determine the question of residence in an action for declaratory judgment brought by a person pursuant to this section but has jurisdiction to determine the question of residence only in an action to declare the office vacant that is authorized by NRS 283.040 and brought by the Attorney General or the appropriate district attorney pursuant to that section.

6. Except as otherwise provided in NRS 293.1265, if in any preelection action for declaratory judgment, the district court finds that a person who has filed a declaration of candidacy *and petition of candidacy* for any elective office fails to meet any qualification concerning residence required for the office pursuant to the



1 Constitution or laws of this State, the person is subject to the
2 provisions of NRS 293.2045.

3 7. For the purposes of this section, in determining whether a
4 place of permanent habitation is the place where a person actually
5 resides and is legally domiciled:

6 (a) It is the public policy of this State to avoid sham residences
7 and to ensure that the person actually, as opposed to constructively,
8 resides in the area prescribed by law for the office so the person has
9 an actual connection with the constituents who reside in the area and
10 has particular knowledge of their concerns.

11 (b) The person may have more than one residence but only one
12 legal domicile, and the person's legal domicile requires both the fact
13 of actual living in the place and the intention to remain there as a
14 permanent residence. If the person temporarily leaves the person's
15 legal domicile, or leaves for a particular purpose, and does not take
16 up a permanent residence in another place, then the person's legal
17 domicile has not changed. Once the person's legal domicile is fixed,
18 the fact of actual living in another place, the intention to remain in
19 the other place and the intention to abandon the former legal
20 domicile must all exist before the person's legal domicile can
21 change.

22 (c) Evidence of the person's legal domicile includes, without
23 limitation:

24 (1) The place where the person lives the majority of the time
25 and the length of time the person has lived in that place.

26 (2) The place where the person lives with the person's
27 spouse or domestic partner, if any.

28 (3) The place where the person lives with the person's
29 children, dependents or relatives, if any.

30 (4) The place where the person lives with any other
31 individual whose relationship with the person is substantially similar
32 to a relationship with a spouse, domestic partner, child, dependent or
33 relative.

34 (5) The place where the person's dogs, cats or other pets, if
35 any, live.

36 (6) The place listed as the person's residential address on the
37 voter registration card, as defined in NRS 293.1205, issued to the
38 person.

39 (7) The place listed as the person's residential address on any
40 driver's license or identification card issued to the person by the
41 Department of Motor Vehicles, any passport or military
42 identification card issued to the person by the United States or any
43 other form of identification issued to the person by a governmental
44 agency.



(8) The place listed as the person’s residential address on any registration for a motor vehicle issued to the person by the Department of Motor Vehicles or any registration for another type of vehicle or mode of transportation, including, without limitation, any aircraft, vessels or watercraft, issued to the person by a governmental agency.

(9) The place listed as the person’s residential address on any applications for issuance or renewal of any license, certificate, registration, permit or similar type of authorization issued to the person by a governmental agency which has the authority to regulate an occupation or profession.

(10) The place listed as the person’s residential address on any document which the person is authorized or required by law to file or record with a governmental agency, including, without limitation, any deed, declaration of homestead or other record of real or personal property, any applications for services, privileges or benefits or any tax documents, forms or returns, but excluding the person’s declaration of candidacy ~~and~~ *and petition of candidacy*.

(11) The place listed as the person’s residential address on any type of check, payment, benefit or reimbursement issued to the person by a governmental agency or by any type of company that provides insurance, workers’ compensation, health care or medical benefits or any self-insured employer or third-party administrator.

(12) The place listed as the person’s residential address on the person’s paycheck, paystub or employment records.

(13) The place listed as the person’s residential address on the person’s bank statements, insurance statements, mortgage statements, loan statements, financial accounts, credit card accounts, utility accounts or other billing statements or accounts.

(14) The place where the person receives mail or deliveries from the United States Postal Service or commercial carriers.

(d) The evidence listed in paragraph (c) is intended to be illustrative and is not intended to be exhaustive or exclusive. The presence or absence of any particular type of evidence listed in paragraph (c) is not, by itself, determinative of the person’s legal domicile, but such a determination must be based upon all the facts and circumstances of the person’s particular case.

8. As used in this section:

(a) “Actual residence” means the place of permanent habitation where a person actually resides and is legally domiciled. If the person maintains more than one place of permanent habitation, the place the person declares to be the person’s principal permanent habitation when filing a declaration of candidacy *or petition of candidacy* for any elective office must be the place where the person



1 actually resides and is legally domiciled in order for the person to be
2 eligible to the office.

3 (b) “Declaration of candidacy” has the meaning ascribed to it in
4 NRS 293.0455.

5 *(c) “Petition of candidacy” has the meaning ascribed to it in*
6 *section 2 of this act.*

7 **Sec. 66.** NRS 281.556 is hereby amended to read as follows:

8 281.556 As used in NRS 281.5555 to 281.581, inclusive,
9 unless the context otherwise requires, the words and terms defined
10 in NRS 281.558 to 281.5587, inclusive, *and section 64 of this act,*
11 have the meanings ascribed to them in those sections.

12 **Sec. 67.** NRS 281.558 is hereby amended to read as follows:

13 281.558 1. “Candidate” means any person who seeks to be
14 elected to a public office and:

15 (a) Who files a declaration of candidacy ~~and~~ *and a petition of*
16 *candidacy;* or

17 (b) Whose name appears on an official ballot at any election.

18 2. The term does not include a candidate for judicial office who
19 is subject to the requirements of the Revised Nevada Code of
20 Judicial Conduct.

21 **Sec. 68.** NRS 281.574 is hereby amended to read as follows:

22 281.574 1. A list of each public officer who is required to file
23 a financial disclosure statement must be submitted electronically to
24 the Secretary of State, in a form prescribed by the Secretary of State,
25 on or before December 1 of each year by:

26 (a) Each county clerk for all public officers of the county and
27 other local governments within the county other than cities;

28 (b) Each city clerk for all public officers of the city;

29 (c) The Director of the Legislative Counsel Bureau for all public
30 officers of the Legislative Branch; and

31 (d) The Director of the Department of Administration for all
32 public officers of the Executive Branch.

33 2. Each county clerk, or the registrar of voters of the county if
34 one was appointed pursuant to NRS 244.164, and each city clerk
35 shall submit electronically to the Secretary of State, in a form
36 prescribed by the Secretary of State, a list of each candidate who
37 filed a declaration of candidacy *and petition of candidacy* with that
38 officer within 10 days after the last day to qualify as a candidate for
39 the applicable office.

40 **Sec. 69.** Chapter 281A of NRS is hereby amended by adding
41 thereto a new section to read as follows:

42 *“Petition of candidacy” has the meaning ascribed to it in*
43 *section 2 of this act.*



1 **Sec. 70.** NRS 281A.030 is hereby amended to read as follows:
2 281A.030 As used in this chapter, unless the context otherwise
3 requires, the words and terms defined in NRS 281A.032 to
4 281A.170, inclusive, *and section 69 of this act*, have the meanings
5 ascribed to them in those sections.

6 **Sec. 71.** NRS 281A.050 is hereby amended to read as follows:
7 281A.050 “Candidate” means any person:

8 1. Who files a declaration of candidacy ~~§~~ *and petition of*
9 *candidacy*; or

10 2. Whose name appears on an official ballot at any election.

11 **Sec. 72.** NRS 281A.520 is hereby amended to read as follows:

12 281A.520 1. Except as otherwise provided in subsections 4
13 and 5, a public officer or employee shall not request or otherwise
14 cause a governmental entity to incur an expense or make an
15 expenditure to support or oppose:

16 (a) A ballot question.

17 (b) A candidate.

18 2. For the purposes of paragraph (b) of subsection 1, an
19 expense incurred or an expenditure made by a governmental entity
20 shall be considered an expense incurred or an expenditure made in
21 support of a candidate if:

22 (a) The expense is incurred or the expenditure is made for the
23 creation or dissemination of a pamphlet, brochure, publication,
24 advertisement or television programming that prominently features
25 the activities of a current public officer of the governmental entity
26 who is a candidate for a state, local or federal elective office; and

27 (b) The pamphlet, brochure, publication, advertisement or
28 television programming described in paragraph (a) is created or
29 disseminated during the period specified in subsection 3.

30 3. The period during which the provisions of subsection 2
31 apply to a particular governmental entity begins when a current
32 public officer of that governmental entity files a declaration of
33 candidacy *and petition of candidacy*, and ends on the date of the
34 general election, general city election or special election for the
35 office for which the current public officer of the governmental entity
36 is a candidate.

37 4. The provisions of this section do not prohibit the creation or
38 dissemination of, or the appearance of a candidate in or on, as
39 applicable, a pamphlet, brochure, publication, advertisement or
40 television programming that:

41 (a) Is made available to the public on a regular basis and merely
42 describes the functions of:

43 (1) The public office held by the public officer who is the
44 candidate; or



(2) The governmental entity by which the public officer who is the candidate is employed; or

(b) Is created or disseminated in the course of carrying out a duty of:

(1) The public officer who is the candidate; or

(2) The governmental entity by which the public officer who is the candidate is employed.

5. The provisions of this section do not prohibit an expense or an expenditure incurred to create or disseminate a television program that provides a forum for discussion or debate regarding a ballot question, if persons both in support of and in opposition to the ballot question participate in the television program.

6. As used in this section:

(a) “Governmental entity” means:

(1) The government of this State;

(2) An agency of the government of this State;

(3) A political subdivision of this State; and

(4) An agency of a political subdivision of this State.

(b) “Pamphlet, brochure, publication, advertisement or television programming” includes, without limitation, a publication, a public service announcement and any programming on a television station created to provide community access to cable television. The term does not include:

(1) A press release issued to the media by a governmental entity; or

(2) The official website of a governmental entity.

Sec. 73. NRS 318.09523 is hereby amended to read as follows:

318.09523 In any election for a general improvement district, if at 5:00 p.m. on the last day for filing a declaration of candidacy, as defined in NRS 293.0455, *and a petition of candidacy, as defined in section 2 of this act*, there is only one candidate nominated for the office, that candidate must be declared elected and no election may be held for that office.

Sec. 74. NRS 386.250 is hereby amended to read as follows:

386.250 A candidate for the office of trustee of a county school district must:

1. Be nominated in the manner provided by the primary election laws of this State; and

2. File a declaration of candidacy, as defined in NRS 293.0455, *and a petition of candidacy, as defined in section 2 of this act*, with the county clerk of the county whose boundaries are coterminous with the boundaries of the county school district.

Sec. 75. NRS 474.140 is hereby amended to read as follows:

474.140 1. Except as otherwise provided in subsection 2:



(a) At the next general election and in conjunction therewith after the organization of any district, and in conjunction with every general election thereafter, an election, to be known as the biennial election of the district, must be held.

(b) The general election laws of this State govern the nomination and election of the members of the board of directors. The election must be conducted under the supervision of the county clerk or registrar of voters. The returns of the election must be certified to and canvassed as provided by the general law concerning elections. The candidate or candidates, according to the number of directors to be elected, receiving the most votes, are elected. Any new member of the board must qualify in the same manner as members of the first board qualify.

2. If at 5 p.m. on the last day for filing a declaration of candidacy, as defined in NRS 293.0455, *and petition of candidacy, as defined in section 2 of this act*, for the office of director, there is only one candidate nominated for the office, that candidate must be declared elected and no election may be held for that office.

Sec. 76. Section 5.015 of the Charter of the City of Carlin, being chapter 493, Statutes of Nevada 2009, as amended by chapter 501, Statutes of Nevada 2011, at page 3310, is hereby amended to read as follows:

Sec. 5.015 Filing of declarations *and petitions* of candidacy.

1. A candidate to be voted for at the general election must file a declaration of candidacy *and petition of candidacy* with the City Clerk as provided by the election laws of this State. 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.

2. If, due to the death or ineligibility of or withdrawal by a candidate, a vacancy occurs in a nomination after the close of filing and any applicable period for withdrawal of candidacy, the candidate's name must remain on the ballot for the general election and, if elected, a vacancy exists.

Sec. 77. Section 5.010 of the Charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 295, Statutes of Nevada 2015, at page 1481, is hereby amended to read as follows:

Sec. 5.010 Primary election.

1. A primary election must be held on the date fixed by the election laws of this state for statewide elections, at which



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

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

3. All candidates for the office of Mayor and Supervisor, and candidates for the office of Municipal Judge if a third department of the Municipal Court has been established, must be voted upon by the registered voters of Carson City at large.

4. If only two persons file for a particular office, their names must not appear on the primary ballot but their names must be placed on the ballot for the general election.

5. If in the primary election 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 his or her name must not be placed on the ballot for the general election. If in the primary 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 numbers of votes must be placed on the ballot for the general election.

Sec. 78. Section 5.010 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 350, Statutes of Nevada 2019, at page 2179, is hereby amended to read as follows:

Sec. 5.010 Primary municipal election.

1. A primary municipal election must be held:

(a) On the first Tuesday after the first Monday in April 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 *and a petition of candidacy* as provided by the election laws of this State.

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

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



5. 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 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. 79. Section 2.090 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as amended by chapter 127, Statutes of Nevada 1989, at page 283, is hereby amended to read as follows:

Sec. 2.090 Powers of City Council: Ordinances; resolutions and orders.

1. The City Council may make and adopt all ordinances, resolutions and orders, not repugnant to the Constitution of the United States or the Constitution of the State of Nevada or the provisions of NRS or of this Charter, which are necessary for the municipal government, the management of the affairs of the City and the execution of all of the powers which are vested in the City.

2. The City Council may enforce those ordinances by providing penalties which do not exceed those which are established by the Legislature for misdemeanors.

3. The City Council may not adopt any ordinance which provides for an increase or a decrease in the salary of any of its members to take effect during the term for which that member is elected or appointed, but the City Council may by ordinance increase or decrease the salary for the office of Mayor or City Council Member at any time before the day preceding the last day for filing a declaration of candidacy *and a petition of candidacy* for that office for the next succeeding term to take effect on the first day of the next succeeding term.



Sec. 80. Section 5.010 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 558, Statutes of Nevada 2019, at page 3558, is hereby amended to read as follows:

Sec. 5.010 Primary municipal elections.

1. A primary municipal election must be held in the City:

(a) On the first Tuesday after the first Monday in April 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 must be nominated and voted for separately according to the respective wards.

(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.

3. Each candidate for municipal office must file a declaration of candidacy *and petition of candidacy* with the City Clerk. All filing fees collected by the City Clerk must be paid into the City Treasury.

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. 81. Section 1.045 of the Charter of the City of North Las Vegas, being chapter 344, Statutes of Nevada 1999, at page 1413, is hereby amended to read as follows:

Sec. 1.045 Wards: Creation; Boundaries.

1. The City must be divided into four wards which must be as nearly equal in population as practicable, and each of which must be composed entirely of contiguous territory.



2. The boundaries of the wards must be established and changed by ordinance. Except as otherwise provided in subsection 3, the boundaries of the wards must be changed whenever the population, as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce, in any ward exceeds the population in any other ward by more than 5 percent.

3. The boundaries of the wards must not be changed, except to accommodate an annexation of territory to the City, during the period beginning 30 days immediately preceding the last day for filing a declaration of candidacy *and petition of candidacy* for a municipal election and ending on the date of the election.

Sec. 82. 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 558, Statutes of Nevada 2019, at page 3562, is hereby amended to read as follows:

Sec. 5.020 Primary municipal elections; declaration of candidacy *H and petition 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 *and petition 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. A primary municipal election must be held:

(a) On the Tuesday following the first Monday in April 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.

4. Except as otherwise provided in subsection 5, after the primary municipal election, the names of the two



1 candidates who receive the highest number of votes must be
2 placed on the ballot for the general municipal election.

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

8 **Sec. 83.** Section 5.020 of the Charter of the City of Reno,
9 being chapter 662, Statutes of Nevada 1971, as last amended by
10 chapter 584, Statutes of Nevada 2017, at page 4202, is hereby
11 amended to read as follows:

12 Sec. 5.020 Primary elections; declaration of candidacy

13 ***and petition of candidacy.***

14 1. A candidate for any office to be voted for at an
15 election must file a declaration of candidacy ***and petition of***
16 ***candidacy*** with the City Clerk. All filing fees collected by the
17 City Clerk must be deposited to the credit of the General
18 Fund of the City.

19 2. If for any general election, there are three or more
20 candidates for any office to be filled at that election, a
21 primary election for any such office must be held on the date
22 fixed by the election laws of the State for statewide elections,
23 at which time there must be nominated candidates for the
24 office to be voted for at the next general election. If for any
25 general election there are two or fewer candidates for any
26 office to be filled at that election, their names must not be
27 placed on the ballot for the primary election but must be
28 placed on the ballot for the general election. The general
29 election must be held on the date fixed by the election laws of
30 the State for the statewide general election.

31 3. In the primary election:

32 (a) The names of the two candidates for Municipal Judge,
33 City Attorney or a particular City Council seat, as the case
34 may be, who receive the highest number of votes must be
35 placed on the ballot for the general election.

36 (b) Candidates for Council Member must be voted upon
37 only by the registered voters of the ward that the candidate
38 seeks to represent.

39 (c) Candidates for Mayor, Municipal Judge and City
40 Attorney must be voted upon by all registered voters of the
41 City.



Sec. 84. Section 5.020 of the Charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, as last amended by chapter 158, Statutes of Nevada 2021, at page 716, is hereby amended to read as follows:

Sec. 5.020 Primary elections.

1. At the primary election:

(a) Candidates for the offices of Mayor, City Attorney and Municipal Judge must be voted upon by the registered voters of the City at large.

(b) Candidates to represent a ward as a member of the City Council must be voted upon by the registered voters of the ward to be represented by them.

2. If at 5 p.m. on the last day for filing a declaration of candidacy ~~and~~ *and petition of candidacy:*

(a) There is only one candidate who has filed for nomination for an office, that candidate must be declared elected to the office and no election may be held for that office.

(b) Except as otherwise provided in paragraph (a), 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 election and placed on all ballots for a general election.

(c) More than twice the number of candidates to be elected have filed for nomination for an office, the names of the candidates must be placed on the ballot for the primary election.

3. If at the primary election:

(a) One candidate receives the majority of votes cast in the election for the office for which he or she is a candidate, he or she must be declared elected to the office and no general election need be held for that office.

(b) No candidate receives the majority of votes cast in the 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 election.

Sec. 85. Section 5.015 of the Charter of the City of Wells, being chapter 493, Statutes of Nevada 2009, as amended by chapter 501, Statutes of Nevada 2011, at page 3310, is hereby amended to read as follows:

Sec. 5.015 Filing of declarations of candidacy ~~and~~ *and petitions of candidacy.*

1. A candidate to be voted for at the general election must file a declaration of candidacy *and a petition of candidacy* with the City Clerk as provided by the election



laws of this State. 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.

2. If, due to the death or ineligibility of or withdrawal by a candidate, a vacancy occurs in a nomination after the close of filing and any applicable period for withdrawal of candidacy, the candidate's name must remain on the ballot for the general election and, if elected, a vacancy exists.

Sec. 86. Section 8 of the Elko Convention and Visitors Authority Act, being chapter 227, Statutes of Nevada 1975, as last amended by chapter 478, Statutes of Nevada 2007, at page 2625, is hereby amended to read as follows:

Sec. 8. 1. The Authority must be governed by a Board of Governors consisting of five members appointed or elected as follows:

(a) One member appointed by the Board of Supervisors of the City of Elko, who must be a current member of the Board of Supervisors;

(b) One member appointed by the Board of County Commissioners of Elko County, who must be a current member of the Board of County Commissioners;

(c) Two members elected at large, who must reside within the City of Elko and within the boundaries of the Authority; and

(d) One member elected at large, who must reside outside the City of Elko but within the boundaries of the Authority.

2. Subject to the provisions of subsection 3, the terms of those members appointed pursuant to paragraphs (a) and (b) of subsection 1 are coterminous with their respective terms in their specified elective offices.

3. Those members appointed pursuant to paragraph (a) or (b) of subsection 1 may be removed by the appointing board with or without cause.

4. Any vacancy occurring among the members of the Board appointed pursuant to paragraph (a) or (b) of subsection 1 must be filled promptly by the Board which appointed the member whose position has become vacant. Any vacancy occurring among the members of the Board elected pursuant to paragraph (c) or (d) of subsection 1 must be filled promptly by appointment by the Board of County Commissioners of Elko County. The member appointed by the Board of County Commissioners to fill a vacancy in a position created pursuant to paragraph (c) or (d) must not be a



member of the Board of County Commissioners but must meet the residency requirements for the vacant position.

5. If a member elected pursuant to paragraph (c) or (d) of subsection 1 or appointed to fill a vacancy in a position created pursuant to one of those paragraphs ceases to reside in the area specified in the paragraph under which he or she was elected or appointed, the member is automatically disqualified from serving on the Board. A disqualified member's position must be filled by the prompt appointment of a successor in the manner specified in subsection 4.

6. The term of a person appointed to fill a vacancy is the unexpired term of the member the person replaces.

7. A general authority election must be held in conjunction with the general election in 1992 and with such elections every 2 years thereafter. The three members of the Board described in paragraphs (c) and (d) of subsection 1 must be elected at the general authority election in 1992. The offices created pursuant to those paragraphs are nonpartisan. Each candidate for one of these offices must file a declaration of candidacy *and petition of candidacy* with the County Clerk ~~[not earlier than January 1 preceding the election and not later than 5 p.m. on the third Friday in August of the year of the election.]~~ *pursuant to the provisions of title 24 of NRS.* In any general authority election, if, at 5 p.m. on the ~~[third Friday in August,]~~ *last day for filing a declaration of candidacy and petition of candidacy*, only one candidate has filed a declaration of candidacy *and petition of candidacy* for one of the offices created pursuant to paragraph (c) or (d) of subsection 1, that candidate must be declared elected to that office and no election may be held for that office. The terms of office of the members described in paragraphs (c) and (d) of subsection 1 are 4 years, except that, the initial term of office of one of the members described in paragraph (c) of subsection 1 is 2 years. The County Clerk shall designate the seat which will have an initial term of 2 years before any candidate files a declaration of candidacy for the election. The period for registering to vote in the general authority election must be closed on the 30th calendar day preceding the date of the election. All persons who are qualified to vote at general elections in this State and reside within the boundaries of the authority upon the date of the close of registration are entitled to vote at the general authority election. Except as otherwise provided in this subsection, a general authority election must be carried out in the same



manner as provided for other general elections in title 24 of NRS.

Sec. 87. Section 7 of the Moapa Valley Water District Act, being chapter 477, Statutes of Nevada 1983, as last amended by chapter 28, Statutes of Nevada 2011, at page 93, is hereby amended to read as follows:

Sec. 7. 1. Unless otherwise required for purposes of an election to incur an indebtedness, the Registrar of Voters of Clark County shall conduct, supervise and, by ordinance, regulate all district elections in accordance, as nearly as practicable, with the general election laws of the State, including, but not limited to, laws relating to the time of opening and closing of polls, the manner of conducting the election, the canvassing, announcement and certification of results, and the preparation and disposition of ballots.

2. A candidate for election to the Board shall file a declaration of candidacy *and petition of candidacy* with the Registrar of Voters of Clark County. The declaration of candidacy *and petition of candidacy* must be filed ~~not earlier than the first Monday in March of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March of that year.]~~ *during the time prescribed by the general election laws of the State.* Timely filing of such a declaration *and petition* is a prerequisite to election.

3. Each member of the Board must be elected by a plurality of the registered voters voting in the election area which the member represents. If there are two seats upon the Board to be filled at the same election, each of which represents the same election area, the two candidates therefor receiving the highest number of votes, respectively, are elected.

4. If a member of the Board is unopposed in seeking reelection, the Board may declare that member elected without a formal election, but that member must not participate in the declaration.

5. If no person files candidacy for election to a particular seat upon the Board, the seat must be filled in the manner of filling a vacancy.

Sec. 88. Section 8 of the Virgin Valley Water District Act, being chapter 100, Statutes of Nevada 1993, as last amended by chapter 353, Statutes of Nevada 2013, at page 1850, is hereby amended to read as follows:

Sec. 8. 1. Unless otherwise required for purposes of an election to incur an indebtedness, the Registrar of Voters



of Clark County shall conduct, supervise and, by ordinance, regulate all district elections in accordance, as nearly as practicable, with the general election laws of this state, including, but not limited to, laws relating to the time of opening and closing of polls, the manner of conducting the election, the canvassing, announcement and certification of results and the preparation and disposition of ballots.

2. Each candidate for election to the Board must file a declaration of candidacy *and petition of candidacy* with the Registrar of Voters ~~{not earlier than the first Monday in March of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.}~~ *during the time prescribed by the general election laws of this State.* Timely filing of such declaration *and petition* is a prerequisite to election.

3. If the Board establishes various election areas within the District and there are two or more seats upon the Board to be filled at the same election, each of which represents the same election area, the two candidates therefor receiving the highest number of votes, respectively, are elected.

4. If a member of the Board is unopposed in seeking reelection, the Board may declare that member elected without a formal election, but that member may not participate in the declaration.

5. If no person files candidacy for election to a particular seat upon the Board, the seat must be filled in the manner provided in subsection 3 of section 7 of this act for filling a vacancy.

Sec. 89. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 90. 1. This section and section 89 of this act become effective upon passage and approval.

2. Sections 1 to 88, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2024, for all other purposes.

