
ASSEMBLY BILL NO. 177—ASSEMBLYMEN SEAMAN, FIORE, SHELTON,
MOORE, GARDNER; PAUL ANDERSON, DICKMAN, DOOLING,
ELLISON, HAMBRICK, HANSEN, JONES, MUNFORD, NELSON,
O’NEILL, SILBERKRAUS, STEWART, TITUS AND TROWBRIDGE

FEBRUARY 18, 2015

JOINT SPONSORS: SENATORS GOICOECHEA;
GUSTAVSON, HARDY AND SETTELMAYER

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing elections.
(BDR 24-627)

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

CONTAINS UNFUNDED MANDATE (§§ 2, 18.5)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to elections; prohibiting the name of an ineligible candidate from appearing on the ballot unless the period for changing the ballot has elapsed; providing certain remedies and penalties in preelection challenges to the qualifications of a candidate; prohibiting the filling of a vacancy in a nomination for office under certain circumstances; amending certain residency requirements for candidates; revising provisions governing the filing of a declaration or acceptance of candidacy; increasing the penalty for a candidate who files certain documents containing a false statement; requiring certain proofs of identity and residency when filing for candidacy; changing the deadline for an elector to file certain preelection challenges to the qualifications of a candidate; providing that a vote cast for an ineligible candidate is a nullity and void for the purposes of determining the outcome of an election; prohibiting an ineligible candidate from demanding a recount, filing a contest of election or receiving a certificate of election; making conforming changes to the definition of “actual residence” for purposes of candidacy; making various other changes relating to elections; providing penalties; and providing other matters properly relating thereto.



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Legislative Counsel's Digest:

1 Under certain circumstances, existing law sets forth procedures for filling a
2 vacancy in a nomination for a nonpartisan or partisan office, except that no changes
3 may be made to the ballot after a statutorily-prescribed date preceding any general
4 election. If, after that date, a vacancy occurs in a nomination, the nominee's name
5 must remain on the ballot for the general election and, if that person is elected, a
6 vacancy in the office exists. (NRS 293.165, 293.166, 293.368, 293C.190,
7 293C.370) Further, under existing law, if a candidate whose name appears on a
8 ballot is disqualified from entering upon the duties of an office or dies after the
9 deadline for making changes to the ballot has passed, the Secretary of State and
10 local election officials are required to post a sign at each polling place where the
11 person's name will appear on the ballot notifying voters of the candidate's
12 disqualification or death. (NRS 293.184, 293.302, 293C.1865, 293C.291)

13 This bill revises the legal rules, standards and procedures that apply to a person
14 who is or becomes an ineligible candidate during an election. **Section 1.5** of this
15 bill defines the term "ineligible candidate" to mean a person who is a candidate for
16 any office and who: (1) dies; (2) is adjudicated insane or mentally incompetent; (3)
17 fails to meet any qualification required for the office; or (4) is found by a court to
18 be disqualified from entering upon the duties of the office.

19 In the absence of a statute prescribing a different rule, the general rule under the
20 common law is that the votes cast for a deceased, disqualified or ineligible
21 candidate are not treated as void but are counted in determining the outcome of the
22 election with regard to the other candidates, which renders the election nugatory
23 and prevents the election of the candidate who receives the next highest number of
24 votes. (*Ingersoll v. Lamb*, 75 Nev. 1, 4 (1959)) **Sections 1.7, 1.5, 1.8.3 and 2.6** of this
25 bill abrogate the common-law rule and provide that any vote cast for an ineligible
26 candidate is a nullity and void and must not be given any legal force or effect for
27 the purposes of determining the outcome of the election. **Sections 1.8 and 1.7.4-**
28 **1.7.9** of this bill also provide that an ineligible candidate may not demand or receive
29 a recount of the vote at the election or contest the results of the election.

30 **Sections 2 and 1.8.5** of this bill provide that the name of an ineligible candidate
31 must not appear on the ballot at any election unless the period for making changes
32 on the ballot has elapsed. If the period has elapsed, local election officials must
33 provide notice to the voters at each affected polling place, on or near each
34 mechanical voting device and on or with each paper ballot and absent ballot that the
35 ineligible candidate is not eligible to take office and that any vote cast for the
36 ineligible candidate will be a nullity and void and will not be given any legal force
37 or effect for the purposes of determining the outcome of the election.

38 Under existing law, there are several different types of preelection court actions
39 that may be brought to challenge a candidate on grounds that the candidate fails to
40 meet any qualification required for the office, including actions for a declaratory
41 judgment or a writ of mandamus. (NRS 281.050, 293.182, 293C.186; *DeStefano v.*
42 *Berkus*, 121 Nev. 627, 628-31 (2005); *Child v. Lomax*, 124 Nev. 600, 604-05
43 (2008)) **Section 2.5** of this bill provides that in any preelection action where the
44 court finds that a candidate fails to meet any qualification required for the office:
45 (1) the candidate becomes an ineligible candidate and local election officials must
46 take appropriate action to remove the candidate's name from the ballot or provide
47 the required notice to voters; (2) the candidate is disqualified from taking office;
48 and (3) the court may order the candidate to pay the attorney's fees and costs of the
49 party who brought the action, including the Attorney General or a district attorney
50 or city attorney.

51 Under existing law, certain state and local officials must issue a certificate of
52 election to the candidate receiving the highest number of votes for an office as
53 official recognition of the candidate's election to the office. (NRS 4.020, 218A.210,
54 245.010, 258.010, 267.050, 283.130, 293.034, 293.393-293.397, 293.435,



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55 293C.387, 293C.395, 386.260, 539.157; Caliente City Charter § 5.100; Carlin City
56 Charter § 5.090; Carson City Charter § 5.100; Elko City Charter § 5.090;
57 Henderson City Charter § 5.100; Las Vegas City Charter § 5.100; North Las Vegas
58 City Charter § 5.080; Reno City Charter § 5.100; Sparks City Charter § 5.100;
59 Wells City Charter § 5.090; Yerington City Charter § 5.090) **Sections 3.7, 17.1-**
60 **17.3, 17.9, 28-28.4, 29.1, 29.5, 29.6, 29.8, 31, 36, 40, 46, 49, 52, 54, 58, 62, 66, 69,**
61 **72, 75 and 78** of this bill provide that if the name of an ineligible candidate could
62 not be removed from the ballot, a certificate of election must not be issued to the
63 ineligible candidate regardless of the number of votes cast for the ineligible
64 candidate that are a nullity and void.

65 Existing law sets forth procedures for filling certain vacancies in a nomination
66 for a nonpartisan or partisan office that occur before a statutorily-prescribed date
67 preceding any general election. (NRS 293.165, 293.166, 293C.190) **Section 3** of
68 this bill prohibits a vacancy in a nomination for a partisan office from being filled if
69 the vacancy occurs because the candidate fails to meet any qualification required
70 for the office or is found by a court to be disqualified from taking office, except that
71 the prohibition does not apply to such a vacancy occurring before certain special
72 elections. If a vacancy in a nomination for a nonpartisan or partisan office occurs
73 for certain other reasons, **sections 4, 4.5 and 22.5** of this bill allow such a vacancy
74 to be filled in the manner provided by existing law before the statutorily-prescribed
75 date preceding the general election.

76 Under existing law, the Legislature may enact statutory qualifications to be a
77 candidate for an elective office which are in addition to any constitutional
78 qualifications required for the office. (*Mengelkamp v. List*, 88 Nev. 542, 544-45
79 (1972); *Riter v. Douglass*, 32 Nev. 400, 435-36 (1910)) Such additional statutory
80 qualifications may include residency requirements, and both the United States
81 Supreme Court and the Nevada Supreme Court have upheld residency requirements
82 that require a candidate to be a state resident for 2 or more years. (*Clements v.*
83 *Fashing*, 457 U.S. 957, 967-68 (1982) (explaining that the Court upheld New
84 Hampshire's 7-year state residency requirement for gubernatorial candidates when
85 it summarily affirmed the lower court's decision in *Chimento v. Stark*, 353 F. Supp.
86 1211 (D.N.H. 1973), *summarily aff'd*, 414 U.S. 802 (1973)); *Schaefer v. Eighth*
87 *Jud. Dist. Ct.*, No. 65361 (Nev. Apr. 14, 2014) (upholding Nevada's 2-year state
88 residency requirement for State Controller candidates in NRS 227.010))

89 Existing law sets forth certain residency requirements for candidates. In
90 particular, a candidate must actually, as opposed to constructively, reside in the
91 district to which the office pertains for at least 30 days preceding the date of the
92 close of filing for candidacy. (NRS 293.1755, 293C.200) Additionally, a candidate
93 for election or appointment to the Legislature must be an actual, as opposed to
94 constructive, resident of this State for 1 year preceding the person's election or
95 appointment. (NRS 218A.200) **Sections 6 and 23** of this bill provide that all
96 candidates must be an actual resident of the district to which the office pertains for
97 at least 90 days preceding the date of the close of filing for candidacy. **Section 29**
98 of this bill provides that a candidate for election or appointment to the Legislature
99 must be an actual resident of: (1) this State for 1 year immediately preceding the
100 person's election or appointment; and (2) the legislative district prescribed by law
101 for the office for at least 90 days immediately preceding the date of the close of
102 filing of, as applicable, declarations or acceptances of candidacy for the office or
103 applications for appointment to the office.

104 Existing law: (1) requires a candidate to file a declaration or acceptance of
105 candidacy before his or her name may appear on a ballot; and (2) provides that
106 a candidate who knowingly and willfully files a declaration or acceptance of
107 candidacy which contains a false statement regarding residency is guilty of a gross
108 misdemeanor. (NRS 293.1755, 293.177, 293C.185, 293C.200) **Sections 6, 7, 20**
109 **and 23** of this bill provide that a candidate who knowingly and willfully files a



110 declaration or acceptance of candidacy which contains a false statement is guilty of
111 a gross misdemeanor.

112 Existing law requires a candidate for election or appointment to the Legislature
113 to meet certain qualifications for the office. (NRS 218A.200) A candidate for
114 election to the Legislature must also file a declaration of residency with his or her
115 declaration or acceptance of candidacy. (NRS 293.181) **Sections 8 and 29** of this
116 bill provide that any such candidate who knowingly and willfully files a declaration
117 or acceptance of candidacy, a declaration of residency or an application for
118 appointment which contains a false statement is guilty of a gross misdemeanor.

119 Under existing law, a person who receives a certificate of election or
120 appointment to office as a Legislator must take and subscribe to the official oath
121 before taking office. (NRS 218A.220) **Section 29.2** of this bill prohibits a person
122 from taking and subscribing to the official oath as a Legislator if, after the person
123 files a declaration or acceptance of candidacy and on or before the date of the
124 general election, a court finds that the person is an ineligible candidate because the
125 person fails to meet any qualification required for the office.

126 Before the Assembly meets for each regular session, existing law requires the
127 Secretary of State to make out a roll from the election returns of the persons who
128 received the highest number of votes to be elected as members of the Assembly,
129 and the members whose names appear upon the roll must be allowed to participate
130 in the organization of the Assembly. (NRS 218A.400) **Section 29.4** of this bill
131 provides that if the name of an ineligible candidate for office as a member of the
132 Assembly could not be removed from the ballot, the Secretary of State shall not
133 include the ineligible candidate upon the roll of the persons elected as members of
134 the Assembly and the name of the ineligible candidate must not appear upon the
135 roll regardless of the number of votes cast for the ineligible candidate that are a
136 nullity and void.

137 The Nevada Supreme Court has interpreted existing law to authorize an elector
138 to file a written challenge to a candidate's qualifications not later than 5 working
139 days after the last day for the candidate to formally withdraw his or her candidacy.
140 Depending on the state or local office being sought by the candidate, the Attorney
141 General or the appropriate district attorney or city attorney must review the
142 challenge and, if he or she determines that probable cause exists to support the
143 challenge, must bring a preelection court action challenging the candidate's
144 qualifications within a statutorily-prescribed period. (NRS 293.182, 293C.186;
145 *Williams v. Clark County Dist. Att'y*, 118 Nev. 473, 477-79 (2002) (interpreting
146 NRS 293.182 to permit an elector to file a written challenge not later than 5
147 working days after the last day for the candidate to formally withdraw his or her
148 candidacy)) **Sections 9 and 21** of this bill codify the Nevada Supreme Court's
149 interpretation so that the period for an elector to file such a written challenge and
150 the period for the Attorney General or the appropriate district attorney or city
151 attorney to review such a challenge and bring a preelection court action are
152 calculated using working days instead of calendar days.

153 Existing law requires printed electioneering communications, such as campaign
154 signs or political advertising distributed by mail, to contain disclosures providing
155 certain information about the person or organization that paid for the
156 communications. (NRS 294A.347, 294A.348) **Sections 28.21 and 28.22** of this bill
157 specify minimum font sizes and certain typeface requirements for such disclosures
158 appearing on printed electioneering communications.

159 Existing law defines the term "actual residence" to mean the place where a
160 candidate is legally domiciled and maintains a permanent habitation, and when a
161 candidate maintains more than one place of permanent habitation, the place
162 designated by the candidate as his or her principal permanent habitation is deemed
163 to be the candidate's actual residence. (NRS 281.050) The Nevada Supreme Court
164 has held that the place designated by the candidate as his or her principal permanent



165 habitation must be the place where the candidate actually resides and is legally
166 domiciled in order for the candidate to be eligible to the office. (*Williams v. Clark*
167 *County Dist. Att’y*, 118 Nev. 473, 484-86 (2002); *Chachas v. Miller*, 120 Nev. 51,
168 53-56 (2004)) **Section 30** of this bill amends existing law to reflect the Supreme
169 Court’s holding.

170 The remaining sections of this bill make conforming changes to carry out the
171 revisions to existing law.

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

1 **Section 1.** Chapter 293 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 1.5 to 3, inclusive, of this
3 act.

4 **Sec. 1.5.** *“Ineligible candidate” means a person who is a*
5 *candidate for any office and who:*

6 1. *Dies;*

7 2. *Is adjudicated insane or mentally incompetent;*

8 3. *Fails to meet any qualification required for the office*
9 *pursuant to the Constitution or laws of this State; or*

10 4. *Is found by a court of competent jurisdiction to be*
11 *disqualified from entering upon the duties of the office pursuant*
12 *to the Constitution or laws of this State.*

13 **Sec. 1.7.** 1. *Notwithstanding any other provision of law,*
14 *any vote cast for an ineligible candidate is a nullity and void and*
15 *must not be given any legal force or effect for the purposes of*
16 *determining the outcome of a primary election, general election or*
17 *special election or any other election.*

18 2. *The provisions of this section are intended to abrogate any*
19 *principle or rule of the common law to the contrary.*

20 **Sec. 1.8.** *A person who is or becomes an ineligible candidate*
21 *may not:*

22 1. *Demand or receive a recount of the vote for the office for*
23 *which he or she is an ineligible candidate pursuant to NRS*
24 *293.400 to 293.405, inclusive; or*

25 2. *Contest the election for the office for which he or she is an*
26 *ineligible candidate pursuant to NRS 293.407 to 293.435,*
27 *inclusive.*

28 **Sec. 2.** 1. *Except as otherwise provided in this section, the*
29 *name of a person who is or becomes an ineligible candidate must*
30 *not appear on the ballot at a primary election, general election or*
31 *special election or any other election.*

32 2. *If a person is or becomes an ineligible candidate, the*
33 *county clerk shall remove the name of the person from the ballot,*



1 *except that no changes may be made on the ballot pursuant to this*
2 *section for:*

3 *(a) A primary election after 5 p.m. on the first Monday in April*
4 *of the year in which the primary election is held.*

5 *(b) A general election after 5 p.m. on the last Friday in July of*
6 *the year in which the general election is held.*

7 *(c) A special election or any other election after 5 p.m. on the*
8 *last day prescribed by the Secretary of State or the county clerk, as*
9 *applicable, for making changes on the ballot for that election.*

10 **3.** *If the period for making changes on the ballot has elapsed*
11 *pursuant to this section and, for that reason, the county clerk*
12 *cannot remove the name of the person who is or becomes an*
13 *ineligible candidate from the ballot, the county clerk shall:*

14 *(a) At each polling place where the person's name will appear*
15 *on the ballot, including, without limitation, a polling place for*
16 *early voting:*

17 *(1) Post a sign informing voters that the person is not*
18 *eligible to enter upon the duties of the office and that any vote cast*
19 *for the person will be a nullity and void and will not be given any*
20 *legal force or effect for the purposes of determining the outcome*
21 *of the election;*

22 *(2) Place a notice on or near each mechanical recording*
23 *device informing a voter who uses the device that the person is not*
24 *eligible to enter upon the duties of the office and that any vote cast*
25 *for the person will be a nullity and void and will not be given any*
26 *legal force or effect for the purposes of determining the outcome*
27 *of the election; and*

28 *(3) If paper ballots are used, include a notice on or with*
29 *each paper ballot informing a voter who uses the paper ballot that*
30 *the person is not eligible to enter upon the duties of the office and*
31 *that any vote cast for the person will be a nullity and void and will*
32 *not be given any legal force or effect for the purposes of*
33 *determining the outcome of the election; and*

34 *(b) If the absent ballots have not been distributed by the county*
35 *clerk, include a notice on or with each absent ballot informing a*
36 *voter who uses the absent ballot that the person is not eligible to*
37 *enter upon the duties of the office and that any vote cast for the*
38 *person will be a nullity and void and will not be given any legal*
39 *force or effect for the purposes of determining the outcome of the*
40 *election.*

41 **Sec. 2.5.** *1. In addition to any other remedy or penalty*
42 *provided by law, if a court of competent jurisdiction finds in any*
43 *preelection action that a person who is a candidate for any office*
44 *fails to meet any qualification required for the office pursuant to*
45 *the Constitution or laws of this State:*



1 (a) *The person is an ineligible candidate, and the county clerk*
2 *or city clerk, as applicable, shall take appropriate action regarding*
3 *the ineligible candidate pursuant to section 2 or 18.5 of this act;*

4 (b) *The person is disqualified from entering upon the duties of*
5 *the office for which he or she filed a declaration of candidacy or*
6 *acceptance of candidacy; and*

7 (c) *The court may order the person to pay the reasonable*
8 *attorney's fees and costs of the party who brought the action,*
9 *including, without limitation, the Attorney General or a district*
10 *attorney or city attorney.*

11 2. *The provisions of this section apply to any preelection*
12 *action brought to challenge a person who is a candidate for any*
13 *office on the grounds that the person is an ineligible candidate*
14 *because the person fails to meet any qualification required for the*
15 *office pursuant to the Constitution or laws of this State, including,*
16 *without limitation, any action brought pursuant to NRS 281.050,*
17 *293.182 or 293C.186 or any action brought for:*

18 (a) *Declaratory or injunctive relief pursuant to chapter 30 or*
19 *33 of NRS;*

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

21 (c) *Any other legal or equitable relief.*

22 **Sec. 3.** 1. *Except as otherwise provided in this section, a*
23 *vacancy occurring in a major or minor political party nomination*
24 *for a partisan office may not be filled by the party if the vacancy*
25 *occurs because the candidate who is the party's nominee:*

26 (a) *Fails to meet any qualification required for the office*
27 *pursuant to the Constitution or laws of this State; or*

28 (b) *Is found by a court of competent jurisdiction to be*
29 *disqualified from entering upon the duties of the office pursuant*
30 *to the Constitution or laws of this State.*

31 2. *The provisions of this section do not apply to a vacancy*
32 *occurring in a major or minor political party nomination for a*
33 *partisan office at a special election if no primary election is held to*
34 *choose the candidate who is the party's nominee before the special*
35 *election.*

36 **Sec. 3.5.** NRS 293.010 is hereby amended to read as follows:

37 293.010 As used in this title, unless the context otherwise
38 requires, the words and terms defined in NRS 293.013 to 293.121,
39 inclusive, *and section 1.5 of this act* have the meanings ascribed to
40 them in those sections.

41 **Sec. 3.7.** NRS 293.034 is hereby amended to read as follows:

42 293.034 "Certificate of election" means a certificate prepared
43 by the county or city clerk or Governor, as the case may be, for the
44 person having the highest number of votes for any district, county,
45 township, city, state or statewide office as official recognition of the



1 person's election to office ~~H~~, *except that if the name of an*
2 *ineligible candidate could not be removed from the ballot pursuant*
3 *to section 2 or 18.5 of this act, such a certificate must not be*
4 *prepared for the ineligible candidate regardless of the number of*
5 *votes cast for the ineligible candidate that are a nullity and void.*

6 **Sec. 3.8.** NRS 293.042 is hereby amended to read as follows:

7 293.042 "Contest" means an adversary proceeding between a
8 candidate for a public office who has received the greatest number
9 of votes and any other candidate for that office or, in certain cases,
10 any registered voter of the appropriate political subdivision, for the
11 purpose of determining the validity of an election ~~H~~, *except that a*
12 *person who is or becomes an ineligible candidate may not contest*
13 *the election for the office for which he or she is an ineligible*
14 *candidate pursuant to section 1.8 of this act.*

15 **Sec. 4.** NRS 293.165 is hereby amended to read as follows:

16 293.165 1. ~~H~~*Except as otherwise provided in NRS 293.166, a*
17 *vacancy occurring in a major or minor political party nomination for*
18 *a partisan office may be filled by a candidate designated by the*
19 *party central committee of the county or State, as the case may be,*
20 *of the major political party or by the executive committee of the*
21 *minor political party subject to the provisions of subsections 3, 4*
22 *and 5.*

23 ~~2.~~ A vacancy occurring in a nonpartisan office or nomination
24 for a nonpartisan office after the close of filing and before 5 p.m. of
25 the fourth Friday in June of the year in which the general election is
26 held must be filled by the person who receives or received the next
27 highest vote for the nomination in the primary election if a primary
28 election was held for that nonpartisan office. If no primary election
29 was held for that nonpartisan office or if there was not more than
30 one person who was seeking the nonpartisan nomination in the
31 primary election, a person may become a candidate for the
32 nonpartisan office at the general election if the person files a
33 declaration of candidacy or acceptance of candidacy, and pays the
34 fee required by NRS 293.193, on or after 8 a.m. on the third
35 Monday in June and before 5 p.m. on the fourth Friday in June.

36 ~~3.~~ *If a vacancy occurs in a major political party nomination for*
37 *a partisan office after the primary election and before 5 p.m. on the*
38 *fourth Friday in June of the year in which the general election is*
39 *held and:*

40 ~~(a)~~ *The vacancy occurs because the nominee dies or is*
41 *adjudicated insane or mentally incompetent, the vacancy may be*
42 *filled by a candidate designated by the party central committee of*
43 *the county or State, as the case may be, of the major political party.*



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1 ~~—(b) The vacancy occurs for a reason other than the reasons~~
2 ~~described in paragraph (a), the nominee's name must remain on the~~
3 ~~ballot for the general election and, if elected, a vacancy exists.~~

4 ~~—4.—No}~~

5 **2. Except as otherwise provided in section 2 of this act, no**
6 **change in a nomination for a nonpartisan office** may be made on
7 the ballot for the general election after 5 p.m. on the fourth Friday in
8 June of the year in which the general election is held ~~{-If,}~~, **and no**
9 **vacancy in a nomination for a nonpartisan office may be filled**
10 **after that time and date. }**

11 ~~—(a) A nominee dies or is adjudicated insane or mentally~~
12 ~~incompetent; or~~

13 ~~—(b) A vacancy in the nomination is otherwise created,~~
14 ~~→ the nominee's name must remain on the ballot for the general~~
15 ~~election and, if elected, a vacancy exists.~~

16 ~~—5.— All designations provided for in this section must be filed on~~
17 ~~or before 5 p.m. on the fourth Friday in June of the year in which the~~
18 ~~general election is held. In each case, the statutory filing fee must be~~
19 ~~paid and an acceptance of the designation must be filed on or before~~
20 ~~5 p.m. on the date the designation is filed.}~~

21 **Sec. 4.5.** NRS 293.166 is hereby amended to read as follows:

22 293.166 1. **Except as otherwise provided in this section and**
23 **sections 2 and 3 of this act:**

24 **(a) A vacancy occurring in a major or minor political party**
25 **nomination for a partisan office, other than an office described in**
26 **paragraph (b), may be filled by a candidate who is designated by:**

27 **(1) The party central committee of the county or State, as**
28 **the case may be, of the major political party; or**

29 **(2) The executive committee of the minor political party.**

30 **(b) A vacancy occurring in a major political party nomination**
31 **for the office of State Senator, Assemblyman or Assemblywoman**
32 **from a legislative district comprising more than one county may be**
33 **filled as follows. }** ~~{, subject to the provisions of subsections 2, 3 and~~
34 ~~4.}~~ The county commissioners of each county, all or part of which is
35 included within the legislative district, shall meet to appoint a
36 person who is of the same political party as the former nominee and
37 who actually, as opposed to constructively, resides in the district to
38 fill the vacancy, with the chair of the board of county
39 commissioners of the county whose population residing within the
40 district is the greatest presiding. Each board of county
41 commissioners shall first meet separately and determine the single
42 candidate it will nominate to fill the vacancy. Then, the boards shall
43 meet jointly and the chairs on behalf of the boards shall cast a
44 proportionate number of votes according to the percent, rounded to
45 the nearest whole percent, which the population of its county is of



1 the population of the entire district. Populations must be determined
2 by the last decennial census or special census conducted by the
3 Bureau of the Census of the United States Department of
4 Commerce. The person who receives a plurality of these votes is
5 appointed to fill the vacancy. If no person receives a plurality of the
6 votes, the boards of county commissioners of the respective counties
7 shall each as a group select one candidate, and the nominee must be
8 chosen by drawing lots among the persons so selected.

9 2. If a vacancy occurs in a *major political* party nomination for
10 ~~the office of State Senator, Assemblyman or Assemblywoman from~~
11 ~~a legislative district comprising more than one county~~ *a partisan*
12 *office* after the primary election and before 5 p.m. on the fourth
13 Friday in June of the year in which the general election is held and:

14 (a) The vacancy occurs because the nominee dies or is
15 adjudicated insane or mentally incompetent, the vacancy may be
16 filled pursuant to the provisions of subsection 1.

17 (b) The vacancy occurs for a reason other than the reasons
18 described in paragraph (a), *the vacancy may not be filled pursuant*
19 *to the provisions of subsection 1, and* the nominee's name must
20 ~~remain on~~ *be removed from* the ballot for the general election .
21 ~~and, if elected, a vacancy exists.~~

22 3. ~~No~~ *Except as otherwise provided in sections 2 and 3 of*
23 *this act, no* change in a *major or minor political party nomination*
24 *for a partisan office* may be made on the ballot for the general
25 election after 5 p.m. on the fourth Friday in June of the year in
26 which the general election is held ~~if~~, *and no vacancy in a major*
27 *or minor political party nomination for a partisan office may be*
28 *filled* after that time and date . ~~f~~

29 ~~—(a) A nominee dies or is adjudicated insane or mentally~~
30 ~~incompetent; or~~

31 ~~—(b) A vacancy in the nomination is otherwise created,~~
32 ~~the nominee's name must remain on the ballot for the general~~
33 ~~election and, if elected, a vacancy exists.]~~

34 4. The designation of a ~~nominee~~ *candidate to fill a vacancy*
35 pursuant to this section must be filed ~~with the Secretary of State~~ on
36 or before 5 p.m. on the fourth Friday in June of the year in which the
37 general election is held, and the statutory filing fee must be paid
38 ~~with~~ *and an acceptance of* the designation ~~f~~ *must be filed on or*
39 *before 5 p.m. on the date the designation is filed.*

40 **Sec. 5.** NRS 293.1715 is hereby amended to read as follows:

41 293.1715 1. The names of the candidates for partisan office
42 of a minor political party must not appear on the ballot for a primary
43 election.

44 2. ~~The~~ *Except as otherwise provided in sections 2 and 3 of*
45 *this act, the* names of the candidates for partisan office of a minor



1 political party must be placed on the ballot for the general election if
2 the minor political party is qualified. To qualify as a minor political
3 party, the minor political party must have filed a certificate of
4 existence and be organized pursuant to NRS 293.171, must have
5 filed a list of its candidates for partisan office pursuant to the
6 provisions of NRS 293.1725 with the Secretary of State and:

7 (a) At the last preceding general election, the minor political
8 party must have polled for any of its candidates for partisan office a
9 number of votes equal to or more than 1 percent of the total number
10 of votes cast for the offices of Representative in Congress;

11 (b) On January 1 preceding a primary election, the minor
12 political party must have been designated as the political party on
13 the applications to register to vote of at least 1 percent of the total
14 number of registered voters in this State; or

15 (c) Not later than the third Friday in May preceding the general
16 election, must file a petition with the Secretary of State which is
17 signed by a number of registered voters equal to at least 1 percent of
18 the total number of votes cast at the last preceding general election
19 for the offices of Representative in Congress.

20 3. The name of only one candidate of each minor political
21 party for each partisan office may appear on the ballot for a general
22 election.

23 4. A minor political party must file a copy of the petition
24 required by paragraph (c) of subsection 2 with the Secretary of State
25 before the petition may be circulated for signatures.

26 **Sec. 6.** NRS 293.1755 is hereby amended to read as follows:

27 293.1755 1. In addition to any other requirement provided by
28 law, no person may be a candidate for any office unless, for at least
29 the ~~30~~ 90 days immediately preceding the date of the close of
30 filing of declarations of candidacy or acceptances of candidacy for
31 the office which the person seeks, the person has, in accordance
32 with NRS 281.050, actually, as opposed to constructively, resided in
33 the State, district, county, township or other area prescribed by law
34 to which the office pertains and, if elected, over which he or she will
35 have jurisdiction or will represent.

36 2. Any person who knowingly and willfully files ~~an~~
37 ~~acceptance of candidacy or~~ a declaration of candidacy *or*
38 *acceptance of candidacy* which contains a false statement ~~in this~~
39 ~~respect~~ *regarding the person's residency in violation of this*
40 *section* is guilty of a gross misdemeanor.

41 ~~3. The provisions of this section do not apply to candidates for~~
42 ~~the office of district attorney.~~

43 **Sec. 7.** NRS 293.177 is hereby amended to read as follows:

44 293.177 1. Except as otherwise provided in NRS 293.165,
45 *293.166 and section 2 of this act*, a name may not be printed on a



1 ballot to be used at a primary election unless the person named has
2 filed a declaration of candidacy or an acceptance of candidacy, and
3 has paid the fee required by NRS 293.193 not earlier than:

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

8 (b) For all other candidates, the first Monday in March of the
9 year in which the election is to be held ~~not~~ **and not** later than
10 5 p.m. on the second Friday after the first Monday in March.

11 2. A declaration of candidacy or an acceptance of candidacy
12 required to be filed by this section must be in substantially the
13 following form:

14 (a) For partisan office:

15
16 DECLARATION OF CANDIDACY OF FOR THE
17 OFFICE OF

18
19 State of Nevada

20
21 County of

22
23 For the purpose of having my name placed on the official
24 ballot as a candidate for the Party nomination for
25 the office of, I, the undersigned, do swear or
26 affirm under penalty of perjury that I actually, as opposed to
27 constructively, reside at, in the City or Town of
28, County of, State of Nevada; that my actual, as
29 opposed to constructive, residence, **in accordance with NRS**
30 **281.050**, in the State, district, county, township, city or other
31 area prescribed by law to which the office pertains began on a
32 date at least ~~30~~ **90** days immediately preceding the date of
33 the close of filing of declarations of candidacy for this office;
34 that my telephone number is, and the address at
35 which I receive mail, if different than my residence, is;
36 that I am registered as a member of the Party; that I
37 am a qualified elector pursuant to Section 1 of Article 2 of the
38 Constitution of the State of Nevada; that if I have ever been
39 convicted of treason or a felony, my civil rights have been
40 restored by a court of competent jurisdiction; that I have not,
41 in violation of the provisions of NRS 293.176, changed the
42 designation of my political party or political party affiliation
43 on an official application to register to vote in any state since
44 December 31 before the closing filing date for this election;
45 that I generally believe in and intend to support the concepts



1 found in the principles and policies of that political party in
2 the coming election; that if nominated as a candidate of the
3 Party at the ensuing election, I will accept that
4 nomination and not withdraw; that I will not knowingly
5 violate any election law or any law defining and prohibiting
6 corrupt and fraudulent practices in campaigns and elections in
7 this State; that I will qualify for the office if elected thereto,
8 including, but not limited to, complying with any limitation
9 prescribed by the Constitution and laws of this State
10 concerning the number of years or terms for which a person
11 may hold the office; and that I understand that my name will
12 appear on all ballots as designated in this declaration.

13
14
15 (Designation of name)

16
17
18 (Signature of candidate for office)

19
20 Subscribed and sworn to before me
21 this day of the month of of the year

22
23
24 Notary Public or other person
25 authorized to administer an oath

26
27 (b) For nonpartisan office:

28
29 DECLARATION OF CANDIDACY OF FOR THE
30 OFFICE OF

31
32 State of Nevada

33
34 County of

35
36 For the purpose of having my name placed on the official
37 ballot as a candidate for the office of, I, the
38 undersigned, do swear or affirm under penalty of
39 perjury that I actually, as opposed to constructively, reside at
40, in the City or Town of, County of,
41 State of Nevada; that my actual, as opposed to constructive,
42 residence , *in accordance with NRS 281.050*, in the State,
43 district, county, township, city or other area prescribed by law
44 to which the office pertains began on a date at least ~~30~~ 90
45 days immediately preceding the date of the close of filing of



1 declarations of candidacy for this office; that my telephone
2 number is, and the address at which I receive mail, if
3 different than my residence, is; that I am a qualified
4 elector pursuant to Section 1 of Article 2 of the Constitution
5 of the State of Nevada; that if I have ever been convicted of
6 treason or a felony, my civil rights have been restored by a
7 court of competent jurisdiction; that if nominated as a
8 nonpartisan candidate at the ensuing election, I will accept the
9 nomination and not withdraw; that I will not knowingly
10 violate any election law or any law defining and prohibiting
11 corrupt and fraudulent practices in campaigns and elections in
12 this State; that I will qualify for the office if elected thereto,
13 including, but not limited to, complying with any limitation
14 prescribed by the Constitution and laws of this State
15 concerning the number of years or terms for which a person
16 may hold the office; and my name will appear on all ballots
17 as designated in this declaration.

18
19
20 (Designation of name)

21
22
23 (Signature of candidate for office)

24
25 Subscribed and sworn to before me
26 this day of the month of of the year

27
28
29 Notary Public or other person
30 authorized to administer an oath
31

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

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

42 (b) The candidate ~~does not~~ ***shall*** present to the filing officer:

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



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

6 4. The filing officer shall retain a copy of the proof of identity
7 and residency provided by the candidate pursuant to paragraph (b)
8 of subsection 3. Such a copy:

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

10 (b) Must not contain the social security number, ~~for~~ driver's
11 license or identification card number *or account number* of the
12 candidate.

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

27 6. If the ~~filing officer~~ *Secretary of State* receives credible
28 evidence indicating that a candidate ~~has been convicted of a felony
29 and has not had his or her civil rights restored by a court of
30 competent jurisdiction,~~ *does not meet any qualification required
31 for the office pursuant to the Constitution or laws of this State,* the
32 ~~filing officer~~ *Secretary of State shall:*

33 (a) ~~May conduct~~ *Conduct* an investigation to determine
34 whether the candidate ~~has been convicted of a felony and, if so,
35 whether the candidate has had his or her civil rights restored by a
36 court of competent jurisdiction,~~ *is eligible to hold the office;* and

37 (b) ~~Shall transmit~~ *Transmit* the credible evidence and the
38 findings from such investigation to ~~the~~ :

39 (1) *The Attorney General* ~~if~~ if the filing officer *for the*
40 *candidate* is the Secretary of State ~~, or to the~~ ; *or*

41 (2) *The appropriate* district attorney ~~if~~ if the filing officer
42 *for the candidate* is a person other than the Secretary of State.

43 7. The receipt of information by the Attorney General or
44 district attorney pursuant to subsection 6 must be treated as a
45 challenge of a candidate pursuant to subsections 4 and 5 of



1 NRS 293.182. ~~If the ballots are printed before a court of competent~~
 2 ~~jurisdiction makes a determination that a candidate has been~~
 3 ~~convicted of a felony and has not had his or her civil rights restored~~
 4 ~~by a court of competent jurisdiction, the filing officer must post a~~
 5 ~~notice at each polling place where the candidate's name will appear~~
 6 ~~on the ballot informing the voters that the candidate is disqualified~~
 7 ~~from entering upon the duties of the office for which the candidate~~
 8 ~~filed the declaration of candidacy or acceptance of candidacy.]~~

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

13 **Sec. 8.** NRS 293.181 is hereby amended to read as follows:
 14 293.181 1. A candidate for the office of State Senator,
 15 Assemblyman or Assemblywoman must execute and file with his or
 16 her declaration of candidacy or acceptance of candidacy a
 17 declaration of residency which must be in substantially the
 18 following form:

19
 20 I, the undersigned, do swear or affirm under penalty of
 21 perjury that , ~~I have been a citizen resident of this State~~ as
 22 required by NRS 218A.200 ~~and~~ , **I will** have actually, as
 23 opposed to constructively, **been a citizen resident of this**
 24 **State and** resided at the following residence or residences
 25 ~~[since November 1 of the preceding year:]~~ , **in accordance**
 26 **with NRS 281.050, for the period of 1 year immediately**
 27 **preceding the date of the general election:**
 28
 29

30	..... Street Address	..... Street Address
31	.....	.....
32	..... City or Town	..... City or Town
33	.....	.....
34	..... State	..... State
35	.....	.....
36	From To	From To
37	Dates of Residency	Dates of Residency
38	.....	.....
39	.....	.....
40	..... Street Address	..... Street Address
41	.....	.....
42	..... City or Town	..... City or Town
43	.....	.....
44	..... State	..... State



1 From To From To

2 Dates of Residency Dates of Residency

3 (Attach additional sheet or sheets of residences as necessary)

4

5 2. Each address of a candidate which must be included in the

6 declaration of residency pursuant to subsection 1 must be the street

7 address of the residence where the candidate actually, as opposed to

8 constructively, resided or resides in accordance with NRS 281.050,

9 if one has been assigned. The declaration of residency must not be

10 accepted for filing if any of the candidate's addresses are listed as a

11 post office box unless a street address has not been assigned to the

12 residence.

13 ***3. Any person who knowingly and willfully files a declaration***

14 ***of residency which contains a false statement in violation of this***

15 ***section is guilty of a gross misdemeanor.***

16 **Sec. 9.** NRS 293.182 is hereby amended to read as follows:

17 293.182 1. After a person files a declaration of candidacy or

18 an acceptance of candidacy to be a candidate for an office, and not

19 later than 5 **working** days after the last day the person may withdraw

20 his or her candidacy pursuant to NRS 293.202, an elector may file

21 with the filing officer for the office a written challenge of the person

22 on the grounds that the person fails to meet any qualification

23 required for the office pursuant to the Constitution or ~~{a statute}~~

24 **laws** of this State . ~~{including, without limitation, a requirement~~

25 ~~concerning age or residency.}~~ Before accepting the challenge from

26 the elector, the filing officer shall notify the elector that if the

27 challenge is found by a court to be frivolous, the elector may be

28 required to pay the reasonable attorney's fees and ~~{court}~~ costs of

29 the ~~{challenged person.}~~ **person who is being challenged.**

30 2. A challenge filed pursuant to subsection 1 must:

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

32 (b) Have attached all documentation and evidence supporting

33 the challenge; and

34 (c) Be in the form of an affidavit, signed by the elector under

35 penalty of perjury.

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

37 (a) The Secretary of State shall immediately transmit the

38 challenge to the Attorney General.

39 (b) A filing officer other than the Secretary of State shall

40 immediately transmit the challenge to the district attorney.

41 4. If the Attorney General or district attorney determines that

42 probable cause exists to support the challenge, the Attorney General

43 or district attorney shall, not later than 5 working days after

44 receiving the challenge, petition a court of competent jurisdiction to

45 order the person to appear before the court. Upon receipt of such a



1 petition, the court shall enter an order directing the person to appear
2 before the court at a hearing, at a time and place to be fixed by the
3 court in the order, to show cause why the challenge is not valid. A
4 certified copy of the order must be served upon the person. The
5 court shall give priority to such proceedings over all other matters
6 pending with the court, except for criminal proceedings.

7 5. If, at the hearing, the court determines by a preponderance of
8 the evidence that the challenge is valid or that the person otherwise
9 fails to meet any qualification required for the office pursuant to the
10 Constitution or ~~{a statute}~~ **laws** of this State, or if the person fails to
11 appear at the hearing ~~{:~~

12 ~~—(a) The name of the person must not appear on any ballot for the~~
13 ~~election for the office for which the person filed the declaration of~~
14 ~~candidacy or acceptance of candidacy; and~~

15 ~~—(b) The~~ , **the** person is ~~{disqualified from entering upon the~~
16 ~~duties of the office for which he or she filed the declaration of~~
17 ~~candidacy or acceptance of candidacy.}~~ **an ineligible candidate and**
18 **is subject to the provisions of section 2.5 of this act.**

19 6. If, at the hearing, the court determines that the challenge is
20 frivolous, the court may order the elector who filed the challenge to
21 pay the reasonable attorney's fees and ~~{court}~~ costs of the
22 ~~{challenged person.}~~ **person who was challenged.**

23 **Sec. 10.** NRS 293.184 is hereby amended to read as follows:

24 293.184 ~~{:}~~ In addition to any other **remedy or** penalty
25 provided by law, if a person **knowingly and** willfully files a
26 declaration of candidacy or acceptance of candidacy ~~{knowing that~~
27 ~~the declaration of candidacy or acceptance of candidacy}~~ **which**
28 contains a false statement:

29 ~~{(a) Except as otherwise provided in NRS 293.165 and 293.166,~~
30 ~~the name of the person must not appear on any ballot for the election~~
31 ~~for which the person filed the declaration of candidacy or~~
32 ~~acceptance of candidacy; and~~

33 ~~—(b)}~~ **1. The person is an ineligible candidate, and the county**
34 **clerk shall take appropriate action regarding the ineligible**
35 **candidate pursuant to section 2 of this act; and**

36 **2.** The person is disqualified from entering upon the duties of
37 the office for which he or she ~~{was a candidate.}~~

38 ~~—2.— If the name of a person who is disqualified from entering~~
39 ~~upon the duties of an office pursuant to subsection 1 appears on a~~
40 ~~ballot for the election is disqualified because the deadline set forth~~
41 ~~in NRS 293.165 and 293.166 for making changes to the ballot has~~
42 ~~passed, the Secretary of State and county clerk must post a sign at~~
43 ~~each polling place where the person's name will appear on the ballot~~
44 ~~informing voters that the person is disqualified from entering upon~~



1 ~~the duties of office.]~~ *filed the declaration of candidacy or*
2 *acceptance of candidacy.*

3 **Sec. 10.3.** NRS 293.200 is hereby amended to read as follows:

4 293.200 1. An independent candidate for partisan office must
5 file with the appropriate filing officer as set forth in NRS 293.185:

6 (a) A copy of the petition of candidacy that he or she intends to
7 subsequently circulate for signatures. The copy must be filed not
8 earlier than the January 2 preceding the date of the election and not
9 later than 25 working days before the last day to file the petition
10 pursuant to subsection 4. The copy of the petition must be filed with
11 the appropriate filing officer before the petition may be circulated
12 for signatures.

13 (b) Either of the following:

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

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

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

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

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

30 2. The petition may consist of more than one document. Each
31 document must bear the name of the county in which it was
32 circulated, and only registered voters of that county may sign the
33 document. If the office is not a statewide office, only the registered
34 voters of the county, district or municipality in question may sign
35 the document. The documents that are circulated for signature in a
36 county must be submitted to that county clerk for verification in the
37 manner prescribed in NRS 293.1276 to 293.1279, inclusive, not
38 later than 25 working days before the last day to file the petition
39 pursuant to subsection 4. Each person who signs the petition shall
40 add to his or her signature the address of the place at which the
41 person actually resides, the date that he or she signs the petition and
42 the name of the county where he or she is registered to vote. The
43 person who circulates each document of the petition shall sign an
44 affidavit attesting that the signatures on the document are genuine to



1 the best of his or her knowledge and belief and were signed in his or
2 her presence by persons registered to vote in that county.

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

5 4. Petitions of candidacy must be filed not earlier than the first
6 Monday in March preceding the general election and not later than
7 5 p.m. on the second Friday after the first Monday in March.

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

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

12 7. ~~The~~ *Except as otherwise provided in section 2 of this act,*
13 *the* names of independent candidates must be placed on the general
14 election ballot and must not appear on the primary election ballot.

15 8. If the candidacy of any person seeking to qualify pursuant to
16 this section is challenged, all affidavits and documents in support of
17 the challenge must be filed not later than 5 p.m. on the fourth
18 Monday in March. Any judicial proceeding resulting from the
19 challenge must be set for hearing not more than 5 days after the
20 fourth Monday in March.

21 9. Any challenge pursuant to subsection 8 must be filed with:

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

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

26 10. An independent candidate for partisan office must file a
27 declaration of candidacy with the appropriate filing officer and pay
28 the fee required by NRS 293.193 not earlier than the first Monday in
29 March of the year in which the election is held ~~not~~ *and not* later
30 than 5 p.m. on the second Friday after the first Monday in March.

31 **Sec. 10.5.** NRS 293.203 is hereby amended to read as follows:

32 293.203 Immediately upon receipt by the county clerk of the
33 certified list of candidates from the Secretary of State, the county
34 clerk shall publish a notice of primary election or general election in
35 a newspaper of general circulation in the county once a week for 2
36 successive weeks. If no such newspaper is published in the county,
37 the publication may be made in a newspaper of general circulation
38 published in the nearest Nevada county. The notice must contain:

39 1. The date of the election.

40 2. The location of the polling places.

41 3. The hours during which the polling places will be open for
42 voting.

43 4. The names of the candidates ~~+~~ *and, if the name of an*
44 *ineligible candidate could not be removed from the ballot pursuant*
45 *to section 2 of this act, a statement that the person is not eligible to*



1 *enter upon the duties of the office and that any vote cast for the*
2 *person will be a nullity and void and will not be given any legal*
3 *force or effect for the purposes of determining the outcome of the*
4 *election.*

5 5. A list of the offices to which the candidates seek nomination
6 or election.

7 ↪ The notice required for a general election pursuant to this section
8 may be published in conjunction with the notice required for a
9 proposed constitution, constitutional amendment or statewide
10 measure pursuant to NRS 293.253. If the notices are combined in
11 this manner, they must be published three times in accordance with
12 subsection 3 of NRS 293.253.

13 **Sec. 11.** NRS 293.2546 is hereby amended to read as follows:

14 293.2546 The Legislature hereby declares that each voter has
15 the right:

16 1. To receive and cast a ballot that:

17 (a) Is written in a format that allows the clear identification of
18 candidates; and

19 (b) Accurately records the voter's preference in the selection of
20 candidates.

21 2. To have questions concerning voting procedures answered
22 and to have an explanation of the procedures for voting posted in a
23 conspicuous place at the polling place.

24 3. To vote without being intimidated, threatened or coerced.

25 4. To vote on election day if the voter is waiting in line at his
26 or her polling place to vote before 7 p.m. and the voter has not
27 already cast a vote in that election.

28 5. To return a spoiled ballot and is entitled to receive another
29 ballot in its place.

30 6. To request assistance in voting, if necessary.

31 7. To a sample ballot which is accurate, informative and
32 delivered in a timely manner.

33 8. To receive instruction in the use of the equipment for voting
34 during early voting or on election day.

35 9. To have nondiscriminatory equal access to the elections
36 system, including, without limitation, a voter who is elderly,
37 disabled, a member of a minority group, employed by the military or
38 a citizen who is overseas.

39 10. ***To be informed:***

40 (a) ***If a candidate is or becomes an ineligible candidate; and***

41 (b) ***That any vote cast for an ineligible candidate will be a***
42 ***nullity and void and will not be given any legal force or effect for***
43 ***the purposes of determining the outcome of the election.***

44 11. To have a uniform, statewide standard for counting and
45 recounting all votes accurately.



1 ~~11.1~~ 12. To have complaints about elections and election
2 contests resolved fairly, accurately and efficiently.

3 **Sec. 11.5.** NRS 293.257 is hereby amended to read as follows:

4 293.257 1. There must be a separate primary ballot for each
5 major political party. ~~The~~ *Except as otherwise provided in section*
6 *2 of this act, the* names of candidates for partisan offices who have
7 designated a major political party in the declaration of candidacy or
8 acceptance of candidacy must appear on the primary ballot of the
9 major political party designated.

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

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

19 **Sec. 12.** NRS 293.260 is hereby amended to read as follows:

20 293.260 *Except as otherwise provided in sections 1.7 and 2 of*
21 *this act:*

22 1. Where there is no contest of election for nomination to a
23 particular office, neither the title of the office nor the name of the
24 candidate may appear on the ballot.

25 2. If more than one major political party has candidates for a
26 particular office, the persons who receive the highest number of
27 votes at the primary elections must be declared the nominees of
28 those parties for the office.

29 3. If only one major political party has candidates for a
30 particular office and a minor political party has nominated a
31 candidate for the office or an independent candidate has filed for the
32 office, the candidate who receives the highest number of votes in
33 the primary election of the major political party must be declared the
34 nominee of that party and his or her name must be placed on the
35 general election ballot with the name of the nominee of the minor
36 political party for the office and the name of the independent
37 candidate who has filed for the office.

38 4. If only one major political party has candidates for a
39 particular office and no minor political party has nominated a
40 candidate for the office and no independent candidate has filed for
41 the office:

42 (a) If there are more candidates than twice the number to be
43 elected to the office, the names of the candidates must appear on the
44 ballot for a primary election. Except as otherwise provided in this
45 paragraph, the candidates of that party who receive the highest



1 number of votes in the primary election, not to exceed twice the
2 number to be elected to that office at the general election, must be
3 declared the nominees for the office. If only one candidate is to be
4 elected to the office and a candidate receives a majority of the votes
5 in the primary election for that office, that candidate must be
6 declared the nominee for that office and his or her name must be
7 placed on the ballot for the general election.

8 (b) If there are no more than twice the number of candidates to
9 be elected to the office, the candidates must, without a primary
10 election, be declared the nominees for the office.

11 5. Where no more than the number of candidates to be elected
12 have filed for nomination for:

13 (a) Any partisan office, the office of judge of the Court of
14 Appeals or the office of justice of the Supreme Court, the names of
15 those candidates must be omitted from all ballots for a primary
16 election and placed on all ballots for a general election;

17 (b) Any nonpartisan office, other than the office of justice of the
18 Supreme Court, office of judge of the Court of Appeals or the office
19 of member of a town advisory board, the names of those candidates
20 must appear on the ballot for a primary election unless the
21 candidates were nominated pursuant to subsection ~~1~~ *1* of NRS
22 293.165. If a candidate receives one or more votes at the primary
23 election, the candidate must be declared elected to the office and his
24 or her name must not be placed on the ballot for the general
25 election. If a candidate does not receive one or more votes at the
26 primary election, his or her name must be placed on the ballot for
27 the general election; and

28 (c) The office of member of a town advisory board, the
29 candidate must be declared elected to the office and no election
30 must be held for that office.

31 6. If there are more candidates than twice the number to be
32 elected to a nonpartisan office, the names of the candidates must
33 appear on the ballot for a primary election. Those candidates who
34 receive the highest number of votes at that election, not to exceed
35 twice the number to be elected, must be declared nominees for the
36 office.

37 **Sec. 12.2.** NRS 293.263 is hereby amended to read as follows:

38 293.263 On the primary ballots for a major political party, the
39 name of the major political party must appear at the top of the
40 ballot. Except as otherwise provided in NRS 293.2565, *and section*
41 *2 of this act*, following this designation must appear the names of
42 candidates grouped alphabetically under the title and length of term
43 of the partisan office for which those candidates filed.



1 **Sec. 12.3.** NRS 293.265 is hereby amended to read as follows:
2 293.265 On nonpartisan primary ballots, there must appear at
3 the top of the ballot the designation "Nonpartisan Offices." Except
4 as otherwise provided in NRS 293.2565, *and section 2 of this act*,
5 following this designation must appear the names of candidates
6 grouped alphabetically under the title and length of term of the
7 nonpartisan office for which those candidates filed.

8 **Sec. 12.4.** NRS 293.267 is hereby amended to read as follows:
9 293.267 1. ~~[Ballots]~~ *Except as otherwise provided in section*
10 *2 of this act, ballots* for a general election must contain the names of
11 candidates who were nominated at the primary election, the names
12 of the candidates of a minor political party and the names of
13 independent candidates.

14 2. Except as otherwise provided in NRS 293.2565, *and section*
15 *2 of this act*, names of candidates must be grouped alphabetically
16 under the title and length of term of the office for which those
17 candidates filed.

18 3. Except as otherwise provided in subsection 4:

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

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

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

32 5. If the Legislature rejects a statewide measure proposed by
33 initiative and proposes a different measure on the same subject
34 which the Governor approves, the measure proposed by the
35 Legislature and approved by the Governor must be listed on the
36 ballot before the statewide measure proposed by initiative. Each
37 ballot and sample ballot upon which the measures appear must
38 contain a statement that reads substantially as follows:
39

40 The following questions are alternative approaches to the
41 same issue, and only one approach may be enacted into law.
42 Please vote for only one.

43 **Sec. 12.6.** NRS 293.268 is hereby amended to read as follows:
44 293.268 ~~[The]~~ *Except as otherwise provided in section 2 of*
45 *this act, the* offices for which there are candidates, the names of the



- 1 candidates therefor, and the questions to be voted upon must be
- 2 printed on ballots in the following order:
- 3 1. President and Vice President of the United States.
- 4 2. United States Senator and Representative in Congress, in
- 5 that sequence.
- 6 3. Governor, Lieutenant Governor, Secretary of State,
- 7 Treasurer, Controller and Attorney General, in that sequence.
- 8 4. State Senators and members of the Assembly.
- 9 5. County and township partisan offices.
- 10 6. Statewide nonpartisan offices.
- 11 7. District nonpartisan offices.
- 12 8. County nonpartisan offices.
- 13 9. City offices:
- 14 (a) Mayor;
- 15 (b) Council members according to ward in numerical order, if
- 16 no wards, in alphabetical order; and
- 17 (c) Municipal judges.
- 18 10. Township nonpartisan offices.
- 19 11. Questions presented to the voters of the State with advisory
- 20 questions listed in consecutive order after any other questions
- 21 presented to the voters of the State.
- 22 12. Questions presented only to the voters of a special district
- 23 or political subdivision of the State with advisory questions listed in
- 24 consecutive order after any other questions presented only to the
- 25 voters of a special district or political subdivision of the State.
- 26 **Sec. 12.7.** NRS 293.269 is hereby amended to read as follows:
- 27 293.269 1. Every ballot upon which appears the names of
- 28 candidates for any statewide office or for President and Vice
- 29 President of the United States shall contain for each office an
- 30 additional line equivalent to the lines on which the candidates’
- 31 names appear and placed at the end of the group of lines containing
- 32 the names of the candidates for that office. Each additional line shall
- 33 contain a square in which the voter may express a choice of that line
- 34 in the same manner as the voter would express a choice of a
- 35 candidate, and the line shall read “None of these candidates.”
- 36 2. ~~Only~~ *Except as otherwise provided in section 1.7 of this*
- 37 *act, only* votes cast for the named candidates shall be counted in
- 38 determining nomination or election to any statewide office or
- 39 presidential nominations or the selection of presidential electors, but
- 40 for each office the number of ballots on which the additional line
- 41 was chosen shall be listed following the names of the candidates and
- 42 the number of their votes in every posting, abstract and
- 43 proclamation of the results of the election.
- 44 3. Every sample ballot or other instruction to voters prescribed
- 45 or approved by the Secretary of State shall clearly explain that the



1 voter may mark the choice of the line "None of these candidates"
2 only if the voter has not voted for any candidate for the office.

3 **Sec. 13.** (Deleted by amendment.)

4 **Sec. 14.** NRS 293.367 is hereby amended to read as follows:

5 293.367 1. The basic factor to be considered by an election
6 board when making a determination of whether a particular ballot
7 must be rejected is whether any identifying mark appears on the
8 ballot which, in the opinion of the election board, constitutes an
9 identifying mark such that there is a reasonable belief entertained in
10 good faith that the ballot has been tampered with and, as a result of
11 the tampering, the outcome of the election would be affected.

12 2. The regulations for counting ballots must include provisions
13 that:

14 (a) *A vote cast for an ineligible candidate does not invalidate*
15 *any other votes properly marked on that ballot.*

16 (b) An error in marking one or more votes on a ballot does not
17 invalidate any votes properly marked on that ballot.

18 ~~(b)~~ (c) A soiled or defaced ballot may not be rejected if it
19 appears that the soiling or defacing was inadvertent and was not
20 done purposely to identify the ballot.

21 ~~(e)~~ (d) Only devices provided for in this chapter or chapter
22 293B of NRS may be used in marking ballots.

23 ~~(d)~~ (e) It is unlawful for any election board officer to place
24 any mark upon any ballot other than a spoiled ballot.

25 ~~(e)~~ (f) When an election board officer rejects a ballot for any
26 alleged defect or illegality, the officer shall seal the ballot in an
27 envelope and write upon the envelope a statement that it was
28 rejected and the reason for rejecting it. Each election board officer
29 shall sign the envelope.

30 **Sec. 15.** NRS 293.3677 is hereby amended to read as follows:

31 293.3677 1. When counting a vote in an election ~~(b)~~ :

32 (a) *If* more choices than permitted by the instructions for a
33 ballot are marked for any office or question, the vote for that office
34 or question may not be counted.

35 (b) *A vote cast for an ineligible candidate is a nullity and void*
36 *and must not be given any legal force or effect for the purposes of*
37 *determining the outcome of the election.*

38 2. Except as otherwise provided in subsection 1, in an election
39 in which a mechanical voting system is used whereby a vote is cast
40 by darkening a designated space on the ballot:

41 (a) A vote must be counted if the designated space is darkened
42 or there is a writing in the designated space, including, without
43 limitation, a cross or check; and



1 (b) Except as otherwise provided in paragraph (a), a writing or
2 other mark on the ballot, including, without limitation, a cross,
3 check, tear or scratch may not be counted as a vote.

4 3. The Secretary of State:

5 (a) May adopt regulations establishing additional uniform,
6 statewide standards, not inconsistent with this section, for counting
7 a vote cast by a method of voting described in subsection 2; and

8 (b) Shall adopt regulations establishing uniform, statewide
9 standards for counting a vote cast by each method of voting used in
10 this State that is not described in subsection 2, including, without
11 limitation, a vote cast on a mechanical recording device which
12 directly records the votes electronically.

13 **Sec. 16.** NRS 293.370 is hereby amended to read as follows:

14 293.370 1. When all the votes have been counted **+** *in the*
15 *manner provided in NRS 293.3677*, the counting board officers
16 shall enter on the tally lists by the name of each candidate the
17 number of votes the candidate received **+** *and, if the name of an*
18 *ineligible candidate could not be removed from the ballot pursuant*
19 *to section 2 of this act, the number of votes the ineligible candidate*
20 *received that are a nullity and void.* The vote for and against any
21 question submitted to the electors must be entered in the same
22 manner.

23 2. The tally lists must show the number of votes, other than
24 absentee votes and votes in a mailing precinct, which each candidate
25 received in each precinct at:

26 (a) A primary election held in an even-numbered year; or

27 (b) A general election.

28 **Sec. 17.** NRS 293.387 is hereby amended to read as follows:

29 293.387 1. As soon as the returns from all the precincts and
30 districts in any county have been received by the board of county
31 commissioners, the board shall meet and canvass the returns. The
32 canvass must be completed on or before the sixth working day
33 following the election.

34 2. In making its canvass, the board shall:

35 (a) Note separately any clerical errors discovered; and

36 (b) Take account of the changes resulting from the discovery, so
37 that the result declared represents the true vote cast.

38 3. The county clerk shall, as soon as the result is declared,
39 enter upon the records of the board an abstract of the result, which
40 must contain the number of votes cast for each candidate **+** *and, if*
41 *the name of an ineligible candidate could not be removed from the*
42 *ballot pursuant to section 2 of this act, the number of votes cast for*
43 *the ineligible candidate that are a nullity and void.* The board, after
44 making the abstract, shall cause the county clerk to certify the



1 abstract and, by an order made and entered in the minutes of its
2 proceedings, to make:

3 (a) A copy of the certified abstract; and

4 (b) A mechanized report of the abstract in compliance with
5 regulations adopted by the Secretary of State,

6 and transmit them to the Secretary of State not more than 7
7 working days after the election.

8 4. The Secretary of State shall, immediately after any primary
9 election, compile the returns for all candidates voted for in more
10 than one county. The Secretary of State shall make out and file in
11 his or her office an abstract thereof, *which must contain the*
12 *number of votes cast for each candidate and, if the name of an*
13 *ineligible candidate could not be removed from the ballot pursuant*
14 *to section 2 of this act, the number of votes cast for the ineligible*
15 *candidate that are a nullity and void*, and shall certify to the county
16 clerk of each county the name of each person nominated, and the
17 name of the office for which the person is nominated.

18 **Sec. 17.1.** NRS 293.393 is hereby amended to read as follows:

19 293.393 1. On or before the sixth working day after any
20 general election or any other election at which votes are cast for any
21 United States Senator, Representative in Congress, member of the
22 Legislature or any state officer who is elected statewide, the board
23 of county commissioners shall open the returns of votes cast and
24 make abstracts of the votes.

25 2. Abstracts of votes must be prepared in the manner
26 prescribed by the Secretary of State by regulation.

27 3. The county clerk shall make out a certificate of election to
28 each of the persons having the highest number of votes for the
29 district, county and township offices ~~H~~, *except that if the name of*
30 *an ineligible candidate could not be removed from the ballot*
31 *pursuant to section 2 of this act, the county clerk shall not make*
32 *out a certificate of election to the ineligible candidate regardless of*
33 *the number of votes cast for the ineligible candidate that are a*
34 *nullity and void.*

35 4. Each certificate must be delivered to the person elected upon
36 application at the office of the county clerk.

37 **Sec. 17.2.** NRS 293.395 is hereby amended to read as follows:

38 293.395 1. The board of county commissioners, after making
39 the abstract of votes as provided in NRS 293.393, shall cause the
40 county clerk to certify the abstract and, by an order made and
41 entered in the minutes of its proceedings, to make:

42 (a) A copy of the certified abstract; and

43 (b) A mechanized report of that abstract in compliance with
44 regulations adopted by the Secretary of State,

45 and forthwith transmit them to the Secretary of State.



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1 2. On the fourth Tuesday of November after each general
2 election, the justices of the Supreme Court, or a majority thereof,
3 shall meet with the Secretary of State, and shall open and canvass
4 the vote for the number of presidential electors to which this State
5 may be entitled, United States Senator, Representative in Congress,
6 members of the Legislature, state officers who are elected statewide
7 or by district, district judges, or district officers whose districts
8 include area in more than one county and for and against any
9 question submitted.

10 3. The Governor shall issue certificates of election to and
11 commission the persons having the highest number of votes and
12 shall issue proclamations declaring the election of those persons ~~§~~,
13 *except that if the name of an ineligible candidate could not be*
14 *removed from the ballot pursuant to section 2 of this act, the*
15 *Governor shall not issue a certificate of election to, commission or*
16 *issue a proclamation declaring the election of the ineligible*
17 *candidate regardless of the number of votes cast for the ineligible*
18 *candidate that are a nullity and void.*

19 **Sec. 17.3.** NRS 293.397 is hereby amended to read as follows:

20 293.397 ~~§~~

21 *1. Except as otherwise provided in this section, a* certificate of
22 election or commission must not be withheld from the person
23 having the highest number of votes for the office because of any
24 contest of election filed in the election or any defect or informality
25 in the returns of any election, if it can be ascertained with reasonable
26 certainty from the returns what office is intended and who is entitled
27 to the certificate or commission.

28 *2. If the name of an ineligible candidate could not be*
29 *removed from the ballot pursuant to section 2 of this act, a*
30 *certificate of election or commission must not be issued or given to*
31 *the ineligible candidate regardless of the number of votes cast for*
32 *the ineligible candidate that are a nullity and void.*

33 **Sec. 17.4.** NRS 293.400 is hereby amended to read as follows:

34 293.400 1. ~~§~~ *Except as otherwise provided in section 1.7*
35 *of this act, if,* after the completion of the canvass of the returns of
36 any election, two or more persons receive an equal number of votes,
37 which is sufficient for the election of one or more but fewer than all
38 of them to the office, the person or persons elected must be
39 determined as follows:

40 (a) In a general election for a United States Senator,
41 Representative in Congress, state officer who is elected statewide or
42 by district, district judge, or district officer whose district includes
43 area in more than one county, the Legislature shall, by joint vote of
44 both houses, elect one of those persons to fill the office.



1 (b) In a primary election for a United States Senator,
2 Representative in Congress, state officer who is elected statewide or
3 by district, district judge, or district officer whose district includes
4 area in more than one county, the Secretary of State shall summon
5 the candidates who have received the tie votes to appear before the
6 Secretary of State at a time and place designated by the Secretary of
7 State and the Secretary of State shall determine the tie by lot. If the
8 tie vote is for the office of Secretary of State, the Governor shall
9 perform these duties.

10 (c) For any office of a county, township, incorporated city, city
11 organized under a special charter where the charter is silent as to
12 determination of a tie vote, or district which is wholly located within
13 one county, the county clerk shall summon the candidates who have
14 received the tie votes to appear before the county clerk at a time and
15 place designated by the county clerk and determine the tie by lot. If
16 the tie vote is for the office of county clerk, the board of county
17 commissioners shall perform these duties.

18 2. The summons mentioned in this section must be mailed to
19 the address of the candidate as it appears upon the candidate's
20 declaration of candidacy at least 5 days before the day fixed for the
21 determination of the tie vote and must contain the time and place
22 where the determination will take place.

23 3. The right to a recount extends to all candidates in case of a
24 tie ~~H~~, *except for ineligible candidates.*

25 **Sec. 17.5.** NRS 293.403 is hereby amended to read as follows:

26 293.403 1. ~~H~~ *Except as otherwise provided in section 1.8*
27 *of this act, a* candidate defeated at any election may demand and
28 receive a recount of the vote for the office for which he or she is a
29 candidate to determine the number of votes received for the
30 candidate and the number of votes received for the person who won
31 the election if within 3 working days after the canvass of the vote
32 and the certification by the county clerk or city clerk of the abstract
33 of votes the candidate who demands the recount:

34 (a) Files in writing a demand with the officer with whom the
35 candidate filed his or her declaration of candidacy or acceptance of
36 candidacy; and

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

39 2. Any voter at an election may demand and receive a recount
40 of the vote for a ballot question if within 3 working days after the
41 canvass of the vote and the certification by the county clerk or city
42 clerk of the abstract of votes, the voter:

43 (a) Files in writing a demand with:

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



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

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

6 3. The estimated costs of the recount must be determined by
7 the person with whom the advance is deposited based on regulations
8 adopted by the Secretary of State defining the term "costs."

9 4. As used in this section, "canvass" means:

10 (a) In any primary election, the canvass by the board of county
11 commissioners of the returns for a candidate or ballot question voted
12 for in one county or the canvass by the board of county
13 commissioners last completing its canvass of the returns for a
14 candidate or ballot question voted for in more than one county.

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

18 (c) In any general election:

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

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

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

26 **Sec. 17.6.** NRS 293.407 is hereby amended to read as follows:

27 293.407 1. ~~1A~~ *Except as otherwise provided in section 1.8*
28 *of this act, a* candidate at any election, or any registered voter of the
29 appropriate political subdivision, may contest the election of any
30 candidate, except for the office of United States Senator or
31 Representative in Congress.

32 2. Except where the contest involves the general election for
33 the office of Governor, Lieutenant Governor, Assemblyman,
34 Assemblywoman, State Senator, justice of the Supreme Court or
35 judge of the Court of Appeals, a candidate or voter who wishes to
36 contest an election, including election to the office of presidential
37 elector, must, within the time prescribed in NRS 293.413, file with
38 the clerk of the district court a written statement of contest, setting
39 forth:

40 (a) The name of the contestant and that the contestant is a
41 registered voter of the political subdivision in which the election to
42 be contested or part of it was held;

43 (b) The name of the defendant;

44 (c) The office to which the defendant was declared elected;



1 (d) The particular grounds of contest and the section of Nevada
2 Revised Statutes pursuant to which the statement is filed; and

3 (e) The date of the declaration of the result of the election and
4 the body or board which canvassed the returns thereof.

5 3. The contestant shall verify the statement of contest in the
6 manner provided for the verification of pleadings in civil actions.

7 4. All material regarding a contest filed by a contestant with
8 the clerk of the district court must be filed in triplicate.

9 **Sec. 17.7.** NRS 293.427 is hereby amended to read as follows:

10 293.427 1. The Secretary of State shall deliver the statement
11 of contest filed pursuant to NRS 293.425 and all other documents,
12 including any amendments to the statement, to the presiding officer
13 of the appropriate house of the Legislature on the day of the
14 organization of the Legislature.

15 2. Until the contest has been decided, the candidate who
16 received the highest number of votes for the office in the contested
17 election must be seated as a member of the appropriate house **H** ,
18 *except that if the name of an ineligible candidate for the office*
19 *could not be removed from the ballot pursuant to section 2 of this*
20 *act, the ineligible candidate must not be seated as a member of the*
21 *appropriate house regardless of the number of votes cast for the*
22 *ineligible candidate that are a nullity and void.*

23 3. If, before the contest has been decided, a contestant gives
24 written notice to the Secretary of State that the contestant wishes to
25 withdraw his or her statement of contest, the Secretary of State shall
26 dismiss the contest.

27 4. The contest, if not dismissed, must be heard and decided as
28 prescribed by the standing or special rules of the house in which the
29 contest is to be tried. If , after hearing the contest, the house decides
30 to declare the contestant elected, the Governor shall execute a
31 certificate of election and deliver it to the contestant. The certificate
32 of election issued to the other candidate is thereafter void.

33 5. In a contest of a general election for the office of
34 Assemblyman, Assemblywoman or Senator, the house in which a
35 contest was tried or was to be tried shall determine the remedy, if
36 any, to be awarded to a party to such a contest. The remedy may
37 include, without limitation, any costs incurred by a party in
38 connection with the contest.

39 **Sec. 17.8.** NRS 293.430 is hereby amended to read as follows:

40 293.430 1. If the contest is of the general election for the
41 office of Governor, Lieutenant Governor, justice of the Supreme
42 Court or judge of the Court of Appeals, the statement of contest
43 and all depositions, ballots and other documents relating to the
44 contest must be filed with the Secretary of State within the time



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1 provided for filing statements of contests with the clerk of the
2 district court.

3 2. Until the contest is decided, the candidate who received the
4 highest number of votes for the office in the contested election must
5 be seated and commence the duties of the office **H**, *except that if*
6 *the name of an ineligible candidate for the office could not be*
7 *removed from the ballot pursuant to section 2 of this act, the*
8 *ineligible candidate must not be seated or commence the duties of*
9 *the office regardless of the number of votes cast for the ineligible*
10 *candidate that are a nullity and void.*

11 3. The Secretary of State shall deliver the statement of contest
12 and all other papers and documents to the speaker of the assembly
13 on the day of the organization of the Legislature.

14 4. A joint session of both houses must be convened as soon
15 thereafter as the business of both houses permits, but not later than
16 10 days after receipt of statement of contest.

17 5. If, before the contest has been decided, a contestant gives
18 written notice to the Secretary of State that the contestant wishes to
19 withdraw his or her statement of contest, the Secretary of State shall
20 dismiss the contest.

21 **Sec. 17.9.** NRS 293.435 is hereby amended to read as follows:

22 293.435 1. After both houses sitting in joint session have
23 decided an election contest, the Secretary of State shall execute and
24 deliver a certificate of election to the person declared elected, unless
25 such a certificate was already issued to that person **H**, *except that if*
26 *the name of an ineligible candidate could not be removed from the*
27 *ballot pursuant to section 2 of this act, the Secretary of State shall*
28 *not execute and deliver a certificate of election to the ineligible*
29 *candidate regardless of the number of votes cast for the ineligible*
30 *candidate that are a nullity and void.*

31 2. If a certificate of election to the same office has been issued
32 to any person other than the one declared to have been elected, that
33 certificate is void.

34 **Sec. 18.** Chapter 293C of NRS is hereby amended by adding
35 thereto the provisions set forth as sections 18.3 and 18.5 of this act.

36 **Sec. 18.3.** 1. *Notwithstanding any other provision of law,*
37 *any vote cast for an ineligible candidate is a nullity and void and*
38 *must not be given any legal force or effect for the purposes of*
39 *determining the outcome of a primary city election, general city*
40 *election or special election or any other city election.*

41 2. *The provisions of this section are intended to abrogate any*
42 *principle or rule of the common law to the contrary.*

43 **Sec. 18.5.** 1. *Except as otherwise provided in this section,*
44 *the name of a person who is or becomes an ineligible candidate*



1 *must not appear on the ballot at a primary city election, general*
2 *city election or special election or any other city election.*

3 2. *If a person is or becomes an ineligible candidate, the city*
4 *clerk shall remove the name of the person from the ballot, except*
5 *that no changes may be made on the ballot pursuant to this section*
6 *for:*

7 (a) *A primary city election after 5 p.m. on the last Friday*
8 *in February of the year in which the primary city election is*
9 *held.*

10 (b) *A general city election after 5 p.m. on the second Friday in*
11 *April of the year in which the general city election is held.*

12 (c) *A special election or any other city election after 5 p.m. on*
13 *the last day prescribed by the governing body of the city or the city*
14 *clerk, as applicable, for making changes on the ballot for that*
15 *election.*

16 3. *If the period for making changes on the ballot has elapsed*
17 *pursuant to this section and, for that reason, the city clerk cannot*
18 *remove the name of the person who is or becomes an ineligible*
19 *candidate from the ballot, the city clerk shall:*

20 (a) *At each polling place where the person's name will appear*
21 *on the ballot, including, without limitation, a polling place for*
22 *early voting:*

23 (1) *Post a sign informing voters that the person is not*
24 *eligible to enter upon the duties of the office and that any vote cast*
25 *for the person will be a nullity and void and will not be given any*
26 *legal force or effect for the purposes of determining the outcome*
27 *of the election;*

28 (2) *Place a notice on or near each mechanical recording*
29 *device informing a voter who uses the device that the person is not*
30 *eligible to enter upon the duties of the office and that any vote cast*
31 *for the person will be a nullity and void and will not be given any*
32 *legal force or effect for the purposes of determining the outcome*
33 *of the election; and*

34 (3) *If paper ballots are used, include a notice on or with*
35 *each paper ballot informing a voter who uses the paper ballot that*
36 *the person is not eligible to enter upon the duties of the office and*
37 *that any vote cast for the person will be a nullity and void and will*
38 *not be given any legal force or effect for the purposes of*
39 *determining the outcome of the election; and*

40 (b) *If the absent ballots have not been distributed by the city*
41 *clerk, include a notice on or with each absent ballot informing a*
42 *voter who uses the absent ballot that the person is not eligible to*
43 *enter upon the duties of the office and that any vote cast for the*
44 *person will be a nullity and void and will not be given any legal*



* A B 1 7 7 R 3 *

1 *force or effect for the purposes of determining the outcome of the*
2 *election.*

3 **Sec. 19.** NRS 293C.115 is hereby amended to read as follows:

4 293C.115 1. The governing body of a city incorporated
5 pursuant to general law may by ordinance provide for a primary city
6 election and a general city election on:

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

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

11 2. If a governing body of a city adopts an ordinance pursuant to
12 paragraph (a) of subsection 1, the dates set forth in NRS 293.12755,
13 ~~in subsections 2 to 5, inclusive, of NRS~~ 293.165, ~~and in NRS~~
14 **293.166**, 293.175, 293.177 ~~and~~ **and** 293.345 and ~~293.368~~ **section 2**
15 **of this act** apply for purposes of conducting the primary city
16 elections and general city elections of the city.

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

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

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

24 **Sec. 19.3.** NRS 293C.175 is hereby amended to read as
25 follows:

26 293C.175 1. Except as otherwise provided in NRS 293C.115,
27 a primary city election must be held in each city of population
28 category one, and in each city of population category two that has so
29 provided by ordinance, on the first Tuesday after the first Monday in
30 April of every year in which a general city election is to be held, at
31 which time there must be nominated candidates for offices to be
32 voted for at the next general city election.

33 2. Except as otherwise provided in NRS 293C.115, a candidate
34 for any office to be voted for at the primary city election must
35 file a declaration of candidacy with the city clerk not less than 60
36 days or more than 70 days before the date of the primary city
37 election. The city clerk shall charge and collect from the candidate
38 and the candidate must pay to the city clerk, at the time of filing the
39 declaration of candidacy, a filing fee in an amount fixed by the
40 governing body of the city by ordinance or resolution. The filing
41 fees collected by the city clerk must be deposited to the credit of the
42 general fund of the city.

43 3. All candidates, except as otherwise provided in NRS
44 266.220, must be voted upon by the electors of the city at large.



1 4. *Except as otherwise provided in sections 18.3 and 18.5 of*
2 *this act:*

3 (a) If, in a primary city election held in a city of population
4 category one or two, one candidate receives more than a majority of
5 votes cast in that election for the office for which he or she is a
6 candidate, the candidate must be declared elected to the office and
7 the candidate's name must not be placed on the ballot for the
8 general city election.

9 (b) If, in the primary city election, no candidate receives a
10 majority of votes cast in that election for the office for which he or
11 she is a candidate, the names of the two candidates receiving the
12 highest number of votes must be placed on the ballot for the general
13 city election.

14 **Sec. 19.5.** NRS 293C.180 is hereby amended to read as
15 follows:

16 293C.180 *Except as otherwise provided in sections 18.3 and*
17 *18.5 of this act:*

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

22 2. Except as otherwise provided in subsection 1, if not more
23 than twice the number of candidates to be elected have filed for
24 nomination for an office, the names of those candidates must be
25 omitted from all ballots for a primary city election and placed on all
26 ballots for a general city election.

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

34 **Sec. 20.** NRS 293C.185 is hereby amended to read as follows:

35 293C.185 1. Except as otherwise provided in NRS 293C.115
36 and 293C.190, *and section 18.5 of this act*, a name may not be
37 printed on a ballot to be used at a primary city election unless the
38 person named has filed a declaration of candidacy or an acceptance
39 of candidacy and has paid the fee established by the governing body
40 of the city not earlier than 70 days before the primary city election
41 and not later than 5 p.m. on the 60th day before the primary city
42 election.

43 2. A declaration of candidacy required to be filed by this
44 section 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 accordance with NRS 281.050*, in the city, township or other area prescribed by law to which the office pertains began on a date at least ~~30~~ 90 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; that if 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; and 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 or acceptance 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 or acceptance of candidacy must not be accepted for filing if ~~it~~ **the candidate fails to comply with the following:**

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

(b) The candidate ~~does not~~ **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~~ **and**

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

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

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

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

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



1 6. If the ~~{city clerk}~~ *Secretary of State* receives credible
2 evidence indicating that a candidate ~~{has been convicted of a felony~~
3 ~~and has not had his or her civil rights restored by a court of~~
4 ~~competent jurisdiction,}~~ *does not meet any qualification required*
5 *for the office pursuant to the Constitution or laws of this State,* the
6 ~~{city clerk}~~:

7 ~~—(a) May conduct}~~ *Secretary of State shall:*

8 (a) *Conduct* an investigation to determine whether the candidate
9 ~~{has been convicted of a felony and, if so, whether the candidate has~~
10 ~~had his or her civil rights restored by a court of competent~~
11 ~~jurisdiction,}~~ *is eligible to hold the office;* and

12 (b) ~~{Shall transmit}~~ *Transmit* the credible evidence and the
13 findings from such investigation to the *appropriate* city attorney.

14 7. The receipt of information by the city attorney pursuant to
15 subsection 6 must be treated as a challenge of a candidate pursuant
16 to subsections 4 and 5 of NRS 293C.186. ~~{If the ballots are printed~~
17 ~~before a court of competent jurisdiction makes a determination that~~
18 ~~a candidate has been convicted of a felony and has not had his or her~~
19 ~~civil rights restored by a court of competent jurisdiction, the city~~
20 ~~clerk must post a notice at each polling place where the candidate's~~
21 ~~name will appear on the ballot informing the voters that the~~
22 ~~candidate is disqualified from entering upon the duties of the office~~
23 ~~for which the candidate filed the declaration of candidacy or~~
24 ~~acceptance of candidacy.}~~

25 8. *Any person who knowingly and willfully files a declaration*
26 *of candidacy or acceptance of candidacy which contains a false*
27 *statement in violation of this section is guilty of a gross*
28 *misdemeanor.*

29 **Sec. 21.** NRS 293C.186 is hereby amended to read as follows:

30 293C.186 1. After a person files a declaration of candidacy or
31 an acceptance of candidacy to be a candidate for an office, and not
32 later than 5 working days after the last day the person may withdraw
33 his or her candidacy pursuant to NRS 293C.195, an elector may file
34 with the city clerk a written challenge of the person on the grounds
35 that the person fails to meet any qualification required for the office
36 pursuant to the constitution or ~~{a statute}~~ *laws* of this State . ~~{~~
37 ~~including, without limitation, a requirement concerning age or~~
38 ~~residency.}~~ Before accepting the challenge from the elector, the
39 filing officer shall notify the elector that if the challenge is found by
40 a court to be frivolous, the elector may be required to pay the
41 reasonable attorney's fees and ~~{court}~~ costs of the ~~{challenged~~
42 ~~person.}~~ *person who is being challenged.*

43 2. A challenge filed pursuant to subsection 1 must:

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



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

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

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

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

19 5. If, at the hearing, the court determines by a preponderance of
20 the evidence that the challenge is valid or that the person otherwise
21 fails to meet any qualification required for the office pursuant to the
22 constitution or ~~the~~ *laws* of this State, or if the person fails to
23 appear at the hearing ~~:~~

24 ~~—(a) The name of the person must not appear on any ballot for the~~
25 ~~election for the office for which the person filed the declaration of~~
26 ~~candidacy or acceptance of candidacy; and~~

27 ~~—(b) The~~ , *the* person is ~~disqualified from entering upon the~~
28 ~~duties of the office for which he or she filed the declaration of~~
29 ~~candidacy or acceptance of candidacy.]~~ *an ineligible candidate and*
30 *is subject to the provisions of section 2.5 of this act.*

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

35 **Sec. 22.** NRS 293C.1865 is hereby amended to read as
36 follows:

37 293C.1865 ~~It~~. In addition to any other *remedy or* penalty
38 provided by law, if a person *knowingly and* willfully files a
39 declaration of candidacy or acceptance of candidacy ~~knowing that~~
40 ~~the declaration of candidacy or acceptance of candidacy]~~ *which*
41 contains a false statement:

42 ~~(a) Except as otherwise provided in NRS 293.165 or 293.166,~~
43 ~~the name of the person must not appear on any ballot for the election~~
44 ~~for which the person filed the declaration of candidacy or~~
45 ~~acceptance of candidacy; and~~



1 ~~(b)~~ 1. *The person is an ineligible candidate, and the city*
2 *clerk shall take appropriate action regarding the ineligible*
3 *candidate pursuant to section 18.5 of this act; and*

4 2. The person is disqualified from entering upon the duties of
5 the office for which he or she ~~was a candidate.~~

6 ~~2. If the name of a person who is disqualified from entering~~
7 ~~upon the duties of an office pursuant to subsection 1 appears on a~~
8 ~~ballot for the election is disqualified because the deadline set forth~~
9 ~~in NRS 293.165 and 293.166 for making changes to the ballot has~~
10 ~~passed, the Secretary of State and city clerk must post a sign at each~~
11 ~~polling place where the person's name will appear on the ballot~~
12 ~~informing voters that the person is disqualified from entering upon~~
13 ~~the duties of office.~~ *filed the declaration of candidacy or*
14 *acceptance of candidacy.*

15 **Sec. 22.3.** NRS 293C.187 is hereby amended to read as
16 follows:

17 293C.187 Not later than 30 days before the primary city
18 election and the general city election, the city clerk shall cause to be
19 published a notice of the election in a newspaper of general
20 circulation in the city once a week for 2 successive weeks. If a
21 newspaper of general circulation is not published in the city, the
22 publication may be made in a newspaper of general circulation
23 published within the county in which the city is located. If a
24 newspaper of general circulation is not published in that county, the
25 publication may be made in a newspaper of general circulation
26 published in the nearest Nevada county. The notice must contain:

- 27 1. The date of the election.
- 28 2. The location of the polling places.
- 29 3. The hours during which the polling places will be open for
- 30 voting.
- 31 4. The names of the candidates ~~+~~ *and, if the name of an*
32 *ineligible candidate could not be removed from the ballot pursuant*
33 *to section 18.5 of this act, a statement that the person is not*
34 *eligible to enter upon the duties of the office and that any vote cast*
35 *for the person will be a nullity and void and will not be given any*
36 *legal force or effect for the purposes of determining the outcome*
37 *of the election.*

38 5. A list of the offices to which the candidates seek nomination
39 or election.

40 **Sec. 22.5.** NRS 293C.190 is hereby amended to read as
41 follows:

42 293C.190 1. Except as otherwise provided in NRS 293C.115,
43 a vacancy occurring in a nomination for a city office after the close
44 of filing and on or before 5 p.m. of the first Tuesday after the first
45 Monday in March in a year in which a general city election is held



1 must be filled by filing a nominating petition that is signed by at
2 least 1 percent of the persons who are registered to vote and who
3 voted for that office at the last preceding general city election.
4 Except as otherwise provided in NRS 293C.115, the petition must
5 be filed not earlier than the third Tuesday in February and not later
6 than the third Tuesday after the third Monday in March. A candidate
7 nominated pursuant to the provisions of this subsection may be
8 elected only at a general city election, and the candidate's name
9 must not appear on the ballot for a primary city election.

10 2. Except as otherwise provided in NRS 293C.115, a vacancy
11 occurring in a nomination for a city office after 5 p.m. of the first
12 Tuesday after the first Monday in March and on or before 5 p.m. of
13 the second Tuesday after the second Monday in April must be filled
14 by the person who received the next highest vote for the nomination
15 in the primary city election.

16 3. Except to place a candidate nominated pursuant to
17 subsection 1 on the ballot and except as otherwise provided in NRS
18 293C.115, *and section 18.5 of this act*, no change may be made on
19 the ballot for the general city election after 5 p.m. of the second
20 Tuesday after the second Monday in April of the year in which the
21 general city election is held ~~[- If a nominee dies]~~, *and no vacancy*
22 *in a nomination for a city office may be filled* after that time and
23 date . ~~[- the nominee's name must remain on the ballot for the~~
24 ~~general city election and, if elected, a vacancy exists.]~~

25 4. Except as otherwise provided in NRS 293C.115, all
26 designations provided for in this section must be filed on or before 5
27 p.m. on the second Tuesday after the second Monday in April of the
28 year in which the general city election is held. The filing fee must be
29 paid and an acceptance of the designation must be filed on or before
30 5 p.m. on ~~[that date.]~~ *the date the designation is filed.*

31 **Sec. 23.** NRS 293C.200 is hereby amended to read as follows:

32 293C.200 1. In addition to any other requirement provided by
33 law, no person may be a candidate for a city office unless, for at
34 least the ~~[30]~~ **90** days immediately preceding the date of the close of
35 filing of declarations or acceptances of candidacy for the office that
36 the person seeks, the person has in accordance with NRS 281.050,
37 actually, as opposed to constructively, resided in the city or other
38 area prescribed by law to which the office pertains and, if elected,
39 over which he or she will have jurisdiction or which he or she will
40 represent.

41 2. Any person who knowingly and willfully files a declaration
42 of candidacy or ~~[an]~~ acceptance of candidacy ~~[that]~~ *which* contains
43 a false statement ~~[in this respect]~~ *regarding the person's residency*
44 *in violation of this section* is guilty of a gross misdemeanor.



1 **Sec. 23.4.** NRS 293C.257 is hereby amended to read as
2 follows:

3 293C.257 For a primary city election, there must appear at the
4 top of each ballot the designation "Candidates for city offices."
5 Except as otherwise provided in NRS 293.2565, *and section 18.5 of*
6 *this act*, following this designation must appear the names of
7 candidates grouped alphabetically under the title and length of term
8 of the office for which those candidates filed.

9 **Sec. 23.5.** NRS 293C.260 is hereby amended to read as
10 follows:

11 293C.260 1. Except as otherwise provided in NRS 293C.140,
12 *and section 18.5 of this act*, ballots for a general city election must
13 contain the names of candidates who were nominated at the primary
14 city election.

15 2. Except as otherwise provided in NRS 293.2565, *and section*
16 *18.5 of this act*, the names of candidates must be grouped
17 alphabetically under the title and length of term of the office for
18 which those candidates filed.

19 **Sec. 23.7.** NRS 293C.262 is hereby amended to read as
20 follows:

21 293C.262 1. ~~The~~ *Except as otherwise provided in section*
22 *18.5 of this act, the* offices for which there are candidates, the
23 names of the candidates therefor and the questions to be voted upon
24 must be printed on ballots for a city election in the following order:

25 (a) City offices:

26 (1) Mayor;

27 (2) Council members according to ward in numerical order,
28 if no wards, in alphabetical order; and

29 (3) Municipal judges.

30 (b) Questions presented to the voters of a city or a portion of a
31 city with advisory questions listed in consecutive order after any
32 other questions presented to the voters of the city.

33 2. The city clerk:

34 (a) May divide paper ballots into two sheets in a manner that
35 provides a clear understanding and grouping of all measures and
36 candidates.

37 (b) Shall prescribe the color or colors of the ballots and voting
38 receipts used in any election which the clerk is required to conduct.

39 **Sec. 24.** (Deleted by amendment.)

40 **Sec. 25.** NRS 293C.367 is hereby amended to read as follows:

41 293C.367 1. The basic factor to be considered by an election
42 board when making a determination of whether a particular ballot
43 must be rejected is whether any identifying mark appears on the
44 ballot which, in the opinion of the election board, constitutes an
45 identifying mark such that there is a reasonable belief entertained in



1 good faith that the ballot has been tampered with and, as a result of
2 the tampering, the outcome of the election would be affected.

3 2. Regulations for counting ballots must include provisions
4 that:

5 (a) *A vote cast for an ineligible candidate does not invalidate*
6 *any other votes properly marked on that ballot.*

7 (b) An error in marking one or more votes on a ballot does not
8 invalidate any votes properly marked on that ballot.

9 ~~(b)~~ (c) A soiled or defaced ballot may not be rejected if it
10 appears that the soiling or defacing was inadvertent and was not
11 done purposely to identify the ballot.

12 ~~(e)~~ (d) Only devices provided for in this chapter or chapter
13 293 or 293B of NRS may be used in marking ballots.

14 ~~(d)~~ (e) It is unlawful for any election board officer to place
15 any mark upon any ballot other than a spoiled ballot.

16 ~~(e)~~ (f) When an election board officer rejects a ballot for any
17 alleged defect or illegality, the officer shall seal the ballot in an
18 envelope and write upon the envelope a statement that it was
19 rejected and the reason for rejecting it. Each election board officer
20 shall sign the envelope.

21 **Sec. 26.** NRS 293C.369 is hereby amended to read as follows:

22 293C.369 1. When counting a vote in an election ~~(f)~~ ~~(f)~~ :

23 (a) *If* more choices than permitted by the instructions for a
24 ballot are marked for any office or question, the vote for that office
25 or question may not be counted.

26 (b) *A vote cast for an ineligible candidate is a nullity and void*
27 *and must not be given any legal force or effect for the purposes of*
28 *determining the outcome of the election.*

29 2. Except as otherwise provided in subsection 1, in an election
30 in which a mechanical voting system is used whereby a vote is cast
31 by darkening a designated space on the ballot:

32 (a) A vote must be counted if the designated space is darkened
33 or there is a writing in the designated space, including, without
34 limitation, a cross or check; and

35 (b) Except as otherwise provided in paragraph (a), a writing or
36 other mark on the ballot, including, without limitation, a cross,
37 check, tear or scratch may not be counted as a vote.

38 3. The Secretary of State:

39 (a) May adopt regulations establishing additional uniform,
40 statewide standards, not inconsistent with this section, for counting
41 a vote cast by a method of voting described in subsection 2; and

42 (b) Shall adopt regulations establishing uniform, statewide
43 standards for counting a vote cast by each method of voting used in
44 this State that is not described in subsection 2, including, without



1 limitation, a vote cast on a mechanical recording device which
2 directly records the votes electronically.

3 **Sec. 27.** NRS 293C.372 is hereby amended to read as follows:

4 293C.372 When all the votes have been counted **† in the**
5 **manner provided in NRS 293C.369**, the counting board officers
6 shall enter on the tally lists by the name of each candidate the
7 number of votes the candidate received **† and, if the name of an**
8 **ineligible candidate could not be removed from the ballot pursuant**
9 **to section 18.5 of this act, the number of votes the ineligible**
10 **candidate received that are a nullity and void.** The vote for and
11 against any question submitted to the electors must be entered in the
12 same manner.

13 **Sec. 28.** NRS 293C.387 is hereby amended to read as follows:

14 293C.387 1. The election returns from a special election,
15 primary city election or general city election must be filed with the
16 city clerk, who shall immediately place the returns in a safe or vault
17 designated by the city clerk. No person may handle, inspect or in
18 any manner interfere with the returns until they are canvassed by the
19 mayor and the governing body of the city.

20 2. After the governing body of a city receives the returns from
21 all the precincts and districts in the city, it shall meet with the mayor
22 to canvass the returns. The canvass must be completed on or before
23 the sixth working day following the election.

24 3. In completing the canvass of the returns, the governing body
25 of the city and the mayor shall:

26 (a) Note separately any clerical errors discovered; and

27 (b) Take account of the changes resulting from the discovery, so
28 that the result declared represents the true vote cast.

29 4. After the canvass is completed, the governing body of the
30 city and mayor shall declare the result of the canvass.

31 5. The city clerk shall enter upon the records of the governing
32 body of the city an abstract of the result. The abstract must be
33 prepared in the manner prescribed by regulations adopted by the
34 Secretary of State and must contain the number of votes cast for
35 each candidate **† and, if the name of an ineligible candidate could**
36 **not be removed from the ballot pursuant to section 18.5 of this act,**
37 **the number of votes cast for the ineligible candidate that are a**
38 **nullity and void.**

39 6. After the abstract is entered, the:

40 (a) City clerk shall seal the election returns, maintain them in a
41 vault for at least 22 months and give no person access to them
42 during that period, unless access is ordered by a court of competent
43 jurisdiction or by the governing body of the city.

44 (b) Governing body of the city shall, by an order made and
45 entered in the minutes of its proceedings, cause the city clerk to:



- 1 (1) Certify the abstract;
- 2 (2) Make a copy of the certified abstract;
- 3 (3) Make a mechanized report of the abstract in compliance
- 4 with regulations adopted by the Secretary of State;
- 5 (4) Transmit a copy of the certified abstract and the
- 6 mechanized report of the abstract to the Secretary of State within 7
- 7 working days after the election; and
- 8 (5) Transmit on paper or by electronic means to each public
- 9 library in the city, or post on a website maintained by the city or the
- 10 city clerk on the Internet or its successor, if any, a copy of the
- 11 certified abstract within 30 days after the election.

12 7. After the abstract of the results from a:

13 (a) Primary city election has been certified, the city clerk shall

14 certify the name of each person nominated and the name of the

15 office for which the person is nominated.

16 (b) General city election has been certified, the city clerk shall:

17 (1) Issue under his or her hand and official seal to each

18 person elected a certificate of election; and

19 (2) Deliver the certificate to the persons elected upon their

20 application at the office of the city clerk ~~H~~,

21 *↪ except that if the name of an ineligible candidate could not be*

22 *removed from the ballot pursuant to section 18.5 of this act, the*

23 *city clerk shall not issue a certificate of election to the ineligible*

24 *candidate regardless of the number of votes cast for the ineligible*

25 *candidate that are a nullity and void.*

26 8. The officers elected to the governing body of the city qualify

27 and enter upon the discharge of their respective duties on the first

28 regular meeting of that body next succeeding that in which the

29 canvass of returns was made pursuant to subsection 2.

30 **Sec. 28.2.** NRS 293C.395 is hereby amended to read as

31 follows:

32 293C.395 ~~HA~~

33 **1. Except as otherwise provided in this section, a** certificate of

34 election or commission must not be withheld from the person

35 having the highest number of votes for the city office because of any

36 contest of election filed in the city election or any defect or

37 informality in the returns of any city election, if it can be ascertained

38 with reasonable certainty from the returns what city office is

39 intended and who is entitled to the certificate or commission.

40 **2. If the name of an ineligible candidate could not be**

41 **removed from the ballot pursuant to section 18.5 of this act, a**

42 **certificate of election or commission must not be issued or given to**

43 **the ineligible candidate regardless of the number of votes cast for**

44 **the ineligible candidate that are a nullity and void.**



1 **Sec. 28.21.** NRS 294A.347 is hereby amended to read as
2 follows:

3 294A.347 1. A statement which:

4 (a) Is published within 60 days before a general election or
5 special election or 30 days before a primary election;

6 (b) Expressly advocates the election or defeat of a clearly
7 identified candidate for a state or local office; and

8 (c) Is published by a person who receives compensation from
9 the candidate, an opponent of the candidate or a person, political
10 party or committee for political action,

11 ↪ must contain a disclosure of the fact that the person receives
12 compensation pursuant to paragraph (c) and the name of the person,
13 political party or committee for political action providing that
14 compensation.

15 2. *If the disclosure required by subsection 1 appears on a*
16 *printed communication:*

17 (a) *The disclosure must be printed in the same typeface that is*
18 *used as the primary or predominant typeface for the main text of*
19 *the printed communication; and*

20 (b) *Except as otherwise provided by regulation of the Secretary*
21 *of State adopted pursuant to subsection 3, the disclosure must be*
22 *printed in:*

23 (1) *At least 12-point font if the disclosure appears on a*
24 *printed communication which is not larger than 24 inches by 36*
25 *inches;*

26 (2) *At least 24-point font if the disclosure appears on a*
27 *printed communication which is larger than 24 inches by 36*
28 *inches and not larger than 48 inches by 72 inches; and*

29 (3) *At least 48-point font if the disclosure appears on a*
30 *printed communication which is larger than 48 inches by 72*
31 *inches.*

32 3. *The Secretary of State may require by regulation the use of*
33 *font sizes larger than those otherwise required by subsection 2.*

34 4. A statement which:

35 (a) Is published by a candidate within 60 days before a general
36 election or special election or 30 days before a primary election; and

37 (b) Contains the name of the candidate,

38 ↪ shall be deemed to comply with the provisions of this section.

39 **13-1** 5. As used in this section, "publish" means the act of:

40 (a) Printing, posting, broadcasting, mailing or otherwise
41 disseminating; or

42 (b) Causing to be printed, posted, broadcasted, mailed or
43 otherwise disseminated.



1 **Sec. 28.22.** NRS 294A.348 is hereby amended to read as
2 follows:

3 294A.348 1. A person, committee for political action,
4 political party or committee sponsored by a political party that
5 expends more than \$100 for the purpose of financing a
6 communication through any television or radio broadcast,
7 newspaper, magazine, outdoor advertising facility, mailing or any
8 other type of general public political advertising that:

9 (a) Advocates expressly the election or defeat of a clearly
10 identified candidate or group of candidates; or

11 (b) Solicits a contribution through any television or radio
12 broadcast, newspaper, magazine, outdoor advertising facility,
13 mailing or any other type of general public political advertising,

14 ➤ shall disclose on the communication the name of the person,
15 committee for political action, political party or committee
16 sponsored by a political party that paid for the communication.

17 2. If a communication described in subsection 1 is approved by
18 a candidate, in addition to the requirements of subsection 1, the
19 communication must state that the candidate approved the
20 communication and disclose the street address, telephone number
21 and Internet address, if any, of the person, committee for political
22 action, political party or committee sponsored by a political party
23 that paid for the communication.

24 3. A person, committee for political action, political party or
25 committee sponsored by a political party that has an Internet website
26 available for viewing by the general public or that sends out an
27 electronic mailing to more than 500 people that:

28 (a) Advocates expressly the election or defeat of a clearly
29 identified candidate or group of candidates; or

30 (b) Solicits a contribution through any television or radio
31 broadcast, newspaper, magazine, outdoor advertising facility,
32 mailing or any other type of general public political advertising,

33 ➤ shall disclose on the Internet website or electronic mailing, as
34 applicable, the name of the person, committee for political action,
35 political party or committee sponsored by a political party.

36 4. The disclosures and statements required ~~pursuant to~~ **by** this
37 section must be clear and conspicuous, and easy to read or hear, as
38 applicable. ***If the disclosures and statements required by this***
39 ***section appear on a printed communication:***

40 ***(a) The disclosures and statements must be printed in the same***
41 ***typeface that is used as the primary or predominant typeface for***
42 ***the main text of the printed communication; and***

43 ***(b) Except as otherwise provided by regulation of the Secretary***
44 ***of State adopted pursuant to subsection 5, the disclosures and***
45 ***statements must be printed in:***



1 (1) *At least 12-point font if the disclosures and statements*
2 *appear on a printed communication which is not larger than 24*
3 *inches by 36 inches;*

4 (2) *At least 24-point font if the disclosures and statements*
5 *appear on a printed communication which is larger than 24 inches*
6 *by 36 inches and not larger than 48 inches by 72 inches; and*

7 (3) *At least 48-point font if the disclosures and statements*
8 *appear on a printed communication which is larger than 48 inches*
9 *by 72 inches.*

10 5. *The Secretary of State may require by regulation the use of*
11 *font sizes larger than those otherwise required by subsection 4.*

12 **Sec. 28.4.** NRS 4.020 is hereby amended to read as follows:

13 4.020 1. There must be one justice court in each of the
14 townships of the State, for which there must be elected by the
15 qualified electors of the township at least one justice of the peace.
16 Except as otherwise provided in subsection 3, the number of justices
17 of the peace in a township must be increased according to the
18 population of the township, as certified by the Governor in even-
19 numbered years pursuant to NRS 360.285, in accordance with and
20 not to exceed the following schedule:

21 (a) In a county whose population is 700,000 or more:

22 (1) In a township whose population is less than 1,100,000,
23 one justice of the peace for each 100,000 population of the
24 township, or fraction thereof, until the township has four justices of
25 the peace, and thereafter, one justice of the peace for each 125,000
26 population of the township, or fraction thereof, over a population of
27 300,000; and

28 (2) In a township whose population is 1,100,000 or more,
29 one justice of the peace for each 100,000 population of the
30 township, or fraction thereof, up to a population of 1,100,000, and
31 thereafter, one justice of the peace for each 125,000 population of
32 the township, or fraction thereof, over a population of 1,100,000.

33 (b) In a county whose population is 100,000 or more and less
34 than 700,000, one justice of the peace for each 50,000 population of
35 the township, or fraction thereof.

36 (c) In a county whose population is less than 100,000, one
37 justice of the peace for each 34,000 population of the township, or
38 fraction thereof.

39 (d) If a township includes a city created by the consolidation of
40 a city and county into one municipal government, one justice of the
41 peace for each 30,000 population of the township, or fraction
42 thereof.

43 2. Except as otherwise provided in subsection 3, if the schedule
44 set forth in subsection 1 provides for an increase in the number of



1 justices of the peace in a township, the new justice or justices of the
2 peace must be elected at the next ensuing biennial election.

3 3. If the schedule set forth in subsection 1 provides for an
4 increase in the number of justices of the peace in a township and, in
5 the opinion of a majority of the justices of the peace in that
6 township, the caseload does not warrant an additional justice of the
7 peace, the justices of the peace shall notify the Director of the
8 Legislative Counsel Bureau and the board of county commissioners
9 of their opinion on or before March 15 of the even-numbered year in
10 which the population of the township provides for such an increase.
11 The Director of the Legislative Counsel Bureau shall submit the
12 opinion to the next regular session of the Legislature for its
13 consideration. If the justices of the peace transmit such a notice to
14 the Director of the Legislative Counsel Bureau and the board of
15 county commissioners, the number of justices must not be increased
16 during that period unless the Legislature, by resolution, expressly
17 approves the increase.

18 4. Justices of the peace shall receive certificates of election
19 from the boards of county commissioners of their respective
20 counties ~~H~~, *except that if the name of an ineligible candidate*
21 *could not be removed from the ballot pursuant to section 2 of this*
22 *act, the board of county commissioners shall not issue a certificate*
23 *of election to the ineligible candidate regardless of the number of*
24 *votes cast for the ineligible candidate that are a nullity and void.*

25 5. The clerk of the board of county commissioners shall, within
26 10 days after the election or appointment and qualification of any
27 justice of the peace, certify under seal to the Secretary of State the
28 election or appointment and qualification of the justice of the peace.
29 The certificate must be filed in the Office of the Secretary of State
30 as evidence of the official character of that officer.

31 **Sec. 29.** NRS 218A.200 is hereby amended to read as follows:

32 218A.200 **1.** A person is not eligible to be elected or
33 appointed to office as a Legislator unless the person:

34 ~~H~~ (a) Is a qualified elector;

35 ~~H~~ (b) Has been an actual, as opposed to constructive, citizen
36 resident, *in accordance with NRS 281.050*, of ~~this~~ :

37 (1) *This State for the period of 1 year ~~next~~ immediately*
38 *preceding the person's election or appointment; and*

39 (2) *The district prescribed by law for the office for at least*
40 *90 days immediately preceding the date of the close of filing of, as*
41 *applicable:*

42 (I) *Declarations of candidacy or acceptances of*
43 *candidacy for the office pursuant to chapter 293 of NRS; or*

44 (II) *Applications for appointment to the office; ~~and~~*



1 ~~3.~~ (c) At the time of election or appointment, has attained the
2 age of 21 years ~~H~~; and

3 (d) *Meets all other qualifications for the office as required by*
4 *the Constitution and laws of this State.*

5 2. *Any person who knowingly and willfully files a declaration*
6 *of candidacy or acceptance of candidacy pursuant to chapter 293*
7 *of NRS or an application for appointment to office as a Legislator*
8 *which contains a false statement regarding the person's*
9 *qualifications for the office in violation of this section is guilty of a*
10 *gross misdemeanor.*

11 **Sec. 29.1.** NRS 218A.210 is hereby amended to read as
12 follows:

13 218A.210 A person who is elected to office as a Legislator is
14 entitled to receive a certificate of election from the Governor ~~H~~,
15 *except that if the name of an ineligible candidate for office as a*
16 *Legislator could not be removed from the ballot pursuant to*
17 *section 2 of this act, the Governor shall not issue a certificate of*
18 *election to the ineligible candidate regardless of the number of*
19 *votes cast for the ineligible candidate that are a nullity and void.*

20 **Sec. 29.2.** NRS 218A.220 is hereby amended to read as
21 follows:

22 218A.220 1. A person who receives a certificate of election
23 or appointment to office as a Legislator must take and subscribe to
24 the official oath before the person takes office as a Legislator, and
25 an entry thereof must be made on the journal of the proper House.

26 2. *A person shall not take and subscribe to the official oath to*
27 *take office as a Legislator if, at any time after the person most*
28 *recently filed a declaration of candidacy or acceptance of*
29 *candidacy for the office pursuant to chapter 293 of NRS and on or*
30 *before the date of the most recent general election held for the*
31 *office, a court of competent jurisdiction has found in any*
32 *preelection action that the person is an ineligible candidate*
33 *because the person fails to meet any qualification required for the*
34 *office pursuant to the Constitution or laws of this State.*

35 **Sec. 29.3.** NRS 218A.260 is hereby amended to read as
36 follows:

37 218A.260 1. If a vacancy occurs in the office of a Legislator
38 during a regular or special session or at a time when no biennial
39 election or regular election at which county officers are to be elected
40 will take place between the occurrence of the vacancy and the next
41 regular or special session, the vacancy must be filled in the manner
42 provided in this section.

43 2. If the former Legislator was elected or appointed from a
44 district wholly within one county, the board of county
45 commissioners of the county in which the district is located shall fill



1 the vacancy by appointing a person who is a member of the same
2 political party as the former Legislator and who ~~actually, as~~
3 ~~opposed to constructively, resides in the district.~~ *meets all*
4 *qualifications for the office as required by NRS 218A.200.*

5 3. If the former Legislator was elected or appointed from a
6 district comprising more than one county, the county commissioners
7 of each county within or partly within the district shall fill the
8 vacancy by appointing a person who is a member of the same
9 political party as the former Legislator and who ~~actually, as~~
10 ~~opposed to constructively, resides in the district.~~ *meets all*
11 *qualifications for the office as required by NRS 218A.200.* To fill
12 the vacancy:

13 (a) Each board of county commissioners shall first meet
14 separately and determine the single candidate it will nominate to fill
15 the vacancy.

16 (b) The boards shall then meet jointly. The joint meeting must
17 be chaired by the person who is the chair of the board of county
18 commissioners of the county with the largest population in the
19 district. At the joint meeting:

20 (1) The chair of each board, on behalf of that board, shall
21 cast a proportionate number of votes according to the percent,
22 rounded to the nearest whole percent, which the population of that
23 board's county is of the population of the entire district. Populations
24 must be determined by the last decennial census or special census
25 conducted by the Bureau of the Census of the United States
26 Department of Commerce.

27 (2) The person who receives a plurality of these votes is
28 appointed to fill the vacancy. If no person receives a plurality of the
29 votes, the boards of county commissioners of the respective counties
30 shall each select a candidate, and the appointee must be chosen by
31 drawing lots among the candidates so selected.

32 4. The board of county commissioners or the board of the
33 county with the largest population in the district shall issue a
34 certificate of appointment naming the appointee. The county clerk
35 or the clerk of the county with the largest population in the district
36 shall give the certificate to the appointee and send a copy of the
37 certificate to the Secretary of State.

38 **Sec. 29.4.** NRS 218A.400 is hereby amended to read as
39 follows:

40 218A.400 1. Before the Assembly meets for each regular
41 session, the Secretary of State shall make out a roll from the returns
42 on file in the Secretary of State's office of the persons who received
43 the highest number of votes to be elected to office as members of
44 the Assembly in each district in the general election **†**, *except that*
45 *if the name of an ineligible candidate for office as a member of*



1 *the Assembly could not be removed from the ballot pursuant to*
2 *section 2 of this act, the Secretary of State shall not include the*
3 *ineligible candidate upon the roll of the persons elected to office*
4 *as members of the Assembly and the name of the ineligible*
5 *candidate must not appear upon the roll regardless of the number*
6 *of votes cast for the ineligible candidate that are a nullity and void.*

7 The members whose names appear upon the roll must be allowed to
8 participate in the organization of the Assembly.

9 2. On the first day of each regular session at a time that is
10 appropriate for that regular session, the Secretary of State shall call
11 the Assembly to order and shall preside over the Assembly until a
12 presiding officer is elected.

13 3. If a special session is convened between the date of the
14 general election and the date of the next regular session, the
15 Assembly must be organized for the special session according to
16 the procedure set forth in this section, except that on the first day of
17 the special session, the Secretary of State shall call the Assembly to
18 order at a time that is appropriate for that special session.

19 **Sec. 29.5.** NRS 245.010 is hereby amended to read as follows:

20 245.010 All county officers elected by the people shall receive
21 certificates of election from the boards of county commissioners of
22 their respective counties **H**, *except that if the name of an ineligible*
23 *candidate could not be removed from the ballot pursuant to*
24 *section 2 of this act, the board of county commissioners shall not*
25 *issue a certificate of election to the ineligible candidate regardless*
26 *of the number of votes cast for the ineligible candidate that are a*
27 *nullity and void.*

28 **Sec. 29.6.** NRS 258.010 is hereby amended to read as follows:

29 258.010 1. Except as otherwise provided in subsections 2
30 and 3:

31 (a) Constables must be elected by the qualified electors of their
32 respective townships.

33 (b) The constables of the several townships of the State must be
34 chosen at the general election of 1966, and shall enter upon the
35 duties of their offices on the first Monday of January next
36 succeeding their election, and hold their offices for the term of 4
37 years thereafter, until their successors are elected and qualified.

38 (c) Constables must receive certificates of election from the
39 boards of county commissioners of their respective counties **H** ,
40 *except that if the name of an ineligible candidate could not be*
41 *removed from the ballot pursuant to section 2 of this act, the board*
42 *of county commissioners shall not issue a certificate of election to*
43 *the ineligible candidate regardless of the number of votes cast for*
44 *the ineligible candidate that are a nullity and void.*



1 2. In a county which includes only one township, the board of
2 county commissioners may, by resolution, appoint the sheriff ex
3 officio constable to serve without additional compensation. The
4 resolution must not become effective until the completion of the
5 term of office for which a constable may have been elected.

6 3. In a county whose population:

7 (a) Is less than 700,000, if the board of county commissioners
8 determines that the office of constable is not necessary in one or
9 more townships within the county, it may, by ordinance, abolish the
10 office of constable in those townships.

11 (b) Is 700,000 or more, if the board of county commissioners
12 determines that the office of constable is not necessary in one or
13 more townships within the county, it may, by ordinance, abolish the
14 office in those townships, but the abolition does not become
15 effective as to a particular township until the constable incumbent
16 on May 28, 1979, does not seek, or is defeated for, reelection.

17 ➤ For a township in which the office of constable has been
18 abolished, the board of county commissioners may, by resolution,
19 appoint the sheriff ex officio constable to serve without additional
20 compensation.

21 **Sec. 29.7.** NRS 267.040 is hereby amended to read as follows:

22 267.040 1. Nominations of the electors must be made by
23 petition of one-fifth of the qualified voters of the incorporated city.

24 2. The petition must be filed with the governing body of the
25 city at least 30 days before the day of the election, as provided for in
26 NRS 267.030. ~~The~~

27 3. *Except as otherwise provided in section 18.5 of this act, the*
28 *names of all candidates so filed must be placed upon the official*
29 *ballots to be voted at the election.*

30 **Sec. 29.8.** NRS 267.050 is hereby amended to read as follows:

31 267.050 Within 6 working days after the date of the election,
32 the legislative authority of the incorporated city shall:

33 1. Meet and canvass the returns of the election.

34 2. Declare the result thereof.

35 3. Issue certificates of election to the 15 qualified electors
36 having the highest vote therefor ~~+~~, *except that if the name of an*
37 *ineligible candidate could not be removed from the ballot pursuant*
38 *to section 18.5 of this act, the legislative authority of the*
39 *incorporated city shall not issue a certificate of election to*
40 *the ineligible candidate regardless of the number of votes cast for*
41 *the ineligible candidate that are a nullity and void.*

42 **Sec. 30.** NRS 281.050 is hereby amended to read as follows:

43 281.050 1. The residence of a person with reference to *his or*
44 *her* eligibility to *any* office is the person's actual residence within
45 the State, ~~or~~ county, ~~or~~ district, *ward, subdistrict or any other*



1 *unit prescribed by law*, as the case may be, during all the period for
2 which residence is claimed by the person. If any person absents
3 himself or herself from the jurisdiction of that person's residence
4 with the intention in good faith to return without delay and continue
5 such residence, the period of absence must not be considered in
6 determining the question of residence.

7 2. If a person who has filed ~~has a candidate~~ *a declaration of*
8 *candidacy or acceptance of candidacy* for *any* elective office
9 moves the person's residence out of the State, county, district, ward,
10 subdistrict or any other unit prescribed by law ~~for which the person~~
11 ~~is a candidate and~~ , *as the case may be*, in which the person is
12 required actually, as opposed to constructively, to reside ~~to a~~
13 ~~vacancy is created thereby~~ *in order for the person to be eligible to*
14 *the office, the person is an ineligible candidate* and the *county*
15 *clerk or city clerk, as applicable, shall take* appropriate action ~~for~~
16 ~~filling the vacancy must be taken.~~ *regarding the ineligible*
17 *candidate pursuant to section 2 or 18.5 of this act.* A person shall
18 be deemed to have moved the person's residence for the purposes of
19 this section if:

20 (a) The person has acted affirmatively to remove himself or
21 herself from one place; and

22 (b) The person has an intention to remain in another place.

23 3. The district court has jurisdiction to determine the question
24 of residence in an action for declaratory judgment.

25 4. *If, in any preelection action for declaratory judgment, the*
26 *district court finds that a person who has filed a declaration of*
27 *candidacy or acceptance of candidacy for any elective office fails*
28 *to meet any qualification concerning residence required for the*
29 *office pursuant to the Constitution or laws of this State, the person*
30 *is an ineligible candidate and is subject to the provisions of section*
31 *2.5 of this act.*

32 5. As used in this section ~~to~~ *“actual”* :

33 (a) *“Actual residence”* means the place *of permanent*
34 *habitation* where a person *actually resides and* is legally domiciled
35 ~~. and maintains a permanent habitation.~~ If the person maintains
36 more than one ~~such~~ *place of permanent* habitation, the place the
37 person declares to be the person's principal permanent habitation
38 when filing a declaration *of candidacy* or ~~affidavit pursuant to NRS~~
39 ~~293.177 or 293C.185 shall be deemed to~~ *acceptance of candidacy*
40 *for any elective office must* be the ~~person's actual residence.~~ *place*
41 *where the person actually resides and is legally domiciled in order*
42 *for the person to be eligible to the office.*

43 (b) *“Declaration of candidacy or acceptance of candidacy”*
44 *means a declaration of candidacy or acceptance of candidacy filed*
45 *pursuant to chapter 293 or 293C of NRS.*



1 **Sec. 31.** NRS 283.130 is hereby amended to read as follows:
 2 283.130 Any officer elected or appointed to fill any vacancy
 3 shall be commissioned, or shall receive a certificate of election or
 4 appointment to such office ~~+~~, *except that if the name of an*
 5 *ineligible candidate could not be removed from the ballot pursuant*
 6 *to section 2 or 18.5 of this act, a certificate of election or*
 7 *commission must not be issued or given to the ineligible candidate*
 8 *regardless of the number of votes cast for the ineligible candidate*
 9 *that are a nullity and void.*

10 **Sec. 32.** NRS 306.070 is hereby amended to read as follows:
 11 306.070 1. If there are no other candidates nominated to be
 12 voted for at the special election, there must be printed on the ballot
 13 the name of the officer sought to be recalled, the office which he or
 14 she holds, and the words “For Recall” and “Against Recall.”

15 2. ~~+~~ *Except as otherwise provided in sections 2 and 18.5 of*
 16 *this act, if* there are other candidates nominated for the office to be
 17 voted for at the special election, there must be printed upon the
 18 ballot the name of the officer sought to be recalled, and the office
 19 which he or she holds, and the name or names of such other
 20 candidates as may be nominated to be voted for at the special
 21 election, and the words “For Recall” and “Against Recall” must be
 22 omitted.

23 3. In other respects the ballot must conform with the
 24 requirements of this title.

25 **Sec. 33.** NRS 309.060 is hereby amended to read as follows:
 26 309.060 1. The board of county commissioners shall meet on
 27 or before the sixth working day succeeding the election provided for
 28 in NRS 309.050 and proceed to canvass the votes. ~~and, if~~

29 2. *If*, upon the canvass, it appears that a majority of votes cast
 30 were for “Local Improvement District—Yes,” the board, by an order
 31 entered upon its minutes, shall ~~declare~~ :

32 (a) *Declare* the territory organized as an improvement district
 33 under the name and style theretofore designated ~~+, and~~ ;

34 (b) *Except as otherwise provided in section 1.7 of this act,*
 35 declare the persons receiving respectively the highest number of
 36 votes for directors to be elected ~~+, and cause~~ ; and

37 (c) *Cause* a copy of the order and a plat of the district, each
 38 certified by the clerk of the board of county commissioners, to be
 39 recorded immediately in the office of the county recorder of each
 40 county in which any portion of the district is situated. ~~+, and~~
 41 ~~certified~~ *Certified* copies thereof must also be recorded with the
 42 county clerks of those counties.

43 3. Thereafter, the organization of the district is complete.

44 **Sec. 34.** NRS 318.095 is hereby amended to read as follows:
 45 318.095 Except as otherwise provided in NRS 318.0953:



1 1. There must be held simultaneously with the first general
2 election in the county after the creation of the district and
3 simultaneously with every general election thereafter an election to
4 be known as the biennial election of the district. The election must
5 be conducted under the supervision of the county clerk or registrar
6 of voters. A district shall reimburse the county clerk or registrar of
7 voters for the costs he or she incurred in conducting the election for
8 the district.

9 2. The office of trustee is a nonpartisan office. The general
10 election laws of this State govern the candidacy, nominations and
11 election of a member of the board. ~~The~~ *Except as otherwise*
12 *provided in section 2 of this act, the* names of the candidates for
13 trustee of a district may be placed on the ballot for the primary or
14 general election.

15 3. Except as otherwise provided in NRS 318.083, at the first
16 biennial election in any district organized or reorganized and
17 operating under this chapter and each fourth year thereafter, there
18 must be elected by the qualified electors of the district two qualified
19 electors as members of the board to serve for terms of 4 years. At
20 the second biennial election and each fourth year thereafter, there
21 must be so elected three qualified electors as members of the board
22 to serve for terms of 4 years.

23 4. The secretary of the district shall give notice of election by
24 publication and shall arrange such other details in connection
25 therewith as the county clerk or registrar of voters may direct.

26 5. Any new member of the board must qualify in the same
27 manner as members of the first board qualify.

28 **Sec. 35.** NRS 318.0951 is hereby amended to read as follows:

29 318.0951 Except as otherwise provided in NRS 318.0952 or
30 318.0953 ~~and~~ *and sections 1.7 and 2 of this act:*

31 1. Each trustee elected at any biennial election must be chosen
32 by a plurality of the qualified electors of the district voting on the
33 candidates for the vacancies to be filled.

34 2. Except as otherwise provided in NRS 318.083, if there are
35 two regular terms which end on the first Monday in January next
36 following the biennial election, the two qualified electors receiving
37 the highest and next highest number of votes must be elected. If
38 there are three regular terms so ending, the three qualified electors
39 receiving the highest, next highest and third highest number of votes
40 must be elected.

41 3. If there is a vacancy in an unexpired regular term to be filled
42 at the biennial election, as provided in subsection 5 of NRS 318.090,
43 the candidate who receives the highest number of votes, after there
44 are chosen the successful candidates to fill the vacancies in expired
45 regular terms as provided in subsection 2, must be elected.



1 **Sec. 36.** NRS 386.260 is hereby amended to read as follows:

2 386.260 1. Trustees shall be elected as provided in the
3 election laws of this state.

4 2. After the close of any election, and in accordance with law,
5 the board of county commissioners shall make abstracts of the votes
6 cast for trustees and shall order the county clerk to issue ~~election~~
7 certificates *of election* to the candidates elected ~~H~~, *except that if*
8 *the name of an ineligible candidate could not be removed from the*
9 *ballot pursuant to section 2 of this act, the board of county*
10 *commissioners shall not order the county clerk to issue a*
11 *certificate of election to the ineligible candidate regardless of the*
12 *number of votes cast for the ineligible candidate that are a nullity*
13 *and void.*

14 3. Immediately, the county clerk shall transmit a copy of each
15 ~~election~~ certificate *of election* to the Superintendent of Public
16 Instruction.

17 **Sec. 37.** NRS 450.080 is hereby amended to read as follows:

18 450.080 Except in counties where the board of county
19 commissioners is the board of hospital trustees ~~H~~ *and except as*
20 *otherwise provided in sections 1.7 and 2 of this act:*

21 1. The offices of hospital trustees are hereby declared to be
22 nonpartisan, and the names of candidates for such offices shall
23 appear alike upon the ballots of all parties at all primary elections.

24 2. At the general election only the names of those candidates,
25 not to exceed twice the number of hospital trustees to be elected,
26 who received the highest numbers of votes at the primary election
27 shall appear on the ballot.

28 **Sec. 38.** NRS 474.110 is hereby amended to read as follows:

29 474.110 1. The election having been held, the board of
30 county commissioners shall, on the first Monday succeeding the
31 election, if then in session, or at its next succeeding general or
32 special session, proceed to canvass the votes cast at the election.

33 2. If upon such canvass it appears that a majority of all votes
34 cast in the district, and in each portion of the counties included in
35 the district if lands in more than one county are included therein, are
36 in favor of the formation of the district, the board shall, by an order
37 entered in its minutes, declare:

38 (a) Such territory organized as a county fire protection district
39 under the name theretofore designated; and

40 (b) ~~The~~ *Except as otherwise provided in section 1.7 of this*
41 *act, the* persons receiving, respectively, the highest number of votes
42 for the directors to be elected to those offices.



1 **Sec. 39.** NRS 539.055 is hereby amended to read as follows:

2 539.055 1. The board of county commissioners shall meet on
3 or before the sixth working day succeeding such election and
4 proceed to canvass the votes. ~~fast thereat.~~

5 2. If , upon such canvass , it appears that a majority of the
6 electors voted "Irrigation District—Yes," the board, by an order
7 entered upon its minutes, shall:

8 (a) Declare such territory duly organized as an irrigation district
9 under the name and style theretofore designated.

10 (b) ~~Declare~~ *Except as otherwise provided in section 1.7 of*
11 *this act, declare* the persons receiving respectively the highest
12 number of votes for directors to be duly elected.

13 (c) Cause a copy of such order and a plat of the district, each
14 duly certified by the clerk of the board of county commissioners, to
15 be immediately filed for record in the office of the county recorder
16 of each county in which any portion of such lands is situated.
17 Certified copies thereof ~~shall~~ *must* also be filed with the county
18 clerks of such counties.

19 3. Thereafter, the organization of the district ~~shall be~~ *is*
20 complete.

21 **Sec. 40.** NRS 539.157 is hereby amended to read as follows:

22 539.157 1. ~~The~~ *Except as otherwise provided in section 1.7*
23 *of this act, the* board of directors must declare elected the person or
24 persons having the highest number of votes given for each office.

25 2. The secretary shall immediately make out and deliver to
26 such person or persons a certificate of election ~~H~~ signed by the
27 secretary and authenticated with the seal of the board ~~H~~ , *except*
28 *that if the name of an ineligible candidate could not be removed*
29 *from the ballot pursuant to section 2 of this act, the secretary shall*
30 *not make out and deliver a certificate of election to the ineligible*
31 *candidate regardless of the number of votes cast for the ineligible*
32 *candidate that are a nullity and void.*

33 **Sec. 41.** NRS 539.180 is hereby amended to read as follows:

34 539.180 1. Upon the ballot for the election there shall be
35 printed verbatim, as set forth in the recall petition, the reason for
36 demanding the recall of the director, and in not more than 200
37 words, if furnished by the director, the director's justification of his
38 or her course in office.

39 2. If there are no other candidates nominated to be voted for at
40 the special election, there shall be printed on the ballot the name of
41 the director sought to be recalled, the office which he or she holds,
42 and the words "For Recall" and "Against Recall."

43 3. ~~H~~ *Except as otherwise provided in section 2 of this act, if*
44 there are other candidates nominated for the office to be voted for at
45 the special election, there shall be printed upon the ballot the name



1 of the director sought to be recalled, and the office which he or she
2 holds, and the name or names of such other candidates as may be
3 nominated to be voted for at the special election, and the words "For
4 Recall" and "Against Recall" shall be omitted.

5 4. In other respects the ballot shall conform with the
6 requirements of the general election laws of this state.

7 **Sec. 42.** NRS 539.183 is hereby amended to read as follows:

8 539.183 1. ~~##~~ *Except as otherwise provided in section 1.7*
9 *of this act, if* there are other candidates nominated to be voted for at
10 the special election, the candidate who receives the highest number
11 of votes at the special election shall be deemed elected for the
12 remainder of the term, whether it is the person against whom the
13 recall petition was filed or another.

14 2. If any director is recalled upon a special election and the
15 other candidates are not nominated to be voted for at the special
16 election, the vacancy thereby created shall be filled in the manner
17 provided by law.

18 **Sec. 43.** Section 96 of the Charter of Boulder City is hereby
19 amended to read as follows:

20 Section 96. Conduct of municipal elections.

21 1. All municipal elections must be nonpartisan in
22 character and must be conducted in accordance with the
23 provisions of the general election laws of the State of Nevada
24 and any ordinance regulations as adopted by the City Council
25 which are consistent with law and this Charter. (1959
26 Charter)

27 2. All full terms of office in the City Council are 4 years,
28 and Council Members must be elected at large without regard
29 to precinct residency. Except as otherwise provided in
30 subsection 8, two full-term Council Members and the Mayor
31 are to be elected in each year immediately preceding a federal
32 presidential election, and two full-term Council Members are
33 to be elected in each year immediately following a federal
34 presidential election. In each election, the candidates
35 receiving the greatest number of votes must be declared
36 elected to the vacant full-term positions ~~H~~, *except that if the*
37 *name of an ineligible candidate could not be removed from*
38 *the ballot pursuant to section 18.5 of this act, the ineligible*
39 *candidate must not be declared elected regardless of the*
40 *number of votes cast for the ineligible candidate that are a*
41 *nullity and void.* (Add. 17; Amd. 1; 11-5-1996)

42 3. In the event one or more 2-year term positions on the
43 Council will be available at the time of a municipal election
44 as provided in section 12, candidates must file specifically for
45 such position(s). Candidates receiving the greatest respective



1 number of votes must be declared elected to the respective
2 available 2-year positions ~~H~~, *except that if the name of an*
3 *ineligible candidate could not be removed from the ballot*
4 *pursuant to section 18.5 of this act, the ineligible candidate*
5 *must not be declared elected regardless of the number of*
6 *votes cast for the ineligible candidate that are a nullity and*
7 *void.* (Add. 15; Amd. 2; 6-4-1991)

8 4. Except as otherwise provided in subsection 8, a
9 primary municipal election must be held on the first Tuesday
10 after the first Monday in April of each odd-numbered year
11 and a general municipal election must be held on the first
12 Tuesday after the first Monday in June of each odd-numbered
13 year.

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

22 6. If, in the primary municipal election, a candidate
23 receives votes equal to a majority of voters casting ballots in
24 that election, ~~he or she~~ *the candidate* shall be considered
25 elected to one of the vacancies and his or her name shall not
26 be placed on the ballot for the general municipal election ~~H~~,
27 *except that if the name of an ineligible candidate could not*
28 *be removed from the ballot pursuant to section 18.5 of this*
29 *act, the ineligible candidate must not be considered elected*
30 *regardless of the number of votes cast for the ineligible*
31 *candidate that are a nullity and void.* (Add. 10; Amd. 7;
32 6-2-1981)

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

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

41 9. If the City Council adopts an ordinance pursuant to
42 subsection 8, the dates set forth in NRS 293.12755, ~~the~~
43 ~~subsections 2 to 5, inclusive, of NRS~~ 293.165 ~~and in NRS~~,
44 293.166, 293.175, 293.177 ~~H~~ *and* 293.345 and ~~293.368~~
45 *section 2 of this act* apply for the purposes of conducting



1 the primary municipal elections and general municipal
2 elections.

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

9 11. The conduct of all municipal elections must be under
10 the control of the City Council, which shall adopt by
11 ordinance all regulations which it considers desirable and
12 consistent with law and this Charter. Nothing in this Charter
13 shall be construed as to deny or abridge the power of the City
14 Council to provide for supplemental regulations for the
15 prevention of fraud in such elections and for the recount of
16 ballots in cases of doubt or fraud. (Add. 24; Amd. 1;
17 6-3-2003)

18 **Sec. 44.** Section 5.010 of the Charter of the City of Caliente,
19 being chapter 31, Statutes of Nevada 1971, as last amended by
20 chapter 263, Statutes of Nevada 2013, at page 1182, is hereby
21 amended to read as follows:

22 Sec. 5.010 Municipal elections.

23 1. Except as otherwise provided in subsection 2:

24 (a) On the first Tuesday after the first Monday in June
25 1973, there must be elected by the qualified voters of the
26 City, at a general municipal election to be held for that
27 purpose, a Mayor and one Council Member who shall hold
28 office for a period of 4 years and until their successors have
29 been elected and qualified.

30 (b) On the first Tuesday after the first Monday in June
31 1975, and at each successive interval of 4 years thereafter,
32 there must be elected by the qualified voters of the City, at a
33 general municipal election to be held for that purpose, two
34 Council Members who shall hold office for a period of 4
35 years and until their successors have been elected and
36 qualified.

37 (c) On the first Tuesday after the first Monday in June
38 1975, there shall be elected by the qualified voters of the City
39 at a general municipal election to be held for that purpose one
40 Council Member who shall hold office for a period of 2 years
41 and until his or her successor has been elected and qualified.

42 (d) On the first Tuesday after the first Monday in June
43 1977, and at each successive interval of 4 years, there must be
44 elected by the qualified voters of the City, at a general
45 municipal election to be held for that purpose, a Mayor and



1 two Council Members, who shall hold office for a period of 4
2 years and until their successors have been elected and
3 qualified.

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

8 3. If the City Council adopts an ordinance pursuant to
9 subsection 2, the dates set forth in NRS 293.12755, ~~the~~
10 ~~subsections 2 to 5, inclusive, of NRS~~ 293.165 ~~and in NRS~~,
11 ~~293.166, 293.175, 293.177~~ ~~and~~ 293.345 and ~~293.368~~
12 *section 2 of this act* apply for the purposes of conducting the
13 primary municipal elections and general municipal elections.

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

18 **Sec. 45.** Section 5.050 of the Charter of the City of Caliente,
19 being chapter 31, Statutes of Nevada 1971, as amended by chapter
20 312, Statutes of Nevada 2003, at page 1728, is hereby amended to
21 read as follows:

22 Sec. 5.050 Names on ballots.

23 1. ~~The full names of all candidates, except those~~
24 *Except for candidates* who have withdrawn ~~and died~~ *pursuant*
25 *to the election laws of this State or who are* or become
26 ineligible ~~and~~ *candidates whose names must be removed from*
27 *the ballot pursuant to section 18.5 of this act, the full names*
28 *of all candidates* must be printed on the official ballots
29 without party designation or symbol.

30 2. If two or more candidates have the same surname or
31 surnames so similar as to be likely to cause confusion and:

32 (a) None of them is an incumbent, their middle names or
33 middle initials, if any, must be included in their names as
34 printed on the ballot; or

35 (b) One of them is an incumbent, the name of the
36 incumbent must be listed first and must be printed in bold
37 type.

38 **Sec. 46.** Section 5.100 of the Charter of the City of Caliente,
39 being chapter 31, Statutes of Nevada 1971, as amended by chapter
40 185, Statutes of Nevada 2007, at page 627, is hereby amended to
41 read as follows:

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

44 1. The election returns from any municipal election shall
45 be filed with the City Clerk, who shall immediately place



1 such returns in a safe or vault, and no person shall be
2 permitted to handle, inspect or in any manner interfere with
3 such returns until canvassed by the City Council.

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

10 3. The City Clerk, under his or her hand and official
11 seal, shall issue to each person declared to be elected a
12 certificate of election ~~+~~, *except that if the name of an*
13 *ineligible candidate could not be removed from the ballot*
14 *pursuant to section 18.5 of this act, the City Clerk shall not*
15 *issue a certificate of election to the ineligible candidate*
16 *regardless of the number of votes cast for the ineligible*
17 *candidate that are a nullity and void.* The officers ~~+~~ *who*
18 *are* elected shall qualify and enter upon the discharge of their
19 respective duties on the first Monday in July next following
20 their election.

21 4. If any election should result in a tie, the City Council
22 shall summon the candidates who received the tie vote and
23 determine the tie by lot. The *City* Clerk shall then issue to the
24 winner a certificate of election ~~+~~, *except that if the name of*
25 *an ineligible candidate could not be removed from the ballot*
26 *pursuant to section 18.5 of this act, the City Clerk shall not*
27 *issue a certificate of election to the ineligible candidate*
28 *regardless of the number of votes cast for the ineligible*
29 *candidate that are a nullity and void.*

30 **Sec. 47.** Section 5.015 of the Charter of the City of Carlin,
31 being chapter 493, Statutes of Nevada 2009, as amended by chapter
32 501, Statutes of Nevada 2011, at page 3310, is hereby amended to
33 read as follows:

34 Sec. 5.015 Filing of declarations of candidacy.

35 ~~+~~ A candidate to be voted for at the general election
36 must file a declaration of candidacy with the City Clerk as
37 provided by the election laws of this State. The City Clerk
38 shall charge and collect from the candidate and the candidate
39 must pay to the City Clerk, at the time of filing the
40 declaration of candidacy, a filing fee in an amount fixed by
41 the City Council by ordinance or resolution.

42 ~~2.—If, due to the death or ineligibility of or withdrawal~~
43 ~~by a candidate, a vacancy occurs in a nomination after the~~
44 ~~close of filing and any applicable period for withdrawal of~~



1 ~~candidacy, the candidate's name must remain on the ballot for~~
2 ~~the general election and, if elected, a vacancy exists.]~~

3 **Sec. 48.** Section 5.040 of the Charter of the City of Carlin,
4 being chapter 493, Statutes of Nevada 2009, at page 2937, is hereby
5 amended to read as follows:

6 Sec. 5.040 Names on ballots.

7 1. ~~[The full names of all candidates, except those]~~
8 *Except for candidates* who have withdrawn ~~[, died]~~ *pursuant*
9 *to the election laws of this State or who are* or become
10 ineligible ~~[before the close of filing and any applicable period~~
11 ~~for withdrawal of candidacy,]~~ *candidates whose names must*
12 *be removed from the ballot pursuant to section 18.5 of this*
13 *act, the full names of all candidates* must be printed on the
14 official ballots without party designation or symbol.

15 2. If two or more candidates have the same surname or
16 surnames so similar as to be likely to cause confusion and:

17 (a) None of them is an incumbent, their middle names or
18 middle initials, if any, must be included in their names as
19 printed on the ballot; or

20 (b) One of them is an incumbent, the name of the
21 incumbent must be listed first and must be printed in bold
22 type.

23 **Sec. 49.** Section 5.090 of the Charter of the City of Carlin,
24 being chapter 344, Statutes of Nevada 1971, as last amended by
25 chapter 185, Statutes of Nevada 2007, at page 628, is hereby
26 amended to read as follows:

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

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

34 2. The Board of Council Members shall meet on or
35 before the sixth working day after any election and canvass
36 the returns and declare the result. The election returns must
37 then be sealed and kept by the City Clerk for 6 months, and
38 no person shall have access thereto except on order of a court
39 of competent jurisdiction or by order of the Board of Council
40 Members.

41 3. The City Clerk, under his or her hand and official
42 seal, shall issue to each person declared to be elected a
43 certificate of election ~~[;]~~, *except that if the name of an*
44 *ineligible candidate could not be removed from the ballot*
45 *pursuant to section 18.5 of this act, the City Clerk shall not*



1 *issue a certificate of election to the ineligible candidate*
2 *regardless of the number of votes cast for the ineligible*
3 *candidate that are a nullity and void.* The officers ~~to~~ *who*
4 *are* elected shall qualify and enter upon the discharge of their
5 respective duties on the first Monday in:

6 (a) July next following their election for those officers
7 elected in June 2007.

8 (b) January next following their election for those officers
9 elected in November 2008 and November of every even-
10 numbered year thereafter.

11 4. If any election should result in a tie, the Board of
12 Council Members shall summon the candidates who received
13 the tie vote and determine the tie by lot. The *City* Clerk shall
14 then issue to the winner a certificate of election ~~H~~, *except*
15 *that if the name of an ineligible candidate could not be*
16 *removed from the ballot pursuant to section 18.5 of this act,*
17 *the City Clerk shall not issue a certificate of election to the*
18 *ineligible candidate regardless of the number of votes cast*
19 *for the ineligible candidate that are a nullity and void.*

20 **Sec. 50.** Section 5.010 of the charter of Carson City, being
21 chapter 213, Statutes of Nevada 1969, as last amended by chapter
22 100, Statutes of Nevada 1999, at page 271, is hereby amended to
23 read as follows:

24 Sec. 5.010 Primary election.

25 1. A primary election must be held on the date fixed by
26 the election laws of this state for statewide elections, at which
27 time there must be nominated candidates for offices to be
28 voted for at the next general election.

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

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

36 4. *Except as otherwise provided in sections 1.7 and 2 of*
37 *this act:*

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

41 ~~H~~ (b) If in the primary election one candidate receives
42 more than a majority of votes cast in that election for the
43 office for which he or she is a candidate, his or her name
44 alone must be placed on the ballot for the general election.



1 (c) If in the primary election no candidate receives a
2 majority of votes cast in that election for the office for which
3 he or she is a candidate, the names of the two candidates
4 receiving the highest numbers of votes must be placed on the
5 ballot for the general election.

6 **Sec. 51.** Section 5.050 of the charter of Carson City, being
7 chapter 213, Statutes of Nevada 1969, as amended by chapter 312,
8 Statutes of Nevada 2003, at page 1729, is hereby amended to read as
9 follows:

10 Sec. 5.050 Names on ballots.

11 1. ~~{The full names of all candidates, except those}~~
12 *Except for candidates* who have withdrawn ~~{, died}~~ pursuant
13 *to the election laws of this State or who are* or become
14 ineligible ~~{}~~ *candidates whose names must be removed from*
15 *the ballot pursuant to section 2 of this act, the full names of*
16 *all candidates* must be printed on the official ballots without
17 party designation or symbol.

18 2. If two or more candidates have the same surname
19 or surnames so similar as to be likely to cause confusion
20 and:

21 (a) None of them is an incumbent, their middle names or
22 middle initials, if any, must be included in their names as
23 printed on the ballot; or

24 (b) One of them is an incumbent, the name of the
25 incumbent must be listed first and must be printed in bold
26 type.

27 **Sec. 52.** Section 5.100 of the charter of Carson City, being
28 chapter 213, Statutes of Nevada 1969, as amended by chapter 189,
29 Statutes of Nevada 1977, at page 354, is hereby amended to read as
30 follows:

31 Sec. 5.100 Election returns; canvass; certificates of
32 election; entry of officers upon duties.

33 1. The election returns from any special, primary or
34 general municipal election shall be filed with the Clerk, who
35 shall immediately place such returns in a safe or vault, and no
36 person shall be permitted to handle, inspect or in any manner
37 interfere with such returns until canvassed by the Board.

38 2. The Board shall meet within 10 days after any
39 election and canvass the returns and declare the result. The
40 election returns shall then be sealed and kept by the Clerk for
41 6 months and no person shall have access thereto except on
42 order of a court of competent jurisdiction or by order of the
43 Board.

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



1 of election ~~§~~, *except that if the name of an ineligible*
2 *candidate could not be removed from the ballot pursuant to*
3 *section 2 of this act, the Clerk shall not issue a certificate of*
4 *election to the ineligible candidate regardless of the number*
5 *of votes cast for the ineligible candidate that are a nullity*
6 *and void.* The officers ~~§~~ *who are* elected shall qualify and
7 enter upon the discharge of their respective duties on the 1st
8 Monday in January next following their election.

9 **Sec. 53.** Section 5.040 of the Charter of the City of Elko,
10 being chapter 276, Statutes of Nevada 1971, as amended by chapter
11 312, Statutes of Nevada 2003, at page 1729, is hereby amended to
12 read as follows:

13 Sec. 5.040 Names on ballots.

14 1. ~~The full names of all candidates, except those~~
15 *Except for candidates* who have withdrawn ~~§~~ *died* ~~pursuant~~
16 *to the election laws of this State or who are* or become
17 ineligible ~~§~~ *candidates whose names must be removed from*
18 *the ballot pursuant to section 18.5 of this act, the full names*
19 *of all candidates* must be printed on the official ballots
20 without party designation or symbol.

21 2. If two or more candidates have the same surname or
22 surnames so similar as to be likely to cause confusion and:

23 (a) None of them is an incumbent, their middle names or
24 middle initials, if any, must be included in their names as
25 printed on the ballot; or

26 (b) One of them is an incumbent, the name of the
27 incumbent must be listed first and must be printed in bold
28 type.

29 **Sec. 54.** Section 5.090 of the Charter of the City of Elko,
30 being chapter 276, Statutes of Nevada 1971, as last amended by
31 chapter 231, Statutes of Nevada 2011, at page 1003, is hereby
32 amended to read as follows:

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

35 1. The election returns from a municipal election must
36 be filed with the City Clerk, who shall immediately place the
37 returns in a safe or vault. No person may handle, inspect or in
38 any manner interfere with the returns until the returns are
39 canvassed by the City Council.

40 2. The City Council shall meet within 6 working days
41 after an election and canvass the returns and declare the
42 result. The election returns must be sealed and kept by the
43 City Clerk for 2 years, and no person may have access thereto
44 except on order of a court of competent jurisdiction or by
45 order of the City Council.



1 3. The City Clerk, under his or her hand and official
2 seal, shall issue to each person declared to be elected a
3 certificate of election ~~H~~ , *except that if the name of an*
4 *ineligible candidate could not be removed from the ballot*
5 *pursuant to section 18.5 of this act, the City Clerk shall not*
6 *issue a certificate of election to the ineligible candidate*
7 *regardless of the number of votes cast for the ineligible*
8 *candidate that are a nullity and void.* The officers ~~so~~ *who*
9 *are* elected shall qualify and enter upon the discharge of their
10 respective duties on the first Monday in:

11 (a) If the officer is elected pursuant to subsection 1 or 2 of
12 section 5.010, July next following his or her election.

13 (b) If the officer is elected pursuant to subsection 3 or 4 of
14 section 5.010, January next following his or her election.

15 4. If any election should result in a tie, the City Council
16 shall summon the candidates who received the tie vote and
17 determine the tie by lot. The **City** Clerk shall then issue to the
18 winner a certificate of election ~~H~~ , *except that if the name of*
19 *an ineligible candidate could not be removed from the ballot*
20 *pursuant to section 18.5 of this act, the City Clerk shall not*
21 *issue a certificate of election to the ineligible candidate*
22 *regardless of the number of votes cast for the ineligible*
23 *candidate that are a nullity and void.*

24 **Sec. 55.** Section 5.010 of the Charter of the City of Henderson,
25 being chapter 266, Statutes of Nevada 1971, as last amended by
26 chapter 266, Statutes of Nevada 2013, at page 1214, is hereby
27 amended to read as follows:

28 Sec. 5.010 Primary municipal election.

29 1. Except as otherwise provided in section 5.020, a
30 primary municipal election must be held on the Tuesday after
31 the first Monday in April of each odd-numbered year, at
32 which time there must be nominated candidates for offices to
33 be voted for at the next general municipal election.

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

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

39 4. *Except as otherwise provided in sections 18.3 and*
40 *18.5 of this act:*

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



1 (b) If in the primary municipal election, regardless of the
2 number of candidates for an office, one candidate receives a
3 majority of votes cast in that election for the office for which
4 he or she is a candidate, he or she must be declared elected
5 and no general municipal election need be held for that office.
6 Such candidate shall enter upon his or her respective duties at
7 the second regular meeting of the City Council held in June
8 of the year of the general municipal election.

9 **Sec. 56.** Section 5.020 of the Charter of the City of Henderson,
10 being chapter 266, Statutes of Nevada 1971, as last amended by
11 chapter 266, Statutes of Nevada 2013, at page 1215, is hereby
12 amended to read as follows:

13 Sec. 5.020 General municipal election.

14 1. Except as otherwise provided in subsection 2:

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

20 (b) All candidates for the office of Mayor, Council
21 Member and Municipal Judge must be voted upon by the
22 registered voters of the City at large. The term of office for
23 members of the City Council and the Mayor is 4 years.
24 Except as otherwise provided in subsection 3 of section
25 4.015, the term of office for a Municipal Judge is 6 years.

26 (c) On the Tuesday after the first Monday in June 2001,
27 and every 6 years thereafter, there must be elected by the
28 qualified voters of the City, at a general municipal election to
29 be held for that purpose, a Municipal Judge for Department 1
30 who will hold office until his or her successor has been
31 elected and qualified.

32 (d) On the Tuesday after the first Monday in June 2003
33 and every 6 years thereafter, there must be elected by the
34 qualified voters of the City, at a general municipal election to
35 be held for that purpose, a Municipal Judge for Department 2
36 who will hold office until his or her successor has been
37 elected and qualified.

38 (e) On the Tuesday after the first Monday in June 2005,
39 and every 6 years thereafter, there must be elected by the
40 qualified voters of the City, at a general municipal election to
41 be held for that purpose, a Municipal Judge for Department 3
42 who will hold office until his or her successor has been
43 elected and qualified.

44 2. The City Council may by ordinance provide for a
45 primary municipal election and general municipal election on



1 the dates set forth for primary elections and general elections
2 pursuant to the provisions of chapter 293 of NRS.

3 3. If the City Council adopts an ordinance pursuant to
4 subsection 2, the dates set forth in NRS 293.12755, ~~the~~
5 ~~subsections 2 to 5, inclusive, of NRS~~ 293.165 ~~and in NRS~~,
6 ~~293.166, 293.175, 293.177~~ ~~and~~ 293.345 and ~~293.368~~
7 *section 2 of this act* apply for the purposes of conducting the
8 primary municipal elections and general municipal elections.

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

15 **Sec. 57.** Section 5.050 of the Charter of the City of Henderson,
16 being chapter 266, Statutes of Nevada 1971, as last amended by
17 chapter 312, Statutes of Nevada 2003, at page 1729, is hereby
18 amended to read as follows:

19 Sec. 5.050 Names on ballots.

20 1. ~~The full names of all candidates, except those~~
21 *Except for candidates* who have withdrawn ~~and died~~ *pursuant*
22 *to the election laws of this State or who are* or become
23 ineligible ~~and~~ *candidates whose names must be removed from*
24 *the ballot pursuant to section 18.5 of this act, the full names*
25 *of all candidates* must be printed on the official ballots
26 without party designation or symbol.

27 2. If two or more candidates have the same surname or
28 surnames so similar as to be likely to cause confusion and:

29 (a) None of them is an incumbent, their middle names or
30 middle initials, if any, must be included in their names as
31 printed on the ballot; or

32 (b) One of them is an incumbent, the name of the
33 incumbent must be listed first and must be printed in bold
34 type.

35 **Sec. 58.** Section 5.100 of the Charter of the City of Henderson,
36 being chapter 266, Statutes of Nevada 1971, as last amended by
37 chapter 266, Statutes of Nevada 2013, at page 1216, is hereby
38 amended to read as follows:

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

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



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

7 3. The City Clerk, under his or her hand and official
8 seal, shall issue to each person elected a certificate of election
9 ~~H~~, *except that if the name of an ineligible candidate could*
10 *not be removed from the ballot pursuant to section 18.5 of*
11 *this act, the City Clerk shall not issue a certificate of*
12 *election to the ineligible candidate regardless of the number*
13 *of votes cast for the ineligible candidate that are a nullity*
14 *and void.* Except as otherwise provided in section 1.070, the
15 officers ~~to~~ *who are* elected shall qualify and enter upon the
16 discharge of their respective duties at the second regular
17 meeting of the City Council held in June of the year of the
18 general municipal election.

19 4. If any election results in a tie, the City Council shall
20 summon the candidates who received the tie vote and
21 determine the tie by lot. The City Clerk shall then issue to the
22 winner a certificate of election ~~H~~, *except that if the name of*
23 *an ineligible candidate could not be removed from the ballot*
24 *pursuant to section 18.5 of this act, the City Clerk shall not*
25 *issue a certificate of election to the ineligible candidate*
26 *regardless of the number of votes cast for the ineligible*
27 *candidate that are a nullity and void.*

28 **Sec. 59.** Section 5.010 of the Charter of the City of Las Vegas,
29 being chapter 517, Statutes of Nevada 1983, as last amended by
30 chapter 218, Statutes of Nevada 2011, at page 959, is hereby
31 amended to read as follows:

32 Sec. 5.010 Primary municipal elections. Except as
33 otherwise provided in section 5.020:

34 1. On the Tuesday after the first Monday in April 2001,
35 and at each successive interval of 4 years, a primary
36 municipal election must be held in the City at which time
37 candidates for half of the offices of Council Member and for
38 Municipal Judge, Department 2, must be nominated.

39 2. On the Tuesday after the first Monday in April 2003,
40 and at each successive interval of 4 years, a primary
41 municipal election must be held in the City at which time
42 candidates for Mayor, for the other half of the offices of
43 Council Member and for Municipal Judge, Department 1,
44 must be nominated.



1 3. The candidates for Council Member who are to be
2 nominated as provided in subsections 1 and 2 must be
3 nominated and voted for separately according to the
4 respective wards. The candidates from each even-numbered
5 ward must be nominated as provided in subsection 1, and the
6 candidates from each odd-numbered ward must be nominated
7 as provided in subsection 2.

8 4. If the City Council has established an additional
9 department or departments of the Municipal Court pursuant to
10 section 4.010 and, as a result, more than one office of
11 Municipal Judge is to be filled at any election, the candidates
12 for those offices must be nominated and voted upon
13 separately according to the respective departments.

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

18 6. *Except as otherwise provided in sections 18.3 and*
19 *18.5 of this act:*

20 (a) If, in the primary municipal election, regardless of the
21 number of candidates for an office, one candidate receives a
22 majority of votes which are cast in that election for the office
23 for which he or she is a candidate, he or she must be declared
24 elected for the term which commences on the day of the first
25 regular meeting of the City Council next succeeding the
26 meeting at which the canvass of the returns is made, and no
27 general municipal election need be held for that office.

28 (b) If, in the primary municipal election, no candidate
29 receives a majority of votes which are cast in that election for
30 the office for which he or she is a candidate, the names of the
31 two candidates who receive the highest number of votes
32 must be placed on the ballot for the general municipal
33 election.

34 **Sec. 60.** Section 5.020 of the Charter of the City of Las Vegas,
35 being chapter 517, Statutes of Nevada 1983, as last amended by
36 chapter 263, Statutes of Nevada 2013, at page 1183, is hereby
37 amended to read as follows:

38 Sec. 5.020 General municipal election.

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



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

5 3. If the City Council adopts an ordinance pursuant to
6 subsection 2, the dates set forth in NRS 293.12755, ~~the~~
7 ~~subsections 2 to 5, inclusive, of NRS~~ 293.165 ~~and in NRS~~,
8 ~~293.166~~, 293.175, 293.177 ~~and~~ 293.345 and ~~293.368~~
9 *section 2 of this act* apply for the purposes of conducting
10 the primary municipal elections and general municipal
11 elections.

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

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

21 **Sec. 61.** Section 5.050 of the Charter of the City of Las Vegas,
22 being chapter 517, Statutes of Nevada 1983, as amended by chapter
23 312, Statutes of Nevada 2003, at page 1730, is hereby amended to
24 read as follows:

25 Sec. 5.050 Names on ballots.

26 1. ~~The full names of all of the candidates, except those~~
27 *Except for candidates* who have withdrawn ~~and died~~ *pursuant*
28 *to the election laws of this State or who are* or become
29 ineligible ~~and~~ *candidates whose names must be removed from*
30 *the ballot pursuant to section 18.5 of this act, the full names*
31 *of all candidates* must be printed on the official ballots
32 without party designation or symbol.

33 2. If two or more candidates have the same name or
34 names which are so similar as likely to cause confusion and:

35 (a) None of them is an incumbent, their middle names or
36 middle initials, if any, must be included in their names as
37 printed on the ballots; or

38 (b) One of them is an incumbent, the name of the
39 incumbent must be listed first and must be printed in bold
40 type.



1 **Sec. 62.** Section 5.100 of the Charter of the City of Las Vegas,
2 being chapter 517, Statutes of Nevada 1983, as amended by chapter
3 193, Statutes of Nevada 1991, at page 364, is hereby amended to
4 read as follows:

5 Sec. 5.100 Election returns; canvass; declaration of
6 results; certificates of election; entry of officers upon duties;
7 procedure for tied vote.

8 1. The returns of any special, primary or general
9 municipal election must be filed with the City Clerk, who
10 shall immediately place those returns in a safe or vault, and
11 no person may be permitted to handle, inspect or in any
12 manner interfere with those returns until they have been
13 canvassed by the City Council.

14 2. The City Council shall meet within 10 days after any
15 election, canvass the returns and declare the result. The
16 election returns must then be sealed and kept by the City
17 Clerk for 6 months, and no person may have access to the
18 returns except on order of a court of competent jurisdiction or
19 by order of the City Council.

20 3. The City Clerk, under his or her hand and official
21 seal, shall issue to each person who is declared to be elected a
22 certificate of election **H** , *except that if the name of an*
23 *ineligible candidate could not be removed from the ballot*
24 *pursuant to section 18.5 of this act, the City Clerk shall not*
25 *issue a certificate of election to the ineligible candidate*
26 *regardless of the number of votes cast for the ineligible*
27 *candidate that are a nullity and void.* The officers who ~~have~~
28 ~~been~~ *are* elected shall qualify and enter upon the discharge
29 of their respective duties on the day of the first regular
30 meeting of the City Council next succeeding the meeting at
31 which the canvass of the returns is made.

32 4. If the election for any office results in a tie, the City
33 Council shall summon the candidates who received the equal
34 number of votes and determine the tie by lot. The *City* Clerk
35 shall then issue to the winner a certificate of election **H** ,
36 *except that if the name of an ineligible candidate could not*
37 *be removed from the ballot pursuant to section 18.5 of this*
38 *act, the City Clerk shall not issue a certificate of election to*
39 *the ineligible candidate regardless of the number of votes*
40 *cast for the ineligible candidate that are a nullity and void.*



1 **Sec. 63.** Section 5.020 of the Charter of the City of North Las
2 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
3 by chapter 218, Statutes of Nevada 2011, at page 963, is hereby
4 amended to read as follows:

5 Sec. 5.020 Primary municipal elections; declaration of
6 candidacy.

7 1. The City Council shall provide by ordinance for
8 candidates for elective office to declare their candidacy and
9 file the necessary documents. The seats for City Council
10 Members must be designated by the numbers one through
11 four, which numbers must correspond with the wards the
12 candidates for City Council Members will seek to represent.
13 A candidate for the office of City Council Member shall
14 include in his or her declaration of candidacy the number of
15 the ward which he or she seeks to represent. Each candidate
16 for City Council must be designated as a candidate for the
17 City Council seat that corresponds with the ward that he or
18 she seeks to represent.

19 2. Except as otherwise provided in section 5.025, a
20 primary municipal election must be held on the Tuesday
21 following the first Monday in April preceding the general
22 municipal election, at which time there must be nominated
23 candidates for offices to be voted for at the next general
24 municipal election. In the primary municipal election:

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

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

30 3. Except as otherwise provided in ~~subsection 4,~~
31 *sections 18.3 and 18.5 of this act*, after the primary municipal
32 election, the names of the two candidates who receive the
33 highest number of votes must be placed on the ballot for the
34 general municipal election ~~†~~

35 ~~—4.—If,† but~~, regardless of the number of candidates for an
36 office, *if* one candidate receives a majority of the total votes
37 cast for that office in the primary municipal election, he or
38 she must be declared elected to that office and no general
39 municipal election ~~†need† must~~ be held for that office.



1 **Sec. 64.** Section 5.025 of the Charter of the City of North Las
2 Vegas, being chapter 218, Statutes of Nevada 2011, as amended by
3 chapter 263, Statutes of Nevada 2013, at page 1184, is hereby
4 amended to read as follows:

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

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

12 2. If the City Council adopts an ordinance pursuant to
13 subsection 1, the dates set forth in NRS 293.12755, ~~the~~
14 ~~subsections 2 to 5, inclusive, of NRS~~ 293.165 ~~and in NRS~~,
15 ~~293.166~~, 293.175, 293.177 ~~and~~ 293.345 and ~~293.368~~
16 *section 2 of this act* apply for the purposes of conducting the
17 primary municipal elections and general municipal elections.

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

24 **Sec. 65.** Section 5.050 of the Charter of the City of North Las
25 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
26 by chapter 312, Statutes of Nevada 2003, at page 1730, is hereby
27 amended to read as follows:

28 Sec. 5.050 Names on ballots.

29 1. ~~The full names of all candidates, except those~~
30 *Except for candidates* who have withdrawn ~~and died~~ *pursuant*
31 *to the election laws of this State or who are* or become
32 ineligible ~~and~~ *candidates whose names must be removed from*
33 *the ballot pursuant to section 18.5 of this act, the full names*
34 *of all candidates* must be printed on the official ballots
35 without party designation or symbol.

36 2. If two or more candidates have the same surname or
37 surnames so similar as to be likely to cause confusion and:

38 (a) None of them is an incumbent, their middle names or
39 middle initials, if any, must be included in their names as
40 printed on the ballot; or

41 (b) One of them is an incumbent, the name of the
42 incumbent must be listed first and must be printed in bold
43 type.



1 3. In any election regulated by this Charter, the names of
2 candidates as printed on the ballot shall not include any title,
3 designation or other reference which will indicate the
4 profession or occupation of such candidates.

5 **Sec. 66.** Section 5.080 of the Charter of the City of North Las
6 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
7 by chapter 465, Statutes of Nevada 1985, at page 1440, is hereby
8 amended to read as follows:

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

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

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

23 3. The City Clerk, under his or her hand and official
24 seal, shall issue to each person declared to be elected a
25 certificate of election ~~H~~ , *except that if the name of an*
26 *ineligible candidate could not be removed from the ballot*
27 *pursuant to section 18.5 of this act, the City Clerk shall not*
28 *issue a certificate of election to the ineligible candidate*
29 *regardless of the number of votes cast for the ineligible*
30 *candidate that are a nullity and void.* The officers ~~to~~ *who*
31 *are* elected shall qualify and enter upon the discharge of their
32 respective duties on the 1st day of July next following their
33 election.

34 4. If any election should result in a tie, the City Council
35 shall summon the candidates who received the tie vote and
36 determine the tie by lot. The **City** Clerk shall then issue to the
37 winner a certificate of election ~~H~~ , *except that if the name of*
38 *an ineligible candidate could not be removed from the ballot*
39 *pursuant to section 18.5 of this act, the City Clerk shall not*
40 *issue a certificate of election to the ineligible candidate*
41 *regardless of the number of votes cast for the ineligible*
42 *candidate that are a nullity and void.*



1 **Sec. 67.** Section 5.020 of the Charter of the City of Reno,
2 being chapter 662, Statutes of Nevada 1971, as last amended by
3 chapter 349, Statutes of Nevada 2013, at page 1829, is hereby
4 amended to read as follows:

5 Sec. 5.020 Primary elections; declaration of candidacy.

6 1. A candidate for any office to be voted for at an
7 election must file a declaration of candidacy with the City
8 Clerk. All filing fees collected by the City Clerk must be
9 deposited to the credit of the General Fund of the City.

10 2. *Except as otherwise provided in sections 18.3 and*
11 *18.5 of this act:*

12 (a) If for any general election, there are three or more
13 candidates for any office to be filled at that election, a
14 primary election for any such office must be held on the date
15 fixed by the election laws of the State for statewide elections,
16 at which time there must be nominated candidates for the
17 office to be voted for at the next general election. If for any
18 general election there are two or fewer candidates for any
19 office to be filled at that election, their names must not be
20 placed on the ballot for the primary election but must be
21 placed on the ballot for the general election. The general
22 election must be held on the date fixed by the election laws of
23 the State for the statewide general election.

24 ~~3.~~ (b) In the primary election:

25 ~~(a)~~ (1) The names of the two candidates for Municipal
26 Judge, City Attorney or a particular City Council seat, as the
27 case may be, who receive the highest number of votes must
28 be placed on the ballot for the general election.

29 ~~(b)~~ (2) Candidates for Council Member who represent a
30 specific ward must be voted upon only by the registered
31 voters of that ward.

32 ~~(c)~~ (3) Candidates for Mayor and Council Member at
33 large must be voted upon by all registered voters of the City.

34 ~~4.~~ 3. The Mayor and all Council Members must be
35 voted upon by all registered voters of the City at the general
36 election.

37 **Sec. 68.** Section 5.050 of the Charter of the City of Reno,
38 being chapter 662, Statutes of Nevada 1971, as amended by chapter
39 312, Statutes of Nevada 2003, at page 1730, is hereby amended to
40 read as follows:

41 Sec. 5.050 Names on ballots.

42 1. ~~The full names of all candidates, except those~~
43 *Except for candidates* who have withdrawn ~~and died~~ *pursuant*
44 *to the election laws of this State or who are* or become
45 ineligible ~~and~~ *candidates whose names must be removed from*



1 *the ballot pursuant to section 18.5 of this act, the full names*
2 *of all candidates* must be printed on the official ballots
3 without party designation or symbol.

4 2. If two or more candidates have the same surname or
5 surnames so similar as to be likely to cause confusion and:

6 (a) None of them is an incumbent, their middle names or
7 middle initials, if any, must be included in their names as
8 printed on the ballot; or

9 (b) One of them is an incumbent, the name of the
10 incumbent must be listed first and must be printed in bold
11 type.

12 **Sec. 69.** Section 5.100 of the Charter of the City of Reno,
13 being chapter 662, Statutes of Nevada 1971, as last amended by
14 chapter 349, Statutes of Nevada 2013, at page 1830, is hereby
15 amended to read as follows:

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

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

23 2. The City Council and City Manager shall meet within
24 10 days after any election and canvass the returns and declare
25 the result. The election returns must then be sealed and kept
26 by the City Clerk for 6 months, and no person may have
27 access thereto except on order of a court of competent
28 jurisdiction or by order of the City Council.

29 3. The City Clerk, under his or her hand and official
30 seal, shall issue to each person declared to be elected a
31 certificate of election **†**, *except that if the name of an*
32 *ineligible candidate could not be removed from the ballot*
33 *pursuant to section 18.5 of this act, the City Clerk shall not*
34 *issue a certificate of election to the ineligible candidate*
35 *regardless of the number of votes cast for the ineligible*
36 *candidate that are a nullity and void.* The officers *who are*
37 elected shall qualify and enter upon the discharge of their
38 respective duties at the first regular City Council meeting
39 following their election.

40 4. If any election results in a tie, the City Council shall
41 summon the candidates who received the tie vote and
42 determine the tie as provided in this subsection. The City
43 Clerk shall provide and open in the presence of the candidates
44 who received the tie vote an unused 52-card deck of playing
45 cards, removing any jokers and blank cards. The City Clerk



1 shall shuffle the cards thoroughly and present the shuffled
2 deck to the City Manager, or to the person designated by the
3 City Manager for this purpose. One of the candidates who
4 received the tie vote shall then draw one card from the deck,
5 and the City Clerk shall record the suit and number of the
6 card. The card then must be returned to the deck, and the City
7 Clerk shall shuffle the cards thoroughly and present the
8 shuffled deck to the City Manager, or to the person
9 designated by the City Manager for this purpose, and another
10 of the candidates who received the tie vote shall draw one
11 card from the deck. This process must be repeated until each
12 of the candidates who received the tie vote has drawn one
13 card from the deck and the result of each draw has been
14 recorded. The candidate who draws the high card shall be
15 deemed the winner of the election. For the purposes of this
16 subsection, aces are high and twos are low. If the candidates
17 draw cards of otherwise equal value, the card of the higher
18 suit is the high card. Spades are highest, followed in
19 descending order by hearts, clubs and diamonds. The City
20 Clerk shall issue to the winner a certificate of election **H** ,
21 *except that if the name of an ineligible candidate could not*
22 *be removed from the ballot pursuant to section 18.5 of this*
23 *act, the City Clerk shall not issue a certificate of election to*
24 *the ineligible candidate regardless of the number of votes*
25 *cast for the ineligible candidate that are a nullity and void.*

26 **Sec. 70.** Section 5.020 of the Charter of the City of Sparks,
27 being chapter 470, Statutes of Nevada 1975, as last amended by
28 chapter 41, Statutes of Nevada 2001, at page 398, is hereby
29 amended to read as follows:

30 Sec. 5.020 Primary elections.

31 1. Candidates for the offices of Mayor, City Attorney
32 and Municipal Judge must be voted upon by the registered
33 voters of the City at large. Candidates to represent a ward as
34 a member of the City Council must be voted upon by the
35 registered voters of the ward to be represented by them.

36 2. ~~[[The]~~ *Except as otherwise provided in sections 18.3*
37 *and 18.5 of this act, the names of the two candidates for*
38 *Mayor, City Attorney and Municipal Judge and the names of*
39 *the two candidates to represent the ward as a member of the*
40 *City Council from each ward who receive the highest number*
41 *of votes at the primary election must be placed on the ballot*
42 *for the general election.*



1 **Sec. 71.** Section 5.050 of the Charter of the City of Sparks,
2 being chapter 470, Statutes of Nevada 1975, as amended by chapter
3 312, Statutes of Nevada 2003, at page 1731, is hereby amended to
4 read as follows:

5 Sec. 5.050 Names on ballots.

6 1. ~~{The full names of all candidates, except those}~~
7 *Except for candidates* who have withdrawn ~~{, died}~~ *pursuant*
8 *to the election laws of this State or who are* or become
9 ineligible ~~{}~~ *candidates whose names must be removed from*
10 *the ballot pursuant to section 18.5 of this act, the full names*
11 *of all candidates* must be printed on the official ballots
12 without party designation or symbol.

13 2. If two or more candidates have the same surname or
14 surnames so similar as to be likely to cause confusion and:

15 (a) None of them is an incumbent, their middle names or
16 middle initials, if any, must be included in their names as
17 printed on the ballot; or

18 (b) One of them is an incumbent, the name of the
19 incumbent must be listed first and must be printed in bold
20 type.

21 **Sec. 72.** Section 5.100 of the Charter of the City of Sparks,
22 being chapter 470, Statutes of Nevada 1975, as last amended by
23 chapter 41, Statutes of Nevada 2001, at page 399, is hereby
24 amended to read as follows:

25 Sec. 5.100 Election returns: Canvass; certificates of
26 election; entry of officers upon duties; tie vote procedure.

27 1. The election returns from any election must be filed
28 with the City Clerk, who shall immediately place the returns
29 in a safe or vault. No person may handle, inspect or in any
30 manner interfere with the returns until canvassed by the City
31 Council.

32 2. The City Council shall meet within 10 days after any
33 election and canvass the returns and declare the result. The
34 election returns must then be sealed and kept by the City
35 Clerk for 22 months, and no person may have access to them
36 except on order of a court of competent jurisdiction or by
37 order of the City Council.

38 3. The City Clerk, under his or her hand and official
39 seal, shall issue a certificate of election to each person elected
40 ~~{}~~, *except that if the name of an ineligible candidate could*
41 *not be removed from the ballot pursuant to section 18.5 of*
42 *this act, the City Clerk shall not issue a certificate of*
43 *election to the ineligible candidate regardless of the number*
44 *of votes cast for the ineligible candidate that are a nullity*
45 *and void.* The officers *who are* elected shall qualify and enter



1 upon the discharge of their respective duties at the first
2 regular City Council meeting following their election.

3 4. If any election results in a tie, the City Council shall
4 summon the candidates who received the tie vote and
5 determine the tie by lot. The City Clerk shall then issue to the
6 winner a certificate of election ~~+~~, *except that if the name of*
7 *an ineligible candidate could not be removed from the ballot*
8 *pursuant to section 18.5 of this act, the City Clerk shall not*
9 *issue a certificate of election to the ineligible candidate*
10 *regardless of the number of votes cast for the ineligible*
11 *candidate that are a nullity and void.*

12 **Sec. 73.** Section 5.015 of the Charter of the City of Wells,
13 being chapter 493, Statutes of Nevada 2009, as amended by chapter
14 501, Statutes of Nevada 2011, at page 3310, is hereby amended to
15 read as follows:

16 Sec. 5.015 Filing of declarations of candidacy.

17 ~~+~~ A candidate to be voted for at the general election
18 must file a declaration of candidacy with the City Clerk as
19 provided by the election laws of this State. The City Clerk
20 shall charge and collect from the candidate and the candidate
21 must pay to the City Clerk, at the time of filing the
22 declaration of candidacy, a filing fee in an amount fixed by
23 the City Council by ordinance or resolution.

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

29 **Sec. 74.** Section 5.040 of the Charter of the City of Wells,
30 being chapter 275, Statutes of Nevada 1971, as last amended by
31 chapter 493, Statutes of Nevada 2009, at page 2938, is hereby
32 amended to read as follows:

33 Sec. 5.040 Names on ballots.

34 1. ~~The full names of all candidates, except those~~
35 *Except for candidates* who have withdrawn ~~+~~ ~~died~~ *pursuant*
36 *to the election laws of this State or who are* or become
37 ineligible ~~before the close of filing and any applicable period~~
38 ~~for withdrawal of candidacy,] candidates whose names must~~
39 *be removed from the ballot pursuant to section 18.5 of this*
40 *act, the full names of all candidates* must be printed on the
41 official ballots without party designation or symbol.

42 2. If two or more candidates have the same surname or
43 surnames so similar as to be likely to cause confusion and:



1 (a) None of them is an incumbent, their middle names or
2 middle initials, if any, must be included in their names as
3 printed on the ballot; or

4 (b) One of them is an incumbent, the name of the
5 incumbent must be listed first and must be printed in bold
6 type.

7 **Sec. 75.** Section 5.090 of the Charter of the City of Wells,
8 being chapter 275, Statutes of Nevada 1971, as last amended by
9 chapter 185, Statutes of Nevada 2007, at page 629, is hereby
10 amended to read as follows:

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

13 1. The election returns from any municipal election must
14 be filed with the City Clerk, who shall immediately place
15 such returns in a safe or vault, and no person is permitted to
16 handle, inspect or in any manner interfere with such returns
17 until canvassed by the Board of Council Members.

18 2. The Board of Council Members shall meet on or
19 before the sixth working day after any election and canvass
20 the returns and declare the result. The election returns must
21 then be sealed and kept by the City Clerk for 6 months, and
22 no person shall have access thereto except on order of a court
23 of competent jurisdiction or by order of the Board of Council
24 Members.

25 3. The City Clerk, under his or her hand and official
26 seal, shall issue to each person declared to be elected a
27 certificate of election ~~H~~, *except that if the name of an*
28 *ineligible candidate could not be removed from the ballot*
29 *pursuant to section 18.5 of this act, the City Clerk shall not*
30 *issue a certificate of election to the ineligible candidate*
31 *regardless of the number of votes cast for the ineligible*
32 *candidate that are a nullity and void.* The officers ~~to~~ *who*
33 *are* elected shall qualify and enter upon the discharge of their
34 respective duties on the first Monday in:

35 (a) July next following their election for those officers
36 elected in June 2007 or 2009.

37 (b) January next following their election for those officers
38 elected in November 2010 and every even-numbered year
39 thereafter.

40 4. If any election should result in a tie, the Board of
41 Council Members shall summon the candidates who received
42 the tie vote and determine the tie by lot. The *City* Clerk shall
43 then issue to the winner a certificate of election ~~H~~, *except*
44 *that if the name of an ineligible candidate could not be*
45 *removed from the ballot pursuant to section 18.5 of this act,*



the City Clerk shall not issue a certificate of election to the ineligible candidate regardless of the number of votes cast for the ineligible candidate that are a nullity and void.

Sec. 76. Section 5.010 of the Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as last amended by chapter 263, Statutes of Nevada 2013, at page 1184, is hereby amended to read as follows:

Sec. 5.010 Municipal elections.

1. Except as otherwise provided in subsection 2:

(a) On the first Tuesday after the first Monday in June 1975, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Mayor and two Council Members, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

(b) On the first Tuesday after the first Monday in June 1977, and at each successive interval of 4 years thereafter, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, two Council Members, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

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

3. If the City Council adopts an ordinance pursuant to subsection 2, the dates set forth in NRS 293.12755, ~~the subsections 2 to 5, inclusive, of NRS~~ 293.165 ~~and in NRS~~, **293.166**, 293.175, 293.177 ~~and~~ 293.345 and ~~293.368~~ **section 2 of this act** apply for the purposes of conducting the primary municipal elections and general municipal elections.

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

Sec. 77. Section 5.040 of the Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as amended by chapter 312, Statutes of Nevada 2003, at page 1731, is hereby amended to read as follows:

Sec. 5.040 Names on ballots.

1. ~~The full names of all candidates, except those~~ **Except for candidates** who have withdrawn ~~and died~~ **pursuant to the election laws of this State or who are** or become



1 ineligible ~~H~~ *candidates whose names must be removed from*
2 *the ballot pursuant to section 18.5 of this act, the full names*
3 *of all candidates* must be printed on the official ballots
4 without party designation or symbol.

5 2. If two or more candidates have the same surname or
6 surnames so similar as to be likely to cause confusion
7 and:

8 (a) None of them is an incumbent, their middle names or
9 middle initials, if any, must be included in their names as
10 printed on the ballot; or

11 (b) One of them is an incumbent, the name of the
12 incumbent must be listed first and must be printed in bold
13 type.

14 **Sec. 78.** Section 5.090 of the Charter of the City of Yerington,
15 being chapter 465, Statutes of Nevada 1971, at page 913, is hereby
16 amended to read as follows:

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

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

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

30 3. The City Clerk, under his or her hand and official
31 seal, shall issue to each person declared to be elected a
32 certificate of election ~~H~~ , *except that if the name of an*
33 *ineligible candidate could not be removed from the ballot*
34 *pursuant to section 18.5 of this act, the City Clerk shall not*
35 *issue a certificate of election to the ineligible candidate*
36 *regardless of the number of votes cast for the ineligible*
37 *candidate that are a nullity and void.* The officers ~~to~~ *who*
38 *are* elected shall qualify and enter upon the discharge of their
39 respective duties on the 1st Monday in July next following
40 their election.

41 4. If any election should result in a tie, the City Council
42 shall summon the candidates who received the tie vote and
43 determine the tie by lot. The *City* Clerk shall then issue to the
44 winner a certificate of election ~~H~~ , *except that if the name of*
45 *an ineligible candidate could not be removed from the ballot*



1 *pursuant to section 18.5 of this act, the City Clerk shall not*
2 *issue a certificate of election to the ineligible candidate*
3 *regardless of the number of votes cast for the ineligible*
4 *candidate that are a nullity and void.*

5 **Sec. 79.** Section 7 of the Moapa Valley Water District Act,
6 being chapter 477, Statutes of Nevada 1983, as last amended by
7 chapter 28, Statutes of Nevada 2011, at page 93, is hereby amended
8 to read as follows:

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

18 2. A candidate for election to the Board shall file a
19 declaration of candidacy with the Registrar of Voters of Clark
20 County. The declaration of candidacy must be filed not earlier
21 than the first Monday in March of the year in which the
22 election is to be held and not later than 5 p.m. on the second
23 Friday after the first Monday in March of that year. Timely
24 filing of such a declaration is a prerequisite to election.

25 3. Each member of the Board must be elected by a
26 plurality of the registered voters voting in the election area
27 which the member represents. ~~##~~ *Except as otherwise*
28 *provided in section 1.7 of this act, if* there are two seats upon
29 the Board to be filled at the same election, each of which
30 represents the same election area, the two candidates therefor
31 receiving the highest number of votes, respectively, are
32 elected.

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

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

40 **Sec. 80.** Section 8 of the Virgin Valley Water District Act,
41 being chapter 100, Statutes of Nevada 1993, as last amended by
42 chapter 353, Statutes of Nevada 2013, at page 1850, is hereby
43 amended to read as follows:

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



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

8 2. Each candidate for election to the Board must file a
9 declaration of candidacy with the Registrar of Voters not
10 earlier than the first Monday in March of the year in which
11 the election is to be held and not later than 5 p.m. on the
12 second Friday after the first Monday in March. Timely filing
13 of such declaration is a prerequisite to election.

14 3. ~~¶~~ *Except as otherwise provided in section 1.7 of*
15 *this act, if* the Board establishes various election areas within
16 the District and there are two or more seats upon the Board to
17 be filled at the same election, each of which represents the
18 same election area, the two candidates therefor receiving the
19 highest number of votes, respectively, are elected.

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

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

28 **Sec. 81.** The provisions of NRS 354.599 do not apply to any
29 additional expenses of a local government that are related to the
30 provisions of this act.

31 **Sec. 82.** NRS 293.302, 293.368, 293C.291 and 293C.370 are
32 hereby repealed.

33 **Sec. 83.** This act becomes effective:

34 1. Upon passage and approval for the purpose of adopting any
35 regulations and performing any other preparatory administrative
36 tasks necessary to carry out the provisions of this act; and

37 2. On January 1, 2016, for all other purposes.



LEADLINES OF REPEALED SECTIONS

293.302 Posting of notice of death of candidate at polling place.

293.368 Counting of votes cast for deceased candidate.

293C.291 Posting of notice of death of candidate at polling place.

293C.370 Counting of votes cast for deceased candidate.

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