

SENATE BILL NO. 121—SENATOR KIECKHEFER

FEBRUARY 15, 2021

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-125)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to elections; defining the term “partisan office”; revising certain definitions relating to political affiliation; revising methods for filling a vacancy in a nomination for a partisan office; revising various provisions related to primary elections for partisan offices; providing that a person may become a candidate for a partisan office at a primary election regardless of political affiliation; requiring candidates to designate a political party preference or lack thereof on a declaration of candidacy; authorizing a voter, regardless of political affiliation, to cast a ballot for any candidate for a partisan office in a primary election; providing that the two candidates at a primary election for partisan office who receive the highest number of votes must be declared the nominees and have their names placed on the ballot for the general election; requiring ballots and voter information to include information relating to the designation of a political party preference by a candidate; eliminating certain grounds for challenging a person who is applying to vote based on political party affiliation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, major party candidates for partisan office are nominated at
2 a primary election. (NRS 293.175) Any person who files a declaration of candidacy
3 and pays the required filing fee may be named on a primary election ballot as a
4 major party candidate for a partisan office. (NRS 293.177) The names of candidates
5 for a partisan office of a minor political party do not appear on the ballot at a



6 primary election. Instead, if the minor political party has qualified as such, either by
7 receiving a certain percentage of voters at the preceding election or by collecting a
8 certain number of signatures, the party can name a candidate for each partisan
9 office, and the name of each such candidate must appear on the general election
10 ballot. (NRS 293.1715) The names of independent candidates for a partisan office
11 also do not appear on the ballot at a primary election. Instead, a person who wishes
12 to run as an independent candidate can be named as such on the general election
13 ballot if he or she files a petition with a certain number of signatures. (NRS
14 293.200) Further, a registered voter may cast a ballot in a primary election for a
15 major political party only if the registered voter designated on his or her application
16 to register to vote an affiliation with that major political party. (NRS 293.257)

17 This bill changes the nominating process for partisan offices to create a
18 modified nonpartisan "blanket" primary system in which the names of all
19 candidates appear on the primary election ballot and any registered voter may vote
20 for any candidate, regardless of affiliation with a political party. **Section 15** of this
21 bill provides that a person may become a candidate for partisan office at a primary
22 election regardless of the person's affiliation with a political party, or lack thereof.
23 **Sections 1-8, 10-15, 18, 25, 32-39 and 41** of this bill make conforming changes to:
24 (1) eliminate provisions that reference the nomination of candidates by a political
25 party; and (2) allow independent candidates and candidates affiliated with a minor
26 political party on the ballot for partisan office at a primary election.

27 **Section 16** of this bill revises the requirements for a declaration of candidacy
28 to: (1) eliminate the requirement that a candidate for partisan office indicate the
29 political party of which he or she is a registered member; and (2) authorize a
30 candidate to indicate that he or she prefers a particular political party or has no
31 political preference. **Sections 17 and 19** of this bill make conforming changes
32 relating to a candidate indicating a preference for a political party rather than an
33 affiliation.

34 **Section 20** of this bill requires the Secretary of State to prescribe methods of
35 voter education intended to inform voters that the designation of a political party
36 preference on a ballot does not imply that the candidate has been nominated or
37 endorsed by that political party. **Section 30** of this bill requires such information to
38 also be included in sample ballots.

39 **Section 21** of this bill authorizes any registered voter to cast a ballot in a
40 primary election for any candidate for partisan office regardless of the political
41 party affiliation of the voter or any political party preference indicated by the
42 candidate.

43 **Section 22** of this bill provides that the two candidates who receive the highest
44 number of votes in the primary election are declared the nominees, and their names
45 are placed on the general election ballot.

46 **Sections 23 and 24** of this bill set forth the format for designating partisan and
47 nonpartisan offices on a primary ballot.

48 **Section 25** of this bill requires that ballots for a general election include a
49 disclaimer indicating that any political party preference expressed by a candidate
50 does not imply that the political party nominated or endorsed the candidate.

51 Under existing law, certain vacancies in a major or minor political party
52 nomination for a partisan office may be filled by a candidate designated by certain
53 members of the major or minor party. (NRS 293.165) **Section 9** of this bill provides
54 that if a vacancy occurs in a nomination for a partisan office after the primary
55 election, but before the deadline for changing the ballot for the general election, the
56 vacancy must be filled by the person receiving the next highest vote for the
57 nomination. If there are no other persons who ran in the primary, the vacancy may
58 be filled by a person who files a declaration of candidacy by the required deadline
59 or if no person files such a declaration, a vacancy in the office will exist after the



60 election occurs. **Section 29** of this bill makes a conforming change related to a
61 vacancy in nomination caused by the death of a candidate.

62 **Section 26** of this bill eliminates: (1) the requirement that a registered voter
63 give his or her political affiliation when applying to vote in a primary election; and
64 (2) the authority to challenge a person's right to vote on the grounds that the person
65 does not belong to the political party designated on the roster or the political party
66 of the person is not designated on the roster. **Sections 27 and 28** of this bill make
67 conforming changes related to eliminating the authority to challenge a voter on
68 such grounds.

69 **Section 31** of this bill eliminates the requirement that the Department of Motor
70 Vehicles inform a person who applies to register to vote through the Department's
71 automatic voter registration system that the person will not be able to vote for
72 candidates for partisan office at a primary election or primary city election unless
73 the person indicates a major political party affiliation.

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

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

3 *"Partisan office" means an elected office for which a candidate*
4 *may designate a political party preference on a declaration of*
5 *candidacy.*

6 **Sec. 2.** NRS 293.010 is hereby amended to read as follows:

7 293.010 As used in this title, unless the context otherwise
8 requires, the words and terms defined in NRS 293.013 to 293.121,
9 inclusive, *and section 1 of this act* have the meanings ascribed to
10 them in those sections.

11 **Sec. 3.** NRS 293.063 is hereby amended to read as follows:

12 293.063 "Independent candidate" means a candidate who has
13 ~~been nominated for a partisan office but who is registered with no~~
14 *not designated a* political party ~~[affiliation pursuant to the~~
15 ~~provisions of this title.]~~ *preference on his or her declaration of*
16 *candidacy for a partisan office.*

17 **Sec. 4.** NRS 293.0675 is hereby amended to read as follows:

18 293.0675 "Nonpartisan office" means an elected office for
19 which ~~[a political party may not nominate]~~ a candidate ~~[.]~~ *may not*
20 *designate a political party preference on a declaration of*
21 *candidacy.*

22 **Sec. 5.** NRS 293.127565 is hereby amended to read as
23 follows:

24 293.127565 1. At each building that is open to the general
25 public and occupied by the government of this State or a political
26 subdivision of this State or an agency thereof, other than a building
27 of a public elementary or secondary school, an area must be
28 designated for the use of any person to gather signatures on a
29 petition at any time that the building is open to the public. The area



1 must be reasonable and may be inside or outside of the building.
2 Each public officer or employee in control of the operation of a
3 building governed by this subsection shall:

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

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

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

18 3. Not later than 3 working days after the date of the decision
19 that aggrieved the person, a person aggrieved by a decision made by
20 a public officer or employee pursuant to subsection 1 or 2 may
21 appeal the decision to the Secretary of State. The Secretary of State
22 shall review the decision to determine whether the public officer or
23 employee violated subsection 1 or 2. If the Secretary of State
24 determines a public officer or employee violated subsection 1 or 2
25 and that a person was denied the use of a public building for the
26 purpose of gathering signatures on a petition, the Secretary of State
27 shall order that the deadline for filing the petition provided pursuant
28 to NRS 293.128, 293.172, ~~293.200,~~ 295.056, 298.109, 306.015 or
29 306.110 must be extended for a period equal to the time that the
30 person was denied the use of a public building for the purpose of
31 gathering signatures on a petition, but in no event may the deadline
32 be extended for a period of more than 5 days.

33 4. The decision of the Secretary of State is a final decision for
34 the purposes of judicial review. Not later than 7 days after the date
35 of the decision by the Secretary of State, the decision of the
36 Secretary of State may only be appealed in the First Judicial District
37 Court. If the First Judicial District Court determines that the public
38 officer or employee violated subsection 1 or 2 and that a person was
39 denied the use of a public building for the purpose of gathering
40 signatures on a petition, the Court shall order that the deadline for
41 filing the petition provided pursuant to NRS 293.128, 293.172,
42 ~~293.200,~~ 295.056, 298.109, 306.015 or 306.110 must be extended
43 for a period equal to the time that the person was denied the use of a
44 public building for the purpose of gathering signatures on a petition,



1 but in no event may the deadline be extended for a period of more
2 than 5 days.

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

5 **Sec. 6.** NRS 293.1276 is hereby amended to read as follows:

6 293.1276 1. Within 4 days, excluding Saturdays, Sundays
7 and holidays, after the submission of a petition containing signatures
8 which are required to be verified pursuant to NRS 293.128, 295.056,
9 298.109, 306.035 or 306.110, and within 2 days, excluding
10 Saturdays, Sundays and holidays, after the submission of a petition
11 containing signatures which are required to be verified pursuant to
12 NRS 293.172 , ~~for 293.200.~~ the county clerk shall determine the
13 total number of signatures affixed to the documents and, in the case
14 of a petition for initiative or referendum proposing a constitutional
15 amendment or statewide measure, shall tally the number of
16 signatures for each petition district contained fully or partially
17 within the county and forward that information to the Secretary of
18 State.

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

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

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

32 **Sec. 7.** NRS 293.1277 is hereby amended to read as follows:

33 293.1277 1. If the Secretary of State finds that the total
34 number of signatures submitted to all the county clerks is 100
35 percent or more of the number of registered voters needed to declare
36 the petition sufficient, the Secretary of State shall immediately so
37 notify the county clerks. After the notification, each of the county
38 clerks shall determine the number of registered voters who have
39 signed the documents submitted in the county clerk's county and, in
40 the case of a petition for initiative or referendum proposing a
41 constitutional amendment or statewide measure, shall tally the
42 number of signatures for each petition district contained or fully
43 contained within the county clerk's county. This determination must
44 be completed within 9 days, excluding Saturdays, Sundays and
45 holidays, after the notification pursuant to this subsection regarding



1 a petition containing signatures which are required to be verified
2 pursuant to NRS 293.128, 295.056, 298.109 or 306.110, within 20
3 days, excluding Saturdays, Sundays and holidays, after the
4 notification pursuant to this subsection regarding a petition
5 containing signatures which are required to be verified pursuant to
6 NRS 306.035, and within 3 days, excluding Saturdays, Sundays and
7 holidays, after the notification pursuant to this subsection regarding
8 a petition containing signatures which are required to be verified
9 pursuant to NRS 293.172 . ~~for 293.200.~~ For the purpose of
10 verification pursuant to this section, the county clerk shall not
11 include in his or her tally of total signatures any signature included
12 in the incorrect petition district.

13 2. Except as otherwise provided in subsections 3 and 4, if more
14 than 500 names have been signed on the documents submitted to a
15 county clerk, the county clerk shall examine the signatures by
16 sampling them at random for verification. The random sample of
17 signatures to be verified must be drawn in such a manner that every
18 signature which has been submitted to the county clerk is given an
19 equal opportunity to be included in the sample. The sample must
20 include an examination of:

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

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

25 ↪ If documents were submitted to the county clerk for more than
26 one petition district wholly contained within that county, a separate
27 random sample must be performed for each petition district.

28 3. If a petition district comprises more than one county and the
29 petition is for an initiative or referendum proposing a constitutional
30 amendment or a statewide measure, and if more than 500 names
31 have been signed on the documents submitted for that petition
32 district, the appropriate county clerks shall examine the signatures
33 by sampling them at random for verification. The random sample of
34 signatures to be verified must be drawn in such a manner that every
35 signature which has been submitted to the county clerks within the
36 petition district is given an equal opportunity to be included in the
37 sample. The sample must include an examination of at least 500 or 5
38 percent of the signatures presented in the petition district, whichever
39 is greater. The Secretary of State shall determine the number of
40 signatures that must be verified by each county clerk within the
41 petition district.

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

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



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

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

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

17 6. If:

18 (a) Pursuant to NRS 293.506, a county clerk establishes a
19 system to allow persons to register to vote by computer;

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

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

25 (d) A person registers to vote pursuant to NRS 293.5742,
26 ↪ the county clerk may rely on such other indicia as prescribed by
27 the Secretary of State in making his or her determination.

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

34 8. Except as otherwise provided in subsection 10, upon
35 completing the examination, the county clerk shall immediately
36 attach to the documents a certificate properly dated, showing the
37 result of the examination, including the tally of signatures by
38 petition district, if required, and transmit the documents with the
39 certificate to the Secretary of State. In the case of a petition for
40 initiative or referendum proposing a constitutional amendment or
41 statewide measure, if a petition district comprises more than one
42 county, the appropriate county clerks shall comply with the
43 regulations adopted by the Secretary of State pursuant to this section
44 to complete the certificate. A copy of this certificate must be filed in
45 the clerk's office. When the county clerk transmits the certificate to



1 the Secretary of State, the county clerk shall notify the Secretary of
2 State of the number of requests to remove a name received by the
3 county clerk pursuant to NRS 295.055 or pursuant to NRS 306.015
4 for a petition to recall a public officer who holds a statewide office,
5 if applicable.

6 9. A person who submits a petition to the county clerk which is
7 required to be verified pursuant to NRS 293.128, 293.172,
8 ~~293.200,~~ 295.056, 298.109, 306.035 or 306.110 must be allowed
9 to witness the verification of the signatures. A public officer who is
10 the subject of a recall petition must also be allowed to witness the
11 verification of the signatures on the petition.

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

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

19 **Sec. 8.** NRS 293.1279 is hereby amended to read as follows:

20 293.1279 1. If the statistical sampling shows that the number
21 of valid signatures filed is 90 percent or more, but less than the sum
22 of 100 percent of the number of signatures of registered voters
23 needed to declare the petition sufficient plus the total number of
24 requests to remove a name received by the county clerks pursuant to
25 NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a
26 public officer who holds a statewide office, if applicable, the
27 Secretary of State shall order the county clerks to examine the
28 signatures for verification. The county clerks shall examine
29 the signatures for verification until they determine that 100 percent
30 of the number of signatures of registered voters needed to declare
31 the petition sufficient are valid. If the county clerks received a
32 request to remove a name pursuant to NRS 295.055 or pursuant to
33 NRS 306.015 for a petition to recall a public officer who holds a
34 statewide office, if applicable, the county clerks may not determine
35 that 100 percent of the number of signatures of registered voters
36 needed to declare the petition sufficient are valid until they have
37 removed each name as requested pursuant to NRS 295.055 or
38 306.015.

39 2. Except as otherwise provided in this subsection, if the
40 statistical sampling shows that the number of valid signatures filed
41 in any county is 90 percent or more but less than the sum of 100
42 percent of the number of signatures of registered voters needed to
43 constitute 10 percent of the number of voters who voted at the last
44 preceding general election in that county plus the total number of
45 requests to remove a name received by the county clerk in that



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

23 3. After the receipt of such an order, the county clerk or county
24 clerks shall determine from the records of registration what number
25 of registered voters have signed the petition and, if appropriate, tally
26 those signatures by petition district. This determination must be
27 completed within 12 days, excluding Saturdays, Sundays and
28 holidays, after the receipt of an order regarding a petition containing
29 signatures which are required to be verified pursuant to NRS
30 293.128, 295.056, 298.109 or 306.110, or pursuant to NRS 306.035
31 for a petition to recall a public officer who holds a statewide office,
32 and within 5 days, excluding Saturdays, Sundays and holidays, after
33 the receipt of an order regarding a petition containing signatures
34 which are required to be verified pursuant to NRS 293.172 . ~~for~~
35 ~~293.200.~~ If necessary, the board of county commissioners shall
36 allow the county clerk additional assistants for examining the
37 signatures and provide for their compensation. In determining from
38 the records of registration what number of registered voters have
39 signed the petition and in determining in which petition district the
40 voters reside, the county clerk must use the statewide voter
41 registration list. The county clerk may rely on the appearance of the
42 signature and the address and date included with each signature in
43 determining the number of registered voters that signed the petition.



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

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

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

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

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

31 **Sec. 9.** NRS 293.165 is hereby amended to read as follows:

32 293.165 1. ~~[Except as otherwise provided in NRS 293.166, a
33 vacancy occurring in a major or minor political party nomination for
34 a partisan office may be filled by a candidate designated by the
35 party central committee of the county or State, as the case may be,
36 of the major political party or by the executive committee of the
37 minor political party subject to the provisions of subsections 3, 4
38 and 5.~~

39 ~~—2.—~~ **A) If a** vacancy ~~[occurring]~~ **occurs** in a ~~[nonpartisan office~~
40 ~~or]~~ nomination for a **partisan or** nonpartisan office after the close of
41 filing and before 5 p.m. of the fourth Friday in July of the year in
42 which the general election is held, **the vacancy** must be filled by the
43 person who receives or received the next highest vote for the
44 nomination in the primary election if a primary election was held for
45 that **partisan or** nonpartisan office. If no primary election was held



1 for that *partisan or* nonpartisan office or if there was not more than
2 one person who was seeking the *partisan or* nonpartisan nomination
3 in the primary election, a person may become a candidate for the
4 *partisan or* nonpartisan office at the general election if the person
5 files a declaration of candidacy with the appropriate filing officer
6 and pays the filing fee required by NRS 293.193 after 8 a.m. on
7 the third Monday in June and before 5 p.m. on the fourth Friday in
8 July.

9 ~~[3.—If a vacancy occurs in a major political party nomination for
10 a partisan office after the primary election and before 5 p.m. on the
11 fourth Friday in July of the year in which the general election is held
12 and:~~

13 ~~—(a) The vacancy occurs because the nominee dies or is
14 adjudicated insane or mentally incompetent, the vacancy may be
15 filled by a candidate designated by the party central committee of
16 the county or State, as the case may be, of the major political party.~~

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

20 ~~—4.]~~ 2. No change may be made on the ballot for the general
21 election after 5 p.m. on the fourth Friday in July of the year in which
22 the general election is held. If, after that time and date:

23 (a) A nominee dies or is adjudicated insane or mentally
24 incompetent; or

25 (b) A vacancy in the nomination is otherwise created,
26 ↪ the nominee's name must remain on the ballot for the general
27 election and, if elected, a vacancy exists.

28 ~~[5.—Each designation of a candidate provided for in this section
29 must be filed with the appropriate filing officer before 5 p.m. on the
30 fourth Friday in July of the year in which the general election is
31 held. In each case, the candidate must file a declaration of candidacy
32 with the appropriate filing officer and pay the filing fee required by
33 NRS 293.193 before 5 p.m. on the date the designation is filed.]~~

34 **Sec. 10.** NRS 293.167 is hereby amended to read as follows:
35 293.167 ~~[Party candidates]~~ *Candidates* for United States
36 Senator and Representative in Congress shall be nominated in the
37 same manner as state officers are nominated.

38 **Sec. 11.** NRS 293.171 is hereby amended to read as follows:
39 293.171 1. To be organized as a minor political party, an
40 organization must file with the Secretary of State a certificate of
41 existence which includes the:

- 42 (a) Name of the political party;
43 (b) Names of its officers;



1 (c) Names of the members of its executive committee; and
2 (d) Name of the person authorized to file ~~the list of its~~
3 ~~candidates for partisan office~~ *any information required by this*
4 *title on behalf of the minor political party* with the Secretary of
5 State.

6 2. A copy of the constitution or bylaws of the party must be
7 affixed to the certificate.

8 3. A minor political party shall file with the Secretary of State
9 an amended certificate of existence within 5 days after any change
10 in the information contained in the certificate.

11 4. ~~The constitution or bylaws of a minor political party must~~
12 ~~provide a procedure for the nomination of its candidates in such a~~
13 ~~manner that only one candidate may be nominated for each office.~~

14 ~~—5.]~~ A minor political party ~~whose candidates for partisan~~
15 ~~office do not appear on the ballot for the general election~~ must file
16 a notice of continued existence with the Secretary of State not later
17 than the second Friday in August preceding the general election.

18 ~~[6.]~~ 5. A minor political party which fails to file a notice of
19 continued existence as required by subsection ~~[5]~~ 4 ceases to exist as
20 a minor political party in this State.

21 **Sec. 12.** NRS 293.1715 is hereby amended to read as follows:

22 293.1715 1. ~~The names of the candidates for partisan office~~
23 ~~of a minor political party must not appear on the ballot for a primary~~
24 ~~election.~~

25 ~~—2.]~~ The names of the candidates ~~for partisan office of~~ *that*
26 *minor political party wishes to place on the ballot for the offices of*
27 *President and Vice President of the United States* must be placed
28 on the ballot for the general election if the minor political party is
29 qualified. To qualify as a minor political party, the minor political
30 party must have filed a certificate of existence and be organized
31 pursuant to NRS 293.171, must have filed ~~a list~~ *with the Secretary*
32 *of State the names* of its candidates for ~~partisan office pursuant to~~
33 ~~the provisions of NRS 293.1725 with the Secretary of State~~ *the*
34 *offices of President and Vice President of the United States not*
35 *later than the last Tuesday in August* and:

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

40 ~~—(b)]~~ On January 1 preceding a primary election, the minor
41 political party must have been designated as the political party on
42 the applications to register to vote of at least 1 percent of the total
43 number of registered voters in this State; or

44 ~~[(e)]~~ (b) Not later than the third Friday in June preceding the
45 general election, must file a petition with the Secretary of State



1 which is signed by a number of registered voters equal to at least 1
2 percent of the total number of votes cast at the last preceding
3 general election for the offices of Representative in Congress.

4 ~~[3.—The name of only one candidate of each minor political~~
5 ~~party for each partisan office may appear on the ballot for a general~~
6 ~~election.~~

7 ~~—4.]~~ 2. A minor political party must file a copy of the petition
8 required by paragraph ~~[(e)]~~ (b) of subsection ~~[2]~~ 1 with the Secretary
9 of State before the petition may be circulated for signatures.

10 **Sec. 13.** NRS 293.172 is hereby amended to read as follows:

11 293.172 1. A petition filed pursuant to subsection ~~[2]~~ 1 of
12 NRS 293.1715 may consist of more than one document. Each
13 document of the petition must:

14 (a) Bear the name of the minor political party and, if applicable,
15 the ~~[candidate and office to which the candidate is to be nominated.]~~
16 *names of the candidates for the offices of President and Vice*
17 *President of the United States.*

18 (b) Include the affidavit of the person who circulated the
19 document verifying that the signers are registered voters in this State
20 according to his or her best information and belief and that the
21 signatures are genuine and were signed in his or her presence.

22 (c) Bear the name of a county and be submitted to the county
23 clerk of that county for verification in the manner prescribed in NRS
24 293.1276 to 293.1279, inclusive, not later than 10 working days
25 before the last day to file the petition. A challenge to the form of a
26 document must be made in a district court in the county that is
27 named on the document.

28 (d) Be signed only by registered voters of the county that is
29 named on the document.

30 2. ~~[If the office to which the candidate is to be nominated is a~~
31 ~~county office, only the registered voters of that county may sign the~~
32 ~~petition. If the office to which the candidate is to be nominated is a~~
33 ~~district office, only the registered voters of that district may sign the~~
34 ~~petition.~~

35 ~~—3.]~~ Each person who signs a petition shall also provide the
36 address of the place where he or she resides, the date that he or she
37 signs *the petition* and the name of the county in which he or she is
38 registered to vote.

39 ~~[4.]~~ 3. The county clerk shall not disqualify the signature of a
40 voter who failed to provide all the information required by
41 subsection ~~[3]~~ 2 if the voter is registered in the county named on the
42 document.

43 **Sec. 14.** NRS 293.174 is hereby amended to read as follows:

44 293.174 If the qualification of a minor political party to place
45 the names of candidates *for the offices of President and Vice*



1 *President of the United States* on the ballot pursuant to NRS
2 293.1715 is challenged, all affidavits and documents in support of
3 the challenge must be filed not later than 5 p.m. on the fourth Friday
4 in June. Any judicial proceeding resulting from the challenge must
5 be set for hearing not more than 5 days after the fourth Friday in
6 June. A challenge pursuant to this section must be filed with the
7 First Judicial District Court if the petition was filed with the
8 Secretary of State. The district court in which the challenge is filed
9 shall give priority to such proceedings over all other matters
10 pending with the court, except for criminal proceedings.

11 **Sec. 15.** NRS 293.175 is hereby amended to read as follows:

12 293.175 1. The primary election must be held on the second
13 Tuesday in June of each even-numbered year.

14 2. Candidates for partisan office ~~[of a major political party]~~ and
15 candidates for nonpartisan office must be nominated at the primary
16 election. *A person may become a candidate for partisan office at*
17 *the primary election regardless of the person's affiliation with a*
18 *political party, or lack thereof.*

19 3. ~~[Candidates for partisan office of a minor political party~~
20 ~~must be nominated in the manner prescribed pursuant to NRS~~
21 ~~293.171 to 293.174, inclusive.~~

22 ~~—4. Independent candidates for partisan office must be~~
23 ~~nominated in the manner provided in NRS 293.200.~~

24 ~~—5.]~~ The provisions of NRS 293.175 to 293.203, inclusive:

25 (a) Apply to a special election to fill a vacancy, except to the
26 extent that compliance with the provisions is not possible because of
27 the time at which the vacancy occurred.

28 (b) Do not apply to the nomination of the officers of
29 incorporated cities.

30 (c) Do not apply to the nomination of district officers whose
31 nomination is otherwise provided for by statute.

32 **Sec. 16.** NRS 293.177 is hereby amended to read as follows:

33 293.177 1. ~~[Except as otherwise provided in NRS 293.165~~
34 ~~and 293.166, a]~~ A name may not be printed on a ballot to be used at
35 a primary election unless the person named has filed a declaration of
36 candidacy with the appropriate filing officer and paid the filing fee
37 required by NRS 293.193 not earlier than:

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

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



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

3 (a) For partisan office:
4

5 DECLARATION OF CANDIDACY OF FOR THE
6 OFFICE OF

7
8 State of Nevada
9

10 County of
11

12 For the purpose of having my name placed on the official
13 ballot as a candidate for the ~~[..... Party]~~ nomination for
14 the office of, I, the undersigned, do swear or
15 affirm under penalty of perjury that I actually, as opposed to
16 constructively, reside at, in the City or Town of
17, County of, State of Nevada; that my actual, as
18 opposed to constructive, residence in the State, district,
19 county, township, city or other area prescribed by law to
20 which the office pertains began on a date at least 30 days
21 immediately preceding the date of the close of filing of
22 declarations of candidacy for this office; that my telephone
23 number is, and the address at which I receive mail, if
24 different than my residence, is; that I ~~[am registered as~~
25 ~~a member of]~~ *prefer* the Party ~~[;]~~ *or have no*
26 *political party preference;* that I am a qualified elector
27 pursuant to Section 1 of Article 2 of the Constitution of the
28 State of Nevada; that if I have ever been convicted of treason
29 or a felony, my civil rights have been restored; ~~[that I have~~
30 ~~not, in violation of the provisions of NRS 293.176, changed~~
31 ~~the designation of my political party or political party~~
32 ~~affiliation on an official application to register to vote in any~~
33 ~~state since December 31 before the closing filing date for this~~
34 ~~election; that I generally believe in and intend to support the~~
35 ~~concepts found in the principles and policies of that political~~
36 ~~party in the coming election;]~~ that if nominated as a candidate
37 ~~[of the Party]~~ at the ensuing election, I will accept
38 that nomination and not withdraw; that I will not knowingly
39 violate any election law or any law defining and prohibiting
40 corrupt and fraudulent practices in campaigns and elections in
41 this State; that I will qualify for the office if elected thereto,
42 including, but not limited to, complying with any limitation
43 prescribed by the Constitution and laws of this State
44 concerning the number of years or terms for which a person
45 may hold the office; that I understand that knowingly and



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

.....
(Designation of name)

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

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

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

(b) For nonpartisan office:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

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



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

.....
(Designation of name)

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

8 8. The receipt of information by the Attorney General or
9 district attorney pursuant to subsection 7 must be treated as a
10 challenge of a candidate pursuant to subsections 4 and 5 of NRS
11 293.182 to which the provisions of NRS 293.2045 apply.

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

15 **Sec. 17.** NRS 293.187 is hereby amended to read as follows:

16 293.187 1. Not later than 5 working days after the last day on
17 which a candidate for nonjudicial office may withdraw his or her
18 candidacy pursuant to NRS 293.202:

19 (a) The Secretary of State shall forward to each county clerk a
20 certified list containing the name and mailing address of each person
21 for whom candidacy papers for judicial and nonjudicial office have
22 been filed in the Office of the Secretary of State, and who is entitled
23 to be voted for in the county at the next succeeding primary election,
24 together with the title of the office for which the person is a
25 candidate and , *if applicable*, the *political* party or principles he or
26 she ~~represents;~~ *prefers*; and

27 (b) Each county clerk shall forward to the Secretary of State a
28 certified list containing the name and mailing address of each person
29 for whom candidacy papers for judicial and nonjudicial office have
30 been filed in the office of the county clerk, and who is entitled to be
31 voted for in the county at the next succeeding primary election,
32 together with the title of the office for which the person is a
33 candidate and , *if applicable*, the *political* party or principles he or
34 she ~~represents;~~ *prefers*.

35 2. There must be a *political* party *preference* designation only
36 for candidates for partisan offices.

37 **Sec. 18.** NRS 293.194 is hereby amended to read as follows:

38 293.194 The filing fee of an independent candidate who files a
39 petition pursuant to NRS ~~293.200 or~~ 298.109 ~~[, of a candidate of a~~
40 ~~minor political party or of a candidate of a new major political~~
41 ~~party.]~~ *for the offices of President and Vice President of the United*
42 *States* must be returned to the candidate by the ~~filing officer to~~
43 ~~whom the fee was paid~~ *Secretary of State* within 10 days after the
44 date on which a final determination is made that the petition of the



1 candidate ~~[, minor political party or new major political party]~~ failed
2 to contain the required number of signatures.

3 **Sec. 19.** NRS 293.195 is hereby amended to read as follows:

4 293.195 1. Judicial offices, school offices, the office of
5 county sheriff, the Board of Regents of the University of Nevada,
6 city and town officers, the office of constable, the State Board of
7 Education and members of boards of hospital trustees of public
8 hospitals are hereby designated nonpartisan offices.

9 2. No words designating the *political* party ~~[affiliation]~~
10 *preference* of a candidate for nonpartisan offices may be printed
11 upon the ballot.

12 **Sec. 20.** NRS 293.250 is hereby amended to read as follows:

13 293.250 1. Except as otherwise provided in chapter 293D of
14 NRS, the Secretary of State shall, in a manner consistent with the
15 election laws of this State, prescribe:

16 (a) The form of all ballots, absent ballots, diagrams, sample
17 ballots, certificates, notices, declarations, applications to preregister
18 and register to vote, lists, applications, registers, rosters, statements
19 and abstracts required by the election laws of this State.

20 (b) The procedures to be followed and the requirements of:

21 (1) A system established pursuant to NRS 293.506 for using
22 a computer to register voters and to keep records of registration.

23 (2) The system established by the Secretary of State pursuant
24 to NRS 293.671 for using a computer to register voters.

25 *(c) Methods of voter education intended to inform voters that*
26 *the designation of a political party preference on a ballot for a*
27 *primary or general election does not imply that the candidate has*
28 *been nominated or endorsed by that political party or that the*
29 *political party approves of or affiliates with that candidate.*

30 2. Except as otherwise provided in chapter 293D of NRS, the
31 Secretary of State shall prescribe with respect to the matter to be
32 printed on every kind of ballot:

33 (a) The placement and listing of all offices, candidates ,
34 *disclaimers required pursuant to NRS 293.263 and 293.267* and
35 measures upon which voting is statewide, which must be uniform
36 throughout the State.

37 (b) The listing of all other candidates required to file with the
38 Secretary of State, and the order of listing all offices, candidates and
39 measures upon which voting is not statewide, from which each
40 county or city clerk shall prepare appropriate ballot forms for use in
41 any election in his or her county.

42 3. The Secretary of State shall place the condensation of each
43 proposed constitutional amendment or statewide measure near the
44 spaces or devices for indicating the voter's choice.



1 4. The fiscal note for, explanation of, arguments for and
2 against, and rebuttals to such arguments of each proposed
3 constitutional amendment or statewide measure must be included on
4 all sample ballots.

5 5. The condensations and explanations for constitutional
6 amendments and statewide measures proposed by initiative or
7 referendum must be prepared by the Secretary of State, upon
8 consultation with the Attorney General. The arguments and rebuttals
9 for or against constitutional amendments and statewide measures
10 proposed by initiative or referendum must be prepared in the
11 manner set forth in NRS 293.252. The fiscal notes for constitutional
12 amendments and statewide measures proposed by initiative or
13 referendum must be prepared by the Secretary of State, upon
14 consultation with the Fiscal Analysis Division of the Legislative
15 Counsel Bureau. The condensations, explanations, arguments,
16 rebuttals and fiscal notes must be in easily understood language and
17 of reasonable length, and whenever feasible must be completed by
18 August 1 of the year in which the general election is to be held. The
19 explanations must include a digest. The digest must include a
20 concise and clear summary of any existing laws directly related to
21 the constitutional amendment or statewide measure and a summary
22 of how the constitutional amendment or statewide measure adds to,
23 changes or repeals such existing laws. For a constitutional
24 amendment or statewide measure that creates, generates, increases
25 or decreases any public revenue in any form, the first paragraph of
26 the digest must include a statement that the constitutional
27 amendment or statewide measure creates, generates, increases or
28 decreases, as applicable, public revenue.

29 6. The names of candidates for township and legislative or
30 special district offices must be printed only on the ballots furnished
31 to voters of that township or district.

32 7. A county clerk:

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

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

38 **Sec. 21.** NRS 293.257 is hereby amended to read as follows:

39 293.257 ~~1.—There must be a separate primary ballot for each~~
40 ~~major political party. The names of candidates for partisan offices~~
41 ~~who have designated a major political party in the declaration of~~
42 ~~candidacy must appear on the primary ballot of the major political~~
43 ~~party designated.~~

44 ~~2.—The county clerk may choose to place the names of~~
45 ~~candidates for nonpartisan offices on the ballots for each major~~



1 ~~political party or on a separate nonpartisan primary ballot, but the~~
2 ~~arrangement which the county clerk selects must permit all~~
3 ~~registered voters to vote on them.~~

4 ~~—3.—~~ **A]** Any registered voter may cast a primary ballot for ~~{a~~
5 ~~major political party at a primary election only if the registered voter~~
6 ~~designated on his or her application to register to vote an affiliation~~
7 ~~with that major political party.}~~ **any candidate for partisan office**
8 **regardless of the political party affiliation of the voter or any**
9 **political party preference indicated by the candidate.**

10 **Sec. 22.** NRS 293.260 is hereby amended to read as follows:

11 293.260 1. If there is no contest of election for nomination to
12 a particular office, neither the title of the office nor the name of the
13 candidate may appear on the ballot at the primary election.

14 2. ~~{If a major political party has two or more candidates for a~~
15 ~~particular office, the person who receives the highest number of~~
16 ~~votes at the primary election must be declared the nominee of that~~
17 ~~major political party for the office.}~~ **At an election for partisan**
18 **office, the two candidates who receive the highest number of votes**
19 **at the primary election must be declared the nominees, and their**
20 **names must be placed on the ballot at the general election.**

21 3. If not more than the number of candidates to be elected have
22 filed for nomination for:

23 (a) Any partisan office or the office of judge of a district court,
24 judge of the Court of Appeals or justice of the Supreme Court, the
25 names of those candidates must be omitted from all ballots for a
26 primary election and placed on all ballots for the general election.

27 (b) Any nonpartisan office, other than the office of judge of a
28 district court, judge of the Court of Appeals, justice of the Supreme
29 Court or member of a town advisory board, the names of those
30 candidates must appear on the ballot for a primary election unless
31 the candidates were nominated pursuant to subsection ~~{2}~~ **1** of NRS
32 293.165. If a candidate receives one or more votes at the primary
33 election, the candidate must be declared elected to the office and his
34 or her name must not be placed on the ballot for the general
35 election. If a candidate does not receive one or more votes at the
36 primary election, his or her name must be placed on the ballot for
37 the general election.

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

41 4. If there are not more than twice the number of candidates to
42 be elected to a nonpartisan office, the candidates must, without a
43 primary election, be declared the nominees for the office, and the
44 names of the candidates must be omitted from all ballots for a
45 primary election and placed on all ballots for the general election.



1 5. If there are more than twice the number of candidates to be
2 elected to a nonpartisan office, the names of the candidates must
3 appear on the ballot for a primary election. Except as otherwise
4 provided in NRS 293.400, those candidates who receive the highest
5 number of votes at the primary election, not to exceed twice the
6 number to be elected, must be declared nominees for the office and
7 the names of those candidates must be placed on the ballot for the
8 general election, except that if one of those candidates receives a
9 majority of the votes cast in the primary election for:

10 (a) The office of judge of a district court, judge of the Court of
11 Appeals or justice of the Supreme Court, the candidate must be
12 declared the only nominee for the office and only his or her name
13 must be placed on the ballot for the general election.

14 (b) Any other nonpartisan office, the candidate must be declared
15 elected to the office and his or her name must not be placed on the
16 ballot for the general election.

17 **Sec. 23.** NRS 293.263 is hereby amended to read as follows:

18 293.263 ~~[On]~~

19 **1. The designation "Partisan Offices" must appear at the top**
20 **of the primary ballots for ~~[a major political party, the name of the~~**
21 **~~major political party must appear at the top of the ballot.] partisan~~**
22 **office.** Except as otherwise provided in NRS 293.2565, following
23 this designation must appear the names of candidates grouped
24 alphabetically under the title and length of term of the partisan
25 office for which those candidates filed.

26 **2. Except as otherwise provided in subsection 3, immediately**
27 **following the name of each candidate must appear the name or**
28 **abbreviation of the political party he or she prefers, the words "no**
29 **political party" or the abbreviation "NPP," as applicable.**

30 **3. Where a system of voting other than by paper ballot is**
31 **used, the Secretary of State may provide for any placement of the**
32 **name or abbreviation of the political party preference, the words**
33 **"no political party" or the abbreviation "NPP," as appropriate,**
34 **which clearly relates the designation to the name of the candidate**
35 **to whom it applies.**

36 **4. The primary ballots for partisan office must include a**
37 **conspicuously placed disclaimer in language approved by the**
38 **Secretary of State indicating that any political preference**
39 **expressed by a candidate on the ballot does not imply that the**
40 **candidate has been nominated or endorsed by that political party**
41 **or that the political party approves of or affiliates with that**
42 **candidate.**

43 **Sec. 24.** NRS 293.265 is hereby amended to read as follows:

44 293.265 ~~[On nonpartisan primary ballots, there]~~ **There** must
45 appear at the top of the **primary** ballot the designation "Nonpartisan



1 Offices.” Except as otherwise provided in NRS 293.2565, following
2 this designation must appear the names of candidates grouped
3 alphabetically under the title and length of term of the nonpartisan
4 office for which those candidates filed.

5 **Sec. 25.** NRS 293.267 is hereby amended to read as follows:

6 293.267 1. Ballots for a general election must contain the
7 names of candidates who were nominated at the primary election . ~~for~~
8 ~~the names of the candidates of a minor political party and the names~~
9 ~~of independent candidates.]~~

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

13 3. Except as otherwise provided in subsection 4:

14 (a) Immediately following the name of each candidate for a
15 partisan office must appear the name or abbreviation of ~~his or her~~
16 ~~the~~ political party ~~and~~ *he or she prefers*, the words “no political
17 party” or the abbreviation “NPP,” as the case may be.

18 (b) Immediately following the name of each candidate for a
19 nonpartisan office must appear the word “nonpartisan” or the
20 abbreviation “NP.”

21 4. Where a system of voting other than by paper ballot is used,
22 the Secretary of State may provide for any placement of the name or
23 abbreviation of the political party, the words “no political party” or
24 “nonpartisan” or the abbreviation “NPP” or “NP,” as appropriate,
25 which clearly relates the designation to the name of the candidate to
26 whom it applies.

27 5. *The ballots must include a conspicuously placed disclaimer*
28 *in language approved by the Secretary of State indicating that any*
29 *political party preference expressed by a candidate on the ballot*
30 *does not imply that the candidate has been nominated or endorsed*
31 *by that political party or that the political party approves of or*
32 *affiliates with that candidate.*

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

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



1 **Sec. 26.** NRS 293.287 is hereby amended to read as follows:
2 293.287 1. A registered voter applying to vote at any primary
3 election shall give his or her name ~~[and political affiliation, if any,]~~
4 to the election board officer in charge of the roster, and the officer
5 shall immediately announce the name ~~[and political affiliation.]~~ *of*
6 *the voter.*

7 2. Any person's right to vote may be challenged by any
8 registered voter upon ~~[-~~
9 ~~—(a) Any]~~ *any* of the grounds allowed for a challenge in
10 NRS 293.303. ~~[-~~

11 ~~—(b) The ground that the person applying does not belong to the~~
12 ~~political party designated upon the roster; or~~

13 ~~—(c) The ground that the roster does not show that the person~~
14 ~~designated the political party to which he or she claims to belong.]~~

15 3. Any such challenge must be disposed of in the manner
16 provided by NRS 293.303.

17 ~~[4. A registered voter who has designated on his or her~~
18 ~~application to register to vote an affiliation with a minor political~~
19 ~~party may vote a nonpartisan ballot at the primary election.]~~

20 **Sec. 27.** NRS 293.303 is hereby amended to read as follows:

21 293.303 1. A person applying to vote may be challenged:

22 (a) Orally by any registered voter of the precinct upon the
23 ground that he or she is not the person entitled to vote as claimed or
24 has voted before at the same election. A registered voter who
25 initiates a challenge pursuant to this paragraph must submit an
26 affirmation that is signed under penalty of perjury and in the form
27 prescribed by the Secretary of State stating that the challenge is
28 based on the personal knowledge of the registered voter.

29 (b) On any ground set forth in a challenge filed with the county
30 clerk pursuant to the provisions of NRS 293.547.

31 2. If a person is challenged, an election board officer shall
32 tender the challenged person the following oath or affirmation:

33 (a) ~~[If the challenge is on the ground that the challenged person~~
34 ~~does not belong to the political party designated upon the roster, “I~~
35 ~~swear or affirm under penalty of perjury that I belong to the political~~
36 ~~party designated upon the roster”;~~

37 ~~—(b) If the challenge is on the ground that the roster does not~~
38 ~~show that the challenged person designated the political party to~~
39 ~~which he or she claims to belong, “I swear or affirm under penalty~~
40 ~~of perjury that I designated on the application to register to vote the~~
41 ~~political party to which I claim to belong”;~~

42 ~~—(c) If the challenge is on the ground that the challenged person~~
43 ~~does not reside at the residence for which the address is listed in the~~
44 ~~roster, “I swear or affirm under penalty of perjury that I reside at the~~
45 ~~residence for which the address is listed in the roster”;~~



1 ~~[(d)]~~ (b) If the challenge is on the ground that the challenged
2 person previously voted a ballot for the election, “I swear or affirm
3 under penalty of perjury that I have not voted for any of the
4 candidates or questions included on this ballot for this election”; or

5 ~~[(e)]~~ (c) If the challenge is on the ground that the challenged
6 person is not the person he or she claims to be, “I swear or affirm
7 under penalty of perjury that I am the person whose name is in this
8 roster.”

9 ➔ The oath or affirmation must be set forth on a form prepared by
10 the Secretary of State and signed by the challenged person under
11 penalty of perjury.

12 3. ~~[Except as otherwise provided in subsection 4, if]~~ If the
13 challenged person refuses to execute the oath or affirmation so
14 tendered, the person must not be issued a ballot, and the election
15 board officer shall indicate in the roster “Challenged” by the
16 person’s name.

17 4. ~~[If the challenged person refuses to execute the oath or~~
18 ~~affirmation set forth in paragraph (a) or (b) of subsection 2, the~~
19 ~~election board officers shall issue the person a nonpartisan ballot.~~

20 —5.] If the challenged person refuses to execute the oath or
21 affirmation set forth in paragraph ~~[(e)]~~ (a) of subsection 2, the
22 election board officers shall inform the person that he or she is
23 entitled to vote only in the manner prescribed in NRS 293.304.

24 ~~[6.—If the challenged person executes the oath or affirmation~~
25 ~~and the challenge is not based on the ground set forth in paragraph~~
26 ~~(e) of subsection 2, the election board officers shall issue the person~~
27 ~~a partisan ballot.~~

28 —7.] 5. If the challenge is based on the ground set forth in
29 paragraph ~~[(e)]~~ (a) of subsection 2, and the challenged person
30 executes the oath or affirmation, the election board shall not issue
31 the person a ballot until he or she furnishes satisfactory
32 identification which contains proof of the address at which the
33 person actually resides. For the purposes of this subsection, a voter
34 registration card does not provide proof of the address at which a
35 person resides.

36 ~~[8.]~~ 6. If the challenge is based on the ground set forth in
37 paragraph ~~[(e)]~~ (c) of subsection 2 and the challenged person
38 executes the oath or affirmation, the election board shall not issue
39 the person a ballot unless the person:

40 (a) Furnishes official identification which contains a photograph
41 of the person, such as a driver’s license or other official document;
42 or

43 (b) Brings before the election board officers a person who is at
44 least 18 years of age who:



1 (1) Furnishes official identification which contains a
2 photograph of that person, such as a driver's license or other official
3 document; and

4 (2) Executes an oath or affirmation under penalty of perjury
5 that the challenged person is who he or she swears to be.

6 ~~9.1~~ 7. The election board officers shall:

7 (a) Record on the challenge list:

8 (1) The name of the challenged person;

9 (2) The name of the registered voter who initiated the
10 challenge; and

11 (3) The result of the challenge; and

12 (b) If possible, orally notify the registered voter who initiated
13 the challenge of the result of the challenge.

14 **Sec. 28.** NRS 293.304 is hereby amended to read as follows:

15 293.304 1. If a person is successfully challenged on the
16 ground set forth in paragraph ~~(e)~~ (a) of subsection 2 of NRS
17 293.303 or if a person refuses to provide an affirmation pursuant to
18 NRS 293.525, the election board shall instruct the voter that he or
19 she may vote only at the special polling place in the manner set forth
20 in this section.

21 2. The county clerk of each county shall maintain a special
22 polling place in the county clerk's office and at such other locations
23 as he or she deems necessary during each election. The ballots voted
24 at the special polling place must be kept separate from the ballots of
25 voters who have not been so challenged or who have provided an
26 affirmation pursuant to NRS 293.525 in a special sealed container if
27 the ballots are ballots which are voted on a mechanical recording
28 device which directly records the votes electronically.

29 3. A person who votes at a special polling place may vote only
30 for the following offices and questions:

31 (a) President and Vice President of the United States;

32 (b) United States Senator;

33 (c) All state officers for whom all voters in the State may vote;

34 (d) All officers for whom all voters in the county may vote; and

35 (e) Questions which have been submitted to all voters of the
36 county or State.

37 4. The ballots voted at the special polling place must be
38 counted when other ballots are counted and, if the ballots are ballots
39 which are voted on a mechanical recording device which directly
40 records the votes electronically, maintained in a separate sealed
41 container until any contest of election is resolved or the date for
42 filing a contest of election has passed, whichever is later.

43 **Sec. 29.** NRS 293.368 is hereby amended to read as follows:

44 293.368 1. Except as otherwise provided in subsection ~~4~~ 2
45 of NRS 293.165, if a candidate on the ballot at a primary election



1 dies after 5 p.m. of the second Tuesday in April, the deceased
2 candidate's name must remain on the ballot and the votes cast for
3 the deceased candidate must be counted in determining the
4 nomination for the office for which the decedent was a candidate.

5 2. If the deceased candidate *for a partisan or nonpartisan*
6 *office* on the ballot at the primary election receives the number of
7 votes required to receive the nomination to the office for which he
8 or she was a candidate, ~~except as otherwise provided in subsection~~
9 ~~2 of NRS 293.165, the deceased candidate shall be deemed~~
10 ~~nominated and the vacancy in the nomination must be filled as~~
11 ~~provided in NRS 293.165 or 293.166. If the deceased person was a~~
12 ~~candidate for a nonpartisan office.]~~ the nomination must be filled
13 pursuant to subsection ~~[2]~~ 1 of NRS 293.165.

14 3. Whenever a candidate whose name appears upon the ballot
15 at a general election dies after 5 p.m. on the fourth Friday in July of
16 the year in which the general election is held, the votes cast for the
17 deceased candidate must be counted in determining the results of the
18 election for the office for which the decedent was a candidate.

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

26 **Sec. 30.** NRS 293.565 is hereby amended to read as follows:

27 293.565 1. Except as otherwise provided in subsection 3,
28 sample ballots must include:

29 (a) If applicable, the statement required by NRS 293.267;

30 (b) The fiscal note or description of anticipated financial effect,
31 as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015,
32 295.095 or 295.230 for each proposed constitutional amendment,
33 statewide measure, measure to be voted upon only by a special
34 district or political subdivision and advisory question;

35 (c) An explanation, as provided pursuant to NRS 218D.810,
36 293.250, 293.481, 295.121 or 295.230, of each proposed
37 constitutional amendment, statewide measure, measure to be voted
38 upon only by a special district or political subdivision and advisory
39 question;

40 (d) Arguments for and against each proposed constitutional
41 amendment, statewide measure, measure to be voted upon only by a
42 special district or political subdivision and advisory question, and
43 rebuttals to each argument, as provided pursuant to NRS 218D.810,
44 293.250, 293.252 or 295.121; ~~and]~~



1 (e) The full text of each proposed constitutional amendment **H** ;
2 **and**

3 ***(f) A conspicuously placed disclaimer in language approved by***
4 ***the Secretary of State indicating that any political party preference***
5 ***expressed by a candidate on a ballot does not imply that the***
6 ***candidate has been nominated or endorsed by that political party***
7 ***or that the political party approves of or affiliates with that***
8 ***candidate.***

9 2. If, pursuant to the provisions of NRS 293.2565, the word
10 “Incumbent” must appear on the ballot next to the name of the
11 candidate who is the incumbent, the word “Incumbent” must appear
12 on the sample ballot next to the name of the candidate who is the
13 incumbent.

14 3. Sample ballots that are mailed to registered voters may be
15 printed without the full text of each proposed constitutional
16 amendment if:

17 (a) The cost of printing the sample ballots would be significantly
18 reduced if the full text of each proposed constitutional amendment
19 were not included;

20 (b) The county clerk ensures that a sample ballot that includes
21 the full text of each proposed constitutional amendment is provided
22 at no charge to each registered voter who requests such a sample
23 ballot; and

24 (c) The sample ballots provided to each polling place include the
25 full text of each proposed constitutional amendment.

26 4. A county clerk may establish a system for distributing
27 sample ballots by electronic means to each registered voter who
28 elects to receive a sample ballot by electronic means. Such a system
29 may include, without limitation, electronic mail or electronic access
30 through an Internet website. If a county clerk establishes such a
31 system and a registered voter elects to receive a sample ballot by
32 electronic means, the county clerk shall distribute the sample ballot
33 to the registered voter by electronic means pursuant to the
34 procedures and requirements set forth by regulations adopted by the
35 Secretary of State.

36 5. If a registered voter does not elect to receive a sample ballot
37 by electronic means pursuant to subsection 4, the county clerk shall
38 distribute the sample ballot to the registered voter by mail.

39 6. Except as otherwise provided in subsection 7, before the
40 period for early voting for any election begins, the county clerk shall
41 distribute to each registered voter in the county by mail or electronic
42 means, as applicable, the sample ballot for his or her precinct, with a
43 notice informing the voter of the location of his or her polling place
44 or places. If the location of the polling place or places has changed
45 since the last election:



1 (a) The county clerk shall mail a notice of the change to each
2 registered voter in the county not sooner than 10 days before
3 distributing the sample ballots; or

4 (b) The sample ballot must also include a notice in bold type
5 immediately above the location which states:

6
7 **NOTICE: THE LOCATION OF YOUR POLLING PLACE OR**
8 **PLACES HAS CHANGED SINCE THE LAST ELECTION**
9

10 7. If a person registers to vote less than 20 days before the date
11 of an election, the county clerk is not required to distribute to the
12 person the sample ballot for that election by mail or electronic
13 means.

14 8. Except as otherwise provided in subsection 9, a sample
15 ballot required to be distributed pursuant to this section must:

16 (a) Be prepared in at least 12-point type; and

17 (b) Include on the front page, in a separate box created by bold
18 lines, a notice prepared in at least 20-point bold type that states:

19
20 **NOTICE: TO RECEIVE A SAMPLE BALLOT IN**
21 **LARGE TYPE, CALL (Insert appropriate telephone number)**
22

23 9. A portion of a sample ballot that contains a facsimile of the
24 display area of a voting device may include material in less than 12-
25 point type to the extent necessary to make the facsimile fit on the
26 pages of the sample ballot.

27 10. The sample ballot distributed to a person who requests a
28 sample ballot in large type by exercising the option provided
29 pursuant to NRS 293.508, or in any other manner, must be prepared
30 in at least 14-point type, or larger when practicable.

31 11. If a person requests a sample ballot in large type, the
32 county clerk shall ensure that all future sample ballots distributed to
33 that person from the county are in large type.

34 12. The county clerk shall include in each sample ballot a
35 statement indicating that the county clerk will, upon request of a
36 voter who is elderly or disabled, make reasonable accommodations
37 to allow the voter to vote at his or her polling place or places and
38 provide reasonable assistance to the voter in casting his or her vote,
39 including, without limitation, providing appropriate materials to
40 assist the voter. In addition, if the county clerk has provided
41 pursuant to subsection 4 of NRS 293.2955 for the placement at
42 centralized voting locations of specially equipped voting devices for
43 use by voters who are elderly or disabled, the county clerk shall
44 include in the sample ballot a statement indicating:

45 (a) The addresses of such centralized voting locations;



1 (b) The types of specially equipped voting devices available at
2 such centralized voting locations; and

3 (c) That a voter who is elderly or disabled may cast his or her
4 ballot at such a centralized voting location rather than at his or her
5 regularly designated polling place or places.

6 13. The cost of distributing sample ballots for any election
7 other than a primary or general election must be borne by the
8 political subdivision holding the election.

9 **Sec. 31.** NRS 293.5737 is hereby amended to read as follows:

10 293.5737 1. The Department of Motor Vehicles shall follow
11 the procedures described in this section and NRS 293.5742 and
12 293.5747 if a person applies to the Department for the issuance or
13 renewal of or change of address for any type of driver's license or
14 identification card issued by the Department.

15 2. Before concluding the person's transaction with the
16 Department, the Department shall notify each person described in
17 subsection 1:

18 (a) Of the qualifications to vote in this State, as provided by
19 NRS 293.485;

20 (b) That, unless the person affirmatively declines in writing to
21 apply to register to vote or have his or her voter registration
22 information updated, as applicable:

23 (1) The person is deemed to have consented to the
24 transmission of information to the Secretary of State and the county
25 clerks for the purpose of registering the person to vote or updating
26 the voter registration information of the person for the purpose of
27 correcting the statewide voter registration list pursuant to NRS
28 293.530; and

29 (2) The Department will transmit to the county clerk of the
30 county in which the person resides all information required to
31 register the person to vote pursuant to this chapter or to update the
32 voter registration information of the person for the purpose of
33 correcting the statewide voter registration list pursuant to
34 NRS 293.530;

35 (c) That:

36 (1) Indicating a political party affiliation or indicating that
37 the person is not affiliated with a political party is voluntary; *and*

38 (2) The person may indicate a political party affiliation on a
39 paper or electronic form provided by the Department; and

40 ~~[(3) The person will not be able to vote at a primary election
41 or primary city election for candidates for partisan offices of a major
42 political party unless the person updates his or her voter registration
43 information to indicate a major political party affiliation; and]~~

44 (d) Of the provisions of subsections 2 and 3 of NRS 293.5757.



1 3. The failure or refusal of the person to acknowledge that he
2 or she has received the notice required by subsection 2:

3 (a) Is not a declination by the person to apply to register to vote
4 or have his or her voter registration information updated; and

5 (b) Shall not be deemed to affect any duty of the Department,
6 the Secretary of State or any county clerk:

7 (1) Relating to the application of the person to register to
8 vote; or

9 (2) To update the voter registration information of the
10 person.

11 4. The Department:

12 (a) Shall prescribe by regulation the form of the notice required
13 by subsection 2 and the procedure for providing it; and

14 (b) Shall not require the person to acknowledge that he or she
15 has received the notice required by subsection 2.

16 **Sec. 32.** NRS 293B.070 is hereby amended to read as follows:

17 293B.070 A mechanical voting system must provide facilities
18 for voting for *all* the candidates ~~[of as many political parties or~~
19 ~~organizations as may make nominations,]~~ and for or against *all*
20 measures ~~[]~~ *to which a voter is entitled to vote.*

21 **Sec. 33.** NRS 293B.080 is hereby amended to read as follows:

22 293B.080 A mechanical voting system must ~~[, except at~~
23 ~~primary elections,]~~ permit the voter to vote for all the candidates of
24 one *political* party *preference* or in part for the candidates of one
25 party and in part for the candidates of one or more other ~~[parties,]~~
26 *political party preferences.*

27 **Sec. 34.** NRS 293B.130 is hereby amended to read as follows:

28 293B.130 1. Before any election where a mechanical voting
29 system is to be used, the county clerk shall prepare or cause to be
30 prepared a computer program on cards, tape or other material
31 suitable for use with the computer or counting device to be
32 employed for counting the votes cast. The program must cause the
33 computer or counting device to operate in the following manner:

34 (a) All lawful votes cast by each voter must be counted.

35 (b) All unlawful votes, including, but not limited to, overvotes ,
36 ~~[or, in a primary election, votes cast for a candidate of a major~~
37 ~~political party other than the party, if any, of the registration of the~~
38 ~~voter]~~ must not be counted.

39 (c) If the election is:

40 (1) A primary election held in an even-numbered year; or

41 (2) A general election,

42 ↪ the total votes, other than absentee votes and votes in a mailing
43 precinct, must be accumulated by precinct.

44 (d) The computer or counting device must halt or indicate by
45 appropriate signal if a ballot is encountered which lacks a code



1 identifying the precinct in which it was voted . ~~[and, in a primary~~
2 ~~election, identifying the major political party of the voter.]~~

3 2. The program must be prepared under the supervision of the
4 accuracy certification board appointed pursuant to the provisions of
5 NRS 293B.140.

6 3. The county clerk shall take such measures as he or she
7 deems necessary to protect the program from being altered or
8 damaged.

9 **Sec. 35.** NRS 298.035 is hereby amended to read as follows:

10 298.035 1. Each major political party shall, at the state
11 convention of the major political party held in that year, select from
12 the qualified electors who are legally registered members of the
13 major political party:

14 (a) A nominee to the position of presidential elector; and

15 (b) An alternate to the nominee for presidential elector,

16 ↪ for each position of presidential elector required by law.

17 2. Each minor political party shall choose from the qualified
18 electors who are legally registered members of the minor political
19 party:

20 (a) A nominee to the position of presidential elector; and

21 (b) An alternate to the nominee for presidential elector,

22 ↪ for each position of presidential elector required by law. The
23 person who is authorized to file ~~[the list of candidates for partisan~~
24 ~~office]~~ **information on behalf** of the minor political party with the
25 Secretary of State ~~[pursuant to NRS 293.1725]~~ shall, not later than
26 the last Tuesday in August, submit to the Secretary of State the list
27 of nominees for presidential elector and alternates.

28 3. Each independent candidate nominated for the office of
29 President pursuant to NRS 298.109 shall, at the time of filing the
30 petition as required pursuant to subsection 1 of NRS 298.109, or
31 within 10 days thereafter, choose from the qualified electors:

32 (a) A nominee to the position of presidential elector; and

33 (b) An alternate to the nominee for presidential elector,

34 ↪ for each position of presidential elector required by law.

35 **Sec. 36.** NRS 298.045 is hereby amended to read as follows:

36 298.045 1. Except as otherwise provided in subsection 2, a
37 nominee for presidential elector or an alternate may not serve as a
38 presidential elector unless the nominee for presidential elector or the
39 alternate signs a pledge in substantially the following form:

40
41 If selected for the position of presidential elector, I agree to
42 serve as such and to vote only for the nominees for President
43 and Vice President of the political party or the independent
44 candidates who received the highest number of votes in this
45 State at the general election.



1 2. If a nominee for presidential elector or an alternate is
2 physically unable to sign the pledge, the pledge may be signed by
3 proxy in the presence of the nominee for presidential elector or the
4 alternate, as applicable.

5 3. The chair and secretary of the convention of a major
6 political party, the person who is authorized to file ~~the list of~~
7 ~~candidates for partisan office~~ *information on behalf* of a minor
8 political party with the Secretary of State ~~pursuant to NRS~~
9 ~~293.1725~~ or an independent candidate shall submit to the Secretary
10 of State each pledge signed pursuant to this section with the list of
11 nominees for presidential elector and alternates.

12 **Sec. 37.** NRS 304.040 is hereby amended to read as follows:

13 304.040 Except as otherwise provided in NRS 304.200 to
14 304.250, inclusive, ~~party~~ candidates for Representative in
15 Congress shall be nominated in the same manner as state officers are
16 nominated.

17 **Sec. 38.** NRS 304.240 is hereby amended to read as follows:

18 304.240 1. If the Governor issues an election proclamation
19 calling for a special election pursuant to NRS 304.230, no primary
20 election may be held.

21 2. ~~Except as otherwise provided in this section, a candidate~~
22 ~~must be nominated in the manner provided in chapter 293 of NRS~~
23 ~~and must file a declaration of candidacy with the appropriate filing~~
24 ~~officer and pay the filing fee required by NRS 293.193 within the~~
25 ~~time prescribed by the Secretary of State pursuant to NRS 293.204,~~
26 ~~which must be established to allow a sufficient amount of time for~~
27 ~~the mailing of election ballots.~~

28 ~~—3.— A candidate [of a major political party] is nominated by~~
29 ~~filing a declaration of candidacy with the appropriate filing officer~~
30 ~~and paying the filing fee required by NRS 293.193 within the time~~
31 ~~prescribed by the Secretary of State pursuant to NRS 293.204 [~~

32 ~~—4.— A minor political party that wishes to place its candidates on~~
33 ~~the ballot must file a list of its candidates with the Secretary of State~~
34 ~~not more than 46 days before the special election and not less than~~
35 ~~32 days before the special election.~~

36 ~~—5.— To have his or her name appear on the ballot, an independent~~
37 ~~candidate must file a petition of candidacy with the appropriate~~
38 ~~filing officer not more than 46 days before the special election and~~
39 ~~not less than 32 days before the special election.~~

40 ~~—6.—], which must allow a sufficient amount of time for the~~
41 ~~mailing of election ballots.~~

42 3. Except as otherwise provided in NRS 304.200 to 304.250,
43 inclusive:

44 (a) The election must be conducted pursuant to the provisions of
45 chapter 293 of NRS.



(b) The general election laws of this State apply to the election.

Sec. 39. NRS 450.080 is hereby amended to read as follows:

450.080 Except in counties where the board of county commissioners is the board of hospital trustees:

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

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

Sec. 40. If any provision of this act, or the application thereof to any person, thing or circumstance, is declared invalid or unconstitutional, such declaration shall not affect any provision or application of this act which can be given effect without the invalid or unconstitutional provision or application, and to this end the Legislature declares that each provision of this act is severable and independent.

Sec. 41. NRS 293.166, 293.1725, 293.176, 293.200, 293B.190, 293B.300, 293B.305 and 293B.310 are hereby repealed.

Sec. 42. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 41, inclusive, of this act become effective:

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

(b) On January 1, 2022, for all other purposes.

LEADLINES OF REPEALED SECTIONS

293.166 Procedure for filling certain vacancies in party nomination for office of State Legislator from multicounty legislative district; deadline for making changes to general election ballot.

293.1725 Candidates: Submission of list to Secretary of State; filing of declaration of candidacy and certificate of nomination.

293.176 When candidacy for major political party prohibited; exception.

293.200 Independent candidates: Qualification; petition of candidacy; time limit for challenge; declaration of candidacy.



293B.190 Primary elections: Partisan and nonpartisan arrangement of list of candidates and measures to be voted on at election.

293B.300 Primary elections: Issuance of partisan ballot; directions to voter.

293B.305 Primary elections: Issuance of nonpartisan ballot; alternative directions to voter.

293B.310 Primary elections: Optional manner of voting when party comprises less than 5 percent of voters.

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