

SENATE BILL NO. 20—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTIES)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the process for filling a vacancy in a board of county commissioners. (BDR 20-393)

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

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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 counties; authorizing a board of county commissioners to establish a process for filling a vacancy in the board; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires that: (1) any vacancy occurring in any board of county  
2 commissioners must be filled by appointment of the Governor; and (2) the  
3 Governor’s appointee must, with certain exceptions, be a member of the same  
4 political party as the most recent holder of the vacant office. (NRS 244.040) This  
5 bill authorizes a board of county commissioners to establish by ordinance a process  
6 for filling a vacancy on the board. If a board of county commissioners has not  
7 established such a process by ordinance, the Governor must, with certain  
8 exceptions, fill the vacancy by appointment with a person who is a member of the  
9 same political party as the most recent holder of the vacant office.

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

1 **Section 1.** NRS 244.040 is hereby amended to read as follows:  
2 244.040 1. ~~[Any]~~ *Except as otherwise provided in*  
3 *subsection 2, any* vacancy occurring in any board of county  
4 commissioners must be filled by appointment of the Governor.  
5 Except in Carson City, the Governor shall appoint a suitable person



1 who is a member of the same political party as the most recent  
2 holder of the vacant office.

3 2. *A board of county commissioners may establish by*  
4 *ordinance a process for filling any vacancy occurring in the*  
5 *board. If a board of county commissioners has not established*  
6 *such a process by ordinance, a vacancy occurring in the board*  
7 *must be filled by the Governor pursuant to subsection 1.*

8 3. The term of office of a person ~~[appointed to]~~ *who fills a*  
9 *vacancy in* the office of county commissioner does not, by virtue of  
10 the appointment, extend beyond 12 p.m. of the day preceding the  
11 first Monday of January next following the next general election.

