
SENATE BILL NO. 156—SENATOR CARE

FEBRUARY 24, 2009

Referred to Committee on Legislative Operations and Elections

SUMMARY—Clarifies provisions governing the persons who may sign initiative petitions to recall public officers. (BDR 24-382)

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 elections; clarifying that any registered voter of the State or appropriate political subdivision may sign a petition to demand the recall of a public officer, regardless of whether the registered voter voted in the election at which the public officer was elected; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 The Nevada Constitution provides for the right of the registered voters of the
2 State of Nevada to recall a public officer and sets forth a procedure for exercising
3 that right, including a requirement to file a petition to demand the recall and a
4 formula for determining the number of signatures of registered voters that is
5 required to appear on the petition to force the recall election. The Constitution also
6 provides that “[s]uch additional legislation as may aid the operation of this section
7 shall be provided by law.” (Nev. Const. Art. 2, § 9) The Legislature has enacted
8 provisions to aid the operation of the registered voters’ right to recall a public
9 officer, including provisions governing the contents of a petition to demand a
10 recall. (Chapter 306 of NRS) This bill clarifies the provisions governing the
11 requirements for signing such a petition by specifically stating in the law that
12 the signatures on the petition may be those of any registered voter of the State or of
13 the county, district, municipality or portion thereof that the public officer
14 represents, regardless of whether the registered voter cast a ballot in the election at
15 which the public officer was elected.



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

- 1 **Section 1.** NRS 306.020 is hereby amended to read as follows:
2 306.020 1. Every public officer in the State of Nevada is
3 subject to recall from office by the registered voters of the State or
4 of the county, district or municipality ~~from which he was elected,~~
5 *that he represents*, as provided in *this chapter and* Section 9 of
6 Article 2 of the Constitution of the State of Nevada . ~~and this~~
7 ~~chapter.~~ A public officer who is appointed to an elective office is
8 subject to recall in the same manner as provided for an officer who
9 is elected to that office.
- 10 2. *The petition to recall a public officer may be signed by any*
11 *registered voter of the State or of the county, district, municipality*
12 *or portion thereof that the public officer represents, regardless of*
13 *whether the registered voter cast a ballot in the election at which*
14 *the public officer was elected.*
- 15 3. The petition must, in addition to setting forth the reason why
16 the recall is demanded:
- 17 (a) Contain the residence addresses of the signers and the date
18 that the petition was signed;
- 19 (b) Contain a statement of the minimum number of signatures
20 necessary to the validity of the petition;
- 21 (c) Contain at the top of each page and immediately above the
22 signature line, in at least 10-point bold type, the words "Recall
23 Petition";
- 24 (d) Include the date that a notice of intent was filed; and
- 25 (e) Have the designation: "Signatures of registered voters
26 seeking the recall of (name of public officer for whom
27 recall is sought)" on each page if the petition contains more than one
28 page.

