

SENATE BILL NO. 499—COMMITTEE ON  
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 23, 2015

Referred to Committee on Legislative Operations and Elections

SUMMARY—Creates a modified blanket primary election system.  
(BDR 24-1149)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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; creating a modified blanket primary election system for partisan offices; authorizing any person who files a declaration or acceptance of candidacy and pays a filing fee to be a candidate for a partisan office at a primary election; providing, with limited exceptions, that the two candidates at a primary election for a partisan office who receive the highest number of votes must be declared nominees and have their names placed on the ballot for the general election; providing, with limited exceptions, that the two nominees on the ballot for the general election must not be affiliated with the same political party unless all of the candidates at the primary election are affiliated with the same political party; providing that the two nominees on the ballot for the general election may not be independent candidates unless all of the candidates at the primary election are independent candidates; eliminating provisions that prohibit a voter from casting a ballot in a primary election for partisan office for a candidate with a political affiliation different than that of the voter; making various conforming changes; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

- 1 Under existing law, major party candidates for a partisan office are nominated  
2 at a primary election. (NRS 293.175) Any person who files a declaration or



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3 acceptance of candidacy and pays a required filing fee may be named on a primary  
4 election ballot as a major party candidate for a partisan office. (NRS 293.177) The  
5 names of candidates for a partisan office of a minor political party do not appear on  
6 the ballot at a primary election. Instead, if the minor political party has qualified as  
7 such, either by receiving a certain percentage of votes at the preceding election or  
8 by collecting a certain number of signatures, the party can name one candidate for  
9 each partisan office, and the name of each such candidate must appear on the  
10 general election ballot. (NRS 293.1715) The names of independent candidates for a  
11 partisan office also do not appear on the ballot at a primary election. Instead, a  
12 person wishing to run as an independent candidate can be named as such on the  
13 general election ballot if he or she files a petition with a certain number of  
14 signatures. (NRS 293.200)

15 This bill changes the nominating process for partisan office to create a modified  
16 "blanket" primary system in which the names of all candidates appear on the  
17 primary election ballot and any registered voter may vote for a candidate,  
18 regardless of affiliation with any political party. Under **section 11** of this bill, any  
19 person, regardless of party affiliation or lack thereof, may become a candidate for  
20 partisan office at a primary election by filing a declaration or acceptance of  
21 candidacy and paying the required fee. Under **section 17** of this bill, the two  
22 candidates who receive the highest number of votes in the primary election are  
23 declared the nominees, and their names are placed on the general election ballot.  
24 However, if both of those candidates are affiliated with the same major or minor  
25 political party, the candidate who receives the second highest number of votes is  
26 not declared a nominee. Instead, the candidate who receives the next highest  
27 number of votes and who is not affiliated with the same major or minor political  
28 party is declared a nominee, and his or her name is placed on the general election  
29 ballot. Similarly, if the two candidates with the highest number of votes at a  
30 primary election are independent candidates, the candidate with the second highest  
31 number of votes is not declared a nominee. Instead, the candidate who receives the  
32 next highest number of votes and who is not an independent candidate is declared a  
33 nominee, and his or her name is placed on the general election ballot. The  
34 prohibition on the two nominees being affiliated with the same political party or  
35 both being independent candidates does not apply if all of the candidates at the  
36 primary election are affiliated with the same political party or are all independent  
37 candidates. **Sections 1-10, 12-16 and 18-31** of this bill make conforming changes.

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

1 **Section 1.** NRS 293.127565 is hereby amended to read as  
2 follows:

3 293.127565 1. At each building that is open to the general  
4 public and occupied by the government of this State or a political  
5 subdivision of this State or an agency thereof, other than a building  
6 of a public elementary or secondary school, an area must be  
7 designated for the use of any person to gather signatures on a  
8 petition at any time that the building is open to the public. The area  
9 must be reasonable and may be inside or outside of the building.  
10 Each public officer or employee in control of the operation of a  
11 building governed by this subsection shall:



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

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

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

15 3. Not later than 3 working days after the date of the decision  
16 that aggrieved the person, a person aggrieved by a decision made by  
17 a public officer or employee pursuant to subsection 1 or 2 may  
18 appeal the decision to the Secretary of State. The Secretary of State  
19 shall review the decision to determine whether the public officer or  
20 employee violated subsection 1 or 2. If the Secretary of State  
21 determines a public officer or employee violated subsection 1 or 2  
22 and that a person was denied the use of a public building for the  
23 purpose of gathering signatures on a petition, the Secretary of State  
24 shall order that the deadline for filing the petition provided pursuant  
25 to NRS 293.128, 293.172, ~~293.200,~~ 295.056, 298.109, 306.035 or  
26 306.110 must be extended for a period equal to the time that the  
27 person was denied the use of a public building for the purpose of  
28 gathering signatures on a petition, but in no event may the deadline  
29 be extended for a period of more than 5 days.

30 4. The decision of the Secretary of State is a final decision for  
31 the purposes of judicial review. Not later than 7 days after the date  
32 of the decision by the Secretary of State, the decision of the  
33 Secretary of State may only be appealed in the First Judicial District  
34 Court. If the First Judicial District Court determines that the public  
35 officer or employee violated subsection 1 or 2 and that a person was  
36 denied the use of a public building for the purpose of gathering  
37 signatures on a petition, the Court shall order that the deadline for  
38 filing the petition provided pursuant to NRS 293.128, 293.172,  
39 ~~293.200,~~ 295.056, 298.109, 306.035 or 306.110 must be extended  
40 for a period equal to the time that the person was denied the use of a  
41 public building for the purpose of gathering signatures on a petition,  
42 but in no event may the deadline be extended for a period of more  
43 than 5 days.

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



1       **Sec. 2.** NRS 293.1276 is hereby amended to read as follows:  
2       293.1276 1. Within 4 days, excluding Saturdays, Sundays  
3 and holidays, after the submission of a petition containing signatures  
4 which are required to be verified pursuant to NRS 293.128, 293.172,  
5 ~~293.200,~~ 295.056, 298.109, 306.035 or 306.110, the county clerk  
6 shall determine the total number of signatures affixed to the  
7 documents and, in the case of a petition for initiative or referendum  
8 proposing a constitutional amendment or statewide measure, shall  
9 tally the number of signatures for each petition district contained  
10 fully or partially within the county and forward that information to  
11 the Secretary of State.

12       2. If the Secretary of State finds that the total number of  
13 signatures filed with all the county clerks is less than 100 percent of  
14 the required number of registered voters, the Secretary of State shall  
15 so notify the person who submitted the petition and the county  
16 clerks and no further action may be taken in regard to the petition. If  
17 the petition is a petition to recall a county, district or municipal  
18 officer, the Secretary of State shall also notify the officer with  
19 whom the petition is to be filed.

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

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

25       **Sec. 3.** NRS 293.1277 is hereby amended to read as follows:

26       293.1277 1. If the Secretary of State finds that the total  
27 number of signatures submitted to all the county clerks is 100  
28 percent or more of the number of registered voters needed to declare  
29 the petition sufficient, the Secretary of State shall immediately so  
30 notify the county clerks. Within 9 days, excluding Saturdays,  
31 Sundays and holidays, after notification, each of the county clerks  
32 shall determine the number of registered voters who have signed the  
33 documents submitted in the county clerk's county and, in the case of  
34 a petition for initiative or referendum proposing a constitutional  
35 amendment or statewide measure, shall tally the number of  
36 signatures for each petition district contained or fully contained  
37 within the county clerk's county. For the purpose of verification  
38 pursuant to this section, the county clerk shall not include in his or  
39 her tally of total signatures any signature included in the incorrect  
40 petition district.

41       2. Except as otherwise provided in subsection 3, if more than  
42 500 names have been signed on the documents submitted to a  
43 county clerk, the county clerk shall examine the signatures by  
44 sampling them at random for verification. The random sample of  
45 signatures to be verified must be drawn in such a manner that every



1 signature which has been submitted to the county clerk is given an  
2 equal opportunity to be included in the sample. The sample must  
3 include an examination of at least 500 or 5 percent of the signatures,  
4 whichever is greater. If documents were submitted to the county  
5 clerk for more than one petition district wholly contained within that  
6 county, a separate random sample must be performed for each  
7 petition district.

8 3. If a petition district comprises more than one county and the  
9 petition is for an initiative or referendum proposing a constitutional  
10 amendment or a statewide measure, and if more than 500 names  
11 have been signed on the documents submitted for that petition  
12 district, the appropriate county clerks shall examine the signatures  
13 by sampling them at random for verification. The random sample of  
14 signatures to be verified must be drawn in such a manner that every  
15 signature which has been submitted to the county clerks within the  
16 petition district is given an equal opportunity to be included in the  
17 sample. The sample must include an examination of at least 500 or 5  
18 percent of the signatures presented in the petition district, whichever  
19 is greater. The Secretary of State shall determine the number of  
20 signatures that must be verified by each county clerk within the  
21 petition district.

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

32 5. If:

33 (a) Pursuant to NRS 293.506, a county clerk establishes a  
34 system to allow persons to register to vote by computer; or

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

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

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



1 7. Except as otherwise provided in subsection 9, upon  
2 completing the examination, the county clerk shall immediately  
3 attach to the documents a certificate properly dated, showing the  
4 result of the examination, including the tally of signatures by  
5 petition district, if required, and transmit the documents with the  
6 certificate to the Secretary of State. In the case of a petition for  
7 initiative or referendum proposing a constitutional amendment or  
8 statewide measure, if a petition district comprises more than one  
9 county, the appropriate county clerks shall comply with the  
10 regulations adopted by the Secretary of State pursuant to this section  
11 to complete the certificate. A copy of this certificate must be filed in  
12 the clerk's office. When the county clerk transmits the certificate to  
13 the Secretary of State, the county clerk shall notify the Secretary of  
14 State of the number of requests to remove a name received by the  
15 county clerk pursuant to NRS 295.055 or 306.015.

16 8. A person who submits a petition to the county clerk which is  
17 required to be verified pursuant to NRS 293.128, 293.172,  
18 ~~293.200,~~ 295.056, 298.109, 306.035 or 306.110 must be allowed  
19 to witness the verification of the signatures. A public officer who is  
20 the subject of a recall petition must also be allowed to witness the  
21 verification of the signatures on the petition.

22 9. For any petition containing signatures which are required to  
23 be verified pursuant to the provisions of NRS ~~293.200,~~ 306.035 or  
24 306.110 for any county, district or municipal office within one  
25 county, the county clerk shall not transmit to the Secretary of State  
26 the documents containing the signatures of the registered voters.

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

29 **Sec. 4.** NRS 293.1279 is hereby amended to read as follows:

30 293.1279 1. If the statistical sampling shows that the number  
31 of valid signatures filed is 90 percent or more, but less than the sum  
32 of 100 percent of the number of signatures of registered voters  
33 needed to declare the petition sufficient plus the total number of  
34 requests to remove a name received by the county clerks pursuant to  
35 NRS 295.055 or 306.015, the Secretary of State shall order the  
36 county clerks to examine the signatures for verification. The county  
37 clerks shall examine the signatures for verification until they  
38 determine that 100 percent of the number of signatures of registered  
39 voters needed to declare the petition sufficient are valid. If the  
40 county clerks received a request to remove a name pursuant to NRS  
41 295.055 or 306.015, the county clerks may not determine that 100  
42 percent of the number of signatures of registered voters needed to  
43 declare the petition sufficient are valid until they have removed each  
44 name as requested pursuant to NRS 295.055 or 306.015.



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

27 3. Within 12 days, excluding Saturdays, Sundays and holidays,  
28 after receipt of such an order, the county clerk or county clerks shall  
29 determine from the records of registration what number of registered  
30 voters have signed the petition and, if appropriate, tally those  
31 signatures by petition district. If necessary, the board of county  
32 commissioners shall allow the county clerk additional assistants for  
33 examining the signatures and provide for their compensation. In  
34 determining from the records of registration what number of  
35 registered voters have signed the petition and in determining in  
36 which petition district the voters reside, the county clerk must use  
37 the statewide voter registration list. The county clerk may rely on  
38 the appearance of the signature and the address and date included  
39 with each signature in determining the number of registered voters  
40 that signed the petition.

41 4. Except as otherwise provided in subsection 5, upon  
42 completing the examination, the county clerk or county clerks shall  
43 immediately attach to the documents of the petition an amended  
44 certificate, properly dated, showing the result of the examination  
45 and shall immediately forward the documents with the amended



1 certificate to the Secretary of State. A copy of the amended  
2 certificate must be filed in the county clerk's office. In the case of a  
3 petition for initiative or referendum to propose a constitutional  
4 amendment or statewide measure, if a petition district comprises  
5 more than one county, the county clerks shall comply with the  
6 regulations adopted by the Secretary of State pursuant to this section  
7 to complete the amended certificate.

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

13 6. Except for a petition to recall a county, district or municipal  
14 officer, the petition shall be deemed filed with the Secretary of State  
15 as of the date on which the Secretary of State receives certificates  
16 from the county clerks showing the petition to be signed by the  
17 requisite number of voters of the State.

18 7. If the amended certificates received from all county clerks  
19 by the Secretary of State establish that the petition is still  
20 insufficient, the Secretary of State shall immediately so notify the  
21 petitioners and the county clerks. If the petition is a petition to recall  
22 a county, district or municipal officer, the Secretary of State shall  
23 also notify the officer with whom the petition is to be filed.

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

26 **Sec. 5.** NRS 293.165 is hereby amended to read as follows:

27 293.165 1. Except as otherwise provided in NRS 293.166, *if*  
28 a vacancy ~~occurring~~ *occurs* in a ~~major or minor political party~~  
29 nomination for a partisan office *and the candidate originally*  
30 *nominated for the office is affiliated with a political party, the*  
31 *vacancy* may be filled by a candidate designated by the party central  
32 committee of the county or State, as the case may be, of the major  
33 political party or by the executive committee of the minor political  
34 party subject to the provisions of subsections 3, ~~4,~~ 5 and ~~5,~~ 6.

35 2. A vacancy occurring in a nonpartisan office or nomination  
36 for a nonpartisan office after the close of filing and before 5 p.m. of  
37 the fourth Friday in June of the year in which the general election is  
38 held must be filled by the person who receives or received the next  
39 highest vote for the nomination in the primary election if a primary  
40 election was held for that nonpartisan office. If no primary election  
41 was held for that nonpartisan office or if there was not more than  
42 one person who was seeking the nonpartisan nomination in the  
43 primary election, a person may become a candidate for the  
44 nonpartisan office at the general election if the person files a  
45 declaration of candidacy or acceptance of candidacy, and pays the



1 fee required by NRS 293.193, on or after 8 a.m. on the third  
2 Monday in June and before 5 p.m. on the fourth Friday in June.

3 3. If a vacancy occurs in a ~~major political party~~ nomination  
4 for a partisan office after the primary election and before 5 p.m. on  
5 the fourth Friday in June of the year in which the general election is  
6 held, *the candidate originally nominated for the office is affiliated*  
7 *with a political party* and:

8 (a) The vacancy occurs because the nominee dies or is  
9 adjudicated insane or mentally incompetent, the vacancy may be  
10 filled by a candidate designated by the party central committee of  
11 the county or State, as the case may be, of the major political party  
12 ~~+~~ *or by the executive committee of the minor political party.*

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

16 4. *If a vacancy occurs in a nomination for a partisan office*  
17 *after the primary election and before 5 p.m. on the fourth Friday*  
18 *in June of the year in which the general election is held, the*  
19 *candidate originally nominated for the office is an independent*  
20 *candidate and:*

21 (a) *The vacancy occurs because the nominee dies or is*  
22 *adjudicated insane or mentally incompetent:*

23 (1) *If a primary election was held for that partisan office,*  
24 *the vacancy must be filled by the person who received the next*  
25 *highest vote for the nomination in the primary election and who is*  
26 *an independent candidate.*

27 (2) *If no primary election was held for that partisan office*  
28 *or if there was not more than one person who was seeking the*  
29 *partisan nomination in the primary election, a person may become*  
30 *a candidate for the partisan office at the general election if, on or*  
31 *after the third Monday in June and before 5 p.m. on the fourth*  
32 *Friday in June, the person:*

33 (I) *Files a declaration of candidacy or acceptance of*  
34 *candidacy on a form prescribed by paragraph (b) of subsection 2*  
35 *of NRS 293.177 indicating that the person is an independent*  
36 *candidate; and*

37 (II) *Pays the fee required by NRS 293.193.*

38 (b) *The vacancy occurs for a reason other than the reasons*  
39 *described in paragraph (a), the nominee's name must remain on*  
40 *the ballot for the general election and, if elected, a vacancy exists.*

41 5. No change may be made on the ballot for the general  
42 election after 5 p.m. on the fourth Friday in June of the year in  
43 which the general election is held. If, after that time and date:

44 (a) A nominee dies or is adjudicated insane or mentally  
45 incompetent; or



1 (b) A vacancy in the nomination is otherwise created,  
2 → the nominee's name must remain on the ballot for the general  
3 election and, if elected, a vacancy exists.

4 ~~5-~~ 6. All designations provided for in this section must be  
5 filed on or before 5 p.m. on the fourth Friday in June of the year in  
6 which the general election is held. In each case, the statutory filing  
7 fee must be paid and an acceptance of the designation must be filed  
8 on or before 5 p.m. on the date the designation is filed.

9 **Sec. 6.** NRS 293.166 is hereby amended to read as follows:

10 293.166 1. ~~1A~~ *If a* vacancy ~~1occurring~~ *occurs* in a ~~1party~~  
11 nomination for the office of State Senator, Assemblyman or  
12 Assemblywoman from a legislative district comprising more than  
13 one county *and the candidate originally nominated for the office is*  
14 *affiliated with a political party, the vacancy* may be filled as  
15 follows, subject to the provisions of subsections 2, 3 and 4. The  
16 county commissioners of each county, all or part of which is  
17 included within the legislative district, shall meet to appoint a  
18 person who is of the same political party as the former nominee and  
19 who actually, as opposed to constructively, resides in the district to  
20 fill the vacancy, with the chair of the board of county  
21 commissioners of the county whose population residing within the  
22 district is the greatest presiding. Each board of county  
23 commissioners shall first meet separately and determine the single  
24 candidate it will nominate to fill the vacancy. Then, the boards shall  
25 meet jointly and the chairs on behalf of the boards shall cast a  
26 proportionate number of votes according to the percent, rounded to  
27 the nearest whole percent, which the population of its county is of  
28 the population of the entire district. Populations must be determined  
29 by the last decennial census or special census conducted by the  
30 Bureau of the Census of the United States Department of  
31 Commerce. The person who receives a plurality of these votes is  
32 appointed to fill the vacancy. If no person receives a plurality of the  
33 votes, the boards of county commissioners of the respective counties  
34 shall each as a group select one candidate, and the nominee must be  
35 chosen by drawing lots among the persons so selected.

36 2. If a vacancy occurs in a party nomination for the office of  
37 State Senator, Assemblyman or Assemblywoman from a legislative  
38 district comprising more than one county after the primary election  
39 and before 5 p.m. on the fourth Friday in June of the year in which  
40 the general election is held and:

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



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

4 3. No change may be made on the ballot for the general  
5 election after 5 p.m. on the fourth Friday in June of the year in  
6 which the general election is held. If, after that time and date:

7 (a) A nominee dies or is adjudicated insane or mentally  
8 incompetent; or

9 (b) A vacancy in the nomination is otherwise created,  
10 → the nominee's name must remain on the ballot for the general  
11 election and, if elected, a vacancy exists.

12 4. The designation of a nominee pursuant to this section must  
13 be filed with the Secretary of State on or before 5 p.m. on the fourth  
14 Friday in June of the year in which the general election is held, and  
15 the statutory filing fee must be paid with the designation.

16 **Sec. 7.** NRS 293.171 is hereby amended to read as follows:

17 293.171 1. To be organized as a minor political party, an  
18 organization must file with the Secretary of State a certificate of  
19 existence which includes the:

20 (a) Name of the political party;

21 (b) Names of its officers;

22 (c) Names of the members of its executive committee; and

23 (d) Name of the person authorized to file the list of its  
24 candidates for partisan office with the Secretary of State.

25 2. A copy of the constitution or bylaws of the party must be  
26 affixed to the certificate.

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

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

33 ~~—5.—~~ A minor political party whose candidates for partisan office  
34 do not appear on the ballot for the ~~general~~ **primary** election must  
35 file a notice of continued existence with the Secretary of State not  
36 later than the second Friday in August preceding the general  
37 election.

38 ~~6.~~ 5. A minor political party which fails to file a notice of  
39 continued existence as required by subsection ~~5~~ 4 ceases to exist as  
40 a minor political party in this State.

41 **Sec. 8.** NRS 293.1715 is hereby amended to read as follows:

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



1 ~~—2.]~~ The names of the candidates ~~{for partisan office of}~~ *that* a  
2 minor political party *wishes to place on the ballot for the offices of*  
3 *President and Vice President of the United States* must be placed  
4 on the ballot for the general election if the minor political party is  
5 qualified. To qualify as a minor political party, the minor political  
6 party must have filed a certificate of existence and be organized  
7 pursuant to NRS 293.171, must have filed ~~{a list}~~ *with the Secretary*  
8 *of State the names* of its candidates for ~~{partisan office pursuant to~~  
9 ~~the provisions of NRS 293.1725 with the Secretary of State}~~ *the*  
10 *offices of President and Vice President of the United States not*  
11 *later than the last Tuesday in August* and:

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

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

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

25 ~~{3. The name of only one candidate of each minor political~~  
26 ~~party for each partisan office may appear on the ballot for a general~~  
27 ~~election.~~

28 ~~—4.]~~ 2. A minor political party must file a copy of the petition  
29 required by paragraph (c) of subsection ~~{2} I~~ with the Secretary of  
30 State before the petition may be circulated for signatures.

31 **Sec. 9.** NRS 293.172 is hereby amended to read as follows:

32 293.172 1. A petition filed pursuant to subsection ~~{2} I~~ of  
33 NRS 293.1715 may consist of more than one document. Each  
34 document of the petition must:

35 (a) Bear the name of the minor political party and ~~{, if~~  
36 ~~applicable,}~~ the ~~{candidate and office to which the candidate is to be~~  
37 ~~nominated.}~~ *names of the candidates for the offices of President*  
38 *and Vice President of the United States.*

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

43 (c) Bear the name of a county and be submitted to the county  
44 clerk of that county for verification in the manner prescribed in NRS  
45 293.1276 to 293.1279, inclusive, not later than 25 working days



1 before the last day to file the petition. A challenge to the form of a  
2 document must be made in a district court in the county that is  
3 named on the document.

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

6 2. ~~If the office to which the candidate is to be nominated is a~~  
7 ~~county office, only the registered voters of that county may sign the~~  
8 ~~petition. If the office to which the candidate is to be nominated is a~~  
9 ~~district office, only the registered voters of that district may sign the~~  
10 ~~petition.~~

11 ~~3.~~ Each person who signs a petition shall also provide the  
12 address of the place where he or she resides, the date that he or she  
13 signs and the name of the county in which he or she is registered to  
14 vote.

15 ~~4.~~ 3. The county clerk shall not disqualify the signature of a  
16 voter who failed to provide all the information required by  
17 subsection ~~3~~ 2 if the voter is registered in the county named on the  
18 document.

19 **Sec. 10.** NRS 293.174 is hereby amended to read as follows:

20 293.174 If the qualification of a minor political party to place  
21 the names of candidates *for the offices of President and Vice*  
22 *President of the United States* on the ballot pursuant to NRS  
23 293.1715 is challenged, all affidavits and documents in support of  
24 the challenge must be filed not later than 5 p.m. on the third Friday  
25 in June. Any judicial proceeding resulting from the challenge must  
26 be set for hearing not more than 5 days after the third Friday in June.  
27 A challenge pursuant to this section must be filed with the First  
28 Judicial District Court if the petition was filed with the Secretary of  
29 State.

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

31 293.175 1. The primary election must be held on the second  
32 Tuesday in June of each even-numbered year.

33 2. Candidates for partisan office ~~{of a major political party}~~ and  
34 candidates for nonpartisan office must be nominated at the primary  
35 election. *Any person may become a candidate for partisan office at*  
36 *the primary election by filing a declaration of candidacy or*  
37 *acceptance of candidacy and paying the fee required by NRS*  
38 *293.193 during the period prescribed by paragraph (b) of*  
39 *subsection 1 of NRS 293.177.*

40 3. ~~{Candidates for partisan office of a minor political party~~  
41 ~~must be nominated in the manner prescribed pursuant to NRS~~  
42 ~~293.171 to 293.174, inclusive.~~

43 ~~4. Independent candidates for partisan office must be~~  
44 ~~nominated in the manner provided in NRS 293.200.~~



~~5.1~~ The provisions of NRS 293.175 to 293.203, inclusive:

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

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

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

**Sec. 12.** NRS 293.177 is hereby amended to read as follows:

293.177 1. Except as otherwise provided in NRS 293.165, a name may not be printed on a ballot to be used at a primary election unless the person named has filed a declaration of candidacy or an acceptance of candidacy, and has paid the fee required by NRS 293.193 not earlier than:

(a) For a candidate for judicial office, the first Monday in January of the year in which the election is to be held nor later than 5 p.m. on the second Friday after the first Monday in January; and

(b) For all other candidates, the first Monday in March of the year in which the election is to be held nor later than 5 p.m. on the second Friday after the first Monday in March.

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

(a) For partisan office ~~+~~, *if the candidate is affiliated with a political party:*

DECLARATION OF CANDIDACY OF ..... FOR THE  
OFFICE OF .....

State of Nevada

County of .....

For the purpose of having my name placed on the official ballot as a candidate for the ..... Party nomination for the office of ....., I, the undersigned ....., do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at ....., in the City or Town of ....., County of ....., State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is ....., and the address at which I receive mail, if



\* S B 4 9 9 \*

1 different than my residence, is .....; that I am registered as a  
 2 member of the ..... Party; that I am a qualified elector  
 3 pursuant to Section 1 of Article 2 of the Constitution of the  
 4 State of Nevada; that if I have ever been convicted of treason  
 5 or a felony, my civil rights have been restored by a court of  
 6 competent jurisdiction; that I have not, in violation of the  
 7 provisions of NRS 293.176, changed the designation of my  
 8 political party or political party affiliation on an official  
 9 application to register to vote in any state since December 31  
 10 before the closing filing date for this election; that I generally  
 11 believe in and intend to support the concepts found in the  
 12 principles and policies of that political party in the coming  
 13 election; that if nominated as a candidate of the .....  
 14 Party at the ensuing election, I will accept that nomination  
 15 and not withdraw; that I will not knowingly violate any  
 16 election law or any law defining and prohibiting corrupt and  
 17 fraudulent practices in campaigns and elections in this State;  
 18 that I will qualify for the office if elected thereto, including,  
 19 but not limited to, complying with any limitation prescribed  
 20 by the Constitution and laws of this State concerning the  
 21 number of years or terms for which a person may hold the  
 22 office; and that I understand that my name will appear on all  
 23 ballots as designated in this declaration.

24  
 25 .....  
 26 (Designation of name)

27  
 28 .....  
 29 (Signature of candidate for office)

30  
 31 Subscribed and sworn to before me  
 32 this ..... day of the month of ..... of the year .....

33  
 34 .....  
 35 Notary Public or other person  
 36 authorized to administer an oath

37  
 38 (b) *For partisan office, if the candidate will run for the office*  
 39 *as an independent candidate:*

40  
 41 ***DECLARATION OF CANDIDACY OF ..... FOR THE***  
 42 ***OFFICE OF .....***



*State of Nevada*

*County of .....*

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



(c) 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 by a court of competent jurisdiction; 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; and my name will appear on all ballots as designated in this declaration.

.....  
(Designation of name)

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



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

3  
4 .....  
5 Notary Public or other person  
6 authorized to administer an oath  
7

8 3. The address of a candidate which must be included in the  
9 declaration of candidacy or acceptance of candidacy pursuant to  
10 subsection 2 must be the street address of the residence where the  
11 candidate actually, as opposed to constructively, resides in  
12 accordance with NRS 281.050, if one has been assigned. The  
13 declaration or acceptance of candidacy must not be accepted for  
14 filing if:

15 (a) The candidate's address is listed as a post office box unless a  
16 street address has not been assigned to his or her residence; or

17 (b) The candidate does not present to the filing officer:

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

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

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

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

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

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



1 6. If the filing officer receives credible evidence indicating that  
2 a candidate has been convicted of a felony and has not had his or her  
3 civil rights restored by a court of competent jurisdiction, the filing  
4 officer:

5 (a) May conduct an investigation to determine whether the  
6 candidate has been convicted of a felony and, if so, whether the  
7 candidate has had his or her civil rights restored by a court of  
8 competent jurisdiction; and

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

13 7. The receipt of information by the Attorney General or  
14 district attorney pursuant to subsection 6 must be treated as a  
15 challenge of a candidate pursuant to subsections 4 and 5 of NRS  
16 293.182. If the ballots are printed before a court of competent  
17 jurisdiction makes a determination that a candidate has been  
18 convicted of a felony and has not had his or her civil rights restored  
19 by a court of competent jurisdiction, the filing officer must post a  
20 notice at each polling place where the candidate's name will appear  
21 on the ballot informing the voters that the candidate is disqualified  
22 from entering upon the duties of the office for which the candidate  
23 filed the declaration of candidacy or acceptance of candidacy.

24 **Sec. 13.** NRS 293.180 is hereby amended to read as follows:

25 293.180 1. Ten or more registered voters may file a  
26 certificate of candidacy designating any registered voter as a  
27 candidate for:

28 (a) ~~[Their major political party's nomination for any partisan~~  
29 ~~elective office, or as a candidate for nomination]~~ **Nomination** for  
30 any nonpartisan office other than a judicial office, not earlier than  
31 the first Monday in February of the year in which the election is to  
32 be held nor later than 5 p.m. on the first Friday in March; or

33 (b) Nomination for a judicial office, not earlier than the first  
34 Monday in December of the year immediately preceding the year in  
35 which the election is to be held nor later than 5 p.m. on the first  
36 Friday in January of the year in which the election is to be held.

37 2. When the certificate has been filed, the officer in whose  
38 office it is filed shall notify the person named in the certificate. If  
39 the person named in the certificate files an acceptance of candidacy  
40 and pays the required fee, as provided by law, he or she is a  
41 candidate in the primary election in like manner as if he or she had  
42 filed a declaration of candidacy.

43 ~~[3. If a certificate of candidacy relates to a partisan office, all~~  
44 ~~of the signers must be of the same major political party as the~~  
45 ~~candidate designated.]~~



1       **Sec. 14.** NRS 293.187 is hereby amended to read as follows:  
2       293.187 1. Not later than 5 working days after the last day on  
3 which any candidate may withdraw his or her candidacy pursuant to  
4 NRS 293.202:

5       (a) The Secretary of State shall forward to each county clerk a  
6 certified list containing the name and mailing address of each person  
7 for whom candidacy papers have been filed in the Office of the  
8 Secretary of State, and who is entitled to be voted for in the county  
9 at the next succeeding primary election, together with the title of the  
10 office for which the person is a candidate and , *if applicable*, the  
11 party or principles he or she represents; and

12       (b) Each county clerk shall forward to the Secretary of State a  
13 certified list containing the name and mailing address of each person  
14 for whom candidacy papers have been filed in the office of the  
15 county clerk, and who is entitled to be voted for in the county at the  
16 next succeeding primary election, together with the title of the office  
17 for which the person is a candidate and , *if applicable*, the party or  
18 principles he or she represents.

19       2. There must be a party designation only for candidates for  
20 partisan offices *who have filed a declaration of candidacy or*  
21 *acceptance of candidacy form indicating an affiliation with a*  
22 *political party.*

23       **Sec. 15.** NRS 293.194 is hereby amended to read as follows:  
24       293.194 The filing fee of an independent candidate who files a  
25 petition pursuant to NRS ~~{293.200 or} 298.109 {, of a candidate of a~~  
26 ~~minor political party or of a candidate of a new major political~~  
27 ~~party.}~~ must be returned to the candidate by the ~~{officer to whom the~~  
28 ~~fee was paid} *Secretary of State* within 10 days after the date on  
29 which a final determination is made that the petition of the candidate  
30 ~~{, minor political party or new major political party}~~ failed to  
31 contain the required number of signatures.~~

32       **Sec. 16.** NRS 293.257 is hereby amended to read as follows:

33       293.257 ~~{1. There must be a separate primary ballot for each~~  
34 ~~major political party. The names of candidates for partisan offices~~  
35 ~~who have designated a major political party in the declaration of~~  
36 ~~candidacy or acceptance of candidacy must appear on the primary~~  
37 ~~ballot of the major political party designated.~~

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

43 ~~— 3. A} *Any* registered voter may cast a {primary} ballot for {a~~  
44 ~~major political party at a primary election only if the registered voter~~  
45 ~~designated on his or her application to register to vote an affiliation~~



1 ~~with that major political party.]~~ *any candidate for partisan office*  
2 *regardless of the political party affiliation of the voter or*  
3 *candidate.*

4 **Sec. 17.** NRS 293.260 is hereby amended to read as follows:

5 293.260 1. Where there is no contest of election for  
6 nomination to a particular office, neither the title of the office nor  
7 the name of the candidate may appear on the ballot.

8 2. ~~If more than one major political party has candidates for a~~  
9 ~~particular office, the persons who receive the highest number of~~  
10 ~~votes at the primary elections must be declared the nominees of~~  
11 ~~those parties for the office.~~

12 ~~3. If only one major political party has candidates for a~~  
13 ~~particular office and a minor political party has nominated a~~  
14 ~~candidate for the office or an independent candidate has filed for~~  
15 ~~the office, the candidate who receives the highest number of votes in~~  
16 ~~the primary election of the major political party must be declared the~~  
17 ~~nominee of that party and his or her name must be placed on the~~  
18 ~~general election ballot with the name of the nominee of the minor~~  
19 ~~political party for the office and the name of the independent~~  
20 ~~candidate who has filed for the office.~~

21 ~~4. If only one major political party has candidates for a~~  
22 ~~particular office and no minor political party has nominated a~~  
23 ~~candidate for the office and no independent candidate has filed for~~  
24 ~~the office:~~

25 ~~(a) If there are more candidates than twice the number to be~~  
26 ~~elected to the office, the names of the candidates must appear on the~~  
27 ~~ballot for a primary election. Except as otherwise provided in this~~  
28 ~~paragraph, the candidates of that party who receive the highest~~  
29 ~~number of votes in the primary election, not to exceed twice the~~  
30 ~~number to be elected to that office at the general election, must be~~  
31 ~~declared the nominees for the office. If only one candidate is to be~~  
32 ~~elected to the office and a candidate receives a majority of the votes~~  
33 ~~in the primary election for that office, that candidate must be~~  
34 ~~declared the nominee for that office and his or her name must be~~  
35 ~~placed on the ballot for the general election.~~

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

39 ~~5.]~~ *Except as otherwise provided in subsections 3 and 4, at an*  
40 *election for a partisan office, the two candidates who receive the*  
41 *highest number of votes at the primary election must be declared*  
42 *the nominees, and their names must be placed on the ballot at the*  
43 *general election.*



1       3. *Except as otherwise provided in subsection 5, if the two*  
2 *candidates who receive the highest number of votes at the primary*  
3 *election are affiliated with the same political party:*

4       (a) *The candidate who receives the second highest number of*  
5 *votes must not be declared a nominee, and his or her name must*  
6 *not be placed on the ballot at the general election; and*

7       (b) *The candidate who receives the next highest number of*  
8 *votes and who is not affiliated with the political party with which*  
9 *the candidate who receives the highest number of votes is*  
10 *affiliated must be declared a nominee, and his or her name must*  
11 *be placed on the ballot at the general election.*

12       4. *Except as otherwise provided in subsection 5, if the two*  
13 *candidates who receive the highest number of votes at the primary*  
14 *election are independent candidates:*

15       (a) *The candidate who receives the second highest number of*  
16 *votes must not be declared the nominee, and his or her name must*  
17 *not be placed on the ballot at the general election; and*

18       (b) *The candidate who receives the next highest number of*  
19 *votes and who is affiliated with a political party must be declared*  
20 *the nominee, and his or her name must be placed on the ballot at*  
21 *the general election.*

22       5. *The provisions of subsections 3 and 4 do not apply if all of*  
23 *the candidates at a primary election for a partisan office are*  
24 *affiliated with the same political party or are all independent*  
25 *candidates.*

26       6. Where no more than the number of candidates to be elected  
27 have filed for nomination for:

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

32       (b) Any nonpartisan office, other than the office of justice of the  
33 Supreme Court, office of judge of the Court of Appeals or the office  
34 of member of a town advisory board, the names of those candidates  
35 must appear on the ballot for a primary election unless the  
36 candidates were nominated pursuant to subsection 2 of NRS  
37 293.165. If a candidate receives one or more votes at the primary  
38 election, the candidate must be declared elected to the office and his  
39 or her name must not be placed on the ballot for the general  
40 election. If a candidate does not receive one or more votes at the  
41 primary election, his or her name must be placed on the ballot for  
42 the general election; and

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



1 ~~16.~~ 7. If there are more candidates than twice the number to be  
2 elected to a nonpartisan office, the names of the candidates must  
3 appear on the ballot for a primary election. Those candidates who  
4 receive the highest number of votes at that election, not to exceed  
5 twice the number to be elected, must be declared nominees for the  
6 office.

7 **Sec. 18.** NRS 293.263 is hereby amended to read as follows:

8 293.263 On the primary ballots for a ~~major political party, the~~  
9 ~~name of the major political party~~ *partisan office, there* must appear  
10 at the top of the ballot ~~the~~ *the designation "Partisan Offices."*  
11 Except as otherwise provided in NRS 293.2565, following this  
12 designation must appear the names of candidates grouped  
13 alphabetically under the title and length of term of the partisan  
14 office for which those candidates filed. *Next to the name of each*  
15 *candidate must appear the party affiliation of the candidate or the*  
16 *designation of the candidate as an independent candidate, as*  
17 *applicable.*

18 **Sec. 19.** NRS 293.267 is hereby amended to read as follows:

19 293.267 1. Ballots for a general election must contain the  
20 names of candidates who were nominated at the primary election. ~~the~~  
21 ~~names of the candidates of a minor political party and the names~~  
22 ~~of independent candidates.~~

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

26 3. Except as otherwise provided in subsection 4:

27 (a) Immediately following the name of each candidate for a  
28 partisan office must appear the name or abbreviation of his or her  
29 political party, the word "independent" or the abbreviation "IND,"  
30 as the case may be.

31 (b) Immediately following the name of each candidate for a  
32 nonpartisan office must appear the word "nonpartisan" or the  
33 abbreviation "NP."

34 4. Where a system of voting other than by paper ballot is used,  
35 the Secretary of State may provide for any placement of the name or  
36 abbreviation of the political party, the word "independent" or  
37 "nonpartisan" or the abbreviation "IND" or "NP," as appropriate,  
38 which clearly relates the designation to the name of the candidate to  
39 whom it applies.

40 5. If the Legislature rejects a statewide measure proposed by  
41 initiative and proposes a different measure on the same subject  
42 which the Governor approves, the measure proposed by the  
43 Legislature and approved by the Governor must be listed on the  
44 ballot before the statewide measure proposed by initiative. Each



1 ballot and sample ballot upon which the measures appear must  
2 contain a statement that reads substantially as follows:

3  
4 The following questions are alternative approaches to the  
5 same issue, and only one approach may be enacted into law.  
6 Please vote for only one.

7 **Sec. 20.** NRS 293.287 is hereby amended to read as follows:

8 293.287 1. A registered voter applying to vote at any primary  
9 election shall give his or her name ~~and political affiliation, if any,~~  
10 to the election board officer in charge of the election board register,  
11 and the officer shall immediately announce the name. ~~and political~~  
12 ~~affiliation.~~

13 2. Any person's right to vote may be challenged by any  
14 registered voter upon ~~f~~

15 ~~(a) Any~~ any of the grounds allowed for a challenge in  
16 NRS 293.303. ~~f~~

17 ~~(b) The ground that the person applying does not belong to the~~  
18 ~~political party designated upon the register; or~~

19 ~~(c) The ground that the register does not show that the person~~  
20 ~~designated the political party to which he or she claims to belong.~~

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

23 ~~4. A registered voter who has designated on his or her~~  
24 ~~application to register to vote an affiliation with a minor political~~  
25 ~~party may vote a nonpartisan ballot at the primary election.~~

26 **Sec. 21.** NRS 293.368 is hereby amended to read as follows:

27 293.368 1. Except as otherwise provided in subsection ~~4~~ 5  
28 of NRS 293.165, if a candidate on the ballot at a primary election  
29 dies after 5 p.m. of the second Tuesday in April, the deceased  
30 candidate's name must remain on the ballot and the votes cast for  
31 the deceased candidate must be counted in determining the  
32 nomination for the office for which the decedent was a candidate.

33 2. If the deceased candidate on the ballot at the primary  
34 election receives the number of votes required to receive the  
35 nomination to the office for which he or she was a candidate, except  
36 as otherwise provided in subsection 2 of NRS 293.165, the deceased  
37 candidate shall be deemed nominated and the vacancy in the  
38 nomination must be filled as provided in NRS 293.165 or 293.166.  
39 If the deceased person was a candidate for a nonpartisan office, the  
40 nomination must be filled pursuant to subsection 2 of NRS 293.165.

41 3. Whenever a candidate whose name appears upon the ballot  
42 at a general election dies after 5 p.m. on the fourth Friday in June of  
43 the year in which the general election is held, the votes cast for the  
44 deceased candidate must be counted in determining the results of the  
45 election for the office for which the decedent was a candidate.



1 4. If the deceased candidate on the ballot at the general election  
2 receives the majority of the votes cast for the office, the deceased  
3 candidate shall be deemed elected and the office to which he or she  
4 was elected shall be deemed vacant at the beginning of the term for  
5 which he or she was elected. The vacancy thus created must be  
6 filled in the same manner as if the candidate had died after taking  
7 office for that term.

8 **Sec. 22.** NRS 293B.070 is hereby amended to read as follows:

9 293B.070 A mechanical voting system must provide facilities  
10 for voting for ~~the~~ **all** candidates ~~of as many political parties or~~  
11 ~~organizations as may make nominations,~~ and for or against **all**  
12 measures **to which a voter is entitled to vote.**

13 **Sec. 23.** NRS 293B.080 is hereby amended to read as follows:

14 293B.080 A mechanical voting system must ~~except at~~  
15 ~~primary elections,~~ permit the voter to vote for all the candidates of  
16 one party or in part for the candidates of one party and in part for the  
17 candidates of one or more other parties.

18 **Sec. 24.** NRS 293B.130 is hereby amended to read as follows:

19 293B.130 1. Before any election where a mechanical voting  
20 system is to be used, the county clerk shall prepare or cause to be  
21 prepared a computer program on cards, tape or other material  
22 suitable for use with the computer or counting device to be  
23 employed for counting the votes cast. The program must cause the  
24 computer or counting device to operate in the following manner:

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

26 (b) All unlawful votes ~~including, but not limited to, overvotes~~  
27 ~~or, in a primary election, votes cast for a candidate of a major~~  
28 ~~political party other than the party, if any, of the registration of the~~  
29 ~~voter~~ must not be counted.

30 (c) If the election is:

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

32 (2) A general election,

33 **→** the total votes, other than absentee votes and votes in a mailing  
34 precinct, must be accumulated by precinct.

35 (d) The computer or counting device must halt or indicate by  
36 appropriate signal if a ballot is encountered which lacks a code  
37 identifying the precinct in which it was voted. ~~and, in a primary~~  
38 ~~election, identifying the major political party of the voter.~~

39 2. The program must be prepared under the supervision of the  
40 accuracy certification board appointed pursuant to the provisions of  
41 NRS 293B.140.

42 3. The county clerk shall take such measures as he or she  
43 deems necessary to protect the program from being altered or  
44 damaged.



1       **Sec. 25.** NRS 293C.115 is hereby amended to read as follows:

2       293C.115 1. The governing body of a city incorporated  
3 pursuant to general law may by ordinance provide for a primary city  
4 election and a general city election on:

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

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

9       2. If a governing body of a city adopts an ordinance pursuant to  
10 paragraph (a) of subsection 1, the dates set forth in NRS 293.12755,  
11 in subsections 2 to ~~5~~ 6, inclusive, of NRS 293.165, and in NRS  
12 293.175, 293.177, 293.345 and 293.368 apply for purposes of  
13 conducting the primary city elections and general city elections of  
14 the city.

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

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

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

22       **Sec. 26.** NRS 298.035 is hereby amended to read as follows:

23       298.035 1. Each major political party shall, at the state  
24 convention of the major political party held in that year, select from  
25 the qualified electors who are legally registered members of the  
26 major political party:

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

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

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

30       2. Each minor political party shall choose from the qualified  
31 electors who are legally registered members of the minor political  
32 party:

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

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

35       ↪ for each position of presidential elector required by law. ~~The~~ A  
36 person who is authorized to file the list of candidates for partisan  
37 office of the minor political party with the Secretary of State  
38 ~~pursuant to NRS 293.1725~~ shall, not later than the last Tuesday in  
39 August, submit to the Secretary of State the list of nominees for  
40 presidential elector and alternates.

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

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



1 (b) An alternate to the nominee for presidential elector,  
2 ↪ for each position of presidential elector required by law.

3 **Sec. 27.** NRS 298.045 is hereby amended to read as follows:

4 298.045 1. Except as otherwise provided in subsection 2, a  
5 nominee for presidential elector or an alternate may not serve as a  
6 presidential elector unless the nominee for presidential elector or the  
7 alternate signs a pledge in substantially the following form:

8  
9 If selected for the position of presidential elector, I agree to  
10 serve as such and to vote only for the nominees for President  
11 and Vice President of the political party or the independent  
12 candidates who received the highest number of votes in this  
13 State at the general election.

14  
15 2. If a nominee for presidential elector or an alternate is  
16 physically unable to sign the pledge, the pledge may be signed by  
17 proxy in the presence of the nominee for presidential elector or the  
18 alternate, as applicable.

19 3. The chair and secretary of the convention of a major  
20 political party, ~~the~~ a person who is authorized to file the list of  
21 candidates for partisan office of a minor political party with the  
22 Secretary of State ~~[pursuant to NRS 293.1725]~~ or an independent  
23 candidate shall submit to the Secretary of State each pledge signed  
24 pursuant to this section with the list of nominees for presidential  
25 elector and alternates.

26 **Sec. 28.** NRS 304.040 is hereby amended to read as follows:

27 304.040 Except as otherwise provided in NRS 304.200 to  
28 304.250, inclusive, ~~[party]~~ candidates for Representative in  
29 Congress shall be nominated in the same manner as state officers are  
30 nominated.

31 **Sec. 29.** NRS 304.240 is hereby amended to read as follows:

32 304.240 1. If the Governor issues an election proclamation  
33 calling for a special election pursuant to NRS 304.230, no primary  
34 election may be held. ~~[Except as otherwise provided in this~~  
35 ~~subsection, a candidate must be nominated in the manner provided~~  
36 ~~in chapter 293 of NRS and must file a declaration or acceptance of~~  
37 ~~candidacy within the time prescribed by the Secretary of State~~  
38 ~~pursuant to NRS 293.204, which must be established to allow a~~  
39 ~~sufficient amount of time for the mailing of election ballots.]~~ A  
40 candidate ~~[of a major political party]~~ is nominated by filing a  
41 declaration or acceptance of candidacy within the time prescribed by  
42 the Secretary of State pursuant to NRS 293.204 ~~[. A minor political~~  
43 ~~party that wishes to place its candidates on the ballot must file a list~~  
44 ~~of its candidates with the Secretary of State not more than 46 days~~  
45 ~~before the special election and not less than 32 days before the~~



1 ~~special election. To have his or her name appear on the ballot, an~~  
2 ~~independent candidate must file a petition of candidacy with the~~  
3 ~~appropriate filing officer not more than 46 days before the special~~  
4 ~~election and not less than 32 days before the special election.] ,~~  
5 *which must be established to allow a sufficient amount of time for*  
6 *the mailing of election ballots.*

7 2. Except as otherwise provided in NRS 304.200 to 304.250,  
8 inclusive:

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

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

12 **Sec. 30.** NRS 450.080 is hereby amended to read as follows:

13 450.080 Except in counties where the board of county  
14 commissioners is the board of hospital trustees:

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

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

22 **Sec. 31.** NRS 293.1725, 293.176, 293.200, 293B.190,  
23 293B.300, 293B.305 and 293B.310 are hereby repealed.

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## LEADLINES OF REPEALED SECTIONS

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**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.**

