

ASSEMBLY BILL NO. 421—ASSEMBLYWOMAN WEBER

MARCH 17, 2003

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Requires that candidates for certain nonpartisan offices who are unopposed be declared elected to office after primary election under certain circumstances. (BDR 24-847)

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

~

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

AN ACT relating to elections; requiring that the names of candidates for certain nonpartisan offices who are unopposed be placed on the ballot for a primary election; requiring that, under certain circumstances, such a candidate be declared elected to office following the primary election and that his name not be placed on the ballot for a general election; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 293.260 is hereby amended to read as follows:
2 293.260 1. Where there is no contest *of election* for
3 nomination to a particular office, neither the title of the office nor
4 the name of the candidate may appear on the ballot.
5 2. If more than one major political party has candidates for a
6 particular office, the persons who receive the highest number of
7 votes at the primary elections must be declared the nominees of
8 those parties for the office.
9 3. If only one major political party has candidates for a
10 particular office and a minor political party has nominated a
11 candidate for the office or an independent candidate has filed for the
12 office, the candidate who receives the highest number of votes in
13 the primary election of the major political party must be declared the



* A B 4 2 1 R 1 *

1 nominee of that party and his name must be placed on the general
2 election ballot with the name of the nominee of the minor political
3 party for the office and the name of the independent candidate who
4 has filed for the office.

5 4. If only one major political party has candidates for a
6 particular office and no minor political party has nominated a
7 candidate for the office ~~for~~ **and** no independent candidate has filed
8 for the office:

9 (a) If there are more candidates than twice the number to be
10 elected to the office, the names of the candidates must appear on the
11 ballot for a primary election. Except as otherwise provided in this
12 paragraph, the candidates of that party who receive the highest
13 number of votes in the primary election, not to exceed twice the
14 number to be elected to that office at the general election, must be
15 declared the nominees for the office. If only one candidate is to be
16 elected to the office and a candidate receives a majority of the votes
17 in the primary election for that office, that candidate must be
18 declared the nominee for that office and his name must be placed on
19 the ballot for the general election.

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

23 5. Where no more than the number of candidates to be elected
24 have filed for nomination for ~~any office,~~ :

25 (a) *Any partisan office or the office of justice of the Supreme*
26 *Court*, the names of those candidates must be omitted from all
27 ballots for a primary election and placed on all ballots for a general
28 *election; and*

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

38 6. If there are more candidates than twice the number to be
39 elected to a nonpartisan office, the names of the candidates must
40 appear on the ballot for a primary election. Those candidates who
41 receive the highest number of votes at that election, not to exceed
42 twice the number to be elected, must be declared nominees for the
43 office.

