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ASSEMBLY BILL NO. 528—COMMITTEE ON ELECTIONS,  
PROCEDURES, AND ETHICS

(ONE BEHALF OF THE SECRETARY OF STATE)

MARCH 24, 2003

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Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Makes various changes to provisions governing elections and campaign finance. (BDR 24-559)

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.

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AN ACT relating to elections; revising provisions governing the preparation of explanations and arguments for and against certain questions that will appear on the ballot; specifying how periods of time are measured for election duties; revising provisions governing the circulation of certain petitions; changing the date by which a county clerk must determine the number of registered voters of each major political party in each precinct; revising the provisions governing the consequences of a candidate's death; specifying that filing fees are not refundable; changing the date by which the canvass of votes for certain offices and questions must occur; clarifying that minor political parties may receive a list of registered voters from the county clerk without charge; revising the provisions governing the date by which sample ballots must be mailed to the registered voters; expanding the definition of a committee for the recall of a public officer; changing the officer with whom a candidate who is not elected must file a report concerning unspent contributions; changing the dates by which certain groups must make available information concerning advertising for campaigns; restricting the civil penalties that may be imposed for filing late campaign reports against a public officer or



\* A B 5 2 8 \*

candidate for public office that is not entitled to receive compensation; 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.** Chapter 293 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3       **Sec. 2. 1.** *For each question to be placed on the ballot by a*  
4 *governing body pursuant to paragraph (a), (b) or (c) of subsection*  
5 *1 of NRS 293.481, the governing body shall, in consultation with*  
6 *the county clerk pursuant to subsection 4, appoint two committees.*  
7 *Except as otherwise provided in subsection 2, one committee must*  
8 *be composed of three persons who favor approval by the voters of*  
9 *the question and the other committee must be composed of three*  
10 *persons who oppose approval by the voters of the question.*

11       2. *If, after consulting with the county clerk pursuant to*  
12 *subsection 4, the governing body is unable to appoint three*  
13 *persons who are willing to serve on a committee, the governing*  
14 *body may appoint fewer than three persons to that committee, but*  
15 *the governing body must appoint at least one person to each*  
16 *committee appointed pursuant to this section.*

17       3. *With respect to a committee appointed pursuant to this*  
18 *section:*

19       (a) *A person may not serve simultaneously on the committee*  
20 *that favors approval by the voters of a question and the committee*  
21 *that opposes approval by the question.*

22       (b) *Members of the committee serve without compensation.*

23       (c) *The term of office for each member commences upon*  
24 *appointment and expires upon the publication of the sample ballot*  
25 *containing the question.*

26       4. *Before the governing body appoints a committee pursuant*  
27 *to this section, the county clerk shall:*

28       (a) *Recommend to the governing body persons to be appointed*  
29 *to the committee; and*

30       (b) *Consider recommending pursuant to paragraph (a):*

31       (1) *Any person who has expressed an interest in serving on*  
32 *the committee; and*

33       (2) *A person who is a member of an organization that has*  
34 *expressed an interest in having a member of the organization*  
35 *serve on the committee.*

36       5. *If the governing body fails to appoint a committee as*  
37 *required pursuant to this section, the county clerk shall appoint*  
38 *the committee.*



- 1       6. *A committee appointed pursuant to this section:*  
2       (a) *Shall elect a chairman for the committee;*  
3       (b) *Shall meet and conduct its affairs as necessary to fulfill the*  
4 *requirements of this section;*  
5       (c) *May seek and consider comments from the general public;*  
6       (d) *Shall, based on whether the members were appointed to*  
7 *advocate or oppose approval by the voters of the question, prepare*  
8 *an argument either advocating or opposing approval by the voters*  
9 *of the question;*  
10      (e) *Shall prepare a rebuttal to the argument prepared by the*  
11 *other committee appointed pursuant to this section; and*  
12      (f) *Shall submit the argument and rebuttal prepared pursuant*  
13 *to paragraphs (d) and (e) to the county clerk not later than the*  
14 *date prescribed by the county clerk pursuant to subsection 7.*  
15      7. *The county clerk shall provide, by rule or regulation:*  
16      (a) *The maximum permissible length of an argument or*  
17 *rebuttal prepared pursuant to this section; and*  
18      (b) *The date by which an argument or rebuttal prepared*  
19 *pursuant to this section must be submitted by the committee to the*  
20 *county clerk.*  
21      8. *Upon receipt of an argument or rebuttal prepared pursuant*  
22 *to this section, the county clerk:*  
23      (a) *May consult with persons who are generally recognized by*  
24 *a national or statewide organization as having expertise in the*  
25 *field or area to which the question pertains; and*  
26      (b) *Shall reject each statement in the argument or rebuttal that*  
27 *he believes is libelous or factually inaccurate.*  
28 *Not later than 5 days after the county clerk rejects a statement*  
29 *pursuant to this subsection, the committee that prepared the*  
30 *statement may appeal that rejection to the district attorney. The*  
31 *district attorney shall review the statement and the reasons for its*  
32 *rejection and may receive evidence, documentary or testimonial, to*  
33 *aid him in his decision. Not later than 3 business days after the*  
34 *appeal by the committee, the district attorney shall issue his*  
35 *decision rejecting or accepting the statement. The decision of the*  
36 *district attorney is a final decision for the purposes of judicial*  
37 *review.*  
38      9. *The county clerk shall place in the sample ballot provided*  
39 *to the registered voters of the county each argument and rebuttal*  
40 *prepared pursuant to this section which contain all statements that*  
41 *were not rejected pursuant to subsection 8. The county clerk may*  
42 *revise the language submitted by a committee pursuant to this*  
43 *section so that it is clear, concise and suitable for incorporation in*  
44 *the sample ballot, but shall not alter the meaning or effect of the*  
45 *language without the consent of the committee.*



1       10. As used in this section, “governing body” means a  
2 governing body of a political subdivision, public or quasi-public  
3 corporation, or other local agency that is authorized by law to  
4 submit questions to the qualified electors or registered voters of a  
5 designated territory and is subject to the provisions of paragraph  
6 (a), (b) or (c) of subsection 1 of NRS 293.481.

7       **Sec. 3.** 1. For each question to be placed on the ballot by a  
8 governing body pursuant to paragraph (d) of subsection 1 of NRS  
9 293.481, the governing body shall, in consultation with the city  
10 clerk pursuant to subsection 4, appoint two committees. Except as  
11 otherwise provided in subsection 2, one committee must be  
12 composed of three persons who favor approval by the voters of the  
13 question and the other committee must be composed of three  
14 persons who oppose approval by the voters of the question.

15       2. If, after consulting with the city clerk pursuant to  
16 subsection 4, the governing body is unable to appoint three  
17 persons willing to serve on a committee, the governing body may  
18 appoint fewer than three persons to that committee, but the  
19 governing body must appoint at least one person to each  
20 committee appointed pursuant to this section.

21       3. With respect to a committee appointed pursuant to this  
22 section:

23       (a) A person may not serve simultaneously on the committee  
24 that favors approval by the voters of a question and the committee  
25 that opposes approval by the voters of that question.

26       (b) Members of the committee serve without compensation.

27       (c) The term of office for each member commences upon  
28 appointment and expires upon the publication of the sample ballot  
29 containing the question.

30       4. Before the governing body appoints a committee pursuant  
31 to this section, the city clerk shall:

32       (a) Recommend to the governing body persons to be appointed  
33 to the committee; and

34       (b) Consider recommending pursuant to paragraph (a):

35               (1) Any person who has expressed an interest in serving on  
36 the committee; and

37               (2) A person who is a member of an organization that has  
38 expressed an interest in having a member of the organization  
39 serve on the committee.

40       5. If the governing body fails to appoint a committee as  
41 required pursuant to this section, the city clerk shall appoint the  
42 committee.

43       6. A committee appointed pursuant to this section:

44       (a) Shall elect a chairman for the committee;



- 1       ***(b) Shall meet and conduct its affairs as necessary to fulfill the***
- 2 ***requirements of this section;***
- 3       ***(c) May seek and consider comments from the general public;***
- 4       ***(d) Shall, based on whether the members were appointed to***
- 5 ***advocate or oppose approval by the voters of the question, prepare***
- 6 ***an argument either advocating or opposing approval by the voters***
- 7 ***of the question;***
- 8       ***(e) Shall prepare a rebuttal to the argument prepared by the***
- 9 ***other committee appointed pursuant to this section; and***
- 10       ***(f) Shall submit the argument and rebuttal prepared pursuant***
- 11 ***to paragraphs (d) and (e) to the city clerk not later than the date***
- 12 ***prescribed by the city clerk pursuant to subsection 7.***
- 13       ***7. The city clerk shall provide, by rule or regulation:***
- 14       ***(a) The maximum permissible length of an argument or***
- 15 ***rebuttal prepared pursuant to this section; and***
- 16       ***(b) The date by which an argument or rebuttal prepared***
- 17 ***pursuant to this section must be submitted by the committee to the***
- 18 ***city clerk.***
- 19       ***8. Upon receipt of an argument or rebuttal prepared pursuant***
- 20 ***to this section, the city clerk:***
- 21       ***(a) May consult with persons who are generally recognized by***
- 22 ***a national or statewide organization as having expertise in the***
- 23 ***field or area to which the question pertains; and***
- 24       ***(b) Shall reject each statement in the argument or rebuttal that***
- 25 ***he believes is libelous or factually inaccurate.***
- 26 ***Not later than 5 days after the city clerk rejects a statement***
- 27 ***pursuant to this subsection, the committee that prepared the***
- 28 ***statement may appeal that rejection to the city attorney. The city***
- 29 ***attorney shall review the statement and the reasons for its***
- 30 ***rejection and may receive evidence, documentary or testimonial, to***
- 31 ***aid him in his decision. Not later than 3 business days after the***
- 32 ***appeal by the committee, the city attorney shall issue his decision***
- 33 ***rejecting or accepting the statement. The decision of the city***
- 34 ***attorney is a final decision for the purposes of judicial review.***
- 35       ***9. The city clerk shall place in the sample ballot provided to***
- 36 ***the registered voters of the city each argument and rebuttal***
- 37 ***prepared pursuant to this section which contain all statements that***
- 38 ***were not rejected pursuant to subsection 8. The city clerk may***
- 39 ***revise the language submitted by a committee pursuant to this***
- 40 ***section so that it is clear, concise and suitable for incorporation in***
- 41 ***the sample ballot, but shall not alter the meaning or effect of the***
- 42 ***language without the consent of the committee.***
- 43       ***10. As used in this section, "governing body" means a***
- 44 ***governing body of a political subdivision, public or quasi-public***
- 45 ***corporation, or other local agency that is authorized by law to***



1 *submit questions to the qualified electors or registered voters of a*  
2 *designated territory and is subject to the provisions of paragraph*  
3 *(d) of subsection 1 of NRS 293.481.*

4 **Sec. 4.** NRS 293.1275 is hereby amended to read as follows:

5 293.1275 1. *Except as otherwise provided in this section, in*  
6 *computing any period of time specified for the execution of an act*  
7 *or event in this title, Saturdays, Sundays, legal holidays and*  
8 *holidays proclaimed by the Governor must be counted.*

9 2. If the last day limited for filing any paper mentioned in this  
10 title falls on a Saturday, Sunday, legal holiday or any holiday  
11 proclaimed by the Governor, the period so limited must expire on  
12 the following business day at 5 p.m.

13 3. *Saturdays, Sundays, and holidays must not be counted if*  
14 *the provision specifying the period states that:*

15 (a) *Any such days are excluded; or*

16 (b) *The period is measured by working days.*

17 **Sec. 5.** NRS 293.128 is hereby amended to read as follows:

18 293.128 1. To qualify as a major political party, any  
19 organization must, under a common name:

20 (a) On January 1 preceding any primary election, have been  
21 designated as a political party on the applications to register to vote  
22 of at least 10 percent of the total number of registered voters in this  
23 state; or

24 (b) File a petition with the Secretary of State not later than the  
25 last Friday in April before any primary election signed by a number  
26 of registered voters equal to or more than 10 percent of the total  
27 number of votes cast at the last preceding general election for the  
28 offices of Representative in Congress.

29 2. If a petition is filed pursuant to paragraph (b) of subsection  
30 1, the names of the voters need not all be on one document, but each  
31 document of the petition must be verified by ~~at least one of its~~  
32 ~~signers] the circulator thereof~~ to the effect that the signers are  
33 registered voters of this state according to his best information and  
34 belief and that the signatures are genuine and were signed in his  
35 presence. Each document of the petition must bear the name of a  
36 county and only registered voters of that county may sign the  
37 document. The documents which are circulated for signature must  
38 then be submitted for verification pursuant to NRS 293.1276 to  
39 293.1279, inclusive, not later than 25 working days before the last  
40 Friday in April preceding a primary election.

41 3. In addition to the requirements set forth in subsection 1,  
42 each organization which wishes to qualify as a political party must  
43 file with the Secretary of State a certificate of existence which  
44 includes the:

45 (a) Name of the political party;



- 1 (b) Names and addresses of its officers;
- 2 (c) Names of the members of its executive committee; and
- 3 (d) Name of the person who is authorized by the party to act as
- 4 resident agent in this state.

5 4. A political party shall file with the Secretary of State an  
6 amended certificate of existence within 5 days after any change in  
7 the information contained in the certificate.

8 **Sec. 6.** NRS 293.133 is hereby amended to read as follows:

9 293.133 1. The number of delegates from each voting  
10 precinct in each county to the county convention of any major  
11 political party for that county must be in proportion to the number of  
12 registered voters of that party residing in the precinct as follows:

13 (a) In the counties in which the total number of registered voters  
14 of that party has not exceeded 400, each precinct is entitled to one  
15 delegate for each ~~five~~ 5 registered voters.

16 (b) In counties in which the total number of registered voters of  
17 that party has exceeded 400 but has not exceeded 600, each precinct  
18 is entitled to one delegate for each ~~eight~~ 8 registered voters.

19 (c) In counties in which the total number of registered voters of  
20 that party has exceeded 600 but has not exceeded 800, each precinct  
21 is entitled to one delegate for each 10 registered voters.

22 (d) In counties in which the total number of registered voters of  
23 that party has exceeded 800 but has not exceeded 1,400, each  
24 precinct is entitled to one delegate for each 15 registered voters.

25 (e) In counties in which the total number of registered voters of  
26 that party has exceeded 1,400 but has not exceeded 2,000, each  
27 precinct is entitled to one delegate for each 20 registered voters or  
28 major fraction thereof.

29 (f) In counties in which the total number of registered voters of  
30 that party has exceeded 2,000 but has not exceeded 3,000, each  
31 precinct is entitled to one delegate for each 30 registered voters or  
32 major fraction thereof.

33 (g) In counties in which the total number of registered voters of  
34 that party has exceeded 3,000 but has not exceeded 4,000, each  
35 precinct is entitled to one delegate for each 35 registered voters or  
36 major fraction thereof.

37 (h) In counties in which the total number of registered voters of  
38 that party has exceeded 4,000, each precinct is entitled to one  
39 delegate for each 50 registered voters or major fraction thereof.

40 2. The county clerk shall determine the number of registered  
41 voters of each party in each precinct as of ~~the first Monday in~~  
42 January 1 of each year in which a convention is held, and shall  
43 notify the Secretary of State and the county central committee of  
44 each major political party of those numbers within 30 days after the  
45 determinative date.



1 3. In all counties every precinct is entitled to at least one  
2 delegate to each county convention.

3 **Sec. 7.** NRS 293.165 is hereby amended to read as follows:  
4 293.165 1. Except as otherwise provided in NRS 293.166, a  
5 vacancy occurring in a major or minor political party nomination for  
6 a partisan office may be filled by a candidate designated by the  
7 party central committee of the county or State, as the case may be,  
8 *of the major political party or by the executive committee of the*  
9 *minor political party* subject to the provisions of subsections 4  
10 and 5.

11 2. A vacancy occurring in a nonpartisan nomination after the  
12 close of filing and on or before *5 p.m. of* the second Tuesday in  
13 ~~August~~ *July* must be filled by filing a nominating petition that is  
14 signed by registered voters of the State, county, district or  
15 municipality who may vote for the office in question. The number  
16 of registered voters who sign the petition must not be less than 1  
17 percent of the number of persons who voted for the office in  
18 question in the State, county, district or municipality at the last  
19 preceding general election. The petition must be filed not earlier  
20 than the first Tuesday in June and not later than the fourth Tuesday  
21 in ~~August~~ *July*. The petition may consist of more than one  
22 document. Each document must bear the name of one county and  
23 must be signed only by a person who is a registered voter of that  
24 county and who may vote for the office in question. Each document  
25 of the petition must be submitted for verification pursuant to NRS  
26 293.1276 to 293.1279, inclusive, to the county clerk of the county  
27 named on the document. A candidate nominated pursuant to the  
28 provisions of this subsection:

29 (a) Must file a declaration of candidacy or acceptance of  
30 candidacy and pay the statutory filing fee on or before the date the  
31 petition is filed; and

32 (b) May be elected only at a general election and his name must  
33 not appear on the ballot for a primary election.

34 3. A vacancy occurring in a nonpartisan nomination after *5*  
35 *p.m. of* the second Tuesday in ~~August~~ *July* and on or before *5 p.m.*  
36 *of* the second Tuesday in September must be filled by the person  
37 who receives the next highest vote for the nomination in the  
38 primary.

39 4. No change may be made on the ballot *for the general*  
40 *election* after *5 p.m. of* the second Tuesday in September of the year  
41 in which the general election is held. If a nominee dies after that  
42 *time and* date, his name must remain on the ballot *for the general*  
43 *election* and, if elected, a vacancy exists.

44 5. All designations provided for in this section must be filed *on*  
45 *or* before 5 p.m. on the second Tuesday in September. In each case,





1 the statutory filing fee must be paid and an acceptance of the  
2 designation must be filed *on or* before 5 p.m. on the date the  
3 designation is filed.

4 **Sec. 8.** NRS 293.193 is hereby amended to read as follows:

5 293.193 1. Fees as listed in this section for filing declarations  
6 of candidacy or acceptances of candidacy must be paid to the filing  
7 officer by cash, cashier's check or certified check.

|    |   |       |
|----|---|-------|
| 8  |   |       |
| 9  | United States Senator .....                         | \$500 |
| 10 | Representative in Congress .....                    | 300   |
| 11 | Governor .....                                      | 300   |
| 12 | Justice of the Supreme Court .....                  | 300   |
| 13 | Any state office, other than Governor or justice    |       |
| 14 | of the Supreme Court .....                          | 200   |
| 15 | District judge .....                                | 150   |
| 16 | Justice of the peace.....                           | 100   |
| 17 | Any county office.....                              | 100   |
| 18 | State Senator.....                                  | 100   |
| 19 | Assemblyman.....                                    | 100   |
| 20 | Any district office other than district judge ..... | 30    |
| 21 | Constable or other town or township office .....    | 30    |
| 22 |   |       |

23 For the purposes of this subsection, trustee of a county school  
24 district, hospital or hospital district is not a county office.

25 2. No filing fee may be required from a candidate for an office  
26 the holder of which receives no compensation.

27 3. The county clerk shall pay to the county treasurer all filing  
28 fees received by him from candidates. The county treasurer shall  
29 deposit the money to the credit of the general fund of the county.

30 **4. Except as otherwise provided in NRS 293.194, a filing fee**  
31 **paid pursuant to this section is not refundable.**

32 **Sec. 9.** NRS 293.200 is hereby amended to read as follows:

33 293.200 1. An independent candidate for partisan office must  
34 file with the appropriate filing officer:

35 (a) A copy of the petition of candidacy that he intends to  
36 *subsequently* circulate for signatures. The copy must be filed not  
37 earlier than the January 2 preceding the date of the election and not  
38 later than 25 working days before the last day to file the petition  
39 pursuant to subsection 4. ~~[The copy must also be filed before the~~  
40 ~~petition may be circulated.]~~

41 (b) Either of the following:

42 (1) A petition of candidacy signed by a number of registered  
43 voters equal to at least 1 percent of the total number of ballots cast  
44 in:



- 1 (I) This state for that office at the last preceding general  
2 election in which a person was elected to that office, if the office is a  
3 statewide office;
  - 4 (II) The county for that office at the last preceding general  
5 election in which a person was elected to that office, if the office is a  
6 county office; or
  - 7 (III) The district for that office at the last preceding  
8 general election in which a person was elected to that office, if the  
9 office is a district office.
- 10 (2) A petition of candidacy signed by 250 registered voters if  
11 the candidate is a candidate for statewide office, or signed by 100  
12 registered voters if the candidate is a candidate for any office other  
13 than a statewide office.
- 14 2. The petition may consist of more than one document. Each  
15 document must bear the name of the county in which it was  
16 circulated , and only registered voters of that county may sign the  
17 document. If the office is not a statewide office, only the registered  
18 voters of the county, district or municipality in question may sign  
19 the document. The documents that are circulated for signature in a  
20 county must be submitted to that county clerk for verification in the  
21 manner prescribed in NRS 293.1276 to 293.1279, inclusive, not  
22 later than 25 working days before the last day to file the petition  
23 pursuant to subsection 4. Each person who signs the petition shall  
24 add to his signature the address of the place at which he actually  
25 resides, the date that he signs the petition and the name of the  
26 county where he is registered to vote. The person who circulates  
27 each document of the petition shall sign an affidavit attesting that  
28 the signatures on the document are genuine to the best of his  
29 knowledge and belief and were signed in his presence by persons  
30 registered to vote in that county.
- 31 3. The petition of candidacy may state the principle, if any,  
32 which the person qualified represents.
- 33 4. Petitions of candidacy must be filed not earlier than the first  
34 Monday in May preceding the general election and not later than 5  
35 p.m. on the third Monday in May.
- 36 5. No petition of candidacy may contain the name of more than  
37 one candidate for each office to be filled.
- 38 6. A person may not file as an independent candidate if he is  
39 proposing to run as the candidate of a political party.
- 40 7. The names of independent candidates must be placed on the  
41 general election ballot and must not appear on the primary election  
42 ballot.
- 43 8. If the candidacy of any person seeking to qualify pursuant to  
44 this section is challenged, all affidavits and documents in support of  
45 the challenge must be filed not later than 5 p.m. on the fourth



1 Monday in May. Any judicial proceeding resulting from the  
2 challenge must be set for hearing not more than 5 days after the  
3 fourth Monday in May.

4 9. Any challenge pursuant to subsection 8 must be filed with:

5 (a) The first judicial district court if the petition of candidacy  
6 was filed with the Secretary of State.

7 (b) The district court for the county where the petition of  
8 candidacy was filed if the petition was filed with a county clerk.

9 10. An independent candidate for partisan office must file a  
10 declaration of candidacy with the appropriate filing officer and pay  
11 the fee required by NRS 293.193 not earlier than the first Monday in  
12 May of the year in which the election is held nor later than 5 p.m. on  
13 the third Monday in May.

14 **Sec. 10.** NRS 293.302 is hereby amended to read as follows:

15 293.302 If a candidate whose name appears on the ballot at a  
16 *primary election or* general election dies ~~[within the periods]~~ *after*  
17 *the applicable dates* set forth in NRS 293.368 ~~[,]~~ *but before the*  
18 *time of the closing of the polls on the day of the election,* the  
19 county clerk shall post a notice of the candidate's death at each  
20 polling place where the candidate's name will appear on the ballot  
21 ~~[,]~~ *for the primary election or general election.*

22 **Sec. 11.** NRS 293.368 is hereby amended to read as follows:

23 293.368 1. *Whenever a candidate whose name appears*  
24 *upon the ballot at a primary election dies after 5 p.m. of the*  
25 *second Tuesday in July, his name must remain on the ballot and*  
26 *the votes cast for the deceased candidate must be counted in*  
27 *determining the nomination for the office for which the decedent*  
28 *was a candidate.*

29 2. *If the deceased candidate on the ballot at the primary*  
30 *election receives the number of votes required to receive the*  
31 *nomination to the office for which he was a candidate, except as*  
32 *otherwise provided in subsection 3 of NRS 293.165, he shall be*  
33 *deemed nominated and there shall be a vacancy in the nomination*  
34 *that must be filled as provided in NRS 293.165 or 293.166. If the*  
35 *deceased person was a candidate for a nonpartisan office, the*  
36 *nomination must be filled pursuant to subsection 2 of*  
37 *NRS 293.165.*

38 3. Whenever a candidate whose name appears upon the ballot  
39 at a general election dies after 5 p.m. of the ~~[third]~~ *second* Tuesday  
40 in September, ~~[and before the time of the closing of the polls on the~~  
41 ~~day of the election,]~~ the votes cast for the deceased candidate must  
42 be counted in determining the results of the election for the office  
43 for which the decedent was a candidate.

44 ~~[2-]~~ 4. If the deceased candidate *on the ballot at the general*  
45 *election* receives the majority of the votes cast for the office, he



1 shall be deemed elected and the office to which he was elected shall  
2 be deemed vacant at the beginning of the term for which he was  
3 elected. The vacancy thus created must be filled in the same manner  
4 as if the candidate had died after taking office for that term.

5 **Sec. 12.** NRS 293.395 is hereby amended to read as follows:

6 293.395 1. The board of county commissioners, after making  
7 the abstract of votes as provided in NRS 293.393, shall cause the  
8 county clerk to certify the abstract and, by an order made and  
9 entered in the minutes of its proceedings, to make:

10 (a) A copy of the certified abstract; and

11 (b) A mechanized report of that abstract in compliance with  
12 regulations adopted by the Secretary of State,  
13 and forthwith transmit them to the Secretary of State.

14 2. On the fourth ~~Wednesday~~ *Tuesday* of November after each  
15 general election, the justices of the Supreme Court, or a majority  
16 thereof, shall meet with the Secretary of State, and shall open and  
17 canvass the vote for the number of presidential electors to which this  
18 state may be entitled, United States Senator, Representative in  
19 Congress, members of the Legislature, state officers who are elected  
20 statewide or by district, district judges, or district officers whose  
21 districts include area in more than one county and for and against  
22 any question submitted.

23 3. The Governor shall issue certificates of election to and  
24 commission the persons having the highest number of votes and  
25 shall issue proclamations declaring the election of those persons.

26 **Sec. 13.** NRS 293.405 is hereby amended to read as follows:

27 293.405 1. If the person who demanded the recount does not  
28 prevail, and it is found that the sum deposited was less than the cost  
29 of the recount, the person shall, upon demand, pay the deficiency to  
30 the county clerk, city clerk or Secretary of State, as the case may be.  
31 If the sum deposited is in excess of the cost, the excess must be  
32 refunded to him.

33 2. If the person who demanded the recount prevails, the sum  
34 deposited with the Secretary of State, county clerk or city clerk must  
35 be refunded to the person and the cost of the recount must be paid as  
36 follows:

37 (a) If the recount concerns an office or ballot question for which  
38 voting is not statewide, the cost must be borne by the county or city  
39 which conducted the recount.

40 (b) If the recount concerns an office or ballot question for which  
41 voting is statewide, the clerk of each county shall submit a statement  
42 of its costs in the recount to the Secretary of State for review and  
43 approval. The Secretary of State shall submit the statements to the  
44 State Board of Examiners, which shall repay the allowable costs



1 from the Reserve for Statutory Contingency Account to the  
2 respective counties.

3 3. Each recount must be commenced within 5 days after  
4 demand, and must be completed within 5 days after it is begun.  
5 ~~5. Sundays and holidays must not be excluded in determining each~~  
6 ~~5-day period.~~

7 4. After the recount of a precinct is completed, that precinct  
8 must not be subject to another recount for the same office or ballot  
9 question at the same election.

10 **Sec. 14.** NRS 293.440 is hereby amended to read as follows:

11 293.440 1. Any person who desires a copy of any list of the  
12 persons who are registered to vote in any precinct, district or county  
13 may obtain a copy by applying at the office of the county clerk and  
14 paying therefor a sum of money equal to one cent per name on the  
15 list, except that one copy of each original and supplemental list for  
16 each precinct, district or county must be provided to the state ~~and~~  
17 ~~or~~ county central committee of any major political party ~~;~~ *or to the*  
18 *executive committee of any minor political party* upon request,  
19 without charge.

20 2. Except as otherwise provided in NRS 293.558, the copy of  
21 the list provided pursuant to this section must indicate the address,  
22 date of birth, telephone number and the serial number on each  
23 application to register to vote. If the county maintains this  
24 information in a computer database, the date of the most recent  
25 addition or revision to an entry, if made on or after July 1, 1989,  
26 must be included in the database and on any resulting list of the  
27 information. The date must be expressed numerically in the order of  
28 month, day and year.

29 3. A county may not pay more than 10 cents per folio or more  
30 than \$6 per thousand copies for printed lists for a precinct or district.

31 4. A county which has a system of computers capable of  
32 recording information on magnetic tape or diskette shall, upon  
33 request of the state or county central committee of any major  
34 political party or *the executive committee of any* minor political  
35 party which has filed a certificate of existence with the Secretary of  
36 State, record for that central committee *or executive committee* on  
37 magnetic tape or diskette supplied by it:

38 (a) The list of persons who are registered to vote and the  
39 information required in subsection 2; and

40 (b) Not more than four times per year, as requested by the  
41 *central* committee ~~;~~ *or the executive committee:*

42 (1) A complete list of the persons who are registered to vote  
43 with a notation for the most recent entry of the date on which the  
44 entry or the latest change in the information was made; or



1 (2) A list that includes additions and revisions made to the  
2 list of persons who are registered to vote after a date specified by the  
3 central committee ~~and~~ *or the executive committee.*

4 5. If a political party does not provide its own magnetic tape or  
5 diskette, or if a political party requests the list in any other form that  
6 does not require printing, the county clerk may charge a fee to cover  
7 the actual cost of providing the tape, diskette or list.

8 **Sec. 15.** NRS 293.481 is hereby amended to read as follows:

9 293.481 1. Except as otherwise provided in subsection 2 or  
10 NRS 295.121 or 295.217, every governing body of a political  
11 subdivision, public or quasi-public corporation, or other local  
12 agency authorized by law to submit questions to the qualified  
13 electors or registered voters of a designated territory, when the  
14 governing body decides to submit a question:

15 (a) At a general election, shall provide a copy of the question,  
16 including an explanation of ~~and~~ *the question*, arguments for and  
17 against the question, *and rebuttals to such arguments, prepared*  
18 *pursuant to section 2 of this act* to each county clerk within the  
19 designated territory on or before the third Monday in July preceding  
20 the election.

21 (b) At a primary election, shall provide a copy of the question,  
22 including an explanation of ~~and~~ *the question*, arguments for and  
23 against the question, *and rebuttals to such arguments, prepared*  
24 *pursuant to section 2 of this act* to each county clerk within the  
25 designated territory on or before the third Monday in May preceding  
26 the election.

27 (c) At any election other than a primary or general election at  
28 which the county clerk gives notice of the election or otherwise  
29 performs duties in connection therewith other than the registration  
30 of electors and the making of records of registered voters available  
31 for the election, shall provide a copy of the question, including an  
32 explanation of ~~and~~ *the question*, arguments for and against the  
33 question, *and rebuttals to such arguments, prepared pursuant to*  
34 *section 2 of this act* to each county clerk at least 60 days before the  
35 election.

36 (d) At any city election at which the city clerk gives notice of  
37 the election or otherwise performs duties in connection therewith,  
38 shall provide a copy of the question, including an explanation of  
39 ~~and~~ *the question*, arguments for and against the question, *and*  
40 *rebuttals to such arguments, prepared pursuant to section 3 of this*  
41 *act* to the city clerk at least 60 days before the election.

42 2. A question may be submitted after the dates specified in  
43 subsection 1 if the question is expressly privileged or required to be  
44 submitted pursuant to the provisions of Article 19 of the  
45 Constitution of the State of Nevada, or pursuant to the provisions of



1 chapter 295 of NRS or any other statute except NRS 293.482,  
2 354.59817, 354.5982, 387.3285 or 387.3287 or any statute that  
3 authorizes the governing body to issue bonds upon the approval of  
4 the voters.

5 3. A county or city clerk may charge any political subdivision,  
6 public or quasi-public corporation or other local agency which  
7 submits a question a reasonable fee sufficient to pay for the  
8 increased costs incurred in including the question, explanation and  
9 arguments on the ballot.

10 **Sec. 16.** NRS 293.482 is hereby amended to read as follows:

11 293.482 1. The governing body of any county or city may, at  
12 any general election or general city election, ask the advice of the  
13 registered voters within its jurisdiction on any question which it has  
14 under consideration by adopting a resolution which:

15 (a) ~~[Except as otherwise provided in NRS 295.121 and 295.217,~~  
16 ~~sets] Sets~~ forth the advisory question ; ~~[, including an explanation of~~  
17 ~~and arguments for and against the question, to be submitted to the~~  
18 ~~voters;]~~ and

19 (b) States that the result of the voting on the question does not  
20 place any legal requirement on the governing body or any officer of  
21 the political subdivision.

22 2. A governing body may, at any general election, ask the  
23 advice of the registered voters of part of its territory if:

24 (a) The advisory question to be submitted affects only that part  
25 of its territory; and

26 (b) The resolution adopted pursuant to subsection 1 sets forth  
27 the boundaries of the area in which the advice of the registered  
28 voters will be asked.

29 *3. For each advisory question submitted to the registered*  
30 *voters pursuant to this section, arguments and rebuttals pursuant*  
31 *to NRS 295.121 and 295.217.*

32 **Sec. 17.** NRS 293.565 is hereby amended to read as follows:

33 293.565 1. Except as otherwise provided in subsection 2,  
34 sample ballots must include:

35 (a) The fiscal note, as provided pursuant to NRS 218.443 or  
36 293.250, for each proposed constitutional amendment or statewide  
37 measure;

38 (b) An explanation, as provided pursuant to NRS 218.443, of  
39 each proposed constitutional amendment or statewide measure,  
40 including arguments for and against it; and

41 (c) The full text of each proposed constitutional amendment.

42 2. Sample ballots that are mailed to registered voters may be  
43 printed without the full text of each proposed constitutional  
44 amendment if:



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

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

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

10 3. ~~[At least]~~ *Ten days before the period for early voting, if*  
11 *feasible, but not later than* 10 days before any election, the county  
12 clerk shall cause to be mailed to each registered voter in the county  
13 a sample ballot for his precinct with a notice informing the voter of  
14 the location of his polling place. If the location of the polling place  
15 has changed since the last election:

16 (a) The county clerk shall mail a notice of the change to each  
17 registered voter in the county not sooner than 10 days before  
18 mailing the sample ballots; or

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

21  
22 NOTICE: THE LOCATION OF YOUR POLLING PLACE  
23 HAS CHANGED SINCE THE LAST ELECTION  
24

25 4. Except as otherwise provided in subsection 5, a sample  
26 ballot required to be mailed pursuant to this section must:

27 (a) Be printed in at least 12-point type; and

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

30  
31 NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
32 LARGE TYPE, CALL (Insert appropriate telephone number)  
33

34 5. A portion of a sample ballot that contains a facsimile of the  
35 display area of a voting device may include material in less than  
36 12-point type to the extent necessary to make the facsimile fit on the  
37 pages of the sample ballot.

38 6. The sample ballot mailed to a person who requests a sample  
39 ballot in large type by exercising the option provided pursuant to  
40 NRS 293.508, or in any other manner, must be printed in at least  
41 14-point type, or larger when practicable.

42 7. If a person requests a sample ballot in large type, the county  
43 clerk shall ensure that all future sample ballots mailed to that person  
44 from the county are in large type.





1 8. The county clerk shall include in each sample ballot a  
2 statement indicating that the county clerk will, upon request of a  
3 voter who is elderly or disabled, make reasonable accommodations  
4 to allow the voter to vote at his polling place and provide reasonable  
5 assistance to the voter in casting his vote, including, without  
6 limitation, providing appropriate materials to assist the voter.

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

10 **Sec. 18.** NRS 293C.190 is hereby amended to read as follows:

11 293C.190 1. A vacancy occurring in a nomination for a city  
12 office after the close of filing and *on or* before *5 p.m. of* the first  
13 Tuesday after the first Monday in ~~April~~ *March* in a year in which  
14 a general city election is held must be filled by filing a nominating  
15 petition that is signed by at least 1 percent of the persons who are  
16 registered to vote and who voted for that office at the last preceding  
17 general city election. The petition must be filed not earlier than ~~30~~  
18 ~~days before the date of the primary city election~~ *the third Tuesday*  
19 *in February* and not later than the third Tuesday after the third  
20 Monday in ~~April~~ *March*. A candidate nominated pursuant to the  
21 provisions of this subsection may be elected only at a general city  
22 election, and his name must not appear on the ballot for a primary  
23 city election.

24 2. A vacancy occurring in a nomination for a city office after ~~the~~  
25 ~~primary city election~~ *5 p.m. of the first Tuesday after the first*  
26 *Monday in March* and *on or* before *5 p.m. of* the second Tuesday  
27 after the second Monday in April must be filled by the person who  
28 received the next highest vote for the nomination in the primary city  
29 election.

30 3. Except to place a candidate nominated pursuant to  
31 subsection 1 on the ballot, no change may be made on the ballot *for*  
32 *the general city election* after *5 p.m. of* the second Tuesday after the  
33 second Monday in April of the year in which the general city  
34 election is held. If a nominee dies after that *time and* date, his name  
35 must remain on the ballot *for the general city election* and, if  
36 elected, a vacancy exists.

37 4. All designations provided for in this section must be filed *on*  
38 *or* before 5 p.m. on the second Tuesday after the second Monday in  
39 April of the year in which the general city election is held. The  
40 filing fee must be paid and an acceptance of the designation must be  
41 filed *on or* before 5 p.m. on that date.

42 **Sec. 19.** NRS 293C.291 is hereby amended to read as follows:

43 293C.291 If a candidate whose name appears on the ballot at a  
44 *primary city election or* general city election dies ~~within the~~  
45 ~~periods~~ *after the applicable date* set forth in NRS 293C.370 ~~;~~ *but*



\* A B 5 2 8 \*

1 *before the time of the closing of the polls on the day of the*  
2 *election*, the city clerk shall post a notice of the candidate's death at  
3 each polling place where the candidate's name will appear on the  
4 ballot ~~for the primary city election or general city election.~~

5 **Sec. 20.** NRS 293C.370 is hereby amended to read as follows:  
6 293C.370 1. *Whenever a candidate whose name appears*  
7 *upon the ballot at a primary city election dies after 5 p.m. of the*  
8 *first Tuesday after the first Monday in March, his name must*  
9 *remain on the ballot and the votes cast for the deceased candidate*  
10 *must be counted in determining the nomination for the office for*  
11 *which the decedent was a candidate.*

12 2. *If the deceased candidate on the ballot at the primary city*  
13 *election receives the number of votes required to receive the*  
14 *nomination to the office for which he was a candidate, the*  
15 *nomination is filled as provided in subsection 2 of NRS 293C.190.*

16 3. Whenever a candidate whose name appears upon the ballot  
17 at a general city election dies after 5 p.m. of the ~~third~~ *second*  
18 Tuesday after the ~~third~~ *second* Monday in April, ~~and before the~~  
19 ~~time of the closing of the polls on the day of the election,~~ the votes  
20 cast for the deceased candidate must be counted in determining the  
21 results of the election for the office for which the decedent was a  
22 candidate.

23 ~~2.~~ 4. If the deceased candidate *on the ballot at the general*  
24 *election* receives the majority of the votes cast for the office, he  
25 shall be deemed elected and the office to which he was elected shall  
26 be deemed vacant at the beginning of the term for which he was  
27 elected. The vacancy created must be filled in the same manner as if  
28 the candidate had died after taking office for that term.

29 **Sec. 21.** NRS 293C.530 is hereby amended to read as follows:  
30 293C.530 1. ~~At least~~ *Ten days before the period for early*  
31 *voting, if feasible, but not later than* 10 days before an election, the  
32 city clerk shall cause to be mailed to each registered voter in the city  
33 a sample ballot for his precinct with a notice informing the voter of  
34 the location of his polling place. If the location of the polling place  
35 has changed since the last election:

36 (a) The city clerk shall mail a notice of the change to each  
37 registered voter in the city not sooner than 10 days before mailing  
38 the sample ballots; or

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

41  
42 **NOTICE: THE LOCATION OF YOUR POLLING PLACE**  
43 **HAS CHANGED SINCE THE LAST ELECTION**



1 2. Except as otherwise provided in subsection 3, a sample  
2 ballot required to be mailed pursuant to this section must:

- 3 (a) Be printed in at least 12-point type; and  
4 (b) Include on the front page, in a separate box created by bold  
5 lines, a notice printed in at least 20-point bold type that states:

6  
7 NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
8 LARGE TYPE, CALL (Insert appropriate telephone number)  
9

10 3. A portion of a sample ballot that contains a facsimile of the  
11 display area of a voting device may include material in less than  
12 12-point type to the extent necessary to make the facsimile fit on the  
13 pages of the sample ballot.

14 4. The sample ballot mailed to a person who requests a sample  
15 ballot in large type by exercising the option provided pursuant to  
16 NRS 293.508, or in any other manner, must be printed in at least  
17 14-point type, or larger when practicable.

18 5. If a person requests a sample ballot in large type, the city  
19 clerk shall ensure that all future sample ballots mailed to that person  
20 from the city are in large type.

21 6. The city clerk shall include in each sample ballot a statement  
22 indicating that the city clerk will, upon request of a voter who is  
23 elderly or disabled, make reasonable accommodations to allow the  
24 voter to vote at his polling place and provide reasonable assistance  
25 to the voter in casting his vote, including, without limitation,  
26 providing appropriate materials to assist the voter.

27 7. The cost of mailing sample ballots for a city election must  
28 be borne by the city holding the election.

29 **Sec. 22.** NRS 294A.006 is hereby amended to read as follows:

30 294A.006 "Committee for the recall of a public officer" means  
31 an organization ~~[which receives]~~ *that:*

32 *1. Receives any* contributions, makes *any* contributions to  
33 candidates or persons or makes *any* expenditures *that are* designed  
34 to affect the recall of a public officer ~~[.];~~ *or*

35 *2. Files a notice of intent to circulate the petition for recall.*

36 **Sec. 23.** NRS 294A.180 is hereby amended to read as follows:

37 294A.180 1. Each candidate for a state, district, county, city  
38 or township office who is not elected to that office shall, not later  
39 than the 15th day of the second month after his defeat, file a report  
40 with the ~~[Secretary of State]~~ *filing officer with whom he filed his*  
41 *declaration of candidacy or acceptance of candidacy* stating the  
42 amount of contributions which he received for that campaign but did  
43 not spend and the disposition of those unspent contributions.

44 2. Each public officer who is elected to a state, district, county,  
45 city or township office shall file a report:



1 (a) Not later than the 15th day of the second month after his  
2 election, stating the amount of campaign contributions which he  
3 received but did not spend and the amount, if any, of those unspent  
4 contributions disposed of pursuant to subsections 2 and 6 of NRS  
5 294A.160 as of the last day of the first month after his election;

6 (b) Not later than January 15th of each year of his term  
7 beginning the year after he filed the report required by paragraph  
8 (a), stating the amount, if any, of those unspent contributions  
9 disposed of pursuant to NRS 294A.160 during the period from the  
10 last date covered by his last report through December 31 of the  
11 immediately preceding year and the manner in which they were  
12 disposed of; and

13 (c) Not later than the 15th day of the second month after he no  
14 longer holds that office, stating the amount and disposition of any  
15 remaining unspent contributions.

16 3. The reports required by subsections 1 and 2 must be  
17 submitted on a form designed and provided by the Secretary of State  
18 and signed by the candidate or public officer under penalty of  
19 perjury.

20 4. A public officer filing a report pursuant to subsection 2:

21 (a) Shall file the report with the officer with whom he filed his  
22 declaration of candidacy or acceptance of candidacy.

23 (b) May file the report by certified mail. If certified mail is used,  
24 the date of mailing shall be deemed the date of filing.

25 5. A county clerk who receives from a legislative or judicial  
26 officer, other than a justice of the peace or municipal judge, a report  
27 pursuant to subsection 4 shall file a copy of the report with the  
28 Secretary of State within 10 working days after he receives the  
29 report.

30 **Sec. 24.** NRS 294A.370 is hereby amended to read as follows:

31 294A.370 1. A newspaper, radio broadcasting station,  
32 outdoor advertising company, television broadcasting station, direct  
33 mail advertising company, printer or other person or group of  
34 persons which accepts, broadcasts, disseminates, prints or publishes:

35 (a) Advertising on behalf of any candidate or group of  
36 candidates;

37 (b) Political advertising for any person other than a candidate; or

38 (c) Advertising for the passage or defeat of a question or group  
39 of questions on the ballot,

40 shall ~~make available for inspection, at any reasonable time~~ ,  
41 *during the period* beginning at least 10 days before each primary  
42 election, primary city election, general election or general city  
43 election and ending at least 30 days after the election, *make*  
44 *available for inspection* information setting forth the cost of all such  
45 advertisements accepted and broadcast, disseminated or published.



1 *The person or entity shall make the information available at any*  
2 *reasonable time and not later than 3 days after it has received a*  
3 *request for such information.*

4 2. For purposes of this section, the necessary cost information  
5 is made available if a copy of each bill, receipt or other evidence of  
6 payment made out for any such advertising is kept in a record or  
7 file, separate from the other business records of the enterprise and  
8 arranged alphabetically by name of the candidate or the person or  
9 group which requested the advertisement, at the principal place of  
10 business of the enterprise.

11 **Sec. 25.** NRS 294A.420 is hereby amended to read as follows:

12 294A.420 1. If the Secretary of State receives information  
13 that a person or entity that is subject to the provisions of NRS  
14 294A.120, 294A.140, 294A.150, 294A.180, 294A.200, 294A.210,  
15 294A.220, 294A.230, 294A.270, 294A.280 or 294A.360 has not  
16 filed a report or form for registration pursuant to the applicable  
17 provisions of those sections, the Secretary of State may, after giving  
18 notice to that person or entity, cause the appropriate proceedings to  
19 be instituted in the First Judicial District Court.

20 2. Except as otherwise provided in this section, a person or  
21 entity that violates an applicable provision of NRS 294A.112,  
22 294A.120, 294A.130, 294A.140, 294A.150, 294A.160, 294A.170,  
23 294A.180, 294A.200, 294A.210, 294A.220, 294A.230, 294A.270,  
24 294A.280, 294A.300, 294A.310, 294A.320 or 294A.360 is subject  
25 to a civil penalty of not more than \$5,000 for each violation and  
26 payment of court costs and attorney's fees. The civil penalty must  
27 be recovered in a civil action brought in the name of the State of  
28 Nevada by the Secretary of State in the First Judicial District Court  
29 and deposited by the Secretary of State for credit to the State  
30 General Fund in the bank designated by the *State* Treasurer.

31 3. If a civil penalty is imposed because a person or entity has  
32 reported its contributions, expenses or expenditures after the date  
33 the report is due, *except as otherwise provided in this subsection,*  
34 the amount of the civil penalty is:

35 (a) If the report is not more than 7 days late, \$25 for each day  
36 the report is late.

37 (b) If the report is more than 7 days late but not more than 15  
38 days late, \$50 for each day the report is late.

39 (c) If the report is more than 15 days late, \$100 for each day the  
40 report is late.

41 *A civil penalty imposed pursuant to this subsection against a*  
42 *public officer who by law is not entitled to receive compensation*  
43 *for his office or a candidate for such office who received no*  
44 *contributions and made no expenditures during the relevant*  
45 *reporting periods must not exceed a total of \$100.*



1 4. For good cause shown, the Secretary of State may waive a  
2 civil penalty that would otherwise be imposed pursuant to this  
3 section. If the Secretary of State waives a civil penalty pursuant to  
4 this subsection, the Secretary of State shall:

5 (a) Create a record which sets forth that the civil penalty has  
6 been waived and describes the circumstances that constitute the  
7 good cause shown; and

8 (b) Ensure that the record created pursuant to paragraph (a) is  
9 available for review by the general public.

10 **Sec. 26.** NRS 295.121 is hereby amended to read as follows:

11 295.121 1. ~~In a county whose population is 100,000 or~~  
12 ~~more, for] For~~ each initiative, referendum or other question to be  
13 placed on the ballot by the board or county clerk, including, without  
14 limitation, pursuant to NRS 293.482, 295.115 or 295.160, the board  
15 shall, in consultation with the county clerk pursuant to subsection 4,  
16 appoint two committees. Except as otherwise provided in subsection  
17 2, one committee must be composed of three persons who favor  
18 approval by the voters of the initiative, referendum or other question  
19 and the other committee must be composed of three persons who  
20 oppose approval by the voters of the initiative, referendum or other  
21 question.

22 2. If, after consulting with the county clerk pursuant to  
23 subsection 4, the board is unable to appoint three persons who are  
24 willing to serve on a committee, the board may appoint fewer than  
25 three persons to that committee, but the board must appoint at least  
26 one person to each committee appointed pursuant to this section.

27 3. With respect to a committee appointed pursuant to this  
28 section:

29 (a) A person may not serve simultaneously on the committee  
30 that favors approval by the voters of an initiative, referendum or  
31 other question and the committee that opposes approval by the  
32 voters of that initiative, referendum or other question.

33 (b) Members of the committee serve without compensation.

34 (c) The term of office for each member commences upon  
35 appointment and expires upon the publication of the sample ballot  
36 containing the initiative, referendum or other question.

37 4. Before the board appoints a committee pursuant to this  
38 section, the county clerk shall:

39 (a) Recommend to the board persons to be appointed to the  
40 committee; and

41 (b) Consider recommending pursuant to paragraph (a):

42 (1) Any person who has expressed an interest in serving on  
43 the committee; and



1 (2) A person who is a member of an organization that has  
2 expressed an interest in having a member of the organization serve  
3 on the committee.

4 5. If the board ~~{of a county whose population is 100,000 or~~  
5 ~~more}~~ fails to appoint a committee as required pursuant to this  
6 section, the county clerk shall appoint the committee.

7 6. A committee appointed pursuant to this section:

8 (a) Shall elect a chairman for the committee;

9 (b) Shall meet and conduct its affairs as necessary to fulfill the  
10 requirements of this section;

11 (c) May seek and consider comments from the general public;

12 (d) Shall, based on whether the members were appointed to  
13 advocate or oppose approval by the voters of the initiative,  
14 referendum or other question, prepare an argument either advocating  
15 or opposing approval by the voters of the initiative, referendum or  
16 other question;

17 (e) Shall prepare a rebuttal to the argument prepared by the other  
18 committee appointed pursuant to this section; and

19 (f) Shall submit the argument and rebuttal prepared pursuant to  
20 paragraphs (d) and (e) to the county clerk not later than the date  
21 prescribed by the county clerk pursuant to subsection 7.

22 7. The county clerk ~~{of a county whose population is 100,000~~  
23 ~~or more}~~ shall provide, by rule or regulation:

24 (a) The maximum permissible length of an argument or rebuttal  
25 prepared pursuant to this section; and

26 (b) The date by which an argument or rebuttal prepared pursuant  
27 to this section must be submitted by the committee to the county  
28 clerk.

29 8. Upon receipt of an argument or rebuttal prepared pursuant to  
30 this section, the county clerk:

31 (a) May consult with persons who are generally recognized by a  
32 national or statewide organization as having expertise in the field or  
33 area to which the initiative, referendum or other question pertains;  
34 and

35 (b) Shall reject each statement in the argument or rebuttal that he  
36 believes is libelous or factually inaccurate.

37 Not later than 5 days after the county clerk rejects a statement  
38 pursuant to this subsection, the committee *that prepared the*  
39 *statement* may appeal that rejection to the district attorney. The  
40 district attorney shall review the statement and the reasons for its  
41 rejection and may receive evidence, documentary or testimonial, to  
42 aid him in his decision. Not later than 3 business days after the  
43 appeal by the committee, the district attorney shall issue his decision  
44 rejecting or accepting the statement. The decision of the district  
45 attorney is a final decision for the purposes of judicial review.



1 9. The county clerk shall place in the sample ballot provided to  
2 the registered voters of the county each argument and rebuttal  
3 prepared pursuant to this section ~~[, containing]~~ *which contain* all  
4 statements that were not rejected pursuant to subsection 8. The  
5 county clerk may revise the language submitted by ~~[the]~~ *a*  
6 committee *pursuant to this section* so that it is clear, concise and  
7 suitable for incorporation in the sample ballot, but shall not alter the  
8 meaning or effect *of the language* without the consent of the  
9 committee.

10 ~~[10. In a county whose population is less than 100,000:  
11 (a) The board may appoint committees pursuant to this section.  
12 (b) If the board appoints committees pursuant to this section, the  
13 county clerk shall provide for rules or regulations pursuant to  
14 subsection 7.]~~

15 **Sec. 27.** NRS 295.217 is hereby amended to read as follows:  
16 295.217 1. ~~[In a city whose population is 60,000 or more,  
17 for] For~~ each initiative, referendum or other question to be placed  
18 on the ballot by the council, including, without limitation, pursuant  
19 to NRS 293.482 or 295.215, the council shall, in consultation with  
20 the city clerk pursuant to subsection 4, appoint two committees.  
21 Except as otherwise provided in subsection 2, one committee must  
22 be composed of three persons who favor approval by the voters of  
23 the initiative, referendum or other question and the other committee  
24 must be composed of three persons who oppose approval by the  
25 voters of the initiative, referendum or other question.

26 2. If, after consulting with the city clerk pursuant to subsection  
27 4, the council is unable to appoint three persons willing to serve on  
28 a committee, the council may appoint fewer than three persons to  
29 that committee, but the council must appoint at least one person to  
30 each committee appointed pursuant to this section.

31 3. With respect to a committee appointed pursuant to this  
32 section:

33 (a) A person may not serve simultaneously on the committee  
34 that favors approval by the voters of an initiative, referendum or  
35 other question and the committee that opposes approval by the  
36 voters of that initiative, referendum or other question.

37 (b) Members of the committee serve without compensation.

38 (c) The term of office for each member commences upon  
39 appointment and expires upon the publication of the sample ballot  
40 containing the initiative, referendum or other question.

41 4. Before the council appoints a committee pursuant to this  
42 section, the city clerk shall:

43 (a) Recommend to the council persons to be appointed to the  
44 committee; and

45 (b) Consider recommending pursuant to paragraph (a):





1 (1) Any person who has expressed an interest in serving on  
2 the committee; and

3 (2) A person who is a member of an organization that has  
4 expressed an interest in having a member of the organization serve  
5 on the committee.

6 5. If the council ~~[of a city whose population is 60,000 or more]~~  
7 fails to appoint a committee as required pursuant to this section, the  
8 city clerk shall appoint the committee.

9 6. A committee appointed pursuant to this section:

10 (a) Shall elect a chairman for the committee;

11 (b) Shall meet and conduct its affairs as necessary to fulfill the  
12 requirements of this section;

13 (c) May seek and consider comments from the general public;

14 (d) Shall, based on whether the members were appointed to  
15 advocate or oppose approval by the voters of the initiative,  
16 referendum or other question, prepare an argument either advocating  
17 or opposing approval by the voters of the initiative, referendum or  
18 other question;

19 (e) Shall prepare a rebuttal to the argument prepared by the other  
20 committee appointed pursuant to this section; and

21 (f) Shall submit the argument and rebuttal prepared pursuant to  
22 paragraphs (d) and (e) to the city clerk not later than the date  
23 prescribed by the city clerk pursuant to subsection 7.

24 7. The city clerk ~~[of a city whose population is 60,000 or more]~~  
25 shall provide, by rule or regulation:

26 (a) The maximum permissible length of an argument or rebuttal  
27 prepared pursuant to this section; and

28 (b) The date by which an argument or rebuttal prepared pursuant  
29 to this section must be submitted by the committee to the city clerk.

30 8. Upon receipt of an argument or rebuttal prepared pursuant to  
31 this section, the city clerk:

32 (a) May consult with persons who are generally recognized by a  
33 national or statewide organization as having expertise in the field or  
34 area to which the initiative, referendum or other question pertains;  
35 and

36 (b) Shall reject each statement in the argument or rebuttal that he  
37 believes is libelous or factually inaccurate.

38 Not later than 5 days after the city clerk rejects a statement pursuant  
39 to this subsection, the committee *that prepared the statement* may  
40 appeal that rejection to the city attorney. The city attorney shall  
41 review the statement and the reasons for its rejection and may  
42 receive evidence, documentary or testimonial, to aid him in his  
43 decision. Not later than 3 business days after the appeal by the  
44 committee, the city attorney shall issue his decision rejecting or



1 accepting the statement. The decision of the city attorney is a final  
2 decision for the purposes of judicial review.

3 9. The city clerk shall place in the sample ballot provided to  
4 the registered voters of the city each argument and rebuttal prepared  
5 pursuant to this section ~~[, containing]~~ *which contain* all statements  
6 that were not rejected pursuant to subsection 8. The city clerk may  
7 revise the language submitted by ~~[the]~~ *a* committee *pursuant to this*  
8 *section* so that it is clear, concise and suitable for incorporation in  
9 the sample ballot, but shall not alter the meaning or effect *of the*  
10 *language* without the consent of the committee.

11 ~~[ 10. In a city whose population is less than 60,000:  
12 (a) The council may appoint committees pursuant to this section.  
13 (b) If the council appoints committees pursuant to this section,  
14 the city clerk shall provide for rules or regulations pursuant to  
15 subsection 7.]~~

16 **Sec. 28.** Section 5.060 of the Charter of the City of Caliente,  
17 being chapter 31, Statutes of Nevada 1971, as amended by chapter  
18 669, Statutes of Nevada 1971, at page 2050, is hereby amended to  
19 read as follows:

20 Sec. 5.060 Ballots for ordinances and charter  
21 amendments. An ordinance or charter amendment to be  
22 voted on in the city shall be presented for voting by ballot  
23 title. The ballot title of a measure may differ from its legal  
24 title and shall be a clear, concise ~~[statement describing]~~  
25 *explanation of* the substance of the measure . ~~[without~~  
26 ~~argument or prejudice.]~~ Below the ballot title , *and*  
27 *arguments and rebuttals required by law*, shall appear the  
28 following question: "Shall the above described (ordinance)  
29 (amendment) be adopted?" The ballot or voting machine or  
30 device shall be so marked as to indicate clearly in what  
31 manner the voter may cast his vote, either for or against the  
32 ordinance or amendment.

33 **Sec. 29.** Section 5.050 of the Charter of the City of Carlin,  
34 being chapter 344, Statutes of Nevada 1971, as amended by chapter  
35 669, Statutes of Nevada 1971, at page 2051, is hereby amended to  
36 read as follows:

37 Sec. 5.050 Ballots for ordinances and charter  
38 amendments. An ordinance or charter amendment to be  
39 voted on in the city shall be presented for voting by ballot  
40 title. The ballot title of a measure may differ from its legal  
41 title and shall be a clear, concise ~~[statement describing]~~  
42 *explanation of* the substance of the measure . ~~[without~~  
43 ~~argument or prejudice.]~~ Below the ballot title , *and*  
44 *arguments and rebuttals required by law*, shall appear the  
45 following question: "Shall the above described (ordinance)



1 (amendment) be adopted?" The ballot or voting machine or  
2 device shall be so marked as to indicate clearly in what  
3 manner the voter may cast his vote, either for or against the  
4 ordinance or amendment.

5 **Sec. 30.** Section 5.060 of the Charter of Carson City, being  
6 chapter 213, Statutes of Nevada 1969, at page 305, is hereby  
7 amended to read as follows:

8 Sec. 5.060 Ballots for ordinances and charter  
9 amendments. An ordinance or charter amendment to be  
10 voted on in Carson City shall be presented for voting by  
11 ballot title. The ballot title of a measure may differ from its  
12 legal title and shall be a clear, concise ~~[statement describing]~~  
13 *explanation of* the substance of the measure . ~~[without~~  
14 ~~argument or prejudice.]~~ Below the ballot title , *and*  
15 *arguments and rebuttals required by law*, shall appear the  
16 following question: "Shall the above-described (ordinance)  
17 (amendment) be adopted?" The ballot or voting machine or  
18 device shall be so marked as to indicate clearly in what  
19 manner the voter may cast his vote either for or against the  
20 ordinance or amendment.

21 **Sec. 31.** Section 5.050 of the Charter of the City of Elko,  
22 being chapter 276, Statutes of Nevada 1971, as amended by chapter  
23 669, Statutes of Nevada 1971, at page 2052, is hereby amended to  
24 read as follows:

25 Sec. 5.050 Ballots for ordinances and charter  
26 amendments. An ordinance or charter amendment to be  
27 voted on in the city shall be presented for voting by ballot  
28 title. The ballot title of a measure may differ from its legal  
29 title and shall be a clear, concise ~~[statement describing]~~  
30 *explanation of* the substance of the measure . ~~[without~~  
31 ~~argument or prejudice.]~~ Below the ballot title , *and*  
32 *arguments and rebuttals required by law*, shall appear the  
33 following question: "Shall the above described (ordinance)  
34 (amendment) be adopted?" The ballot or voting machine or  
35 device shall be so marked as to indicate clearly in what  
36 manner the voter may cast his vote, either for or against the  
37 ordinance or amendment.

38 **Sec. 32.** Section 5.060 of the Charter of the City of Henderson,  
39 being chapter 266, Statutes of Nevada 1971, as amended by chapter  
40 669, Statutes of Nevada 1971, at page 2053, is hereby amended to  
41 read as follows:

42 Sec. 5.060 Ballots for ordinances and charter  
43 amendments. An ordinance or charter amendment to be  
44 voted on in the city shall be presented for voting by ballot  
45 title. The ballot title of a measure may differ from its legal



1 title and shall be a clear, concise ~~[statement describing]~~  
 2 *explanation of* the substance of the measure . ~~[without~~  
 3 ~~argument or prejudice.]~~ Below the ballot title , *and*  
 4 *arguments and rebuttals required by law*, shall appear the  
 5 following question: “Shall the above described (ordinance)  
 6 (amendment) be adopted?” The ballot or voting machine or  
 7 device shall be so marked as to indicate clearly in what  
 8 manner the voter may cast his vote, either for or against the  
 9 ordinance or amendment.

10 **Sec. 33.** Section 5.060 of the Charter of the City of Las Vegas,  
 11 being chapter 517, Statutes of Nevada 1983, at page 1415, is hereby  
 12 amended to read as follows:

13 Sec. 5.060 Ballots for ordinances and charter  
 14 amendments. An ordinance or charter amendment which is  
 15 to be voted on in the city must be presented for voting by  
 16 ballot title. The ballot title of a measure may differ from its  
 17 legal title, but must be a clear and concise ~~[statement which~~  
 18 ~~describes]~~ *explanation of* the substance of the measure .  
 19 ~~[without argument or prejudice.]~~ Below the ballot title , *and*  
 20 *arguments and rebuttals required by law*, must appear the  
 21 following question: “Shall the above described (ordinance)  
 22 (charter amendment) be adopted?” The ballot, voting machine  
 23 or voting device must be marked in such a way as to indicate  
 24 clearly in what manner the voter may cast his vote, either for  
 25 or against the ordinance or charter amendment.

26 **Sec. 34.** Section 5.060 of the Charter of the City of North Las  
 27 Vegas, being chapter 573, Statutes of Nevada 1971, as amended by  
 28 chapter 669, Statutes of Nevada 1971, at page 2054, is hereby  
 29 amended to read as follows:

30 Sec. 5.060 Ballots for ordinances and charter  
 31 amendments. An ordinance or charter amendment to be  
 32 voted on in the city shall be presented for voting by ballot  
 33 title. The ballot title of a measure may differ from its legal  
 34 title and shall be a clear, concise ~~[statement describing]~~  
 35 *explanation of* the substance of the measure . ~~[without~~  
 36 ~~argument or prejudice.]~~ Below the ballot title , *and*  
 37 *arguments and rebuttals required by law*, shall appear the  
 38 following question: “Shall the above described (ordinance)  
 39 (amendment) be adopted?” The ballot or voting machine or  
 40 device shall be so marked as to indicate clearly in what  
 41 manner the voter may cast his vote, either for or against the  
 42 ordinance or amendment.



1       **Sec. 35.** Section 5.060 of the Charter of the City of Reno,  
2 being chapter 662, Statutes of Nevada 1971, as amended by chapter  
3 669, Statutes of Nevada 1971, at page 2055, is hereby amended to  
4 read as follows:

5           Sec. 5.060 Ballots for ordinances and charter  
6 amendments. An ordinance or charter amendment to be  
7 voted on in the city shall be presented for voting by ballot  
8 title. The ballot title of a measure may differ from its legal  
9 title and shall be a clear, concise ~~[statement describing]~~  
10 *explanation of* the substance of the measure . ~~[without~~  
11 ~~argument or prejudice.]~~ Below the ballot title , *and*  
12 *arguments and rebuttals required by law*, shall appear the  
13 following question: "Shall the above described (ordinance)  
14 (amendment) be adopted?" The ballot or voting machine or  
15 device shall be so marked as to indicate clearly in what  
16 manner the voter may cast his vote, either for or against the  
17 ordinance or amendment.

18       **Sec. 36.** Section 5.060 of the Charter of the City of Sparks,  
19 being chapter 470, Statutes of Nevada 1975, at page 737, is hereby  
20 amended to read as follows:

21           Sec. 5.060 Ballots for ordinances and charter  
22 amendments. An ordinance or charter amendment to be  
23 voted on in the city shall be presented for voting by ballot  
24 title. The ballot title of a measure may differ from its legal  
25 title and shall be a clear, concise ~~[statement describing]~~  
26 *explanation of* the substance of the measure . ~~[without~~  
27 ~~argument or prejudice.]~~ Below the ballot title , *and*  
28 *arguments and rebuttals required by law*, shall appear the  
29 following question: "Shall the above described (ordinance)  
30 (amendment) be adopted?" The ballot or voting machine or  
31 device shall be so marked as to indicate clearly in what  
32 manner the voter may cast his vote, either for or against the  
33 ordinance or amendment.

34       **Sec. 37.** Section 5.050 of the Charter of the City of Wells,  
35 being chapter 275, Statutes of Nevada 1971, as amended by chapter  
36 669, Statutes of Nevada 1971, at page 2056, is hereby amended to  
37 read as follows:

38           Sec. 5.050 Ballots for ordinances and charter  
39 amendments. An ordinance or charter amendment to be  
40 voted on in the city shall be presented for voting by ballot  
41 title. The ballot title of a measure may differ from its legal  
42 title and shall be a clear, concise ~~[statement describing]~~  
43 *explanation of* the substance of the measure . ~~[without~~  
44 ~~argument or prejudice.]~~ Below the ballot title , *and*  
45 *arguments and rebuttals required by law*, shall appear the



1 following question: "Shall the above described (ordinance)  
2 (amendment) be adopted?" The ballot or voting machine or  
3 device shall be so marked as to indicate clearly in what  
4 manner the voter may cast his vote, either for or against the  
5 ordinance or amendment.

6 **Sec. 38.** Section 5.050 of the Charter of the City of Yerington,  
7 being chapter 465, Statutes of Nevada 1971, as amended by chapter  
8 669, Statutes of Nevada 1971, at page 2057, is hereby amended to  
9 read as follows:

10 Sec. 5.050 Ballots for ordinances and charter  
11 amendments. An ordinance or charter amendment to be  
12 voted on in the city shall be presented for voting by ballot  
13 title. The ballot title of a measure may differ from its legal  
14 title and shall be a clear, concise ~~[statement describing]~~  
15 *explanation of* the substance of the measure . ~~[without~~  
16 ~~argument or prejudice.]~~ Below the ballot title , *and*  
17 *arguments and rebuttals required by law*, shall appear the  
18 following question: "Shall the above described (ordinance)  
19 (amendment) be adopted?" The ballot or voting machine or  
20 device shall be so marked as to indicate clearly in what  
21 manner the voter may cast his vote, either for or against the  
22 ordinance or amendment.

23 **Sec. 39.** This act becomes effective on passage and approval.

