

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

(ONE BEHALF OF THE SECRETARY OF STATE)

MARCH 24, 2003

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.

~

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

AN ACT relating to elections; 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; prohibiting certain persons and entities from selling such a list or using such list for a purpose that is not related to an election; 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 R 1 *

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

3 293.1275 *1. Except as otherwise provided in this section, in*
4 *computing any period of time specified for the execution of an act*
5 *or event in this title, Saturdays, Sundays, legal holidays and*
6 *holidays proclaimed by the Governor must be counted.*

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

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

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

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

15 **Sec. 2.** NRS 293.128 is hereby amended to read as follows:

16 293.128 1. To qualify as a major political party, any
17 organization must, under a common name:

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

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

27 2. If a petition is filed pursuant to paragraph (b) of subsection
28 1, the names of the voters need not all be on one document, but each
29 document of the petition must be verified by ~~at least one of its~~
30 *signers] the circulator thereof* to the effect that the signers are
31 registered voters of this state according to his best information and
32 belief and that the signatures are genuine and were signed in his
33 presence. Each document of the petition must bear the name of a
34 county and only registered voters of that county may sign the
35 document. The documents which are circulated for signature must
36 then be submitted for verification pursuant to NRS 293.1276 to
37 293.1279, inclusive, not later than 25 working days before the last
38 Friday in April preceding a primary election.



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

- 5 (a) Name of the political party;
- 6 (b) Names and addresses of its officers;
- 7 (c) Names of the members of its executive committee; and
- 8 (d) Name of the person who is authorized by the party to act as
9 resident agent in this state.

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

13 **Sec. 3.** NRS 293.133 is hereby amended to read as follows:

14 293.133 1. The number of delegates from each voting
15 precinct in each county to the county convention of any major
16 political party for that county must be in proportion to the number of
17 registered voters of that party residing in the precinct as follows:

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

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

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

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

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

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

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

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



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

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

9 **Sec. 4.** NRS 293.165 is hereby amended to read as follows:

10 293.165 1. Except as otherwise provided in NRS 293.166, a
11 vacancy occurring in a major or minor political party nomination for
12 a partisan office may be filled by a candidate designated by the
13 party central committee of the county or State, as the case may be,
14 *of the major political party or by the executive committee of the*
15 *minor political party* subject to the provisions of subsections 4
16 and 5.

17 2. A vacancy occurring in a nonpartisan nomination after the
18 close of filing and on or before *5 p.m. of* the second Tuesday in
19 ~~August~~ *July* must be filled by filing a nominating petition that is
20 signed by registered voters of the State, county, district or
21 municipality who may vote for the office in question. The number
22 of registered voters who sign the petition must not be less than 1
23 percent of the number of persons who voted for the office in
24 question in the State, county, district or municipality at the last
25 preceding general election. The petition must be filed not earlier
26 than the first Tuesday in June and not later than the fourth Tuesday
27 in ~~August~~ *July*. The petition may consist of more than one
28 document. Each document must bear the name of one county and
29 must be signed only by a person who is a registered voter of that
30 county and who may vote for the office in question. Each document
31 of the petition must be submitted for verification pursuant to NRS
32 293.1276 to 293.1279, inclusive, to the county clerk of the county
33 named on the document. A candidate nominated pursuant to the
34 provisions of this subsection:

35 (a) Must file a declaration of candidacy or acceptance of
36 candidacy and pay the statutory filing fee on or before the date the
37 petition is filed; and

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

40 3. A vacancy occurring in a nonpartisan nomination after *5*
41 *p.m. of* the second Tuesday in ~~August~~ *July* and on or before *5 p.m.*
42 *of* the second Tuesday in September must be filled by the person
43 who receives the next highest vote for the nomination in the
44 primary.



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

6 5. All designations provided for in this section must be filed *on*
7 *or* before 5 p.m. on the second Tuesday in September. In each case,
8 the statutory filing fee must be paid and an acceptance of the
9 designation must be filed *on or* before 5 p.m. on the date the
10 designation is filed.

11 **Sec. 5.** NRS 293.193 is hereby amended to read as follows:

12 293.193 1. Fees as listed in this section for filing declarations
13 of candidacy or acceptances of candidacy must be paid to the filing
14 officer by cash, cashier's check or certified check.

15		
16	United States Senator	\$500
17	Representative in Congress	300
18	Governor	300
19	Justice of the Supreme Court	300
20	Any state office, other than Governor or justice	
21	of the Supreme Court	200
22	District judge	150
23	Justice of the peace.....	100
24	Any county office.....	100
25	State Senator.....	100
26	Assemblyman.....	100
27	Any district office other than district judge	30
28	Constable or other town or township office.....	30
29		

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

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

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

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

39 **Sec. 6.** NRS 293.200 is hereby amended to read as follows:

40 293.200 1. An independent candidate for partisan office must
41 file with the appropriate filing officer:

42 (a) A copy of the petition of candidacy that he intends to
43 *subsequently* circulate for signatures. The copy must be filed not
44 earlier than the January 2 preceding the date of the election and not
45 later than 25 working days before the last day to file the petition



1 pursuant to subsection 4. ~~[The copy must also be filed before the~~
2 ~~petition may be circulated.]~~

3 (b) Either of the following:

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

7 (I) This state for that office at the last preceding general
8 election in which a person was elected to that office, if the office is a
9 statewide office;

10 (II) The county for that office at the last preceding general
11 election in which a person was elected to that office, if the office is a
12 county office; or

13 (III) The district for that office at the last preceding
14 general election in which a person was elected to that office, if the
15 office is a district office.

16 (2) A petition of candidacy signed by 250 registered voters if
17 the candidate is a candidate for statewide office, or signed by 100
18 registered voters if the candidate is a candidate for any office other
19 than a statewide office.

20 2. The petition may consist of more than one document. Each
21 document must bear the name of the county in which it was
22 circulated, and only registered voters of that county may sign the
23 document. If the office is not a statewide office, only the registered
24 voters of the county, district or municipality in question may sign
25 the document. The documents that are circulated for signature in a
26 county must be submitted to that county clerk for verification in the
27 manner prescribed in NRS 293.1276 to 293.1279, inclusive, not
28 later than 25 working days before the last day to file the petition
29 pursuant to subsection 4. Each person who signs the petition shall
30 add to his signature the address of the place at which he actually
31 resides, the date that he signs the petition and the name of the
32 county where he is registered to vote. The person who circulates
33 each document of the petition shall sign an affidavit attesting that
34 the signatures on the document are genuine to the best of his
35 knowledge and belief and were signed in his presence by persons
36 registered to vote in that county.

37 3. The petition of candidacy may state the principle, if any,
38 which the person qualified represents.

39 4. Petitions of candidacy must be filed not earlier than the first
40 Monday in May preceding the general election and not later than 5
41 p.m. on the third Monday in May.

42 5. No petition of candidacy may contain the name of more than
43 one candidate for each office to be filled.

44 6. A person may not file as an independent candidate if he is
45 proposing to run as the candidate of a political party.



1 7. The names of independent candidates must be placed on the
2 general election ballot and must not appear on the primary election
3 ballot.

4 8. If the candidacy of any person seeking to qualify pursuant to
5 this section is challenged, all affidavits and documents in support of
6 the challenge must be filed not later than 5 p.m. on the fourth
7 Monday in May. Any judicial proceeding resulting from the
8 challenge must be set for hearing not more than 5 days after the
9 fourth Monday in May.

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

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

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

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

20 **Sec. 7.** NRS 293.302 is hereby amended to read as follows:

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

28 **Sec. 8.** NRS 293.368 is hereby amended to read as follows:

29 293.368 1. *Whenever a candidate whose name appears*
30 *upon the ballot at a primary election dies after 5 p.m. of the*
31 *second Tuesday in July, his name must remain on the ballot and*
32 *the votes cast for the deceased candidate must be counted in*
33 *determining the nomination for the office for which the decedent*
34 *was a candidate.*

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

44 3. Whenever a candidate whose name appears upon the ballot
45 at a general election dies after 5 p.m. of the ~~[third]~~ *second* Tuesday



1 in September , ~~and before the time of the closing of the polls on the~~
2 ~~day of the election.~~ the votes cast for the deceased candidate must
3 be counted in determining the results of the election for the office
4 for which the decedent was a candidate.

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

11 **Sec. 9.** NRS 293.395 is hereby amended to read as follows:

12 293.395 1. The board of county commissioners, after making
13 the abstract of votes as provided in NRS 293.393, shall cause the
14 county clerk to certify the abstract and, by an order made and
15 entered in the minutes of its proceedings, to make:

- 16 (a) A copy of the certified abstract; and
- 17 (b) A mechanized report of that abstract in compliance with
18 regulations adopted by the Secretary of State,
19 and forthwith transmit them to the Secretary of State.

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

29 3. The Governor shall issue certificates of election to and
30 commission the persons having the highest number of votes and
31 shall issue proclamations declaring the election of those persons.

32 **Sec. 10.** NRS 293.405 is hereby amended to read as follows:

33 293.405 1. If the person who demanded the recount does not
34 prevail, and it is found that the sum deposited was less than the cost
35 of the recount, the person shall, upon demand, pay the deficiency to
36 the county clerk, city clerk or Secretary of State, as the case may be.
37 If the sum deposited is in excess of the cost, the excess must be
38 refunded to him.

39 2. If the person who demanded the recount prevails, the sum
40 deposited with the Secretary of State, county clerk or city clerk must
41 be refunded to the person and the cost of the recount must be paid as
42 follows:

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



1 (b) If the recount concerns an office or ballot question for which
2 voting is statewide, the clerk of each county shall submit a statement
3 of its costs in the recount to the Secretary of State for review and
4 approval. The Secretary of State shall submit the statements to the
5 State Board of Examiners, which shall repay the allowable costs
6 from the Reserve for Statutory Contingency Account to the
7 respective counties.

8 3. Each recount must be commenced within 5 days after
9 demand, and must be completed within 5 days after it is begun.
10 ~~[Sundays and holidays must not be excluded in determining each~~
11 ~~5-day period.]~~

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

15 **Sec. 11.** NRS 293.440 is hereby amended to read as follows:

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

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

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

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

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



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

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

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

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

13 *6. Any state or county central committee of a major political*
14 *party, any executive committee of a minor political party or any*
15 *member or representative of such a central committee or executive*
16 *committee who receives without charge a list of the persons who*
17 *are registered to vote in any precinct, district or county pursuant to*
18 *this section shall not:*

19 (a) *Use the list for any purpose that is not related to an*
20 *election; or*

21 (b) *Sell the list for compensation or other valuable*
22 *consideration.*

23 **Sec. 12.** NRS 293.565 is hereby amended to read as follows:

24 293.565 1. Except as otherwise provided in subsection 2,
25 sample ballots must include:

26 (a) The fiscal note, as provided pursuant to NRS 218.443 or
27 293.250, for each proposed constitutional amendment or statewide
28 measure;

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

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

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

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

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

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



1 3. ~~[At least]~~ *Before the period for early voting, but not later*
2 *than* 10 days before any election, the county clerk shall cause to be
3 mailed to each registered voter in the county a sample ballot for his
4 precinct with a notice informing the voter of the location of his
5 polling place. If the location of the polling place has changed since
6 the last election:

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

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

12
13 NOTICE: THE LOCATION OF YOUR POLLING PLACE
14 HAS CHANGED SINCE THE LAST ELECTION
15

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

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

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

21
22 NOTICE: TO RECEIVE A SAMPLE BALLOT IN
23 LARGE TYPE, CALL (Insert appropriate telephone number)
24

25 5. A portion of a sample ballot that contains a facsimile of the
26 display area of a voting device may include material in less than
27 12-point type to the extent necessary to make the facsimile fit on the
28 pages of the sample ballot.

29 6. The sample ballot mailed to a person who requests a sample
30 ballot in large type by exercising the option provided pursuant to
31 NRS 293.508, or in any other manner, must be printed in at least
32 14-point type, or larger when practicable.

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

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

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



1 **Sec. 13.** NRS 293C.190 is hereby amended to read as follows:
2 293C.190 1. A vacancy occurring in a nomination for a city
3 office after the close of filing and *on or before 5 p.m. of* the first
4 Tuesday after the first Monday in ~~April~~ *March* in a year in which
5 a general city election is held must be filled by filing a nominating
6 petition that is signed by at least 1 percent of the persons who are
7 registered to vote and who voted for that office at the last preceding
8 general city election. The petition must be filed not earlier than ~~30~~
9 ~~days before the date of the primary city election~~ *the third Tuesday*
10 *in February* and not later than the third Tuesday after the third
11 Monday in ~~April~~ *March*. A candidate nominated pursuant to the
12 provisions of this subsection may be elected only at a general city
13 election , and his name must not appear on the ballot for a primary
14 city election.

15 2. A vacancy occurring in a nomination for a city office after ~~a~~
16 ~~primary city election~~ *5 p.m. of the first Tuesday after the first*
17 *Monday in March* and *on or before 5 p.m. of* the second Tuesday
18 after the second Monday in April must be filled by the person who
19 received the next highest vote for the nomination in the primary city
20 election.

21 3. Except to place a candidate nominated pursuant to
22 subsection 1 on the ballot, no change may be made on the ballot *for*
23 *the general city election* after *5 p.m. of* the second Tuesday after the
24 second Monday in April of the year in which the general city
25 election is held. If a nominee dies after that *time and* date, his name
26 must remain on the ballot *for the general city election* and, if
27 elected, a vacancy exists.

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

33 **Sec. 14.** NRS 293C.291 is hereby amended to read as follows:

34 293C.291 If a candidate whose name appears on the ballot at a
35 *primary city election or* general city election dies ~~within the~~
36 ~~periods~~ *after the applicable date* set forth in NRS 293C.370 ~~but~~
37 ~~before the time of the closing of the polls on the day of the~~
38 *election*, the city clerk shall post a notice of the candidate's death at
39 each polling place where the candidate's name will appear on the
40 ballot ~~but~~ *for the primary city election or general city election*.

41 **Sec. 15.** NRS 293C.370 is hereby amended to read as follows:

42 293C.370 1. *Whenever a candidate whose name appears*
43 *upon the ballot at a primary city election dies after 5 p.m. of the*
44 *first Tuesday after the first Monday in March, his name must*
45 *remain on the ballot and the votes cast for the deceased candidate*



1 *must be counted in determining the nomination for the office for*
2 *which the decedent was a candidate.*

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

7 3. Whenever a candidate whose name appears upon the ballot
8 at a general city election dies after 5 p.m. of the ~~third~~ *second*
9 Tuesday after the ~~third~~ *second* Monday in April, ~~[and before the~~
10 ~~time of the closing of the polls on the day of the election,]~~ the votes
11 cast for the deceased candidate must be counted in determining the
12 results of the election for the office for which the decedent was a
13 candidate.

14 ~~[2.]~~ 4. If the deceased candidate *on the ballot at the general*
15 *election* receives the majority of the votes cast for the office, he
16 shall be deemed elected and the office to which he was elected shall
17 be deemed vacant at the beginning of the term for which he was
18 elected. The vacancy created must be filled in the same manner as if
19 the candidate had died after taking office for that term.

20 **Sec. 16.** NRS 293C.530 is hereby amended to read as follows:
21 293C.530 1. ~~[At least]~~ *Before the period for early voting,*
22 *but not later than* 10 days before an election, the city clerk shall
23 cause to be mailed to each registered voter in the city a sample
24 ballot for his precinct with a notice informing the voter of the
25 location of his polling place. If the location of the polling place has
26 changed since the last election:

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

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

32
33 NOTICE: THE LOCATION OF YOUR POLLING PLACE
34 HAS CHANGED SINCE THE LAST ELECTION
35

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

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

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

41
42 NOTICE: TO RECEIVE A SAMPLE BALLOT IN
43 LARGE TYPE, CALL (Insert appropriate telephone number)



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

5 4. The sample ballot mailed to a person who requests a sample
6 ballot in large type by exercising the option provided pursuant to
7 NRS 293.508, or in any other manner, must be printed in at least
8 14-point type, or larger when practicable.

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

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

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

20 **Sec. 17.** NRS 294A.006 is hereby amended to read as follows:

21 294A.006 “Committee for the recall of a public officer” means
22 an organization ~~which receives~~ *that:*

23 *1. Receives any* contributions, makes *any* contributions to
24 candidates or persons or makes *any* expenditures *that are* designed
25 to affect the recall of a public officer ~~[-]~~; *or*

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

27 **Sec. 18.** NRS 294A.180 is hereby amended to read as follows:

28 294A.180 1. Each candidate for a state, district, county, city
29 or township office who is not elected to that office shall, not later
30 than the 15th day of the second month after his defeat, file a report
31 with the ~~Secretary of State~~ *filing officer with whom he filed his*
32 *declaration of candidacy or acceptance of candidacy* stating the
33 amount of contributions which he received for that campaign but did
34 not spend and the disposition of those unspent contributions.

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

37 (a) Not later than the 15th day of the second month after his
38 election, stating the amount of campaign contributions which he
39 received but did not spend and the amount, if any, of those unspent
40 contributions disposed of pursuant to subsections 2 and 6 of NRS
41 294A.160 as of the last day of the first month after his election;

42 (b) Not later than January 15th of each year of his term
43 beginning the year after he filed the report required by paragraph
44 (a), stating the amount, if any, of those unspent contributions
45 disposed of pursuant to NRS 294A.160 during the period from the



1 last date covered by his last report through December 31 of the
2 immediately preceding year and the manner in which they were
3 disposed of; and

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

7 3. The reports required by subsections 1 and 2 must be
8 submitted on a form designed and provided by the Secretary of State
9 and signed by the candidate or public officer under penalty of
10 perjury.

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

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

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

16 5. A county clerk who receives from a legislative or judicial
17 officer, other than a justice of the peace or municipal judge, a report
18 pursuant to subsection 4 shall file a copy of the report with the
19 Secretary of State within 10 working days after he receives the
20 report.

21 **Sec. 19.** NRS 294A.370 is hereby amended to read as follows:

22 294A.370 1. A newspaper, radio broadcasting station,
23 outdoor advertising company, television broadcasting station, direct
24 mail advertising company, printer or other person or group of
25 persons which accepts, broadcasts, disseminates, prints or publishes:

26 (a) Advertising on behalf of any candidate or group of
27 candidates;

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

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

31 shall ~~make available for inspection, at any reasonable time~~ ,
32 *during the period* beginning at least 10 days before each primary
33 election, primary city election, general election or general city
34 election and ending at least 30 days after the election, *make*
35 *available for inspection* information setting forth the cost of all such
36 advertisements accepted and broadcast, disseminated or published.
37 *The person or entity shall make the information available at any*
38 *reasonable time and not later than 3 days after it has received a*
39 *request for such information.*

40 2. For purposes of this section , the necessary cost information
41 is made available if a copy of each bill, receipt or other evidence of
42 payment made out for any such advertising is kept in a record or
43 file, separate from the other business records of the enterprise and
44 arranged alphabetically by name of the candidate or the person or



1 group which requested the advertisement, at the principal place of
2 business of the enterprise.

3 **Sec. 20.** NRS 294A.420 is hereby amended to read as follows:

4 294A.420 1. If the Secretary of State receives information
5 that a person or entity that is subject to the provisions of NRS
6 294A.120, 294A.140, 294A.150, 294A.180, 294A.200, 294A.210,
7 294A.220, 294A.230, 294A.270, 294A.280 or 294A.360 has not
8 filed a report or form for registration pursuant to the applicable
9 provisions of those sections, the Secretary of State may, after giving
10 notice to that person or entity, cause the appropriate proceedings to
11 be instituted in the First Judicial District Court.

12 2. Except as otherwise provided in this section, a person or
13 entity that violates an applicable provision of NRS 294A.112,
14 294A.120, 294A.130, 294A.140, 294A.150, 294A.160, 294A.170,
15 294A.180, 294A.200, 294A.210, 294A.220, 294A.230, 294A.270,
16 294A.280, 294A.300, 294A.310, 294A.320 or 294A.360 is subject
17 to a civil penalty of not more than \$5,000 for each violation and
18 payment of court costs and attorney's fees. The civil penalty must
19 be recovered in a civil action brought in the name of the State of
20 Nevada by the Secretary of State in the First Judicial District Court
21 and deposited by the Secretary of State for credit to the State
22 General Fund in the bank designated by the *State* Treasurer.

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

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

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

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

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

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

42 (a) Create a record which sets forth that the civil penalty has
43 been waived and describes the circumstances that constitute the
44 good cause shown; and



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

3 **Sec. 21.** NRS 306.030 is hereby amended to read as follows:
4 306.030 1. The petition may consist of any number of copies
5 which are identical in form with the original, except for the name of
6 the county and the signatures and addresses of the residences of the
7 signers. The pages of the petition with the signatures and of any
8 copy must be consecutively numbered. Each page must bear the
9 name of a county and only registered voters of that county may sign
10 the page.

11 2. Every copy must be verified by ~~{at least one of the signers}~~
12 *the circulator* thereof, who shall swear or affirm, before a person
13 authorized by law to administer oaths, that the statements and
14 signatures contained in the petition are true to the best of his
15 knowledge and belief. The verification must also contain a
16 statement of the number of signatures being verified by the ~~{signer.}~~
17 *circulator*.

18 **Sec. 22.** This act becomes effective on passage and approval.

