

---

---

SENATE BILL NO. 111—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE NEVADA SUPREME COURT)

FEBRUARY 13, 2003

Referred to Committee on Government Affairs

SUMMARY—Changes dates for filing of declaration of candidacy for certain judicial offices. (BDR 24-617)

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; changing the dates during which persons who wish to be candidates for certain judicial offices must file their declarations of candidacy; 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 293.177 is hereby amended to read as follows:  
2     293.177 1. Except as otherwise provided in NRS 293.165, a  
3 name may not be printed on a ballot to be used at a primary election  
4 unless the person named has filed a declaration of candidacy or an  
5 acceptance of candidacy, and paid the fee required by NRS 293.193  
6 not earlier than ~~the~~ :  
7     (a) *For a candidate for judicial office, the second Monday in*  
8 *January of the year in which the election is to be held nor later*  
9 *than 5 p.m. on the fourth Monday in January; and*  
10    (b) *For all other candidates, the* first Monday in May of the  
11 year in which the election is to be held nor later than 5 p.m. on the  
12 third Monday in May.  
13    2. A declaration of candidacy or an acceptance of candidacy  
14 required to be filed by this section must be in substantially the  
15 following form:



\* S B 1 1 1 \*

1 (a) For partisan office:  
2

3 DECLARATION OF CANDIDACY OF ..... FOR THE  
4 OFFICE OF .....

5  
6 State of Nevada

7  
8 County of .....  
9

10 For the purpose of having my name placed on the official ballot as a  
11 candidate for the ..... Party nomination for the office of  
12 ....., I, the undersigned ....., do swear or affirm under penalty  
13 of perjury that I actually, as opposed to constructively, reside at  
14 ....., in the City or Town of ....., County of ....., State of  
15 Nevada; that my actual, as opposed to constructive, residence in the  
16 state, district, county, township, city or other area prescribed by law  
17 to which the office pertains began on a date at least 30 days  
18 immediately preceding the date of the close of filing of declarations  
19 of candidacy for this office; that my telephone number is .....,  
20 and the address at which I receive mail, if different than my  
21 residence, is .....; that I am registered as a member of the  
22 ..... Party; that I have not, in violation of the provisions of  
23 NRS 293.176, changed the designation of my political party or  
24 political party affiliation on an official application to register to vote  
25 in any state since September 1 before the closing filing date for this  
26 election; that I generally believe in and intend to support the  
27 concepts found in the principles and policies of that political party in  
28 the coming election; that if nominated as a candidate of the  
29 ..... Party at the ensuing election, I will accept that  
30 nomination and not withdraw; that I will not knowingly violate any  
31 election law or any law defining and prohibiting corrupt and  
32 fraudulent practices in campaigns and elections in this state; that I  
33 will qualify for the office if elected thereto, including, but not  
34 limited to, complying with any limitation prescribed by the  
35 Constitution and laws of this state concerning the number of years  
36 or terms for which a person may hold the office; and that I  
37 understand that my name will appear on all ballots as designated in  
38 this declaration.  
39

40 .....  
41 (Designation of name)  
42

43 .....  
44 (Signature of candidate for office)



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

3  
4 .....

5 Notary Public or other person  
6 authorized to administer an oath

7  
8 (b) For nonpartisan office:  
9

10 DECLARATION OF CANDIDACY OF ..... FOR THE  
11 OFFICE OF .....

12  
13 State of Nevada

14  
15 County of .....

16  
17 For the purpose of having my name placed on the official ballot as a  
18 candidate for the office of ....., I, the undersigned .....,  
19 do swear or affirm under penalty of perjury that I actually, as  
20 opposed to constructively, reside at ....., in the City or Town of  
21 ....., County of ....., State of Nevada; that my actual, as  
22 opposed to constructive, residence in the state, district, county,  
23 township, city or other area prescribed by law to which the office  
24 pertains began on a date at least 30 days immediately preceding the  
25 date of the close of filing of declarations of candidacy for this  
26 office; that my telephone number is ....., and the address at  
27 which I receive mail, if different than my residence, is .....; that if  
28 nominated as a nonpartisan candidate at the ensuing election, I will  
29 accept the nomination and not withdraw; that I will not knowingly  
30 violate any election law or any law defining and prohibiting corrupt  
31 and fraudulent practices in campaigns and elections in this state; that  
32 I will qualify for the office if elected thereto, including, but not  
33 limited to, complying with any limitation prescribed by the  
34 Constitution and laws of this state concerning the number of years  
35 or terms for which a person may hold the office; and my name will  
36 appear on all ballots as designated in this declaration.

37  
38 .....  
39 (Designation of name)

40  
41 .....  
42 (Signature of candidate for office)



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

3  
4 .....

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

8 3. A person may be a candidate under his given name and  
9 surname, a contraction or familiar form of his given name followed  
10 by his surname or the initial of his given name followed by his  
11 surname. A nickname of not more than 10 letters may be  
12 incorporated into a candidate's name. The nickname must be in  
13 quotation marks and appear immediately before the candidate's  
14 surname. A nickname must not indicate any political, economic,  
15 social or religious view or affiliation and must not be the name of  
16 any person, living or dead, whose reputation is known on a  
17 statewide, nationwide or worldwide basis, or in any other manner  
18 deceive a voter regarding the person or principles for which he is  
19 voting.

20 4. The address of a candidate which must be included in the  
21 declaration of candidacy or acceptance of candidacy pursuant to  
22 subsection 2 must be the street address of the residence where he  
23 actually, as opposed to constructively, resides in accordance with  
24 NRS 281.050, if one has been assigned. The declaration or  
25 acceptance of candidacy must not be accepted for filing if the  
26 candidate's address is listed as a post office box unless a street  
27 address has not been assigned to his residence.

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

42 **Sec. 2.** NRS 293.180 is hereby amended to read as follows:  
43 293.180 1. Ten or more registered voters may ~~[, not earlier~~  
44 ~~than the first Monday in April nor later than 5 p.m. on the first~~



1 ~~Friday in May,~~ file a certificate of candidacy designating any  
2 registered voter as a candidate for ~~his~~ :  
3 (a) *Their* major political party's nomination for any partisan  
4 elective office, or as a candidate for nomination for any nonpartisan  
5 office ~~is~~ *other than a judicial office, not earlier than the first*  
6 *Monday in April of the year in which the election is to be held nor*  
7 *later than 5 p.m. on the first Friday in May; or*  
8 (b) *Nomination for a judicial office, not earlier than the*  
9 *second Monday in December of the year immediately preceding*  
10 *the year in which the election is to be held nor later than 5 p.m. on*  
11 *the first Friday in January of the year in which the election is to*  
12 *be held.*  
13 2. When the certificate has been filed, the officer in whose  
14 office it is filed shall notify the person named in the certificate. If  
15 the person named in the certificate files an acceptance of candidacy  
16 and pays the required fee, as provided by law, he is a candidate in  
17 the primary election in like manner as if he had filed a declaration of  
18 candidacy.  
19 ~~is~~ 3. If a certificate of candidacy relates to a partisan office,  
20 all of the signers must be of the same major political party as the  
21 candidate designated.

