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SENATE BILL NO. 130—SENATORS PICKARD, HARDY, BUCK,  
SETTELMAYER; GOICOECHEA, HAMMOND, KIECKHEFER  
AND SEEVERS GANSERT

FEBRUARY 18, 2021

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JOINT SPONSOR: ASSEMBLYMAN ELLISON

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Referred to Committee on Legislative Operations and Elections

SUMMARY—Provides for a presidential preference primary election. (BDR 24-37)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 12)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; requiring, with certain exceptions, that a presidential preference primary election be held in conjunction with the statewide primary election; setting forth certain requirements and procedures for a presidential preference primary election; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 This bill establishes requirements and procedures for conducting a presidential  
2 preference primary election, which is an election held in a presidential election year  
3 to determine the preferences of the registered voters of a major political party  
4 regarding the party’s nominee for President of the United States.

5 **Section 10** of this bill requires, with certain exceptions, that a presidential  
6 preference primary election be held in each presidential election year for each  
7 major political party in conjunction with the statewide primary election that is held  
8 on the second Tuesday in June. **Section 9** of this bill specifies that the existing  
9 provisions of law relating to primary elections govern the conduct of a presidential  
10 preference primary election.

11 **Section 11** of this bill requires a person who is a qualified candidate and wants  
12 to appear on the ballot to become a major political party’s nominee for President of  
13 the United States to file a declaration of candidacy with the Secretary of State on a



14 form prescribed by the Secretary of State. **Section 8** of this bill defines the term  
15 “qualified candidate.”

16 **Section 12** of this bill requires the Secretary of State to forward to each county  
17 clerk a certified list containing the name and mailing address of each qualified  
18 candidate whose name must appear on the ballot for the presidential preference  
19 primary election.

20 **Section 13** of this bill provides that a registered voter must have indicated an  
21 affiliation with the major political party on his or her application to register to vote  
22 in order to vote in a presidential preference primary election for the major political  
23 party.

24 **Section 14** of this bill requires the Secretary of State to: (1) compile the returns  
25 for each qualified candidate of a major political party whose name appears on the  
26 ballot at the presidential preference primary election; (2) make out and file in his or  
27 her office an abstract of the returns; and (3) certify the number of votes received by  
28 each qualified candidate to the state central committee and the national committee  
29 of the party.

30 **Section 15** of this bill authorizes the Secretary of State to adopt regulations to  
31 carry out the provisions of this bill relating to the presidential preference primary  
32 election.

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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 a new section to read as follows:

3 *“Presidential preference primary election” means an election*  
4 *held in a presidential election year pursuant to sections 8 to 15,*  
5 *inclusive, of this act to determine the preferences of the registered*  
6 *voters of a major political party regarding the party’s nominee for*  
7 *President of the United States.*

8 **Sec. 2.** NRS 293.010 is hereby amended to read as follows:

9 293.010 As used in this title, unless the context otherwise  
10 requires, the words and terms defined in NRS 293.013 to 293.121,  
11 inclusive, *and section 1 of this act* have the meanings ascribed to  
12 them in those sections.

13 **Sec. 3.** NRS 293.080 is hereby amended to read as follows:

14 293.080 “Primary election” means the election held pursuant to  
15 NRS 293.175. *The term includes, without limitation, a presidential*  
16 *preference primary election that is held on the same date as the*  
17 *election held pursuant to NRS 293.175.*

18 **Sec. 4.** NRS 293.135 is hereby amended to read as follows:

19 293.135 1. The county central committee of each major  
20 political party in each county shall have a precinct meeting of the  
21 registered voters of the party residing in each voting precinct  
22 entitled to delegates in the county convention called and held on the  
23 dates set for the precinct meeting by the respective state central  
24 committees in each year in which a general election is held. *In any*  
25 *year in which a presidential preference primary election is held for*



1 *the major political party, the precinct meeting must not be held*  
2 *until after the results of the presidential preference primary*  
3 *election are certified by the Secretary of State.*

4 2. The meeting must be held in one of the following places in  
5 the following order of preference:

6 (a) Any public building within the precinct if the meeting is for  
7 a single precinct, or any public building which is in reasonable  
8 proximity to the precincts and will accommodate a meeting of two  
9 or more precincts; or

10 (b) Any private building within the precinct or one of the  
11 precincts.

12 3. The county central committee shall give notice of the  
13 meeting by:

14 (a) Posting in a conspicuous place outside the building where  
15 the meeting is to be held; and

16 (b) Publishing in one or more newspapers of general circulation  
17 in the precinct, published in the county, if any are so published,

18 ➔ on the date set for giving notice of the meeting by the respective  
19 state central committees.

20 4. The notice must be printed in conspicuous display  
21 advertising format of not less than 10 column inches, and must  
22 include the following language, or words of similar import:

23  
24 Notice to All Voters Registered  
25 IN THE (STATE NAME OF MAJOR POLITICAL PARTY)  
26

27 Nevada state law requires each major political party, in  
28 every year during which a general election is held, to have a  
29 precinct meeting held for each precinct. All persons  
30 registered in the party and residing in the precinct are entitled  
31 to attend the precinct meeting. Delegates to your party's  
32 county convention will be elected at the meeting by those in  
33 attendance. Set forth below are the time and place at which  
34 your precinct meeting will be held, together with the number  
35 of delegates to be elected from each precinct. If you wish to  
36 participate in the organization of your party for the coming 2  
37 years, attend your precinct meeting.  
38

39 5. The notice must specify:

40 (a) The date, time and place of the meeting; and

41 (b) The number of delegates to the county convention to be  
42 chosen at the meeting.

43 **Sec. 5.** NRS 293.137 is hereby amended to read as follows:

44 293.137 1. Promptly at the time and place appointed therefor,  
45 the mass meeting must be convened and organized for each precinct.



1 If access to the premises appointed for any such meeting is not  
2 available, the meeting may be convened at an accessible place  
3 immediately adjacent thereto. The meeting must be conducted  
4 openly and publicly and in such a manner that it is freely accessible  
5 to any registered voter of the party calling the meeting who resides  
6 in the precinct and is desirous of attending the meeting, until the  
7 meeting is adjourned. At the meeting, the delegates to which the  
8 members of the party residing in the precinct are entitled in  
9 the party's county convention must be elected pursuant to the rules  
10 of the state central committee of that party. ~~In presidential election~~  
11 ~~years, the election of delegates may be a part of expressing~~  
12 ~~preferences for candidates for the party's nomination for President~~  
13 ~~of the United States if the rules of the party permit such conduct.]~~  
14 The result of the election *of delegates* must be certified to the  
15 county convention of the party by the chair and the secretary of the  
16 meeting upon the forms specified in subsection 3.

17 2. At the precinct meetings, the delegates and alternates to the  
18 party's convention must be elected. If a meeting is not held for a  
19 particular precinct at the location specified, that precinct must be  
20 without representation at the county convention unless the meeting  
21 was scheduled, with proper notice, and no registered voter of the  
22 party appeared. In that case, the meeting shall be deemed to have  
23 been held and the position of delegate is vacant. If a position of  
24 delegate is vacant, it must be filled by the designated alternate, if  
25 any. If there is no designated alternate, the vacancy must be filled  
26 pursuant to the rules of the party, if the rules of the party so provide,  
27 or, if the rules of the party do not so provide, the county central  
28 committee shall appoint a delegate from among the qualified  
29 members of the party residing in the precinct in which the vacancy  
30 occurred, and the secretary of the county central committee shall  
31 certify the appointed delegate to the county convention.

32 3. The county central committee shall prepare and number  
33 serially a number of certificate forms equal to the total number of  
34 delegates to be elected throughout the county, and deliver the  
35 appropriate number to each precinct meeting. Each certificate must  
36 be in duplicate. The original must be given to the elected delegate,  
37 and the duplicate transmitted to the county central committee.

38 4. All duplicates must be delivered to the chair of the  
39 preliminary credentials committee of the county convention. Every  
40 delegate who presents a certificate matching one of the duplicates  
41 must be seated without dispute.

42 5. Each state central committee shall adopt written rules  
43 governing, but not limited to, the following procedures:

44 (a) The selection, rights and duties of committees of a  
45 convention;



- 1 (b) Challenges to credentials of delegates; and
- 2 (c) Majority and minority reports of committees.

3 **Sec. 6.** NRS 293.163 is hereby amended to read as follows:

4 293.163 1. In presidential election years, on the call of a  
5 national party convention, but one set of party conventions and but  
6 one state convention shall be held on such respective dates and at  
7 such places as the state central committee of the party shall  
8 designate. If no earlier dates are fixed, the state convention shall be  
9 held 30 days before the date set for the national convention and the  
10 county conventions shall be held 60 days before the date set for the  
11 national convention.

12 2. Delegates to such conventions shall be selected in the same  
13 manner as prescribed in NRS 293.130 to 293.160, inclusive, and  
14 each convention shall have and exercise all of the power granted it  
15 under NRS 293.130 to 293.160, inclusive. In addition to such  
16 powers granted it, the state convention shall select the necessary  
17 delegates and alternates to the national convention of the party and,  
18 if consistent with the rules and regulations of the party, shall select  
19 the national committeeman and committeewoman of the party from  
20 the State of Nevada.

21 *3. Any rules or regulations of the party governing the election*  
22 *of delegates and alternates to the national convention of the party,*  
23 *or directing the votes of delegates at the national convention must*  
24 *reasonably reflect the results of the presidential preference*  
25 *primary election, if one has been held for the party.*

26 **Sec. 7.** Chapter 298 of NRS is hereby amended by adding  
27 thereto the provisions set forth as sections 8 to 15, inclusive, of this  
28 act.

29 *Sec. 8. As used in sections 8 to 15, inclusive, of this act, the*  
30 *term "qualified candidate" means a person who is qualified to be*  
31 *the nominee of a major political party for President of the United*  
32 *States pursuant to the Constitution and laws of the United States*  
33 *and the rules of the major political party.*

34 **Sec. 9.** 1. *To the extent possible, the provisions of chapters*  
35 *293 and 293B of NRS governing the conduct of a primary election*  
36 *govern the conduct of a presidential preference primary election*  
37 *and must be given effect to the extent that the provisions of*  
38 *chapters 293 and 293B of NRS do not conflict with the provisions*  
39 *of sections 8 to 15, inclusive, of this act.*

40 2. *If there is a conflict between the provisions of chapter 293*  
41 *or 293B of NRS and the provisions of sections 8 to 15, inclusive,*  
42 *of this act, the provisions of sections 8 to 15, inclusive, of this act*  
43 *control.*

44 **Sec. 10.** 1. *Except as otherwise provided in this section, a*  
45 *presidential preference primary election must be held in a*



1 *presidential election year for each major political party in*  
2 *conjunction with the statewide primary election held pursuant to*  
3 *NRS 293.175 on the second Tuesday in June.*

4 2. *A presidential preference primary election must not be held*  
5 *for a major political party if only one qualified candidate or no*  
6 *qualified candidate of the major political party files a declaration*  
7 *of candidacy pursuant to section 11 of this act. If only one*  
8 *qualified candidate of the major political party files a declaration*  
9 *of candidacy, the Secretary of State must certify the name of the*  
10 *qualified candidate to the state central committee and the national*  
11 *committee of the major political party.*

12 **Sec. 11.** *If a person who is a qualified candidate to be a*  
13 *major political party's nominee for President of the United States*  
14 *wants to appear on the ballot for a presidential preference primary*  
15 *election that is held for the party, the person must, not earlier than*  
16 *the first Monday in March and not later than 5 p.m. on the second*  
17 *Friday after the first Monday in March of the presidential election*  
18 *year, file with the Secretary of State a declaration of candidacy on*  
19 *a form prescribed by the Secretary of State.*

20 **Sec. 12.** 1. *The Secretary of State shall forward to each*  
21 *county clerk a certified list containing the name and mailing*  
22 *address of each qualified candidate whose name must appear on*  
23 *the ballot for the presidential preference primary election.*

24 2. *Each county clerk shall ensure that there is a separate*  
25 *presidential preference primary ballot for each major political*  
26 *party which must, without limitation:*

27 (a) *Contain the name of each qualified candidate whose name*  
28 *must appear on the ballot; and*

29 (b) *Include at the top of the ballot, the name of the major*  
30 *political party.*

31 3. *In addition to the applicable requirements of NRS 293.565,*  
32 *a sample ballot mailed by a county clerk pursuant to NRS 293.565*  
33 *must include a separate section for the presidential preference*  
34 *primary election with the name of each qualified candidate for a*  
35 *major political party.*

36 **Sec. 13.** 1. *To vote in a presidential preference primary*  
37 *election for a major political party, a registered voter must have*  
38 *indicated an affiliation with the major political party on his or her*  
39 *application to register to vote.*

40 2. *Each registered voter of a major political party is eligible to*  
41 *vote at the presidential preference primary election for one*  
42 *candidate on the ballot as the voter's preference to be the party's*  
43 *nominee for President of the United States.*

44 **Sec. 14.** 1. *The Secretary of State shall compile the returns*  
45 *for each qualified candidate of a major political party whose name*



1 *appears on the ballot at the presidential preference primary*  
2 *election.*

3 *2. The Secretary of State shall make out and file in his or her*  
4 *office an abstract of the returns and shall certify the number of*  
5 *votes received by each qualified candidate to:*

6 *(a) The state central committee; and*

7 *(b) The national committee of the party.*

8 **Sec. 15.** *The Secretary of State may adopt regulations to*  
9 *carry out the provisions of sections 8 to 15, inclusive, of this act.*

10 **Sec. 16.** The provisions of NRS 354.599 do not apply to any  
11 additional expenses of a local government that are related to the  
12 provisions of this act.

