

SENATE BILL NO. 16—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CARSON CITY)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Government Affairs

SUMMARY—Revises various provisions of the Charter of Carson City. (BDR S-350)

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.

AN ACT relating to the Charter of Carson City; amending provisions relating to the deadline for realigning the boundaries of wards; revising provisions related to the terms of Supervisors of Carson City; amending the time limit for the Board of Supervisors of Carson City to adopt or reject an ordinance or amendment; revising provisions related to filling a vacancy in the Office of Mayor; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 The existing Charter of Carson City requires that Carson City be divided into  
2 four wards. The existing Charter of Carson City also requires the Board of  
3 Supervisors of Carson City to: (1) realign the boundaries of the wards on or before  
4 January 1 preceding the next general election at which Supervisors are elected, if  
5 reliable evidence indicates that the population of a ward exceeds any other ward by  
6 more than 5 percent; and (2) reconsider the boundaries of the wards upon the  
7 receipt of information from the preceding national decennial census. (Carson City  
8 Charter § 1.060) **Section 1** of this bill requires instead that the Board of Supervisors  
9 realign the boundaries of wards whenever: (1) reliable evidence indicates the  
10 population of a ward exceeds any other ward by more than 5 percent; or (2) the  
11 population in a ward exceeds the population in any other ward by more than 5  
12 percent, as determined by the preceding national decennial census.

13 The existing Charter of Carson City provides that terms of Supervisors,  
14 including the Mayor, are 4 years. (Carson City Charter § 2.010) Existing law  
15 further provides that the terms of office for Supervisors: (1) begin the first Monday  
16 of January succeeding their election; and (2) expire at 12 p.m. of the day preceding  
17 the first Monday in January following the election. (NRS 0.0305, 244.030,  
18 244.040) **Sections 2, 7 and 8** of this bill provide instead that the terms of



19 Supervisors: (1) begin at midnight on the first Monday in January following the  
20 general election; and (2) end at 11:59 p.m. on the day immediately preceding the  
21 first Monday in January following the general election. **Section 9** of this bill makes  
22 a conforming change to clarify that these changes are applicable to Supervisors  
23 who are in office on the effective date of this bill.

24 **Section 4** of this bill revises the style of ordinances of Carson City.

25 Under the existing Charter of Carson City, the Board of Supervisors must adopt  
26 or reject an ordinance, or amendment to an ordinance, within 45 days after the date  
27 of publication. (Carson City Charter § 2.110) **Section 5** of this bill requires instead  
28 that the Board of Supervisors adopt or reject an ordinance, or amendment to an  
29 ordinance, within 60 days after the date of publication. **Section 5** further amends  
30 the Charter to require that the ordinances must be signed, attested by the Clerk and  
31 published by title in a newspaper in Carson City not later than 14 days after the  
32 adoption.

33 The existing Charter of Carson City provides that if the Office of Mayor  
34 becomes vacant, the Mayor Pro Tempore shall serve as Mayor until the next  
35 general election. (Carson City Charter § 3.015) **Section 6** of this bill provides that  
36 the Mayor Pro Tempore shall serve as Mayor for the unexpired term of the former  
37 incumbent. **Section 3** of this bill makes a conforming change to clarify that the  
38 Mayor Pro Tempore fills a vacancy in the Office of Mayor.

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

1 **Section 1.** Section 1.060 of the Charter of Carson City, being  
2 chapter 213, Statutes of Nevada 1969, as last amended by chapter  
3 313, Statutes of Nevada 1983, at page 756, is hereby amended to  
4 read as follows:

5 Sec. 1.060 Wards: Creation; boundaries.

6 1. Carson City must be divided into four wards . ~~for~~  
7 ~~which~~ *Each ward* must be as nearly equal in population as  
8 can be conveniently provided, and the territory comprising  
9 each ward must be contiguous.

10 2. The boundaries of wards must be established and  
11 realigned, if necessary, by ordinance, passed by a vote of at  
12 least three-fifths of the Board of Supervisors.

13 3. ~~The~~ *Except as otherwise provided in subsection 4,*  
14 *the* Board shall realign ~~any such~~ *the* boundaries ~~on or~~  
15 ~~before January 1 preceding the next general election at which~~  
16 ~~Supervisors are to be elected, if reliable~~ *of wards whenever:*

17 (a) *Reliable* evidence indicates that the population in any  
18 ward exceeds the population in any other ward by more than  
19 5 percent ~~. In any case, the Board shall reconsider the~~  
20 ~~boundaries of the wards upon the receipt of the necessary~~  
21 ~~information from~~ ; *or*

22 (b) *The population in a ward exceeds the population in*  
23 *any other ward by more than 5 percent, as determined by the*



1 preceding national decennial census conducted by the Bureau  
2 of the Census of the United States Department of Commerce.

3 **4. Except as otherwise provided in this subsection, the**  
4 **Board shall not realign the boundaries of wards in any year**  
5 **in which a general election is held during the period**  
6 **beginning 30 days immediately preceding the first day of**  
7 **filing a declaration of candidacy for nonjudicial office and**  
8 **ending on the date of the general election. The Board may**  
9 **realign the boundaries of wards during the period**  
10 **beginning 30 days immediately preceding the first day of**  
11 **filing a declaration of candidacy for nonjudicial office and**  
12 **ending on the first day of filing a declaration of candidacy**  
13 **for nonjudicial office if any circumstance made it**  
14 **impossible or impracticable for the Board to realign the**  
15 **boundaries of wards before the date that is 30 days**  
16 **immediately preceding the first day of filing a declaration of**  
17 **candidacy for nonjudicial office.**

18 **Sec. 2.** Section 2.010 of the Charter of Carson City, being  
19 chapter 213, Statutes of Nevada 1969, as last amended by chapter  
20 118, Statutes of Nevada 1985, at page 474, is hereby amended to  
21 read as follows:

22 Sec. 2.010 Board of Supervisors: Qualifications;  
23 election; term of office.

24 1. The legislative power of Carson City is vested in a  
25 Board of Supervisors consisting of five Supervisors,  
26 including the Mayor.

27 2. The Mayor must be:

28 (a) An actual and bona fide resident of Carson City for at  
29 least 6 months immediately preceding his or her election.

30 (b) A qualified elector within Carson City.

31 3. Each Supervisor must be:

32 (a) An actual and bona fide resident of Carson City for at  
33 least 6 months immediately preceding his or her election.

34 (b) A qualified elector within the ward which he or she  
35 represents.

36 (c) A resident of the ward which he or she represents,  
37 except that changes effected in the boundaries of a ward  
38 pursuant to the provisions of section 1.060 do not affect the  
39 right of any elected Supervisor to continue in office for the  
40 term for which he or she was elected.

41 4. All Supervisors, including the Mayor, must be voted  
42 upon by the registered voters of Carson City at large and shall  
43 serve for terms of 4 years. **Each term of office:**

44 **(a) Begins at midnight on the first Monday in January**  
45 **following the general election; and**



1                   ***(b) Ends at 11:59 p.m. on the day immediately preceding***  
2                   ***the first Monday in January following the general election.***

3           **Sec. 3.** Section 2.030 of the Charter of Carson City, being  
4 chapter 213, Statutes of Nevada 1969, as last amended by chapter  
5 515, Statutes of Nevada 1997, at page 2449, is hereby amended to  
6 read as follows:

7           Sec. 2.030 Board of Supervisors: Vacancies. Except  
8 as otherwise provided in ***section 3.015 and*** NRS 268.325:

9           1. A vacancy in the office of Supervisor must be filled  
10 by appointment by a majority of the members of the Board  
11 within 30 days after the occurrence of the vacancy or after  
12 three regular or special meetings, whichever is the shorter  
13 period of time. A person may be selected to fill a prospective  
14 vacancy in the Board before the vacancy occurs. In such a  
15 case, each member of the Board, except any member whose  
16 term of office expires before the occurrence of the vacancy,  
17 may participate in any action taken by the Board pursuant to  
18 this section. The appointee must have the qualifications  
19 required by section 2.010.

20           2. No such appointment extends beyond the first  
21 Monday in January after the next general election, at which  
22 election a new Supervisor must be elected to fill the  
23 unexpired term.

24           **Sec. 4.** Section 2.100 of the Charter of Carson City, being  
25 chapter 213, Statutes of Nevada 1969, at page 296, is hereby  
26 amended to read as follows:

27           Sec. 2.100 Ordinances: Passage by bill; amendments;  
28 subject matter; title requirements.

29           1. No ordinance may be passed except by bill and by a  
30 majority vote of the whole Board of Supervisors. The style of  
31 all ordinances shall be as follows: "The Board of Supervisors  
32 of Carson City ~~do~~ ***does*** ordain."

33           2. No ordinance shall contain more than one subject,  
34 which shall be briefly indicated in the title. Where the subject  
35 of the ordinance is not so expressed in the title, the ordinance  
36 is void as to the matter not expressed in the title.

37           3. Any ordinance which amends an existing ordinance  
38 shall set out in full the ordinance or sections thereof to be  
39 amended, and shall indicate matter to be omitted by enclosing  
40 it in brackets and shall indicate new matter by underscoring  
41 or by italics.



1       **Sec. 5.** Section 2.110 of the Charter of Carson City, being  
2 chapter 213, Statutes of Nevada 1969, as last amended by chapter  
3 118, Statutes of Nevada 1985, at page 475, is hereby amended to  
4 read as follows:

5           Sec. 2.110 Ordinances:       Enactment       procedure;  
6       emergency ordinances.

7           1. All proposed ordinances when first proposed must be  
8 read to the Board by title, after which an adequate number of  
9 copies of the proposed ordinance must be filed with the Clerk  
10 for public distribution. Except as otherwise provided in  
11 subsection 3, notice of the filing must be published once in a  
12 newspaper qualified pursuant to the provisions of chapter 238  
13 of NRS and published in Carson City at least 10 days before  
14 the adoption of the ordinance. The Board shall adopt or reject  
15 the ordinance or an amendment thereto, within ~~[45]~~ 60 days  
16 after the date of publication.

17           2. At a regular meeting or adjourned meeting of the  
18 Board following the proposal of an ordinance it must be read  
19 as first introduced, or as amended, and thereupon the  
20 proposed ordinance must be finally voted upon or action  
21 thereon postponed.

22           3. In cases of emergency or where the ordinance is of a  
23 kind specified in section 7.030, by unanimous consent of the  
24 Board, final action may be taken immediately or at a special  
25 meeting called for that purpose, and no notice of the filing of  
26 copies of the proposed ordinance with the Clerk need be  
27 published.

28           4. All ordinances must be signed by the Mayor, attested  
29 by the Clerk and published by title, together with the names  
30 of the Supervisors voting for or against passage, in a  
31 newspaper qualified pursuant to the provisions of chapter 238  
32 of NRS and published in Carson City for at least one  
33 publication, ~~[before the ordinance becomes effective.]~~ *not*  
34 *later than 14 days after adoption of the ordinance.* The  
35 Board may, by majority vote, order the publication of the  
36 ordinance in full in lieu of publication by title only.

37           5. The Clerk shall record all ordinances in a book kept  
38 for that purpose together with the affidavits of publication by  
39 the publisher.



1     **Sec. 6.** Section 3.015 of the Charter of Carson City, being  
2 chapter 690, Statutes of Nevada 1979, as last amended by chapter  
3 238, Statutes of Nevada 2007, at page 815, is hereby amended to  
4 read as follows:

5             Sec. 3.015 Mayor Pro Tempore: Selection; duties. The  
6 Board shall elect one of its members, for such term as the  
7 Board determines, to be Mayor Pro Tempore. He or she shall:

8             1. ~~Hold~~ *Except as otherwise provided in subsection 3,*  
9 *hold* the office and title at all times during the term for which  
10 he or she was elected without additional compensation.

11            2. Perform the duties of Mayor during the absence or  
12 disability of the Mayor.

13            3. ~~Act as~~ *Assume the Office of* Mayor ~~until the next~~  
14 ~~general election~~ *for the unexpired term of the former*  
15 *Mayor* if the Office of Mayor becomes vacant. *The resulting*  
16 *vacancy in the office of Supervisor must be filled as*  
17 *provided in section 2.030.*

18     **Sec. 7.** NRS 244.030 is hereby amended to read as follows:

19     244.030 County commissioners shall enter upon their duties on  
20 the first Monday of January succeeding their election, and, except  
21 for 2-year terms established pursuant to NRS 244.018, shall hold  
22 their offices for 4 years as provided in this chapter; and *except in*  
23 *Carson City*, the term of office shall expire at 12 p.m. of the day  
24 preceding the first Monday in January following a general election.

25     **Sec. 8.** NRS 244.040 is hereby amended to read as follows:

26     244.040 1. Any vacancy occurring in any board of county  
27 commissioners must be filled by appointment of the Governor.  
28 Except in Carson City, the Governor shall appoint a suitable person  
29 who is a member of the same political party as the most recent  
30 holder of the vacant office.

31            2. ~~The~~ *Except in Carson City, the* term of office of a person  
32 appointed to the office of county commissioner does not, by virtue  
33 of the appointment, extend beyond 12 p.m. of the day preceding the  
34 first Monday of January next following the next general election.

35     **Sec. 9.** The provisions of section 2.010 of the Charter of  
36 Carson City, as amended by section 2 of this act, NRS 244.030, as  
37 amended by section 7 of this act, and NRS 244.040, as amended by  
38 section 8 of this act, apply to the terms of all Supervisors of Carson  
39 City, including the Mayor, who are in office on the effective date of  
40 this act.

41     **Sec. 10.** This act becomes effective upon passage and  
42 approval.

