

THE GREATER CHOICE – GREATER VOICE INITIATIVE

Explanation - Text in ***bolded italics*** is new; text strikethrough [~~delete~~] is text to be deleted.

THE PEOPLE OF THE STATE OF NEVADA DO ENACT AS FOLLOWS:

Sec. 1. Short Title. Sections 4 to 7, inclusive, of this act may be cited as The Greater Choice – Greater Voice Act.

Sec. 2. Preamble. The People of Nevada do hereby find and declare that:

1. Political divisiveness and partisan differences negatively impact all areas of our society and relationships.
2. Partisanship at all levels of government adversely impacts the ability of elected officials to develop and enact solutions to the many problems facing our nation, state, counties, and cities.
3. The intra-party differences existing in the two major political parties have led to an increase in voters registered to vote as Non-Partisan or as a member of a minor political party.
4. Because fewer voters are registered to vote in the Democratic or Republican Party and Nevada uses a system of closed partisan primary elections, candidates in the general election hold more extreme positions than the majority of voters often leaving voters with a feeling of choosing between the lesser of two evils.
5. Because of the tenor set by party differences, political campaigns are often void of facts relying on negative attacks and partisan rhetoric.
6. Since partisan closed primary elections are funded by taxpayers, the changing voter demographics create an unfair tax burden. Voters are being taxed for something they are prohibited by law from participating in.
7. To make our government, at all levels, function as it should and to establish an environment where collaboration and building consensus are encouraged rather than discouraged a proven systemic change to the election process is necessary.
8. A single election using ranked choice voting does not infringe on political parties' right of association under the First Amendment of the United States Constitution.
9. As ranked choice voting is a tabulation method used in a single election; a voter's designation of a first, second, and third choice being considered a single vote, the selection and ranking of candidates in the manner provided in this act constitutes a "vote" for the purposes of section 4 of article 5 and section 9 of article 2 of the Nevada constitution and that the candidate who is determined to receive the highest number of votes pursuant to the provisions of this act has received the highest number of votes within the meaning of section 4 of article 5 and section 9 article 2.
10. Given the potential for exhausted ballots, ranked choice tabulation is considered a plurality voting system in accordance with Article 15 Section 14 of the Nevada State Constitution. While the winner will have a majority of the votes tabulated in the final round of tabulation, the total votes received by the winning candidate may not be a majority of total votes cast.

Sec. 3. Digest. Sec. 4 - 7 of this act, inclusive:

1. Provides that all reference to primary elections in the Nevada Revised Statutes and Nevada Administrative codes shall be deemed to have no legal effect.
2. Implements ranked choice voting in the general election for all Nevada federal, state, county, and city elections, for both partisan and non-partisan offices, exclusive of President and Vice-President of the United States and make necessary conforming changes.

Sec. 4. Chapter 293 of NRS is hereby amended to read as follows:

1. The following section is added to Chapter 293 of NRS.

Primary election elimination; all races elected at general election using ranked choice voting

1. ***All references to primary elections in the Nevada Revised Statutes and Nevada Administrative Codes in relation to offices elected by ranked choice voting shall be deemed to have no legal effect.***
2. ***All elected officials will be elected at the general election using ranked choice voting. Offices to be elected using ranked choice voting are:***
 - a. ***U.S. Senator***
 - b. ***Member, U.S. House of Representatives***

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- c. All Nevada state constitutional officers*
- d. Nevada state senators*
- e. Nevada state assemblypersons*
- f. All other state, county, and city partisan positions*
- g. All state, county, and city non-partisan offices*
- h. Elected members of all independent districts or boards*

2. The state of Nevada, any county in the state of Nevada, any city in Nevada, and any independent district or board will not hold a primary election for any office listed in paragraph 1 of this section.

3. As private organizations, political parties may establish procedures for selecting or endorsing candidates with official designation on the ballot as being supported by that party.

a. Procedures will be clearly stated in party by-laws or constitution.

b. No state or local funds may be used.

c. Notwithstanding anything in this section, any candidate may list a self-designated preferred party preference that will appear on the ballot IAW NRS 293.010.

4. All reports, tallies, abstracts, and canvasses of votes required under this title shall show information in tabulation round sequence showing totals by first, second, and third choice.

2. Definitions:

(a) The following definitions are hereby amended to read as follows:

(1) **NRS 293.016 “Abstract of votes” defined.** “Abstract of votes” means a compilation of votes cast for a particular candidate by office and precinct *for each tabulation round.*

(2) **NRS 293.025 “Ballot” defined.** “Ballot” means the record of a voter’s preference of candidates *to include ranking one or more candidates for a single office on a single ballot in a single election* and questions voted upon at an election. The term includes, without limitation, any paper given to a voter upon which the voter places his or her vote and any electronic storage tapes.

(3) **NRS 293.034 “Certificate of election” defined.** “Certificate of election” means a certificate prepared by the county or city clerk or Governor, as the case may be, for the person having the highest number of votes *after the final ranked choice voting tabulation round IAW NRS 293.3677* for any district, county, township, city, state or statewide office as official recognition of the person’s election to office.

(4) **NRS 293.042 “Contest” defined.** “Contest” means an adversary proceeding between a candidate for a public office who has received the greatest number of votes *after the final ranked choice voting tabulation round IAW NRS 293.3677* and any other candidate for that office or, in certain cases, any registered voter of the appropriate political subdivision, for the purpose of determining the validity of an election.

(5) **NRS 293.113 “Tally list” defined.** “Tally list” means the form furnished to election board officers to be used in recording the number of votes cast for each candidate *either as first, second, or third choice* and question on the ballot

(b) The following definitions are added:

(1) **“Batch elimination” defined.** “Batch elimination” means a simultaneous defeat of one or more continuing candidates that can be mathematically eliminated.

(2) **“Can be mathematically eliminated” defined.** “Can be mathematically eliminated” means any candidate that is part of a group of candidates such that if a candidate is in the group, then every continuing candidate with equal or fewer number of votes is also in that group, the total number of votes for all candidates in the group is less than the number of votes for any continuing candidate not in the group, and there at least four continuing candidates.

(3) **“Continuing candidate” defined.** “Continuing candidate means any candidate that has not been eliminated.

(4) **“Exhausted ballot” defined.** “Exhausted ballot” means a ballot where all of a voter’s ranked choices for a particular elected office are eliminated during tabulation, does not include a ranking for any continuing candidate, contains two or skipped rankings, or contains an undervote or overvote. An exhausted ballot is no longer counted in any subsequent tabulation rounds for that particular office resulting in a plurality winner for that office.

(5) *“Highest number of votes” defined. “Highest number of votes” means the number of votes received by the winning candidate in the final tabulation round IAW NRS 293.3677.*

(6) *“Overvote” defined. “Overvote” means a ballot with more than the allowable number of selections for a particular office or ballot question, or where two or more candidates are given the same ranking.*

(7) *“Ranked-choice voting” means the method of casting and tabulating votes to determine plurality as stated in NRS 293.3677.*

(8) *“Ranking” defined. “Ranking” means the number; 1,2, or 3 assigned by the voter to express the voter’s choice for that candidate.*

(5) *“Self-designated preferred party preference” means the political party a candidate identifies with, is a registered voter in that party, and the designation appears on the ballot with the candidate’s name.*

(6) *“Skipped ranking” defined. “skipped ranking” means a voter has left a ranking blank and ranks a candidate at subsequent ranking.*

(7) *“Tabulation round” an instance of the sequence of voting tabulation beginning with subsection (a)(1) of NRS 293.3677 (4).*

(8) *“Vote” defined. A “vote” means a ballot, mechanical or paper, where a voter, at the time of voting, designates a first, second, and third choice among the listed candidates for a particular office or a yes or no vote for a ballot question in the space provided on the ballot. The voter’s ranked ballot is considered their single vote. This definition applies to all uses of the word “vote” in this title, NRS 293B, NRS 293C, NRS 293D, NRS 294A, NRS 304, NRS 306, NRS 349, NRS 386, Article 5 Section 4, and Article 2 Section 9 of the Nevada Constitution.*

3. NRS 293.128 is hereby amended to read as follows: **Procedure for qualification:**

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

(a) On ~~[January]~~ **June** 1 preceding any ~~[primary]~~ **general** election, have been designated as a political party on the applications to register to vote of at least 10 percent of the total number of registered voters in this State; or

(b) File a petition with the Secretary of State not later than the last Friday in ~~[February]~~ **July** before any ~~[primary]~~ **general** election signed by a number of registered voters equal to or more than 10 percent of the total number of votes cast at the last preceding general election for the offices of Representative in Congress.

2. If a petition is filed pursuant to paragraph (b) of subsection 1, the names of the voters need not all be on one document, but each document of the petition must be verified by the circulator thereof to the effect that the signers are registered voters of this State according to the circulator’s best information and belief and that the signatures are genuine and were signed in the circulator’s presence. Each document of the petition must bear the name of a county, and only registered voters of that county may sign the document. The documents which are circulated for signature must then be submitted for verification pursuant to NRS 293.1276 to 293.1279, inclusive, not later than 25 working days before the last Friday in ~~[February]~~ **July** preceding ~~[a primary]~~ **general** election.

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

(a) Name of the political party;

(b) Names and addresses of its officers;

(c) Names of the members of its executive committee; and

(d) Name of the person who is authorized by the party to act as registered agent in this State.

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

4. NRS 293.165 is hereby amended to read as follows: **Procedure for filling vacancy in major or minor political party nomination or nonpartisan nomination**

1. Except as otherwise provided in NRS 293.166, a vacancy occurring in a major or minor political party nomination for a partisan office *if no candidate either self-designated preferred party affiliation or otherwise appearing on the ballot with a designation for that party remains on the ballot*, may be filled by a candidate designated by the party central committee of the county or State, as the case may be, of the major political party or by the executive committee of the minor political party subject to the provisions of subsections 4 and 5.

2. A vacancy occurring in a nonpartisan nomination after the close of filing and on or before 5 p.m. of the second Tuesday in ~~[April]~~ **September** must be filled by filing a nominating petition that is signed by registered voters of the State, county, district or municipality who may vote for the office in question. The number of registered voters who sign the petition must not be less than ~~[1]~~ **0.5** percent of the number of persons who voted for the office in question in the State,

county, district or municipality at the last preceding general election. The petition must be filed not earlier than the first Tuesday in ~~[March]~~ **August** and not later than the fourth Tuesday in ~~[April]~~ **September**. The petition may consist of more than one document. Each document must bear the name of one county and must be signed only by a person who is a registered voter of that county and who may vote for the office in question. Each document of the petition must be submitted for verification pursuant to NRS 293.1276 to 293.1279, inclusive, to the county clerk of the county named on the document. A candidate nominated pursuant to the provisions of this subsection:

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

(b) May be elected only at a general election, ~~[and the candidate's name must not appear on the ballot for a primary election.]~~

~~3. A [vacancy occurring in a nonpartisan nomination after 5 p.m. of the second Tuesday in April and on or before 5 p.m. on the fourth Friday in June of the year in which the general election is held must be filled by the person who receives the next highest vote for the nomination in the primary.]~~

4. No change may be made on the ballot for the general election after 5 p.m. on the fourth Friday in ~~[June]~~ **September** of the year in which the general election is held. If a ~~[nominee]~~ **candidate** dies after that time and date, the ~~[nominee's]~~ **candidate's** name must remain on the ballot for the general election and, if elected, a vacancy exists.

5. All designations provided for in this section must be filed on or before 5 p.m. on the fourth Friday in ~~[June]~~ **September** of the year in which the general election is held. In each case, the statutory filing fee must be paid and an acceptance of the designation must be filed on or before 5 p.m. on the date the designation is filed.

5. NRS 293.166 is hereby amended to read as follows: Procedure for filling vacancy in party nomination for office of State Legislator from multicounty legislative district

1. A vacancy occurring in a party nomination *if no candidate either self-designated preferred party affiliation or otherwise appearing on the ballot with a designation for that party remains on the ballot*, for the office of State Senator, Assemblyman or Assemblywoman from a legislative district comprising more than one county may be filled as follows, subject to the provisions of subsections 2 and 3. The county commissioners of each county, all or part of which is included within the legislative district, shall meet to appoint a person who is of the same political party as the former nominee and who actually, as opposed to constructively, resides in the district to fill the vacancy, with the chair of the board of county commissioners of the county whose population residing within the district is the greatest presiding. Each board of county commissioners shall first meet separately and determine the single candidate it will nominate to fill the vacancy. Then, the boards shall meet jointly and the chairs on behalf of the boards shall cast a proportionate number of votes according to the percent, rounded to the nearest whole percent, which the population of its county is of the population of the entire district. Populations must be determined by the last decennial census or special census conducted by the Bureau of the Census of the United States Department of Commerce. The person who receives a plurality of these votes is appointed to fill the vacancy. If no person receives a plurality of the votes, the boards of county commissioners of the respective counties shall each as a group select one candidate, and the nominee must be chosen by drawing lots among the persons so selected

2. No change may be made on the ballot after the fourth Friday in ~~[June]~~ **September** of the year in which the general election is held. If a ~~[nominee]~~ **candidate** dies after that date, the ~~[nominee's]~~ **candidate's** name must remain on the ballot and, if elected, a vacancy exists.

3. The designation of a nominee pursuant to this section must be filed with the Secretary of State on or before 5 p.m. on the fourth Friday in ~~[June]~~ **September** of the year in which the general election is held, and the statutory filing fee must be paid with the designation.

6. NRS 293.171 is hereby amended to read as follows: Procedure for organization

1. To be organized as a minor political party, an organization must file with the Secretary of State a certificate of existence which includes the:

- (a) Name of the political party;
- (b) Names of its officers;
- (c) Names of the members of its executive committee; and
- (d) Name of the person authorized to file the list of its candidates for partisan office with the Secretary of State.

2. A copy of the constitution or bylaws of the party must be affixed to the certificate.

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

4. ~~[The constitution or bylaws of a minor political party must provide a procedure for the nomination of its candidates in such a manner that only one candidate may be nominated for each office.]~~ **Candidates of a minor political**

party for partisan office will be placed on the general election ballot under the same procedures followed by major political parties.

5. A minor political party whose candidates for partisan office do not appear on the ballot for the general election must file a notice of continued existence with the Secretary of State not later than the second Friday in August preceding the general election.

6. A minor political party which fails to file a notice of continued existence as required by subsection 5 ceases to exist as a minor political party in this State.

7. NRS 293.1715 is hereby amended to read as follows: Procedure to place candidates' names on ballot; limitation on number of candidates to appear on ballot

1. ~~[The names of the candidates for partisan office of a minor political party must not appear on the ballot for a primary election.]~~

2. The names of the candidates for partisan office of a minor political party must be placed on the ballot for the general election if the minor political party is qualified. To qualify as a minor political party, the minor political party must have filed a certificate of existence and be organized pursuant to NRS 293.171, ~~[must have filed a list of its candidates for partisan office pursuant to the provisions of NRS 293.1725 with the Secretary of State] and:~~

(a) At the last preceding general election, the minor political party must have polled for any of its candidates for partisan office a number of votes equal to or more than ± 0.5 percent of the total number of votes cast for the offices of Representative in Congress;

(b) On ~~[January]~~ **June** 1 preceding a ~~[primary]~~ **general** election, the minor political party must have been designated as the political party on the applications to register to vote of at least ± 0.5 percent of the total number of registered voters in this State; or

(c) Not later than the third Friday in May preceding the general election, must file a petition with the Secretary of State which is signed by a number of registered voters equal to at least ± 0.5 percent of the total number of votes cast at the last preceding general election for the offices of Representative in Congress.

~~— 3. [The name of only one candidate of each minor political party for each partisan office may appear on the ballot for a general election].~~ **Candidates of a minor political party for partisan office will be placed on the general election ballot under the same procedures followed by major political parties.**

4. A minor political party must file a copy of the petition required by paragraph (c) of subsection 2 with the Secretary of State before the petition may be circulated for signatures.

8. NRS 293.1725 Candidates: Submission of list to Secretary of State; filing of declaration of candidacy and certificate of nomination; President and Vice-President of the United States

~~— 1. [Except as otherwise provided in subsection 4, a minor political party that wishes to place its candidates for partisan office on the ballot for a general election and:~~

~~— (a) Is entitled to do so pursuant to paragraph (a) or (b) of subsection 2 of NRS 293.1715; or~~

~~— (b) Files or will file a petition pursuant to paragraph (c) of subsection 2 of NRS 293.1715, must file with the Secretary of State a list of its candidates for partisan office not earlier than the first Monday in March preceding the election nor later than 5 p.m. on the second Friday after the first Monday in March. The list must be signed by the person so authorized in the certificate of existence of the minor political party before a notary public or other person authorized to take acknowledgments. The list may be amended not later than 5 p.m. on the second Friday after the first Monday in March~~

~~— 2. The Secretary of State shall immediately forward a certified copy of the list of candidates for partisan office of each minor political party to the filing officer with whom each candidate must file his or her declaration of candidacy.~~

~~— 3. Each candidate on the list must file his or her declaration of candidacy with the appropriate filing officer and pay the fee required by NRS 293.193 not earlier than the date on which the list of candidates for partisan office of the minor political party is filed with the Secretary of State nor later than 5 p.m. on the second Friday after the first Monday in March.]~~

4. A minor political party that wishes to place candidates for the offices of President and Vice President of the United States on the ballot and has qualified to place the names of its candidates for partisan office on the ballot for the general election pursuant to subsection 2 of NRS 293.1715 must file with the Secretary of State a certificate of nomination for these offices not later than the first Tuesday in September.

9. NRS 293.175 is hereby amended to read as follows: [Date of primary election;] nomination of candidates; applicability of provisions governing nominations

1. ~~[The primary election must be held on the second Tuesday in June of each even-numbered year].~~ *Candidates of either a major or minor political party must file a declaration of candidacy for the general election no earlier than the first Monday in June of the year in which the election is to be held and not later than the second Friday after the first Monday in June of the year in which the election is to be held.*

~~2. [Candidates for partisan office of a major political party and candidates for nonpartisan office must be nominated at the primary election.]~~

~~3. Candidates for partisan office of a minor political party must be nominated in the manner prescribed pursuant to NRS 293.171 to 293.174, inclusive.]~~

4. Independent candidates for partisan office must be nominated in the manner provided in NRS 293.200.

5. The provisions of NRS 293.175 to 293.203, inclusive, do not apply to:

(a) Special elections to fill vacancies.

(b) The nomination of the officers of incorporated cities.

(c) The nomination of district officers whose nomination is otherwise provided for by statute.

10. NRS 293.176 is hereby amended to read as follows: When candidacy for major political party prohibited; exception

1. Except as otherwise provided in subsection 2, no person may *state a self-designated preferred party affiliation preference of any political party on a ballot for a partisan office in any election* or be a candidate of a major political party for partisan office in any election if the person has changed:

(a) The designation of his or her political party affiliation; or

(b) His or her designation of political party from nonpartisan to a designation of a political party affiliation,

☐ on an application to register to vote in the State of Nevada or in any other state during the time beginning on December 31 preceding the closing filing date for that election and ending on the date of that election whether or not the person's previous registration was still effective at the time of the change in party designation.

2. The provisions of subsection 1 do not apply to any person who is a candidate of a political party that is not organized pursuant to NRS 293.171 on the December 31 next preceding the closing filing date for the election.

11. NRS 293.177 is hereby amended to read as follows: Declaration or acceptance of candidacy: Filing required before name may be printed on ballot; forms; contents; address of candidate; retention of proof of identity and residency; appointment of agent for service of process; investigation and disqualification of candidate who has been convicted of felony and has not had civil rights restored

1. Except as otherwise provided in NRS 293.165 and 293.166, a name may not be printed on a ballot to be used at a ~~[primary]~~ **general** election unless the person named has filed a declaration of candidacy or an acceptance of candidacy, and has paid the fee required by NRS 293.193 not earlier than:

(a) For a candidate for judicial office, the first Monday in ~~[January]~~ **May** of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in ~~[January]~~ **May**; and

(b) For all other candidates, the first Monday in ~~[March]~~ **June** of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in ~~[March]~~ **June**.

2. A declaration of candidacy or an acceptance of candidacy required to be filed by this section must be in substantially the following form:

(a) For partisan office:

DECLARATION OF CANDIDACY OF FOR THE OFFICE OF State of Nevada County of For the purpose of having my name placed on the official ballot as a candidate ~~[for the Party nomination]~~ for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am registered as a member of the Party; **that I will list _____ party as my self-designated preferred party affiliation on the ballot; that such designation does not indicate or infer endorsement or formal nomination of that party;** that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; that I have not, in violation of the provisions of NRS 293.176, changed the designation of my political party or political party affiliation on an official application to register to vote in any state

since December 31 before the closing filing date for this election; that I generally believe in and intend to support the concepts found in the principles and policies of that political party in the coming election; ~~[that if nominated as a candidate of the Party at the ensuing election, I will accept that nomination and not withdraw];~~ that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy or acceptance of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration.

..... (Designation of name) (Signature of candidate for office)
 Subscribed and sworn to before me this day of the month of of the year
 Notary Public or other person authorized to administer an oath

(b) For nonpartisan office:

DECLARATION OF CANDIDACY OF FOR THE OFFICE OF State of Nevada County of
 For the purpose of having my name placed on the official ballot as a candidate for the office of
 I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; ~~[that if nominated as a nonpartisan candidate at the ensuing election, I will accept the nomination and not withdraw];~~ that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy or acceptance of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration. .

..... (Designation of name) (Signature of candidate for office)
 Subscribed and sworn to before me this day of the month of of the year
 Notary Public or other person authorized to administer an oath

3. The address of a candidate which must be included in the declaration of candidacy or acceptance of candidacy pursuant to subsection 2 must be the street address of the residence where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration or acceptance of candidacy must not be accepted for filing if the candidate fails to comply with the following provisions of this subsection or, if applicable, the provisions of subsection 4:

(a) The candidate shall not list the candidate's address as a post office box unless a street address has not been assigned to his or her residence; [or] and

(b) Except as otherwise provided in subsection 4, the candidate shall present to the filing officer:

(1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's residential address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the candidate's name and residential address, but not including a voter registration card issued pursuant to NRS 293.517.

4. If the candidate executes an oath or affirmation under penalty of perjury stating that the candidate is unable to present to the filing officer the proof of residency required by subsection 3 because a street address has not been assigned to the candidate's residence or because the rural or remote location of the candidate's residence makes it impracticable to present the proof of residency required by subsection 3, the candidate shall present to the filing officer:

- (a) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate; and
- (b) Alternative proof of the candidate's residential address that the filing officer determines is sufficient to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050. The Secretary of State may adopt regulations establishing the forms of alternative proof of the candidate's residential address that the filing officer may accept to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050.
5. The filing officer shall retain a copy of the proof of identity and residency provided by the candidate pursuant to subsection 3 or 4. Such a copy:
- (a) May not be withheld from the public; and
- (b) Must not contain the social security number, driver's license or identification card number or account number of the candidate.
6. By filing the declaration or acceptance of candidacy, the candidate shall be deemed to have appointed the filing officer for the office as his or her agent for service of process for the purposes of a proceeding pursuant to NRS 293.182. Service of such process must first be attempted at the appropriate address as specified by the candidate in the declaration or acceptance of candidacy. If the candidate cannot be served at that address, service must be made by personally delivering to and leaving with the filing officer duplicate copies of the process. The filing officer shall immediately send, by registered or certified mail, one of the copies to the candidate at the specified address, unless the candidate has designated in writing to the filing officer a different address for that purpose, in which case the filing officer shall mail the copy to the last address so designated.
7. If the filing officer receives credible evidence indicating that a candidate has been convicted of a felony and has not had his or her civil rights restored by a court of competent jurisdiction, the filing officer:
- (a) May conduct an investigation to determine whether the candidate has been convicted of a felony and, if so, whether the candidate has had his or her civil rights restored by a court of competent jurisdiction; and
- (b) Shall transmit the credible evidence and the findings from such investigation to the Attorney General, if the filing officer is the Secretary of State, or to the district attorney, if the filing officer is a person other than the Secretary of State.
8. The receipt of information by the Attorney General or district attorney pursuant to subsection 7 must be treated as a challenge of a candidate pursuant to subsections 4 and 5 of NRS 293.182 to which the provisions of section 1.3 of this act apply.
9. Any person who knowingly and willfully files a declaration of candidacy or acceptance of candidacy which contains a false statement in violation of this section is guilty of a gross misdemeanor.

12. NRS 293.180 is hereby amended to read as follows: Certificates of candidacy: Requirements; filing; acceptance of candidacy

1. Ten or more registered voters may file a certificate of candidacy designating any registered voter as a candidate for:
- (a) ~~[Their major political party's nomination for any partisan elective office or as a candidate for nomination for]~~ any **partisan or** nonpartisan office other than a judicial office, not earlier than the first Monday in ~~[February]~~ **May** of the year in which the election is to be held nor later than 5 p.m. on the first Friday in ~~[March]~~ **June**; or
- (b) Nomination for a judicial office, not earlier than the first Monday in ~~[December]~~ **April** of the year immediately preceding the year in which the election is to be held nor later than 5 p.m. on the first Friday in ~~[January]~~ **May** of the year in which the election is to be held.
2. When the certificate has been filed, the officer in whose office it is filed shall notify the person named in the certificate. If the person named in the certificate files an acceptance of candidacy and pays the required fee, as provided by law, he or she is a candidate in the ~~[primary]~~ **general** election in like manner as if he or she had filed a declaration of candidacy.
3. If a certificate of candidacy relates to a partisan office, all of the signers must be of the same ~~major~~ political party as the candidate designated.

13. NRS 293.187 is hereby amended to read as follows: Certification of names of persons for whom candidacy papers have been filed by Secretary of State to county clerks

1. The Secretary of State shall forward to each county clerk a certified list containing the name and mailing address of each person for whom candidacy papers have been filed in the Office of the Secretary of State, and who is entitled to be voted for in the county at the next succeeding ~~[primary]~~ **general** election, together with the title of the office for which the person is a candidate and the party **the candidate states as their self-designated preferred party affiliation** or principles

he or she represents. The Secretary of State shall forward the certified list not later than 5 working days after the last day upon which any candidate on the list may withdraw his or her candidacy pursuant to [NRS 293.202](#).

2. There must be a *self-designated preferred party affiliation* party designation only for candidates for partisan offices.

14. NRS 293.194 is hereby amended to read as follows: **Return of filing fee to certain candidates** The filing fee of an independent candidate who files a petition pursuant to [NRS 293.200](#) or [298.109](#), of a candidate *who plans to state a self-designated preferred party affiliation* of a minor political party or of a candidate of a new major political party, must be returned to the candidate by the officer to whom the fee was paid within 10 days after the date on which a final determination is made that the petition of the candidate, minor political party or new major political party failed to contain the required number of signatures.

15. NRS 293.200 is hereby amended to read as follows: **Independent candidates: Qualification; petition of candidacy; time limit for challenge; declaration of candidacy**

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

(a) A copy of the petition of candidacy that he or she intends to subsequently circulate for signatures. The copy must be filed not earlier than the January 2 preceding the date of the election and not later than 25 working days before the last day to file the petition pursuant to subsection 4.

(b) Either of the following:

(1) A petition of candidacy signed by a number of registered voters equal to at least ~~14~~ .05 percent of the total number of ballots cast in:

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

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

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

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

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

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

4. Petitions of candidacy must be filed not earlier than the first Monday in March preceding the general election and not later than 5 p.m. on the second Friday after the first Monday in March.

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

6. A person may not file as an independent candidate if he or she is proposing to run as the candidate *with a self-designated preferred party affiliation* of a political party.

7. The names of independent candidates must be placed on the general election ballot ~~[and must not appear on the primary election ballot.]~~

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

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

(a) The First Judicial District Court if the petition of candidacy was filed with the Secretary of State.

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

10. An independent candidate for partisan office must file a declaration of candidacy with the appropriate filing officer and pay the fee required by [NRS 293.193](#) not earlier than the first Monday in March of the year in which the election is held nor later than 5 p.m. on the second Friday after the first Monday in March.

16.NRS 293.217 is hereby amended to read as follows: Appointment of officers by county clerk; appointment of deputy sheriffs for elections; appointment of trainees

1. The county clerk of each county shall appoint and notify registered voters to act as election board officers for the various precincts and districts in the county as provided in [NRS 293.220](#) to [293.243](#), inclusive, and [293.384](#). The registered voters appointed as election board officers for any precinct or district must not all be of the same political party **or all registered to vote as Non-Partisan**. No candidate for nomination or election or a relative of the candidate within the second degree of consanguinity or affinity may be appointed as an election board officer. Immediately after election board officers are appointed, if requested by the county clerk, the sheriff shall:

(a) Appoint a deputy sheriff for each polling place in the county and for the central election board or the absent ballot central counting board; or

(b) Deputize as a deputy sheriff for the election an election board officer of each polling place in the county and for the central election board or the absent ballot central counting board. The deputized officer shall receive no additional compensation for services rendered as a deputy sheriff during the election for which the officer is deputized.

Deputy sheriffs so appointed and deputized shall preserve order during hours of voting and attend closing of the polls.

2. The county clerk may appoint a trainee for the position of election board officer as set forth in [NRS 293.2175](#).

17. NRS 293.260 is hereby amended to read as follows: Declaration of nominees: ~~Omission and appearance of names on primary ballot~~ omission and appearance of names on general ballot

1. If there is no contest of election [~~for nomination~~] to a particular office, neither the title of the office nor the name of the candidate may appear on the ballot [~~at the primary election~~].

2. [~~If a major political party has two or more candidates for a particular office, the person who receives the highest number of votes at the primary election must be declared the nominee of that major political party for the office.~~]

3. If not more than the number of candidates to be elected have filed for nomination for:

—(a) Any partisan office or the office of judge of a district court, judge of the Court of Appeals or justice of the Supreme Court, the names of those candidates must be omitted from all ballots for a primary election and placed on all ballots for the general election;

(b) Any nonpartisan office, other than the office of judge of a district court, judge of the Court of Appeals, justice of the Supreme Court or member of a town advisory board, the names of those candidates must appear on the ballot for a primary election unless the candidates were nominated pursuant to subsection 2 of [NRS 293.165](#). If a candidate receives one or more votes at the primary election, the candidate must be declared elected to the office and his or her name must not be placed on the ballot for the general election. If a candidate does not receive one or more votes at the primary election, his or her name must be placed on the ballot for the general election; and

—(c) The office of member of a town advisory board, the candidate must be declared elected to the office and no election must be held for that office.

—4. If there are not more than twice the number of candidates to be elected to a nonpartisan office, the candidates must, without a primary election, be declared the nominees for the office, and the names of the candidates must be omitted from all ballots for a primary election and placed on all ballots for the general election.

—5. If there are more than twice the number of candidates to be elected to a nonpartisan office, the names of the candidates must appear on the ballot for a primary election. Those candidates who receive the highest number of votes at the primary election, not to exceed twice the number to be elected, must be declared nominees for the office and the names of those candidates must be placed on the ballot for the general election, except that if one of those candidates receives a majority of the votes cast in the primary election for:

—(a) The office of judge of a district court, judge of the Court of Appeals or justice of the Supreme Court, the candidate must be declared the only nominee for the office and only his or her name must be placed on the ballot for the general election.

—(b) Any other nonpartisan office, the candidate must be declared elected to the office and his or her name must not be placed on the ballot for the general election.]

2. Candidates for partisan office who have filed a certificate of candidacy with a stated self-designated preferred party affiliation of a major or minor political party and have and paid the required fee will appear on the general election ballot if they are registered to vote as a member of the political party for which they have self-designated.

3. If a major or minor political party has opted to endorse one or more candidate, the words “endorsed by the _____ Party” will be printed immediately under the name of the candidate(s) on the general election ballot.
4. All qualified independent candidates for a partisan office who have filed a certificate of candidacy and paid the required fee will be listed on the general election ballot with a stated self-designated preferred party affiliation of “No party preference” as long as the candidate so self-designating is registered to vote as Non-Partisan.
5. All qualified candidates who have filed a certificate of candidacy and paid the required fee for non-partisan offices, all judicial offices, and town advisory boards will appear on the general election ballot.

18. NRS 293.267 is hereby amended to read as follows: **Ballot for general election: Form; names of candidates to be grouped alphabetically; exception; indication of party name, “independent” or “nonpartisan” or abbreviations thereof; order of appearance of certain statewide measures**

1. Ballots for a general election must contain:

(a) the names of candidates ~~who from major political parties, [were nominated at the primary election],~~ the names of the candidates of a minor political party and the names of independent candidates *who are qualified, filed a certificate of candidacy, and paid the required fee.*

(b) *The self-designated preferred party affiliation of each candidate preceded by the words “self-designated preferred party affiliation”. The designated party or status as Non-Partisan must match the voter registration of the candidate.*

(c) *If the candidate has been endorsed by a political party “Endorsed by” and the name of the party will appear directly under the candidates name and self-designated preferred party affiliation*

(d) *Each ballot and sample ballot must contain the following statements at the top of the ballot that reads substantially as follows:*

(1) *“Rank up to three (3) candidates.”*

(2) *“A candidate’s self-designated preferred party affiliation does not imply endorsement or nomination by that political party.”*

(e) *A space for each voter to mark their first, second, and third choice for each office. As applicable, “none of the above” shall be available as one choice.*

(f) *If only two (2) candidates are listed for a particular office, the ballot will contain a statement next to the title of the office “Select only your first choice for this office.”*

2. Except as otherwise provided in NRS 293.2565, names of candidates must be grouped alphabetically under the title and length of term of the office for which those candidates filed.

~~3. [Except as otherwise provided in subsection 4:~~

~~(a) Immediately following the name of each candidate for a partisan office must appear the name or abbreviation of his or her political party, the word “independent” or the abbreviation “IND,” as the case may be.~~

~~(b) Immediately following the name of each candidate for a nonpartisan office must appear the word “nonpartisan” or the abbreviation “NP.”]~~

4. ~~3 Where a system of voting other than by paper ballot is used, the Secretary of State may provide for any placement of the [name or abbreviation of the political party, the word “independent” or “nonpartisan” or the abbreviation “IND” or “NP,” as appropriate, which clearly relates the designation to the name of the candidate to whom it applies]~~ *information required in paragraph 1 of this section.*

5. ~~4~~ If the Legislature rejects a statewide measure proposed by initiative and proposes a different measure on the same subject which the Governor approves, the measure proposed by the Legislature and approved by the Governor must be listed on the ballot before the statewide measure proposed by initiative. Each ballot and sample ballot upon which the measures appear must contain a statement that reads substantially as follows:

The following questions are alternative approaches to the same issue, and only one approach may be enacted into law. Please vote for only one.

19. NRS 293.269 is hereby amended to read as follows: **Ballots for statewide offices or President and Vice President must permit voter to register opposition to all candidates**

1. Every ballot upon which appears the names of candidates for any statewide office or for President and Vice President of the United States shall contain for each office an additional line equivalent to the lines on which the candidates’ names appear and placed at the end of the group of lines containing the names of the candidates for that office. Each additional line shall contain a square in which the voter may express a choice of that line in the same manner as the voter would express a choice of a candidate, and the line shall read “None of these candidates.”

2. Only votes cast for the named candidates shall be counted in determining ~~nomination or~~ election to any statewide office or presidential nominations or the selection of presidential electors, but for each office the number of ballots on which the additional line was chosen *as either first, second, or third choice* shall be listed following the names of the candidates and the number of their votes in every posting, abstract and proclamation of the results of the election.

~~3. [Every sample ballot or other instruction to voters prescribed or approved by the Secretary of State shall clearly explain that the voter may mark the choice of the line “None of these candidates” only if the voter has not voted for any candidate for the office.]~~

20. NRS 293.2693 is hereby amended to read as follows: **Voter education program to be provided in county or city [using paper ballots]**

1. If a county or city uses paper ballots, including, without limitation, for absent ballots and ballots voted in a mailing precinct, the county or city clerk shall provide a voter education program specific to the voting system used by the county or city. The voter education program must include, without limitation, information concerning the effect of overvoting *and undervoting* and the procedures for correcting a vote on a ballot before it is cast and counted and for obtaining a replacement ballot.

2. The county or city official responsible for the administration of elections in each county or city shall provide a voter education program explaining ranked choice voting prior to each general election. The program must include how to rank up to three (3) candidates, dependent on the number of candidates the need to only mark a first choice, how votes are tabulated, and the effect of undervoting and overvoting.

21. NRS 293.303 is hereby amended to read as follows: **Challenges.**

1. A person applying to vote may be challenged:

(a) Orally by any registered voter of the precinct upon the ground that he or she is not the person entitled to vote as claimed or has voted before at the same election. A registered voter who initiates a challenge pursuant to this paragraph must submit an affirmation that is signed under penalty of perjury and in the form prescribed by the Secretary of State stating that the challenge is based on the personal knowledge of the registered voter.

(b) On any ground set forth in a challenge filed with the county clerk pursuant to the provisions of NRS 293.547.

2. If a person is challenged, an election board officer shall tender the challenged person the following oath or affirmation:

~~—(a) [If the challenge is on the ground that the challenged person does not belong to the political party designated upon the register, “I swear or affirm under penalty of perjury that I belong to the political party designated upon the register”;~~

~~—(b) [If the challenge is on the ground that the register does not show that the challenged person designated the political party to which he or she claims to belong, “I swear or affirm under penalty of perjury that I designated on the application to register to vote the political party to which I claim to belong”];~~

(c) If the challenge is on the ground that the challenged person does not reside at the residence for which the address is listed in the election board register, “I swear or affirm under penalty of perjury that I reside at the residence for which the address is listed in the election board register”;

(d) If the challenge is on the ground that the challenged person previously voted a ballot for the election, “I swear or affirm under penalty of perjury that I have not voted for any of the candidates or questions included on this ballot for this election”; or

(e) If the challenge is on the ground that the challenged person is not the person he or she claims to be, “I swear or affirm under penalty of perjury that I am the person whose name is in this election board register.”

□ The oath or affirmation must be set forth on a form prepared by the Secretary of State and signed by the challenged person under penalty of perjury.

3. Except as otherwise provided in subsection 4, if the challenged person refuses to execute the oath or affirmation so tendered, he or she must not be issued a ballot, and the officer in charge of the election board register shall write the words “Challenged” opposite his or her name in the election board register.

~~4. [If the challenged person refuses to execute the oath or affirmation set forth in paragraph (a) or (b) of subsection 2, the election board officers shall issue the person a nonpartisan ballot.]~~

5. If the challenged person refuses to execute the oath or affirmation set forth in paragraph (c) of subsection 2, the election board officers shall inform the person that he or she is entitled to vote only in the manner prescribed in NRS 293.304.

6. If the challenged person executes the oath or affirmation and the challenge is not based on the ground set forth in paragraph (e) of subsection 2, the election board officers shall issue the person a [partisan] ballot.

7. If the challenge is based on the ground set forth in paragraph (c) of subsection 2, and the challenged person executes the oath or affirmation, the election board shall not issue the person a ballot until he or she furnishes satisfactory identification which contains proof of the address at which the person actually resides. For the purposes of this subsection, a voter registration card issued pursuant to NRS 293.517 does not provide proof of the address at which a person resides.

8. If the challenge is based on the ground set forth in paragraph (e) of subsection 2 and the challenged person executes the oath or affirmation, the election board shall not issue the person a ballot unless the person:

(a) Furnishes official identification which contains a photograph of the person, such as a driver's license or other official document; or

(b) Brings before the election board officers a person who is at least 18 years of age who:

(1) Furnishes official identification which contains a photograph of that person, such as a driver's license or other official document; and

(2) Executes an oath or affirmation under penalty of perjury that the challenged person is who he or she swears to be.

9. The election board officers shall:

(a) Record on the challenge list:

(1) The name of the challenged person;

(2) The name of the registered voter who initiated the challenge; and

(3) The result of the challenge; and

(b) If possible, orally notify the registered voter who initiated the challenge of the result of the challenge.

22. NRS 293.3677 is hereby amended to read as follows: Standards for counting votes; regulations.

1. When counting a vote in an election, if more choices than permitted by the instructions for a ballot are marked for any office or question, the vote for that office or question may not be counted.

2. Except as otherwise provided in subsection 1, in an election in which a mechanical voting system is used whereby a vote is cast by darkening a designated space on the ballot:

(a) A vote must be counted if the designated space is darkened or there is a writing in the designated space, including, without limitation, a cross or check; and

(b) Except as otherwise provided in paragraph (a), a writing or other mark on the ballot, including, without limitation, a cross, check, tear or scratch may not be counted as a vote.

3. The Secretary of State:

(a) May adopt regulations establishing additional uniform, statewide standards, not inconsistent with this section, for counting a vote cast by a method of voting described in subsection 2; and

(b) Shall adopt regulations establishing uniform, statewide standards for counting a vote cast by each method of voting used in this State that is not described in subsection 2, including, without limitation, a vote cast on a mechanical recording device which directly records the votes electronically.

4. Counting votes; ranked choice general election.

(a) Tabulation. In any contest for exactly one office conducted by ranked choice voting, each validly cast ballot shall be initially counted as one vote for the candidate at its highest continuing ranking or as an exhausted ballot. Tabulation proceeds in rounds. Each round shall proceed sequentially as follows:

(1) If a candidate has more than half of the total votes counting for candidates, that candidate is elected and the tabulation is complete. Otherwise, the tabulation continues to subsection (a)(2).

(2) The candidate with the fewest votes is defeated. Votes for the defeated candidate shall cease counting for the defeated candidate and shall be added to the totals of each ballot's next-ranked continuing candidate or counted as exhausted ballots, and a new round begins with subsection (a)(1).

(b) Batch elimination. Immediately prior to tabulation proceeding to subsection (a)(2), all candidates who can be mathematically eliminated, if any, shall be defeated by batch elimination and votes for the defeated candidates shall cease counting for those candidates and be added to the totals of each ballot's highest-ranked continuing candidate or counted as exhausted ballots. Batch elimination shall occur immediately prior to any start of subsection (a)(2). If no candidates are defeated by batch elimination in a round, the tabulation shall continue to subsection (a)(2). Otherwise, a new round begins with subsection (a)(1).

(c) Ties. Election officials shall resolve prospective ties between candidates before the election by publicly determining a randomized ordering of the alphabet. If a tie to determine which candidate has the greatest number of votes or the fewest votes occurs at any point in the tabulation procedure described in subsection (b), and tabulation

cannot proceed until the tie is resolved, then the tied candidate who is considered to have the greater number of votes shall be the candidate whose name appears earliest on the list of candidate names arranged, last name first, in accordance with this randomized alphabet.

23. NRS 293.368 is hereby amended to read as follows: Counting of votes cast for deceased candidate.

~~1. [Whenever a candidate whose name appears upon the ballot at a primary election dies after 5 p.m. of the second Tuesday in April, the deceased candidate's name must remain on the ballot and the votes cast for the deceased candidate must be counted in determining the nomination for the office for which the decedent was a candidate.]~~

~~2. If the deceased candidate on the ballot at the primary election receives the number of votes required to receive the nomination to the office for which he or she was a candidate, except as otherwise provided in subsection 3 of NRS 293.165, the deceased candidate shall be deemed nominated and the vacancy in the nomination must be filled as provided in NRS 293.165 or 293.166. If the deceased person was a candidate for a nonpartisan office, the nomination must be filled pursuant to subsection 2 of NRS 293.165.]~~

3. Whenever a candidate whose name appears upon the ballot at a general election dies after 5 p.m. on the fourth Friday in June of the year in which the general election is held, the votes cast for the deceased candidate must be counted in determining the results of the election for the office for which the decedent was a candidate.

4. If the deceased candidate on the ballot at the general election ~~[receives the majority of the votes cast for the office]~~, **is elected as described in NRS 293-3677**, the deceased candidate shall be deemed elected and the office to which he or she was elected shall be deemed vacant at the beginning of the term for which he or she was elected. The vacancy thus created must be filled in the same manner as if the candidate had died after taking office for that term.

(Added to NRS by 1963, 1382; A 1971, 445; 1987, 347; 1997, 3462; 2003, 1705; 2005, 1435; 2009, 1269; 2011, 3281)

24. NRS 293.400 is hereby amended to read as follows: Determination of winner if tie vote; recounts.

1. If, after the completion of the canvass of the returns of any election, two or more persons receive an equal number of votes, which is sufficient for the election of one or more but fewer than all of them to the office, the person or persons elected must be determined as follows:

(a) In a general election for a United States Senator, Representative in Congress, state officer who is elected statewide or by district, district judge, or district officer whose district includes area in more than one county, **provided the tie was not broken LAW NRS 293.3677(4)(c)**, the Legislature shall, by joint vote of both houses, elect one of those persons to fill the office.

~~—(b) [In a primary election for a United States Senator, Representative in Congress, state officer who is elected statewide or by district, district judge, or district officer whose district includes area in more than one county, the Secretary of State shall summon the candidates who have received the tie votes to appear before the Secretary of State at a time and place designated by the Secretary of State and the Secretary of State shall determine the tie by lot. If the tie vote is for the office of Secretary of State, the Governor shall perform these duties.]~~

(c) For any office of a county, township, incorporated city, city organized under a special charter where the charter is silent as to determination of a tie vote, or district which is wholly located within one county, **provided the tie was not broken LAW NRS 293.3677(4)(c)**, the county clerk shall summon the candidates who have received the tie votes to appear before the county clerk at a time and place designated by the county clerk and determine the tie by lot. If the tie vote is for the office of county clerk, the board of county commissioners shall perform these duties.

2. The summons mentioned in this section must be mailed to the address of the candidate as it appears upon the candidate's declaration of candidacy at least 5 days before the day fixed for the determination of the tie vote and must contain the time and place where the determination will take place.

25. NRS 293.417 is hereby amended to read as follows: Judgment of court in election contest.

1. If, in any contest, the court finds from the evidence that a person other than the defendant received the greatest number of legal votes **as prescribed in NRS 293.3677** the court, as a part of the judgment, shall declare that person elected ~~[or nominated.]~~

2. The person declared ~~[nominated or]~~ elected by the court is entitled to a certificate of ~~nomination or~~ election. If a certificate has not been issued to that person, the county clerk, city clerk or Secretary of State shall execute and deliver to the person a certificate of election ~~[or a certificate of nomination].~~

3. If a certificate of election ~~[or nomination]~~ to the same office has been issued to any person other than the one declared elected by the court, that certificate must be annulled by the judgment of the court.

4. Whenever an election is annulled or set aside by the court, and the court does not declare some candidate elected, the certificate of election or the commission, if any has been issued, is void and the office is vacant.

26. NRS 293.440 is hereby amended to read as follows: List of persons registered to vote in precinct, district or county; Distribution of copies; contents; limitation on printing costs; request for and use by committees of political parties; fees.

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

2. Except as otherwise provided in NRS 293.5002 and 293.558, the copy of the list provided pursuant to this section must indicate the address, date of birth, telephone number and the serial number on each application to register to vote. If the county maintains this information in a computer database, the date of the most recent addition or revision to an entry, if made on or after July 1, 1989, must be included in the database and on any resulting list of the information. The date must be expressed numerically in the order of month, day and year.

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

4. A county which has a system of computers capable of recording information on magnetic tape or diskette shall, upon request of the state central committee or county central committee of any major political party or the executive committee of any minor political party, which has filed a certificate of existence with the Secretary of State, record for both the state central committee and the county central committee of the major political party, if requested, and for the executive committee of the minor political party, *or any independent candidate* if requested, on magnetic tape or diskette supplied by it:

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

(b) Not more than four times per year, as requested by the state or county central committee or the executive committee:

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

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

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

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

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

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

27. NRS 293.565 is hereby amended to read as follows: Sample ballots: Contents; mailing; printing of text of constitutional amendments; notice of location of polling place; notice if location of polling place changed; cost of mailing responsibility of political subdivision.

1. Except as otherwise provided in subsection 3, sample ballots must include:

(a) If applicable, the ~~[statement]~~ *statements* required by NRS 293.267;

(b) The fiscal note or description of anticipated financial effect, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015, 295.095 or 295.230 for each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

(c) An explanation, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.121 or 295.230, of each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

- (d) Arguments for and against each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question, and rebuttals to each argument, as provided pursuant to NRS 218D.810, 293.250, 293.252 or 295.121; and
- (e) The full text of each proposed constitutional amendment.
2. If, pursuant to the provisions of NRS 293.2565, the word “Incumbent” must appear on the ballot next to the name of the candidate who is the incumbent, the word “Incumbent” must appear on the sample ballot next to the name of the candidate who is the incumbent.
3. Sample ballots that are mailed to registered voters may be printed without the full text of each proposed constitutional amendment if:
- (a) The cost of printing the sample ballots would be significantly reduced if the full text of each proposed constitutional amendment were not included;
- (b) The county clerk ensures that a sample ballot that includes the full text of each proposed constitutional amendment is provided at no charge to each registered voter who requests such a sample ballot; and
- (c) The sample ballots provided to each polling place include the full text of each proposed constitutional amendment.
4. A county clerk may establish a system for distributing sample ballots by electronic means to each registered voter who elects to receive a sample ballot by electronic means. Such a system may include, without limitation, electronic mail or electronic access through an Internet website. If a county clerk establishes such a system and a registered voter elects to receive a sample ballot by electronic means, the county clerk shall distribute the sample ballot to the registered voter by electronic means pursuant to the procedures and requirements set forth by regulations adopted by the Secretary of State.
5. If a registered voter does not elect to receive a sample ballot by electronic means pursuant to subsection 4, the county clerk shall distribute the sample ballot to the registered voter by mail.
6. Except as otherwise provided in subsection 7, before the period for early voting for any election begins, the county clerk shall distribute to each registered voter in the county by mail or electronic means, as applicable, the sample ballot for his or her precinct, with a notice informing the voter of the location of his or her polling place. If the location of the polling place has changed since the last election:
- (a) The county clerk shall mail a notice of the change to each registered voter in the county not sooner than 10 days before distributing the sample ballots; or
- (b) The sample ballot must also include a notice in bold type immediately above the location which states:
NOTICE: THE LOCATION OF YOUR POLLING PLACE HAS CHANGED SINCE THE LAST ELECTION
7. If a person registers to vote less than 20 days before the date of an election, the county clerk is not required to distribute to the person the sample ballot for that election by mail or electronic means.
8. Except as otherwise provided in subsection 9, a sample ballot required to be distributed pursuant to this section must:
- (a) Be prepared in at least 12-point type; and
- (b) Include on the front page, in a separate box created by bold lines, a notice prepared in at least 20-point bold type that states: NOTICE: TO RECEIVE A SAMPLE BALLOT IN LARGE TYPE, CALL (Insert appropriate telephone number)
9. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.
10. The sample ballot distributed to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be prepared in at least 14-point type, or larger when practicable.
11. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots distributed to that person from the county are in large type.
12. The county clerk shall include in each sample ballot a statement indicating that the county clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his or her polling place and provide reasonable assistance to the voter in casting his or her vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the county clerk has provided pursuant to subsection 4 of NRS 293.2955 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly or disabled, the county clerk shall include in the sample ballot a statement indicating:
- (a) The addresses of such centralized voting locations;
- (b) The types of specially equipped voting devices available at such centralized voting locations; and
- (c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at his or her regularly designated polling place.
13. The cost of distributing sample ballots for any election other than a primary or general election must be borne by the political subdivision holding the election.

Sec. 5. Chapter 293B of NRS is hereby amended to read as follows:

1. **NRS 293B.070** is hereby amended to read as follows: **Full choice of candidates and measures.** A mechanical voting system must provide facilities for voting for ~~[the candidates of as many political parties or organizations as may make nominations]~~ **as many candidates who may qualify for a ballot** and for or against measures.

2. **NRS 293B.075** is hereby amended to read as follows: **Full choice of candidates for offices; vote against all candidates.** A mechanical voting system must permit the voter to vote for any person *or choice of persons by ranking* for any office for which he or she has the right to vote, but none other, or indicate a vote against all candidates.

3. **NRS 293B.080** is hereby amended to read as follows: **“Straight” or “split” ticket.** A mechanical voting system must, ~~[except at primary elections]~~, permit the voter to vote for all the candidates of one party or in part for the candidates of one party and in part for the candidates of one or more other parties, **or candidates with no party affiliation.**

4 **NRS 293B.140** is hereby amended to read as follows: **Appointment of accuracy certification board.** Before conducting the test required pursuant to the provisions of NRS 293B.150, the county or city clerk shall appoint ~~three~~ **five** persons, not more than two of whom are of the same political party, **one of which must be a person registered as non-partisan and one who is registered in a minor political party, to vote in the state** to serve as an accuracy certification board. Not more than two of the persons appointed to the board may be employees of the county or city.

5. **NRS 293B.145** is hereby amended to read: **Observation of conduct of tests.**

1. The accuracy certification board shall observe the conduct of the tests prescribed by NRS 293B.150 and 293B.165.
2. Representatives of the various political parties, **representatives officially designated by the campaigns of any registered non-partisan candidate**, candidates and the press may also observe the conduct of such tests.

6. **NRS 293B.155** is hereby amended to read as follows: **Procedure for conducting tests; inspection of results of test.**

1. The tests prescribed by NRS 293B.150 and 293B.165 must be conducted by processing a preaudited group of logic and accuracy test ballots so voted or marked as to record a predetermined number of valid votes for each candidate, **to include ranked choice voting tabulation** and on each measure, and must include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the mechanical recording device or the automatic tabulating equipment and programs to reject those votes.

2. If any error is detected, the cause therefor must be ascertained and corrected and an errorless count must be made before the mechanical recording device or the automatic tabulating equipment and programs are approved.

3. When satisfied with the accuracy of the mechanical recording device or automatic tabulating equipment and computer program, the accuracy certification board and the county or city clerk shall date and sign all reports, and seal the program, if any, and the reports and all test material in an appropriate container. The container must be kept sealed by the clerk.

4. Except as otherwise provided in this subsection, the contents of such a sealed container are not subject to the inspection of anyone except in the case of a contested election, and then only by the judge, body or board before whom the election is being contested, or by the parties to the contest, jointly, pursuant to an order of that judge, body or board. For the period set forth in NRS 293.413 during which a candidate may file a statement of contest, the results of the test must be made available in the clerk's office for public inspection.

7. **NRS 293B.245** is hereby amended to read as follows: **Examination of mechanical recording devices by representatives of political parties and candidates before election.** Before preparing mechanical recording devices for any election, the county clerk shall mail written notices to the chairs of the county central committees *or executive committees* of ~~[at least two of the principal political parties,]~~ **all political parties with candidates appearing on the general election ballot as well as all independent candidates appearing on the general election ballot** stating the time and place where the devices will be prepared. At the specified time, one representative of each such ~~political party~~ **designated group** must be afforded an opportunity to see that the devices are in proper condition for use in the election. The representatives shall not interfere with the persons assigned to prepare the devices or assume any of their duties.

8. **NRS 293B.360** is hereby amended to read as follows: **Creation of special election boards; appointment of members to boards.**

1. To facilitate the processing and computation of votes cast at any election conducted under a mechanical voting system, the county clerk shall create a computer program and processing accuracy board, and may create:

- (a) A central ballot inspection board;
- (b) An absent ballot mailing precinct inspection board;
- (c) A ballot duplicating board;
- (d) A ballot processing and packaging board;
- (e) A ranked choice voting board;** and
- (e) Such additional boards or appoint such officers as the county clerk deems necessary for the expeditious processing of ballots.

2. Except as otherwise provided in subsection 3, the county clerk may determine the number of members to constitute any board. The county clerk shall make any appointments from among competent persons who are registered voters in this State. The members of each board must represent all political parties *and candidates registered to vote as Non-Partisan* as equally as possible. The same person may be appointed to more than one board but must meet the particular qualifications for each board to which he or she is appointed.

3. If the county clerk creates a ballot duplicating board, the county clerk shall appoint to the board at least two members. The members of the ballot duplicating board must not all be of the same political party.

4. All persons appointed pursuant to this section serve at the pleasure of the county clerk.

9. The following section is added to NRS 293B: **Ranked Choice voting board: *The ranked choice voting board will perform duties similar to the ballot processing and packaging board except those actions will be limited to the ranked choice voting application.***

Sec. 6. Chapter 293C of NRS is hereby amended to read as follows:

1. NRS 293C.180 is hereby amended to read as follows: **Declaration of nominees: Omission and appearance of names on ~~[primary]~~ general election ballot; declaration of single candidate as elected to office.**

1. If at 5 p.m. on the last day for filing a declaration of candidacy, there is only one candidate who has filed for nomination for an office, that candidate must be declared elected and no election may be held for that office.

2. Except as otherwise provided in subsection 1, ~~if not more than twice the number of candidates to be elected have filed for nomination for an office, the names of those candidates must be omitted from all ballots for a primary city election and placed on all ballots]~~ **all candidates who file a declaration of candidacy and pay the required fee must be placed on the ballot** for a general city election.

~~3. [If more than twice the number of candidates to be elected have filed for nomination for an office, the names of the candidates must appear on the ballot for a primary city election. Except as otherwise provided in subsection 4 of NRS 293C.175, those candidates who receive the highest number of votes at that election, not to exceed twice the number to be elected, must be declared nominees for the office.]~~

2. NRS 293C.185 is hereby amended to read as follows: **Declaration or acceptance of candidacy: Filing required before name may be printed on ballot; form; contents; address of candidate; retention of proof of identity and residency; appointment of agent for service of process; investigation and disqualification of candidate who has been convicted of felony and has not had civil rights restored.**

1. Except as otherwise provided in NRS 293C.115 and 293C.190, a name may not be printed on a ballot to be used at a ~~primary~~ **general** city election unless the person named has filed a declaration of candidacy or an acceptance of candidacy and has paid the fee established by the governing body of the city not earlier than 70 days before the ~~primary~~ **general** city election and not later than 5 p.m. on the 60th day before the ~~primary~~ **general** city election.

2. A declaration of candidacy required to be filed by this section must be in substantially the following form:

DECLARATION OF CANDIDACY OF FOR THE OFFICE OF State of Nevada City of For the purpose of having my name placed on the official ballot as a candidate for the office of, I,, the undersigned do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the city, township or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of

competent jurisdiction; ~~[that if nominated as a candidate at the ensuing election I will accept the nomination and not withdraw];~~ that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy or acceptance of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration. (Designation of name) (Signature of candidate for office) Subscribed and sworn to before me this day of the month of of the year Notary Public or other person authorized to administer an oath

3. The address of a candidate that must be included in the declaration or acceptance of candidacy pursuant to subsection 2 must be the street address of the residence where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration or acceptance of candidacy must not be accepted for filing if the candidate fails to comply with the following provisions of this subsection or, if applicable, the provisions of subsection 4:

(a) The candidate shall not list the candidate's address as a post office box unless a street address has not been assigned to the residence; and

(b) Except as otherwise provided in subsection 4, the candidate shall present to the filing officer: (1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's residential address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the candidate's name and residential address, but not including a voter registration card issued pursuant to NRS 293.517.

4. If the candidate executes an oath or affirmation under penalty of perjury stating that the candidate is unable to present to the filing officer the proof of residency required by subsection 3 because a street address has not been assigned to the candidate's residence or because the rural or remote location of the candidate's residence makes it impracticable to present the proof of residency required by subsection 3, the candidate shall present to the filing officer:

(a) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate; and

(b) Alternative proof of the candidate's residential address that the filing officer determines is sufficient to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050. The Secretary of State may adopt regulations establishing the forms of alternative proof of the candidate's residential address that the filing officer may accept to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050.

5. The filing officer shall retain a copy of the proof of identity and residency provided by the candidate pursuant to subsection 3 or 4. Such a copy:

(a) May not be withheld from the public; and

(b) Must not contain the social security number, driver's license or identification card number or account number of the candidate.

6. By filing the declaration or acceptance of candidacy, the candidate shall be deemed to have appointed the city clerk as his or her agent for service of process for the purposes of a proceeding pursuant to NRS 293C.186. Service of such process must first be attempted at the appropriate address as specified by the candidate in the declaration or acceptance of candidacy. If the candidate cannot be served at that address, service must be made by personally delivering to and leaving with the city clerk duplicate copies of the process. The city clerk shall immediately send, by registered or certified mail, one of the copies to the candidate at the specified address, unless the candidate has designated in writing to the city clerk a different address for that purpose, in which case the city clerk shall mail the copy to the last address so designated.

7. If the city clerk receives credible evidence indicating that a candidate has been convicted of a felony and has not had his or her civil rights restored by a court of competent jurisdiction, the city clerk:

(a) May conduct an investigation to determine whether the candidate has been convicted of a felony and, if so, whether the candidate has had his or her civil rights restored by a court of competent jurisdiction; and

(b) Shall transmit the credible evidence and the findings from such investigation to the city attorney.

8. The receipt of information by the city attorney pursuant to subsection 7 must be treated as a challenge of a candidate pursuant to subsections 4 and 5 of NRS 293C.186 to which the provisions of section 1.3 of this act apply.

9. Any person who knowingly and willfully files a declaration of candidacy or acceptance of candidacy which contains a false statement in violation of this section is guilty of a gross misdemeanor.

3. NRS 293C.190 is hereby amended to read as follows: Procedure for filling vacancy in nomination.

1. Except as otherwise provided in NRS 293C.115, a vacancy occurring in a nomination for a city office after the close of filing and on or before 5 p.m. of the first Tuesday after the first Monday in ~~[March]~~ **June** in a year in which a general city election is held must be filled by filing a nominating petition that is signed by at least ~~±~~ **0.5** percent of the persons who are registered to vote and who voted for that office at the last preceding general city election. Except as otherwise provided in NRS 293C.115, the petition must be filed not earlier than the third Tuesday in ~~[February]~~ **May** and not later than the third Tuesday after the third Monday in ~~[March]~~ **June**. A candidate nominated pursuant to the provisions of this subsection may be elected only at a general city election, ~~and the candidate's name must not appear on the ballot for a primary city election.~~

~~— 2. Except as otherwise provided in NRS 293C.115, a vacancy occurring in a nomination for a city office after 5 p.m. of the first Tuesday after the first Monday in March and on or before 5 p.m. of the second Tuesday after the second Monday in April must be filled by the person who received the next highest vote for the nomination in the primary city election.]~~

3. Except to place a candidate nominated pursuant to subsection 1 on the ballot and except as otherwise provided in NRS 293C.115, no change may be made on the ballot for the general city election after 5 p.m. of the second Tuesday after the second Monday in ~~[April]~~ **September** of the year in which the general city election is held. If a ~~[nominee]~~ **candidate** dies after that time and date, the ~~[nominee's]~~ **candidate's** name must remain on the ballot for the general city election and, if elected, a vacancy exists.

4. Except as otherwise provided in NRS 293C.115, all designations provided for in this section must be filed on or before 5 p.m. on the second Tuesday after the second Monday in ~~[April]~~ **September** of the year in which the general city election is held. The filing fee must be paid and an acceptance of the designation must be filed on or before 5 p.m. on that date.

4. NRS 293C.260 is hereby amended to read as follows: Form of ballot for general city election; names of candidates to be grouped alphabetically; exception.

~~— 1. [Except as otherwise provided in NRS 293C.140, ballots for a general city election must contain the names of candidates who were nominated at the primary city election].~~ **The ballot for a general city election will list the names of all candidates who have qualified for the ballot and filed a certificate of candidacy.**

2. Except as otherwise provided in NRS 293.2565, the names of candidates must be grouped alphabetically under the title and length of term of the office for which those candidates filed.

(Added to NRS by 1997, 3425; A 2003, 1726)

3. The general election ballot will allow voters to make a selection of a first, second, and third choice. Votes will be tabulated and a winner declared in accordance with NRS 293.3677.

5. NRS 293C.369 is hereby amended to read as follows: Standards for counting votes; regulations.

1. **Votes will be counted LAW NRS 293.3677.** When counting a vote in an election, if more choices than permitted by the instructions for a ballot are marked for any office or question, the vote for that office or question may not be counted.

2. Except as otherwise provided in subsection 1, in an election in which a mechanical voting system is used whereby a vote is cast by darkening a designated space on the ballot:

(a) A vote must be counted if the designated space is darkened or there is a writing in the designated space, including, without limitation, a cross or check; and

(b) Except as otherwise provided in paragraph (a), a writing or other mark on the ballot, including, without limitation, a cross, check, tear or scratch may not be counted as a vote.

3. The Secretary of State:

(a) May adopt regulations establishing additional uniform, statewide standards, not inconsistent with this section, for counting a vote cast by a method of voting described in subsection 2; and

(b) Shall adopt regulations establishing uniform, statewide standards for counting a vote cast by each method of voting used in this State that is not described in subsection 2, including, without limitation, a vote cast on a mechanical recording device which directly records the votes electronically.

(Added to NRS by 2001, 2034; A 2007, 1181, 2618)

8. NRS 293C.370 is hereby amended to read as follows: **Counting of votes cast for deceased candidate.** Except as otherwise provided in NRS 293C.115:

~~1. [Whenever a candidate whose name appears upon the ballot at a primary city election dies after 5 p.m. of the first Tuesday after the first Monday in March, the deceased candidate's name must remain on the ballot and the votes cast for the deceased candidate must be counted in determining the nomination for the office for which the decedent was a candidate.]~~

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

3. Whenever a candidate whose name appears upon the ballot at a general city election dies after 5 p.m. of the second Tuesday after the second Monday in ~~[April]~~, **September** the votes cast for the deceased candidate must be counted in determining the results of the election for the office for which the decedent was a candidate.

4. If the deceased candidate on the ballot at the general election receives the ~~[majority]~~ **highest numbers** of the votes cast for the office **pursuant to NRS 293.3677**, the deceased candidate shall be deemed elected and the office to which he or she was elected shall be deemed vacant at the beginning of the term for which he or she was elected. The vacancy created must be filled in the same manner as if the candidate had died after taking office for that term.

Sec. 7. Chapter 386 of NRS is hereby amended to read as follows:

1. NRS 386.250 is hereby amended to read as follows: **Nomination of trustee; filing of declaration of candidacy and acceptance of candidacy.**

1. Candidates for the office of trustee shall be nominated in the manner provided by **applicable provisions of NRS 293.** ~~[the primary election laws of this state.]~~

2. The declaration of candidacy and the acceptance of a candidacy by candidates for the office of trustee of county school districts shall be filed with the county clerk of the county whose boundaries are conterminous with the county school district boundaries.

Sec. 12. Effective date. This act shall become effective October 1, 2019 if approved by the legislature or on January 1, 2021 if approved by the voters.

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DESCRIPTION OF EFFECT

The Greater Choice Greater Voice Act provides a simple election system proven to enhance elected officials' responsiveness, encouraging representatives to work together to solve problems, while saving Nevada taxpayers \$3-4 million each election cycle. Statistics show that more voters participate in the general election. By eliminating closed partisan primaries, Ranked Choice Voting allows greater participation in narrowing the field of candidates. Through ranking their first, second, and third choices, voters can vote their conscience not settling for the lesser of two evils. The idea of casting a "spoiler" vote is eliminated. Because of how votes are counted, the winner has a greater level of support. A political party's first amendment right of association is not infringed. Because the Greater Choice – Greater Voice Act applies to all elections except for United States President and Vice-President, voters will use a single system for all other federal, state, county, and city elections that is more open and levels the playing field for all candidates. A yes vote for the Greater Choice Greater Voice Act eliminates the primary election to allow voters to vote once in the general election for who will serve in each office. A no vote retains the current system.

County of _____ (Only registered voters of this county may sign below)

Petition District: _____ (Only registered voters of this petition district may sign below)

This space for
Office Use Only

1	PRINT YOUR NAME (first, initial, last)	RESIDENCE ADDRESS ONLY		PETITION DISTRICT	
	YOUR SIGNATURE DATE / /	CITY COUNTY			
2	PRINT YOUR NAME (first, initial, last)	RESIDENCE ADDRESS ONLY		PETITION DISTRICT	
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DESCRIPTION OF EFFECT

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County of _____ (Only registered voters of this county may sign below)

Petition District: _____ (Only registered voters of this petition district may sign below)

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Office Use Only

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	YOUR SIGNATURE DATE / /	CITY COUNTY			

AFFIDAVIT OF CIRCULATOR

(To be signed by circulator in the presence of a notary public)

STATE OF NEVADA)
)
County of _____)

I, _____, (print name), being first duly sworn under penalty of perjury, depose, and say: (1) that I reside at _____ (print street, city, and state); (2) that I am 18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were affixed in my presence; (5) that the number of signatures affixed thereon is _____; (6) that each person who signed had an opportunity before signing to read the full text of the act or resolution on which the initiative or referendum is demanded.

Signature of Circulator

Subscribed and sworn to or affirmed before me this
____ day of _____, 2018, by _____.

Notary Public