

RECENT LEGISLATIVE CHANGES

2009 LEGISLATIVE SESSION ELECTION BILLS AND JOINT RESOLUTIONS
For bill text, go to: www.leg.state.nv.us/75th2009/Reports/

ASSEMBLY BILLS

AB 39 City of North Las Vegas Elections

The North Las Vegas City Charter had required a Municipal Primary Election only if three (3) or more candidates ran for Mayor, Municipal Judge or a City Council seat. This bill makes it **mandatory for the City to hold a Municipal Primary Election** preceding every General Election, regardless of the number of candidates who run for a specific elected office. The Henderson and Las Vegas City Charters currently include the same requirement.

AB 41 Mail/Absent Ballots for Military and Overseas Voters

Section 6 authorizes the Secretary of State to adopt regulations and standards for the approved **electronic transmission of certain applications, forms and ballots**.

Section 8 **expands the use of special mail/absent ballots** (provided by the Federal Government to Armed Forces personnel or overseas citizens pursuant to 42 U.S.C. §1973ff et seq.) to Primary and Special Elections and to include state and local offices. Previously, the NRS had permitted the use of these ballots only for Federal offices in General Elections.

Section 15 allows a **Nevada elector who resides outside the U.S. to use the special mail/absent ballot request form** (provided by the Federal Government for registration and request of a mail/absent ballot pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et seq.) as a simultaneous application for registration and request for a mail/absent ballot in Nevada.

Sections 8, 9, 11, 12, 15, 16, 18 and 20 - 22 allow certain members of the **Armed Forces**, their spouses and dependents, and certain other **Nevada electors who reside outside the U.S.:** (1) **to request forms** for registration, mail/absent ballots, special mail/absent ballots and the form provided by the Federal Government for simultaneous registration and request of an mail/absent ballot; and (2) **to return voted mail/absent ballots** by means of approved electronic transmission.

Sections 13 and 16 allow certain U.S. citizens who have never resided in the U.S. to **use the address of a parent who resides in Nevada for purposes of establishing residency** for voter registration. (NRS 293.486, 293.507)

Section 16 **expands the eligibility for late voter registration** for those who have recently returned to U.S. residency to include spouses and dependents of members of the Armed Forces stationed outside the U.S. who have been recently discharged and to include persons (and spouses and dependents) recently separated from employment outside of the U.S.

AB 64 Additional District Court Judges

Sections 3 - 5 **increased the number of Eighth Judicial District Court judges to nine (9)**, two of whom must be Family Court judges. This provision was conditioned upon the passage of AB 65 (additional court fees), which in fact did become law.

ASSEMBLY BILLS (CONTINUED)

AB 79	<p>Municipal Elections</p> <p>Section 1 authorizes a City’s governing body to conduct a mail ballot city election if: (1) it is a Special Election; (2) involves only offices and ballot questions of only one ward; or (3) involves only a single office or ballot question.</p> <p>Section 3 provides that a municipal candidate must be declared elected to the office based on the majority vote in the Primary Election.</p> <p>Section 5 requires voting results be posted on an Internet website if one is maintained by the City or the City clerk. Also, the requirement that the copy of the voting results be signed before it is posted is eliminated.</p>
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SENATE BILLS

SB 124	<p>Additional Overton Power District Board Members</p> <p>Overton Power District Board is authorized to expand to seven (7) members.</p>
SB 156	<p>Recall Petitions</p> <p>Provisions for signing recall petitions are clarified so that any registered voter of the State or of county, district, municipality or portion thereof that the public officer represents can sign, regardless of whether the registered voter cast a ballot in the election at which the public officer was elected.</p>
SB 160	<p>Ethics Law</p> <p>This bill includes various changes relating to public officers and employees.</p>
SB 162	<p>Dates Changes for the Primary Election, Candidate Filing, Receipt of Registration Applications, etc.</p> <p>Section 6 changes the date for federal/state Primary Election to the second Tuesday in June of each even-numbered year.</p> <p>Sections 1 - 5, 7 - 12 and 14 - 17 amend the dates for candidate filing as well as various other dates, because of the Section 6 date change for the federal/state Primary Election.</p> <p>Section 16 changes the date a voter’s registration is deemed effective to the postmarked date or date of receipt by the County Clerk, whichever date is earlier.</p>
SB 212	<p>Petition Districts</p> <p>The Legislature is required to create petition districts for signature gathering purposes.</p>
SB 238	<p>Ex-Felons</p> <p>The State Board of Pardons Commissioners is authorized to adopt an expedited process to restore ex-felons’ civil rights under certain conditions without holding a meeting.</p>

RESOLUTIONS

ASSEMBLY JOINT RESOLUTIONS

AJR 1	Petition Signatures Resolution to amend Article 19 of the Nevada Constitution to require that an initiative petition be signed by a number of the registered voters from each petition district in the State which equals 10 percent of the number of voters who voted at the last preceding General Election in the petition district (<i>introduced and passed this session; must be approved by 2011 Legislature again, then on 2012 ballot</i>).
AJR 3 2007 Session	Property and Eminent Domain Resolution to revise provisions of the Nevada Constitution relating to the taking of private property by eminent domain (<i>passed in 2007 and 2009 sessions; on 2010 ballot</i>).
AJR 5	Legislative Special Sessions Resolution to amend the Nevada Constitution to authorize the Legislature to convene a special session by signed petition of two-thirds of the members of each House of the Legislature (<i>introduced and passed this session; must be approved by 2011 Legislature again, then on 2012 ballot</i>).

SENATE JOINT RESOLUTIONS

SJR 1	Clemency Board Resolution to amend the Nevada Constitution to replace the State Board of Pardons Commissioners with the Clemency Board appointed by the Governor, Chief Justice, and the Attorney General (<i>introduced and passed this session; must be approved by 2011 Legislature again, then on 2012 ballot</i>).
SJR 2 2007 Session	Appointment and Election of Justices and Judges Resolution to amend the Nevada Constitution to provide for the initial appointment by the Governor of justices and judges and any subsequent retention of those justices and judges by election (<i>passed 2007 and 2009 session; on 2010 ballot</i>).
SJR 9 2007 Session	Establishment of an Intermediate Appellate Court Resolution to amend the Nevada Constitution to allow the Legislature to establish an intermediate appellate court (<i>passed 2007 and 2009 sessions; on 2010 ballot</i>).