

State of Nevada



INITIATIVE & REFERENDUM GUIDE 2024

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PREFACE

The Office of the Secretary of State has prepared this brief summary of the statewide, county, and municipal initiative and referendum procedures as printed in Article 19 of the Nevada Constitution (NV Const., Art. 19), Chapter 295 of the NRS, and other pertinent sections of the NRS and NAC in the Election Laws of Title 24. The purpose of this booklet is to provide an understanding of the guidelines and requirements necessary for preparing and qualifying initiatives and referendums for the ballot. It is important to note that this guide is for general information only and does not have the force and effect of Nevada law, regulation, or rule. Interested citizens should obtain the most recent version of the Nevada Revised Statutes and Nevada Administrative Code, as Nevada's Election Laws are amended each legislative session. Interested parties should also be aware that election issues are periodically addressed by State and Federal courts as well as Attorney General Opinions. Due to the general scope of this guide, some of these issues may not be addressed here. Interested parties should review Attorney General Opinions and court decisions and should contact the Secretary of State or a Nevada attorney with any specific questions.

PETITION IDENTIFIER DISCLAIMER

Prior to submitting a Petition, you must contact the Secretary of State's Office [SOS] at: **(775) 684-5705**.

Pursuant to SB 123 from the 80th Session, the SOS Office will prescribe a petition identifier upon submission.

[e.g. C-01-2021, S-01-2021, R-01-2021: C=Constitutional, S=Statutory, R=Referendum; 01= the number of the Petition filed; 2021=the year the Petition is filed].

Please **do not** include a descriptive title in the petition [e.g. The Lake Tahoe Second Amendment Advocates or Gas Tax Be Gone, etc.] Those that include descriptive language will need to be amended and resubmitted. If you have any questions, please feel free to contact the Elections team by phone at the number listed or via email at nvelect@sos.nv.gov.

INITIATIVE & REFERENDUMS

WHAT ARE INITIATIVES & REFERENDUMS?

Initiatives are a device by which voters enact state or local laws. Referendums are a device by which voters approve or disapprove of existing state or local laws. They are both methods of involving voters directly in the legislative process of government.

Specifically, an *initiative* petition can do one of the following:

- 1 Propose a new state statute;
 . Amend an existing state statute;
- 2 Amend the Nevada Constitution;
 . Propose a new county or municipal ordinance; or
- 3 Amend an existing county or municipal ordinance

A *referendum* petition can only approve or disapprove a statute, resolution, or ordinance that was enacted by the State Legislature, Board of County Commissioners, or City Council.

DOES EVERY PETITION USE THE SAME PROCESS AND TIMELINE TO QUALIFY?

No. The process and timelines are different, depending on the type of petition. Whatever the petition may be proposing, amending, approving, or disapproving, there are certain processes and timelines that must be complied with in order for the petition to succeed. The following pages contain the procedures and essential dates required for each of the above petitions. The petition procedures at the county and city level begin on page 10, following the statewide petition processes. For your convenience, each section is marked to identify which pages are pertinent to each government level.

Pursuant to **NRS 295.015** (1) (b), requires a person who intends to circulate a statewide initiative or referendum petition to provide certain information to the Secretary of State's office prior to collecting signatures. The information required to be provided includes the name and signature of the person filing the petition, the names of up to three individuals who are authorized to withdraw or amend the petition, and the name of the Political Action Committee (PAC) formed to advocate for the passage of the petition. This information must be submitted on a form at the same time as a copy of the petition is filed with the Secretary of State's office.

STATEWIDE INITIATIVE PETITION

PROPOSE A NEW STATE STATUTE OR AMEND AN EXISTING STATE STATUTE

Prior to circulating a statewide initiative or referendum petition, certain information is required to be submitted to the Secretary of State's office prior to collecting signatures. The information required to be provided includes the name and signature of the person filing the petition, the names of up to three individuals who are authorized to withdraw or amend the petition, (see Notice of Intent Form, page 8) and the name of the Political Action Committee (PAC) formed to advocate for the passage of the petition. This information must be submitted on a form at the same time as a copy of the petition is filed with the Secretary of State's office (NRS 295.015).

Prior to circulating a petition for signatures, a copy of the petition, including a 200 word or less description of the effect of the petition, must be filed with the Secretary of State. *See*, "Important Dates" below for filing dates (NV Const., Art. 19, Sec. 2(3); NRS 295.015). Each petition may embrace only a single subject and matters necessarily connected therewith and pertaining thereto (NRS 295.009).

To qualify for inclusion on the ballot, a petition must be signed by a minimum number of registered voters. The number of valid signatures required is 10% of the voters who voted in the State at the last preceding general election. Additionally, these signatures must be gathered from each of Nevada's four petition districts. The last preceding general election for all petitions submitted in 2024 is considered the 2022 General Election. Therefore, **102,362** (10% of 1,023,617) valid signatures are required to qualify petitions submitted in 2024. Of the 102,362 signatures, **25,591** must be collected in each of Petition Districts 1, 2, 3, and 4. The Initiative and Referendum Petition Districts are coterminous with the Nevada districts for the U.S. House of Representatives. These were recently updated to reflect changes based on 2020 Census data.

Only registered voters of the county and petition district where the petition is circulated may sign the petition (NRS 295.055). Also, petition circulators must sign the Affidavit of Circulator (NAC 293.182; 295.020). A copy of the Affidavit of Circulator is included in the Appendix.

After a petition has been circulated for signatures, it must be submitted to the appropriate Clerk or Registrar of Voters in the county in which the petition was circulated. All documents must be submitted on the same day for signature verification (*see*, page 12). The County Clerk or Registrar of Voters shall issue a receipt to any person who submits a petition stating the number of documents and pages and the person's statement of the number of signatures contained on the petition. Once a petition is submitted for signature verification, it can no longer be circulated for signatures. A person who signed a petition may request to have his name removed any time before the petition is filed for signature verification by submitting his request in writing to the County Clerk or Registrar of Voters (NV Const., Art. 19, Sec. 2(3); NRS 293.1276; 293.1277(4); 293.12758; 295.055(3); 295.056(1); NAC 295.020).

If the petition is sufficient (*see*, page 9), the Secretary of State shall transmit the petition to the 2025 legislative session as soon as it convenes. The petition shall be enacted or rejected by the legislature without change within 40 days. If the petition is enacted by the legislature and approved by the Governor, it shall become law. If the legislature does not act upon or rejects the petition within 40 days, the Secretary of State shall submit the petition to a vote at the next general election. If the Legislature rejects a petition 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 along with the petition. If both the petition and the measure are approved by the voters, whichever receives the highest number of affirmative votes becomes law (NV Const., Art. 19, Sec. 2(3); NRS 293.267(5); 295.125).

IMPORTANT DATES TO PROPOSE A NEW STATE STATUTE OR AMEND AN EXISTING STATE

- January 2, 2024:** First day Secretary of State will accept a copy of a statutory initiative petition prior to circulation for signatures (NV Const., Art. 19, Sec. 2(3)).
- November 20, 2024:** Last day for petitioners to submit signatures in support of a statutory initiative petition to the County Clerk or Registrar of Voters for verification of signatures (NRS 295.056(2)).

AMEND THE NEVADA CONSTITUTION

Prior to circulating a statewide initiative or referendum petition, certain information is required to be submitted to the Secretary of State's office prior to collecting signatures. The information required to be provided includes the name and signature of the person filing the petition, the names of up to three individuals who are authorized to withdraw or amend the petition, (see Notice of Intent Form, page 8) and the name of the Political Action Committee (PAC) formed to advocate for the passage of the petition. This information must be submitted on a form at the same time a copy of the petition is filed with the Secretary of State's office. (NRS 295.015)

Prior to circulating a petition for signatures, a copy of the petition, including a 200 word or less description of the effect of the petition, must be filed with the Secretary of State. *See*, "Important Dates" below for filing dates (NV Const., Art. 19, Sec. 2(4) and NRS 295.015; 295.009). Each petition must embrace only a single subject and matters necessarily connected therewith and pertaining thereto (NRS 295.009).

To qualify for inclusion on the ballot, a petition must be signed by a minimum number of registered voters. The number of valid signatures required is 10% of the voters who voted in the State at the last preceding general election (*see*, chart on page 13). Additionally, these signatures must be gathered from each of Nevada's four petition districts. The last preceding general election for all petitions submitted in **2024** is considered the 2022 General Election (*see*, Court Order of 3/2/05, Case No. CV-S-05-0041(JCM), District of Nevada). Therefore, **102,362** (10% of 1,023,617) valid signatures are required to qualify petitions submitted in 2024. Of the 102,362 signatures, **25,591** must be collected in each of Petition Districts 1, 2, 3, and 4.

Only registered voters of the county and petition district where the petition is circulated may sign the petition (NRS 295.055). Also, petition circulators must sign the Affidavit of Circulator (NAC 293.182; 295.020). A copy of the Affidavit of Circulator is included in the Appendix.

After a petition has been circulated for signatures, it must be submitted to the appropriate Clerk or Registrar of Voters in the county in which the petition was circulated. All documents must be submitted on the same day for signature verification (*see*, page 11). The County Clerk or Registrar of Voters shall issue a receipt to any person who submits a petition stating the number of documents and pages and the person's statement of the number of signatures contained on the petition. Once a petition is submitted for signature verification, it can no longer be circulated for signatures. A person who signed a petition may request to have his or her name removed any time before the petition is filed for signature verification by submitting a request in writing to the County Clerk or Registrar of Voters (NV Const., Art. 19, Sec. 2(3); NRS 293.1277(4); 293.12758; 295.055(3); 295.056(1); NAC 295.020(4)).

If the petition is sufficient, the proposed amendment shall be placed on the ballot at the 2024 General Election for approval or disapproval by voters of the entire state (*see*, page 12). If the voters approve the amendment, the Secretary of State shall resubmit the question of approval or disapproval to a vote of the people at the 2026 General Election. The language, description, arguments, and question number must be the same on both General Election ballots. If the question passes a second time, it becomes part of the Nevada Constitution upon certification of election results. If the question fails to pass a second time, no further action shall be taken (NV Const., Art. 19, Sec. 2(4))

IMPORTANT DATES TO AMEND THE NEVADA CONSTITUTION

- September 1, 2023:** First day the Secretary of State will accept a copy of a constitutional initiative petition for filing prior to circulation for signatures (NV Const., Art. 19, Sec. 2(4)).
- June 26, 2024:** Last day for petitioners to submit a constitutional initiative petition to the County Clerk or Registrar of Voters for verification of signatures (NRS 295.056(3)).

STATEWIDE REFERNDUM PETITION

APPROVE OR DISAPPROVE A CURRENT STATE LAW

Prior to circulating a statewide initiative or referendum petition, certain information is required to be submitted to the Secretary of State's office prior to collecting signatures. The information required to be provided includes the name and signature of the person filing the petition, the names of up to three individuals who are authorized to withdraw or amend the petition, (see Notice of Intent Form, page 8) and the name of the Political Action Committee (PAC) formed to advocate for the passage of the petition. This information must be submitted on a form at the same time as a copy of the petition is filed with the Secretary of State's office. (NRS 295.015)

Prior to circulating a petition for signatures, a copy of the petition, including a 200 word or less description of the effect of the petition, must be filed with the Secretary of State. *See*, "Important Dates" below for filing dates (NV Const., Art. 19, Sec. 1(1); NRS 295.045(1); 293.127565). Each petition must embrace only a single subject and matters necessarily connected therewith and pertaining thereto (NRS 295.009).

To qualify for inclusion on the ballot, a petition must be signed by a minimum number of registered voters. The number of valid signatures required is 10 % of the voters who voted in the entire State at the last preceding general election (*see*, chart on page 10). Additionally, these signatures must be gathered from each of Nevada's four petition districts. The last preceding general election for all petitions submitted in 2024 is considered the 2022 General Election (See Court Order of 3/2/05, Case No. CV-S-05-0041(JCM), District of Nevada). Therefore, 102,362 (10% of 1,023,617) valid signatures are required to qualify petitions submitted in 2024. Of the 102,362 signatures, 25,591 must be collected in each of Petition Districts 1, 2, 3, and 4.

Only registered voters of the county and petition district where the petition is circulated may sign the petition (NV Const., Art. 19, Sec. 2(2)). Also, petition circulators must sign the Affidavit of Circulator (NAC 293.182; 295.020).

After a petition has been circulated for signatures, it must be submitted to the appropriate Clerk or Registrar of Voters in the county in which the petition was circulated. All documents must be submitted on the same day for signature verification (*see*, page 11). The County Clerk or Registrar of Voters shall issue a receipt to any person who submits a petition stating the number of documents and pages and the person's statement of the number of signatures contained on the petition. Once a petition is submitted for signature verification, it can no longer be circulated for signatures. A person who signed a petition may request to have his name removed any time before the petition is filed for signature verification by submitting his request in writing to the County Clerk/Registrar (NV Const., Art. 19, Sec. 1(2); NRS 293.1277(4); 293.12758; 295.055(3); 295.056(1); NAC 295.020).

If the petition is sufficient, it will be submitted to a vote of the people at the 2024 General Election. If the state law at issue is approved, it remains standing as the law of the state. If the state law at issue is disapproved, it becomes void and of no effect (NV Const., Art. 19, Sec. 1).

IMPORTANT DATES TO APPROVE/DISSAPROVE A CURRENT STATE LAW

- August 1, 2023:** First day the Secretary of State will accept a copy of a referendum petition for filing prior to circulation for signatures (NV Const., Art. 19, Sec. 1(1)).
- June 26, 2024:** Last day petitioners may submit a referendum petition to County Clerk or Registrar of Voters for verification of signatures (NRS 295.056(4)).

STATEWIDE INITIATIVE & REFERNDUM PETITIONS

VERIFICATION PROCESS

STEP 1:

All documents of a petition must be submitted to the appropriate County Clerk or Registrar of Voters at the same time. The County Clerk or Registrar of Voters counts the total number of signatures on the petition and forwards that number to the Secretary of State. This is the “raw count.” (NRS 295.056(5); 293.1276).

Time frame: The County Clerk or Registrar of Voters must complete the raw count within 4 days after submission of the petition, excluding Saturdays, Sundays and holidays (NRS 293.1276(1)).

STEP 2:

Based on the raw count information received from the County Clerk or Registrar of Voters, the Secretary of State determines whether the number of signatures is 100% of the number needed. If the raw count indicates that the petition contains less than 100% of the signatures required, the Secretary of State notifies the persons who submitted the petition and the County Clerk or Registrar of Voters that no further action is to be taken on the petition. If the raw count indicates that the petition contains 100% or more of the number of signatures required, the Secretary of State notifies the County Clerk or Registrar of Voters (NRS 293.1276; 293.1277(1)).

Time frame: Immediately after receiving the raw count from all counties, the Secretary of State determines if the petition contains the number of signatures needed to declare the petition sufficient (NRS 293.1276(2);293.1277(1)).

STEP 3:

If the Secretary of State notifies the County Clerk or Registrar of Voters that the raw count contains the number of signatures required, the County Clerk or Registrar of Voters shall verify the signatures. The Clerk or Registrar of Voters shall allow the person who submitted the petition or a member of the petitioner’s committee to witness the signature verification. If 500 or less signatures have been submitted, the County Clerk or Registrar of Voters must examine and verify every signature on the petition. If more than 500 signatures have been submitted, the County Clerk or Registrar of Voters shall randomly sample 500 or 5% of the signatures, whichever number is greater. Upon completing the examination, each County Clerk or Registrar of Voters shall transmit the documents with a certificate showing the results of his examination to the Secretary of State. The County Clerk or Registrar of Voters shall also notify the Secretary of State of requests to remove a name from the petition (NRS 293.1277(2)-(5); NAC 293.183).

Time frame: Signature verification must be completed within nine (9) days after notification by the Secretary of State, excluding Saturdays, Sundays, and holidays (NRS 293.1277(1)).

DETERMINATION OF SUFFICIENCY

The Secretary of State determines whether the petition is sufficient based on the County Clerk and/or the Registrar of Voters' certified results from the signature verification.

- If the Secretary of State finds that the number of valid signatures is less than 90% of the number of registered voters required to declare the petition sufficient:

Result: The petition fails to qualify, and the Secretary of State shall immediately notify the petitioners and the County Clerk or Registrar of Voters. No further action is taken. (NRS 293.1278 (1)).

- If the Secretary of State finds that the number of valid signatures is equal to or greater than 100% of the number of registered voters required to declare the petition sufficient plus the total number of requests to remove a name and the petition has the minimum number of signatures required for each petition district:

Result: The petition is deemed qualified as of the date the Secretary of State receives the final certificates of results. The Secretary of State immediately notifies the County Clerk or Registrar of Voters and the petitioners. (NRS 293.1278(2); 295.055(3)).

- If the signature verification was conducted pursuant to a random sampling of the greater of 500 signatures or 5% of the total contained on the petition, and the Secretary of State finds the number of valid signatures is 90% or greater, but less than 100% of the required number of registered voters needed to declare the petition sufficient plus the total number of requests to remove a name and the petition has the minimum number of signatures required for each petition district:

Result: The Secretary of State directs the County Clerk or Registrar of Voters to reexamine the signatures for verification. The County Clerk or Registrar of Voters will verify each signature on the petition to determine whether 100% or more of the required number of voters signed the petition.

The County Clerk or Registrar of Voters must complete this process within twelve **(12)** working days, excluding Saturdays, Sundays, and holidays, after receiving the order of the Secretary of State.

After completing the reexamination of signatures for verification, the County Clerk or Registrar of Voters will forward an amended certificate of results to the Secretary of State (NRS 293.1279; 293.1278(2); 295.055(3)).

2022 GENERAL ELECTION VOTER TURNOUT

Signature Requirements for Each Petition District

Total Voter Turnout in 2022
General Election

10% of Total Voter Turnout in 2022
General Election

1,023,617

102,362

25,591

Number of Signatures Required to be Gathered
from Each Petition District

COUNTY & MUNICIPAL

INITIATIVE & REFERENDUM

County and municipal initiative and referendum procedures are similar to those used by the state; however, there are some differences. The information provided below is taken from the Nevada Constitution, Title 24 of the NRS, and the NAC Election Regulations. Please contact the county or city in which the petition will be submitted to receive additional provisions (if any) on the petition process for that county or city. Please note that this information is for both county and city. County petition documents must be filed with the respective County Clerk or Registrar of Voters, and municipal petition documents must be filed with the respective City Clerk.

SUBMITTING A PETITION

Any five registered voters of the county or city may file with the Clerk an affidavit stating that they will constitute the petitioner's committee, be responsible for circulating the petition and filing it in the proper form. The affidavit must also contain the full text of the proposed initiative ordinance or cite the ordinance sought to be reconsidered (NRS 295.095(1); 295.205). Each petition must embrace only a single subject and matters necessarily connected therewith and pertaining thereto (NRS 295.009).

Initiative petitions must be signed by a number of registered voters that equals or exceeds **15%** of the voter turnout at the last general county election or the last city election (NRS 295.095(2); 295.205(2)).

Referendum petitions must be signed by a number of registered voters that equals or exceeds **10%** of the voter turnout at the last general county election or the last city election (NRS 295.095(3); 295.205(3)).

Please contact the appropriate county or city clerk to obtain voter turnout at prior county or city elections.

The contents of the petition must comply with the requirements of NRS 295.095 (county), NRS 295.205 (city), and NAC 295.020 (both county and city). The petition format is displayed on the sample petition provided in the Appendix. Please be advised of the additional requirements for county and city that are not provided in the Appendix for the Affidavit of Circulator. Affidavits must also state the following: (1) the number of signatures contained in the document; and (2) an affirmation that each signer had an opportunity before signing to read the full text of the measure (NRS 295.095(6); 295.205(6)).

Initiative and referendum petition documents must be submitted to the respective clerks for verification no later than 180 days after the date the affidavit was filed or 130 days before the election, whichever is earlier. A receipt containing the number of documents, pages, and declared signatures received shall be issued to the person who submitted the documents (NRS 295.095(4) (7); 295.205(4) & (7)).

PETITION SIGNATURE VERIFICATION PROCESS

Upon receipt of the petition, the County or City Clerk shall count the number of signatures submitted. This number is the raw count. If the raw count is less than 100% of the number of signatures required, then the petition is deemed insufficient. If the raw count indicates that the petition contains 100% or more of the total number of signatures required, then the Clerk shall begin signature verification (NRS 295.250).

If the total number of signatures from the raw count is 500 or less, then the Clerk must examine and verify every signature on the petition. The Clerk shall allow the person who submitted the petition or a member of the petitioner's committee to witness the signature verification (NRS 295.260(1); 295.290; NAC 293.183).

If the total number of signatures from the raw count is more than 500, then the Clerk shall randomly sample 500 or 5% of the signatures, whichever is greater. If the examination of the random sample shows that the number of valid signatures is less than 90% of the number of signatures of registered voters needed, it shall be deemed

insufficient. If the examination of the random sample shows that the number of valid signatures is 90% or more but less than 100% of the number of valid signatures needed, then the Clerk shall continue to verify the signatures. The Clerk shall continue to verify the signatures until he has examined every signature or has determined that 100% of the number of signatures needed is valid (NRS 295.260(2) & (5)).

The Clerk has 20 days from receipt of the petition to conduct the signature verification process (NRS 295.105(1); 295.210(1)).

REVIEW OF PETITION BY BOARD OR COUNCIL

If the petition is deemed sufficient, the board or council shall promptly consider the ordinance in the manner provided by law. If the board or council fails to adopt the proposed ordinance without change in substance or fails to repeal the referred ordinance within 30 days after the date the petition was determined sufficient, it shall submit the proposed or referred ordinance to the registered voters in the form of a ballot question at the next general election (if a municipal initiative, the question will be voted upon at either the next general city election or general election) (NRS 295.115; 295.215; 295.009).

If the petition has been certified insufficient, the petitioner's committee may, within 2 days of receipt of a copy of the certificate, file a request that it be reviewed by the board/council. The board/council will review the certificate at their next meeting and will approve or disapprove the certificate. The board/council's determination will be the final determination of the sufficiency of the petition. However, the final determination is subject to judicial review (NRS 295.105(3),(4); 295.210(3),(4)).

STATEWIDE INITIATIVE & REFERNDUM PETITIONS

FILING AN APPEAL

If a statewide referendum or initiative petition fails for lack of signatures, the person who submitted the petition may challenge the signature verification by filing an appeal with the Secretary of State within five (5) working days after receipt from the Secretary of State of the notification of determination of sufficiency of the petition.

The appeal must include:

- 1 The reasons for appeal; and
- . A statement of the number of signatures, if any, that the County Clerk or Registrar of Voters determined were invalid (NRS 293.12793).

If the appeal is based on the results of the signature verification, the Secretary of State shall:

- 1 If the Secretary of State finds for the appellant, order the County Clerk or Registrar of Voters to recertify the petition to include all contested signatures that the Secretary of State determines are valid.
- 2 If the Secretary of State finds against the appellant, notify that person and the County Clerk or Registrar of Voters that the petition remains insufficient.

If the Secretary of State is unable to decide on the appeal based upon the documents submitted, he may order the County Clerk or Registrar of Voters to re-verify the signatures. The decision of the Secretary of State is a final decision for the purposes of judicial review. The decision of the Secretary of State may be appealed, but only in the First Judicial District Court in Carson City, Nevada (NRS 293.12795).

The description of the effect of a petition may be challenged by filing a complaint in the First Judicial District Court within fifteen (15) business days after a copy of the petition is initially filed with the Secretary of State (NRS 295.061(1)). Other challenges to the legal sufficiency of a petition may be brought by filing a complaint in a district court within seven (7) business days after the petition is certified as sufficient by the Secretary of State (NRS 295.061(2)). The filing officer (Secretary of State, County Clerk/Registrar, or City Clerk) may be named in an “official capacity,” while the real party in interest is the person or group who sponsored the petition drive.

QUESTIONS ON THE BALLOT

Once an initiative or referendum petition has qualified for the ballot, it becomes a ballot question. Depending on where the question’s proposal originated, the language of each ballot question is drafted by either the Secretary of State, Legislative Counsel Bureau, or by appointed committees. Statewide ballot questions may only appear in the general election pursuant to the Nevada Constitution, Article 19, sections 1 and 2.

STATEWIDE MEASURES PROPOSED BY PETITION

The Secretary of State must, upon consultation with the Attorney General, write a condensation of the ballot question and an explanation of the effect of the question (NRS 293.250(5)). Also, the Secretary of State must consult with the Fiscal Analysis Division of the Legislative Counsel Bureau to determine the fiscal impact of the petition on state and local governments (NRS 295.015). The Secretary of State assigns the ballot question a number for the general election ballot.

Arguments for and against a petition are prepared by two committees appointed by the Secretary of State. The committees shall be composed of three persons each (3 persons who favor approval and 3 persons who oppose approval). The Secretary of State shall consider any persons who have expressed interest in serving on the committees. The committees may seek comments from the public in drafting their arguments and rebuttals. The arguments shall address the fiscal, environmental, public health, safety, and welfare impacts of the petition. The

language of the arguments must be easily understood and of reasonable length. The arguments shall be submitted to the Secretary of State for consideration.

The Secretary of State may reject any arguments that she believes are libelous or factually inaccurate. The Secretary of State may also revise the language of an argument to make it more clear, concise, or suitable for use on the ballot, but he may not alter the meaning or effect of the argument without committee consent. The Secretary of State's rejection of a statement is a final decision for the purposes of judicial review. Within five (5) days of the Secretary of State's rejection, the committee may appeal by filing a complaint in the First Judicial District Court. Not later than three (3) working days after the complaint is filed by the committee, the Court shall set the matter for hearing and shall give priority to such a complaint over all other matters pending before the court, except for criminal proceedings (NRS 293.250; 293.252).

COUNTY MEASURES PROPOSED BY PETITION

In a county whose population is 40,000 or more, for each countywide initiative or referendum to be placed on the ballot, the Board and County Clerk shall appoint two (2) committees consisting of three (3) persons each. One committee shall favor approval of the petition and the other committee shall oppose passage of the petition.

The committees prepare arguments for and against passage of the petition. The arguments shall address the fiscal, environmental, public health, safety, and welfare impact of the petition. The County Clerk shall determine the maximum permissible length of an argument or rebuttal and determine the date the committee must submit them to the County Clerk (NRS 295.121)

Upon receipt of an argument or rebuttal, the County Clerk shall review each statement in the argument and rebuttal. The Clerk may revise the language so that it is clear and concise but cannot alter the meaning or effect without the consent of the committee. The Clerk may reject any arguments he or she believes are libelous or factually inaccurate. The county clerk's rejection of a statement is a final decision for purposes of judicial review. Not later than five (5) days after the Clerk rejects a statement, the committee may appeal the Clerk's rejection by filing a complaint in district court. The court shall set the matter for hearing not later than three (3) days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings (NRS 295.121).

NOTE: Those counties with a population of less than 40,000 may also choose to appoint committees and follow these same guidelines (NRS 295.121(11)).

CITY MEASURES PROPOSED BY PETITION

In a city whose population is 10,000 or more, for each initiative or referendum to be placed on the ballot, the city council shall appoint two committees each consisting of three (3) persons. One committee shall favor approval of the petition and the other shall oppose approval of the petition. The committees prepare arguments for and against approval of the petition. The arguments shall address the fiscal, environmental, public health, safety and welfare impacts of the petition. The City Clerk shall determine the maximum permissible length of an argument or rebuttal and determine the date the committee must submit them to the County Clerk (NRS 295.217).

Upon receipt of an argument or rebuttal, the City Clerk shall review each statement in the argument and rebuttal. The Clerk may revise the language so that it is clear and concise but cannot alter the meaning or effect without the consent of the committee. The Clerk may reject any arguments he or she believes are libelous or factually inaccurate. The rejection of a statement is a final decision for purposes of judicial review. Not later than five (5) days after the Clerk rejects a statement, the committee may appeal the rejection by filing a complaint in district court. The court shall set the matter for hearing not later than three (3) days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings (NRS 295.217).

COMMITTEES FOR POLITICAL ACTION (PAC) STATEWIDE, COUNTY & MUNICIPAL PETITIONS

REPORTING REQUIREMENTS

Nevada law requires every person or group of persons organized formally or informally who advocates the passage or defeat of a ballot question to report their contributions and expenditures in excess of \$1,000. All Contributions and Expenses Reports must be filed electronically. Please visit our website at www.nvsos.gov or contact this office at (775) 684-5705 to obtain further information (NRS 294A.150; 294A.220; 294A.373).

Where to File

All reports must be filed with the Secretary of State (NRS 294A.150; 294A.220).

Registration Requirements for PACs

A PAC who advocates the passage or defeat of any question on the ballot must first register as a PAC with the Secretary of State before engaging in any such advocacy.

Registration Requirements for Non-Profit Corporations

A non-profit corporation that intends to solicit or receive contributions, make contributions, or make expenditures designed to affect the outcome of a ballot question must register the names, addresses, and telephone numbers of its officers before engaging in any of the aforementioned activities. The required information must be submitted to the Secretary of State and will be posted on the Secretary of State's website (NRS 294A.225).

SPECIAL NOTE ON PETITION CIRCULATION EXPENDITURES

A person or group of persons that is required to report expenditures in connection with the circulation of a petition is not required to disclose the name, address, or amount paid to an individual circulator. However, the total amount paid to petition circulators must be reported. Furthermore, a PAC that advocates the passage or defeat of a constitutional amendment or statewide measure proposed by an initiative or referendum and that provides compensation to persons to circulate petitions shall report to the Secretary of State: (a) The number of persons to whom such compensation is provided; (b) The least amount of such compensation that is provided and the greatest amount of such compensation that is provided; and (c) The total amount of compensation provided (NAC 294A.270). This report is due not later than fifteen (15) days after the committee has completed gathering signatures.

CONTRIBUTION & EXPENSES (C&E) REPORTING DATES

Reporting Dates for PACS Advocating Passage Or Defeat of a Question on the Ballot

Annual Report: Due January 15, 2024 Period: January 1, 2023 – December 31, 2023
Report 1: Due April 15, 2024 Period: January 1, 2024 – March 31, 2024
Report 2: Due July 15, 2024 Period: April 1, 2024 – June 30, 2024
Report 3: Due October 15, 2024 Period: July 1, 2024 – September 30, 2024
Report 4: Due January 15, 2025 Period: October 1, 2024 – December 31, 2024
Annual Report: Due January 15, 2025 Period: January 1, 2024 – December 31, 2024

PETITION NOTES

- Each petition must include the following *enacting* clause for all statutes or amendments proposed by initiative petition: “The People of the State of Nevada do enact as follows,”
- The petition must embrace one subject only;
- The petition must contain a 200 word or less description of the effect;
- The petition may consist of more than one document;
- Each document of the petition may consist of one or more pages and must be bound together;
- Each document must include the full text of the proposed measure;
- Each document must bear the name of a county, and only registered voters of that county or city may sign the document;
- Each document must also bear the number of the petition district, and only registered voters of that petition district may sign the document (Note: petition districts have the same boundaries as Congressional Districts);
- Each document must contain sequentially numbered spaces for the name of each person who signs the document, the signature of the person signing, the mailing or residential address of the person signing, the name of the county where the person who signs is registered to vote, and the date of the signature;
- Each document must contain an affidavit of the person who circulated the document. The affidavit must be on the last page of each document and be signed before a person authorized by law to administer oaths in the State of Nevada (a notary public);
- The circulator is not required to be a registered voter in Nevada (Nevada Attorney General Opinion 99-37 (12/1/1999));
- If the petition consists of more than one document, each page of each document must be sequentially numbered starting with the number one (1).
- The Clerk or Registrar of Voters will not accept a petition unless each page is numbered;
- Each signature on the petition must be in ink, preceded by the printed name. The Clerk or Registrar of Voters shall disregard any signature that is not signed in ink; and,
- The number of valid signatures required to be gathered from each petition district equals 10% of the voters who voted in this State at the last preceding general election divided by the number of petition districts. As such, 10% of the 2022 General Election total voter turnout is **102,362** (10% of 1,023,617). Therefore, **102,362** valid signatures (fractional numbers must be rounded up to the nearest whole number) are required to qualify petitions submitted in 2024. Of the 102,362 signatures, **25,591** must be collected in each of the Petition Districts 1, 2, 3 and 4.
- Additionally, all documents must be submitted at the same time.

APPENDIX

- Article 19 of the Nevada Constitution
- Pertinent Sections of the Nevada Revised Statutes (NRS)
- Pertinent Sections of the Nevada Administrative Code (NAC)
- 2024 Initiative and Referendum Calendar

Note: The included sections of the NRS may not reflect all revisions made by the Nevada Legislature at its 2023 82nd Legislative Session, as those revisions were being codified at the time this guide was published. Please contact the Legislative Counsel Bureau for the most recent version of the NRS.

ARTICLE 19 OF THE NEVADA CONSTITUTION

INITIATIVE AND REFERENDUM

SECTIONS

- 1 Referendum for approval or disapproval of statute or resolution enacted by legislature.
- . Initiative petition for enactment or amendment of statute or amendment of constitution; concurrent and consecutive amendments.
- 3 Referendum and initiative petitions: Contents and form; signatures; enacting clause; manner of verification of signatures.
- 4 Powers of initiative and referendum of registered voters of counties and municipalities.
- . Provisions of article self-executing; legislative procedures.
- 5 Limitation on initiative making appropriation or requiring expenditure of money.

Sec. 1. Referendum for approval or disapproval of statute or resolution enacted by legislature.

- 1 A person who intends to circulate a petition that a statute or resolution or part thereof enacted by the legislature be submitted to a vote of the people, before circulating the petition for signatures, shall file a copy thereof with the secretary of state. He shall file the copy not earlier than August 1 of the year before the year in which the election will be held.
- 2 Whenever a number of registered voters of this state equal to 10 percent or more of the number of voters who voted at the last preceding general election shall express their wish by filing with the secretary of state, not less than 120 days before the next general election, a petition in the form provided for in section 3 of this article that any statute or resolution or any part thereof enacted by the legislature be submitted to a vote of the people, the officers charged with the duties of announcing and proclaiming elections and of certifying nominations or questions to be voted upon shall submit the question of approval or disapproval of such statute or resolution or any part thereof to a vote of the voters at the next succeeding election at which such question may be voted upon by the registered voters of the entire state. The circulation of the petition shall cease on the day the petition is filed with the secretary of state or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest.
- 3 If a majority of the voters voting upon the proposal submitted at such election votes approval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall stand as the law of the state and shall not be amended, annulled, repealed, set aside, suspended or in any way made inoperative except by the direct vote of the people. If a majority of such voters votes disapproval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall be void and of no effect.

Sec. 2. Initiative petition for enactment or amendment of statute or amendment of constitution; concurrent and consecutive amendments.

- 1 Notwithstanding the provisions of section 1 of article 4 of this constitution, but subject to the limitations of section 6 of this article, the people reserve to themselves the power to propose, by initiative petition, statutes and amendments to statutes and amendments to this constitution, and to enact or reject them at the polls.
- 2 An initiative petition shall be in the form required by section 3 of this article and shall be proposed by a number of registered voters equal to 10 percent or more of the number of voters who voted at the last preceding general election in not less than 75 percent of the counties in the state, but the total number of registered voters signing the initiative petition shall be equal to 10 percent or more of the voters who voted in the entire state at the last preceding general election.

- 3 If the initiative petition proposes a statute or an amendment to a statute, the person who intends to circulate it shall file a copy with the secretary of state before beginning circulation and not earlier than January 1 of the year preceding the year in which a regular session of the legislature is held. After its circulation, it shall be filed with the secretary of state not less than 30 days prior to any regular session of the legislature. The circulation of the petition shall cease on the day the petition is filed with the secretary of state or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest. The secretary of state shall transmit such petition to the legislature as soon as the legislature convenes and organizes. The petition shall take precedence over all other measures except appropriation bills, and the statute or amendment to a statute proposed thereby shall be enacted or rejected by the legislature without change or amendment within 40 days. If the proposed statute or amendment to a statute is enacted by the legislature and approved by the governor in the same manner as other statutes are enacted, such statute or amendment to a statute shall become law but shall be subject to referendum petition as provided in section 1 of this article. If the statute or amendment to a statute is rejected by the legislature, or if no action is taken thereon within 40 days, the secretary of state shall submit the question of approval or disapproval of such statute or amendment to a statute to a vote of the voters at the next succeeding general election. If a majority of the voters voting on such question at such election vote approval of such statute or amendment to a statute, it shall become law and take effect upon completion of the canvass of votes by the supreme court. An initiative measure so approved by the voters shall not be amended, annulled, repealed, set aside, or suspended by the legislature within 3 years from the date it takes effect. If a majority of such voters votes disapproval of such statute or amendment to a statute, no further action shall be taken on such petition. If the legislature rejects such proposed statute or amendment, the governor may recommend to the legislature and the legislature may propose a different measure on the same subject, in which event, after such different measure has been approved by the governor, the question of approval or disapproval of each measure shall be submitted by the secretary of state to a vote of the voters at the next succeeding general election. If the conflicting provisions submitted to the voters are both approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes shall thereupon become law. If at the session of the legislature to which an initiative petition proposing an amendment to a statute is presented which the legislature rejects or upon which it takes no action, the legislature amends the statute which the petition proposes to amend in a respect which does not conflict in substance with the proposed amendment, the secretary of state in submitting the statute to the voters for approval or disapproval of the proposed amendment shall include the amendment made by the legislature.
- 4 If the initiative petition proposes an amendment to the constitution, the person who intends to circulate it shall file a copy with the secretary of state before beginning circulation and not earlier than September 1 of the year before the year in which the election is to be held. After its circulation it shall be filed with the secretary of state not less than 90 days before any regular general election at which the question of approval or disapproval of such amendment may be voted upon by the voters of the entire state. The circulation of the petition shall cease on the day the petition is filed with the secretary of state or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest. The secretary of state shall cause to be published in a newspaper of general circulation, on three separate occasions, in each county in the state, together with any explanatory matter which shall be placed upon the ballot, the entire text of the proposed amendment. If a majority of the voters voting on such question at such election votes disapproval of such amendment, no further action shall be taken on the petition. If a majority of such voters votes approval of such amendment, the secretary of state shall publish and

resubmit the question of approval or disapproval to a vote of the voters at the next succeeding general election in the same manner as such question was originally submitted. If a majority of such voters votes disapproval of such amendment, no further action shall be taken on such petition. If a majority of such voters vote approval of such amendment, it shall, unless precluded by subsection 5 or 6, become a part of this constitution upon completion of the canvass of votes by the supreme court.

- 5 If two or more measures which affect the same section of a statute or of the constitution are finally approved pursuant to this section, or an amendment to the constitution is finally so approved and an amendment proposed by the legislature is ratified which affect the same section, by the voters at the same election:
 - (a) If all can be given effect without contradiction in substance, each shall be given effect.
 - (b) If one or more contradict in substance the other or others, the measure which received the largest favorable vote, and any other approved measure compatible with it, shall be given effect. If the one or more measures that contradict in substance the other or others receive the same number of favorable votes, none of the measures that contradict another shall be given effect.
- 6 If, at the same election as the first approval of a constitutional amendment pursuant to this section, another amendment is finally approved pursuant to this section, or an amendment proposed by the legislature is ratified, which affects the same section of the constitution but is compatible with the amendment given first approval, the secretary of state shall publish and resubmit at the next general election the amendment given first approval as a further amendment to the section as amended by the amendment given final approval or ratified. If the amendment finally approved or ratified contradicts in substance the amendment given first approval, the secretary of state shall not submit the amendment given first approval to the voters again.

Sec. 3. Referendum and initiative petitions: Contents and form; signatures; enacting clause; manner of verification of signatures.

- 1 Each referendum petition and initiative petition shall include the full text of the measure proposed. Each signer shall affix thereto his or her signature, residence address and the name of the county in which he or she is a registered voter. The petition may consist of more than one document, but each document shall have affixed thereto an affidavit made by one of the signers of such document to the effect that all of the signatures are genuine and that each individual who signed such document was at the time of signing a registered voter in the county of his or her residence. The affidavit shall be executed before a person authorized by law to administer oaths in the State of Nevada. The enacting clause of all statutes or amendments proposed by initiative petition shall be: "The People of the State of Nevada do enact as follows:"
- 2 The legislature may authorize the secretary of state and the other public officers to use generally accepted statistical procedures in conducting a preliminary verification of the number of signatures submitted in connection with a referendum petition or an initiative petition, and for this purpose to require petitions to be filed no more than 65 days earlier than is otherwise required by this article.

Sec. 4. Powers of initiative and referendum of registered voters of counties and municipalities.

The initiative and referendum powers provided for in this article are further reserved to the registered voters of each county and each municipality as to all local, special, and municipal legislation of every kind in or for such county or municipality. In counties and municipalities initiative petitions may be instituted by a number of registered voters equal to 15 percent or more of the voters who voted at the last preceding general county or municipal election. Referendum petitions may be instituted by 10 percent or more of such voters.

Sec. 5. Provisions of article self-executing; legislative procedures.

The provisions of this article are self-executing, but the legislature may provide by law for procedures to facilitate the operation thereof.

Sec. 6. Limitation on initiative making appropriation or requiring expenditure of money.

This article does not permit the proposal of any statute or statutory amendment which makes an appropriation or otherwise requires the expenditure of money, unless such statute or amendment also imposes a sufficient tax, not prohibited by the constitution, or otherwise constitutionally provides for raising the necessary revenue.

PERTINENT SECTIONS OF THE NEVADA REVISED STATUTES

CIRCULATION AND SUFFICIENCY OF CERTAIN PETITIONS

NRS 293.127563 Secretary of State to determine number of signatures required for certain petitions.

1. As soon as practicable after each general election, the Secretary of State shall determine the number of signatures required to be gathered from each petition district within the State for a petition for initiative or referendum that proposes a constitutional amendment or statewide measure.
2. To determine the number of signatures required to be gathered from each petition district, the Secretary of State shall calculate the amount that equals 10 percent of the voters who voted in this State at the last preceding general election and divide that amount by the number of petition districts. Fractional numbers must be rounded up to the nearest whole number.
(Added to NRS by 2007, 2741; A 2009, 2587; 2011, 1783, 3271)

NRS 293.127565 Use of public buildings to gather signatures on petitions; remedy for violation; regulations.

- 1 At each building that is open to the general public and occupied by the government of this State or a political subdivision of this State or an agency thereof, other than a building of a public elementary or secondary school, an area must be designated for the use of any person to gather signatures on a petition at any time that the building is open to the public. The area must be reasonable and may be inside or outside of the building. Each public officer or employee in control of the operation of a building governed by this subsection shall:
 - (a) Designate the area at the building for the gathering of signatures; and
 - (b) On an annual basis, submit to the Secretary of State and the county clerk for the county in which the building is located a notice of the area at the building designated for the gathering of signatures on a petition. The Secretary of State and the county clerks shall make available to the public a list of the areas at public buildings designated for the gathering of signatures on a petition.
- 2 Before a person may use an area designated pursuant to subsection 1, the person must notify the public officer or employee in control of the operation of the building governed by subsection 1 of the dates and times that the person intends to use the area to gather signatures on a petition. The public officer or employee may not deny the person the use of the area.
- 3 Not later than 3 working days after the date of the decision that aggrieved the person, a person aggrieved by a decision made by a public officer or employee pursuant to subsections 1 or 2 may appeal the decision to the Secretary of State. The Secretary of State shall review the decision to determine whether the public officer or employee violated subsection 1 or 2. If the Secretary of State determines a public officer or employee violated subsection 1 or 2 and that a person was denied the use of a public building for the purpose of gathering signatures on a petition, the Secretary of State shall order that the deadline for filing the petition provided pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.015 or 306.110 must be extended for a period equal to the time that the person was denied the use of a public building for the purpose of gathering signatures on a petition, but in no event may the deadline be extended for a period of more than 5 days.
- 4 The decision of the Secretary of State is a final decision for the purposes of judicial review. Not later than 7 days after the date of the decision by the Secretary of State, the decision of the Secretary of State may only be appealed in the First Judicial District Court. If the First Judicial District Court determines that the public officer or employee violated subsection 1 or 2 and that a person was denied the use of a public building for the purpose of gathering signatures on a petition, the Court shall order that the deadline for filing the petition provided pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109,

306.015 or 306.110 must be extended for a period equal to the time that the person was denied the use of a public building for the purpose of gathering signatures on a petition, but in no event may the deadline be extended for a period of more than 5 days.

5. The Secretary of State may adopt regulations to carry out the provisions of subsection 3. (Added to NRS by 2001, 1347; A 2005, 1432, 2828; 2019, 1627)

NRS 293.12757 Qualification to sign petition.

If a person is qualified to register to vote and has properly completed any method authorized by the provisions of this title to register to vote:

- 1 The person may sign a petition required under the elections laws of this State on or after the date on which the person is deemed to be registered to vote pursuant to NRS 293.4855, 293.517, 293.5235, 293.57695 or 293.5772 to 293.5887, inclusive, or any other provisions of this title; and
- 2 The county clerk shall use the date prescribed by subsection 1 for the purposes of the verification of the person's signature on the petition. (Added to NRS by 1999, 3546; A 2005, 2829; 2007, 2582; 2017, 3843; 2018 initiative petition, Ballot Question No. 5; 2019,4060, effective January 1, 2024)

NRS 293.12758 Receipt issued by county clerk; requirements for petition.

- 1 The county clerk shall issue a receipt to any person who submits a petition for the verification of signatures pursuant to the election laws of this State, including, without limitation, a petition of candidacy. The receipt must state:
 - (a) The number of documents submitted;
 - (b) The number of pages of each document; and
 - (c) The number of signatures which the person declares are on the petition.
2. If a petition consists of more than one document, all of the documents must be submitted to the county clerk for verification at the same time.
- 3 The county clerk shall not accept a petition unless each page of the petition is numbered.
 - . Each signature on the petition must be signed in ink. The county clerk shall disregard any signature which is not signed in ink.

5 As used in this section, "document" includes material which is separately compiled and bound together and may consist of one or more sheets of paper. (Added to NRS by 1993, 2664; A 2019, 3371)

NRS 293.1276 County clerk to forward number of signatures to Secretary of State; notice of failure to file required number of signatures; handling of petition; regulations.

1. Within 4 days, excluding Saturdays, Sundays and holidays, after the submission of a petition containing signatures which are required to be verified pursuant to NRS 293.128, 295.056, 298.109, 306.035 or 306.110, and within 2 days, excluding Saturdays, Sundays and holidays, after the submission of a petition containing signatures which are required to be verified pursuant to NRS 293.172 or 293.200, the county clerk shall determine the total number of signatures affixed to the documents and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, shall tally the number of signatures for each petition district contained fully or partially within the county and forward that information to the Secretary of State.
2. If the Secretary of State finds that the total number of signatures filed with all the county clerks is less than 100 percent of the required number of registered voters, the Secretary of State shall so notify the person who submitted the petition and the county clerks, and no further action may be taken in regard to the petition. If the petition is a petition to recall a county, district or municipal officer, the Secretary of State shall also notify the officer with whom the petition is to be filed.

3. After the petition is submitted to the county clerk, it must not be handled by any other person except by an employee of the county clerk's office until it is filed with the Secretary of State.
4. The Secretary of State may adopt regulations establishing procedures to carry out the provisions of this section. (Added to NRS by 1985, 1090; A 1987, 1361; 1993, 2665; 1997, 750; 1999, 2147; 2009, 2588; 2011, 1784,3271; 2015, 3568)

NRS 293.1277 Verification of signatures by county clerks; regulations.

- 1 If the Secretary of State finds that the total number of signatures submitted to all the county clerks is 100 percent or more of the number of registered voters needed to declare the petition sufficient, the Secretary of State shall immediately so notify the county clerks. After the notification, each of the county clerks shall determine the number of registered voters who have signed the documents submitted in the county clerk's county and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, shall tally the number of signatures for each petition district contained or fully contained within the county clerk's county. This determination must be completed within 9 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 293.128, 295.056, 298.109, or 306.110, within 20 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to 306.035, and within 3 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 293.172 or 293.200. For the purpose of verification pursuant to this section, the county clerk shall not include in his or her tally of total signatures any signature included in the incorrect petition district.
- 2 Except as otherwise provided in subsections 3 and 4, if more than 500 names have been signed on the documents submitted to a county clerk, the county clerk shall examine the signatures by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the county clerk is given an equal opportunity to be included in the sample. The sample must include an examination of:
 - (a) Except as otherwise provided in paragraph (b), at least 500 or 5 percent of the signatures, whichever is greater.
 - (b) If the petition is for the recall of a public officer who holds a statewide office, at least 25 percent of the signatures.

If documents were submitted to the county clerk for more than one petition district wholly contained within that county, a separate random sample must be performed for each petition district.

- 3 If a petition district comprises more than one county and the petition is for an initiative or referendum proposing a constitutional amendment or a statewide measure, and if more than 500 names have been signed on the documents submitted for that petition district, the appropriate county clerks shall examine the signatures by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the county clerks within the petition district is given an equal opportunity to be included in the sample. The sample must include an examination of at least 500 or 5 percent of the signatures presented in the petition district, whichever is greater. The Secretary of State shall determine the number of signatures that must be verified by each county clerk within the petition district.
- 4 If a petition is for the recall of a public officer who does not hold a statewide office, each county clerk:
 - (a) Shall not examine the signatures by sampling them at random for verification;
 - (b) Shall examine for verification every signature on the documents submitted to the

county clerk; and

- (c) When determining the total number of valid signatures on the documents, shall remove each name of a registered voter who submitted a request to have his or her name removed from the petition pursuant to NRS 306.015.
- 5 In determining from the records of registration the number of registered voters who signed the documents, the county clerk may use the signatures contained in the file of applications to register to vote. If the county clerk uses that file, the county clerk shall ensure that every application in the file is examined, including any application in his or her possession which may not yet be entered into the county clerk's records. Except as otherwise provided in subsection 6, the county clerk shall rely only on the appearance of the signature and the address and date included with each signature in making his or her determination.
- 6. If:
 - (a) A person registers to vote using the system established by the Secretary of State pursuant to NRS 293.671;
 - (b) A person registers to vote pursuant to NRS 293D.230 and signs his or her application to register to vote using a digital signature or an electronic signature; or
 - (c) A person is registered to vote by an automatic voter registration agency,
 - ❖ the county clerk may rely on such other indicia as prescribed by the Secretary of State in making his or her determination.
- 7 In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, when the county clerk is determining the number of registered voters who signed the documents from each petition district contained fully or partially within the county clerk's county, he or she must use the statewide voter registration list available pursuant to NRS 293.675.
- 8 Except as otherwise provided in subsection 10, upon completing the examination, the county clerk shall immediately attach to the documents a certificate properly dated, showing the result of the examination, including the tally of signatures by petition district, if required, and transmit the documents with the certificate to the Secretary of State. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, if a petition district comprises more than one county, the appropriate county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the certificate. A copy of this certificate must be filed in the clerk's office. When the county clerk transmits the certificate to the Secretary of State, the county clerk shall notify the Secretary of State of the number of requests to remove a name received by the county clerk pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable.
- 9 A person who submits a petition to the county clerk which is required to be verified pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110 must be allowed to witness the verification of the signatures. A public officer who is the subject of a recall petition must also be allowed to witness the verification of the signatures on the petition.
- 10. For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not transmit to the Secretary of State the documents containing the signatures of the registered voters.
- 11. The Secretary of State shall by regulation establish further procedures for carrying out the provisions of this section. (Added to NRS by 1985, 1090; A 1987, 1361; 1993, 2665; 1995, 2257; 1997, 750; 1999, 2147; 2001, 641; 2009, 2588; 2011, 1784, 2083, 3271; 2013, 29; 2015, 3568; 2018 initiative petition, Ballot Question No. 5; 2019, 1628, 4060; 2021, 3818, 3852)

NRS 293.1278 Qualification or disqualification of petition upon receipt of certificates or amended certificates by Secretary of State.

1. If the certificates received by the Secretary of State from all the county clerks establish that the number of valid signatures is less than 90 percent of the required number of registered voters, the petition shall be deemed to have failed to qualify, and the Secretary of State shall immediately so notify the petitioners and the county clerks.
2. If those certificates establish that the number of valid signatures is equal to or more than the sum of 100 percent of the number of registered voters needed to make the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, that the petition has the minimum number of signatures required for each petition district, the petition shall be deemed to qualify as of the date of receipt by the Secretary of State of those certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks.
3. If the certificates establish that the petitioners have 100 percent or more of the number of registered voters needed to make the petition sufficient but the petition fails to qualify pursuant to subsection 2, each county clerk who received a request to remove a name pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, shall remove each name as requested, amend the certificate and transmit the amended certificate to the Secretary of State. If the amended certificates establish that the petitioners have 100 percent or more of the number of registered voters needed to make the petition sufficient and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, that the petition has the minimum number of signatures required for each petition district, the petition shall be deemed to qualify as of the date of receipt by the Secretary of State of the amended certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks. (Added to NRS by 1985, 1091; A 1993, 2666; 2001, 642; 2009, 2589; 2011, 1786, 3273; 2019, 1630)

NRS 293.1279 Qualification or disqualification of petition upon verification of signatures; regulations.

1. If the statistical sampling shows that the number of valid signatures filed is 90 percent or more, but less than the sum of 100 percent of the number of signatures of registered voters needed to declare the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, the Secretary of State shall order the county clerks to examine the signatures for verification. The county clerks shall examine the signatures for verification until they determine that 100 percent of the number of signatures of registered voters needed to declare the petition sufficient are valid. If the county clerks received a request to remove a name pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, the county clerks may not determine that 100 percent of the number of signatures of registered voters needed to declare the petition sufficient are valid until they have removed each name as requested pursuant to NRS 295.055 or 306.015.
2. Except as otherwise provided in this subsection, if the statistical sampling shows that the number of valid signatures filed in any county is 90 percent or more but less than the sum of 100 percent of the number of signatures of registered voters needed to constitute 10 percent of the number of voters who voted at the last preceding general election in that county plus the total number of requests to remove a name received by the county clerk in that county pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, the Secretary of State may order the county clerk in that county to examine every signature for verification. If the county clerk

- received a request to remove a name pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable, the county clerk may not determine that 100 percent or more of the number of signatures of registered voters needed to constitute 10 percent of the number of voters who voted at the last preceding general election in that county are valid until the county clerk has removed each name as requested pursuant to NRS 295.055 or 306.015. In the case of a petition for initiative or referendum that proposes a constitutional amendment or statewide measure, if the statistical sampling shows that the number of valid signatures in any petition district is 90 percent or more but less than the sum of 100 percent of the number of signatures of registered voters required for that petition district pursuant to NRS 295.012 plus the total number of requests to remove a name received by the county clerk or county clerks, if the petition district comprises more than one county, pursuant to NRS 295.055, the Secretary of State may order a county clerk to examine every signature for verification.
- 3 After the receipt of such an order, the county clerk or county clerks shall determine from the records of registration what number of registered voters have signed the petition and, if appropriate, tally those signatures by petition district. This determination must be completed within 12 days, excluding Saturdays, Sundays and holidays, after the receipt of an order regarding a petition containing signatures which are required to be verified pursuant to NRS 293.128, 295.056, 298.109 or 306.110, or pursuant to NRS 306.035 for a petition to recall a public officer who holds a statewide office, and within 5 days, excluding Saturdays, Sundays and holidays, after the receipt of an order regarding a petition containing signatures which are required to be verified pursuant to NRS 293.172 or 293.200. If necessary, the board of county commissioners shall allow the county clerk additional assistants for examining the signatures and provide for their compensation. In determining from the records of registration what number of registered voters have signed the petition and in determining in which petition district the voters reside; the county clerk must use the statewide voter registration list. The county clerk may rely on the appearance of the signature and the address and date included with each signature in determining the number of registered voters that signed the petition.
- 4 Except as otherwise provided in subsection 5, upon completing the examination, the county clerk or county clerks shall immediately attach to the documents of the petition an amended certificate, properly dated, showing the result of the examination and shall immediately forward the documents with the amended certificate to the Secretary of State. A copy of the amended certificate must be filed in the county clerk's office. In the case of a petition for initiative or referendum to propose a constitutional amendment or statewide measure, if a petition district comprises more than one county, the county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the amended certificate.
- 5 For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not forward to the Secretary of State the documents containing the signatures of the registered voters.
- 6 Except for a petition to recall a county, district or municipal officer, the petition shall be deemed filed with the Secretary of State as of the date on which the Secretary of State receives certificates from the county clerks showing the petition to be signed by the requisite number of voters of the State.
- 7 If the amended certificates received from all county clerks by the Secretary of State establish that the petition is still insufficient, the Secretary of State shall immediately notify the petitioners and the county clerks. If the petition is a petition to recall a county, district or municipal officer, the Secretary of State shall also notify the filing officer with whom the petition is to be filed.

- 8 The Secretary of State shall adopt regulations to carry out the provisions of this section. (Added to NRS by 1985, 1091; A 1985, 551; 1987, 1362; 1993, 2666; 1997, 751; 1999, 2148; 2001, 642; 2003, 2174; 2007, 2742; 2009, 2590; 2011, 1786, 3273; 2015, 3570; 2019, 1630)

NRS 293.12793 Appeal with Secretary of State contesting verification of signatures; notification of public officer who is subject of petition to recall; consideration and investigation of allegations.

- 1 If the Secretary of State determines that the total number of signatures that the county clerks have certified pursuant to NRS 293.1277 or 293.1279 is less than 100 percent of the number of registered voters needed to make the petition sufficient, the person who submitted the petition may contest the verification of the signatures by filing an appeal with the Secretary of State. The appeal must:
 - (a) Be filed within 5 working days after receipt of notification of the determination of the Secretary of State;
 - (b) Include each reason for the appeal; and
 - (c) Include a statement of the number of signatures, if any, that the county clerk determined were invalid.
- 2 The Secretary of State shall:
 - (a) If the petition was circulated pursuant to chapter 306 of NRS, immediately notify the public officer who is the subject of the petition of the appeal by the person who submitted the petition; and
 - (b) Consider the allegations and conduct an investigation, if necessary. (Added to NRS by 1993, 2664; A 1997, 752; 1999, 3546) NRS 293.12795 Action by Secretary of State upon review of appeal; judicial review of decision of Secretary of State.
- 1 If an appeal is based upon the results of the verification of signatures on a petition performed pursuant to NRS 293.1277 or 293.1279, the Secretary of State shall:
 - (a) If the Secretary of State finds for the appellant, order the county clerk to recertify the petition, including as verified signatures all contested signatures which the Secretary of State determines are valid. If the county clerk has not yet removed each name as requested pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, the county clerk shall do so before recertifying the petition.
 - (b) If the Secretary of State does not find for the appellant, notify the appellant and the county clerk that the petition remains insufficient.
- 2 If the Secretary of State is unable to make a decision on the appeal based upon the documents submitted, the Secretary of State may order the county clerk to re-verify the signatures.
- 3 The decision of the Secretary of State is a final decision for the purposes of judicial review. The decision of the Secretary of State may only be appealed in the First Judicial District Court. (Added to NRS by 1993, 2664; A 2001, 643; 2019, 1632)

CHAPTER 295 – CERTAIN STATE AND LOCAL BALLOT QUESTIONS

NRS 295.009 Requirements for petition: Must embrace one subject; must include description.

1. Each petition for initiative or referendum must:
 - (a) Embrace but one subject and matters necessarily connected therewith and pertaining thereto; and
 - (b) Set forth, in not more than 200 words, a description of the effect of the initiative or referendum if the initiative or referendum is approved by the voters. The description must appear on each signature page of the petition.
2. For the purposes of paragraph (a) of subsection 1, a petition for initiative or referendum embraces but one subject and matters necessarily connected therewith and pertaining thereto, if the parts of the proposed initiative or referendum are functionally related and germane to each other in a way that provides sufficient notice of the general subject of, and of the interests likely to be affected by, the proposed initiative or referendum. (Added to NRS by 2005, 2837)

NRS 295.015 Copy of petition and certain information to be filed with Secretary of State before presentation to voters for signatures and after any amendment; effect of amendment on petition; determination of fiscal effect; Legislative Counsel authorized to provide technical suggestions; posting on Secretary of State's Internet website.

1. Before a petition for initiative or referendum may be presented to the registered voters for their signatures, the person who intends to circulate the petition must:
 - (a) File a copy of the petition for initiative or referendum, including the description required pursuant to NRS 295.009, with the Secretary of State.
 - (b) Submit to the Secretary of State on a form prescribed by the Secretary of State:
 - (1) The name and signature of the person.
 - (2) If the person has formed a committee for political action for the purposes of advocating the passage of the initiative or referendum, the name of that committee for political action.
 - (3) The names of not more than three persons who are authorized to withdraw the petition or submit an amended petition.
2. If a petition for initiative or referendum or a description of the effect of an initiative or referendum required pursuant to NRS 295.009 is amended after the petition is placed on file with the Secretary of State pursuant to subsection 1:
 - (a) The revised petition must be placed on file with the Secretary of State before it is presented to the registered voters for their signatures;
 - (b) Any signatures that were collected on the original petition before it was amended are not valid; and
 - (c) The requirements for submission of the petition to each county clerk set forth in NRS 295.056 apply to the revised petition.

Upon receipt of a petition for initiative or referendum placed on file pursuant to subsection 1 or 2:

- (a) The Secretary of State shall assign to the petition for initiative or referendum a unique identifier that must:
 - (1) Consist of a serial number or letter, or both; and
 - (2) Distinguish among each different type of petition received.
- (b) The Secretary of State shall consult with the Fiscal Analysis Division of the Legislative Counsel Bureau to determine whether the petition for initiative or referendum may have any anticipated financial effect on the State or local governments if the initiative or referendum is approved by the voters. If the Fiscal Analysis Division determines that the petition for initiative or referendum may have an anticipated financial effect on the State or local governments if the initiative or referendum is approved by the voters, the Fiscal Analysis Division must prepare a fiscal note regarding the petition that includes an explanation of

any such effect.

- (c) The Secretary of State shall consult with the Legislative Counsel regarding the petition for initiative or referendum. The Legislative Counsel may provide technical suggestions regarding the petition for initiative or referendum.
- 4 Not later than 10 business days after the Secretary of State receives a petition for initiative or referendum filed pursuant to subsection 1 or 2, the Secretary of State shall post on the Secretary of State's Internet website a copy of the petition, including:
 - (a) The description of the effect of the initiative or referendum required pursuant to NRS 295.009;
 - (b) The unique identifier assigned to the petition by the Secretary of State pursuant to subsection 3;
 - (c) Any fiscal note regarding the petition prepared by the Fiscal Analysis Division pursuant to subsection 3; and
 - (d) Any suggestions regarding the petition made by the Legislative Counsel pursuant to subsection 3. (Added to NRS by 1963, 1384; A 1981, 12; 1985, 1112; 2005, 2838; 2007, 1251, 2543; 2017, 3369; 2019, 3406)

NRS 295.026 Withdrawal of petition.

- 1 A petition for initiative or referendum may be withdrawn if a person authorized pursuant to NRS 295.015 to withdraw the petition submits a notice of withdrawal to the Secretary of State on a form prescribed by the Secretary of State. Any such notice of withdrawal of:
 - (a) A petition for initiative that proposes a statute or an amendment to a statute must be submitted to the Secretary of State not later than 90 days before the election at which the question of approval or disapproval of the initiative will appear on the ballot;
 - (b) A petition for initiative that proposes an amendment to the Constitution must be submitted to the Secretary of State not later than 90 days before the first election at which the question of approval or disapproval of the initiative will appear on the ballot; or
 - (c) A petition for referendum must be submitted to the Secretary of State not later than 90 days before the election at which the question of approval or disapproval of the referendum will appear on the ballot.
- 2 Once a petition for initiative or referendum is withdrawn pursuant to subsection 1, no further action may be taken on that petition. (Added to NRS by 2017, 3369; A 2021, 1261)

NRS 295.035 Petition for initiative proposing amendment to Constitution: Secretary of State to use same number for identification of petition when submitted at successive elections.

If the initiative petition proposes an amendment to the Constitution, in resubmitting the initiative to the voters, the Secretary of State shall use the same identifying number or other identification used for the first submission. (Added to NRS by 1963, 1384; A 1973, 332; 1985, 550)

NRS 295.045 Petition for referendum: Filing; submission to voters at general election.

- 1 A petition for referendum must be filed with the Secretary of State not less than 120 days before the date of the next succeeding general election.
- 2 The Secretary of State shall certify the questions to the county clerks.
- . The title of the statute or resolution must be set out on the ballot, and the question printed upon the ballot for the information of the voters must be as follows: "Shall the statute (setting out its title) be approved?"
- 4 Where a mechanical voting system is used, the title of the statute must appear on the list of offices and candidates and the statements of measures to be voted on and may be condensed to no more than 25 words.
- 5 The votes cast upon the question must be counted and canvassed as the votes for state

officers are counted and canvassed. (Added to NRS by 1963, 1383; A 1977, 247; 1979, 268; 1981, 13; 1985, 1112; 2005, 2838; 2015, 3177; 2019, 4124)

NRS 295.055 Regulations specifying format of petition; each document of petition limited to voters of single petition district; removal of name from petition.

1. The Secretary of State shall by regulation specify:
 - (a) The format for the signatures on a petition for an initiative or referendum and make free specimens of the format available upon request. The regulations must ensure that the format includes, without limitation, that:
 - (1) In addition to signing the petition, a person who signs a petition:
 -) Shall print the person's given name followed by the person's surname on the petition before the person's signature; and
 - (II) Must indicate the petition district in which the person resides, if known.
 - (2) Each signature must be dated.
 - (b) The manner of fastening together several sheets circulated by one person to constitute a single document.
2. The registered voter may consult the list of the registered voters in this State posted on the website maintained by the Secretary of State pursuant to subsection 1 of NRS 293.4687 to determine the petition district in which the registered voter resides. The registered voter may rely on the information contained in the list when the registered voter indicates the appropriate petition district, unless the registered voter believes that the information is inaccurate.
3. Each document of the petition must bear the name of a petition district, and only registered voters of that petition district may sign the document.
4. A person who signs a petition may request that the county clerk remove the person's name from the petition by transmitting a request in writing to the county clerk at any time before the petition is filed with the county clerk. (Added to NRS by 1963, 1385; A 1985, 550; 1987, 1374; 2001, 644; 2007, 326; 2009, 2592; 2011, 1788)

NRS 295.056 Requirements for submission of signatures to county clerk.

1. Before a petition for initiative or referendum is filed with the Secretary of State, the petitioners must submit to each county clerk for verification pursuant to NRS 293.1276 to 293.1279, inclusive, the document or documents which were circulated for signature within the clerk's county. The clerks shall give the person submitting a document or documents a receipt stating the number of documents and pages and the person's statement of the number of signatures contained therein.
2. If a petition for initiative proposes a statute or an amendment to a statute, the document or documents must be submitted not later than the 15th day following the general election.
3. If a petition for initiative proposes an amendment to the Constitution, the document or documents must be submitted not later than the 15th day following the primary election.
4. If the petition is for referendum, the document or documents must be submitted not later than the 15th day following the primary election.
5. All documents which are submitted to a county clerk for verification must be submitted at the same time. If documents concerning the same petition are submitted for verification to more than one county clerk, the documents must be submitted to each county clerk on the same day. At the time that the petition is submitted to a county clerk for verification, the petitioners may designate a contact person who is authorized by the petitioners to address questions or issues relating to the petition. (Added to NRS by 1983, 923; A 1985, 551, 1113; 1991, 2226; 1993, 2669; 1999, 3560; 2007, 326, 1186; 2011, 1789; 2017, 3370; 2019, 4124)

NRS 295.0575 Petition may consist of more than one document; circulator's affidavit.

A petition for a constitutional amendment or a petition for a statewide measure proposed by an initiative or referendum may consist of more than one document. Each document of a petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:

- 1 That the circulator personally circulated the document.
- . The contact information of the circulator, including, without limitation, the street address of the residence where the circulator actually resides, unless a street address has not been assigned. If a street address has not been assigned, the document must contain the mailing address of the circulator.
- 3 That the circulator is 18 years of age or older.
- . The number of signatures thereon.
- 4 That all the signatures were affixed in the circulator's presence.
- . That each signer had an opportunity before signing to read the full text of the act or resolution on which the initiative or referendum is demanded. (Added to NRS by 2007, 2543; A 2011, 1789, 3307)

NRS 295.0585 County clerk required to make copies of petition and signatures; copies to be made available to public.

After a petition for a constitutional amendment or a petition for a statewide measure proposed by an initiative or referendum is submitted for signature verification to the county clerk, the county clerk shall make true and correct copies of all the documents of the petition and signatures thereon and shall make such copies and signatures available to the public for a period of not less than 14 days. (Added to NRS by 2007, 2542)

NRS 295.061 Challenge to description of petition; challenge to legal sufficiency of petition.

- 1 Except as otherwise provided in subsection 3, whether an initiative or referendum embraces but one subject and matters necessarily connected therewith and pertaining thereto, and the description of the effect of an initiative or referendum required pursuant to NRS 295.009, may be challenged by filing a complaint in the First Judicial District Court not later than 15 days, Saturdays, Sundays and holidays excluded, after a copy of the petition is placed on file with the Secretary of State pursuant to NRS 295.015. All affidavits and documents in support of the challenge must be filed with the complaint. The court shall set the matter for hearing not later than 15 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings.
- 2 The legal sufficiency of a petition for initiative or referendum may be challenged by filing a complaint in district court not later than 7 days, Saturdays, Sundays, and holidays excluded, after the petition is certified as sufficient by the Secretary of State. All affidavits and documents in support of the challenge must be filed with the complaint. The court shall set the matter for hearing not later than 15 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings.
- 3 If a description of the effect of an initiative or referendum required pursuant to NRS 295.009 is challenged successfully pursuant to subsection 1 and such description is amended in compliance with the order of the court, the amended description may not be challenged. (Added to NRS by 1999, 3560; A 2005, 2839; 2007, 326, 1251; 2011, 3074)

COUNTY BALLOT QUESTIONS GENERALLY

NRS 295.075 “Board” defined.

As used in NRS 295.075 to 295.125, inclusive, unless the context otherwise requires, “board” means the board of county commissioners. (Added to NRS by 1967, 380; A 1999, 2120)

NRS 295.085 Registered voters’ power of initiative and referendum concerning county ordinances.

The registered voters of a county may:

- 1 Propose ordinances to the board and, if the board fails to adopt an ordinance so proposed without change in substance, adopt, or reject it at a general election.
- 2 Require reconsideration by the board of any adopted ordinance and, if the board fails to repeal an ordinance so reconsidered, approve or reject it at a general election. (Added to NRS by 1967, 380; A 1993, 1032; 2005, 2839)

NRS 295.095 Commencement of proceedings: Petitioners’ committee; form and requirements of petition; determination of anticipated financial effect; circulator’s affidavit; receipt for petition issued by clerk.

- 1 Any five registered voters of the county may commence initiative or referendum proceedings by filing with the county clerk an affidavit stating they will constitute the petitioners’ committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered.
- 2 Initiative petitions must be signed by a number of registered voters of the county equal to 15 percent or more of the number of voters who voted at the last preceding general election in the county.
- 3 Referendum petitions must be signed by a number of registered voters of the county equal to 10 percent or more of the number of voters who voted at the last preceding general election in the county.
- 4 Upon receipt of a petition for initiative or referendum placed on file pursuant to subsection 1, the county clerk shall consult with the board to determine if the initiative or referendum may have any anticipated financial effect on the local government if the initiative or referendum is approved by the voters. If the board determines that the initiative or referendum may have an anticipated financial effect on the local government if the initiative or referendum is approved by the voters, the board must prepare a description of the anticipated financial effect and the county clerk shall post a copy of this information on the county clerk’s Internet website, if the county clerk maintains one.
- 5 A petition must be submitted to the county clerk for verification, pursuant to NRS 295.250 to 295.290, inclusive, not later than:
 - (a) One hundred and eighty days after the date that the affidavit required by subsection 1 is filed with the county clerk; or
 - (b) One hundred and thirty days before the election, whichever is earlier.
- 6 A petition may consist of more than one document, but all documents of a petition must be uniform in size and style, numbered and assembled as one instrument for submission. Each signature must be executed in ink or indelible pencil, be preceded by the printed given name followed by the surname of the person signing and be followed by the address of the person signing and the date on which the person signed the petition. All signatures on a petition must be obtained within the period specified in subsection 5. Each document must contain, or have attached thereto throughout its circulation, the full text of the ordinance proposed or sought to be reconsidered.
- 7 Each document of a petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:
 - (a) That the circulator personally circulated the document;
 - (b) The number of signatures thereon;

- (c) That all the signatures were affixed in the circulator's presence; and
 - (d) That each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.
- 8 The county clerk shall issue a receipt to any person who submits a petition pursuant to this section. The receipt must set forth the number of:
 - (a) Documents included in the petition;
 - (b) Pages in each document; and
 - (c) Signatures that the person declares are included in the petition. (Added to NRS by 1967, 380; A 1989, 1182; 1997, 2787; 2001, 644, 2964; 2007, 327, 2543)

NRS 295.105 Certification of sufficiency of petition; review of certification.

- 1 Within 20 days after the petition is submitted to the county clerk pursuant to NRS 295.095, the county clerk shall complete a certificate as to its sufficiency.
- 2 If a petition is certified sufficient, or if a petition is certified insufficient and the petitioners' committee does not elect to request board review under subsection 3 within the time required, the county clerk shall promptly present his or her certificate to the board and the certificate is a final determination as to the sufficiency of the petition.
- 3 If a petition has been certified insufficient, the committee may, within 2 days after receiving a copy of the certificate, file a request that it be reviewed by the board. The board shall review the certificate at its next meeting following the filing of the request and approve or disapprove it, and the determination of the board is a final determination as to the sufficiency of the petition.
- 4 A final determination as to the sufficiency of a petition is subject to judicial review. If the final determination is challenged by filing a complaint in district court, the court shall set the matter for hearing not later than 3 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings. A final determination of insufficiency, even if sustained upon judicial review, does not prejudice the filing of a new petition for the same purpose. (Added to NRS by 1967, 380; A 1989, 1183; 2001, 2965; 2005, 2839)

NRS 295.115 Consideration by board; submission to registered voters; withdrawal of petition.

- 1 When an initiative or referendum petition has been finally determined sufficient, the board shall promptly consider the proposed initiative ordinance in the manner provided by law for the consideration of ordinances generally or reconsider the referred ordinance by voting its repeal. If, within 30 days after the date the petition was finally determined sufficient, the board fails to adopt the proposed initiative ordinance without any change in substance or fails to repeal the referred ordinance, the board shall submit the proposed or referred ordinance to the registered voters of the county.
- 2 The vote of the county on the proposed or referred ordinance must be held at the next general election. Copies of the proposed or referred ordinance must be made available at the polls.
- 3 An initiative or referendum petition may be withdrawn at any time before the 30th day preceding the day scheduled for a vote of the county or the deadline for placing questions on the ballot, whichever is earlier, by filing with the county clerk a request for withdrawal signed by at least four members of the petitioners' original committee. Upon the filing of that request, the petition has no further effect, and all proceedings thereon must be terminated. (Added to NRS by 1967, 381; A 1969, 896; 1993, 1032; 2001, 2966; 2005, 2840)

NRS 295.121 Appointment of committees to prepare arguments advocating and opposing approval of ballot questions; duties of committees; regulations; preparation of arguments by county clerk if board fails to appoint committee; review of arguments; placement of arguments in sample ballots.

- 1 For each initiative, referendum, advisory question, or other question to be placed on the ballot by:
 - (a) The board, including, without limitation, pursuant to NRS 295.115, 295.160 or 295.230;
 - (b) The governing body of a school district, public library or water district authorized by law to submit questions to some or all of the qualified electors or registered voters of the county; or
 - (c) A metropolitan police committee on fiscal affairs authorized by law to submit questions to some or all of the qualified electors or registered voters of the county, the board shall, in consultation with the county clerk pursuant to subsection 5, appoint two committees. Except as otherwise provided in subsection 2, one committee must be composed of three persons who favor approval by the voters of the initiative, referendum or other question and the other committee must be composed of three persons who oppose approval by the voters of the initiative, referendum, or other question.
- 2 If, after consulting with the county clerk pursuant to subsection 5, the board is unable to appoint three persons who are willing to serve on a committee, the board may appoint fewer than three persons to that committee, but the board must appoint at least one person to each committee appointed pursuant to this section.
3. With respect to a committee appointed pursuant to this section:
 - (a) A person may not serve simultaneously on the committee that favors approval by the voters of an initiative, referendum or other question and the committee that opposes approval by the voters of that initiative, referendum, or other question.
 - (b) Members of the committee serve without compensation.
 - (c) The term of office for each member commences upon appointment and expires upon the publication of the sample ballot containing the initiative, referendum, or other question.
- 4 The county clerk may establish and maintain a list of the persons who have expressed an interest in serving on a committee appointed pursuant to this section. The county clerk, after exercising due diligence to locate persons who favor approval by the voters of an initiative, referendum, or other question to be placed on the ballot or who oppose approval by the voters of an initiative, referendum, or other question to be placed on the ballot, may use the names on a list established pursuant to this subsection to:
 - (a) Make recommendations pursuant to subsection 5; and
 - (b) Appoint members to a committee pursuant to subsection 6.
5. Before the board appoints a committee pursuant to this section, the county clerk shall:
 - (a) Recommend to the board persons to be appointed to the committee; and
 - (b) Consider recommending pursuant to paragraph (a):
 - (1) Any person who has expressed an interest in serving on the committee; and
 - (2) A person who is a member of an organization that has expressed an interest in having a member of the organization serve on the committee.
- 6 If the board fails to appoint a committee as required pursuant to this section, the county clerk shall, in consultation with the district attorney, prepare an argument advocating approval by the voters of the initiative, referendum or other question and an argument opposing approval by the voters of the initiative, referendum or other question. Each argument prepared by the county clerk must satisfy the requirements of paragraph (f) of subsection 7 and any rules or regulations adopted by the county clerk pursuant to subsection 8. The county clerk shall not prepare the rebuttal of the arguments required pursuant to paragraph (e) of subsection 7.

- 7 A committee appointed pursuant to this section:
 - (a) Shall elect a chair for the committee;
 - (b) Shall meet and conduct its affairs as necessary to fulfill the requirements of this section;
 - (c) May seek and consider comments from the general public;
 - (d) Shall prepare an argument either advocating or opposing approval by the voters of the initiative, referendum, or other question, based on whether the members were appointed to advocate or oppose approval by the voters of the initiative, referendum, or other question;
 - (e) Shall prepare a rebuttal to the argument prepared by the other committee appointed pursuant to this section;
 - (f) Shall address in the argument and rebuttal prepared pursuant to paragraphs (d) and (e):
 - (1) The anticipated financial effect of the initiative, referendum, or other question;
 - (2) The environmental impact of the initiative, referendum, or other question; and
 - (3) The impact of the initiative, referendum or other question on the public health, safety, and welfare; and
 - (g) Shall submit the argument and rebuttal prepared pursuant to paragraphs (d), (e) and (f) to the county clerk not later than the date prescribed by the county clerk pursuant to subsection 8.
- 8 The county clerk shall provide, by rule or regulation:
 - (a) The maximum permissible length of an argument or rebuttal prepared pursuant to this section; and
 - (b) The date by which an argument or rebuttal prepared pursuant to this section must be submitted by the committee to the county clerk.
- 9 Upon receipt of an argument or rebuttal prepared pursuant to this section, the county clerk:
 - (a) May consult with persons who are generally recognized by a national or statewide organization as having expertise in the field or area to which the initiative, referendum or other question pertains; and
 - (b) Shall reject each statement in the argument or rebuttal that the county clerk believes is libelous or factually inaccurate. The decision of the county clerk to reject a statement pursuant to this subsection is a final decision for purposes of judicial review. Not later than 5 days after the county clerk rejects a statement pursuant to this subsection, the committee may appeal that rejection by filing a complaint in district court. The court shall set the matter for hearing not later than 3 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings.
10. The county clerk shall place in the sample ballot provided to the registered voters of the county each argument and rebuttal prepared pursuant to this section, containing all statements that were not rejected pursuant to subsection 9. The county clerk may revise the language submitted by the committee so that it is clear, concise, and suitable for incorporation in the sample ballot, but shall not alter the meaning or effect without the consent of the committee.
11. Except as otherwise provided in this subsection, if a question is to be placed on the ballot by an entity described in paragraph (b) or (c) of subsection 1, the entity must provide a copy and explanation of the question to the county clerk at least 30 days earlier than the date required for the submission of such documents pursuant to subsection 1 of NRS 293.481. This subsection does not apply to a question if the date that the question must be submitted to the county clerk is governed by subsection 3 of NRS 293.481.
12. The provisions of chapter 241 of NRS do not apply to any consultations, deliberations,

hearings or meetings conducted pursuant to this section. (Added to NRS by 1999, 2118; A 2001, 645, 1974; 2003, 1662, 1693, 3199, 3513; 2005, 2840; 2007, 1142; 2011, 1208; 2013, 650)

NRS 295.125 Results of election.

- 1 If a majority of the registered voters voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.
- 2 If a majority of the registered voters voting on a referred ordinance vote against it, it shall be considered repealed upon certification of the election results. (Added to NRS by 1967, 382)

COUNTY REFERENDUM CONCERNING SPECIFIC LEGISLATIVE ACTS OR RESOLUTIONS

NRS 295.140 Petition for referendum: Form and requirements; circulator's affidavit; receipt issued by clerk; certification of sufficiency; review of certification.

- 1 Whenever 10 percent or more of the registered voters of any county of this State, as shown by the number of registered voters who voted at the last preceding general election, express their wish that any act or resolution enacted by the Legislature, and pertaining to that county only, be submitted to the vote of the people, they shall submit to the county clerk a petition, which must contain the names and residence addresses of at least 10 percent of the registered voters of that county, demanding that a referendum vote be had by the people of the county at the next general election upon the act or resolution on which the referendum is demanded.
- 2 A petition must be submitted to the county clerk for verification, pursuant to NRS 295.250 to 295.290, inclusive, not later than 130 days before the time set for the next succeeding general election.
- 3 A petition may consist of more than one document, but all documents of a petition must be uniform in size and style, numbered and assembled as one instrument for submission. Each signature must be executed in ink or indelible pencil, be preceded by the printed given name followed by the surname of the person signing and be followed by the address of the person signing and the date on which the person signed the petition. Each document must contain, or have attached thereto throughout its circulation, the full text of the act or resolution on which the referendum is demanded.
- 4 Each document of a petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:
 - (a) That the circulator personally circulated the document;
 - (b) The number of signatures thereon;
 - (c) That all the signatures were affixed in the circulator's presence;
 - (d) That the circulator believes them to be genuine signatures of the persons whose names they purport to be; and
 - (e) That each signer had an opportunity before signing to read the full text of the act or resolution on which the referendum is demanded.
- 5 The county clerk shall issue a receipt to any person who submits a petition pursuant to this section. The receipt must set forth the number of:
 - (a) Documents included in the petition;
 - (b) Pages in each document; and
 - (c) Signatures that the person declares are included in the petition.
- 6 Within 20 days after a petition is submitted, the county clerk shall complete a certificate as to its sufficiency. Unless a request for review is filed pursuant to subsection 7, the certificate is a final determination as to the sufficiency of the petition.
- 7 If a petition is certified insufficient, the person who submitted the petition may, within 2 days after receiving a copy of the certificate, file a request that it be reviewed by the board of county commissioners. The board shall review the certificate at its next meeting following the filing of the request and approve or disapprove it, and the determination of the board is a final determination as to the sufficiency of the petition.
- 8 A final determination as to the sufficiency of a petition is subject to judicial review. If the final determination is challenged by filing a complaint in district court, the court shall set the matter for hearing not later than 3 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings. A final determination of insufficiency, even if sustained upon judicial review, does not prejudice the filing of a new petition for the same purpose. (Added to NRS by 1960, 280; A 1993, 1033; 2001, 2966; 2005, 2842; 2007, 328)

NRS 295.150 Names of registered voters may be contained in more than one petition; verification of petition.

- 1 The names of the registered voters petitioning need not all be upon one petition but may be contained on one or more petitions; but each petition shall be verified by at least one of the voters who has signed such petition.
- 2 The voter making the verification shall swear, on information and belief, that the persons signing the petition are registered voters of the county and state, and that such signatures are genuine and were executed in his or her presence. (Added to NRS by 1960, 280)

NRS 295.160 Submission of question to people; publication.

- 1 If the petition is determined to be sufficient, the county clerk shall, at the next general election, submit the act or resolution, by appropriate questions on the ballot, for the approval or disapproval of the people of that county.
- 2 The county clerk shall publish those questions in accordance with the provisions of law requiring county clerks to publish statewide measures pursuant to NRS 293.253. (Added to NRS by 1960, 280; A 1993, 1033; 2001, 2967; 2005, 2843; 2015, 3177)

NRS 295.170 Form of question on ballot; count and canvass of votes.

- 1 The subject matter of such questions must be stated concisely on the ballot, and the question printed upon the ballot for the information of the voter must be as follows: "Shall the act (setting out the title thereof) be approved?"
- 2 Where a mechanical voting system is used, the title of the act must appear on the list of offices and candidates and the statements of measures to be voted on and may be condensed by the district attorney to 20 words.
- 3 The district attorney shall prepare an explanation of each such question, which must be placed on the ballot or the list of offices and candidates and the statements of measures to be voted on or posted in the polling place.
- 4 The votes cast upon such question must be counted and canvassed as the votes for county officers are counted and canvassed. (Added to NRS by 1960, 281; A 1967, 1226; 1977, 248; 1985, 1114)

NRS 295.180 Effect of approval or disapproval of majority of registered voters.

1. When a majority of the registered voters of the county voting upon the question submitted, by their vote, approve the act or resolution, it is the law of the State, and may not be repealed, overruled, annulled, set aside or in any way made inoperative, except by a direct vote of the registered voters of that county.
2. When a majority of the registered voters of that county voting upon the question submitted disapproves, the act or resolution is void. (Added to NRS by 1960, 281; A 1987, 1374)

CITY BALLOT QUESTIONS GENERALLY

NRS 295.195 Definitions.

As used in NRS 295.195 to 295.220, inclusive, unless the context otherwise requires:

- 1 "City" means an incorporated city.
- . "Council" means the governing body of a city. (Added to NRS by 1967, 377; A 1987, 1719; 1999, 2120)

NRS 295.200 Registered voters' power of initiative and referendum concerning city ordinances.

The registered voters of a city may:

- 1 Propose ordinances to the council and, if the council fails to adopt an ordinance so proposed without change in substance, adopt, or reject it at the next general city election or general election.

- 2 Require reconsideration by the council of any adopted ordinance and, if the council fails to repeal an ordinance so reconsidered, approve or reject it at the next general city election or general election. (Added to NRS by 1967, 378; A 1987, 364; 1993, 1033; 2005, 2844)

NRS 295.205 Commencement of proceedings: Petitioners' committee; form and requirements of petition; determination of anticipated financial effect; circulator's affidavit; receipt for petition issued by clerk.

- 1 Any five registered voters of the city may commence initiative or referendum proceedings by filing with the city clerk an affidavit:
 - (a) Stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form;
 - (b) Stating their names and addresses;
 - (c) Specifying the address to which all notices to the committee are to be sent; and
 - (d) Setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered.
- 2 Initiative petitions must be signed by a number of registered voters of the city equal to 15 percent or more of the number of voters who voted at the last preceding city election.
- 3 Referendum petitions must be signed by a number of registered voters of the city equal to 10 percent or more of the number of voters who voted at the last preceding city election.
- 4 Upon receipt of a petition for initiative or referendum placed on file pursuant to subsection 1, the city clerk shall consult with the council to determine if the initiative or referendum may have any anticipated financial effect on the local government if the initiative or referendum is approved by the voters. If the council determines that the initiative or referendum may have an anticipated financial effect on the local government if the initiative or referendum is approved by the voters, the council must prepare a description of the anticipated financial effect and the city clerk shall post a copy of this information on the city clerk's Internet website, if the city clerk maintains one.
- 5 A petition must be submitted to the city clerk for verification, pursuant to NRS 295.250 to 295.290, inclusive, not later than:
 - (a) One hundred and eighty days after the date that the affidavit required by subsection 1 is filed with the city clerk; or
 - (b) One hundred and thirty days before the election,❖ whichever is earlier.
- 6 A petition may consist of more than one document, but all documents of a petition must be uniform in size and style, numbered and assembled as one instrument for submission. Each signature must be executed in ink or indelible pencil, be preceded by the printed given name followed by the surname of the person signing and be followed by the address of the person signing and the date on which the person signed the petition. All signatures on a petition must be obtained within the period specified in subsection 5. Each document must contain, or have attached thereto throughout its circulation, the full text of the ordinance proposed or sought to be reconsidered.
- 7 Each document of a petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:
 - (a) That the circulator personally circulated the document;
 - (b) The number of signatures thereon;
 - (c) That all the signatures were affixed in the circulator's presence;
 - (d) That each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.
- 8 The city clerk shall issue a receipt to any person who submits a petition pursuant to this section. The receipt must set forth the number of:
 - (a) Documents included in the petition;
 - (b) Pages in each document; and
 - (c) Signatures that the person declares are included in the petition. (Added to NRS by

1967, 378; A 1987, 364; 1989, 1184; 1997, 2788; 2001, 646, 2967; 2007, 329, 2544)

NRS 295.210 Certification of sufficiency of petition; review of certification.

- 1 Within 20 days after the petition is submitted to the city clerk pursuant to NRS 295.205, the city clerk shall complete a certificate as to its sufficiency.
- 2 If a petition is certified sufficient, or if a petition is certified insufficient and the petitioners' committee does not elect to request council review under subsection 3 within the time required, the city clerk must promptly present the city clerk's certificate to the council and the certificate is a final determination as to the sufficiency of the petition.
- 3 If a petition has been certified insufficient, the committee may, within 2 days after receiving the copy of the certificate, file a request that it be reviewed by the council. The council shall review the certificate at its next meeting following the filing of the request and approve or disapprove it, and the council's determination is a final determination as to the sufficiency of the petition.
- 4 A final determination as to the sufficiency of a petition is subject to judicial review. If the final determination is challenged by filing a complaint in district court, the court shall set the matter for hearing not later than 3 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings. A final determination of insufficiency, even if sustained upon judicial review, does not prejudice the filing of a new petition for the same purpose. (Added to NRS by 1967, 378; A 1989, 1184; 2001, 2968; 2005, 2844)

NRS 295.215 Consideration by council; submission to registered voters; withdrawal of petition.

- 1 When an initiative or referendum petition has been finally determined sufficient, the council shall promptly consider the proposed initiative ordinance in the manner provided by law for the consideration of ordinances generally or reconsider the referred ordinance by voting its repeal. If, within 30 days after the date the petition was finally determined sufficient, the council fails to adopt the proposed initiative ordinance without any change in substance or fails to repeal the referred ordinance, the council shall submit the proposed or referred ordinance to the registered voters of the city.
- 2 The vote of the city on the proposed or referred ordinance must be held at the next general city election or general election. Copies of the proposed or referred ordinance must be made available at the polls.
- 3 An initiative or referendum petition may be withdrawn at any time before the 30th day preceding the day scheduled for a vote of the city or the deadline for placing questions on the ballot, whichever is earlier, by filing with the city clerk a request for withdrawal signed by at least four members of the petitioners' original committee. Upon the filing of that request, the petition has no further effect, and all proceedings thereon must be terminated. (Added to NRS by 1967, 379; A 1969, 896; 1987, 364; 1993, 1033; 2001, 2969; 2005, 2844)

NRS 295.217 Appointment of committees to prepare arguments advocating and opposing approval of ballot questions; duties of committees; regulations; preparation of arguments by city clerk if governing body fails to appoint committee; review of arguments; placement of arguments in sample ballots.

1. For each initiative, referendum, advisory question, or other question to be placed on the ballot by the:
 - (a) Council, including, without limitation, pursuant to NRS 295.215 or 295.230; or
 - (b) Governing body of a public library or water district authorized by law to submit questions to some or all of the qualified electors or registered voters of the city,
 - ❖ the council shall, in consultation pursuant to subsection 5 with the city clerk or other city officer authorized to perform the duties of the city clerk, appoint two committees. Except as otherwise provided in subsection 2, one committee must be composed of three persons who favor approval by the voters of the initiative, referendum or other

- question and the other committee must be composed of three persons who oppose approval by the voters of the initiative, referendum, or other question.
- 2 If, after consulting with the city clerk pursuant to subsection 5, the council is unable to appoint three persons willing to serve on a committee, the council may appoint fewer than three persons to that committee, but the council must appoint at least one person to each committee appointed pursuant to this section.
 - 3 With respect to a committee appointed pursuant to this section:
 - (a) A person may not serve simultaneously on the committee that favors approval by the voters of an initiative, referendum or other question and the committee that opposes approval by the voters of that initiative, referendum, or other question.
 - (b) Members of the committee serve without compensation.
 - (c) The term of office for each member commences upon appointment and expires upon the publication of the sample ballot containing the initiative, referendum, or other question.
 - 4 The city clerk may establish and maintain a list of the persons who have expressed an interest in serving on a committee appointed pursuant to this section. The city clerk, after exercising due diligence to locate persons who favor approval by the voters of an initiative, referendum, or other question to be placed on the ballot or who oppose approval by the voters of an initiative, referendum, or other question to be placed on the ballot, may use the names on a list established pursuant to this subsection to:
 - (a) Make recommendations pursuant to subsection 5; and
 - (b) Appoint members to a committee pursuant to subsection 6.
 - 5 Before the council appoints a committee pursuant to this section, the city clerk shall:
 - (a) Recommend to the council persons to be appointed to the committee; and
 - (b) Consider recommending pursuant to paragraph (a):
 - (1) Any person who has expressed an interest in serving on the committee; and
 - (2) A person who is a member of an organization that has expressed an interest in having a member of the organization serve on the committee.
 - 6 If the council fails to appoint a committee as required pursuant to this section, the city clerk shall, in consultation with the city attorney, prepare an argument advocating approval by the voters of the initiative, referendum or other question and an argument opposing approval by the voters of the initiative, referendum or other question. Each argument prepared by the city clerk must satisfy the requirements of paragraph (f) of subsection 7 and any rules or regulations adopted by the city clerk pursuant to subsection 8. The city clerk shall not prepare the rebuttal of the arguments required pursuant to paragraph (e) of subsection 7.
 - 7 A committee appointed pursuant to this section:
 - (a) Shall elect a chair for the committee;
 - (b) Shall meet and conduct its affairs as necessary to fulfill the requirements of this section;
 - (c) May seek and consider comments from the general public;
 - (d) Shall prepare an argument either advocating or opposing approval by the voters of the initiative, referendum, or other question, based on whether the members were appointed to advocate or oppose approval by the voters of the initiative, referendum, or other question;
 - (e) Shall prepare a rebuttal to the argument prepared by the other committee appointed pursuant to this section;
 - (f) Shall address in the argument and rebuttal prepared pursuant to paragraphs (d) and (e):
 - (1) The anticipated financial effect of the initiative, referendum, or other question;

- (2) The environmental impact of the initiative, referendum, or other question; and
- (3) The impact of the initiative, referendum or other question on the public health, safety, and welfare; and
- (g) Shall submit the argument and rebuttal prepared pursuant to paragraphs (d), (e) and (f) to the city clerk not later than the date prescribed by the city clerk pursuant to subsection 8.
- 8. The city clerk shall provide, by rule or regulation:
 - (a) The maximum permissible length of an argument or rebuttal prepared pursuant to this section; and
 - (b) The date by which an argument or rebuttal prepared pursuant to this section must be submitted by the committee to the city clerk.
- 9. Upon receipt of an argument or rebuttal prepared pursuant to this section, the city clerk:
 - (a) May consult with persons who are generally recognized by a national or statewide organization as having expertise in the field or area to which the initiative, referendum or other question pertains; and
 - (b) Shall reject each statement in the argument or rebuttal that the city clerk believes is libelous or factually inaccurate.

The decision of the city clerk to reject a statement pursuant to this subsection is a final decision for purposes of judicial review. Not later than 5 days after the city clerk rejects a statement pursuant to this subsection, the committee may appeal that rejection by filing a complaint in district court. The court shall set the matter for hearing not later than 3 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings.

- 10. The city clerk shall place in the sample ballot provided to the registered voters of the city each argument and rebuttal prepared pursuant to this section, containing all statements that were not rejected pursuant to subsection 9. The city clerk may revise the language submitted by the committee so that it is clear, concise, and suitable for incorporation in the sample ballot, but shall not alter the meaning or effect without the consent of the committee.
- 11. If a question is to be placed on the ballot by an entity described in paragraph (b) of subsection 1, the entity must provide a copy and explanation of the question to the city clerk at least 30 days earlier than the date required for the submission of such documents pursuant to subsection 1 of NRS 293.481. This subsection does not apply to a question if the date that the question must be submitted to the city clerk is governed by subsection 3 of NRS 293.481. (Added to NRS by 1999, 2119; A 2001, 647, 1976; 2003, 1695, 3201; 2005, 2845; 2007, 1144, 2545; 2011, 1210; 2013, 652)

NRS 295.220 Results of election.

- 1 If a majority of the registered voters voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.
- 2 If a majority of the registered voters voting on a referred ordinance vote against it, it shall be considered repealed upon certification of the election results. (Added to NRS by 1967, 379)

COUNTY AND CITY ADVISORY QUESTIONS

NRS 295.230 Submission of advisory questions by certain governmental entities; prerequisites to placement on ballot; description of anticipated financial effect; appearance on sample ballot; preparation of sample questions.

- 1 The governing body of a county or city may, at any general election or general city election, ask the advice of the registered voters within its jurisdiction on any question which it has under consideration. No other political subdivision, public or quasi-public corporation, or other local agency may ask the advice of the registered voters within its jurisdiction on any question which it has under consideration.
- 2 To place an advisory question on the ballot at a general election or general city election, the governing body of a county or city must:
 - (a) Adopt a resolution that:
 - (1) Sets forth:
 - (I) The question, in language indicating clearly that the question is advisory only.
 - (II) An explanation of the question that is written in easily understood language and includes a digest. The digest must include a concise and clear summary of any existing laws related to the measure proposed by the question and a summary of how the measure proposed by the question adds to, changes, or repeals such existing laws. For a measure that creates, generates, increases, or decreases any public revenue in any form, the first paragraph of the digest must include a statement that the measure creates, generates, increases, or decreases, as applicable, public revenue.
 - (III) A description of the anticipated financial effect on the local government which, if the question is an advisory question that proposes a bond, tax, fee, or expense, must be prepared by the governing body in accordance with subsection 4.
 - (2) States that the result of the voting on the question does not place any legal requirement on the governing body, any member of the governing body or any officer of the political subdivision.
 - (b) Comply with the requirements of paragraph (a) or (d) of subsection 1 of NRS 293.481.
- 3 A governing body may, at any general election, ask the advice of the registered voters of part of its territory if:
 - (a) The advisory question to be submitted affects only that part of its territory; and
 - (b) The resolution adopted pursuant to subsection 2 sets forth the boundaries of the area in which the advice of the registered voters will be asked.
- 4 With respect to a description of the anticipated financial effect that is required in connection with an advisory question:
 - (a) If, in the advisory question, the governing body seeks advice on whether bonds should be issued, the description must include any information that is required by law to be included on the sample ballot pursuant to the provisions of law that govern the procedure for issuance of the applicable type of bond.
 - (b) If, in the advisory question, the governing body seeks advice on whether a limitation upon revenue from taxes ad valorem should be exceeded, the description must include any information that is required by law to be included on the sample ballot pursuant to the provisions of law that govern the procedure for exceeding that limitation.
 - (c) If, in the advisory question, the governing body seeks advice on whether a tax other than a property tax described in paragraph (b) should be levied, the description must:
 - (1) Identify the average annual cost that is expected to be incurred by the affected taxpayers if the tax were to be levied;
 - (2) Specify the period over which the tax is proposed to be levied;
 -) Disclose whether, in connection with the levy of the tax, revenue bonds are to

be sold which will be backed by the full faith and credit of the assessed value of the applicable local government; and

- (4) If applicable, specify whether, in connection with or following the levy of the tax, additional expenses are expected to be incurred to pay for the operation or maintenance of any program or service to be provided from the proceeds of the tax or to pay for the operation or maintenance of any building, equipment, facility, machinery, property, structure, vehicle or other thing of value to be purchased, improved or repaired with the proceeds of the tax.
- (d) If, in the advisory question, the governing body seeks advice on whether a fee should be imposed, the description must:
 - (1) Identify the average annual cost that is expected to be incurred by the affected users if the fee were to be imposed;
 - (2) Specify the period over which the fee is proposed to be imposed; and
 -) If applicable, specify whether, in connection with or following the imposition of the fee, additional expenses are expected to be incurred to pay for the program or service to be provided from the proceeds of the fee or to pay for the operation or maintenance of any building, equipment, facility, machinery, property, structure, vehicle or other thing of value to be purchased, improved or repaired with the proceeds of the fee.
- (e) If, in the advisory question, the governing body seeks advice on whether the applicable local government should incur an expense, the description must:
 - (1) Identify the source of revenue that will be used to pay the expense;
 -) Disclose whether it is expected that the incurring of the expense will require the levy or imposition of a new tax or fee or the increase of an existing tax or fee; and
 - (3) If a tax or fee is proposed to be levied or imposed or increased to pay the expense, contain the information required pursuant to paragraph (c) or (d), as applicable.
- 5 On the sample ballot for the general election or general city election, each advisory question must appear:
 - (a) With a title in substantially the following form: “Advisory Ballot Question No ”; and
 - (b) With its explanation, arguments, and description of the anticipated financial effect.
- 6 The Committee on Local Government Finance shall prepare sample advisory ballot questions to demonstrate, for each situation enumerated in paragraphs (a) to (e), inclusive, of subsection 4, examples of the manner in which descriptions of the anticipated financial effect should be prepared. (Added to NRS by 1979, 701; A 1987, 354; 1993, 2190; 1999, 2117; 2003, 3195; 2007, 2528; 2013, 645)—(Substituted in revision for NRS 293.482)

VERIFICATION OF PETITIONS FOR CERTAIN COUNTY AND CITY BALLOT QUESTIONS

NRS 295.250 Determination of total number of signatures.

- 1 Upon submission of a petition containing signatures that are required to be verified pursuant to NRS 295.095, 295.140 or 295.205, the county or city clerk shall determine the total number of signatures on the petition.
- 2 If the county or city clerk finds that the total number of signatures on the petition is:
 - (a) One hundred percent or more of the required number of signatures of registered voters, the county or city clerk shall examine the signatures for verification as provided in NRS 295.260.
 - (b) Less than 100 percent of the required number of signatures of registered voters:
 - (1 The petition shall be deemed insufficient; and
 -) The county or city clerk shall not examine the signatures for verification as provided in NRS 295.260.(Added to NRS by 2001, 2962)

NRS 295.260 Verification of signatures.

- 1 If the total number of signatures on the petition is 500 or less, the county or city clerk shall examine every signature on the petition for verification.
- 2 Except as otherwise provided in this subsection, if the total number of signatures on the petition is more than 500, the county or city clerk shall examine the signatures only by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the county or city clerk is given an equal opportunity to be included in the sample. The sample must include an examination of at least 500, or 5 percent, of the signatures, whichever is greater. If the examination of the random sample shows that the number of valid signatures is less than 90 percent of the number of signatures of registered voters needed to certify the petition sufficient, the petition must be certified insufficient pursuant to subsection 5. If the examination of the random sample shows that the number of valid signatures is 90 percent or more but less than 100 percent of the number of signatures of registered voters needed to certify the petition sufficient, the county or city clerk shall continue to examine the signatures for verification until he or she has:
 - (a) Determined that 100 percent of the number of signatures of registered voters needed to certify the petition sufficient are valid; or
 - (b) Examined every signature for verification.
- 3 In determining from the records of registration the number of registered voters who have signed the petition, and in examining the signatures on the petition for verification, the county or city clerk may use any file or list of registered voters maintained by his or her office or facsimiles of the signatures of voters. If the county or city clerk uses the file or applications to register to vote, he or she shall ensure that every application in the file is examined, including any application in his or her possession which may not yet be entered into his or her records. The county or city clerk may rely on the appearance of the signature, and the address and date included with each signature, in making the determination. Notwithstanding the provisions of this subsection, a petition must not be certified insufficient for lack of the required number of valid signatures if, in the absence of other proof of disqualification, any signature on the face thereof does not exactly correspond with the signature appearing on the file or list of registered voters used by the county or city clerk and the identity of the signer can be ascertained from the face of the petition.
- 4 If necessary, the board of county commissioners or the governing body of the city shall allow the county or city clerk additional assistants for examining the signatures and provide

for their compensation.

5. If, pursuant to the examination of signatures for verification as required by this section, the number of valid signatures is:
 - (a) One hundred percent or more of the number of signatures of registered voters needed to certify the petition sufficient, the petition must be certified sufficient.
 - (b) Less than 100 percent of the number of signatures of registered voters needed to certify the petition sufficient, the petition must be certified insufficient. (Added to NRS by 2001, 2963)

NRS 295.270 Certification of sufficiency or insufficiency of petition; date petition deemed filed.

- 1 Upon the determination of the sufficiency or insufficiency of the petition pursuant to NRS 295.250 or 295.260, the county or city clerk shall:
 - (a) Attach a certificate to the petition indicating the date and the sufficiency or insufficiency of the petition;
 - (b) If the petition is certified insufficient, specify the deficiencies in the petition that render it insufficient;
 - (c) If the petition was submitted pursuant to NRS 295.095 or 295.205, promptly send a copy of the certificate by registered or certified mail to the petitioners' committee;
 - (d) If the petition was submitted pursuant to NRS 295.140, promptly send a copy of the certificate by registered or certified mail to the person who submitted the petition; and
 - (e) Retain the petition and the original certificate at the office of the county or city clerk.
- 2 The petition shall be deemed filed with the county or city clerk as of the date of the certificate showing the petition to be validly signed by the number of registered voters needed to certify the petition sufficient. (Added to NRS by 2001, 2963)

NRS 295.280 Handling of petition.

After the submission of the petition to the county or city clerk for verification pursuant to NRS 295.250 to 295.290, inclusive, the petition must not be handled by any person other than an employee of the office of the county or city clerk until the county or city clerk has attached a certificate to the petition pursuant to NRS 295.270. (Added to NRS by 2001, 2964)

NRS 295.290 County or city clerk must allow witness of determination and verification of signatures.

The county or city clerk shall allow the person who submitted the petition or a member of the petitioners' committee, if any, to witness:

- 1 The determination of the total number of signatures on the petition; and
- . The examination of the signatures on the petition for verification. (Added to NRS by 2001, 2964)

PROHIBITED ACTS

NRS 295.300 Giving compensation in exchange for signing petition for initiative or referendum prohibited.

A person shall not give compensation of any kind to any person in exchange for signing a petition for initiative or referendum. (Added to NRS by 2007, 2543)

NEVADA ADMINISTRATIVE CODE

INITIATIVE AND REFERENDUM

NAC 295.020 Requirements for individual documents of petitions for initiative or referendum.

- 1 A person who submits a petition that consists of more than one document to the county clerk for verification of the signatures shall sequentially number each page of each document in the petition, beginning with the number 1.
- 2 If a petition for an initiative or referendum consists of more than one document, each document must, in addition to any other requirements, contain the full text of the proposed measure and:
 - (a) Include sequentially numbered spaces for:
 - (1) The name of each person who signs the petition.
 -) The signature of the person signing the petition.
 - (2) The street address of the residence where the person signing the petition actually resides unless a street address has not been assigned. If a street address has not been assigned, the document may contain the mailing address of the person signing the petition.
 - (4) The name of the county and the petition district where the person who signs is a registered voter.
 - (5) The date of the signature.
 -) If the petition is a municipal initiative or referendum proposed pursuant to the provisions of NRS 295.195 to 295.220, inclusive, the name of the city in which the person who signs is registered to vote.
 - (b) Have attached to it, when filed, an affidavit signed by the person who circulated the document in substantially the following form:

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 _____; and (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 , .
Notary public or other person licensed to administer an oath
- 3 Any document of a petition may consist of more than one page. If a document consists of more than one page:
 - (a) Each page, including a blank signature page, must be numbered sequentially, beginning with the number 1 for each document;
 - (b) All the pages must be stapled, bound, or attached in a similar manner that does not include the use of paper clips, rubber bands or binder clips and must be placed in numerical order; and
 - (c) The affidavit of the circulator required by NRS 295.095 or 295.205 must appear on the last pages of the document.
- 4 As used in this section, “petition” means a petition described in Article 19 of the Nevada Constitution or NRS 295.015 or 295.045. (Added to NAC by Sec’y of State, eff. 7-18-88; A by R217-97, 5-26-98; R013-00, 4-4-2000; R183-01, 5-10-2002; R072- 06, 7-14-2006; R163-07, 12-4-2007; R092-09, 10-27-2009; R111-11, 12-30-2011)

NAC 295.025 Individual documents limited to voters of single county and petition district; separate documents required for each petition district contained within county.

- 1 Each document of a petition for initiative or referendum that proposes a constitutional amendment or statewide measure must bear the name of a county and petition district, and only registered voters of that county and petition district may sign the document.
- 2 If a county comprises more than one petition district, a petition for initiative or referendum that proposes a constitutional amendment or statewide measure must consist of a separate document for each petition district contained fully or partially within the county. (Added to NAC by Sec'y of State by R092-09, eff. 10-27-2009; A by R111-11, 12-30-2011)

NAC 295.040 Disclosure of requirement for participation in constitutional convention.

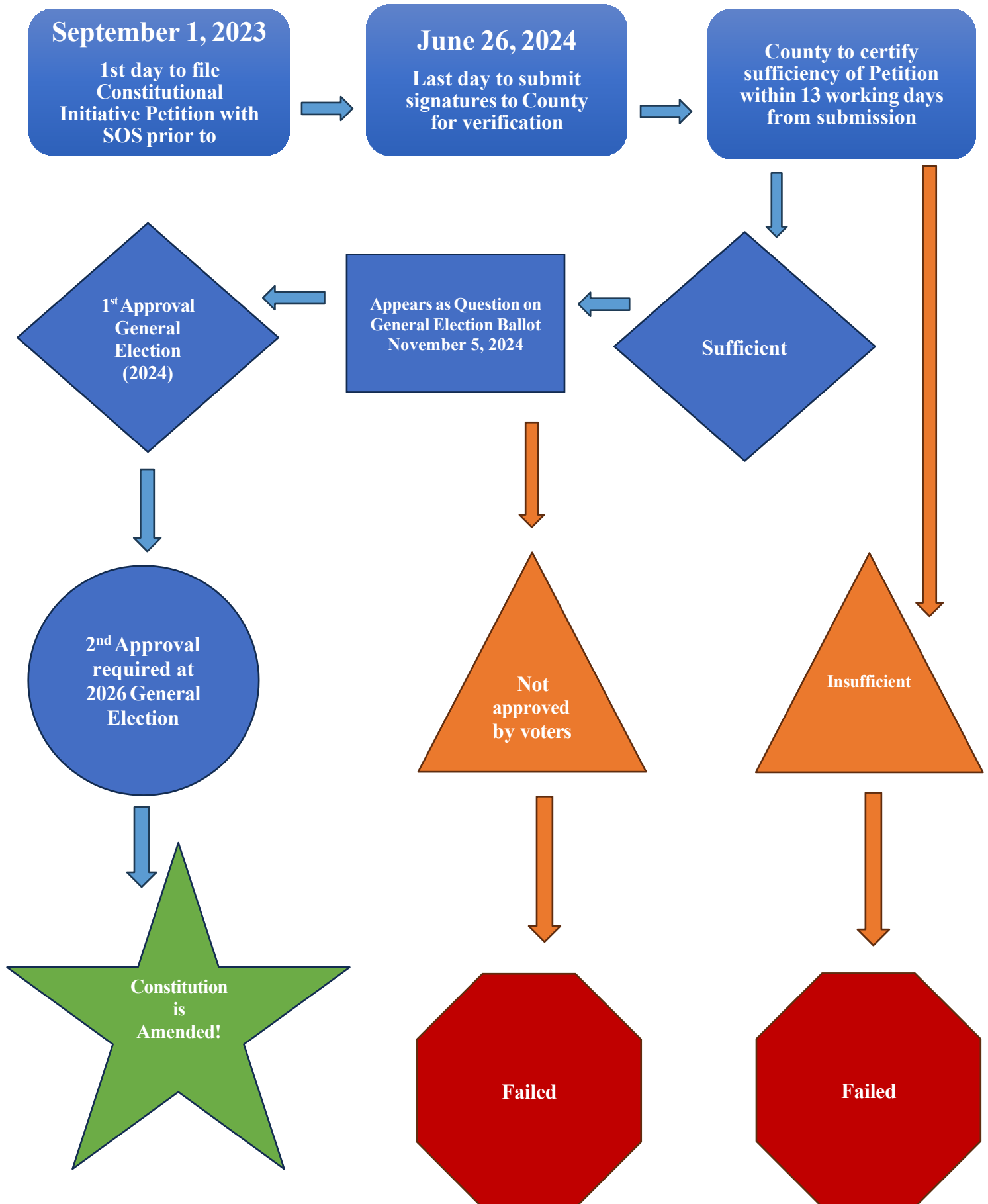
If passage of an initiative would require this state to participate in a constitutional convention called by the Congress of the United States, that fact must be stated on the first page of each document of the petition for the initiative in at least 12-point type when the petition is presented to registered voters for their signatures. (Added to NAC by Sec'y of State by R217-97, eff. 5-26-98)

NAC 295.050 Request to remove person's name from petition.

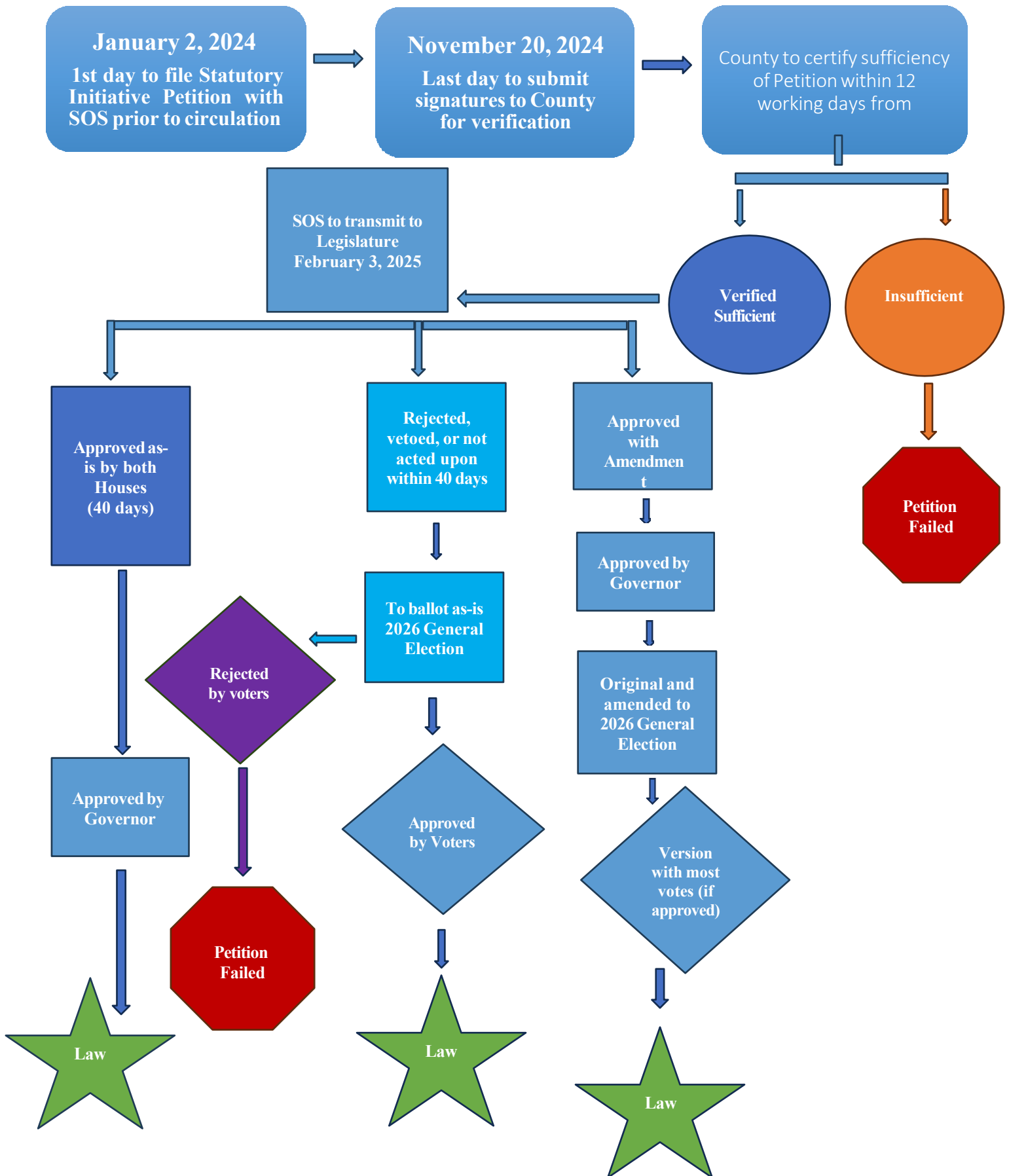
A person who requests the county clerk to remove the person's name from a petition for initiative or referendum pursuant to subsection 4 of NRS 295.055 must submit the request in writing to the county clerk. The request:

1. Must contain the person's original signature.
2. Must not be accepted by the county clerk if:
 - (a) The request is submitted to the county clerk by electronic mail;
 - (b) The county clerk is unable to determine the name of the person requesting the removal; or
 - (c) The original signature of the person on the request does not match the signature or a facsimile thereof on the person's original application to register to vote. (Added to NAC by Sec'y of State by R111-11, eff. 12-30-2011)

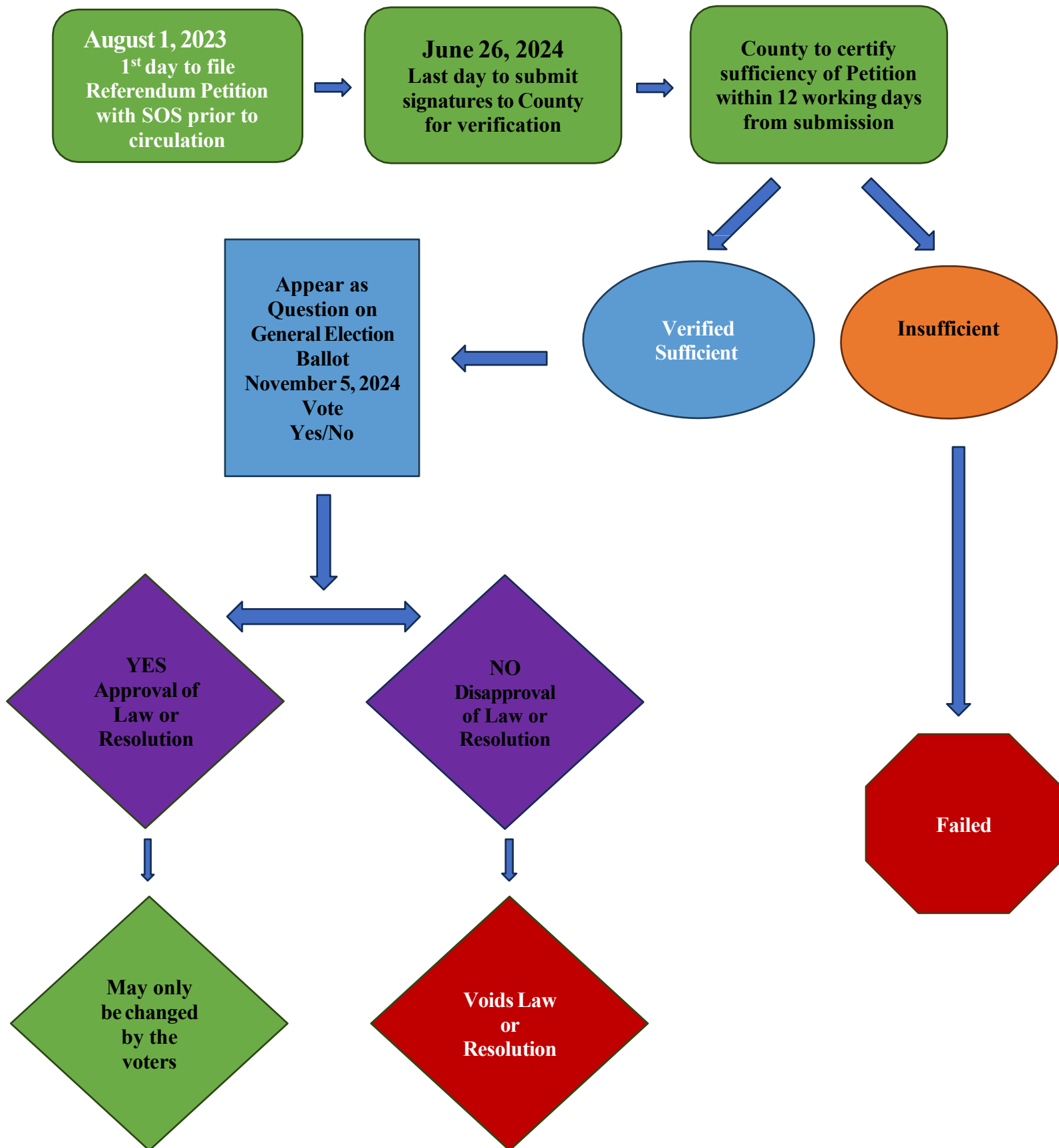
Constitutional Initiative Petition Quick Guide



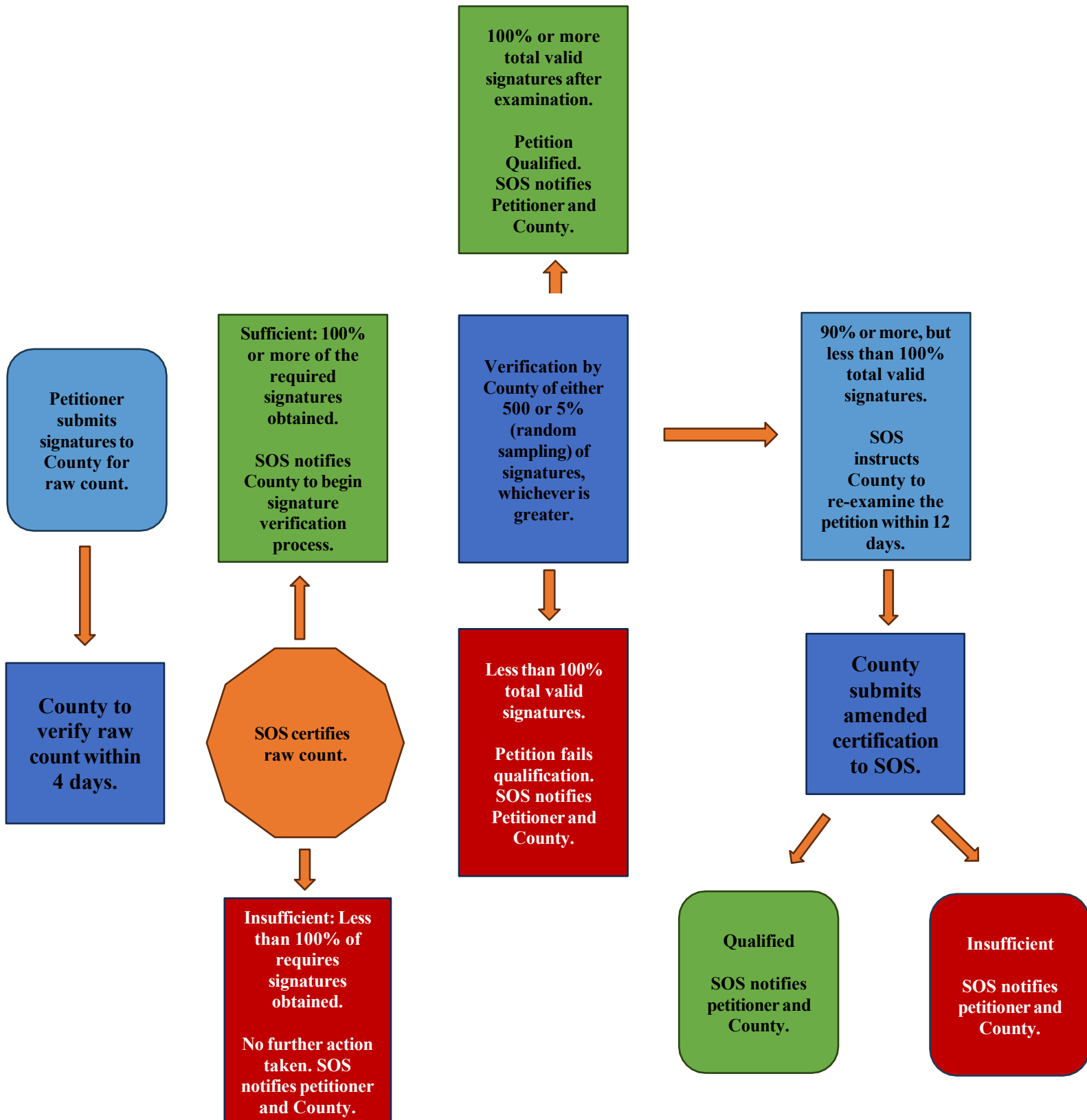
Statewide Statutory Initiative Petition Quick Guide



Statewide Referendum Petition Quick Guide



Petition Signature Verification Process Quick Guide



2024 Nevada Election Calendar

Francisco V. Aguilar, Secretary of State

Date	Event & Description	Legal Authority
	August 2023	
Aug. 1, 2023	REFERENDUM PETITION – (not earlier than August 1 st of the year before the year in which the election is to be held) First day a copy of a petition can be filed with the Secretary of State prior to circulation.	Nevada Constitution Art. 19, Sec. 1(1)
	September 2023	
Sept. 1, 2023	INITIATIVE PETITION TO AMEND THE NEVADA CONSTITUTION – (not earlier than September 1 st of the year before the year in which the election is to be held) First day a copy of an initiative petition to amend the Nevada Constitution can be filed with the Secretary of State prior to circulation.	Nevada Constitution Art. 19, Sec. 2(4)
	October 2023	
	November 2023	
	December 2023	
	January 2024	
Jan. 1, 2024	INITIATIVE PETITION PROPOSING A NEW STATE STATUTE OR TO AMEND AN EXISTING STATE STATUTE – (not earlier than January 1 st of the year preceding the year in which a regular session of the Legislature is held) First day a copy of an initiative petition proposing a new state statute or an amendment to an existing state statute can be filed with the Secretary of State prior to circulation.	Nevada Constitution Art. 19, Sec. 2(3)
Jan. 2, 2024	PETITION OF CANDIDACY - INDEPENDENT CANDIDATE – (not earlier than January 2 nd preceding the election) First day a petition of candidacy of an independent candidate for partisan office may be filed with the appropriate filing officer prior to circulation for signatures.	NRS 293.200 (1)(a)
Jan. 19, 2024	PETITION QUALIFYING MAJOR POLITICAL PARTY - COUNTY CLERKS/REGISTRAR OF VOTERS – (not later than 25 working days before the last Friday in February before a Primary Election) Last day for file with the County Clerk/Registrar of Voters for signature verification petitions to qualify as a major political party.	NRS 293.128(2)
	February 2024	
Feb. 23, 2024	PETITION QUALIFYING MAJOR POLITICAL PARTY - SECRETARY OF STATE – (not later than the last Friday in February before any Primary Election) Last day petition to qualify a major political party 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 may be filed with the Secretary of State after signature verification.	NRS 293.128(1)(b)
	March 2024	
Mar. 4, 2024 through Jun. 21, 2024	FILING PETITION OF CANDIDACY - INDEPENDENT CANDIDATES – (not earlier than the 1 st Monday in March, not later than the 3 rd Friday in June) First day independent candidates may file with the County Clerk/Registrar of Voters or the Secretary of State, as the case may be, a Petition of Candidacy signed by the required number of voters for signature verification.	NRS 293.200(4)
Mar. 5, 2024	ELECTION DISRICTS – (after the 1 st day of candidate filing) During any year in which a General Election is held, a political subdivision of this state shall not create, divide, change boundaries of, abolish or consolidate an election district after the first day of filing by candidates.	NRS 293.209
	April 2024	
	May 2024	
May 20, 2024	PETITION FOR MINOR PARTY BALLOT ACCESS DUE TO COUNTY/CLERK/REGISTRAR OF VOTERS FOR VERIFICATION OF SIGNATURES - (not later than 10 working days before the last day to file the petition) A petition filed pursuant to subsection 2 of NRS 293.1715	NRS 293.1715(2)(c) & 293.172(1)(c)

	June 2024	
June 10, 2024	<u>CHALLENGE OF MINOR POLITICAL PARTY</u> - (not later than 5 p.m. on the 2nd Monday in June) Last day to file challenge against a minor political party's qualifications with appropriate filing officer.	NRS 293.174
June 26, 2024	<u>INITIATIVE TO AMEND THE CONSTITUTION</u> - (not later than the 15th day following the Primary Elections) Last day to submit to County Clerk/Registrar of Voters for signature verification a petition proposing an amendment to the Constitution. All documents of the petition must be submitted at the same time.	NRS 295.056(3)
June 26, 2024	<u>STATE REFERENDUM</u> - (not later than the 15th day following the Primary Election) - Last day to submit to County Clerk/ Registrar of Voters for signature verification a petition to have any statute or resolution enacted by the Legislature submitted to referendum vote of the people. All documents of the petition must be submitted at the same time.	NRS 295.056(4)
June 28, 2024	<u>COUNTY REFERENDUM</u> - (not later than 130 days before the next succeeding General Election) Last day to file a county referendum petition with the County Clerks for signature verification.	NRS 295.140(2)
	July 2024	
July 8, 2024	<u>COUNTY CLERK/REGISTRAR OF VOTERS TO FILE VERIFIED STATE REFERENDUM PETITION</u> - (not less than 120 days before the next succeeding General Election) Last day County Clerk/Registrar of Voters shall file a verified state referendum petition with the Secretary of State.	NRS 295.045(1)
	August 2024	
	September 2024	
	October 2024	
	November 2024	
Nov. 20, 2024	<u>INITIATIVE PETITION TO PROPOSE A NEW STATUTE OR AMEND AN EXISTING ONE</u> - (not later than the 15th day after the General Election) Last date to submit a statutory initiative petition to the County Clerk/Registrar of Voters for verification of signatures.	NRS 295.056(2)
	December 2024	
	January 2025	
	February 2025	
Feb. 3, 2025	<u>SECRETARY OF STATE TO TRANSMIT PETITION(S) TO THE LEGISLATURE</u> - (as soon as the Legislature convenes) The Secretary of State shall transmit an initiative petition that proposes a statute or an amendment to a statute to the Legislature as soon as the Legislature convenes and organizes.	Nevada Constitution Art. 19, Sec. 2(3)