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Elections; minor political parties

NEV. REV. STAT. § 293.____ (new); §§ 244.050, 293.010, 293.073, 293.1276, 293.1277, 293.1279, 293.128, 293.130, 293.135, 293.140, 293.150, 293.175, 293.180, 293.185, 293.200, 293.247, 293.287, 293.304, 293.313, 293.387, 293.395, 293.400, 293.505, 293.602, 293B.305, 294A.065, 295.055, 295.180, 298.109, 306.030, 306.035, 306.040, 349.030 (amended).

AB 184 (Committee on Elections); 1987 STAT. Ch 569

Under existing law, an organization may form a political party¹ and nominate candidates in a primary election.² With the enactment of Chapter 569, an organization may form a minor political party.³ A minor political party candidate may run in a general election⁴ under the name of the party but may not run in a primary election.⁵ An organization must file a certificate of existence with the Secretary of State to qualify as a minor political party.⁶

The constitution or bylaws of a minor political party must provide a procedure through which only one candidate is nominated for each office.⁷ Candidates nominated by the party must be included on a ballot for a general election if the party has filed a certificate of

1. NEV. REV. STAT. § 293.073 (definition of political party).

2. NEV. REV. STAT. § 293.128 1 (amended by 1987 Nev. Stat. ch. 569, sec. 14, at ____); *id.* 293.175 2 (amended by 1987 Nev. Stat. ch. 569, sec. 19, at ____); *id.* § 293.080 (definition of primary election).

3. 1987 Nev. Stat. ch. 569, sec. 3, at ____ (enacting NEV. REV. STAT. § 293.____); *id.* sec. 2, at ____ (enacting NEV. REV. STAT. § 293.____) (definition of a minor political party). If the qualification of a minor political party is challenged, a judicial hearing arising from the challenge must be held within five days of the third Friday in August. *Id.* sec. 7, at ____ (enacting NEV. REV. STAT. § 293.____).

4. NEV. REV. STAT. § 293.060 (definition of general election).

5. 1987 Nev. Stat. ch. 569, sec. 4, at ____ (enacting NEV. REV. STAT. § 293.____). *See also id.* sec. 22.6, at ____ (enacting NEV. REV. STAT. § 293.287 5) (voters affiliated with minor political parties may vote a nonpartisan ballot in a primary election).

6. *Id.* sec. 3, at ____ (enacting NEV. REV. STAT. § 293.____) (certificate of existence must include a copy of the constitution or bylaws and the names of the party, the person authorized to file the list of candidates, the officers, and the members of the executive committee). *See also id.* sec. 3, at ____ (enacting NEV. REV. STAT. § 293.____) (minor political party must file certificate of continued existence when a list of candidates for election is not filed). *See also id.* sec. 3, at ____ (enacting NEV. REV. STAT. § 293.____) (minor political party that does not submit a list of candidates ceases to exist when certificate of continued existence is not filed). *See also id.* sec. 3, at ____ (enacting NEV. REV. STAT. § 293.____) (a minor political party must file an amended certificate of existence within five days after any change in the prior certificate).

7. *Id.* sec. 3, at ____ (enacting NEV. REV. STAT. § 293.____); NEV. REV. STAT. § 293.175 3 (amended by 1987 Nev. Stat. ch. 569, sec. 19, at ____). *See also* 1987 Nev. Stat. ch. 569, sec. 4, at ____ (enacting NEV. REV. STAT. § 293.____) (minor political party may only place one candidate for each office on the ballot).

existence and (1) a candidate of the party has received at least three percent of the total number of votes cast in the preceding general election for a Representative in Congress, (2) at least three percent of the registered voters of the State have designated the minor political party as a political party on their affidavits of registration, or (3) a petition has been filed containing a number of signatures equal to or greater than three percent of the total number of votes cast at the preceding general election for a Representative in Congress.⁸ Furthermore, prior to the election, the party must file a list of candidates and each candidate must submit a declaration of candidacy.⁹

Under existing law, an organization may qualify as a political party by filing a petition containing a sufficient number¹⁰ of registered voter¹¹ signatures.¹² With the enactment of Chapter 569, an organization may also qualify as a political party by obtaining a sufficient number¹³ of designations as a political party from registered voters.¹⁴

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8. 1987 Nev. Stat. ch. 569, sec. 4, at ___ (enacting NEV. REV. STAT. § 293.____). The petition may contain more than one document. *Id.* sec. 5, at ___ (enacting NEV. REV. STAT. § 293.____). Voters may sign only a document bearing the name of the county in which they are registered. *Id.* A registered voter of each county named in the petition must attest that (1) the signers are registered voters of the county, (2) the signatures on the document are genuine, and (3) the voter witnessed the signing. *Id.*

9. *Id.* sec. 6 (enacting NEV. REV. STAT. § 293.____).

10. NEV. REV. STAT. § 293.128 1(b) (amended by 1987 Nev. Stat. ch. 569, sec. 14, at ___) (10% or more of total number of votes cast at the last general election for Representative in Congress).

11. *Id.* § 293.090 (definition of registered voter).

12. *Id.* § 293.128 1(b) (amended by 1987 Nev. Stat. ch. 569, sec. 14, at ___). The petition may contain more than one document. 1987 Nev. Stat. ch. 569, sec. 14, at ___ (enacting NEV. REV. STAT. § 293.128 2). Voters may sign only a document bearing the name of the county in which they are registered. *Id.* A registered voter of each county named in the petition must attest that (1) the signers are registered voters of the county, (2) the signatures on the document are genuine, and (3) the voter witnessed the signing. *Id.*

13. 1987 Nev. Stat. ch. 569, sec. 14, at ___ (enacting NEV. REV. STAT. § 293.____) (10% of the registered voters of the state).

14. *Id.* Voters may designate an organization as a political party on the voter affidavit of registration. *Id.* See generally, NEV. REV. STAT. §§ 293.485-.567. (provisions governing registration of voters).