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|---|-------------------------------------|---|--|---|
| General Improvement Districts (continued) | Topaz Ranch Estates GID (continued) | Terms: 3-Four Year | Gerald M "Sparky" Clark Barry Ferguson Kaitlyn M Insell Lisa Sandbo Michael Tanner | General Election |
| | Zephyr Cove GID | Terms: 3-Four Year | John Abrams Lee Edwards James Keck | Declared Elected |
| | Zephyr Heights GID | Terms: 3-Four Year | Edmund L Andrews Ruth Caywood Glenn Wolfson | Declared Elected |
| | Zephyr Knoll GID | Terms: 3-Four Year 2 - Two Year (unexpired) | No Filings | <i>*Positions to be appointed by Board. Please see District for more information.</i> |

For additional assistance, or for more information regarding the upcoming election cycle, please contact the Douglas County Office of Elections at:



1616 8th St., Minden
Phone: 775-783-6095
Email: Elections@DouglasNV.US
Online: GoVoteDouglas.com

Curious how we decide whose name goes on which ballot?

Please see the following table on how we determine if your name appears on the Primary Election Ballot, General Election Ballot, or if you are simply Declared Elected (without contest).

Please contact the Douglas County Office of Elections for more information at: (775)783-6095

Guidance: NRS 293.260: Omissions and Appearances of Names on Ballot
 NRS 293.195: Nonpartisan Offices
 NRS 318.09523 Single Candidate Declared Elected

| <u>Type of Office</u> | <u>Douglas County Positions</u> | <u>Type of Filing</u> | <u>Disposition</u> |
|---|---|--|---|
| County-wide Partisan Office | Commissioners, Assessor, Clerk/Treasurer, Public Administrator and Recorder | Only one Candidate from a Major Political Party | Name appears on General Ballot |
| | | More than one candidate from a Major Political Party | Names appear on the primary ballot and top candidate advances to the General Ballot |
| | | One or more candidates qualify from a minor party | Name(s) appear on General Ballot |
| County-wide Non-Partisan Offices | Sheriff, School District, Justice of Peace, Constable | Only one candidate | Name appears on Primary Ballot, they must receive one vote to be declared elected. If they do not receive one vote then candidate must appear on General Election Ballot |
| | | If there are not more than twice the number of candidates to positions | Names appear on the General Ballot |
| | | If there are more than twice the number of candidates to positions | All candidates appear on Primary ballots. Top two candidates advance to General Ballot, unless one candidate receives 50%+1 vote. If more than 50% of vote, Candidate is declared elected and will not appear on General Ballot |
| Non-Partisan Offices | Town Advisory Boards, Fire Districts and GID | If candidates equal to or less than the number of positions open | The candidate is elected to office without any election, declared elected |
| | | If there are not more than twice the number of candidates to positions | Names appear on the General Ballot |
| | | If there are more than twice the number of candidates to positions | All candidates appear on Primary Ballots. Top two candidates will appear on the General Ballot, unless one candidate receives 50%+1 vote. If more than 50% of the vote, Candidate is declared elected and will not appear on General Ballot |
| Judicial Offices (not Justice of Peace) | District Judge | One candidate | Name appears on General Ballot |
| | | If there are not more than twice the number of candidates to positions | Names appear on the General Ballot |
| | | If there are more than twice the number of candidates to positions | All candidates appear on Primary Ballots. Top two candidates advance to General Ballot, unless one candidate receives 50%+1 vote. If more than 50% of the vote, the Candidate one is declared nominee and appears on General Ballot |

BARBARA K. CEGAUSKE
Secretary of State

GAIL J. ANDERSON
Deputy Secretary for Southern Nevada

CADENCE MATIJEVICH
Deputy Secretary for Operations

STATE OF NEVADA



OFFICE OF THE
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SCOTT W. ANDERSON
Chief Deputy Secretary of State

KIMBERLEY PERONDI
Deputy Secretary for Commercial Recordings

WAYNE THORLEY
Deputy Secretary for Elections

MEMORANDUM

To: All County Clerks / Registrars of Voters

From: Wayne Thorley, Deputy Secretary for Elections *WT*

Date: January 26, 2018

Subject: Omission and Appearance of Names on the Primary and General Election Ballot

As many of you will recall, the 2015 Nevada Legislature made various changes to *Nevada Revised Statutes* (NRS) 293.260, which deals with when the names of candidates should appear on the primary election ballot, and when they should appear on the general election ballot. The changes were the result of Senate Bill 5 and Senate Bill 499. Links to these two bills are provided for your reference. This memorandum serves as a reminder of the changes brought about by these two pieces of legislation and provides guidance on when a candidate's name should appear on the primary election ballot, and when it should appear on the general election ballot.

The following information is taken directly from NRS 293.260, as amended by SB 5 and SB 499 of the 2015 Legislative Session:

- If not more than the number of candidates to be elected (usually this means one candidate) file for any partisan office or any statewide judicial office (Supreme Court, Court of Appeals, and District Court), the candidate's name is not listed on the primary election ballot and instead goes directly to the general election.
- If not more than the number of candidates to be elected (usually this means one candidate) file for any nonpartisan office other than statewide judicial office (Supreme Court, Court of Appeals, and District Court) or town advisory board, the candidate's name must appear on the primary election ballot. If the candidate receives at least one vote at the primary election, the candidate is declared elected and his or her name will not appear on the general election

ballot. If the candidate does not receive at least one vote at the primary election, the candidate's name will then appear on the general election ballot (I can't imagine this would ever happen).

- If not more than the number of candidates to be elected file for town advisory board, the candidate's name does not appear on any ballot, and the candidate is elected to office without any election.

NEVADA STATE CAPITOL
101 N. Carson Street, Suite 3
Carson City, Nevada 89701-3714

MEYERS ANNEX
COMMERCIAL RECORDINGS
202 N. Carson Street Carson
City, Nevada 89701-4201

LAS VEGAS OFFICE
555 E. Washington Avenue, Suite 5200
Las Vegas, Nevada 89101-1090

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- If there are not more than twice the number of candidates to be elected for any nonpartisan office (usually this means two candidates), there is no primary election and the names of the candidates go directly to the general election ballot.
- If there are more than twice the number of candidates to be elected for any nonpartisan office (usually this means three or more candidates), there must be a primary election. If none of the candidates at the primary receive 50 percent plus 1 of the vote, the candidates who receive the highest number of votes at the primary election, not to exceed twice the number to be elected (usually this means two candidates), go on to the general election.
- If the race is for statewide judicial office (Supreme Court, Court of Appeals, and District Court) and one candidate receives 50 percent plus 1 of the vote, that candidate is declared the nominee and only that candidate's name appears on the general election ballot.
- If the race is for any nonpartisan office other than statewide judicial office (Supreme Court, Court of Appeals, and District Court) and one candidate received 50 percent plus 1 of the vote, that candidate is declared elected and there is no general election for the office.
- If a major political party (i.e., Democratic or Republican party) has two or more candidates for a partisan office, there must be a primary election for that office regardless of whether there are any minor political party or independent candidates for the office.
- Many of you will recall, particularly those in heavy Republican counties, that the requirement in the last bullet point above was the source of many complaints and angry phone calls in 2016.

Under the old law, a primary election was not held in certain situations in which only one major political party had candidates for a partisan office. The contest was instead decided at the general election, which is open to all voters regardless of political party affiliation.

- The key point is that if a major political party has two or more candidates for any partisan office, there will always be a primary election. This occurs most frequently in the rural counties, and the way it usually occurs is there are two or more Republican candidates for a partisan office and no other candidates (no Democrat candidates, no minor party candidates, and no independent candidates). The candidate who receives the highest number of votes at the primary election is declared the nominee of the party, and his or her name appears on the general election ballot as the only candidate for the office. There were a few bills introduced last Legislative Session to change this provision of NRS 293.260, but none of the bills ever got any traction.

Pursuant to [NRS 318.095](#), the names of candidates for GID trustee may be placed on the ballot for the primary or general election. Accordingly, there is no prohibition on GID races appearing on the primary election ballot. Furthermore, NRS 318.095 indicates that the office of GID trustee is a nonpartisan office. This means the provisions of NRS 293.260 regarding the appearance or omission of nonpartisan races on the primary and general election ballot apply to GID trustee contests. However, there are additional statutes, such as [NRS 318.09523](#), which make the determination of whether the names of candidates for GID trustee should appear on the primary or general election ballot difficult. Additionally, contests for GID trustee are often unique in that voters are generally able to select more than one candidate on their ballot.

Special note about General Improvement Districts (GIDs)

In order to assist you in the development of your primary and general election ballots, the following are the possible scenarios and results as they relate to GID contests:

- **Scenario 1** – Less candidates file for office than the number of candidates to be elected (for example, two candidates for three open positions):

Result – There is no election and all filed candidates are automatically elected without appearing on any ballot. The remaining vacancies are filled by appointment.

- **Scenario 2** – The exact number of candidates file for office as the number of candidates to be elected (for example, two candidates for two open positions):

Result – There is no election and all filed candidates are automatically elected without appearing on any ballot. This is because of the single candidate provision found in NRS 318.09523

- **Scenario 3** – Not more than twice the number of candidates file for office than the number of candidates to be elected (for example, four candidates for two open positions):

Result – There is no primary election and all filed candidates appear on the general election ballot.

- **Scenario 4** – More than twice the number of candidates file for office than the number of candidates to be elected (for example, five candidates for two open positions):

All filed candidates appear on the primary election ballot. The candidates that receive the highest number of votes at the primary election, not to exceed twice the number to be elected, go on to the general election (for example, the top four if there are two open positions, or the top six if there are three open positions). However, if any candidate(s) receives 50 percent plus 1 of the vote at the primary election, the candidate is elected to office and does not go on to the general election.

Conclusion

If you have any questions about the information contained in this memorandum, please contact the Secretary of State's Elections Division at (775) 684-5720 or nvelect@sos.nv.gov.