STATE OF NEVADA



OFFICE OF SECRETARY OF STATE ROSS MILLER

Frequently Asked Questions Special Election: Tuesday, September 13, 2011

- **Q:** Who can run in the Special Election?
- A: Any qualified elector as defined in NRS Chapter 293. Pursuant to Article I, Sec. 2 of the United States Constitution, the candidate must be at least 25 years of age, a United States citizen for at least 7 years and a resident of Nevada when elected.
- Q: Does a candidate have to live in Nevada's Congressional District 2 to be placed on the ballot for the Special Election?
- A: No. Pursuant to Article I, Sec. 2 of the United States Constitution, a candidate for United States House of Representatives need only be a resident of the state when elected.
- Q: Can a candidate change his or her political party affiliation prior to declaring their candidacy for the Special Election?
- **A:** Yes. Pursuant to NRS 293.175, the statutory deadline relating to changes in political party affiliation does not apply to special elections.
- Q: How does a candidate of a Major Political Party appear on the ballot for the Special Election?
- A: A candidate of a Major Political Party must be designated by his or her party's central committee pursuant to NRS 293.165. The designation must be made no later than June 30, 2011. The designated Major Political Party candidate must also file the appropriate Declaration of Candidacy no later than June 30, 2011 on the form prescribed by the Secretary of State.
- Q: How does a candidate of a Minor Political Party, <u>with</u> ballot access pursuant to NRS 293.1715(2), appear on the ballot for the Special Election?
- A: A candidate of a Minor Political Party, with ballot access pursuant to NRS 293.1715(2), must be designated by his or her party's executive committee pursuant to NRS 293.165. The designation must be made no later than June 30, 2011. Such a designated Minor Political Party candidate must also file the appropriate Declaration of Candidacy no later than June 30, 2001 on the form prescribed by the Secretary of State.
- Q: How does a candidate of a Minor Political Party, <u>without</u> ballot access pursuant to NRS 293.1715(2), appear on the ballot for the Special Election?
- A: A candidate of a Minor Political Party, without ballot access pursuant to NRS 293.1715(2), must be designated by his or her party's executive committee pursuant to NRS 293.165. The designation must be made no later than June 30, 2011. Such a designated Minor Political Party candidate must also file the appropriate Declaration of Candidacy no later than June 30, 2011 on the form prescribed by the Secretary of State. In addition, such a Minor Political Party candidate must file the Minor Political Party Candidate Petition signed by 100 registered voters of Congressional District 2 no later than May 18, 2011.

- Q: How does an independent candidate appear on the ballot for the Special Election?
- **A:** Independent candidates must file the Independent Candidate Petition signed by 100 registered voters of Congressional District 2 no later than May 18, 2011, and file the appropriate Declaration of Candidacy no later than June 30, 2011 on the form prescribed by the Secretary of State.
- Q: Will the Secretary of State's office accept a Declaration of Candidacy filing from a Major or Minor Political Party member if the candidate has not been designated as the party nominee pursuant to NRS 293.165?
- A: Yes. The Secretary of State's office will accept Declarations of Candidacy from any Major or Minor Political Party candidates during the period from May 25th through June 30th. However, pursuant to order of the First Judicial District Court, which is pending appeal to the Nevada Supreme Court, the Secretary of State's office will only certify the names of candidates to appear on the Special Election ballot if such candidates have been designated by their respective parties pursuant to NRS 293.165. If the decision of the First Judicial District Court is overturned, the Secretary of State's office will certify names in accordance with its original Interpretation.
- Q: Will the Secretary of State's Office accept a Declaration of Candidacy filing from an independent or Minor Political Party member, <u>without</u> ballot access pursuant to NRS 293.1715(2), if the candidate has not submitted the required signatures to a county clerk or registrar by May 18, 2011?
- A: No. Since the deadline for gathering and submitting the requisite signatures has passed, such candidates cannot appear on the Special Election ballot and the Secretary of State's office will not accept their Declarations of Candidacy.
- Q: When do candidates file their Declaration of Candidacy to run in the Special Election?
- A: May 25 June 30, 2011. Declarations of Candidacy must be filled out and filed in person at the Secretary of State's Office located in the Capitol Building at 101 North Carson Street, Suite 3, Carson City, Nevada. The office hours of the Elections Division are 8am-5pm. Candidates are encouraged to call (775) 684-5705 in advance to make an appointment to file their Declaration of Candidacy. At the time of filing, candidates will be required to provide a government-issued valid identification card containing a photograph of the candidate and the candidate's residential address or other form of sufficient documentation establishing the candidate's name and residential address.
- Q: When will the Secretary of State release a certified list of the candidates who will appear on the ballot for the Special Election?
- **A:** No later than July 8, 2011.
- Q: What are the deadlines for registering to vote for the Special Election?
- A: The last day to register to vote by mail is August 13th (*must be postmarked by August 13th*). If you are a resident of Clark County, the last day to register to vote online is August 13th. The last day to register to vote in-person at the office of the county clerk or registrar of voters, as applicable, is August 23rd.
- Q: How is the winner of the Special Election determined?
- **A:** The candidate receiving the most votes will win the Special Election.

- Q: How long will the winner of the Special Election serve as the representative of Congressional District 2?
- **A:** Until a successor is elected and seated at the next general election in 2012.
- Q: Why is there no filing fee required to run in the Special Election?
- A: Pursuant to NRS 293.175, the Nevada Legislature has explicitly provided that certain provisions of the Nevada Revised Statutes, including the provision which normally allows the Secretary of State to require a filing fee, do not apply to special elections to fill a vacancy in the office of the United States House of Representatives.