
In the Supreme Court of the United States

Nevada Green Party, a Nevada Political Party Committee,

Applicant,

v.

Francisco V. Aguilar, in his Official Capacity as Nevada Secretary of State, and
Nevada State Democratic Party,

Respondents.

**Nevada Green Party's Emergency Application to Vacate Orders of the
Supreme Court of Nevada and District Court of Nevada**

APPENDIX

Oliver Hall
CENTER FOR COMPETITIVE
DEMOCRACY
PO Box 21090
Washington, DC 20009
oliverhall@competitivedemocracy.org
(202) 248-9294

Theresa Amato
MORE VOTER CHOICE FUND INC.
1202 Connecticut Ave NW Ste 531
PMB 348116
Washington, DC 20036-2729
theresa@morevoterchoicefund.org
(703) 738-7418

Jay Alan Sekulow
Counsel of Record
Jordan A. Sekulow
Stuart J. Roth
Walter M. Weber
Benjamin P. Sisney
Donn Parsons
Elgine McArdle
AMERICAN CENTER FOR
LAW & JUSTICE
201 Maryland Avenue, NE
Washington, DC 20002
Tel. (202) 546-8890
sekulow@aclj.org

September 13, 2024

APPENDIX

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1 **IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

2 **IN AND FOR CARSON CITY**

2024 AUG 12 AM

WILLIAM SCOTT HERTZ
CLERK



3
4 NEVADA STATE DEMOCRATIC PARTY,
5 a Nevada Political Party Committee,

Case No.: ~~24 OC 00107-1B~~

Dept. No.: II

6 Democratic Party,

7 v.

8 NEVADA GREEN PARTY, a Nevada
9 Political Party Committee; and,
10 FRANCISCO V. AGUILAR, in his official
11 capacity as Nevada Secretary of State,

**ORDER DENYING DECLARATORY
AND INJUNCTIVE RELIEF**

12 Defendants.

13 This matter came before the Court pursuant to the provisions of NRS 293.174 and the Plaintiff
14 Nevada State Democratic Party's Complaint for Declaratory and Injunctive Relief Concerning
15 Nevada Green Party's Ballot-Access Qualifications. Also before the Court is the Defendant Nevada
16 Green Party's Motion to Strike certain petition documents the Democratic Party offered for filing
17 after the deadline in NRS 293.174. These matters have been fully briefed and a hearing was held on
18 Friday, August 2, 2024, at which counsel for all parties presented arguments. The Court, therefore
19 being fully informed, hereby DENIES the Democratic Party's requests for declaratory and injunctive
20 relief, and DISMISSES the Democratic Party's claims.

21 **I. PROCEDURAL HISTORY**

22 NRS 293.174 states in relevant part: "If the qualification of a minor political party to place the
23 names of candidates on the ballot pursuant to NRS 293.1715 is challenged, all affidavits and
24 documents in support of the challenge must be filed not later than 5 p.m. on the second Monday in
25 June." The second Monday in June of this year fell on June 10, 2024.

26 On June 10, 2024, the Democratic Party filed its Complaint for Declaratory and Injunctive
27 Relief Concerning Nevada Green Party's Ballot-Access Qualifications (hereafter "Complaint"). The
28

1 Complaint contains a single cause of action alleging that the Green Party did not submit a sufficient
2 number of valid signatures from each petition district. Complaint, ¶ 21.

3 On July 1, 2024, the Democratic Party filed its First Amended Complaint (“FAC”). The
4 Democratic Party also filed a new Appendix of Exhibits. The new appendix contains two new
5 exhibits, Exhibits 10 and 11, which are samples of petition documents from Washoe County and Clark
6 County. The Democratic Party did not file a new brief in support of the FAC.

7 Like the original Complaint, the FAC is styled to allege only one cause of action; however, it
8 adds two new claims that were not present in the original Complaint. First, that the wrong circulator
9 affidavit was used, and therefore all of the Green Party’s signatures are invalid. FAC, ¶¶ 15-16, 27,
10 28, 30. Second, that the Green Party “circulated a blank petition, not the one it actually filed with the
11 Nevada Secretary of State’s Office as mandated by NRS 293.1715(4).” FAC, ¶¶ 18, 29, 30.

12 The Green Party filed its Answer and Brief in Opposition on July 11, 2024. Also on July 11,
13 2024, the Secretary of State’s Office filed a Limited Response stating that it takes no position on the
14 legal sufficiency of the Green Party’s petition.

15 On July 15, 2024 the Court held a status check hearing with counsel for all parties to discuss
16 the Democratic Party’s request to file with the Court all of the petition documents that the Green Party
17 submitted to the counties for verification, totaling an estimated 9,000 pages. The Court discussed the
18 technological limitations of handling that many documents and whether it was necessary to file all of
19 the documents.

20 On July 15, 2024, the Green Party filed a Motion to Strike all petition documents filed, or
21 attempted to be filed, by the Democratic Party, including Exhibits 10 and 11 to the FAC, after the
22 June 10, 2024 deadline. The Motion requested, as alternative relief, leave to file a sur-reply.

23 On July 18, 2024, the Democratic Party filed its Reply in Support of the FAC. It also submitted
24 a flash drive containing electronic copies of 100 volumes and over 9,000 pages of petition documents.

25 The Democratic Party filed an opposition to the Motion to Strike on July 22, 2024. Also on
26 July 22, 2024, the Court held another status check hearing with counsel for all parties to discuss the
27 volume of documents and whether it would be possible to reduce the volume of documents that would
28 be necessary to include in the record. Counsel indicated that they were able to stipulate to certain facts

1 and that the Democratic Party would file a supplemental appendix containing only those documents
2 that were referenced in Exhibit 1 to its Reply.

3 During the status check, the Green Party requested leave to file a sur-reply to address the
4 documents identified and the arguments raised by the Democratic Party for the first time in its Reply.
5 The Green Party also requested that the hearing, which was originally scheduled for July 25, 2024, be
6 rescheduled to a later date to allow it more time to review the documents identified by the Democratic
7 Party in its Reply. The Democratic Party did not oppose either request. The Court granted leave for
8 the Green Party to file a sur-reply and rescheduled the hearing from July 25, 2024 to August 2, 2024.

9 The Parties filed a statement of Stipulated Facts on July 23, 2024. The Green Party filed its
10 sur-reply on July 26, 2024, along with an appendix containing illustrative examples of petition
11 documents.

12 II. UNDISPUTED FACTS

13 The Nevada Green Party is a minor political party that has been in continual existence in
14 Nevada since at least 2020. (G. Appx. 001)¹. The Secretary of State certified the Green Party as a
15 minor political party on January 29, 2021, July 13, 2023, and January 19, 2024. (G. Appx. 003-04; P.
16 Appx. 040).

17 To obtain ballot access for the 2024 general election, the Green Party was required to obtain
18 10,095 valid signatures. NRS 293.1715(2)(c); Minor Party Qualification Guide 2024 (G. Appx. at
19 009). These signatures must be apportioned evenly among the four petition districts, meaning the
20 Green Party must obtain at least 2524 valid signatures in each petition district. *Id.*

21 Prior to circulating it, the Green Party filed its petition for ballot access for the 2024 general
22 election with the Secretary of State's Office via email on July 10, 2023. (G. Appx. 033). This petition
23 contained the correct circulator affidavit for minor parties seeking ballot access. (G. Appx. 036).

24 On the same day, an employee of the Secretary of State's office responded to the Green Party
25 by email, and noted that the form the Green Party submitted did not contain a space at the top of the
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28 ¹ The abbreviation "G. Appx." refers to the Green Party's Appendix of Exhibits to its Brief in Opposition. The numbers following the abbreviation refer to the Bates numbers of the documents in that appendix. Similarly, "P. Appx." refers to the Democratic Party's appendix of documents.

1 document for the petition district. (G. Appx. 033). The employee attached a minor party ballot access
2 form, and sent this form to the Green Party. The employee wrote: "Please use the documents attached
3 to begin collecting signatures." *Id.*

4 The form provided by the Secretary of State's Office to the Green Party contains the circulator
5 affidavit required for initiatives and referenda, instead of the circulator affidavit for minor party ballot
6 access petitions. (G. Appx. 038-039); *see also* NAC 295.020 (prescribing the form for the circulator
7 affidavit for initiatives and referenda). The petition form in the 2024 Minor Party Qualification Guide
8 also contains the wrong circulator affidavit. (G. Appx. at 019). That circulator affidavit states:

9 I, [circulator's name], (print name), being first duly sworn under penalty of perjury, depose and say: (1) that I reside at [circulator's address] (print street, city and state); (2) that I am 18
10 years of age or older; (3) that I personally circulated this document; (4) that all signatures were
11 affixed in my presence; (5) that the number of signatures affixed thereon is [number]; and (6)
12 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.

13 Stipulated Facts, ¶ 1. This affidavit was used on all of the petition documents that the Green Party
14 submitted. *Id.* NAC 293.182 provides that the minor party ballot access circulator affidavit must be
15 in substantially the following form:

16 I, _____ (print name), being first duly sworn under penalty of perjury, depose and say:
17 (1) that I reside at _____ (print street, city and state); (2) that I am 18
18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were
19 affixed in my presence; (5) that I believe each person who signed was at the time of signing a
registered voter in the county of his or her residence; and (6) that the number of signatures
affixed thereon is _____.

20 The affidavit actually used by the Green Party lacks the fifth statement: "that I believe each person
21 who signed was at the time of signing a registered voter in the county of his or her residence."

22 Stipulated Facts, ¶ 1.

23 The Green Party circulated the petition and obtained a total of 29,584 signatures, submitting
24 the following number of signatures in each petition district: District 1: 7826; District 2: 5214; District
25 3: 7510; District 4: 9034. Stipulated Facts, ¶ 2. The Secretary of State notified the county clerks and
26 registrars of voters that the raw count of signatures was sufficient, and therefore directed the clerks
27 and registrars to proceed with verification of the signatures pursuant to NRS 293.1277. (P. Appx.
28 041).

1 The clerks and registrars verified the signatures pursuant to NRS 293.1277, which includes a
2 random sampling process when more than 500 signatures are submitted. Stipulated Facts, ¶ 3. Based
3 on the counties' certificates of signature verification results, the Secretary of State found the following
4 number of valid signatures in each petition district: District 1: 3365; District 2: 3388; District 3: 3079;
5 District 4: 4989. *Id.*

6 After reviewing all the counties' certificates of results, the Secretary of State's office
7 determined that the Green Party had submitted 14,821 valid signatures. (G. App. 058). Since that
8 number exceeds 10,095, the minimum number of required signatures, the Secretary of State declared
9 that the Green Party qualified for ballot access for the 2024 general election. *Id.*

10 Robert Hanson is the Nye County at Large Member of the Nevada Green Party and he notarized
11 petitions for Gregor Kent Knauer. Stipulated Facts, ¶ 4. All of the affected documents are listed in
12 paragraph 12(b) of Exhibit 1 to the Democratic Party's Reply. *Id.* The Democratic Party asserts that
13 these notarizations affect the following number of signatures in each district: District 1: 425; District
14 2: 136; District 3: 296; District 4: 754. (P. Reply Appx. 002-003, ¶¶ 12(a),(b)(Declaration of Todd L.
15 Bice, Esq.).

16 "A number of circulator's affidavits included alterations." Stipulated Facts, ¶ 5. All of these
17 affected documents are listed in paragraph 12(c) of Exhibit 1 to the Democratic Party's Reply. *Id.* The
18 Democratic Party asserts that these alterations affect the following number of signatures in each
19 district: District 1: 482; District 2: 26; District 3: 128; District 4: 2798. (P. Reply Appx. 003, ¶ 12(c)).

20 A number of petitions submitted either left the section regarding the minor political party's
21 name blank, or had "Nevada Green Party," "Green Party," or "NV Green Party" handwritten in.
22 Stipulated Facts, ¶ 6. All of the affected documents are listed in paragraph 12(d) of Exhibit 1 to the
23 Democratic Party's Reply. *Id.* The Democratic Party asserts that this affected the following number
24 of signatures in each district: District 1: 358; District 2: 138; District 3: 74; District 4: 585.

25 **III. ANALYSIS, FINDINGS OF FACT, AND CONCLUSIONS OF LAW**

26 This challenge of a political party's effort to place candidate names on the ballot begins with
27 the short statute, NRS 293.174, which attempts to regulate the manner in which the challenge is made.
28 This statute is one of five statutes regulating minor political parties in this state. *See* NRS 293.171-

1 174. Unfortunately, there is much left to ponder as to the specifics of this challenge process. Although
2 the statute requires that a “challenge” is to be filed in the First Judicial District Court, there is nothing
3 showing what form that challenge is to take, in what form any response is to be, who has any burden
4 of proof and what that burden is, and what the specific timing of actions is. There are also no Nevada
5 Supreme Court opinions analyzing this statutory scheme. This leaves it to the attorneys and,
6 ultimately, this Court to interpret.

7 **A. Jurisdiction and First Amended Complaint**

8 It appears to be undisputed that the Democratic Party’s initial complaint was timely filed. The
9 Parties disagree on the propriety of the First Amended Complaint when considering the provisions of
10 NRS 293.174 and NRCP 15(a)(i). The Green Party asserts that the Court lacks jurisdiction to consider
11 the Democratic Party’s FAC claim that all signatures on the petitions are invalid because the wrong
12 circulator affidavit was used.

13 As noted above, the FAC was filed on July 1, while the original complaint was filed on June
14 10, the deadline to file a “challenge” under NRS 293.174. The Democratic Party claims that the new
15 “claims” relate back to the original filing, while the Green Party asserts that the new claims do not
16 relate back and cannot be considered.

17 The Nevada Rules of Civil Procedure allow a party to amend a pleading once as a matter of
18 course within 21 days of serving it. NRCP 15(a)(1). An amendment relates back to the date of the
19 original pleading when it asserts a claim or defense arising out of the conduct, transaction, or
20 occurrence set out in the original pleading. *Id.*, Rule 15(c).

21 The Green Party asserts that the FAC was filed late because, according to NRS 293.174, “all
22 affidavits and documents in support of the challenge must be filed not later than 5 p.m. on the second
23 Monday in June.” According to this argument, no other claims or assertions of error can be made by
24 a challenger of a qualification of a minor party.

25 The original complaint challenged the Green Party's ballot-access qualification, and it put the
26 Green Party on notice that the circulator affidavits for the Petition were defective and improper. The
27 Court finds that the FAC simply put forth more factual detail regarding the circulator affidavits flaws
28 to which Plaintiff gained access after it finally obtained all the Petitions from the various county clerks

1 and registrars. Thus, the FAC asserts a claim that arose out of the same conduct, transaction, or
2 occurrence set out in the initial complaint. Accordingly, this Court has jurisdiction as the FAC relates
3 back to the operative complaint. *See Costello v. Casler*, 127 Nev. 436, 440-41, 254 P.3d 631, 634-35
4 (2011) (holding that the relation-back doctrine is liberally applied).

5 **B. Legal Standard and Burden of Proof**

6 The Parties disagree as to which party bears the burden of proof in this case and what that
7 burden is. The Green Party asserts that the Democratic Party, as the party challenging the petition,
8 bears the burden of demonstrating that the petition is “clearly invalid,” citing *Las Vegas Taxpayer*
9 *Accountability Comm. v. City Council of Las Vegas*, 125 Nev. 165, 176, 208 P.3d 429, 436 (2009) and
10 *Helton v. Nevada Voters First PAC*, 138 Nev. ___, 512 P.3d 309 (Nev. Adv. Op. 45, 2022). The
11 Democratic Party argues that the Green Party bears the burden of proving that the petition
12 substantially complies with the law because it failed to use the correct circulator affidavit, citing
13 *LVCVA v. Secretary of State*, 191 P.3d 1138, 1147, 124 Nev. 669, 682 (Nev. 2008)[hereinafter
14 “LVCVA”].

15 Although the FAC alleges only a single cause of action, the Democratic Party is really
16 advancing two different claims. First, the Democratic Party claims that the petition has an insufficient
17 number of valid signatures resulting from defects in the petition documents because they were
18 notarized by a Green Party member, the party name was handwritten at the top instead of being pre-
19 printed, or the circulator affidavit was “altered.” Second, the Democratic Party claims that all of the
20 petition documents are invalid because the wrong circulator affidavit was used (and therefore there are
21 zero valid signatures).

22 In this case, it is the Democratic Party which has filed a complaint for declaratory and
23 injunctive relief. A plaintiff will typically have the burden of proving its case. This is also a
24 “challenge” by the Democratic Party pursuant to NRS 293.174, although a burden of proof is not
25 addressed in statutes. No Nevada cases have been found which clearly address the burden of proof in
26 this respect.

27 There has been litigation in Nevada regarding the sufficiency of initiative petitions and
28 supporting affidavits required to be filed with the Secretary of State under chapter 295 of NRS. The

1 opinion in *LVCVA* discussed the burden of proof with regard to the requirements for a circulator's
2 affidavit under NRS 295.0575. In that case, all of the affidavits failed to include a reference to the
3 number of signatures on the document and a statement that each signer had an opportunity to read the
4 text of the subject on which the referendum or initiative is demanded. *LVCVA*, 124 Nev. at 681, 191
5 P.3d at 1146. The initiative circulators had filed the petitions and signatures with the Secretary of
6 State which found the affidavits defective and that no signatures with those defects could be counted.
7 *Id.* at 676, 191 P.3d at 1142. The proponents then challenged that determination. The supreme court
8 concluded that the proponents were "properly allocated the burden of proving that the Secretary of
9 State's decision was incorrect, that is, the proponents were required to demonstrate that they
10 substantially complied with the statute. The burden is appropriately placed on the proponents in this
11 case because they caused the situation when they failed to review the current statutes and comply with
12 their requirements." *Id.* at 682-83, 191 P.3d at 1147.

13 In the case at bar, the Secretary of State affirmatively found a sufficient number of signatures
14 in the raw counts pursuant to NRS 293.1277(1) and sent letters to the county clerks to begin verifying
15 signatures. See P Appx. 3 at 041. The county clerks then validated signature samples, which included
16 a verification of county residency and voter registration. See G Appx. 046-053. Thus, the Green
17 Party was not and is not challenging the decision of those officials. This is opposite of the situation in
18 *LVCVA* and the burden of proving the "challenge" pursuant to NRS 293.174 remains on the
19 Democratic Party which brought this action.

20 This is not a case involving the substance of an initiative petition under NRS 295.009, such as
21 in *Las Vegas Taxpayer Comm. v. City Council*, 125 Nev. 165, 208 P.3d 429 (2009). There, the
22 supreme court held that the burden of proof was on the opponents of the measure to demonstrate that
23 the substance of a proposed ballot measure was "clearly invalid." In this case, we are not dealing with
24 the substance of petition language, the requirement of a single subject, a description not including
25 more than 200 words, and a description of the effect of the initiative. Therefore, the burden of proof
26 does not require a showing that the petition was "clearly invalid."

27 This Court finds that the Democratic Party, as the plaintiff filing a challenge pursuant to NRS
28 293.174 and filing a complaint for declaratory and injunctive relief has the burden of proof. That

1 burden is to show that the Petitions to Qualify submitted by the Green Party did not substantially
2 comply with NRS 293.171 to NRS 293.1725 in light of the Secretary of State's validation of
3 signatures and the county clerks' verification of residency and registration in the county.

4 **C. Substantial Compliance**

5 The Democratic Party has failed to meet its burden of demonstrating that the petition was not
6 in substantial compliance with the law. First, it failed to account for the fact that some of the signatures
7 it alleges are invalid were necessarily already invalidated by the counties in the verification process.
8 Second, even without making any adjustment to account for that fact, the Democratic Party's evidence
9 does not show that a significant number of signatures are invalid due to "alterations" to the circulator
10 affidavit. The petition therefore still has a sufficient number of valid signatures in all petition districts.

- 11
12 1. After accounting for the signatures already invalidated by the counties, the Democratic Party's evidence does not show that the petition was not in substantial compliance.

13 If more than 500 signatures are submitted, the clerks verify a random sample of 500 signatures
14 or 5%, whichever is greater. NRS 293.1277(2). The sampling must be done in a way that all signatures
15 submitted have an equal chance of being included in the sample. *Id.* As shown on the counties'
16 certificates of results, the number of signers who are found to *not* be registered voters is part of the
17 total number of invalid signatures in the sample. Appx. to Opps., Exhibits 10-13. The clerks calculate
18 a validity rate based on the number of valid signatures in the sample, and then apply that rate to the
19 number of raw signatures to determine the total number of valid signatures. *Id.*

20 The following table states the number of raw signatures the Green Party submitted to each
21 district, the number of valid signatures following verification by the counties, the validity rate, and
22 the number of valid signatures in excess of the required number:

Table 1	Raw signatures	Valid signatures	Validity Rate	Excess over 2524
District 1	7826	3365	43%	841
District 2	5214	3388	65%	864
District 3	7510	3079	41%	555

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District 4	9034	4989	55%	2465
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The Democratic Party asserts that certain signatures are invalid for three reasons: (1) the circulator affidavit was notarized by Robert Hanson, the Member at Large of the Nevada Green Party; (2) the party name was handwritten in on some petitions, and thus it was not the same petition that was filed with the Secretary of State; and (3) some of the circulator affidavits were “altered.” Stipulated Facts, ¶¶ 4-6. The total number of invalid signatures the Democratic Party claims for each district are as follows: District 1: 1265; District 2; 300; District 3: 498; District 4: 4137. Reply Brief, Exhibit 1, ¶ 12.

The Democratic Party, however, has not produced any evidence showing that all of these allegedly invalid signatures were amongst those that the counties deemed to be *valid*. Therefore, some of the signatures that the Democratic Party alleges are invalid were already necessarily invalidated by the counties when the clerks and registrars applied the validity rate to the raw number of signatures. Accordingly, if the Court were to simply take the Democratic Party’s numbers at face value, it would result in counting some of the signatures as invalid twice.

Therefore, the total number of allegedly invalid signatures must be reduced by applying the validity rate for each petition district, as follows:

Table 2	Total allegedly invalid	Validity rate	Corrected total allegedly invalid
District 1	1265	43%	544
District 2	300	70%	210
District 3	498	41%	205
District 4	4137	55%	2276

In each petition district, the corrected total number of allegedly invalid signatures is less than the number of excess valid signatures, as shown in Table 1. Thus, even assuming that the Democratic Party prevailed on its legal arguments regarding all categories, and also assuming that there is no overlap between the categories, the petition still qualifies.

2. The Democratic Party has failed to demonstrate that the "alterations" to the circulator affidavit render those affidavits invalid.

The majority of the signatures that the Democratic Party claims are invalid are due to an "alteration" to the circulator affidavit. The legal standard for circulator affidavits is substantial compliance. *LVCVA*, 124 Nev. at 682-83, 191 P.3d at 1147. The court in *LVCVA* noted that substantial compliance is met even when required elements are incomplete or missing, if the purpose of the requirement is met. *Id.* at 683-84, 191 P.3d at 1147-48. Accordingly, the mere fact that an "alteration" was made to a circulator affidavit does not automatically invalidate that affidavit and all the signatures attached to it.

The Democratic Party's allegations regarding invalid signatures fall into four categories: (1) affidavits notarized by Mr. Hanson; (2) signatures gathered by Mr. Knauer; (3) affidavits that were "altered"; and, (4) petitions where the name of the party was handwritten at the top, instead of being pre-printed. Reply, Exhibit 1, ¶ 12. The documents and signatures in categories (1) and (2) are the same – thus, they will be treated as one category for mathematical purposes.

The following table shows the number of signatures that the Democratic Party claims are invalid, according to category and district (Reply, Exhibit 1, ¶ 12):

Table 3	Hanson Notarized	Alterations	Party Name Handwritten	Total allegedly invalid
District 1	425	482	358	1265
District 2	136	26	138	300
District 3	296	128	74	498
District 4	754	2798	585	4137

The totals of allegedly invalid signatures for District 2 and District 3 are less than the excess number of valid signatures for those districts. (Compare Table 1 and Table 2.) Thus, the petition qualifies in those two districts even without considering any signatures already invalidated by the clerks or overlap between the categories. Accordingly, only the signatures in District 1 and District 4 are material.

1 Most of the “alterations” that the Democratic Party points out fall into four categories: (1) a
2 signer of the petition mistakenly started to fill out the circulator affidavit; (2) the notary mixed up
3 their own name and the circulator’s name on the jurat; (3) the number of signatures claimed to be on
4 the document was changed; or (4) the county at the top of the affidavit was changed.

5 After examining the documents in question, the Court finds that almost all the “alterations” at
6 issue are actually corrections to obvious mistakes. As to the first category, there are several affidavits
7 where the person who signed the petition in the first box on that page also mistakenly wrote his name
8 and address on the circulator affidavit. The circulator corrected the affidavit by writing in his own
9 name and address. Clearly, this was a mistake by a signer of the petition, not by the circulator.

10 As for the second category, the Democratic Party alleges that 2798 signatures are invalid in
11 District 4 due to “alterations,” citing some 330 documents. Reply, Ex. 1, ¶ 12(c). However, on 240 of
12 those 330 documents (affecting at least 1483 signatures), the only alteration to the affidavit is a
13 correction where the notary mistakenly wrote their name on the jurat, instead of the name of the
14 circulator. The notary’s name is crossed-out, and the circulator’s name written in instead. See
15 Defendant Green Party’s Sur-Reply at 6. This too is an obvious clerical mistake by a third party (the
16 notary).

17 The Democratic Party also asserts that various documents are invalid because the number of
18 signatures stated on the affidavit was corrected. These also appear to be corrections of clerical
19 mistakes. For example, one of the signature boxes was skipped or incomplete, or a signature was
20 crossed out, or something similar, usually on the first page. The affidavit was corrected to state, for
21 example, that the total number of signatures was 6, not 7. In virtually every case, this correction was
22 to reduce the number of signatures claimed on the documents.

23 Finally, a change to the county at the top of the affidavit does not invalidate the affidavit
24 because the county on the circulator affidavit is the county where the notarization occurs; it is not
25 necessarily the same as the county where the petition was circulated. Robert Hanson Decl. (G. Appx.
26 056). Thus, the fact that the county on the circulator affidavit was corrected to reflect the place of
27 notarization does not invalidate the affidavit. See *e.g.*, P. Appx. 089.

28 The Court finds that the affidavits that have changes that fall into those four categories

1 substantially comply with the law because they are complete, and the "alterations" are mere
2 corrections to what appear to be minor mistakes. Thus, they supply all the required information on
3 the affidavit and are properly notarized. This meets the purposes of the statute.

4 There are a small number of affidavits that have some other type of alteration. For example,
5 the circulator's name was crossed out and a different name written in the body of the affidavit. Unlike
6 the other documents discussed above, it is not apparent why these changes were made. These
7 documents affect 53 signatures in District 1 and 103 signatures in District 4.

8 In conclusion, the Court finds that the Democratic Party's evidence shows that, at most, 53
9 signatures in District 1 and 103 signatures in District 4 are invalid due to alterations to the circulator
10 affidavit. Based on this finding, the total number of allegedly invalid signatures in District 1 is reduced
11 from 1265 to 836, which is less than the number of 841 excess valid signatures, as shown in Table 1.
12 The total number of allegedly invalid signatures in District 4 is reduced from 4137 to 1442, which is
13 also less than the number of excess valid signatures, as shown in Table 1. These totals are not adjusted
14 to account for the fact that some of these signatures were necessarily already invalidated by the
15 counties, nor do they account for any overlap between the categories. Even so, the petition has a
16 sufficient number of valid signatures in all petition districts.

17 Accordingly, the petition still qualifies, even if the Court were to invalidate all of the
18 signatures notarized by Mr. Hanson and all of the signatures where the party name was handwritten
19 instead of pre-printed. It is therefore not necessary for the Court to determine whether the signatures
20 notarized by Mr. Hanson are valid, nor is it necessary to determine whether affidavits with the party
21 name handwritten in substantially complies with the law. The Democratic Party has not met its burden
22 of demonstrating that the petition is clearly invalid because it has not produced sufficient evidence to
23 show that the petition has less than the required number of valid signatures in any petition district.

24 3. The circulator affidavits substantially comply with the law.

25 In *LVCVA*, the court held that "substantial compliance" is the proper standard for circulator
26 affidavits. 124 Nev. at 682, 191 P.3d at 1147. "Substantial compliance" means "compliance with
27 essential matters necessary to ensure that every reasonable objective of the statute is met." *Williams*
28 *v. Clark County Dist. Attorney*, 118 Nev. 473, 480, 50 P.3d 536, 541 (2002).

1 As discussed above, the burden is on the Democratic Party to show that the circulator affidavits
2 do not substantially comply with the law, because it is the party challenging the Secretary's
3 determination that the petition is sufficient. The parties agree that the wrong circulator affidavit was
4 used on all the Green Party's petitions, and that the affidavits lack a statement by the circulator "that
5 I believe each person who signed was at the time of signing a registered voter in the county of his or
6 her residence." Stipulated Facts, ¶ 1.

7 The Democratic Party argues that if an affidavit is missing a single statement required by law,
8 it is necessarily invalid. Reply, p. 7. This would effectively be a strict compliance standard, which the
9 court in *LVCVA* specifically rejected. *LVCVA*, 124 Nev. at 681-82, 191 P.3d at 1146-47. The
10 Democratic Party also argues that finding substantial compliance in this case would render the statute
11 nugatory, by eliminating altogether the requirement for including that statement. Reply, p. 8.
12 Essentially this is just a different way of making the same argument that an affidavit that is missing a
13 single required element is *ipso facto* void. The analysis in *LVCVA* demonstrates that that is not the
14 law. Instead, the Nevada Supreme Court thoroughly examined whether the missing statements in that
15 case were "essential matters" and whether substantial compliance was achieved despite the absence
16 of those statements. *See LVCVA*, 124 Nev. at 682, 191 P.3d at 1147-51. Accordingly, the absence of
17 a required statement does not necessarily render the affidavit invalid, nor does it render the statutory
18 requirement a nullity, especially where the particular facts of the case are unlikely to recur.

19 The facts of this case are unusual in that the only statement missing from the affidavit – that
20 the circulator believes the signer to be a registered voter of his or her county of residence – goes
21 directly to something that the counties specifically check as part of the official signature verification
22 process. *See NRS 293.172(3), (4); NRS 293.1277*. This contrasts with the circulator's affidavit for a
23 referendum petition swearing to facts that the clerks are not able to verify – for example, that each
24 signer had an opportunity to read the full text of the measure prior to signing.

25 Also, the statement at issue here is only a statement of belief. Given that the counties verify
26 whether the signer is a registered voter of that county, the circulator's statement as to their *belief* about
27 the very same fact does not appear to serve any "essential" purpose. Furthermore, this statement is
28 not required at all for initiatives or referenda, even though those petitions are subject to the same

1 requirement that only registered voters of the county may sign the petition. NAC 295.025(1).
2 Signatures on initiatives and referenda are verified by the counties in the same manner as signatures
3 on ballot access petitions. NRS 293.1277(1). This further demonstrates that the statement does not
4 relate to an "essential matter."

5 The court in *LVCVA* recognized that, even if the missing statements relate to an "essential
6 matter," the petition can still substantially comply with the law if the evidence shows that the purpose
7 of the statute was otherwise met. 124 Nev. at 685-86, 191 P.3d at 1149-50, citing *Redl v. Secretary of*
8 *State*, 120 Nev. 75, 81-82, 85 P.3d 797, 801 (2004).

9 In *LVCVA*, the signatures on the petition were not verified by the clerks and registrars because
10 the Secretary of State found that the affidavits were invalid and, therefore, never ordered the
11 verification to go forward. *Id.* at 687, 191 P.3d at 1150. Importantly, the court recognized that, "had
12 a sufficient number of signatures been verified, the purpose of that provision of the statute [the
13 statement regarding the number of signatures on the document] would perhaps have been adequately
14 met to satisfy substantial compliance." *Id.* (parenthetical added).

15 That is what happened in this case. Specifically, the clerks and registrars check that the signer
16 is a registered voter of that county, and found a sufficient number of valid signatures from such voters.
17 See Green Party Exhibits 10-13 (G. Appx. 046-053). Thus, the verification of signatures shows that
18 the Green Party substantially complied with the statute and the purpose of the statute has been met.

19 The Democratic Party argues that, because the counties use a random sampling of only 500
20 signatures, the clerks did not actually verify a sufficient number of valid signatures from registered
21 voters (i.e., 10,095 signatures) and, therefore, the clerks' verification of signatures does not
22 demonstrate substantial compliance. This ignores that the random sampling process is routinely used
23 and relied upon for all petitions, including initiative and referenda petitions, which are not required to
24 contain any statement at all from the circulator attesting to the signers' voter registration status. There
25 is no reason to believe that the random sampling verification process does not adequately account for
26 the number of signers who turn out not to be registered voters in that county. As shown on the
27 counties' certificates of results, the number of signers who are found to *not* be registered voters is part
28 of the total number of invalid signatures in the sample. The clerks calculate a validity rate based on

1 the number of valid signatures in the sample, and then apply that rate to the number of raw signatures
2 to determine the total number of valid signatures. (G. Appx. at 046-053). The Democratic Party has
3 not produced any evidence suggesting that this process is inadequate to ensure that there are sufficient
4 valid signatures from registered voters, either generally or in this case specifically.

5 Finally, the reason the pertinent statement is missing from the circulator affidavit is because
6 the Secretary of State's Office supplied the Green Party with a form that contained the wrong
7 circulator affidavit. This occurred in response to the Green Party filing its petition for ballot access
8 which contained the correct circulator affidavit. By contrast, in *LVCVA* the Secretary of State had no
9 communications with the petition proponents and made no representations or recommendations to
10 them of any kind. 124 Nev. at 700, 191 P.3d at 1158. Here, an employee of the Secretary of State's
11 Office emailed a form containing the wrong affidavit to the Green Party and specifically instructed
12 the Green Party to use that form to collect signatures. (G. Appx. 033). This shows that the Green Party
13 relied on the form given to it by the Secretary of State's Office; it was not careless or negligent like
14 the proponents in *LVCVA*.

15 In conclusion, the circulator affidavits in this case substantially comply with the law, despite
16 the missing statement. The missing statement does not relate to an "essential matter," as evidenced
17 by the fact that it is not required for initiatives and referenda, which are subject to the same
18 requirement that only registered voters of the county can sign the petition, and which are verified by
19 the counties in the same way. The Green Party attempted to at least partially comply with the
20 requirement in practice. And, finally, the official verification process found that there was a sufficient
21 number of signatures from registered voters in the respective counties. Accordingly, all of the
22 reasonable objectives of the statute have been met, despite the missing statement in the circulator
23 affidavit. The Court therefore finds that the Democratic Party did not meet its burden to show that the
24 Green Party failed to substantially comply with the law.²

25 **ORDER**

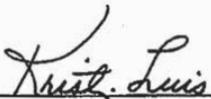
26 For the foregoing reasons, IT IS HEREBY ORDERED THAT:
27

28 ² Because the Court finds that the petition is sufficient, it is unnecessary to address the Green Party's constitutional arguments.

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1. The Democratic Party's requests for declaratory and injunctive relief are DENIED;
2. All of the Democratic Party's claims are DISMISSED with prejudice;
3. The Defendant Green Party's Motion to Strike is DENIED as moot; and,
4. The Defendant Green Party is the prevailing party in this action.

Dated: August 12, 2024.



DISTRICT COURT JUDGE

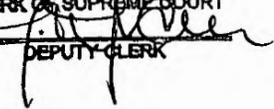
Draft Prepared by:

/s/ Kevin Benson
KEVIN BENSON, ESQ.
Nevada State Bar No. 9970
P.O. Box 4628
Carson City, NV 89702
Telephone: (775) 600-2119
Email: kbenson.esq@gmail.com
Attorney for Nevada Green Party

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA STATE DEMOCRATIC
PARTY, A NEVADA POLITICAL PARTY
COMMITTEE,
Appellant,
vs.
NEVADA GREEN PARTY, A NEVADA
POLITICAL PARTY COMMITTEE; AND
FRANCISCO V. AGUILAR, IN HIS
OFFICIAL CAPACITY AS NEVADA
SECRETARY OF STATE,
Respondents.

No. 89186

FILED
SEP 06 2024
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

*ORDER OF REVERSAL AND REMAND
AND DIRECTING IMMEDIATE ISSUANCE OF REMITTITUR*

This is an appeal from a district court order denying declaratory and injunctive relief in an election matter. First Judicial District Court, Carson City; Kristin Luis, Judge.

Respondent Nevada Green Party (Green Party) is a certified minor political party in Nevada and wishes to place its candidates on the 2024 general election ballot. To gain ballot access, the Green Party circulated a petition and gathered signatures. However, the petition the Green Party circulated contained the circulator affidavit for initiative and referendum petitions, instead of the circulator affidavit for minor party ballot access. The affidavits are different. The circulators of minor party ballot access petitions must verify that they believe each person signing the petition is a registered voter in the county of his or her residence. That

verification is not required in the circulator affidavit for initiative and referendum petitions. Appellant, the Nevada State Democratic Party (Democratic Party), filed a timely challenge to the Green Party's petition and an amended complaint asserting that all the Green Party's signatures were invalid because of the incorrect circulator affidavit. The district court denied the Democratic Party's challenge, concluding first that the Democratic Party had the burden of proof and second that the Democratic Party failed to show that the Green Party had not substantially complied with the requirements for the circulator affidavit.

The district court properly considered the amended complaint

As an initial matter, we reject the Green Party's argument that the district court erred by considering the arguments raised in the amended complaint. NRS 293.174 provides that "[i]f the qualification of a minor political party to place the names of candidates on the ballot pursuant to NRS 293.1715 is challenged, all affidavits and documents in support of the challenge must be filed not later than 5 p.m. on the second Monday in June." The second Monday in June this year was June 10, 2024, the date the Democratic Party filed its complaint.

The amended complaint did not raise a new challenge to the Green Party's petition. It merely expanded upon the Democratic Party's argument as to why the petition was invalid. The original complaint asserted that "the Green Party's petition did not satisfy NRS 293.1715 or NRS 293.172 and is invalid," primarily because it did not include sufficient verified signatures. A provision in one of the referenced statutes requires a minor party's petition for ballot access to "[i]nclude the affidavit of the person who circulated the document verifying that the signers are registered voters in this State according to his or her best information and

belief.” NRS 293.172(1)(b). Thus, the original complaint had put the Green Party on notice that the Democratic Party may assert that the petition did not comply with the circulator affidavit requirements, including that the circulator verified the signers’ voter registration statuses. Accordingly, the amended complaint related back to the original complaint, and the district court properly considered the arguments raised in the amended complaint. *See* NRCF 15(a)(1), (c) (permitting a party to amend its pleading and have the amendment relate back to the date of the original pleading if “the amendment asserts a claim or defense that arose out of the conduct, transaction, or occurrence set out—or attempted to be set out—in the original pleading”).

The Green Party had the burden to prove substantial compliance

Next, we agree with the Democratic Party that the district court erred in placing the burden of proof on the Democratic Party to demonstrate that the Green Party did not substantially comply with the circulator affidavit requirements. The district court properly recognized that the initial burden of proof as to the petition’s invalidity falls on the challenger (here, the Democratic Party). *See, e.g., Helton v. Nev. Voters First PAC*, 138 Nev. 483, 485-86, 512 P.3d 309, 313 (2022) (placing the burden of proof on the challenger to an initiative petition). But the court failed to recognize that the Democratic Party met that initial burden by showing that the Green Party failed to comply with the circulator affidavit requirement. At that point the burden shifted to the Green Party to demonstrate substantial compliance. This burden shifting is appropriate because substantial compliance is a defense to the claim that a party did not comply with the law. *See, e.g., Delaware Cty v. Powell*, 393 N.E.2d 190, 191-92 (Ind. 1979) (describing substantial compliance as a defense and placing the burden of

proof on the defendant); *State, Dep't of Highway Safety & Motor Vehicles v. Wejebe*, 954 So.2d 1245, 1248-49 (Fla. Dist. Ct. App. 2007) (explaining that once a party proves a lack of compliance, the burden shifts to the other party to prove substantial compliance). Thus, we conclude the district court erred in placing the burden on the Democratic Party to prove the Green Party did not substantially comply with the statutory and regulatory requirements for circulator affidavits.

The Green Party did not substantially comply with the requirements for a circulator affidavit

The district court also erred when it concluded that the Green Party had substantially complied with the statutory and regulatory requirements for circulator affidavits. We generally review a determination of substantial compliance for an abuse of discretion. *Schleining v. Cap One, Inc.*, 130 Nev. 323, 330, 326 P.3d 4, 8 (2014). But here, we conclude that a mixed review standard applies because there are no relevant factual disputes and because the issue implicates legal issues—the interpretation and construction of the statute and regulation—that are generally reviewed *de novo*, *Pub. Emps.' Ret. Sys. of Nev. v. Reno Newspapers, Inc.*, 129 Nev. 833, 836, 313 P.3d 221, 223 (2013).

The parties agree that substantial, not strict, compliance applies here. See *Las Vegas Convention and Visitors Auth. v. Miller (LVCVA)*, 124 Nev. 669, 682-83, 191 P.3d 1138, 1147 (2008) (explaining that this court generally looks for substantial compliance in the election context); *Nevadans for Nev. v. Beers*, 122 Nev. 930, 947-48, 142 P.3d 339, 350-51 (2006) (providing that for initiative petitions, strict compliance is required for Constitutional provisions, whereas substantial compliance may be okay for statutory provisions). “The substantial-compliance standard recognizes performance as adequate where the reasonable purpose of a statute has

been met, even absent technical compliance with the statutory language.” *BMO Harris Bank, N.A. v. Whittemore*, 139 Nev., Adv. Op. 31, 535 P.3d 241, 245 (2023). Thus, “[c]ourts have defined substantial compliance as compliance with essential matters necessary to ensure that every reasonable objective of the statute is met.” *Williams v. Clark Cnty. Dist. Att’y*, 118 Nev. 473, 480, 50 P.3d 536, 541 (2002). We have recognized, however, that “the complete failure to meet a specific requirement of a statute will result in a lack of substantial compliance.” *Choy v. Ameristar Casinos, Inc.*, 127 Nev. 870, 872, 265 P.3d 698, 700 (2011); *see also LVCVA*, 124 Nev. at 684, 191 P.3d at 1148.

The circulator affidavit used by the Green Party omitted a legally required element: the attestation that each signatory was a registered voter in the county of his or her residence. *See* NRS 293.172(1)(b), (d); NAC 293.182(2)(b). It would be error to say that one did not have to comply with this required element because the requirement arose out of a regulation. Regulations have the force of law. *See Kassebaum v. Dep’t of Corrs.*, 139 Nev., Adv. Op. 34, 535 P.3d 651, 656 (2023) (explaining that regulations adopted through the appropriate procedure “have the force and effect of law” (internal quotation marks omitted)). Thus, the Green Party was required to comply with both NRS 293.172 *and* NAC 293.182. Further, a failure to comply with such legal requirements typically results in a lack of substantial compliance, unless evidence is submitted to the contrary. *See LVCVA*, 124 Nev. at 683, 191 P.3d at 1147 (noting that in several Nevada cases “the complete failure to meet a specific requirement was found not to constitute substantial compliance”). For us to conclude otherwise would render the relevant portion of NRS 293.172 and NAC 293.182 nugatory. *See id.* at 686, 191 P.3d at 1149.

The circulator affidavits provide a level of fraud prevention that other procedures, such as validating a sample of signatures, cannot provide. *See, e.g., Sakonyi v. Lindsey*, 634 N.E.2d 444, 447 (Ill. App. Ct. 1994) (recognizing that “the circulator’s affidavit requirement is considered a meaningful and realistic method of eliminating fraudulent signatures and protecting the integrity of the political process”); *Larson v. Hazeltine*, 552 N.W.2d 830, 836 (S.D. 1996) (same); *Whitley v. Maryland State Bd. of Elections*, 55 A.3d 37, 53 (Md. Ct. App. 2012) (“The purpose of the circulator’s attestation is to assure the validity of the signatures and the fairness of the petition process, prevent fraud in the petition process, and provide an additional guarantee of trustworthiness to the signature of the voter.” (internal citations and quotation marks omitted)). Depending on how many signatures are gathered in a county, Nevada law permits the county clerk to validate the signatures using a sampling process. *See* NRS 293.1277(2) (providing that if more than 500 signatures have been gathered in the county, the county clerk may select a random sample of 500 signatures or 5 percent of the signatures, whichever is greater, to verify). Thus, in some Nevada counties, it is unlikely that county clerks would ever verify all the signatures. In those circumstances, the circulator’s attestation in the affidavit serves as the only level of fraud prevention for those signatures not included in the random sampling. *See Whitley*, 55 A.3d at 53-54 (discussing how a circulator’s affidavit serves as “an independent check on the validity of the petition signatures”).

The circulator’s attestation also provides an additional verification that is not addressed at all through the county clerk’s signature verification process. In particular, the attestation not only attests to the fact that the signatory is a registered voter in the county, but it also attests

to the fact that the signatory is a registered voter in the county of his or her residence. The sampling verification of signatures does not confirm whether a person is registered in the county of his or her residence. The county of residence is particularly relevant to a petition for minor party ballot access. Such a petition must bear a certain number of signatures from voters in each congressional district. NRS 293.1715. By requiring the petition circulator to attest that each signatory is registered to vote in the county of his or her residence, NRS 293.172 and NAC 293.182 provide some assurance that the petition complies with the requirements for minor party ballot access. Thus, the attestation missing from the Green Party's circulator affidavits serves an essential purpose, such that failure to include that attestation defeats the Green Party's substantial compliance argument.

The evidence presented by the Green Party was also insufficient to demonstrate that its circulators complied with the statutory and regulatory requirements despite the missing attestation in their affidavits. First, the declarations provided by some of the Green Party's circulators do not demonstrate substantial compliance in practice. Those declarations do not indicate that the circulators were asking signatories if they were a registered voter in the county of the signatory's residence. Second, the declaration from the CEO of a circulation company used by the Green Party merely demonstrates the company's best practices and procedures. It does not demonstrate what each employee circulator did when collecting signatures for the Green Party's petition. *LVCVA*, 124 Nev. at 687, 191 P.3d at 1150. Thus, the Green Party did not demonstrate substantial compliance with the circulator affidavit requirements in practice.

Lastly, the Green Party's failure to use the correct circulator affidavit cannot be excused by the Green Party's reliance on the sample petition received from the Secretary. A political party cannot demonstrate compliance with the law based on mistaken guidance received from a government entity when the "[g]overnment has a duty to correct any previous mistakes in enforcing the law it might have made." *See United States v. Undetermined Quantities of Clear Plastic Bags of an Article of Drug for Veterinary Use*, 963 F. Supp. 641, 646-47 (S.D. Ohio 1997) (explaining that a failure to properly enforce the law, does not waive the law). Further, permitting a minor party to be placed on the ballot when the party failed to comply with the legal requirements for such placement negates the requirements that were put in place for the public's benefit. *See, e.g., Reform Party of Ala. v. Bennett*, 18 F. Supp. 2d 1342, 1354 (M.D. Ala. 1998) (providing that a failure to enforce ballot-access laws not only harms voters but also violates the rights of political party that complied with the law in accessing the ballot). Thus, regardless of what it received from the Secretary, the Green Party still had a duty to comply with the legal requirements for circulator affidavits, and it did not do so.

Therefore, we conclude the record does not support the district court's finding that the Green Party substantially complied with the statutory and regulatory requirements that circulator affidavits on minor party ballot access petitions attest to the registration of the signers as voters in their county of residence.

The Green Party's rights are not violated

Lastly, we reject the Green Party's arguments that invalidating the signatures on its petition will violate its substantive due process and equal protection rights. We address each argument in turn.

Substantive due process

It is undisputed that minor political parties have a constitutional right to seek ballot access for their candidates. *Norman v. Reed*, 502 U.S. 279, 288 (1992). “Substantive due process protects certain individual liberties against arbitrary government deprivation regardless of the fairness of the state’s procedure.” *Eggleston v. Stuart*, 137 Nev. 506, 510, 495 P.3d 482, 489 (2021).

We acknowledge that a Secretary of State employee emailed a sample petition to the Green Party, including the incorrect circulator affidavit, which the Green Party then used. While the petition the Green Party originally submitted to the Secretary had the correct circulator affidavit, the petition had a different error: it did not include a blank space for the petition district. Thus, by email the Secretary’s employee notified the Green Party of that error and attached a form petition for the Green Party’s use, which included the space for the petition district. Unfortunately, the form petition inadvertently included the wrong circulator affidavit. A cursory review of the circulator affidavit by either the Secretary or the Green Party would have found this mistake. However, the emails between the Secretary’s office and the Green Party never discussed the circulator affidavit.

Thus, there is no evidence that the email was anything but an unfortunate mistake or that the Secretary intended to mislead the Green Party. Further, the Secretary’s employee also directed the Green Party to The Minor Party Qualification Guide 2024, which contained guidance on the proper circulator affidavit and also included citations to the relevant laws, NRS 293.172 and NAC 293.182. The statute and regulation were readily available to the Green Party, and the Secretary did not prevent the

Green Party from complying with the requirements for circulator affidavits. If the Green Party had reviewed the petition before using it, it would have discovered the incorrect circulator affidavit as the Green Party was clearly aware of the legal requirements for the affidavit considering it had used the correct affidavit in its original petition. This is an unfortunate oversight on the part of both the Secretary and the Green Party. Thus, the Secretary's actions do not rise to the level of government infringement or an egregious governmental abuse that shocks the conscience for purposes of a substantive due process violation. *See Eggleston*, 137 Nev. at 510, 495 P.3d at 489 (explaining that substantive due process “does not protect against all government infringement, but is reserved for the most egregious governmental abuses against liberty or property rights, abuses that shock the conscience or otherwise offend judicial notions of fairness and that are offensive to human dignity” (internal quotation marks omitted)).

Equal protection

“The threshold question in equal protection analysis is whether a statute effectuates dissimilar treatment of similarly situated persons.” *Rico v. Rodriguez*, 121 Nev. 695, 703, 120 P.3d 812, 817 (2005). The Green Party's equal-protection argument focuses on differences between the requirements for circulator affidavits that apply to minor party ballot access petitions and those that apply to initiative and referendum petitions.

We are not convinced that minor parties seeking ballot access and proponents of initiative or referendum petitions are similarly situated. The circulator affidavits that each must use are different because the petitions implicate different interests and legal requirements. For example, the circulator affidavit for initiative or referendum petitions includes an attestation that the signatories were given the opportunity to review the

initiative or referendum. NRS 295.0575; *LVCVA*, 124 Nev. at 686, 191 P.3d at 1149 (explaining that a signatory needs to have an opportunity to review the initiative or referendum to truly understand what they are supporting). The same is not required for minor party ballot access because the signatories are not being asked to put a substantive question on the ballot. And whereas Nevada law requires that a petition for minor party ballot access include signatures from a certain number of voters in each Congressional district, NRS 293.1715, there is no similar requirement for initiative or referendum petitions. The Green Party is more similarly situated to independent political party candidates, who must utilize similar circulator affidavits as minor political party candidates. Compare NRS 293.200(2) (requiring a circulator of a petition for an independent candidate’s ballot access to attest that the signatures are from a “person registered to vote in that county”), with NRS 293.172(1)(b) (requiring a circulator of a petition for minor party ballot access to attest that “signers are registered voters in this State”). Accordingly, the Green Party has not demonstrated that invalidating the signatures it gathered because it used the wrong circulator affidavit results in an equal-protection violation.¹

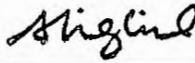
The district court erred by denying the Democratic Party’s request for declaratory and injunctive relief. The Green Party did not substantially comply with the requirements for circulator affidavits, and thus, the Green Party’s signatures must be invalidated. See *LVCVA*, 124 Nev. at 690, 191 P.3d at 1152 (recognizing that invalidation of signatures is

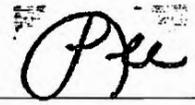
¹While the parties discuss the *Anderson/Burdick* framework adopted by the U.S. Supreme Court to determine the scrutiny that applies to election regulations, see *Arizona Democratic Party v. Hobbs*, 18 F.4th 1179, 1186 (9th Cir. 2021), the Green Party does not assert that NRS 293.172 or NAC 293.182 are unconstitutional under that framework.

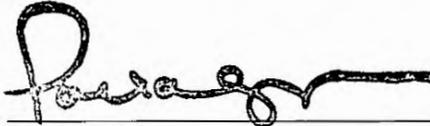
the appropriate remedy for a deficient circulator affidavit). Accordingly, we reverse the district court's order and remand for the district court to enter an order granting injunctive relief. Because of the expediency with which the parties need relief due to the impending deadline for changes to election ballots, we direct the clerk of this court to issue the remittitur immediately so that the district court may expeditiously comply with our mandate. See NRAP 41(b) (permitting the court to shorten the time for remittitur to issue).

It is so ORDERED.²


_____, C.J.
Cadish


_____, J.
Stiglich


_____, J.
Lee


_____, J.
Parraguirre


_____, J.
Bell

²We grant the August 30, 2024, motion for leave to file amicus brief in support of respondent.

HERNDON, J., with whom PICKERING, J., agrees, concurring in part and dissenting in part:

While I concur with the majority's conclusion that the district court erred by placing the burden of proof regarding substantial compliance on the Democratic Party, I respectfully dissent for two reasons. First, in my opinion, the Green Party demonstrated substantial compliance. Second, I am deeply concerned that our decision today excuses an egregious error by the Secretary of State's office that will result in a significant injustice and I am convinced that, under the circumstances presented in regard to that error, invalidating the signatures violates the Green Party's substantive due process rights.

The Green Party demonstrated substantial compliance

The majority's consideration of what is required for a circulator affidavit on a minor party petition for ballot access is too expansive. This court is limited to considering if the minor party substantially complied with the *statutory* requirements, which the Green Party did here. NRS 293.172(1)(b) requires a circulator affidavit "verifying that the signers are registered voters in this State according to his or her best information and belief and that the signatures are genuine and were signed in his or her presence." The statute does not require a circulator to attest that he or she believes each signatory is a registered voter in the county of the signatory's residence. The declarations provided by the Green Party demonstrate that the Green Party's circulators asked the signatories if they were residents of Nevada and registered voters. In addition to declarations from individual circulators, the Green Party also provided a declaration from the CEO of the petition circulation company the Green Party used. The CEO stated that he trained the circulators that worked for him to ask signatories if they

were registered voters in Nevada in the relevant congressional district. Furthermore, the signatories themselves listed their resident address next to their signatures, and the form each signatory signed listed the county and congressional district for the signatures affixed thereon. Accordingly, the Green Party met its burden of demonstrating substantial compliance with the statutory requirements for circulator affidavits on minor party petitions for ballot access.

The majority mistakenly extends the requirements for a circulator affidavit to include those provided by a regulation that was adopted to assist the Secretary of State in verifying signatures. It is only in the regulation, NAC 293.182, not the statute, that one finds the requirement that a circulator attest that the circulator believes each signatory is “a registered voter in the county of his or her residence.” It is an error to say that the requirement added by regulation is essential “to ensur[ing] that every reasonable objective of *the statute* is met.” *Williams v. Clark Cnty. Dist. Att’y*, 118 Nev. 473, 480, 50 P.3d 536, 541 (2002) (stating that substantial compliance is compliance with matters essential to the statute’s objective). There is no evidence that this additional attestation requirement added by regulation was meant to prevent fraud. In fact, it appears that it was merely meant to assist the Secretary of State and county clerk’s offices in verifying the signatures through the verification process. Furthermore, in a case involving federal races, a voter’s county of residence does not determine congressional district and so is not essential.

Additionally, the district court properly concluded that the independent verification of signatures gathered by the Green Party demonstrated substantial compliance. As this court noted in *Las Vegas Convention and Visitors Authority v. Miller (LVCVA)*, 124 Nev. 669, 687,

191 P.3d 1138, 1150 (2008), if sufficient signatures are verified, the purpose of the provision requiring a circulator provide attestations regarding the signatures gathered could be satisfied under a substantial compliance standard. Such verification did not occur in *LVCVA* because the Secretary of State there rejected the affidavits. But here, the Secretary of State accepted the affidavits and proceeded with its statistical verification of the signatures.

In a significantly similar case to the one before us now, the Supreme Court of Ohio concluded that verification of signatures renders a circulator's attestation nonessential. *State ex rel. Buchanon v. Stillman*, 231 N.E.2d 61, 62-63 (Ohio 1967). That matter involved an almost identical missing attestation in a circulator affidavit that required the circulator to attest that to the best of the circulator's knowledge the signer was qualified to sign the petition. *Id.* at 62. The court concluded that the attestation served the purpose of protecting the board of elections when the signatures were not verified, but that if the signatures were verified, the attestation "no longer serve[d] any useful purpose." *Id.* Similarly, here the missing attestation from the circulator affidavit protects the Secretary of State from placing a minor political party on the ballot that did not gather enough signatures in each congressional district. But by validating the signatures, the Secretary of State has chosen not to invoke the protection that attestation provides. Therefore, the necessity for the missing attestation becomes moot and, in line with what the *Stillman* court noted, it should not be allowed "to provide a weapon for those who desired to attack the petitions." *Id.* Accordingly, I conclude that the verification of the signatures gathered by the Green Party rendered noncompliance with any requirements created in NAC 293.182 inconsequential.

Violation of the Green Party's substantive due process rights

I further conclude that invalidation of the signatures gathered by the Green Party under the circumstances presented violates the Green Party's substantive due process rights. The majority correctly notes that minor political parties have a constitutional right to seek ballot access for their candidates. *Norman v. Reed*, 502 U.S. 279, 288 (1992). "Substantive due process protects certain individual liberties against arbitrary government deprivation regardless of the fairness of the state's procedure." *Eggleston v. Stuart*, 137 Nev. 506, 510, 495 P.3d 482, 489 (2021). It would be fundamentally unfair to invalidate the Green Party's gathered signatures in light of the Secretary of State's arbitrary and incorrect direction to the Green Party to use the wrong form.

When the Green Party decided to circulate a petition for ballot access, it sent its petition to the Secretary of State's office. The Green Party's original petition included the proper circulator affidavit provided in NAC 293.182. An employee with the Secretary of State's office replied by email to the Green Party stating, in relevant part, "It appears the petition documents you may have are an older version. . . . Please use the documents attached to begin collecting signatures." The documents the employee attached contained the *wrong* circulator affidavit, specifically the one used for circulating initiative or referendum petitions, instead of the correct circulator affidavit for minor party petitions for ballot access. The Green Party was not merely provided an incorrect form, rather, they were affirmatively told by the Secretary of State's office that the correct form the Green Party originally provided in their petition was outdated and they were affirmatively directed by the Secretary of State's office to use the specific form provided by that office in moving forward with their petition.

The Green Party then utilized the documents sent by the Secretary of State's employee, as directed, and circulated a petition with a circulator affidavit that does not include the language provided in NAC 293.182.

This case is distinguishable from *LVCVA*. In that case, the Secretary of State's Guide had the incorrect information. 124 Nev. at 676, 191 P.3d at 1143. Here, the Secretary of State took an affirmative action by providing the Green Party with a form petition and directing the Green Party to use that form petition. It would be unreasonable to expect a minor party to thereafter double check the form petition provided by the Secretary of State, who is supposed to be the primary authority on elections in Nevada. The Green Party did not need to independently review NRS 293.172 and NAC 293.182 to ensure that the Secretary of State's information was correct. Even if the Green Party had determined that the form petition provided to it by the Secretary of State's office was incorrect, the Green Party would be placed in a legal limbo because it could not comply with the legal requirements for a circulator affidavit *and* the direction from the Secretary of State's office.

I disagree with the majority's characterization of the Secretary of State's error as an "unfortunate mistake." It is working a tremendous injustice and invalidating the signatures gathered by the Green Party on the form petition provided by the Secretary of State's office would be egregious and at the expense of the Green Party's constitutional rights. See *Eggleston*, 137 Nev. at 510, 495 P.3d at 489 (observing that a violation of an individual's substantive due process rights "is reserved for the most egregious governmental abuses against liberty or property rights" (internal quotation marks omitted)); *LVCVA*, 124 Nev. at 695-96, 191 P.3d at 1155 ("Generally, substantive due process analysis applies when state action is

alleged to unreasonably restrict an individual's constitutional rights." (internal quotation marks omitted)). It also shocks the conscience, offends judicial notions of fairness, and contributes to a distrust in the election process in Nevada. *See Eggleston*, 137 Nev. at 510, 495 P.3d at 489 (explaining that a substantive due process violation occurs when a governmental abuse "shock[s] the conscience or otherwise offend[s] judicial notions of fairness" (internal quotation marks omitted)). Thus, the invalidation of the Green Party's signatures gathered under these circumstances violates the Green Party's substantive due process rights.

Accordingly, I would affirm the district court's order denying the Democratic Party's request for declaratory and injunctive relief.


_____, J.
Herndon

I concur:


_____, J.
Pickering

cc: Hon. Kristin Luis, District Judge
Pisanelli Bice, PLLC
Attorney General/Carson City
Benson Law LLC
Ashcraft & Barr LLP
Carson City Clerk

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WILLIAM SCOTT HOEN
CLERK

BY _____ DEPUTY

**IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY**

NEVADA STATE DEMOCRATIC PARTY,
a Nevada Political Party Committee,

Plaintiff,

v.

NEVADA GREEN PARTY, a Nevada
Political Party Committee; and
FRANCISCO V. AGUILAR, in his official
capacity as Nevada Secretary of State,

Defendants.

Case No.: 24 OC 00107 1B

Dept. No.: II

**ORDER GRANTING PLAINTIFF'S
LEGAL CHALLENGE TO GREEN
PARTY'S BALLOT ACCESS**

This matter came before this Court after actions taken this day by the Nevada Supreme Court. That court entered an Order of Reversal and Remand and Directing Immediate Issuance of Remittitur. The original Complaint for Declaratory and Injunctive Relief was filed on June 10, 2024. Pursuant to NRS 293.174, Plaintiff's requested that this Court enjoin Defendant Francisco V. Aguilar, in his capacity as Nevada Secretary of State, from placing Defendant Nevada Green Party ("Green Party") on the Nevada general election ballot.

Based upon the order of the supreme court, and good cause appearing, this Court finds and Orders as follows:

ORDER

IT IS HEREBY ORDERED that Plaintiff's challenge to the Green Party's ballot access is **GRANTED**, and the Green Party's Ballot-Access Petition is declared invalid under Nevada law.

DECLARATION OF MARGERY HANSON

I, Margery Hanson, declare the following under penalties of perjury:

1. I am currently the Co-Chair of the Nevada Green Party, and I have held this position since July, 2020. The Nevada Green Party has been in continual existence since at least that time.
2. The Nevada Green Party filed a notice of continued existence on or about July 6, 2020. Pursuant to that notice, the Nevada Secretary of State issued to the Green Party a Certificate of Minor Party Organization dated January 29, 2021, a true and correct copy of which is attached to the Green Party's Brief in Opposition as Exhibit 2.
3. The Nevada Green Party filed a notice of continued existence on or about March 1, 2023. Pursuant to that notice, the Nevada Secretary of State issued to the Green Party a Certificate of Minor Party Organization dated July 13, 2023, a true and correct copy of which is attached to the Green Party's Brief in Opposition as Exhibit 3.
4. The Nevada Green Party filed a notice of continued existence on or about January 16, 2024. Pursuant to that notice, the Nevada Secretary of State issued to the Green Party a Certificate of Minor Party Organization dated January 19, 2024. Plaintiff's Exhibits 1 and 2 appear to be correct copies of those documents.
5. The Nevada Green Party filed a copy of its 2024 ballot access petition with the Nevada Secretary of State's Office on July 10, 2023. A true and correct copy of the email exchange between the Secretary of State's Office and the Nevada Green Party acknowledging receipt of the ballot access petition on July 10, 2023 is attached to the Green Party's Brief in Opposition as Exhibit 5. A true and correct copy of the Green Party's attachment to that email is attached to the Green Party's Brief in Opposition as Exhibit 6.
6. As shown in Exhibit 5, the Secretary of State's Office responded that the original petition that was submitted appeared to be an old form, and it instructed the Green Party to use the attached form instead. A true and correct copy of that form is attached to the Green Party's Brief in Opposition as Exhibit 7.

////

1 7. I received a notice from the Secretary of State's Office on or about June 10, 2024 stating that
2 the Nevada Green Party submitted a sufficient number of valid signatures to qualify for ballot access
3 for 2024. A true and correct copy of that notice is attached to the Green Party's Brief in Opposition
4 as Exhibit 14.

5 8. The Nevada Green Party circulated the ballot access petition using both volunteers and paid
6 circulators. I instructed the circulators to ask every potential signer if they voted in the 2022 election
7 and if they are a Nevada resident.

8 9. The purpose of these questions was to determine whether the potential signer is an active,
9 registered Nevada voter.

10 10. I further instructed the circulators to only allow people who answered yes to those two
11 questions to sign the petition.

12 11. I personally circulated the 2024 ballot access petition and I asked every potential signer if
13 they voted in the 2022 election and if they are a Nevada resident. I only allowed those who answered
14 affirmatively to sign the petition.

15 12. After being served with the Complaint, the Green Party retained counsel and was working
16 diligently to assist counsel with preparing the Green Party's response to the Complaint in order to
17 file it on or before July 2, 2024. After the amended complaint was filed on July 1, 2024, the Green
18 Party and its counsel has had to spend substantially more time preparing its response to the new
19 challenge to the circulator affidavit. This has included, but is not limited to, attempting to contact
20 circulators of the petition in order to obtain declarations regarding how they circulated the petition.
21 Given the short time (10 calendar days) to respond to the amended complaint, it is difficult, if not
22 impossible, to contact many of the circulators who worked on this petition.

23 I declare under penalty of perjury of the laws of the State of Nevada that the above statements
24 are true.

25 Dated this 9th day of July, 2024.

26
27 
MARGERY HANSON

(40a)

EXHIBIT 2

Jan. 29, 2021 Certification of Minor Party Organization

AA 0277

SECRETARY OF STATE



Certificate of Minor Party Organization

I, Barbara K. Cegavske, the duly qualified and elected Secretary of State of the State of Nevada, do hereby certify the NEVADA GREEN PARTY as a minor political party in Nevada. The certificate of continued existence was filed in the Office of the Secretary of State pursuant to Nevada Revised Statutes 293.171(1) on July 6, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Nevada, at my office, in Carson City, Nevada, this 29th day of January, A.D., 2021.

Barbara K. Cegavske

Barbara K. Cegavske
Secretary of State



By: *Mark A. Wlaschin*

Mark Wlaschin
Deputy Secretary for Elections

(42a)

EXHIBIT 3

July 13, 2024 Certification of Minor Party Organization

AA 0279

SECRETARY OF STATE



Certificate of Minor Party Organization

I, Francisco V. Aguilar, the duly qualified and elected Secretary of State of the State of Nevada, do hereby certify the Nevada Green Party as a minor political party in Nevada. The certificate of continued existence was filed in the Office of the Secretary of State pursuant to Nevada Revised Statutes 293.171(1) on March 1, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Nevada, at my office, in Carson City, Nevada, this 13th day of July, A.D., 2023.

FVAguilar

Francisco V. Aguilar
Secretary of State



By: *Mark Wlaschin*
Mark Wlaschin
Deputy Secretary for Elections

(44a)

EXHIBIT 4

2024 Minor Party Qualification Guide

AA 0281

State of Nevada



MINOR PARTY QUALIFICATION GUIDE 2024

Published by the Office of
the Nevada Secretary of State
Francisco V. Aguilar

Nevada Secretary of State's Office
Elections Division
101 North Carson Street, Suite 3
Carson City, NV 89701
(775) 684-5705
nvelect@sos.nv.gov

www.nvsos.gov

 twitter.com/nvsos

 twitter.com/nvelect

 www.facebook.com/NVSOS

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PREFACE

The Secretary of State’s office has prepared this brief summary of the statewide minor political party qualification procedures, as printed in [Chapter 293](#) of the Nevada Revised Statutes (NRS) and other pertinent sections of the Nevada Constitution, Title 24 of the NRS, and the Nevada Administrative Code (NAC). The purpose of this guide is to provide a general understanding of the procedures and requirements necessary to qualify as a minor political party and to gain and maintain ballot access. **It is important to note that this guide is for general information only. It does not have the force and effect of Nevada law, regulation, or rule.** Interested citizens should obtain the most recent version of the NRS since Nevada’s election laws are amended each legislative session. Interested parties should also be aware that election issues are periodically addressed by the Attorney General, or by state or federal courts. 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.

PROCEDURES TO QUALIFY AS A MINOR POLITICAL PARTY

To qualify as a minor political party, an organization must file a Certificate of Existence and a copy of the constitution or bylaws of the party with the Secretary of State's office ([NRS 293.171](#)). In order to obtain ballot access, a qualified minor party must successfully complete one of the three procedures listed in section (2) below ([NRS 293.1715](#)). Once qualified for ballot access, a minor political party that wishes to place candidates on the ballot for the general election must file a list of its candidates for partisan office with the Secretary of State's office no later than the close of the candidate filing period ([NRS 293.1725](#)).

(1) QUALIFICATION

To qualify as a minor political party, an organization must file a Certificate of Existence with the Secretary of State's office. The Certificate must include the following information:

- a. Name of the political party;
- b. Names of its officers;
- c. Names of the members of its executive committee;
- d. Name of the person authorized to file the list of its candidates for partisan office with the Secretary of State; and
- e. A copy of its constitution or bylaws ([NRS 293.171\(1\)\(2\)](#)).

The constitution or bylaws of a minor political party must provide a procedure for the nomination of its candidates in such a manner that only one candidate may be nominated for each office ([NRS 293.171\(4\)](#)).

A minor political party shall file with the Secretary of State an Amended Certificate of Existence within five (5) days after any change in the information contained on the Certificate of Existence ([NRS 293.171\(3\)](#)).

A minor political party whose candidates for partisan office do not appear on the ballot for the 2024 General Election must file a Notice of Continued Existence with the Secretary of State's office not later than Friday, August 9, 2024. If a minor political party that does not have ballot access fails to file a Notice of Continued Existence by the deadline, it ceases to exist as a minor political party in Nevada ([NRS 293.171\(5\)\(6\)](#)).

(2) OBTAINING BALLOT ACCESS FOR THE 2024 GENERAL ELECTION

A minor political party will be granted ballot access for the 2024 General Election, if:

1. At the 2022 General Election, the minor political party received for any of its candidates 1% or more of the total votes cast for the offices of Representative in Congress ([NRS 293.1715\(2\)\(a\)](#));
2. On January 1, 2024, at least 1% of the total number of registered voters in Nevada have designated the minor political party on applications to register to vote ([NRS 293.1715\(2\)\(b\)](#)); or

(49a)

3. Not later than June 3, 2024, it has submitted a petition for minor party ballot access containing valid signatures equal to 1% of the total number of votes cast at the 2022 General Election for the offices of Representative in Congress with the appropriate County Clerk/Registrar of Voters for signature verification ([NRS 293.1715\(2\)\(c\)](#) and [293.172\(1\)\(c\)](#)).

The names of candidates for partisan office of a minor political party never appear on the primary election ballot. Instead, candidates of a minor political party only appear on the general election ballot ([NRS 293.1715\(1\)](#)). The name of only one candidate of each minor political party for each partisan office may appear on the ballot for a general election ([NRS 293.1715\(3\)](#)).

Total votes cast for Representative in Congress in the 2022 General Election	1,009,503
1% of total votes cast for Representative in Congress in the 2022 General Election	10,095
Total number of registered voters in Nevada on January 1, 2023 (will be updated in January 2024)	1,909,139
1% of total number of registered voters in Nevada on January 1, 2023 (will be updated in January 2024)	19,091
Total number of valid signatures needed to qualify for ballot access for the 2024 General Election	10,095

(3) FILING A LIST OF CANDIDATES FOR PARTISAN OFFICE

A minor political party with ballot access, or that is attempting to gain ballot access through the petition process outlined in [NRS 293.1715\(2\)\(c\)](#), must file with the Secretary of State's office a list of its candidate for partisan office not earlier than Monday, March 4, 2024, and not later than 5:00 p.m. on Friday, March 15, 2024. The list must be signed by the person authorized to do so in the Certificate of Existence of the minor party before a notary public or other person authorized to take acknowledgments ([NRS 293.1725\(1\)](#)). Each candidate on the list must file his or her declaration of candidacy with the appropriate filing officer and pay the filing fee not earlier than the date on which the list of candidates for partisan office of the minor political party is filed with the Secretary of State and not later than 5:00 p.m. on Friday, March 15, 2024 ([NRS 293.1725\(3\)](#)).

*The number is rounded up in order to meet the statutory requirement of at least 1%.

REQUIREMENTS OF PETITIONS TO QUALIFY FOR BALLOT ACCESS

Before a petition for ballot access may be circulated for signatures, the minor political party must first file a copy of the petition with the Secretary of State's office ([NRS 293.1715\(4\)](#)). The format of the petition is described on page 9 of this guide. If the office to which the candidate is to be nominated is a county office, only the registered voters of that county may sign the petition. If the office to which the candidate is to be nominated is a district office, only the registered voters of that district may sign the petition ([NRS 293.172\(2\)](#)). The signatures obtained must be verified by the County Clerk/Registrar of Voters in the county where the petition was circulated. The signature verification process is described on page 10 of this guide. After signature verification, the County Clerks/Registrars of Voters notify the Secretary of State's office of the results. The Secretary of State then notifies the petitioners whether the petition qualified or failed.

○ PROCEDURE FOR CONTINUED EXISTENCE AS A MINOR POLITICAL PARTY

A minor political party whose candidates for partisan office do not appear on the ballot for the 2024 General Election must file a Notice of Continued Existence with the Secretary of State's office not later than Friday, August 9, 2024. If a minor political party that does not have ballot access fails to file a Notice of Continued Existence by the deadline, it ceases to exist as a minor political party in Nevada ([NRS 293.171\(5\)\(6\)](#)).

○ MAINTAINING BALLOT ACCESS AFTER THE 2022 GENERAL ELECTION

A minor political party will maintain ballot access for the 2024 General Election if:

1. At the 2022 General Election, the minor political party receives for any of its candidates 1% or more of the total votes cast for the offices of Representative in Congress ([NRS 293.1715\(2\)\(a\)](#)); **or**
2. On January 1, 2024, at least 1% of the total number of registered voters in Nevada have designated the minor political party on applications to register to vote ([NRS 293.1715\(2\)\(b\)](#)).

If a minor political party meets either of these requirements, it will not have to petition to maintain ballot access for the 2024 General Election.

IMPORTANT DATES

January 1, 2024	A minor political party may qualify for ballot access if at least 1% of the total number of registered voters in Nevada have designated the minor political party on applications to register to vote by this date (NRS 293.1715(2)(b)).
March 4, 2024 through March 15, 2024	Period during which a minor political party may file a list of candidates with the Secretary of State. The list of candidates may not be amended after 5:00 p.m. on March 15, 2024 (NRS 293.1725(1)).
March 4, 2024 through March 15, 2024	Period during which a minor political party candidate may file a Declaration of Candidacy and pay the appropriate filing fee for the purpose of having the candidate's name appear on the 2024 General Election ballot (NRS 293.1725(3)).
May 18, 2024	Last day for a minor political party seeking ballot access to submit a petition containing the signatures of at least 1% of the total number of votes cast at the 2022 General Election for the offices of Representative in Congress to the County Clerks/Registrars of Voters for signature verification (NRS 293.172(1)(c)).
June 3, 2024	Last day for a minor political party ballot access petition containing the signatures of at least 1% of the total number of votes cast at the 2022 General Election for the offices of Representative in Congress to be submitted to the Secretary of State after signature verification by the County Clerks/Registrars of Voters (NRS 293.1715(2)(c)).
August 9, 2024	Last day for a minor political party that does not qualify for 2024 General Election ballot access to file a Notice of Continued Existence with the Secretary of State. Failure to file the Notice of Continued Existence by the deadline causes the minor political party to cease to exist (NRS 293.171(5)(6)).

LIST OF CANDIDATES AND VACANCIES

A list of candidates must be filed with the Secretary of State between March 4, 2024, and March 15, 2024, before any minor political party candidates may file for office. The list must be signed by the person authorized in the minor political party's Certificate of Existence before a notary public or other person authorized to take acknowledgements. The list may be amended until 5 p.m. on the last day that the list may be filed ([NRS 293.1725\(1\)](#)).

The Secretary of State will forward a certified copy of the minor political party's list of candidates for partisan office to the filing officer with whom each candidate must file a Declaration of Candidacy. Each candidate on the list must file a Declaration of Candidacy with the appropriate filing officer and pay the appropriate fee, if any. The minor party candidate may file a Declaration of Candidacy during the period from March 4, 2024 to March 15, 2024 ([NRS 293.1725\(2\)\(3\)](#)).

The names on the list of candidates of a minor political party will not appear on the 2024 Primary Election ballot; however, the names will appear on the 2024 General Election ballot. Please note that each minor party may have only one candidate for each office appearing on the 2024 General Election ballot ([NRS 293.1715\(1\)\(2\)](#)).

When applicable, a minor political party that wishes to place candidates for the offices of President and Vice President of the United States on the ballot and has qualified to place the names of its candidates for partisan office on the ballot for the general election, must file with the Secretary of State a certificate of nomination for these offices not later than the last Tuesday in August ([NRS 293.1725\(4\)](#) and [NRS 298.035\(2\)](#)).

○ FILLING A VACANCY

A vacancy occurring in a minor political party's nomination for a partisan office may be filled by a candidate designated by the minor party's executive committee, except for a vacancy occurring in a party nomination for the office of State Senator or Assemblyperson from a multi-county legislative district. The designation must be filed before 5:00 p.m. on Friday, July 26, 2024. The nominated candidate must file a declaration of candidacy and pay the filing fee by 5:00 p.m. on the date the designation is filed ([NRS 293.165\(1\)\(5\)](#)).

For the procedure to fill a vacancy occurring in a minor party nomination for the office of State Senator or Assemblyperson from a multi-county legislative district, please see [NRS 293.166\(1\)](#).

Please note that no change may be made on the 2024 General Election ballot after Friday, July 26, 2024. If a nominee dies after that date, or a vacancy in the nomination is otherwise created, the nominee's name must remain on the ballot and if the nominee is elected, a vacancy is created ([NRS 293.165\(4\)](#) and [NRS 293.166\(3\)](#)).

BALLOT ACCESS PETITION FORMAT

Pursuant to [NRS 293.172](#), [NRS 293.12757](#), [NRS 293.12758](#), and [NAC 293.182](#) the following are the requirements of a minor political party ballot access petition:

- 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 bear the name of the minor political party, and if applicable, the candidate and office to which the candidate is to be nominated;
- Each document must bear the name of a county, and only registered voters of that county may sign the document;
- Each document must contain sequentially numbered spaces for the name of each person who signs the petition, the signature of that person, the residence address of that person, the name of the county where that person is registered to vote, and the date of the signature;
- Each document must contain an affidavit of the person who circulated the document, verifying that the signers, to the best of his or her belief, are registered voters in the State and were signed in his/her presence. 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 Nevada (e.g., a notary public);

Please Note: The circulator is **not** required to be a registered voter in Nevada.
([Attorney General Opinion No. 99-37](#), dated 12/01/99)

- The circulator of the petition must be 18 years of age or older.
- Each signature on the petition must be in ink. The County Clerk/Registrar of Voters will disregard any signature that is not signed in ink; and
- Each page of the document must be sequentially numbered, beginning with the number one (1) for each document. The County Clerk/Registrar of Voters cannot accept a petition unless each page of the document is numbered.

THE SECRETARY OF STATE DOES NOT APPROVE THE LEGALITY OF THE PETITIONS

A challenge to the form of the petition must be made in a district court in the county that is named on the document.

NOTE: Sample petition is provided in the Appendix.

PETITION VERIFICATION PROCESS

Step 1:

All documents of a petition must be submitted to the appropriate County Clerk/Registrar of Voters at the same time. The County Clerk/Registrar of Voters counts the total number of signatures on the petition and forwards that number to the Secretary of State. This is known as the “raw count” ([NRS 293.12758](#) and [NRS 293.1276](#)).

Time frame: The County Clerk/Registrar of Voters must complete the raw count within two (2) 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/Registrar of Voters, the Secretary of State determines whether the number of signatures is 100% or more of the number needed. If the raw count indicates that the petition contains less than 100% of the signatures needed, the Secretary of State notifies the person who submitted the petition that it fails, and no further action will 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/Registrar of Voters ([NRS 293.1276](#) and [NRS 293.1277\(1\)](#)).

Time frame: Immediately after the Secretary of State receives the raw count from all the counties, the Secretary of State determines if the petition contains the number of signatures needed to proceed to the signature verification process ([NRS 293.1277\(1\)](#)).

Step 3:

If the Secretary of State notifies the County Clerk/Registrar of Voters that the petition contains 100% or more of the number of signatures required, the County Clerk/Registrar of Voters will verify the signatures. The County Clerk/Registrar of Voters must allow the person who submitted the petition or a member of the petitioner’s committee to witness the signature verification. If more than 500 names have been submitted, the County Clerks/Registrar of Voters will randomly sample 500 or 5% of the signatures, whichever is greater. Upon completing the examination, each County Clerk/Registrar of Voters will transmit the documents with a certificate showing the results of his or her examination to the Secretary of State. The County Clerk/Registrar of Voters will also notify the Secretary of State of requests to remove a name from the petition ([NRS 293.1277\(2\)\(4\)](#)).

Time frame: Signature verification must be completed within three (3) days after notification from the Secretary of State, excluding Saturdays, Sundays, and holidays ([NRS 293.1277\(1\)](#)).

○ **DETERMINATION OF SUFFICIENCY**

The Secretary of State determines whether or not the petition is sufficient based on the County Clerks'/Registrars of Voters certified results of the signature verification.

1. If the Secretary of State finds that the number of valid signatures is less than 100% of the number of registered voters required to declare the petition sufficient (or less than 90% if the verification was conducted pursuant to a random sampling):

Result: The petition fails to qualify, and the Secretary of State shall immediately notify the petitioners and the County Clerks/Registrars of Voters. No further action is taken regarding the petition ([NRS 293.1278\(1\)](#)).

2. 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:

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 Clerks/Registrars of Voters and the petitioners ([NRS 293.1278\(2\)](#)).

3. If the signature verification was conducted pursuant to a random sampling of the greater of 500 signatures or 5% of the total signatures 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:

Result: The Secretary of State directs the County Clerks/Registrars of Voters to reexamine the signatures. The County Clerks/Registrars of Voters will verify each signature on the petition to determine whether 100% or more of the required number of voters signed the petition ([NRS 293.1279\(1\)](#)). The County Clerks/Registrars of Voters must complete this process within five (5) working days after receiving the order of the Secretary of State. After completing the reexamination of signatures, the County Clerks/Registrars of Voters will forward an amended certificate of results to the Secretary of State ([NRS 293.1279\(1\)](#)).

○ **FILING AN APPEAL**

If a petition for a minor party qualification fails for lack of signatures, the person who submitted the petition may contest the signature verification by filing an appeal with the Secretary of State. The appeal must:

- a. Be filed within five (5) working days after receipt of the Secretary of State's determination of insufficiency;
- b. Include the reason(s) for the appeal; and
- c. Include a statement of the number of signatures, if any, that the County Clerk/Registrar of Voters determined were invalid.

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The Secretary of State will consider the allegations and conduct an investigation, if necessary. If the Secretary of States agrees with the persons who filed the appeal, he/she will order the County Clerk/Registrar of Voters to recertify the petition to include all contested signatures which the Secretary of State determines are valid as verified signatures.

If the Secretary of State does not agree with the persons who filed the appeal, he/she will notify that person and the County Clerk/Registrar of Voters that the petition remains insufficient. If the Secretary of State is unable to make a decision on the appeal based upon the documents submitted, he/she may order the County Clerk/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 293.12793](#) and [NRS 293.12795](#)).

○ **COURT CHALLENGES**

The qualification of a minor political party to place the names of candidates on the ballot may be challenged in court. If such a challenge is filed, all affidavits and supporting documents must be filed by 5 p.m., June 10, 2024, in the First Judicial District Court in Carson City, Nevada. Any judicial proceeding resulting from the challenge must be set for hearing later than June 17, 2024. The district court must give priority to such proceedings over all other matters pending with the court, except for criminal proceedings. ([NRS 293.174](#)).

APPENDIX

- *Sample of Minor Political Party Ballot Access Petition*
- *Pertinent Sections of the Nevada Revised Statutes (NRS)*
- *Nevada Administrative Code [\(NAC\) 293.182](#)*
- *List of County Clerks/Registrars of Voters*

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State of Nevada
Secretary of State
Francisco V. Aguilar



Minor Political Party
Ballot Access Petition

NRS 293.172

Petition to Qualify

_____ (print name of minor party)

County of _____
Petition District: _____

(Only registered voters of this county may sign below)
(Only registered voters of this petition district may sign below)

This Space For
Office Use Only

1	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	
2	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	
3	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	
4	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	
5	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	

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**NRS CHAPTER 293
ELECTIONS**

CIRCULATION AND SUFFICIENCY OF CERTAIN PETITIONS

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 subsection 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. [Effective January 1, 2024.] 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 election 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 provision 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.

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(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.

4. 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. [Effective January 1, 2024.]

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

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holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to [NRS 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

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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](#), effective January 1, 2024)

[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.

(64a)

(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

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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 so 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 votes; 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 reverify the signatures.

(66a)

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](#))

NRS 293.165 Procedure for filling certain vacancies in major or minor political party nomination or nonpartisan nomination; deadline for making changes to general election ballot.

1. Except as otherwise provided in [NRS 293.166](#), a vacancy occurring in a major or minor political party nomination for a partisan office may be filled by a candidate designated by the party central committee of the county or State, as the case may be, of the major political party or by the executive committee of the minor political party subject to the provisions of subsections 3, 4 and 5.

2. A vacancy occurring in a nonpartisan office or nomination for a nonpartisan office after the close of filing and before 5 p.m. of the fourth Friday in July of the year in which the general election is held must be filled by the person who receives or received the next highest vote for the nomination in the primary election if a primary election was held for that nonpartisan office. If no primary election was held for that nonpartisan office or if there was not more than one person who was seeking the nonpartisan nomination in the primary election, a person may become a candidate for the nonpartisan office at the general election if the person files a declaration of candidacy with the appropriate filing officer and pays the filing fee required by [NRS 293.193](#) after 8 a.m. on the third Monday in June and before 5 p.m. on the fourth Friday in July.

3. If a vacancy occurs in a major political party nomination for a partisan office after the primary election and before 5 p.m. on the fourth Friday in July of the year in which the general election is held and:

(a) The vacancy occurs because the nominee dies or is adjudicated insane or mentally incompetent, the vacancy may be filled by a candidate designated by the party central committee of the county or State, as the case may be, of the major political party.

(b) The vacancy occurs for a reason other than the reasons described in paragraph (a), the nominee's name must remain on the ballot for the general election and, if elected, a vacancy exists.

4. No change may be made on the ballot for the general election after 5 p.m. on the fourth Friday in July of the year in which the general election is held. If, after that time and date:

(a) A nominee dies or is adjudicated insane or mentally incompetent; or

(b) A vacancy in the nomination is otherwise created,

➔ the nominee's name must remain on the ballot for the general election and, if elected, a vacancy exists.

5. Each designation of a candidate provided for in this section must be filed with the appropriate filing officer before 5 p.m. on the fourth Friday in July of the year in which the general election is held. In each case, the candidate must file a declaration of candidacy with the appropriate filing officer and pay the filing fee required by [NRS 293.193](#) before 5 p.m. on the date the designation is filed.

(Added to NRS by [1960, 242](#); A [1965, 668](#); [1967, 845](#); [1971, 437](#); [1981, 1698](#); [1989, 2159](#); [1993, 2174](#); [1995, 2774](#); [1999, 2149, 3547](#); [2001, 274, 2947](#); [2003, 1703](#); [2005, 1432](#); [2009, 1259](#); [2011, 3275](#); [2013, 1178, 2370](#); [2015, 3572](#); [2019, 3371](#))

NRS 293.166 Procedure for filling certain vacancies in party nomination for office of State Legislator from multicounty legislative district; deadline for making changes to general election ballot.

1. A vacancy occurring in a party nomination for the office of State Senator, Assemblyman or Assemblywoman from a legislative district comprising more than one county may be filled as follows, subject to the provisions of subsections 2, 3 and 4. The county commissioners of each county, all or part of which is included within the legislative district, shall meet to appoint a person who is of the same political party as the former nominee and who actually, as opposed to constructively, resides in the district to fill the vacancy, with the chair of the board of county commissioners of the county whose population residing within the district is the greatest

(67a)

presiding. Each board of county commissioners shall first meet separately and determine the single candidate it will nominate to fill the vacancy. Then, the boards shall meet jointly and the chairs on behalf of the boards shall cast a proportionate number of votes according to the percent, rounded to the nearest whole percent, which the population of its county is of the population of the entire district. Populations must be determined by the last decennial census or special census conducted by the Bureau of the Census of the United States Department of Commerce. The person who receives a plurality of these votes is appointed to fill the vacancy. If no person receives a plurality of the votes, the boards of county commissioners of the respective counties shall each as a group select one candidate, and the nominee must be chosen by drawing lots among the persons so selected.

2. If a vacancy occurs in a party nomination for the office of State Senator, Assemblyman or Assemblywoman from a legislative district comprising more than one county after the primary election and before 5 p.m. on the fourth Friday in July of the year in which the general election is held and:

(a) The vacancy occurs because the nominee dies or is adjudicated insane or mentally incompetent, the vacancy may be filled pursuant to the provisions of subsection 1.

(b) The vacancy occurs for a reason other than the reasons described in paragraph (a), the nominee's name must remain on the ballot for the general election and, if elected, a vacancy exists.

3. No change may be made on the ballot for the general election after 5 p.m. on the fourth Friday in July of the year in which the general election is held. If, after that time and date:

(a) A nominee dies or is adjudicated insane or mentally incompetent; or

(b) A vacancy in the nomination is otherwise created,

→ the nominee's name must remain on the ballot for the general election and, if elected, a vacancy exists.

4. Each designation of a candidate provided for in this section must be filed with the appropriate filing officer before 5 p.m. on the fourth Friday in July of the year in which the general election is held. In each case, the candidate must file a declaration of candidacy with the appropriate filing officer and pay the filing fee required by [NRS 293.193](#) before 5 p.m. on the date the designation is filed.

(Added to NRS by [1967, 1087](#); A [1971, 437](#); [1981, 1699](#); [1989, 2159](#); [1999, 2150](#); [2005, 1433](#); [2011, 3276](#); [2013, 1179](#); [2015, 3573](#); [2019, 3372](#))

NRS 293.167 Nomination of party candidates for United States Senator or Representative in Congress. Party candidates for United States Senator and Representative in Congress shall be nominated in the same manner as state officers are nominated. (Added to NRS by [1960, 242](#))

MINOR POLITICAL PARTIES

NRS 293.171 Procedure for organization.

1. To be organized as a minor political party, an organization must file with the Secretary of State a certificate of existence which includes the:
 - (a) Name of the political party;
 - (b) Names of its officers;
 - (c) Names of the members of its executive committee; and
 - (d) Name of the person authorized to file the list of its candidates for partisan office with the Secretary of State.
2. A copy of the constitution or bylaws of the party must be affixed to the certificate.
3. A minor political party shall file with the Secretary of State an amended certificate of existence within 5 days after any change in the information contained in the certificate.
4. The constitution or bylaws of a minor political party must provide a procedure for the nomination of its candidates in such a manner that only one candidate may be nominated for each office.
5. A minor political party whose candidates for partisan office do not appear on the ballot for the general election must file a notice of continued existence with the Secretary of State not later than the second Friday in August preceding the general election.

(68a)

6. A minor political party which fails to file a notice of continued existence as required by subsection 5 ceases to exist as a minor political party in this State.
(Added to NRS by 1987, 1359; A 1989, 2160; [1999, 3548](#); [2011, 3276](#))

NRS 293.1715 Procedure to place candidates' names on ballot; limitation on number of candidates to appear on ballot; procedure to determine number of signatures required.

1. The names of the candidates for partisan office of a minor political party must not appear on the ballot for a primary election or presidential preference primary election.

2. The names of the candidates for partisan office of a minor political party must be placed on the ballot for the general election if the minor political party is qualified. To qualify as a minor political party, the minor political party must have filed a certificate of existence and be organized pursuant to [NRS 293.171](#), must have filed a list of its candidates for partisan office pursuant to the provisions of [NRS 293.1725](#) with the Secretary of State and:

(a) At the last preceding general election, the minor political party must have polled for any of its candidates for partisan office a number of votes equal to or more than 1 percent of the total number of votes cast for the offices of Representative in Congress;

(b) On January 1 preceding a primary election, the minor political party must have been designated as the political party on the applications to register to vote of at least 1 percent of the total number of registered voters in this State; or

(c) On June 1 preceding the general election or, if the date falls on a weekend, the first Monday in June, must file a petition with the Secretary of State which is signed by a number of registered voters equal to at least 1 percent of the total number of votes cast at the last preceding general election for the offices of Representative in Congress which must be apportioned equally among the petition districts.

3. The name of only one candidate of each minor political party for each partisan office may appear on the ballot for a general election.

4. A minor political party must file a copy of the petition required by paragraph (c) of subsection 2 with the Secretary of State before the petition may be circulated for signatures.

5. To determine the number of signatures required by paragraph (c) of subsection 2 to be gathered from each petition district, the Secretary of State shall calculate the number that equals 1 percent of the voters who voted in this State at the last preceding general election and apportion that number by the number of petition districts. Fractional numbers must be rounded up to the nearest whole number.

(Added to NRS by [1987, 1360](#); A [1989, 2160](#); [1993, 2174](#); [1995, 2259](#); [1999, 1389, 3548](#); [2003, 1641](#); [2009, 1260](#); [2011, 3277](#); [2015, 3573](#); [2021, 1973, 3881](#))

NRS 293.172 Contents of petition required to place candidates' names on ballot; limitation on who may sign petition; requirements for signing.

1. A petition filed pursuant to subsection 2 of [NRS 293.1715](#) may consist of more than one document. Each document of the petition must:

(a) Bear the name of the minor political party and, if applicable, the candidate and office to which the candidate is to be nominated.

(b) Include the affidavit of the person who circulated the document verifying that the signers are registered voters in this State according to his or her best information and belief and that the signatures are genuine and were signed in his or her presence.

(c) Bear the name of a county and be submitted to the county clerk of that county for verification in the manner prescribed in [NRS 293.1276](#) to [293.1279](#), inclusive, not later than 10 working days before the last day to file the petition. A challenge to the form of a document must be made in a district court in the county that is named on the document.

(d) Be signed only by registered voters of the county that is named on the document.

2. If the office to which the candidate is to be nominated is a county office, only the registered voters of that county may sign the petition. If the office to which the candidate is to be nominated is a district office, only the registered voters of that district may sign the petition.

3. Each person who signs a petition shall also provide the address of the place where he or she resides, the date that he or she signs and the name of the county in which he or she is registered to vote.

(69a)

4. The county clerk shall not disqualify the signature of a voter who failed to provide all the information required by subsection 3 if the voter is registered in the county named on the document.

(Added to NRS by [1987, 1360](#); A [1993, 2667](#); [1999, 1390, 3549](#); [2011, 3278](#); [2015, 3574](#))

NRS 293.1725 Candidates: Submission of list to Secretary of State; filing of declaration of candidacy and certificate of nomination.

1. Except as otherwise provided in subsection 4, a minor political party that wishes to place its candidates for partisan office on the ballot for a general election and:

- (a) Is entitled to do so pursuant to paragraph (a) or (b) of subsection 2 of [NRS 293.1715](#); or
- (b) Files or will file a petition pursuant to paragraph (c) of subsection 2 of [NRS 293.1715](#).

→ must file with the Secretary of State a list of its candidates for partisan office not earlier than the first Monday in March preceding the election and not later than 5 p.m. on the second Friday after the first Monday in March. The list must be signed by the person so authorized in the certificate of existence of the minor political party before a notary public or other person authorized to take acknowledgments. The list may be amended not later than 5 p.m. on the second Friday after the first Monday in March.

2. The Secretary of State shall immediately forward a certified copy of the list of candidates for partisan office of each minor political party to the filing officer with whom each candidate must file his or her declaration of candidacy.

3. Each candidate on the list must file his or her declaration of candidacy with the appropriate filing officer and pay the filing fee required by [NRS 293.193](#) not earlier than the date on which the list of candidates for partisan office of the minor political party is filed with the Secretary of State and not later than 5 p.m. on the second Friday after the first Monday in March.

4. A minor political party that wishes to place candidates for the offices of President and Vice President of the United States on the ballot and has qualified to place the names of its candidates for partisan office on the ballot for the general election pursuant to subsection 2 of [NRS 293.1715](#) must file with the Secretary of State a certificate of nomination for these offices not later than the last Tuesday in August.

(Added to NRS by [1987, 1360](#); A [1989, 2161](#); [1993, 2175](#); [1997, 316](#); [1999, 1391, 3550](#); [2003, 1642](#); [2009, 1261](#); [2011, 3278](#); [2013, 2371](#); [2019, 3373](#))

NRS 293.174 Challenge of qualification.

If the qualification of a minor political party to place the names of candidates on the ballot pursuant to [NRS 293.1715](#) is challenged, all affidavits and documents in support of the challenge must be filed not later than 5 p.m. on the second Monday in June. Any judicial proceeding resulting from the challenge must be set for hearing not more than 5 days after the second Monday in June. A challenge pursuant to this section must be filed with the First Judicial District Court if the petition was filed with the Secretary of State. The district court in which the challenge is filed shall give priority to such proceedings over all other matters pending with the court, except for criminal proceedings.

(Added to NRS by [1987, 1361](#); A [1999, 1392](#); [2009, 1262](#); [2011, 3279](#); [2015, 3574](#); [2021, 1973](#))

NOMINATIONS AND CANDIDATES

NRS 293.175 Date of primary election; nomination of candidates; applicability of provisions governing nominations.

1. The primary election must be held on the second Tuesday in June of each even-numbered year.
2. Candidates for partisan office of a major political party and candidates for nonpartisan office must be nominated at the primary election.
3. Candidates for partisan office of a minor political party must be nominated in the manner prescribed pursuant to [NRS 293.171](#) to [293.174](#), inclusive.
4. Independent candidates for partisan office must be nominated in the manner provided in [NRS 293.200](#).

(70a)

5. The provisions of [NRS 293.175](#) to [293.203](#), inclusive:
- (a) Apply to a special election to fill a vacancy, except to the extent that compliance with the provisions is not possible because of the time at which the vacancy occurred.
 - (b) Do not apply to the nomination of the officers of incorporated cities.
 - (c) Do not apply to the nomination of district officers whose nomination is otherwise provided for by statute.

(Added to NRS by 1960, 243; A 1963, 1387; [1983, 1116](#); [1985, 268](#); [1987, 1366](#); [1989, 226](#); [1999, 1392, 3550](#); [2001, 672](#); [2005, 1434](#); [2009, 1262](#); [2013, 1777, 2372](#))

[NRS 293.1755](#) Residency requirements for candidates; unlawful for candidates to make certain false statements; certain offices excepted from residency requirements.

1. In addition to any other requirement provided by law, no person may be a candidate for any office unless, for at least the 30 days immediately preceding the date of the close of filing of declarations of candidacy for the office which the person seeks, the person has, in accordance with [NRS 281.050](#), actually, as opposed to constructively, resided in the State, district, county, township or other area prescribed by law to which the office pertains and, if elected, over which he or she will have jurisdiction or will represent.

2. Any person who knowingly and willfully files a declaration of candidacy which contains a false statement regarding the person's residency in violation of this section is guilty of a gross misdemeanor.

3. The provisions of this section do not apply to candidates for:

- (a) Any federal office.
- (b) The office of district attorney.

(Added to NRS by [1975, 617](#); A [1983, 1103](#); [1989, 2161](#); [1997, 3447](#); [1999, 2151](#); [2001, 673](#); [2017, 3296](#); [2019, 3374](#))

(71a)

**NAC CHAPTER 293
ELECTIONS**

NAC 293.182 Requirements for individual documents of petitions other than initiative and referendum petitions. (NRS 293.124, 293.247)

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 consists of more than one document, each of those documents must, in addition to any other requirements:
 - (a) Contain sequentially numbered spaces for:
 - (1) The name of each person signing the petition.
 - (2) The signature of the person signing the petition.
 - (3) 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 where the person is a registered voter.
 - (5) The date of the signature.
 - (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 I believe each person who signed was at the time of signing a registered voter in the county of his or her residence; and (6) that the number of signatures affixed thereon is _____.

_____ 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 required by paragraph (b) of subsection 2 must appear on the last pages of the document.
4. As used in this section, "petition" means a petition containing signatures which are required to be verified pursuant to NRS 293.128, 293.165, 293.172, 293.200, 298.109, 306.015, 306.035 or 306.110.

(Added to NAC by Sec’y of State, eff. 3-15-96; A by R013-00, 4-4-2000; R183-01, 5-10-2002; R072-06, 7-14-2006; R092-09, 10-27-2009)

(72a)

CARSON CITY CLERK 885 East Musser Street, Suite 1025 Carson City, Nevada 89701-4475 (775) 887-2087	CHURCHILL COUNTY CLERK 155 North Taylor Street, Suite 110 Fallon, Nevada 89406-2748 (775) 423-6028	CLARK COUNTY REGISTRAR 965 Trade Drive, Suite A P.O. Box 3909 Las Vegas, Nevada 89127-3909 (702) 455-VOTE (8683)
DOUGLAS COUNTY CLERK 1616 8 th Street P.O. Box 218 Minden, Nevada 89423-0218 (775) 782-9014	ELKO COUNTY CLERK 550 Court Street, 3 rd Floor Elko, Nevada 89801-3700 (775) 753-4600	ESMERALDA COUNTY CLERK 233 Crook Avenue P.O. Box 547 Goldfield, Nevada 89013-0547 (775) 485-6367
EUREKA COUNTY CLERK 10 South Main Street P.O. Box 677 Eureka, Nevada 89316-0677 (775) 237-5262	HUMBOLDT COUNTY CLERK 50 West 5 th Street, #207 Winnemucca, Nevada 89445-3199 (775) 623-6343	LANDER COUNTY CLERK 50 State Route 305 Battle Mountain, Nevada 89820-9998 (775) 635-5738
LINCOLN COUNTY CLERK 181 North Main Street, Suite 201 P.O. Box 90 Pioche, Nevada 89043-0090 (775) 962-8038	LYON COUNTY CLERK 27 South Main Street Yerington, Nevada 89447-2571 (775) 463-6501	MINERAL COUNTY CLERK 105 South "A" Street, Suite 1 P.O. Box 1450 Hawthorne, Nevada 89415-0400 (775) 945-2446
NYE COUNTY CLERK 101 Radar Road P.O. Box 1031 Tonopah, Nevada 89049-1031 (775) 482-8127	PERSHING COUNTY CLERK 398 Main Street P.O. Box 820 Lovelock, Nevada 89419-0820 (775) 273-2208	STOREY COUNTY CLERK 26 South "B" Street Drawer "D" Virginia City, Nevada 89440-0139 (775) 847-0969
WASHOE COUNTY REGISTRAR 1001 East Ninth Street, Room A135 P.O. Box 11130 Reno, Nevada 89520 (775) 328-3670	WHITE PINE COUNTY CLERK 801 Clark Street, #4 Ely, Nevada 89301-1994 (775) 293-6509	

LIST OF COUNTY CLERKS / REGISTRARS OF VOTERS

(73a)

EXHIBIT 5

July 10, 2023 Email exchange: Sec. of State and Green Party

AA 0310



Nevada GreenParty <nvgreenparty@gmail.com>

Minor Party Petition Documents

3 messages

Heather Hardy <hardyh@sos.nv.gov>
To: "nvgreenparty@gmail.com" <nvgreenparty@gmail.com>

Mon, Jul 10, 2023 at 9:51 AM

Good morning,

It appears the petition documents you may have are an older version. They do not have the petition district on them.

Please use the documents attached to begin collecting signatures.

If you have questions, please contact me.

Thank you,

Heather Hardy
Program Officer 3, CAPS – Elections Division
Office of Secretary of State Francisco V. Aguilar
[101 North Carson Street, Suite 3](#)
[Carson City, NV 89701](#)
(775) 684-7126
hardyh@sos.nv.gov

 **EL506 Minor Party Petition.pdf**
178K

Nevada GreenParty <nvgreenparty@gmail.com>
To: Heather Hardy <hardyh@sos.nv.gov>

Mon, Jul 10, 2023 at 10:12 AM

Thank you!

[Quoted text hidden]

--

Nevada Green Party Co-Chairs
Margery Hanson
&

033

(75a)

Daniel Alves

Historian/Co-Treasurer
Andrea Warzlow

Clark County At Large Member
Daniel Alves

Nye County At Large Member
Robert Hanson

GPNV HQ
775-298-6847

NVGreenParty@gmail.com
[Nevada Green Party Website](#)
[Nevada Green Party on Facebook](#)
[Nevada Green Party on Twitter](#)
[Nevada Green Party on LinkedIn](#)

Nevada GreenParty <nvgreenparty@gmail.com>

Mon, Jul 10, 2023 at 10:28 AM

To: Andrea Warzlow <awarzlow@gmail.com>, Robert Hanson <MrRibbert@gmail.com>, TurboKitty <msturbokitty@gmail.com>, Daniel Alves <danielalvesnv@gmail.com>

[Quoted text hidden]

--

Nevada Green Party Co-Chairs
Margery Hanson
&
Daniel Alves

Historian/Co-Treasurer
Andrea Warzlow

Clark County At Large Member
Daniel Alves

Nye County At Large Member
Robert Hanson

GPNV HQ
775-298-6847

NVGreenParty@gmail.com
[Nevada Green Party Website](#)

034

[Nevada Green Party on Facebook](#)
[Nevada Green Party on Twitter](#)
[Nevada Green Party on LinkedIn](#)



Virus-free. www.avg.com



EL506 Minor Party Petition.pdf
178K

(77a)

EXHIBIT 6

Green Party Notice of Intent to Circulate

AA 0314

(78a)

Minor Political Party Petition to Qualify the Nevada State Green Party

for Ballot Access

For General Election Ballot Access as a Minor Political Party and existing or future Candidates thereof.

County of _____ } (Only registered voters of this County may sign below.) This space for office use only

PRINT YOUR NAME (last name, first name, initial) RESIDENCE ADDRESS ONLY:

1	YOUR SIGNATURE / DATE _____/_____ PRINT YOUR NAME (last name, first name, initial) _____	CITY COUNTY _____ RESIDENCE ADDRESS ONLY _____
2	YOUR SIGNATURE / DATE _____/_____ PRINT YOUR NAME (last name, first name, initial) _____	CITY COUNTY _____ RESIDENCE ADDRESS ONLY _____
3	YOUR SIGNATURE / DATE _____/_____ PRINT YOUR NAME (last name, first name, initial) _____	CITY COUNTY _____ RESIDENCE ADDRESS ONLY _____
4	YOUR SIGNATURE / DATE _____/_____ PRINT YOUR NAME (last name, first name, initial) _____	CITY COUNTY _____ RESIDENCE ADDRESS ONLY _____
5	YOUR SIGNATURE / DATE _____/_____ PRINT YOUR NAME (last name, first name, initial) _____	CITY COUNTY _____ RESIDENCE ADDRESS ONLY _____
6	YOUR SIGNATURE / DATE _____/_____ PRINT YOUR NAME (last name, first name, initial) _____	CITY COUNTY _____ RESIDENCE ADDRESS ONLY _____
7	YOUR SIGNATURE / DATE _____/_____ PRINT YOUR NAME (last name, first name, initial) _____	CITY COUNTY _____ RESIDENCE ADDRESS ONLY _____

TOTAL SIGNATURES TO COUNT ON THIS PAGE SUBMITTED: _____

PAGE ____ OF ____

(79a)

**Minor Political Party Petition to Qualify the Nevada State Green Party
for Ballot Access**

For General Election Ballot Access as a Minor Political Party and existing or future Candidates thereof

County of _____ } (Only registered voters of this County may sign below.) This space for office use only

PRINT YOUR NAME (last name, first name, initial) RESIDENCE ADDRESS ONLY:

7	YOUR SIGNATURE / DATE _____ PRINT YOUR NAME (last name, first name, initial) _____	CITY COUNTY _____ RESIDENCE ADDRESS ONLY _____
8	YOUR SIGNATURE / DATE _____ PRINT YOUR NAME (last name, first name, initial) _____	CITY COUNTY _____ RESIDENCE ADDRESS ONLY _____
9	YOUR SIGNATURE / DATE _____ PRINT YOUR NAME (last name, first name, initial) _____	CITY COUNTY _____ RESIDENCE ADDRESS ONLY _____

Place affidavit on last page of the document]

AFFIDAVIT OF CIRCULATOR

(To be completed by the person who circulated the petition after all signatures have been obtained)

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 I believe each person who signed was at the time of signing a registered voter in the county of his or her residence; and (6) that the number of signatures affixed thereon is _____.

Signature of Circulator

Subscribed and sworn to or affirmed before me this _____ day
of _____, _____, by _____.

Notary Public or person authorized to administer an oath

TOTAL SIGNATURES TO COUNT ON THIS PAGE SUBMITTED: _____

(80a)

EXHIBIT 7

Minor Party Ballot Access Petition

AA 0317

(81a)

State of Nevada
Secretary of State
Francisco V. Aguilar



Minor Political Party
Ballot Access Petition

NRS 293.172

Petition to Qualify

_____ (print name of minor party)

County of _____
Petition District: _____

(Only registered voters of this county may sign below)
(Only registered voters of this petition district may sign below)

This Space For
Office Use Only

1	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	
2	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	
3	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	
4	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	
5	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	

Page _____ of _____

(82a)

State of Nevada
Secretary of State
Francisco V. Aguilar



Minor Political Party
Ballot Access Petition

NRS 293.172

Petition to Qualify

_____ (print name of minor party)

County of _____
Petition District: _____

(Only registered voters of this county may sign below)
(Only registered voters of this petition district may sign below)

This Space For
Office Use Only

6	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	
7	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY COUNTY	

Place Affidavit on last page of document.

THE FOLLOWING AFFIDAVIT MUST BE COMPLETED AND SIGNED BY CIRCULATOR:

AFFIDAVIT OF CIRCULATOR

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 _____, _____, by _____.

Notary Public or person authorized to administer oath

Page _____ of _____

(83a)

EXHIBIT 8

Wlaschin / Call Email Exchange

AA 0320



Jason Call <jason@jillstein2024.com>

NV Dems injunction re NV Greens

Mark Wlaschin <mwlaschin@sos.nv.gov>
To: Jason Call <jason@jillstein2024.com>
Cc: Nevada GreenParty <NVGreenParty@gmail.com>

Thu, Jun 20, 2024 at 5:35 PM

Good evening,

For documents filed via email, we use the date/time stamp of the remail acknowledging the receipt. Here are the emails relating to the initial submission and then correct NOI (with petition district) and the recognition of receipt.

Please let me know if this helps.

[Quoted text hidden]

----- Forwarded message -----
From: Heather Hardy <hardyh@sos.nv.gov>
To: "nvgreenparty@gmail.com" <nvgreenparty@gmail.com>
Cc:
Bcc:
Date: Mon, 10 Jul 2023 16:51:21 +0000
Subject: Minor Party Petition Documents

Good morning,

It appears the petition documents you may have are an older version. They do not have the petition district on them.

Please use the documents attached to begin collecting signatures.

If you have questions, please contact me.

Thank you,

Heather Hardy
Program Officer 3, CAPS – Elections Division
Office of Secretary of State Francisco V. Aguilar
101 North Carson Street, Suite 3
Carson City, NV 89701
(775) 684-7126
hardyh@sos.nv.gov

040

(85a)

6/27/24, 5:37 PM

jillstein2024.com Mail - NV Dems injunction re NV Greens

----- Forwarded message -----

From: Nevada GreenParty <nvgreenparty@gmail.com>

To: Heather Hardy <hardyh@sos.nv.gov>

Cc:

Bcc:

Date: Mon, 10 Jul 2023 17:12:21 +0000

Subject: Re: Minor Party Petition Documents

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thank you!

On Mon, Jul 10, 2023 at 9:51 AM Heather Hardy <hardyh@sos.nv.gov> wrote:

Good morning,

It appears the petition documents you may have are an older version. They do not have the petition district on them.

Please use the documents attached to begin collecting signatures.

If you have questions, please contact me.

Thank you,

Heather Hardy

Program Officer 3, CAPS – Elections Division

Office of Secretary of State Francisco V. Aguilar

101 North Carson Street, Suite 3

Carson City, NV 89701

(775) 684-7126

hardyh@sos.nv.gov

--

Nevada Green Party Co-Chairs
Margery Hanson
&
Daniel Alves

Historian/Co-Treasurer
Andrea Warzlow

041

(86a)

6/27/24, 5:37 PM

jillstein2024.com Mail - NV Dems injunction re NV Greens

Clark County At Large Member
Daniel Alves

Nye County At Large Member
Robert Hanson

GPNV HQ
775-298-6847

NVGreenParty@gmail.com
[Nevada Green Party Website](#)
[Nevada Green Party on Facebook](#)
[Nevada Green Party on Twitter](#)
[Nevada Green Party on LinkedIn](#)

----- Forwarded message -----

From: SOS Elections Division <nvelect@sos.nv.gov>
To: Heather Hardy <hardyh@sos.nv.gov>
Cc:
Bcc:
Date: Mon, 10 Jul 2023 16:02:20 +0000
Subject: FW: Ballot Access Petition

Heather Hardy

Program Officer 3, CAPS – Elections Division

Office of Secretary of State Francisco V. Aguilar

[101 North Carson Street, Suite 3](#)

[Carson City, NV 89701](#)

(775) 684-7126

hardyh@sos.nv.gov

From: Nevada GreenParty <nvgreenparty@gmail.com>
Sent: Monday, July 10, 2023 8:57 AM
To: SOS Elections Division <nvelect@sos.nv.gov>
Subject: Ballot Access Petition

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

042

(87a)

6/27/24, 5:37 PM

jillstein2024.com Mail - NV Dems injunction re NV Greens

The Nevada Green Party is a recognized Minor Party in the state of Nevada, as proved by our "Notice of Continued Existence" and your receipt thereof.

We are seeking Ballot Access and have completed the Ballot Access Petition form, to the best of our ability.

Please review our "Ballot Access Petition" form and inform us as to whether or not it meets the Secretary of State's approval.

Our "Ballot Access Petition" is included in the attached document.

Thank you,

--

Nevada Green Party Co-Chairs

Margery Hanson

&

Daniel Alves

Historian/Co-Treasurer

Andrea Warzlow

Clark County At Large Member

Daniel Alves

Nye County At Large Member

Robert Hanson

043

6/27/24, 5:37 PM

(88a)

jillstein2024.com Mail - NV Dems injunction re NV Greens

GPNV HQ

775-298-6847

NVGreenParty@gmail.com

[Nevada Green Party Website](#)

[Nevada Green Party on Facebook](#)

[Nevada Green Party on Twitter](#)

[Nevada Green Party on LinkedIn](#)



Virus-free.www.avg.com

5 attachments

-  **EL506 Minor Party Petition.pdf**
178K
-  **Minor Party Petition Documents.eml**
248K
-  **Re: Minor Party Petition Documents.eml**
21K
-  **GPNV BAC Petition 2023.pdf**
90K
-  **FW: Ballot Access Petition.eml**
142K

044

AA 0325

(89a)

EXHIBIT 9

Declaration of Jason Call

AA 0326

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DECLARATION OF JASON CALL

I, Jason Call, declare the following under penalties of perjury:

1. I am the campaign manager for Green Party candidate for President Jill Stein.
2. On June 20, 2024 I requested a copy of the Nevada Green Party's petition for ballot access that was filed with the Nevada Secretary of State's Office in July 2023. I received a response from Mark Wlaschin, Deputy Secretary for Elections, explaining that for documents filed via email, the date/time stamp of email acknowledging the receipt of the documents is used as proof of filing. A true and correct copy of this email from Mr. Wlaschin is attached to the Green Party's Brief in Opposition as Exhibit 8.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 10 day of July, 2024.



JASON CALL

(91a)

EXHIBIT 10

Washoe County Certification of Verification Results

AA 0328

State of Nevada
Secretary of State
Francisco V. Aguilar



Certificate of Results for Signature
Examination

NRS 293.1277, 293.1278, 293.1279
& NAC 293.1823

(Petition Name)

I, Carri-Ann Burgers, the duly appointed, qualified and acting County Clerk/Registrar of Voters of the County of Washoe, State of Nevada, do hereby certify that the above entitled petition was submitted to my office on May 17, 2024; that the petition consists of 12 documents; that each document contains signatures purporting to be the signatures of registered voters within the County of Washoe and Petition District No. 2; that upon receiving the order and instructions from the Secretary of State to proceed with an examination of signatures, I conducted or caused to be conducted an examination of the signatures affixed, and determined what number of those signatures were valid signatures of registered voters in the County of Washoe by examining the registration records on file in my office; and from that examination I have determined the following results:

1. Total number of signatures submitted:	4094-425 =3669
2. Total number of signatures examined:	500
3. Number of signatures for which incomplete mail-in voter registration application is being processed:	23
4. Number of signatures found not to be registered voters:	72
5. Number of signatures found to be duplicates:	1
6. Number of signatures not signed in ink:	
7. Number of illegible signatures or unable to confirm registered:	27
8. Number of other invalid signatures:	

(93a)

9. Total from lines 3,4, 5, 6, 7 and 8:	123
10. Number of valid requests for removal of signature:	0
11. Total number of valid signatures from examination:	3669
12. Percentage of valid signatures: <i>(valid signatures ÷ signatures examined x 100 = % of valid signatures)</i>	70.92%
13. Total number of valid signatures: <i>(% of valid signatures ÷ 100 x total number of signatures submitted)</i>	2903


Clerk / Registrar of Voters

6/3/2024
Date

(94a)

EXHIBIT 11

Clark County Certification of Verification Results CD1

AA 0331

State of Nevada
Secretary of State
Francisco V. Aguilar



Certificate of Results for Signature
Examination

NRS 293.1277, 293.1278, 293.1279
& NAC 293.1823

Green Party Ballot Access

(Petition Name)

I, Lorena Portillo, the duly appointed, qualified and acting County Clerk/Registrar of Voters of the County of Clark, State of Nevada, do hereby certify that the above entitled petition was submitted to my office on May 17, 2024 that the petition consists of 1240 documents; that each document contains signatures purporting to be the signatures of registered voters within the County of Clark and Petition District No. 1; that upon receiving the order and instructions from the Secretary of State to proceed with an examination of signatures, I conducted or caused to be conducted an examination of the signatures affixed, and determined what number of those signatures were valid signatures of registered voters in the County of Clark by examining the registration records on file in my office; and from that examination I have determined the following results:

1. Total number of signatures submitted:	7826
2. Total number of signatures examined:	500
3. Number of signatures for which incomplete mail-in voter registration application is being processed:	0
4. Number of signatures found not to be registered voters:	135
5. Number of signatures found to be duplicates:	1
6. Number of signatures not signed in ink:	0
7. Number of illegible signatures or unable to confirm registered:	16
8. Number of other invalid signatures:	130

(96a)

9. Total from lines 3,4, 5, 6, 7 and 8:	282
10. Number of valid requests for removal of signature:	0
11. Total number of valid signatures from examination:	218
12. Percentage of valid signatures: <i>(valid signatures ÷ signatures examined x 100 = % of valid signatures)</i>	44%
13. Total number of valid signatures: <i>(% of valid signatures ÷ 100 x total number of signatures submitted)</i>	56%



Clerk / Registrar of Voters

06/03/24

Date

(97a)

EXHIBIT 12

Clark County Certification of Verification Results CD3

AA 0334

State of Nevada
Secretary of State
Francisco V. Aguilar



Certificate of Results for Signature
Examination
NRS 293.1277, 293.1278, 293.1279
& NAC 293.1823

Green Party Ballot Access

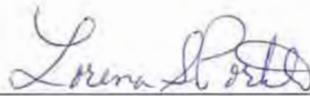
(Petition Name)

I, Lorena Portillo, the duly appointed, qualified and acting County Clerk/Registrar of Voters of the County of Clark, State of Nevada, do hereby certify that the above entitled petition was submitted to my office on May 17, 2024 that the petition consists of 1188 documents; that each document contains signatures purporting to be the signatures of registered voters within the County of Clark and Petition District No. 3; that upon receiving the order and instructions from the Secretary of State to proceed with an examination of signatures, I conducted or caused to be conducted an examination of the signatures affixed, and determined what number of those signatures were valid signatures of registered voters in the County of CLARK by examining the registration records on file in my office; and from that examination I have determined the following results:

1. Total number of signatures submitted:	7510
2. Total number of signatures examined:	500
3. Number of signatures for which incomplete mail-in voter registration application is being processed:	0
4. Number of signatures found not to be registered voters:	100
5. Number of signatures found to be duplicates:	0
6. Number of signatures not signed in ink:	0
7. Number of illegible signatures or unable to confirm registered:	18
8. Number of other invalid signatures:	176

(99a)

9. Total from lines 3,4, 5, 6, 7 and 8:	294
10. Number of valid requests for removal of signature:	0
11. Total number of valid signatures from examination:	206
12. Percentage of valid signatures: (<i>valid signatures ÷ signatures examined x 100 = % of valid signatures</i>)	41%
13. Total number of valid signatures: (<i>% of valid signatures ÷ 100 x total number of signatures submitted</i>)	59%



Clerk / Registrar of Voters

06/03/24

Date

(100a)

EXHIBIT 13

Clark County Certification of Verification Results CD4

AA 0337

State of Nevada
Secretary of State
Francisco V. Aguilar



AMENDED
Certificate of Results for Signature
Examination
NRS 293.1277, 293.1278, 293.1279
& NAC 293.1823

GREEN PARTY BALLOT ACCESS
(Petition Name)

I, LORENA S. PORTILLO, the duly appointed, qualified and acting County Clerk/Registrar of Voters of the County of CLARK, State of Nevada, do hereby certify that the above entitled petition was submitted to my office on MAY 17, 2024; that the petition consists of 1205 documents; that each document contains signatures purporting to be the signatures of registered voters within the County of CLARK and Petition District No. 4; that upon receiving the order and instructions from the Secretary of State to proceed with an examination of signatures, I conducted or caused to be conducted an examination of the signatures affixed, and determined what number of those signatures were valid signatures of registered voters in the County of CLARK by examining the registration records on file in my office; and from that examination I have determined the following results:

1. Total number of signatures submitted:	8967
2. Total number of signatures examined:	500
3. Number of signatures for which incomplete mail-in voter registration application is being processed:	0
4. Number of signatures found not to be registered voters:	91
5. Number of signatures found to be duplicates:	0
6. Number of signatures not signed in ink:	0
7. Number of illegible signatures or unable to confirm registered:	15
8. Number of other invalid signatures:	117

(102a)

9. Total from lines 3,4, 5, 6, 7 and 8:	223
10. Number of valid requests for removal of signature:	0
11. Total number of valid signatures from examination:	277
12. Percentage of valid signatures: <i>(valid signatures ÷ signatures examined x 100 = % of valid signatures)</i>	55%
13. Total number of valid signatures: <i>(% of valid signatures ÷ 100 x total number of signatures submitted)</i>	45%

Loren J. Poth

Clerk / Registrar of Voters

06/03/24

Date

(103a)

EXHIBIT 14

Notice to Green Party - qualification for ballot access

AA 0340

(104a)

FRANCISCO V. AGUILAR
Secretary of State

STATE OF NEVADA

GABRIEL DI CHIARA
Chief Deputy Secretary of State

DEBBIE I. BOWMAN
Deputy Secretary for Operations



ERIN M. HOUSTON
Deputy Secretary for Securities

SHAUNA BAKKEDAHL
Deputy Secretary for Commercial Recordings

MARK A. WLASCHIN
Deputy Secretary for Elections

OFFICE OF THE
SECRETARY OF STATE

MEMORANDUM

To: Nevada Green Party, C/o Margery Hansen
From: Rob Nichols
Date: June 10, 2023
Subject: 2024 Ballot Access Status

Dear Nevada Green Party,

This office is pleased to inform you that the total number of valid signatures obtained exceeds the required number of signatures of registered voters needed to declare the Nevada Green Party Minor Party Ballot Access sufficient. Accordingly, the Minor Party Ballot Access Petition submitted pursuant to [NRS 293.1715](#) is deemed to qualify.

Additionally, please be aware that a Minor Party which has ballot access and will be filing a list of candidates should do so pursuant to [NRS 293.1725](#):

NRS 293.1725 Candidates: Submission of list to Secretary of State; filing of declaration of candidacy and certificate of nomination.

1. Except as otherwise provided in subsection 4, a minor political party that wishes to place its candidates for partisan office on the ballot for a general election and:

(a) Is entitled to do so pursuant to paragraph (a) or (b) of subsection 2 of [NRS 293.1715](#); or

(b) Files or will file a petition pursuant to paragraph (c) of subsection 2 of [NRS 293.1715](#),

↪ must file with the Secretary of State a list of its candidates for partisan office not earlier than the first Monday in March preceding the election and not later than 5 p.m. on the second Friday after the first Monday in March. The list must be signed by the person so authorized in the certificate of existence of the minor political party before a notary public or other person authorized to take acknowledgments. The list may be amended not later than 5 p.m. on the second Friday after the first Monday in March.

2. The Secretary of State shall immediately forward a certified copy of the list of candidates for partisan office of each minor political party to the filing officer with whom each candidate must file his or her declaration of candidacy.

3. Each candidate on the list must file his or her declaration of candidacy with the appropriate filing officer and pay the filing fee required by [NRS 293.193](#) not earlier than the date on which the list of candidates for partisan office of the minor political party is filed with the Secretary of State and not later than 5 p.m. on the second Friday after the first Monday in March.

4. A minor political party that wishes to place candidates for the offices of President and Vice President of the United States on the ballot and has qualified to place the names of its candidates for partisan office on the ballot for the general election pursuant to subsection 2 of [NRS 293.1715](#) must file with the Secretary of State a certificate of nomination for these offices not later than the last Tuesday in August.

(Added to NRS by [1987, 1360](#); [A 1989, 2161](#); [1993, 2175](#); [1997, 316](#); [1999, 1391, 3550](#); [2003, 1642](#); [2009, 1261](#); [2011, 3278](#); [2013, 2371](#); [2019, 3373](#))

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

PAUL LAXALT BUILDING
COMMERCIAL RECORDINGS
401 N. Carson Street
Carson City, Nevada 89701-4201

LAS VEGAS OFFICE
2250 Las Vegas Blvd North, Suite 400
North Las Vegas, Nevada 89030-5873

054

nvsos.gov

AA 0341

(105a)

Should you have any questions, please not hesitate to contact the Elections Division at (775) 684-5705.

Respectfully,

Francisco V. Aguilar
Secretary of State

By: *Rob Nichols*
Rob Nichols, Administrative Assistant IV

055

Page 2 of 2

AA 0342

(106a)

EXHIBIT 15

Declaration of Robert Hanson

AA 0343

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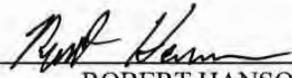
DECLARATION OF ROBERT HANSON

I, Robert Hanson, declare the following under penalties of perjury:

- 1. I am a notary commissioned under the laws of the State of Nevada.
- 2. At the top of an affidavit, where it reads "State of Nevada, County of _____," the blank should be filled in with the county where the affidavit is notarized. This is sometimes a different county than the county in which the document was circulated. If the county at the top of the affidavit is wrong, the notary should correct it.
- 3. It is not uncommon for circulators to gather signatures in one or more counties, and then have the petition documents notarized in another county. For example, a petition circulator gathers signatures in Clark County, then returns home to Nye County and have the documents notarized, or vise-versa.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 10th day of July, 2024.



 ROBERT HANSON

(108a)

EXHIBIT 16

Declaration of Lawrence Ciaffone

AA 0345

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DECLARATION OF LAWRENCE CIAFFONE

I, Lawrence Ciaffone, declare the following under penalties of perjury:

1. I am the CEO of Upcard LLC, which runs signature gathering campaigns throughout the United States.
2. Upcard LLC was hired by the Nevada Green Party to help circulate its 2024 ballot access petition.
3. I assisted with hiring, training, and mobilizing circulators to circulate the petition in Nevada.
4. All circulators and circulator managers that I trained were trained to ask potential signers if they are registered voters of the State of Nevada and the relevant petition district / congressional district.
5. The compensation structure for circulators depends, in part, on the number of valid signatures the circulator obtains. This is determined through an internal quality control process which includes checking that signers are in fact registered voters in the relevant petition district / congressional district by looking up the signer's voter status. This compensation structure is used to motivate circulators to obtain only signatures from registered voters in the relevant petition district / congressional district.
6. Circulators who obtain signatures from people who are not registered to vote will receive additional training. If they do not improve, they will be terminated.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 9th day of July, 2024.



LAWRENCE CIAFFONE

(110a)

EXHIBIT 17

June 12, 2024 Notice of Sufficiency of Petition

AA 0347

FRANCISCO V. AGUILAR
Secretary of State

DEBBIE I. BOWMAN
Deputy Secretary for Operations

SHAUNA BAKKEDAHL
Deputy Secretary for Commercial Recordings

STATE OF NEVADA



OFFICE OF THE
SECRETARY OF STATE

MEMORANDUM

GABRIEL DI CHIARA
Chief Deputy Secretary of State

ERIN M. HOUSTON
Deputy Secretary for Securities

MARK A. WLASCHIN
Deputy Secretary for Elections

To: County Clerks & Registrars
From: Rob Nichols
Date: June 12, 2024
Subject: Notice of Sufficiency of Petition - Nevada Green Party Minor Party Ballot Access

Dear County Clerks & Registrars,

This office is in receipt of the Certificate of Results, June 6, 2024, regarding the Nevada Green Party's petition for ballot access pursuant to [NRS 293.1715](#). Based on the signature examination of the total number of signatures submitted, it was found that **14,821** signatures were valid.

Pursuant to [NRS 293.1277](#), the Secretary of State's office finds that the total number of valid signatures obtained exceeds the required quantity of signatures of registered voters needed to declare the Nevada Green Party Minor Party Ballot Access petition sufficient. Accordingly, the above-referenced petition is deemed to qualify.

Do not hesitate to contact our office should you have any further questions with respect to this Petition.

Respectfully,

Francisco V. Aguilar
Secretary of State

(112a)

EXHIBIT 18

Declarations of Petition Circulators

AA 0349

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DECLARATION OF Taiwu
(Printed name)

I, Tai Wu (printed name), declare the following under penalties of

perjury:

1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 10 day of July, 2024.



(signature)

DECLARATION OF

WILLIAM MM VOGT
(Printed name)

I, WILLIAM MM VOGT (printed name), declare the following under penalties of

perjury:

1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 11 day of July, 2024.

William MM Vogt
(signature)

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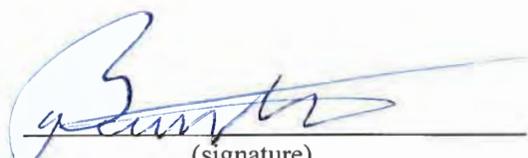
DECLARATION OF Bruce R. Gorshe
(Printed name)

I, Bruce R Gorshe (printed name), declare the following under penalties of perjury:

1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 11th day of July, 2024.


(signature)

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DECLARATION OF Robert Genovese
(Printed name)

I, Robert Genovese (Printed name), declare the following under penalties of perjury:

1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 11th day of July, 2024.

Robert Genovese
(signature)

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DECLARATION OF Jeffrey Bravo
(Printed name)

I, Jeffrey Bravo (printed name), declare the following under penalties of perjury:

1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 11 day of July, 2024.


(signature)

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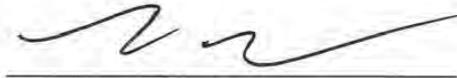
DECLARATION OF William Deans
(Printed named)

I, William Deans (printed name), declare the following under penalties of perjury:

1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 10th day of July, 2024.



(signature)

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DECLARATION OF Kadeem Love
(Printed named)

I, Kadeem Love (printed name), declare the following under penalties of perjury:

1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 10 day of July, 2024.


(signature)

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DECLARATION OF Pat T. Holtz
(Printed name)

I, Pat T. Holtz (printed name), declare the following under penalties of perjury:

1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 10 day of July, 2024.

Pat T. Holtz
(signature)

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DECLARATION OF Sanford Pankin
(Printed name)

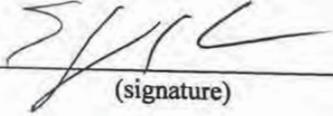
I, Sanford J Pankin (printed name), declare the following under penalties of

perjury:

- 1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
- 2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
- 3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 10 day of July, 2024.


(signature)

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DECLARATION OF HARYAKSHA KNAUER
(Printed name)

I, Haryaksha G. Knauer (printed name), declare the following under penalties of perjury:

1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 8th day of July, 2024.

Haryaksha Knauer
(signature)

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DECLARATION OF Ismail Eramin
(Printed named)

I, Ismail Eramin (printed name), declare the following under penalties of perjury:

1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 10 day of July, 2024.


(signature)

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DECLARATION OF Collin Jackson
(Printed named)

I, Collin Jackson (printed name), declare the following under penalties of

perjury:

1. I personally circulated the Nevada Green Party's 2024 ballot access petition.
2. I asked every potential signer if they were a resident of Nevada, if they were a registered voter, and if they wanted to sign the petition.
3. Only if the person answered affirmatively to all of those questions did I allow them to sign the petition.

I declare under penalty of perjury of the laws of the State of Nevada that the above statements are true.

Dated this 10 day of July, 2024.

Collin Jackson
(signature)

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA STATE DEMOCRATIC PARTY, A
NEVADA POLITICAL PARTY COMMITTEE,
Appellant,
vs.
NEVADA GREEN PARTY, A NEVADA
POLITICAL PARTY COMMITTEE; AND
FRANCISCO V. AGUILAR, IN HIS OFFICIAL
CAPACITY AS NEVADA SECRETARY OF
STATE,
Respondents.

Supreme Court No. 89186
District Court Case No. 24 OC 00107 1B

FILED

SEP 12 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

REMITTITUR

TO: William Scott Hoen, Carson City Clerk

Pursuant to the rules of this court, enclosed are the following:

Certified copy of Judgment and Opinion/Order.
Receipt for Remittitur.

DATE: September 06, 2024

Elizabeth A. Brown, Clerk of Court

By: Ashley A Alexander
Deputy Clerk

cc (without enclosures):

Hon. Kristin Luis, District Judge
Pisanelli Bice, PLLC \ Todd L. Bice\ Daniel Ross Brady
Attorney General/Carson City \ Laena St Jules\ Devin Antuan Oliver
Benson Law LLC \ K. Kevin Benson
Ashcraft & Barr LLP \ Jeffrey F. Barr

RECEIPT FOR REMITTITUR

Received of Elizabeth A. Brown, Clerk of the Supreme Court of the State of Nevada, the
REMITTITUR issued in the above-entitled cause, on September 6, 2024.

RECEIVED

SEP 10 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

[Signature]
District Court Clerk

[Signature] Deputy Clerk

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA STATE DEMOCRATIC PARTY, A
NEVADA POLITICAL PARTY COMMITTEE,
Appellant,
vs.
NEVADA GREEN PARTY, A NEVADA
POLITICAL PARTY COMMITTEE; AND
FRANCISCO V. AGUILAR, IN HIS OFFICIAL
CAPACITY AS NEVADA SECRETARY OF
STATE,
Respondents.

Supreme Court No. 89186
District Court Case No. 24 OC 00107 1B

CLERK'S CERTIFICATE

STATE OF NEVADA, ss.

I, Elizabeth A. Brown, the duly appointed and qualified Clerk of the Supreme Court of the State of Nevada, do hereby certify that the following is a full, true and correct copy of the Judgment in this matter.

JUDGMENT

The court being fully advised in the premises and the law, it is now ordered, adjudged and decreed, as follows:

"we reverse the district court's order and remand for the district court to enter an order granting injunctive relief."

Judgment, as quoted above, entered this 06th day of September, 2024.

IN WITNESS WHEREOF, I have subscribed
my name and affixed the seal of the Supreme
Court at my Office in Carson City, Nevada this
September 06, 2024.

Elizabeth A. Brown, Supreme Court Clerk

By: Ashley A Alexander
Deputy Clerk