PROPOSED REGULATION OF THE
SECRETARY OF STATE

LCB FILE NO. R008-23I

The following document is the initial draft regulation proposed by the agency submitted on 06/22/2023

2023 Regulatory Review

Regulations related to the PPP must be in place no later than the last business day of September (Sept 29, 2023)

1. **Add "Presidential Preference Primary" to existing regulations.** This needs to be applied to:
   a. **NAC 293.200:**

(a) For the cost of the basic ballot stock for the presidential preference primary election not later than March 30 of the year in which the general election is held.

(a)(b) For the cost of the basic ballot stock for the primary election not later than June 30 of the year in which the general election is held.

(b)(c) For the cost of the basic ballot stock for ballots for the general election not later than December 31 of the year in which the general election is held.

   b. **NAC 293.202:**

NAC 293.202 County clerks required to submit written contingency plans to Secretary of State; review and update of plans; briefing to staff regarding plans. (NRS 293.124, 293.247)

1. Each county clerk shall, not later than 60 days before the date of any ~~the general~~ election, submit to the Secretary of State a written contingency plan that describes the procedures that will be used in the event that election operations, including, without limitation, mechanical voting systems and any components thereof, are significantly disrupted.

   c. **NAC 293.228:**

NAC 293.228 Required tests of electronic roster before election. (NRS 293.124, 293.247, 293.275)

1. If a county clerk uses an electronic roster for an election, the county clerk must conduct logic and accuracy tests on the electronic roster and certify to the Secretary of State that the testing was completed by the deadline set forth in NRS 293.275.

2. The testing required pursuant to subsection 1 must confirm, without limitation:

(a) That each electronic roster accurately displays:

(1) The date and time;

(2) The date of the election and the type of election, including, without limitation, whether the election is a presidential preference primary, primary election, general election or special election;

   d. **NAC 293.353:**

NAC 293.353 Report to Secretary of State concerning certain costs associated with ballot drop boxes and retrieval teams. (NRS 293.124, 293.269921) The county clerk shall, not later than 45 days after each ~~general~~ election, report to the Secretary of State:

1.   The cost of purchasing, installing and performing maintenance on the ballot drop boxes established in the county; and

2.   Any costs associated with the retrieval teams described in NAC 293.352, including, without limitation, the cost of hiring, training and paying the retrieval teams.

(Added to NAC by Sec'y of State by R093-21, eff. 2-28-2022)

e.   NAC 293B.040:

NAC 293B.040   Security of ballots, results cartridges, VVPATs, election media cartridges or memory devices, blank ballot stock, chain-of-custody documents and access controls. (NRS 293.124, 293.247)

1.   A county clerk and city clerk shall:

(a) Store ballots, results cartridges and VVPATs upon receipt in a vault or secure area that is accessible only by the county or city clerk and persons designated by the county or city clerk;

(b) Provide for the security and protection of the stored ballots, results cartridges and VVPATs;

(c) Control access to the stored ballots, results cartridges and VVPATs;

(d) Maintain a record of the persons allowed access to the stored ballots, results cartridges and VVPATs; and

(e) Require that any election board officers allowed access to the stored ballots, results cartridges and VVPATs have sworn under oath to perform their duties honestly and faithfully.

2.   Each county and city clerk shall, not later than the 90th day before ~~the general~~ any election, submit to the Secretary of State for approval using the form prescribed by the Secretary of State a plan to ensure the accuracy and security of voting in the county or city, which must, without limitation: