

(Reprinted with amendments adopted on April 26, 2011)

FIRST REPRINT

A.B. 100

ASSEMBLY BILL NO. 100—ASSEMBLYMAN SEGERBLOM

PREFILED JANUARY 26, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Enacts the Uniformed Military and Overseas Absentee Voters Act. (BDR 24-327)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to elections; enacting the Uniformed Military and Overseas Absentee Voters Act; repealing certain provisions governing the use of absent ballots by Armed Forces of the United States personnel and overseas citizens; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill enacts the Uniformed Military and Overseas Absentee Voters Act,
2 which authorizes members of the Armed Forces of the United States and their
3 spouses and dependents, and certain other electors of this State who reside outside
4 the United States: (1) to request forms for voter registration, absent ballots and the
5 form provided by the Federal Government for simultaneous registration and request
6 of an absent ballot; and (2) to return voted ballots by approved electronic
7 transmission. This bill repeals existing provisions of law governing the use and
8 return of an absent ballot by a registered voter of this State who is a member of the
9 Armed Forces, is an overseas citizen or resides outside the continental United
10 States.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Title 24 of NRS is hereby amended by adding
2 thereto a new chapter to consist of the provisions set forth as
3 sections 2 to 29, inclusive, of this act.

4 **Sec. 2.** *This chapter may be cited as the Uniformed Military*
5 *and Overseas Absentee Voters Act.*



* A B 1 0 0 R 1 *

1 **Sec. 3.** *As used in this chapter, unless the context otherwise*
2 *requires, the words and terms defined in sections 4 to 10,*
3 *inclusive, of this act have the meanings ascribed to them in those*
4 *sections.*

5 **Sec. 4.** *“Covered voter” means:*

6 1. *A uniformed-service voter;*

7 2. *An overseas voter; or*

8 3. *A spouse or dependent of a uniformed-service voter.*

9 **Sec. 5.** *“Local elections official” means a city clerk, county*
10 *clerk or registrar of voters, as applicable.*

11 **Sec. 6.** *“Military-overseas ballot” means:*

12 1. *A federal write-in absentee ballot described in section 103*
13 *of the Uniformed and Overseas Citizens Absentee Voting Act, 42*
14 *U.S.C. § 1973ff-2;*

15 2. *A ballot specifically prepared or distributed for use by a*
16 *covered voter in accordance with this chapter; or*

17 3. *Any other ballot cast by a covered voter in accordance with*
18 *this chapter.*

19 **Sec. 7.** *“Overseas voter” means a United States citizen who is*
20 *outside the United States and is eligible to be a covered voter*
21 *pursuant to section 13 of this act.*

22 **Sec. 8.** *“Residency requirement” means the requirement*
23 *contained in NRS 293.485 that a person must continuously reside*
24 *in this State, the county and the precinct for the purposes of*
25 *qualifying to register to vote in this State.*

26 **Sec. 9.** *“State” means a state of the United States, the*
27 *District of Columbia, Puerto Rico, the United States Virgin*
28 *Islands or any territory or insular possession subject to the*
29 *jurisdiction of the United States.*

30 **Sec. 10.** *“Uniformed-service voter” means an elector who is:*

31 1. *A member of the active or reserve components of the Army,*
32 *Navy, Air Force, Marine Corps or Coast Guard of the United*
33 *States who is on active duty;*

34 2. *A member of the Merchant Marine, the Commissioned*
35 *Corps of the Public Health Service or the Commissioned Corps of*
36 *the National Oceanic and Atmospheric Administration of the*
37 *United States;*

38 3. *A member of the National Guard or state militia unit who*
39 *is on activated status; or*

40 4. *A spouse or dependent of a person described in subsection*
41 *1, 2 or 3.*

42 **Sec. 11.** *The voting procedures set forth in this chapter apply*
43 *to every primary election, general election or special election in*
44 *which a candidate for federal office appears on the ballot.*



1 **Sec. 12. 1.** *The Secretary of State shall make available to*
2 *covered voters information regarding voter registration procedures*
3 *for covered voters and procedures for casting military-overseas*
4 *ballots.*

5 2. *The Secretary of State shall establish a system of approved*
6 *electronic transmission through which covered voters may apply*
7 *for and receive documents and other information pursuant to this*
8 *chapter.*

9 3. *The Secretary of State shall develop standardized absentee-*
10 *voting materials, including, without limitation, privacy and*
11 *transmission envelopes and their electronic equivalents,*
12 *authentication materials and voting instructions, to be used with*
13 *the military-overseas ballot of a covered voter authorized to vote in*
14 *any jurisdiction in this State and, to the extent reasonably possible,*
15 *shall do so in coordination with other states.*

16 4. *The Secretary of State shall prescribe the form and content*
17 *of a declaration for use by a covered voter to swear or affirm*
18 *specific representations pertaining to the covered voter's identity,*
19 *eligibility to vote, status as a covered voter and timely and proper*
20 *completion of a military-overseas ballot. The declaration must be*
21 *based on the declaration prescribed to accompany a federal write-*
22 *in absentee ballot under section 103 of the Uniformed and*
23 *Overseas Citizens Absentee Voting Act, 42 U.S.C. § 1973ff-2, as*
24 *modified to be consistent with this chapter. The Secretary of State*
25 *shall ensure that a form for the execution of the declaration,*
26 *including an indication of the date of execution of the declaration,*
27 *is a prominent part of all balloting materials for which the*
28 *declaration is required.*

29 **Sec. 13.** *An overseas voter is eligible to be a covered voter if:*

30 1. *Before leaving the United States, the overseas voter was*
31 *eligible to vote in this State and, except for the residency*
32 *requirement, otherwise satisfies this State's voter eligibility*
33 *requirements;*

34 2. *Before leaving the United States, the overseas voter would*
35 *have been eligible to vote in this State had the overseas voter then*
36 *been of voting age and, except for the residency requirement,*
37 *otherwise satisfies this State's voter eligibility requirements; or*

38 3. *Was born outside the United States and, except for the*
39 *residency requirement, otherwise satisfies the voter eligibility*
40 *requirements set forth in NRS 293.485, so long as:*

41 (a) *The last place where a parent or legal guardian of the*
42 *overseas voter was, or under this chapter would have been, eligible*
43 *to vote before leaving the United States is within this State; and*

44 (b) *The overseas voter is not registered to vote in any other*
45 *state.*



1 **Sec. 14.** *In registering to vote, a covered voter shall use and*
2 *must be assigned to the precinct of the address of the last place of*
3 *residence of the covered voter in this State or, in the case of a*
4 *dependent, the address of the last place of residence in this State*
5 *of the parent or legal guardian of the covered voter. If the last*
6 *place of residence in this State has not been assigned a street*
7 *address, the address at which the covered voter resides for*
8 *purposes of this section is a description of the location at which*
9 *the voter actually resides. The description must identify the*
10 *location with sufficient specificity to allow the county clerk to*
11 *assign the location to a precinct.*

12 **Sec. 15.** *1. In addition to any other method of registering to*
13 *vote set forth in chapter 293 of NRS, a covered voter may use a*
14 *federal postcard application, as prescribed under section 101(b)(2)*
15 *of the Uniformed and Overseas Citizens Absentee Voting Act, 42*
16 *U.S.C. § 1973ff(b)(2), or the application's electronic equivalent, to*
17 *apply to register to vote.*

18 *2. A covered voter may use the declaration accompanying the*
19 *federal write-in absentee ballot, as prescribed under section 103 of*
20 *the Uniformed and Overseas Citizens Absentee Voting Act, 42*
21 *U.S.C. § 1973ff-2, to apply to register to vote simultaneously with*
22 *the submission of the federal write-in absentee ballot, if the*
23 *declaration is received by the seventh day before the election. If*
24 *the declaration is received after the seventh day before the*
25 *election, it must be treated as an application to register to vote for*
26 *subsequent elections.*

27 *3. The Secretary of State shall ensure that the system of*
28 *approved electronic transmission described in subsection 2 of*
29 *section 12 of this act is capable of accepting both a federal*
30 *postcard application and any other approved electronic*
31 *registration application sent to the appropriate local elections*
32 *official. The covered voter may use the system of approved*
33 *electronic transmission or any other method set forth in chapter*
34 *293 of NRS to register to vote.*

35 **Sec. 16.** *1. A covered voter who is registered to vote in this*
36 *State may apply for a military-overseas ballot by submitting a*
37 *federal postcard application, as prescribed under section 101(b)(2)*
38 *of the Uniformed and Overseas Citizens Absentee Voting Act, 42*
39 *U.S.C. § 1973ff(b)(2), or the application's electronic equivalent,*
40 *pursuant to this section.*

41 *2. A covered voter who is not registered to vote in this State*
42 *may use the federal postcard application or the application's*
43 *electronic equivalent simultaneously to apply to register to vote*
44 *pursuant to section 15 of this act and to apply for a military-*
45 *overseas ballot.*



1 3. *The Secretary of State shall ensure that the system of*
2 *approved electronic transmission described in subsection 2*
3 *of section 12 of this act is capable of accepting the submission of*
4 *both a federal postcard application and any other approved*
5 *electronic military-overseas ballot application sent to the*
6 *appropriate local elections official. The covered voter may use*
7 *approved electronic transmission or any other method approved by*
8 *the Secretary of State to apply for a military-overseas ballot.*

9 4. *A covered voter may use the declaration accompanying the*
10 *federal write-in absentee ballot, as prescribed under section 103 of*
11 *the Uniformed and Overseas Citizens Absentee Voting Act, 42*
12 *U.S.C. § 1973ff-2, as an application for a military-overseas ballot*
13 *simultaneously with the submission of the federal write-in*
14 *absentee ballot, if the declaration is received by the appropriate*
15 *local elections official by the seventh day before the election.*

16 5. *To receive the benefits of this chapter, a covered voter must*
17 *inform the appropriate local elections official that he or she is a*
18 *covered voter. Methods of informing the appropriate local*
19 *elections official that a person is a covered voter include, without*
20 *limitation:*

21 (a) *The use of a federal postcard application or federal write-*
22 *in absentee ballot;*

23 (b) *The use of an overseas address on an approved voting*
24 *registration application or ballot application; and*

25 (c) *The inclusion on an application to register to vote or an*
26 *application for a military-overseas ballot of other information*
27 *sufficient to identify that the person is a covered voter.*

28 6. *This chapter does not prohibit a covered voter from*
29 *applying for an absent ballot pursuant to the provisions of NRS*
30 *293.315 or voting in person.*

31 **Sec. 17.** *An application for a military-overseas ballot is*
32 *timely if received by the seventh day before the election. An*
33 *application for a military-overseas ballot for a primary election,*
34 *whether or not timely, is effective as an application for a military-*
35 *overseas ballot for the general election.*

36 **Sec. 18.** *1. For all covered elections for which this State*
37 *has not received a waiver pursuant to section 579 of the Military*
38 *and Overseas Voter Empowerment Act, 42 U.S.C. § 1973ff-1(g)(2),*
39 *not later than 45 days before the election or, if the 45th day before*
40 *the election is a weekend or holiday, not later than the business*
41 *day preceding the 45th day, the local elections official in each*
42 *jurisdiction charged with distributing military-overseas ballots and*
43 *balloting materials shall transmit military-overseas ballots and*
44 *balloting materials to all covered voters who by that date submit a*
45 *valid application for military-overseas ballots.*



1 2. A covered voter who requests that a military-overseas
2 ballot and balloting materials be sent to the covered voter by
3 approved electronic transmission may choose to receive the
4 military-overseas ballot and balloting materials by facsimile
5 transmission or electronic mail delivery. The local elections
6 official in each jurisdiction shall transmit the military-overseas
7 ballot and balloting materials to the covered voter using the means
8 of approved electronic transmission chosen by the covered voter.

9 3. If an application for a military-overseas ballot from a
10 covered voter arrives after the jurisdiction begins transmitting
11 ballots and balloting materials to other voters, the local elections
12 official shall transmit the military-overseas ballot and balloting
13 materials to the covered voter not later than 2 business days after
14 the application arrives.

15 **Sec. 19.** A military-overseas ballot must be received by the
16 appropriate local elections official not later than the close of the
17 polls.

18 **Sec. 20.** 1. Except as otherwise provided in subsection 2, a
19 covered voter may use the federal write-in absentee ballot, in
20 accordance with section 103 of the Uniformed and Overseas
21 Citizens Absentee Voting Act, 42 U.S.C. § 1973ff-2, to vote for all
22 offices and ballot measures in an election.

23 2. If the covered voter indicates on the federal write-in
24 absentee ballot that he or she is residing overseas indefinitely, the
25 covered voter may only use the federal write-in absentee ballot to
26 vote for federal offices.

27 **Sec. 21.** (Deleted by amendment.)

28 **Sec. 22.** Each military-overseas ballot must include or be
29 accompanied by a declaration signed by the covered voter
30 declaring that a material misstatement of fact in completing the
31 document may be grounds for a conviction of perjury under the
32 laws of the United States or this State.

33 **Sec. 23.** The Secretary of State, in coordination with local
34 elections officials, shall establish and maintain an electronic free-
35 access system which uses the telephone, electronic mail or the
36 Internet so that a covered voter may determine whether:

37 1. The covered voter's federal postcard application or other
38 registration or military-overseas ballot application has been
39 received and accepted; and

40 2. The covered voter's military-overseas ballot has been
41 received and the current status of the military-overseas ballot.

42 **Sec. 24.** 1. The local elections official shall request an
43 electronic-mail address from each covered voter who registers to
44 vote. An electronic-mail address provided by a covered voter is
45 confidential and is not a public book or record within the meaning



1 of NRS 239.010. A local elections official may not release a
2 covered voter's electronic-mail address to a third party. A local
3 elections official may use the address only to communicate with
4 the covered voter about the voting process, including transmitting
5 military-overseas ballots and election materials if the covered voter
6 has requested electronic transmission, and verifying the covered
7 voter's mailing address and physical location, as needed. A
8 request for an electronic-mail address under this subsection must
9 describe the purpose for which the electronic-mail address will be
10 used and state that any other use or disclosure is prohibited.

11 2. A covered voter who provides an electronic-mail address
12 may request that his or her application for a military-overseas
13 ballot be considered a standing request for electronic delivery of a
14 ballot for all elections held through December 31 of the year
15 following the calendar year of the date of the application or
16 another shorter period the covered voter specifies. The local
17 elections official shall provide a military-overseas ballot to a
18 covered voter who makes a request for each election to which the
19 request is applicable. A covered voter who is entitled to receive a
20 military-overseas ballot for a primary election under this
21 subsection is also entitled to receive a military-overseas ballot for
22 the general election.

23 **Sec. 25.** A local elections official who establishes and
24 maintains an Internet website shall make updated versions of his
25 or her election notices regularly available on the website.

26 **Sec. 26.** If a covered voter's mistake or omission in the
27 completion of a document under this chapter does not prevent
28 determining whether a covered voter is eligible to vote, the mistake
29 or omission does not invalidate the document. Failure to satisfy a
30 nonessential requirement, including, without limitation, using
31 paper or envelopes of a specified size or weight, does not invalidate
32 any document submitted under this chapter. In any write-in ballot
33 authorized by this chapter, if the intention of the covered voter is
34 discernable under this State's uniform definition of what
35 constitutes a vote, as required by the Help America Vote Act of
36 2002, 42 U.S.C. § 15481(a)(6), an abbreviation, misspelling or
37 other minor variation in the form of the name of a candidate or a
38 political party must be accepted as a valid vote.

39 **Sec. 27.** A court may issue an injunction or grant other
40 equitable relief appropriate to ensure substantial compliance with,
41 or enforce, this chapter on application by:

- 42 1. A covered voter alleging a grievance under this chapter; or
- 43 2. The Secretary of State or a local elections official.

44 **Sec. 28.** In applying and construing this chapter,
45 consideration must be given to the need to promote uniformity of



1 *the law with respect to its subject matter among states that have*
2 *enacted the Uniformed and Overseas Citizens Absentee Voting*
3 *Act, 42 U.S.C. § 1973ff et seq.*

4 **Sec. 29.** *This chapter modifies, limits and supersedes the*
5 *Electronic Signatures in Global and National Commerce Act, 15*
6 *U.S.C. § 7001 et seq., but does not modify, limit or supersede*
7 *Section 101(c) of that Act, 15 U.S.C. § 7001(c), or authorize*
8 *electronic delivery of any of the notices described in Section*
9 *103(b) of that Act, 15 U.S.C. § 7003(b).*

10 **Sec. 30.** NRS 293.250 is hereby amended to read as follows:

11 293.250 1. ~~The~~ *Except as otherwise provided in sections 2*
12 *to 29, inclusive, of this act, the* Secretary of State shall, in a manner
13 consistent with the election laws of this State, prescribe:

14 (a) The form of all ballots, absent ballots, diagrams, sample
15 ballots, certificates, notices, declarations, applications to register to
16 vote, lists, applications, registers, rosters, statements and abstracts
17 required by the election laws of this State.

18 (b) The procedure to be followed when a computer is used to
19 register voters and to keep records of registration.

20 2. ~~The~~ *Except as otherwise provided in sections 2 to 29,*
21 *inclusive, of this act, the* Secretary of State shall prescribe with
22 respect to the matter to be printed on every kind of ballot:

23 (a) The placement and listing of all offices, candidates and
24 measures upon which voting is statewide, which must be uniform
25 throughout the State.

26 (b) The listing of all other candidates required to file with the
27 Secretary of State, and the order of listing all offices, candidates and
28 measures upon which voting is not statewide, from which each
29 county or city clerk shall prepare appropriate ballot forms for use in
30 any election in his or her county.

31 3. The Secretary of State shall place the condensation of each
32 proposed constitutional amendment or statewide measure near the
33 spaces or devices for indicating the voter's choice.

34 4. The fiscal note for, explanation of, arguments for and
35 against, and rebuttals to such arguments of each proposed
36 constitutional amendment or statewide measure must be included on
37 all sample ballots.

38 5. The condensations and explanations for constitutional
39 amendments and statewide measures proposed by initiative or
40 referendum must be prepared by the Secretary of State, upon
41 consultation with the Attorney General. The arguments and rebuttals
42 for or against constitutional amendments and statewide measures
43 proposed by initiative or referendum must be prepared in the
44 manner set forth in NRS 293.252. The fiscal notes for constitutional
45 amendments and statewide measures proposed by initiative or



1 referendum must be prepared by the Secretary of State, upon
2 consultation with the Fiscal Analysis Division of the Legislative
3 Counsel Bureau. The condensations, explanations, arguments,
4 rebuttals and fiscal notes must be in easily understood language and
5 of reasonable length, and whenever feasible must be completed by
6 August 1 of the year in which the general election is to be held.

7 6. The names of candidates for township and legislative or
8 special district offices must be printed only on the ballots furnished
9 to voters of that township or district.

10 7. A county clerk:

11 (a) May divide paper ballots into two sheets in a manner which
12 provides a clear understanding and grouping of all measures and
13 candidates.

14 (b) Shall prescribe the color or colors of the ballots and voting
15 receipts used in any election which the clerk is required to conduct.

16 **Sec. 31.** NRS 293.270 is hereby amended to read as follows:

17 293.270 1. Voting at any election regulated by this title must
18 be on printed ballots or by any other system approved by the
19 Secretary of State or specifically authorized by law.

20 2. Except as otherwise provided in ~~NRS 293.3155,~~ *sections 2*
21 *to 29, inclusive, of this act,* voting must be only upon candidates
22 whose names appear upon the ballot prepared by the election
23 officers, and no person may write in the name of an additional
24 candidate for any office.

25 **Sec. 32.** NRS 293.310 is hereby amended to read as follows:

26 293.310 1. Except as otherwise provided in NRS 293.330 ~~;~~
27 *and sections 2 to 29, inclusive, of this act,* a registered voter who
28 requests and receives an absent voter's ballot may vote only by
29 absent ballot at the election for which the absent ballot was issued.

30 2. If a registered voter has requested an absent ballot and the
31 ballot has been mailed or issued, the county clerk shall notify the
32 precinct or district election board that the registered voter has
33 requested an absent ballot.

34 **Sec. 33.** (Deleted by amendment.)

35 **Sec. 34.** NRS 293.320 is hereby amended to read as follows:

36 293.320 ~~;~~ The county clerk shall determine before issuing
37 an absent ballot that the person making application is a registered
38 voter in the proper county.

39 ~~2. — Armed Forces personnel and overseas citizens who are not~~
40 ~~registered to vote and are applying for absent ballots must complete:~~

41 ~~— (a) The application to register to vote required by NRS 293.517~~
42 ~~for registration;~~

43 ~~— (b) The form provided by the Federal Government for~~
44 ~~registration and request of an absent ballot, pursuant to the~~



1 ~~provisions of the Uniformed and Overseas Citizens Absentee Voting~~
2 ~~Act, 42 U.S.C. §§ 1973ff et seq.; or~~

3 ~~—(c) A special absent ballot used only for purposes of registering~~
4 ~~the person to vote;~~

5 ~~—before receiving an absent ballot.~~

6 ~~—3. If the county clerk rejects an application submitted pursuant~~
7 ~~to subsection 2, the county clerk shall inform the applicant of the~~
8 ~~reason for the rejection.]~~

9 **Sec. 35.** NRS 293.323 is hereby amended to read as follows:

10 293.323 1. Except as otherwise provided in subsection 2 and
11 ~~[NRS 293.3157.]~~ *sections 2 to 29, inclusive, of this act,* if the
12 request for an absent ballot is made by mail or facsimile machine,
13 the county clerk shall, as soon as the official absent ballot for the
14 precinct or district in which the applicant resides has been printed,
15 send to the voter by first-class mail, or by any class of mail if the
16 Official Election Mail logo or an equivalent logo or mark created by
17 the United States Postal Service is properly placed on the official
18 absent ballot:

19 (a) An absent ballot;

20 (b) A return envelope;

21 (c) An envelope or similar device into which the ballot is
22 inserted to ensure its secrecy;

23 (d) An identification envelope, if applicable ; ~~[pursuant to NRS~~
24 ~~293.3157.]~~ and

25 (e) Instructions.

26 2. If the county clerk fails to send an absent ballot pursuant to
27 subsection 1 to a voter who resides within the continental United
28 States, the county clerk may use a facsimile machine to send an
29 absent ballot and instructions to the voter. The voter may mail the
30 absent ballot to the county clerk or submit the absent ballot by
31 facsimile machine.

32 3. The return envelope sent pursuant to subsection 1 must
33 include postage prepaid by first-class mail if the absent voter is
34 within the boundaries of the United States, its territories or
35 possessions or on a military base.

36 4. Nothing may be enclosed or sent with an absent ballot
37 except as required by subsection 1 or 2 and ~~[NRS 293.3157.]~~
38 *sections 2 to 29, inclusive, of this act.*

39 5. Before depositing a ballot in the mail or sending a ballot by
40 facsimile machine, the county clerk shall record the date the ballot is
41 issued, the name of the registered voter to whom it is issued, the
42 registered voter's precinct or district, and political affiliation, if any,
43 the number of the ballot and any remarks the county clerk finds
44 appropriate.



* A B 1 0 0 R 1 *

1 6. The Secretary of State shall adopt regulations to carry out
2 the provisions of subsection 2.

3 **Sec. 36.** NRS 293.330 is hereby amended to read as follows:

4 293.330 1. Except as otherwise provided in ~~NRS 293.3157~~
5 ~~and~~ subsection 2 of NRS 293.323 *and sections 2 to 29, inclusive,*
6 *of this act*, and any regulations adopted pursuant thereto, when an
7 absent voter receives an absent ballot, the absent voter must mark
8 and fold it in accordance with the instructions, deposit it in the
9 return envelope, seal the envelope, affix his or her signature on
10 the back of the envelope in the space provided therefor and mail the
11 return envelope.

12 2. Except as otherwise provided in subsection 3, if an absent
13 voter who has requested a ballot by mail applies to vote the ballot in
14 person at:

15 (a) The office of the county clerk, the absent voter must mark
16 the ballot, seal it in the return envelope and affix his or her signature
17 in the same manner as provided in subsection 1, and deliver the
18 envelope to the clerk.

19 (b) A polling place, including, without limitation, a polling place
20 for early voting, the absent voter must surrender the absent ballot
21 and provide satisfactory identification before being issued a ballot to
22 vote at the polling place. A person who receives a surrendered
23 absent ballot shall mark it "Cancelled."

24 3. If an absent voter who has requested a ballot by mail applies
25 to vote in person at the office of the county clerk or a polling place,
26 including, without limitation, a polling place for early voting, and
27 the voter does not have the absent ballot to deliver or surrender, the
28 voter must be issued a ballot to vote if the voter:

29 (a) Provides satisfactory identification;

30 (b) Is a registered voter who is otherwise entitled to vote; and

31 (c) Signs an affirmation under penalty of perjury on a form
32 prepared by the Secretary of State declaring that the voter has not
33 voted during the election.

34 4. Except as otherwise provided in NRS 293.316, it is unlawful
35 for any person to return an absent ballot other than the voter who
36 requested the absent ballot or, at the request of the voter, a member
37 of the voter's family. A person who returns an absent ballot and who
38 is a member of the family of the voter who requested the absent
39 ballot shall, under penalty of perjury, indicate on a form prescribed
40 by the county clerk that the person is a member of the family of the
41 voter who requested the absent ballot and that the voter requested
42 that the person return the absent ballot. A person who violates the
43 provisions of this subsection is guilty of a category E felony and
44 shall be punished as provided in NRS 193.130.



* A B 1 0 0 R 1 *

1 **Sec. 37.** NRS 293.517 is hereby amended to read as follows:

2 293.517 1. Any elector residing within the county may
3 register:

4 (a) Except as otherwise provided in NRS 293.560 and
5 293C.527, by appearing before the county clerk, a field registrar or a
6 voter registration agency, completing the application to register to
7 vote, giving true and satisfactory answers to all questions relevant to
8 his or her identity and right to vote, and providing proof of residence
9 and identity;

10 (b) By completing and mailing or personally delivering to the
11 county clerk an application to register to vote pursuant to the
12 provisions of NRS 293.5235;

13 (c) Pursuant to the provisions of NRS ~~[293.501 or]~~ 293.524 ~~];~~
14 *or sections 2 to 29, inclusive, of this act;* or

15 (d) At his or her residence with the assistance of a field registrar
16 pursuant to NRS 293.5237.

17 ↳ The county clerk shall require a person to submit official
18 identification as proof of residence and identity, such as a driver's
19 license or other official document, before registering the person. If
20 the applicant registers to vote pursuant to this subsection and fails to
21 provide proof of residence and identity, the applicant must provide
22 proof of residence and identity before casting a ballot in person or
23 by mail or after casting a provisional ballot pursuant to NRS
24 293.3081 or 293.3083. For the purposes of this subsection, a voter
25 registration card issued pursuant to subsection 6 does not provide
26 proof of the residence or identity of a person.

27 2. The application to register to vote must be signed and
28 verified under penalty of perjury by the elector registering.

29 3. Each elector who is or has been married must be registered
30 under his or her own given or first name, and not under the given or
31 first name or initials of his or her spouse.

32 4. An elector who is registered and changes his or her name
33 must complete a new application to register to vote. The elector may
34 obtain a new application:

35 (a) At the office of the county clerk or field registrar;

36 (b) By submitting an application to register to vote pursuant to
37 the provisions of NRS 293.5235;

38 (c) By submitting a written statement to the county clerk
39 requesting the county clerk to mail an application to register to vote;
40 or

41 (d) At any voter registration agency.

42 ↳ If the elector fails to register under his or her new name, the
43 elector may be challenged pursuant to the provisions of NRS
44 293.303 or 293C.292 and may be required to furnish proof of
45 identity and subsequent change of name.



* A B I 0 0 R 1 *

1 5. Except as otherwise provided in subsection 7, an elector who
2 registers to vote pursuant to paragraph (a) of subsection 1 shall be
3 deemed to be registered upon the completion of an application to
4 register to vote.

5 6. After the county clerk determines that the application to
6 register to vote of a person is complete and that , *except as*
7 *otherwise provided in section 13 of this act*, the person is eligible to
8 vote pursuant to NRS 293.485, the county clerk shall issue a voter
9 registration card to the voter which contains:

10 (a) The name, address, political affiliation and precinct number
11 of the voter;

12 (b) The date of issuance; and

13 (c) The signature of the county clerk.

14 7. If an elector submits an application to register to vote or an
15 affidavit described in paragraph (c) of subsection 1 of NRS 293.507
16 that contains any handwritten additions, erasures or interlineations,
17 the county clerk may object to the application to register to vote if
18 the county clerk believes that because of such handwritten additions,
19 erasures or interlineations, the application to register to vote of the
20 elector is incomplete or that , *except as otherwise provided in*
21 *section 13 of this act*, the elector is not eligible to vote pursuant to
22 NRS 293.485. If the county clerk objects pursuant to this
23 subsection, he or she shall immediately notify the elector and the
24 district attorney of the county. Not later than 5 business days after
25 the district attorney receives such notification, the district attorney
26 shall advise the county clerk as to whether:

27 (a) The application to register to vote of the elector is complete
28 and , *except as otherwise provided in section 13 of this act*, the
29 elector is eligible to vote pursuant to NRS 293.485; and

30 (b) The county clerk should proceed to process the application
31 to register to vote.

32 ➔ If the District Attorney advises the county clerk to process the
33 application to register to vote, the county clerk shall immediately
34 issue a voter registration card to the applicant pursuant to
35 subsection 6.

36 **Sec. 38.** NRS 293.5235 is hereby amended to read as follows:

37 293.5235 1. Except as otherwise provided in NRS 293.502 ~~§~~
38 *and sections 2 to 29, inclusive, of this act*, a person may register to
39 vote by mailing an application to register to vote to the county clerk
40 of the county in which the person resides. The county clerk shall,
41 upon request, mail an application to register to vote to an applicant.
42 The county clerk shall make the applications available at various
43 public places in the county. An application to register to vote may
44 be used to correct information in the registrar of voters' register.



1 2. An application to register to vote which is mailed to an
2 applicant by the county clerk or made available to the public at
3 various locations or voter registration agencies in the county may be
4 returned to the county clerk by mail or in person. For the purposes
5 of this section, an application which is personally delivered to the
6 county clerk shall be deemed to have been returned by mail.

7 3. The applicant must complete the application, including,
8 without limitation, checking the boxes described in paragraphs (b)
9 and (c) of subsection 10 and signing the application.

10 4. The county clerk shall, upon receipt of an application,
11 determine whether the application is complete.

12 5. If the county clerk determines that the application is
13 complete, he or she shall, within 10 days after receiving the
14 application, mail to the applicant:

15 (a) A notice that the applicant is registered to vote and a voter
16 registration card as required by subsection 6 of NRS 293.517; or

17 (b) A notice that the registrar of voters' register has been
18 corrected to reflect any changes indicated on the application.

19 6. Except as otherwise provided in subsection 5 of NRS
20 293.518, if the county clerk determines that the application is not
21 complete, the county clerk shall, as soon as possible, mail a notice to
22 the applicant that additional information is required to complete the
23 application. If the applicant provides the information requested by
24 the county clerk within 15 days after the county clerk mails the
25 notice, the county clerk shall, within 10 days after receiving the
26 information, mail to the applicant:

27 (a) A notice that the applicant is registered to vote and a voter
28 registration card as required by subsection 6 of NRS 293.517; or

29 (b) A notice that the registrar of voters' register has been
30 corrected to reflect any changes indicated on the application.

31 ➤ If the applicant does not provide the additional information
32 within the prescribed period, the application is void.

33 7. The applicant shall be deemed to be registered or to have
34 corrected the information in the register on the date the application
35 is postmarked or received by the county clerk, whichever is earlier.

36 8. If the applicant fails to check the box described in paragraph
37 (b) of subsection 10, the application shall not be considered invalid
38 and the county clerk shall provide a means for the applicant to
39 correct the omission at the time the applicant appears to vote in
40 person at the assigned polling place.

41 9. The Secretary of State shall prescribe the form for an
42 application to register to vote by mail which must be used to register
43 to vote by mail in this State.

44 10. The application to register to vote by mail must include:

45 (a) A notice in at least 10-point type which states:



* A B 1 0 0 R 1 *

1 NOTICE: You are urged to return your application to
2 register to vote to the County Clerk in person or by mail. If
3 you choose to give your completed application to another
4 person to return to the County Clerk on your behalf, and the
5 person fails to deliver the application to the County Clerk,
6 you will not be registered to vote. Please retain the duplicate
7 copy or receipt from your application to register to vote.
8

9 (b) The question, "Are you a citizen of the United States?" and
10 boxes for the applicant to check to indicate whether or not the
11 applicant is a citizen of the United States.

12 (c) The question, "Will you be at least 18 years of age on or
13 before election day?" and boxes for the applicant to check to
14 indicate whether or not the applicant will be at least 18 years of age
15 or older on election day.

16 (d) A statement instructing the applicant not to complete the
17 application if the applicant checked "no" in response to the question
18 set forth in paragraph (b) or (c).

19 (e) A statement informing the applicant that if the application is
20 submitted by mail and the applicant is registering to vote for the first
21 time, the applicant must submit the information set forth in
22 paragraph (a) of subsection 2 of NRS 293.2725 to avoid the
23 requirements of subsection 1 of NRS 293.2725 upon voting for the
24 first time.

25 11. Except as otherwise provided in subsection 5 of NRS
26 293.518, the county clerk shall not register a person to vote pursuant
27 to this section unless that person has provided all of the information
28 required by the application.

29 12. The county clerk shall mail, by postcard, the notices
30 required pursuant to subsections 5 and 6. If the postcard is returned
31 to the county clerk by the United States Postal Service because the
32 address is fictitious or the person does not live at that address, the
33 county clerk shall attempt to determine whether the person's current
34 residence is other than that indicated on the application to register to
35 vote in the manner set forth in NRS 293.530.

36 13. A person who, by mail, registers to vote pursuant to this
37 section may be assisted in completing the application to register to
38 vote by any other person. The application must include the mailing
39 address and signature of the person who assisted the applicant. The
40 failure to provide the information required by this subsection will
41 not result in the application being deemed incomplete.

42 14. An application to register to vote must be made available to
43 all persons, regardless of political party affiliation.

44 15. An application must not be altered or otherwise defaced
45 after the applicant has completed and signed it. An application must




1 be mailed or delivered in person to the office of the county clerk
2 within 10 days after it is completed.

3 16. A person who willfully violates any of the provisions of
4 subsection 13, 14 or 15 is guilty of a category E felony and shall be
5 punished as provided in NRS 193.130.

6 17. The Secretary of State shall adopt regulations to carry out
7 the provisions of this section.

8 **Sec. 39.** NRS 293.560 is hereby amended to read as follows:

9 293.560 1. Except as otherwise provided in NRS 293.502 
10 *and sections 15 and 16 of this act*, registration must close at 9 p.m.
11 on the third Tuesday preceding any primary or general election and
12 at 9 p.m. on the third Saturday preceding any recall or special
13 election, except that if a recall or special election is held on the same
14 day as a primary or general election, registration must close at
15 9 p.m. on the third Tuesday preceding the day of the elections.

16 2. The office of the county clerk must be open from 9 a.m. to
17 5 p.m. and from 7 p.m. to 9 p.m., including Saturdays, during the
18 last days before the close of registration, according to the following
19 schedule:

20 (a) In a county whose population is less than 100,000, the office
21 of the county clerk must be open during the last day before
22 registration closes.


23 (b) In all other counties, the office of the county clerk must be
24 open during the last 5 days before registration closes.

25 3. Except for a special election held pursuant to chapter 306 or
26 350 of NRS:

27 (a) The county clerk of each county shall cause a notice signed
28 by him or her to be published in a newspaper having a general
29 circulation in the county indicating:

30 (1) The day that registration will be closed; and

31 (2) If the county clerk has designated a county facility
32 pursuant to NRS 293.5035, the location of that facility.

33  If no such newspaper is published in the county, the publication
34 may be made in a newspaper of general circulation published in the
35 nearest county in this State.

36 (b) The notice must be published once each week for 4
37 consecutive weeks next preceding the close of registration for any
38 election.

39 4. The offices of the county clerk, a county facility designated
40 pursuant to NRS 293.5035 and other ex officio registrars may
41 remain open on the last Friday in October in each even-numbered
42 year.

43 5. For the period beginning on the fifth Sunday preceding any
44 primary or general election and ending on the third Tuesday
45 preceding any primary or general election, an elector may register to



1 vote only by appearing in person at the office of the county clerk or,
2 if open, a county facility designated pursuant to NRS 293.5035.

3 6. A county facility designated pursuant to NRS 293.5035 may
4 be open during the periods described in this section for such hours
5 of operation as the county clerk may determine, as set forth in
6 subsection 3 of NRS 293.5035.

7 **Sec. 40.** NRS 293C.265 is hereby amended to read as follows:

8 293C.265 1. Except as otherwise provided in subsection 2
9 and in NRS 293.2725 and 293.3083, a person who registered to vote
10 pursuant to the provisions of NRS 293.5235 shall, for the first city
11 election in which the person votes at which that registration is valid,
12 vote in person unless he or she has previously voted in the county in
13 which he or she is registered to vote.

14 2. The provisions of subsection 1 do not apply to a person who:

15 (a) Is entitled to vote in the manner prescribed in NRS 293C.342
16 to 293C.352, inclusive;

17 (b) Is entitled to vote an absent ballot pursuant to federal law or
18 NRS 293C.317 or 293C.318 ~~[1]~~ *or sections 2 to 29, inclusive, of this*
19 *act;*

20 (c) Is disabled;

21 (d) Submits or has previously submitted a written request for an
22 absent ballot that is signed by the registered voter before a notary
23 public or other person authorized to administer an oath; or

24 (e) Requests an absent ballot in person at the office of the city
25 clerk.

26 **Sec. 41.** NRS 293C.320 is hereby amended to read as follows:

27 293C.320 ~~[1]~~ The city clerk shall determine before issuing
28 an absent ballot that the person making application is a registered
29 voter in the proper city.

30 ~~[2.—Armed Forces personnel and overseas citizens who are not
31 registered to vote and are applying for absent ballots must complete:
32 —(a) The application to register to vote required by NRS 293.517
33 for registration;~~

34 ~~—(b) The form provided by the Federal Government for
35 registration and request of an absent ballot, pursuant to the
36 provisions of the Uniformed and Overseas Citizens Absentee Voting
37 Act, 42 U.S.C. §§ 1973ff et seq.; or~~

38 ~~—(c) A special absent ballot used only for purposes of registering
39 the person to vote,
40 ↪ before receiving an absent ballot.]~~

41 **Sec. 42.** NRS 293C.322 is hereby amended to read as follows:

42 293C.322 1. Except as otherwise provided in subsection 2
43 and ~~[NRS 293C.315,]~~ *sections 2 to 29, inclusive, of this act*, if the
44 request for an absent ballot is made by mail or facsimile machine,
45 the city clerk shall, as soon as the official absent ballot for the



1 precinct or district in which the applicant resides has been printed,
2 send to the voter by first-class mail, or by any class of mail if the
3 Official Election Mail logo or an equivalent logo or mark created by
4 the United States Postal Service is properly placed on the official
5 absent ballot:

- 6 (a) An absent ballot;
- 7 (b) A return envelope;
- 8 (c) An envelope or similar device into which the ballot is
9 inserted to ensure its secrecy; *and*

10 (d) ~~[An identification envelope, if applicable pursuant to NRS~~
11 ~~293C.315; and~~

12 ~~—(e)]~~ Instructions.

13 2. If the city clerk fails to send an absent ballot pursuant to
14 subsection 1 to a voter who resides within the continental United
15 States, the city clerk may use a facsimile machine to send an absent
16 ballot and instructions to the voter. The voter may mail the absent
17 ballot to the city clerk or submit the absent ballot by facsimile
18 machine.

19 3. The return envelope sent pursuant to subsection 1 must
20 include postage prepaid by first-class mail if the absent voter is
21 within the boundaries of the United States, its territories or
22 possessions or on a military base.

23 4. Nothing may be enclosed or sent with an absent ballot
24 except as required by subsection 1 or 2. ~~[and NRS 293C.315.]~~

25 5. Before depositing a ballot with the United States Postal
26 Service or sending a ballot by facsimile machine, the city clerk shall
27 record the date the ballot is issued, the name of the registered voter
28 to whom it is issued, the registered voter's precinct or district, the
29 number of the ballot and any remarks the city clerk finds
30 appropriate.

31 6. The Secretary of State shall adopt regulations to carry out
32 the provisions of subsection 2.

33 **Sec. 43.** NRS 293C.330 is hereby amended to read as follows:

34 293C.330 1. Except as otherwise provided in ~~[NRS 293C.315~~
35 ~~and]~~ subsection 2 of NRS 293C.322 *and sections 2 to 29, inclusive,*
36 *of this act,* and any regulations adopted pursuant thereto, when an
37 absent voter receives an absent ballot, the absent voter must mark
38 and fold it in accordance with the instructions, deposit it in the
39 return envelope, seal the envelope, affix his or her signature on
40 the back of the envelope in the space provided therefor and mail the
41 return envelope.

42 2. Except as otherwise provided in subsection 3, if an absent
43 voter who has requested a ballot by mail applies to vote the ballot in
44 person at:



* A B 1 0 0 R 1 *

1 (a) The office of the city clerk, the absent voter must mark the
2 ballot, seal it in the return envelope and affix his or her signature in
3 the same manner as provided in subsection 1, and deliver the
4 envelope to the city clerk.

5 (b) A polling place, including, without limitation, a polling place
6 for early voting, the absent voter must surrender the absent ballot
7 and provide satisfactory identification before being issued a ballot to
8 vote at the polling place. A person who receives a surrendered
9 absent ballot shall mark it "Cancelled."

10 3. If an absent voter who has requested a ballot by mail applies
11 to vote in person at the office of the city clerk or a polling place,
12 including, without limitation, a polling place for early voting, and
13 the voter does not have the absent ballot to deliver or surrender, the
14 voter must be issued a ballot to vote if the voter:

15 (a) Provides satisfactory identification;

16 (b) Is a registered voter who is otherwise entitled to vote; and

17 (c) Signs an affirmation under penalty of perjury on a form
18 prepared by the Secretary of State declaring that the voter has not
19 voted during the election.

20 4. Except as otherwise provided in NRS 293C.317, it is
21 unlawful for any person to return an absent ballot other than the
22 voter who requested the absent ballot or, at the request of the voter,
23 a member of the voter's family. A person who returns an absent
24 ballot and who is a member of the family of the voter who requested
25 the absent ballot shall, under penalty of perjury, indicate on a form
26 prescribed by the city clerk that the person is a member of the
27 family of the voter who requested the absent ballot and that the
28 voter requested that the person return the absent ballot. A person
29 who violates the provisions of this subsection is guilty of a category
30 E felony and shall be punished as provided in NRS 193.130.

31 **Sec. 44.** NRS 293C.527 is hereby amended to read as follows:

32 293C.527 1. Except as otherwise provided in NRS 293.502
33 ***and sections 15 and 16 of this act***, registration must close at
34 9 p.m. on the third Tuesday preceding any primary city election or
35 general city election and at 9 p.m. on the third Saturday preceding
36 any recall or special election, except that if a recall or special
37 election is held on the same day as a primary city election or general
38 city election, registration must close at 9 p.m. on the third Tuesday
39 preceding the day of the elections.

40 2. The office of the city clerk must be open from 9 a.m. to
41 5 p.m. and from 7 p.m. to 9 p.m., including Saturdays, during the
42 last days before the close of registration before a primary city
43 election or general city election, according to the following
44 schedule:



1 (a) In a city whose population is less than 25,000, the office of
2 the city clerk must be open during the last 3 days before registration
3 closes.

4 (b) In a city whose population is 25,000 or more, the office of
5 the city clerk must be open during the last 5 days before registration
6 closes.

7 3. Except for a special election held pursuant to chapter 306 or
8 350 of NRS:

9 (a) The city clerk of each city shall cause a notice signed by him
10 or her to be published in a newspaper having a general circulation in
11 the city indicating:

12 (1) The day that registration will be closed; and

13 (2) If the city clerk has designated a municipal facility
14 pursuant to NRS 293C.520, the location of that facility.

15 ➔ If no newspaper is of general circulation in that city, the
16 publication may be made in a newspaper of general circulation in
17 the nearest city in this State.

18 (b) The notice must be published once each week for 4
19 consecutive weeks next preceding the close of registration for any
20 election.

21 4. For the period beginning on the fifth Sunday preceding any
22 primary city election or general city election and ending on the third
23 Tuesday preceding any primary city election or general city
24 election, an elector may register to vote only by appearing in person
25 at the office of the city clerk or, if open, a municipal facility
26 designated pursuant to NRS 293C.520.

27 5. A municipal facility designated pursuant to NRS 293C.520
28 may be open during the periods described in this section for such
29 hours of operation as the city clerk may determine, as set forth in
30 subsection 3 of NRS 293C.520.

31 **Sec. 45.** NRS 293.106, 293.3155, 293.3157, 293.501 and
32 293C.315 are hereby repealed.

TEXT OF REPEALED SECTIONS

293.106 “Special absent ballot” defined. “Special absent ballot” means the absent ballot provided by the Federal Government pursuant to 42 U.S.C. § 1973ff et seq. to Armed Forces personnel or overseas citizens.



293.3155 Use of special absent ballot by Armed Forces personnel and overseas citizens. Notwithstanding any other provisions of this title:

1. Any registered voter of this State who is Armed Forces personnel or an overseas citizen may use a special absent ballot for a primary, general or special election.

2. The special absent ballot may be used for the offices of President and Vice President of the United States, United States Senator and Representative in Congress, and for any state or local offices and ballot questions for which the registered voter is entitled to cast a ballot. The ballot must allow the registered voter to vote by writing in his or her choice of a political party for each office or the name of a candidate whose name appears on the ballot for each office.

3. The special absent ballot may be voted by completing the ballot according to the instructions and returning it to the county clerk by:

- (a) Mail, if it can be returned in a timely manner; or
- (b) Approved electronic transmission.

4. The special absent ballot must not be counted if:

(a) It is submitted from any location within the continental United States by an overseas citizen; or

(b) The county clerk receives the regular absent ballot from the voter on or before the date of the primary, general or special election.

5. As used in this section, "regular absent ballot" means the absent ballot prepared by the county clerk pursuant to NRS 293.309.

293.3157 Registered voter residing outside continental United States may request absent ballot by approved electronic transmission; return of absent ballot; oath of registered voter; regulations.

1. Any registered voter of this State who resides outside the continental United States may use approved electronic transmission to request an absent ballot. Such a request must be received by the county clerk not later than 5 p.m. on the seventh day before the primary, general or special election. The registered voter shall state on the request whether the registered voter:

(a) Requests the county clerk to send the absent ballot by mail or approved electronic transmission; and

(b) Will return the absent ballot to the county clerk by mail or approved electronic transmission.

2. If the registered voter indicates pursuant to subsection 1 that he or she will submit the absent ballot by mail, the registered voter shall include with the completed absent ballot the identification envelope provided by the county clerk. The identification envelope



* A B I 0 0 R 1 *

must be in the form prescribed by the Secretary of State and include, without limitation:

- (a) A declaration, under penalty of perjury, stating that the registered voter resides within the precinct in which he or she is voting and is the person whose name appears on the envelope;
- (b) The signature of the registered voter;
- (c) The address that the registered voter provided on the application for voter registration; and
- (d) A statement that the registered voter has not applied and will not apply to any other county clerk for an absent ballot.

3. If the registered voter indicates pursuant to subsection 1 that he or she will submit the absent ballot by approved electronic transmission, the registered voter shall include with the completed absent ballot the following:

OATH OF VOTER

I, _____, acknowledge that by returning my voted ballot by approved electronic transmission, I have waived my right to have my ballot kept secret. Nevertheless, I understand that, as with any absent voter, my signature, whether on this oath of voter form or my identification envelope, will be permanently separated from my voted ballot to maintain its secrecy at the outset of the tabulation process and thereafter.

My residential address is

(Street Address) (City) (ZIP Code)

My current mailing address is

_____.

My e-mail address is _____.

My facsimile transmission number is (if applicable)

_____.

I am a resident of _____ County, State of Nevada, and I have not applied, nor do I intend to apply, for an absentee ballot from any other jurisdiction for the same election.



I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

Dated this _____ day of _____, 20__.

(Signed)

Voter (power of attorney cannot be accepted)

YOUR BALLOT CANNOT BE COUNTED UNLESS YOU SIGN THE ABOVE OATH AND INCLUDE IT WITH YOUR BALLOT, ALL OF WHICH ARE RETURNED BY APPROVED ELECTRONIC TRANSMISSION.

4. The county clerk, if so requested pursuant to subsection 1, shall use approved electronic transmission to send an absent ballot and the oath, as required pursuant to subsection 3, to the registered voter.

5. Each county clerk shall, insofar as is practicable, ensure the secrecy of absent ballots that are submitted by approved electronic transmission.

6. The Secretary of State shall adopt regulations to carry out the provisions of this section.

293.501 Use of form provided by Federal Government pursuant to federal Uniformed and Overseas Citizens Absentee Voting Act. Notwithstanding any other provisions of this title:

1. Armed Forces personnel and overseas citizens may use the form provided by the Federal Government for registration and request of an absent ballot pursuant to the provisions of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et seq., to register to vote in this State.

2. An elector referred to in subsection 1 may complete the form and return it by:

(a) Mail, if it can be returned in a timely manner; or

(b) Approved electronic transmission.

3. If an elector registers to vote pursuant to the provisions of this section and returns the form provided by the Federal Government for registration and request of an absent ballot by:

(a) Mail, the elector shall be deemed to be registered as of the date that the form or the envelope containing the form is postmarked.

(b) Approved electronic transmission, the elector shall be deemed to be registered as of the date on which the elector initiates the approved electronic transmission.



293C.315 Registered voter residing outside continental United States may request absent ballot by approved electronic transmission; return of absent ballot; oath of registered voter; regulations.

1. Any registered voter of this State who resides outside the continental United States may use approved electronic transmission to request an absent ballot. Such a request must be received by the city clerk not later than 5 p.m. on the seventh day before the primary, general or special election. The registered voter shall state on the request whether the voter:

(a) Requests the city clerk to send the absent ballot by mail or approved electronic transmission; and

(b) Will return the absent ballot to the city clerk by mail or approved electronic transmission.

2. If the registered voter indicates pursuant to subsection 1 that he or she will submit the absent ballot by mail, the voter shall include with the completed absent ballot the identification envelope provided by the city clerk. The identification envelope must be in the form prescribed by the Secretary of State and include, without limitation:

(a) A declaration, under penalty of perjury, stating that the registered voter resides within the precinct or district in which he or she is voting and is the person whose name appears on the envelope;

(b) The signature of the registered voter;

(c) The address that the registered voter provided on the application for voter registration; and

(d) A statement that the voter has not applied and will not apply to any other city clerk for an absent ballot.

3. If the registered voter indicates pursuant to subsection 1 that he or she will submit the absent ballot by approved electronic transmission, the voter shall include with the completed absent ballot the following:

OATH OF VOTER

I, _____, acknowledge that by returning my voted ballot by approved electronic transmission, I have waived my right to have my ballot kept secret. Nevertheless, I understand that, as with any absent voter, my signature, whether on this oath of voter form or my identification envelope, will be permanently separated from my voted ballot to maintain its secrecy at the outset of the tabulation process and thereafter.

