

ASSEMBLY BILL NO. 319—ASSEMBLYMEN STEWART, HAMBRICK,  
HANSEN; DUNCAN, GRADY, HARDY, HICKEY, KIRNER AND  
LIVERMORE

MARCH 18, 2013

Referred to Committee on Legislative Operations and Elections

SUMMARY—Requires photographic identification for voting.  
(BDR 24-162)

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

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

AN ACT relating to elections; requiring photographic identification for voting; requiring county clerks to issue voter identification cards under certain circumstances; requiring persons who apply for absent ballots to provide certain information to county and city clerks; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires that a person provide satisfactory identification to vote in  
2 person. (NRS 293.2725, 293.277, 293.303, 293.3081, 293.3082, 293.3083,  
3 293.3085, 293.313, 293.316, 293.330, 293.353, 293.3585, 293.5235, 293.541,  
4 293C.270, 293C.292, 293C.310, 293C.330, 293C.332, 293C.3585) This bill  
5 requires that a person provide one of the forms of photographic identification  
6 specified in **section 2** of this bill to vote in person. **Section 2** provides a definition  
7 of “photographic identification” that is limited to: (1) a driver’s license or  
8 identification card issued by the Department of Motor Vehicles; (2) an  
9 identification card issued by a branch of the Armed Forces of the United States; (3)  
10 a United States passport; (4) an identification card issued by an Indian tribe; or (5) a  
11 voter identification card issued by a county clerk. **Sections 3-6** of this bill: (1)  
12 require a county clerk to issue a voter identification card, free of charge, to a person  
13 who does not possess one of the forms of required photographic identification; (2)  
14 set forth requirements for the issuance of voter identification cards; and (3) require  
15 that the Secretary of State adopt regulations to carry out the provisions of those  
16 sections.

17 Under existing law, a registered voter who wishes to vote an absent ballot in an  
18 election must provide sufficient written notice to a city or county clerk in advance  
19 of the election. (NRS 293.313, 293C.310) **Sections 16 and 25** of this bill provide  
20 that the written notice must include the name, address and date of birth of the



\* A B 3 1 9 \*

21 registered voter, a statement that the requester is a registered voter, a statement  
22 identifying the election for which the absent ballot is requested, the political  
23 affiliation of the registered voter if the election is a primary election, the address to  
24 which the absent ballot should be mailed and one other form of identifying  
25 information or document of the registered voter.

26 The provisions of this bill which require that a person present one of the forms  
27 of photographic identification specified in **section 2** to vote in person are similar to  
28 the provisions of an Indiana law which the United States Supreme Court  
29 determined does not unconstitutionally burden a person's right to vote, in part  
30 because the person can obtain one of the forms of required photographic  
31 identification free of charge. (*Crawford v. Marion Cty. Election Bd.*, 128 S. Ct.  
32 1610 (2008))

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

1 **Section 1.** Chapter 293 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 6, inclusive, of this  
3 act.

4 **Sec. 2.** *“Photographic identification” means one of the*  
5 *following forms of identification if it bears a recognizable*  
6 *photograph of the person presenting it as identification:*

7 1. *A driver's license or identification card issued by the*  
8 *Department of Motor Vehicles.*

9 2. *An identification card issued by a branch of the Armed*  
10 *Forces of the United States.*

11 3. *A United States passport.*

12 4. *An identification card issued by an Indian tribe.*

13 5. *A voter identification card issued pursuant to section 3 of*  
14 *this act.*

15 **Sec. 3.** 1. *A county clerk shall, in accordance with*  
16 *regulations adopted by the Secretary of State pursuant to section 6*  
17 *of this act:*

18 (a) *Issue a voter identification card to a person who:*

19 (1) *Is registered to vote in this State;*

20 (2) *Does not possess a form of photographic identification*  
21 *described in subsections 1 to 4, inclusive, of section 2 of this act;*  
22 *and*

23 (3) *Complies with the provisions of section 4 of this act.*

24 (b) *Provide at least one place in the county at which the county*  
25 *clerk accepts applications for and issues voter identification cards.*

26 2. *A county clerk shall not charge a fee for the issuance of a*  
27 *voter identification card.*

28 **Sec. 4.** *A person who wishes to obtain a voter identification*  
29 *card must submit to the county clerk:*



1 *1. An application in the form prescribed by the Secretary of*  
2 *State;*

3 *2. Proof of the applicant's date of birth;*

4 *3. A voter registration card issued to the applicant pursuant*  
5 *to NRS 293.517 or other evidence that the applicant is registered*  
6 *to vote in this State; and*

7 *4. A copy of a current utility bill, bank statement, paycheck*  
8 *or document issued by a governmental entity, including a*  
9 *check, which indicates the name and address of the applicant,*  
10 *but not including a voter registration card issued pursuant to*  
11 *NRS 293.517.*

12 **Sec. 5.** *A voter identification card issued pursuant to section*  
13 *3 of this act:*

14 *1. Must include, without limitation:*

15 *(a) The name, address, date of birth, sex, height, weight, eye*  
16 *color and photograph of the person;*

17 *(b) The date of issuance of the voter identification card;*

18 *(c) The name of the county in which the voter identification*  
19 *card was issued; and*

20 *(d) Any other information required by the Secretary of State.*

21 *2. Is valid so long as the person is registered to vote and*  
22 *resides at the address stated on the voter identification card.*

23 **Sec. 6.** *The Secretary of State shall:*

24 *1. Provide each county clerk with the equipment, forms,*  
25 *supplies and training that are necessary for the issuance of voter*  
26 *identification cards.*

27 *2. Adopt regulations to carry out the provisions of sections 3*  
28 *to 6, inclusive, of this act.*

29 **Sec. 7.** NRS 293.010 is hereby amended to read as follows:

30 293.010 As used in this title, unless the context otherwise  
31 requires, the words and terms defined in NRS 293.013 to 293.121,  
32 inclusive, *and section 2 of this act* have the meanings ascribed to  
33 them in those sections.

34 **Sec. 8.** NRS 293.2725 is hereby amended to read as follows:

35 293.2725 1. Except as otherwise provided in subsection 2, in  
36 NRS 293.3081 and 293.3083 and in federal law, a person who  
37 registers by mail or computer to vote in this State and who has not  
38 previously voted in an election for federal office in this State:

39 (a) May vote at a polling place only if the person presents  
40 *photographic identification* to the election board officer at the  
41 polling place ; †

42 ~~(1) A current and valid photo identification of the person,~~  
43 ~~which shows his or her physical address; or~~

44 ~~(2) A copy of a current utility bill, bank statement, paycheck,~~  
45 ~~or document issued by a governmental entity, including a check~~



1 ~~which indicates the name and address of the person, but not~~  
2 ~~including a voter registration card issued pursuant to NRS 293.517;]~~  
3 and

4 (b) May vote by mail only if the person provides to the county  
5 or city clerk:

6 (1) A copy of ~~[a current and valid photo]~~ **any photographic**  
7 identification of the person ~~]~~ which shows his or her physical  
8 address; or

9 (2) A copy of a current utility bill, bank statement, paycheck,  
10 or document issued by a governmental entity, including a check  
11 which indicates the name and address of the person, but not  
12 including a voter registration card issued pursuant to NRS 293.517.

13 ➤ If there is a question as to the physical address of the person, the  
14 election board officer or clerk may request additional information.

15 2. The provisions of this section do not apply to a person who:

16 (a) Registers to vote by mail and submits **a copy of his or her**  
17 **photographic identification** with an application to register to vote ;  
18 ~~]~~

19 ~~— (1) A copy of a current and valid photo identification; or~~

20 ~~— (2) A copy of a current utility bill, bank statement, paycheck,~~  
21 ~~or document issued by a governmental entity, including a check~~  
22 ~~which indicates the name and address of the person, but not~~  
23 ~~including a voter registration card issued pursuant to NRS 293.517;]~~

24 (b) Registers to vote by mail **or computer** and submits with an  
25 application to register to vote a driver's license number or at least  
26 the last four digits of his or her social security number, if a state or  
27 local election official has matched that information with an existing  
28 identification record bearing the same number, name and date of  
29 birth as provided by the person in the application;

30 (c) Is entitled to vote an absent ballot pursuant to the Uniformed  
31 and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et  
32 seq.;

33 (d) Is provided the right to vote otherwise than in person under  
34 the Voting Accessibility for the Elderly and Handicapped Act, 42  
35 U.S.C. §§ 1973ee et seq.; or

36 (e) Is entitled to vote otherwise than in person under any other  
37 federal law.

38 **Sec. 9.** NRS 293.277 is hereby amended to read as follows:

39 293.277 ~~]~~ Except as otherwise provided in NRS 293.541,  
40 if a person's name appears in the election board register or if the  
41 person provides an affirmation pursuant to NRS 293.525, the person  
42 is entitled to vote and must :

43 1. **Present photographic identification; and**

44 2. **Except as otherwise provided in NRS 293.283,** sign his or  
45 her name in the election board register when he or she applies to



1 vote. The signature must be compared by an election board officer  
2 with the signature or a facsimile thereof on the person's original  
3 application to register to vote or ~~one of the forms of identification~~  
4 ~~listed in subsection 2.~~

5 ~~2. Except as otherwise provided in NRS 293.2725, the forms of~~  
6 ~~identification which may be used individually to identify a voter at~~  
7 ~~the polling place are:~~

8 ~~(a) The card issued to the voter at the time he or she registered~~  
9 ~~to vote;~~

10 ~~(b) A driver's license;~~

11 ~~(c) An identification card issued by the Department of Motor~~  
12 ~~Vehicles;~~

13 ~~(d) A military identification card; or~~

14 ~~(e) Any other form of identification issued by a governmental~~  
15 ~~agency which contains the voter's signature and physical description~~  
16 ~~or picture.] on his or her photographic identification.~~

17 **Sec. 10.** NRS 293.283 is hereby amended to read as follows:

18 293.283 Any registered voter who is unable to sign his or her  
19 name must ~~be~~ :

20 **1. Present photographic identification; and**

21 **2. Be further** identified by answering questions covering the  
22 personal data which is reported on the original application to  
23 register to vote. The officer in charge of the roster shall stamp, write  
24 or print "Identified as" to the left of the voter's name.

25 **Sec. 11.** NRS 293.3025 is hereby amended to read as follows:

26 293.3025 The Secretary of State and each county and city clerk  
27 shall ensure that a copy of each of the following is posted in a  
28 conspicuous place at each polling place on election day:

29 1. A sample ballot;

30 2. Information concerning the date and hours of operation of  
31 the polling place;

32 3. Instructions for voting and casting a ballot, including a  
33 provisional ballot;

34 4. Instructions concerning the *photographic* identification  
35 required for persons who registered by mail *or computer* and are  
36 first-time voters for federal office in this State;

37 5. Information concerning the accessibility of polling places to  
38 persons with disabilities;

39 6. General information concerning federal and state laws which  
40 prohibit acts of fraud and misrepresentation; and

41 7. Information concerning the eligibility of a candidate, a ballot  
42 question or any other matter appearing on the ballot as a result of a  
43 judicial determination or by operation of law, if any.

44 **Sec. 12.** NRS 293.303 is hereby amended to read as follows:

45 293.303 1. A person applying to vote may be challenged:



1 (a) Orally by any registered voter of the precinct upon the  
2 ground that he or she is not the person entitled to vote as claimed or  
3 has voted before at the same election. A registered voter who  
4 initiates a challenge pursuant to this paragraph must submit an  
5 affirmation that is signed under penalty of perjury and in the form  
6 prescribed by the Secretary of State stating that the challenge is  
7 based on the personal knowledge of the registered voter.

8 (b) On any ground set forth in a challenge filed with the county  
9 clerk pursuant to the provisions of NRS 293.547.

10 2. If a person is challenged, an election board officer shall  
11 tender the challenged person the following oath or affirmation:

12 (a) If the challenge is on the ground that the challenged person  
13 does not belong to the political party designated upon the register, "I  
14 swear or affirm under penalty of perjury that I belong to the political  
15 party designated upon the register";

16 (b) If the challenge is on the ground that the register does not  
17 show that the challenged person designated the political party to  
18 which he or she claims to belong, "I swear or affirm under penalty  
19 of perjury that I designated on the application to register to vote the  
20 political party to which I claim to belong";

21 (c) If the challenge is on the ground that the challenged person  
22 does not reside at the residence for which the address is listed in the  
23 election board register, "I swear or affirm under penalty of perjury  
24 that I reside at the residence for which the address is listed in the  
25 election board register";

26 (d) If the challenge is on the ground that the challenged person  
27 previously voted a ballot for the election, "I swear or affirm under  
28 penalty of perjury that I have not voted for any of the candidates or  
29 questions included on this ballot for this election"; or

30 (e) If the challenge is on the ground that the challenged person is  
31 not the person he or she claims to be, "I swear or affirm under  
32 penalty of perjury that I am the person whose name is in this  
33 election board register."

34 ➔ The oath or affirmation must be set forth on a form prepared by  
35 the Secretary of State and signed by the challenged person under  
36 penalty of perjury.

37 3. Except as otherwise provided in subsection 4, if the  
38 challenged person refuses to execute the oath or affirmation so  
39 tendered, he or she must not be issued a ballot, and the officer in  
40 charge of the election board register shall write the words  
41 "Challenged ....." opposite his or her name in the election  
42 board register.

43 4. If the challenged person refuses to execute the oath or  
44 affirmation set forth in paragraph (a) or (b) of subsection 2, the  
45 election board officers shall issue the person a nonpartisan ballot.



1 5. If the challenged person refuses to execute the oath or  
2 affirmation set forth in paragraph (c) of subsection 2, the election  
3 board officers shall inform the person that he or she is entitled to  
4 vote only in the manner prescribed in NRS 293.304.

5 6. If the challenged person executes the oath or affirmation and  
6 the challenge is not based on the ground set forth in paragraph (e) of  
7 subsection 2, the election board officers shall issue the person a  
8 partisan ballot.

9 7. If the challenge is based on the ground set forth in paragraph  
10 (c) of subsection 2, and the challenged person executes the oath or  
11 affirmation, the election board shall not issue the person a ballot  
12 until he or she furnishes satisfactory identification which contains  
13 proof of the address at which the person actually resides. For the  
14 purposes of this subsection, a voter registration card issued pursuant  
15 to NRS 293.517 does not provide proof of the address at which a  
16 person resides.

17 8. If the challenge is based on the ground set forth in paragraph  
18 (e) of subsection 2 and the challenged person executes the oath or  
19 affirmation, the election board shall not issue the person a ballot  
20 unless the person:

21 (a) Furnishes ~~{official}~~ *photographic* identification ; ~~{which~~  
22 ~~contains a photograph of the person, such as a driver's license or~~  
23 ~~other official document;}~~ or

24 (b) Brings before the election board officers a person who is at  
25 least 18 years of age who:

26 (1) Furnishes ~~{official}~~ *photographic* identification ; ~~{which~~  
27 ~~contains a photograph of that person, such as a driver's license or~~  
28 ~~other official document;}~~ and

29 (2) Executes an oath or affirmation under penalty of perjury  
30 that the challenged person is who he or she swears to be.

31 9. The election board officers shall:

32 (a) Record on the challenge list:

33 (1) The name of the challenged person;

34 (2) The name of the registered voter who initiated the  
35 challenge; and

36 (3) The result of the challenge; and

37 (b) If possible, orally notify the registered voter who initiated  
38 the challenge of the result of the challenge.

39 **Sec. 13.** NRS 293.3081 is hereby amended to read as follows:

40 293.3081 A person at a polling place may cast a provisional  
41 ballot in an election to vote for a candidate for federal office if the  
42 person complies with the applicable provisions of NRS 293.3082  
43 and:

44 1. Declares that he or she has registered to vote and is eligible  
45 to vote at that election in that jurisdiction, but ~~{his or her}~~ :



1 (a) *That person's* name does not appear on a voter registration  
2 list as a voter eligible to vote in that election in that jurisdiction ~~for~~  
3 ~~an~~;

4 (b) *An* election official asserts that the person is not eligible to  
5 vote in that election in that jurisdiction; *or*

6 (c) *The person fails to provide the photographic identification*  
7 *required by NRS 293.277;*

8 2. Applies by mail or computer, on or after January 1, 2003, to  
9 register to vote and has not previously voted in an election for  
10 federal office in this State and fails to provide the *photographic*  
11 identification required pursuant to paragraph (a) of subsection 1 of  
12 NRS 293.2725 to the election board officer at the polling place; or

13 3. Declares that he or she is entitled to vote after the polling  
14 place would normally close as a result of a court order or other order  
15 extending the time established for the closing of polls pursuant to a  
16 law of this State in effect 10 days before the date of the election.

17 **Sec. 14.** NRS 293.3082 is hereby amended to read as follows:

18 293.3082 1. Before a person may cast a provisional ballot  
19 pursuant to NRS 293.3081, the person must complete a written  
20 affirmation on a form provided by an election board officer, as  
21 prescribed by the Secretary of State, at the polling place which  
22 includes:

23 (a) The name of the person casting the provisional ballot;

24 (b) The reason for casting the provisional ballot;

25 (c) A statement in which the person casting the provisional  
26 ballot affirms under penalty of perjury that he or she is a registered  
27 voter in the jurisdiction and is eligible to vote in the election;

28 (d) The date and type of election;

29 (e) The signature of the person casting the provisional ballot;

30 (f) The signature of the election board officer;

31 (g) A unique affirmation identification number assigned to the  
32 person casting the provisional ballot;

33 (h) If the person is casting the provisional ballot pursuant to  
34 subsection 1 of NRS 293.3081:

35 (1) An indication by the person as to whether or not he or she  
36 provided the required identification at the time the person applied to  
37 register to vote;

38 (2) The address of the person as listed on the application to  
39 register to vote;

40 (3) Information concerning the place, manner and  
41 approximate date on which the person applied to register to vote;

42 (4) Any other information that the person believes may be  
43 useful in verifying that the person has registered to vote; and





1 (5) A statement informing the voter that if the voter does not  
2 provide *photographic* identification at the time the voter casts the  
3 provisional ballot ~~the~~ :

4 (I) *The* required *photographic* identification ; or

5 (II) *An affidavit stating that the voter is unable to*  
6 *provide photographic identification because he or she is indigent*  
7 *or has a religious objection to being photographed,*

8 *↪* must be provided to the county or city clerk not later than 5 p.m.  
9 on the Friday following election day and that failure to do so will  
10 result in the provisional ballot not being counted;

11 (i) If the person is casting the provisional ballot pursuant to  
12 subsection 2 of NRS 293.3081:

13 (1) The address of the person as listed on the application to  
14 register to vote;

15 (2) The voter registration number, if any, issued to the  
16 person; and

17 (3) A statement informing the voter that ~~the~~ :

18 (I) *The* required *photographic* identification ; or

19 (II) *An affidavit stating that the voter is liable to provide*  
20 *photographic identification because he or she is indigent or has a*  
21 *religious objection to being photographed,*

22 *↪* must be provided to the county or city clerk not later than 5 p.m.  
23 on the Friday following election day and that failure to do so will  
24 result in the provisional ballot not being counted; and

25 (j) If the person is casting the provisional ballot pursuant to  
26 subsection 3 of NRS 293.3081, the voter registration number, if any,  
27 issued to the person.

28 2. After a person completes a written affirmation pursuant to  
29 subsection 1:

30 (a) The election board officer shall provide the person with a  
31 receipt that includes the unique affirmation identification number  
32 described in subsection 1 and that explains how the person may use  
33 the free access system established pursuant to NRS 293.3086 to  
34 ascertain whether the person's vote was counted, and, if the vote  
35 was not counted, the reason why the vote was not counted;

36 (b) The voter's name and applicable information must be  
37 entered into the roster in a manner which indicates that the voter  
38 cast a provisional ballot; and

39 (c) The election board officer shall issue a provisional ballot to  
40 the person to vote only for candidates for federal offices.

41 **Sec. 15.** NRS 293.3085 is hereby amended to read as follows:

42 293.3085 1. Following each election, a canvass of the  
43 provisional ballots cast in the election must be conducted pursuant  
44 to NRS 293.387 and, if appropriate, pursuant to NRS 293C.387.

45 2. The county and city clerk shall not:



1 (a) Include any provisional ballot in the unofficial results  
2 reported on election night; or

3 (b) Open any envelope containing a provisional ballot before 8  
4 a.m. on the Wednesday following election day.

5 3. Except as otherwise provided in subsection 4, a provisional  
6 ballot must be counted if:

7 (a) The county or city clerk determines that the person who cast  
8 the provisional ballot was registered to vote in the election, eligible  
9 to vote in the election and issued the appropriate ballot for the  
10 address at which the person resides;

11 (b) A voter who failed to provide *the* required identification at  
12 the polling place or with his or her mailed ballot provides ~~the~~  
13 ~~required identification~~ to the county or city clerk not later than 5  
14 p.m. on the Friday following election day ~~†~~:

15 *(I) If the voter cast his or her provisional ballot at the*  
16 *polling place:*

17 *(I) His or her photographic identification; or*

18 *(II) An affidavit stating that the voter cannot provide*  
19 *photographic identification because he or she is indigent or has a*  
20 *religious objection to being photographed; or*

21 *(2) If the voter cast his or her provisional ballot by mail*  
22 *pursuant to NRS 293.3083, the identification required pursuant to*  
23 *paragraph (b) of subsection 1 of NRS 293.2725; or*

24 (c) A court order has not been issued by 5 p.m. on the  
25 Friday following election day directing that provisional ballots  
26 cast pursuant to subsection 3 of NRS 293.3081 not be counted,  
27 and the provisional ballot was cast pursuant to subsection 3 of  
28 NRS 293.3081.

29 4. A provisional ballot must not be counted if the county or  
30 city clerk determines that the person who cast the provisional ballot  
31 cast the wrong ballot for the address at which the person resides.

32 **Sec. 16.** NRS 293.313 is hereby amended to read as follows:

33 293.313 1. Except as otherwise provided in NRS 293.272  
34 and 293.502, a registered voter who provides sufficient written  
35 notice to the county clerk may vote an absent ballot as provided in  
36 this chapter.

37 2. A registered voter who:

38 (a) Is at least 65 years of age; or

39 (b) Has a physical disability or condition which substantially  
40 impairs his or her ability to go to the polling place,

41 **→** may request an absent ballot for all elections held during the year  
42 he or she requests an absent ballot.

43 3. *A request from a voter for an absent ballot that is*  
44 *submitted on a form other than a form provided by the Federal*  
45 *Government must include:*



- 1 (a) *The name and address of the registered voter;*
- 2 (b) *The date of birth of the registered voter;*
- 3 (c) *A statement that the person requesting the absent ballot is a*
- 4 *registered voter;*
- 5 (d) *A statement identifying the election for which the absent*
- 6 *ballot is requested;*
- 7 (e) *If the election identified in paragraph (d) is a primary*
- 8 *election, the political affiliation of the registered voter;*
- 9 (f) *The address to which the registered voter desires the absent*
- 10 *ballot to be mailed, if that address is different from the address*
- 11 *provided pursuant to paragraph (a); and*
- 12 (g) *One of the following:*
  - 13 (1) *The driver's license number of the registered voter;*
  - 14 (2) *The last four digits of the social security number of the*
  - 15 *registered voter;*
  - 16 (3) *A copy of the photographic identification of the*
  - 17 *registered voter, which must include the name and address of the*
  - 18 *registered voter; or*
  - 19 (4) *A copy of a current utility bill, bank statement,*
  - 20 *paycheck or document issued by a governmental entity, including*
  - 21 *a check but not including a voter registration card issued pursuant*
  - 22 *to NRS 293.517, which must include the name and address of the*
  - 23 *registered voter.*

24 4. A county clerk shall consider a request from a voter who has  
25 given sufficient written notice on a form provided by the Federal  
26 Government as a request for an absent ballot for the primary and  
27 general elections immediately following the date on which the  
28 county clerk received the request.

29 ~~4.4~~ 5. It is unlawful for a person fraudulently to request an  
30 absent ballot in the name of another person or to induce or coerce  
31 another person fraudulently to request an absent ballot in the  
32 name of another person. A person who violates this subsection is  
33 guilty of a category E felony and shall be punished as provided in  
34 NRS 193.130.

35 ~~4.5~~ 6. As used in this section, "sufficient written notice"  
36 means a:

- 37 (a) Written request for an absent ballot which *complies with the*
- 38 *requirements of subsection 3 and* is signed by the registered voter  
39 and returned to the county clerk in person or by mail or facsimile  
40 machine;
- 41 (b) Form prescribed by the Secretary of State which is  
42 completed and signed by the registered voter and returned to the  
43 county clerk in person or by mail or facsimile machine; or
- 44 (c) Form provided by the Federal Government.



1       **Sec. 17.** NRS 293.330 is hereby amended to read as follows:

2       293.330 1. Except as otherwise provided in subsection 2 of  
3 NRS 293.323 and chapter 293D of NRS, and any regulations  
4 adopted pursuant thereto, when an absent voter receives an absent  
5 ballot, the absent voter must mark and fold it in accordance with the  
6 instructions, deposit it in the return envelope, seal the envelope,  
7 affix his or her signature on the back of the envelope in the space  
8 provided therefor and mail the return envelope.

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

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

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

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

26       (a) Provides ~~satisfactory~~ **photographic** identification;

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

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

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

42       **Sec. 18.** NRS 293.353 is hereby amended to read as follows:

43       293.353 1. Except as otherwise provided in subsection 2 or 3,  
44 upon receipt of a mailing ballot from the county clerk, the registered  
45 voter must, in accordance with the instructions, mark and fold the



1 ballot, deposit and seal the ballot in the return envelope, affix his or  
2 her signature on the back of the envelope and mail the envelope to  
3 the county clerk.

4 2. Except as otherwise provided in subsection 3, if a registered  
5 voter who has received a mailing ballot applies to vote in person at:

6 (a) The office of the county clerk, the registered voter must  
7 mark the ballot, place and seal it in the return envelope and affix his  
8 or her signature in the same manner as provided in subsection 1, and  
9 deliver the envelope to the clerk.

10 (b) One of the polling places on election day or a polling place  
11 for early voting in the county designated pursuant to subsection 3 or  
12 4 of NRS 293.343, the registered voter must surrender the mailing  
13 ballot and provide ~~§satisfactory§~~ *photographic* identification before  
14 being issued a ballot to vote at the polling place. A person who  
15 receives a surrendered mailing ballot shall mark it "Cancelled."

16 3. If a registered voter who has received a mailing ballot  
17 wishes to vote in person at the office of the county clerk or at one of  
18 the polling places on election day or a polling place for early voting  
19 in the county designated pursuant to subsection 3 or 4 of NRS  
20 293.343, and the voter does not have the mailing ballot to deliver or  
21 surrender, the voter must be issued a ballot to vote if the voter:

22 (a) Provides ~~§satisfactory§~~ *photographic* identification;

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

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

27 4. It is unlawful for any person to return a mailing ballot other  
28 than the registered voter to whom the ballot was sent or, at the  
29 request of the voter, a member of the family of that voter. A  
30 person who returns a mailing ballot and who is a member of the  
31 family of the voter who received the mailing ballot shall, under  
32 penalty of perjury, indicate on a form prescribed by the county clerk  
33 that the person is a member of the family of the voter who received  
34 the mailing ballot and that the voter requested that he or she return  
35 the mailing ballot. A person who violates the provisions of this  
36 subsection is guilty of a category E felony and shall be punished as  
37 provided in NRS 193.130.

38 **Sec. 19.** NRS 293.3585 is hereby amended to read as follows:

39 293.3585 1. Upon the appearance of a person to cast a ballot  
40 for early voting, the deputy clerk for early voting shall ~~§~~

41 ~~—(a) Determine that§~~ *determine whether* the person is a registered  
42 voter in the county ~~§~~

43 ~~—(b)§~~ *and, if so:*

44 (a) Instruct the voter to sign the roster for early voting;



1       ***(b) Require the voter to present photographic identification;***  
2 and

3       (c) Verify the signature of the voter against that contained on the  
4 original application to register to vote or a facsimile thereof, the  
5 card issued to the voter at the time of registration or ~~some other~~  
6 ~~piece of official~~ ***the voter's photographic*** identification.

7       2. The county clerk shall prescribe a procedure, approved by  
8 the Secretary of State, to determine that the voter has not already  
9 voted pursuant to this section.

10       3. The roster for early voting must contain:

11       (a) The voter's name, the address where he or she is registered  
12 to vote, his or her voter identification number and a place for the  
13 voter's signature;

14       (b) The voter's precinct or voting district number; and

15       (c) The date of voting early in person.

16       4. When a voter is entitled to cast a ballot and has identified  
17 himself or herself to the satisfaction of the deputy clerk for early  
18 voting, the voter is entitled to receive the appropriate ballot or  
19 ballots, but only for his or her own use at the polling place for early  
20 voting.

21       5. If the ballot is voted on a mechanical recording device which  
22 directly records the votes electronically, the deputy clerk for early  
23 voting shall:

24       (a) Prepare the mechanical recording device for the voter;

25       (b) Ensure that the voter's precinct or voting district and the  
26 form of ballot are indicated on the voting receipt, if the county clerk  
27 uses voting receipts; and

28       (c) Allow the voter to cast a vote.

29       6. A voter applying to vote early by personal appearance may  
30 be challenged pursuant to NRS 293.303.

31       **Sec. 20.** NRS 293.5235 is hereby amended to read as follows:

32       293.5235 1. Except as otherwise provided in NRS 293.502  
33 and chapter 293D of NRS, a person may register to vote by mailing  
34 an application to register to vote to the county clerk of the county in  
35 which the person resides or may register to vote by computer, if the  
36 county clerk has established a system pursuant to NRS 293.506 for  
37 using a computer to register to vote. The county clerk shall, upon  
38 request, mail an application to register to vote to an applicant. The  
39 county clerk shall make the applications available at various public  
40 places in the county. An application to register to vote may be used  
41 to correct information in the registrar of voters' register.

42       2. An application to register to vote which is mailed to an  
43 applicant by the county clerk or made available to the public at  
44 various locations or voter registration agencies in the county may be  
45 returned to the county clerk by mail or in person. For the purposes



1 of this section, an application which is personally delivered to the  
2 county clerk shall be deemed to have been returned by mail.

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

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

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

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

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

15 6. Except as otherwise provided in subsection 5 of NRS  
16 293.518, if the county clerk determines that the application is not  
17 complete, the county clerk shall, as soon as possible, mail a notice to  
18 the applicant that additional information is required to complete the  
19 application. If the applicant provides the information requested by  
20 the county clerk within 15 days after the county clerk mails the  
21 notice, the county clerk shall, within 10 days after receiving the  
22 information, mail to the applicant:

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

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

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

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

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

37 9. The Secretary of State shall prescribe the form for an  
38 application to register to vote by:

39 (a) Mail, which must be used to register to vote by mail in this  
40 State.

41 (b) Computer, which must be used to register to vote in a county  
42 if the county clerk has established a system pursuant to NRS  
43 293.506 for using a computer to register to vote.

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

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



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} comply with the provisions~~ of NRS  
24 293.2725 . ~~upon voting for the 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. 21.** NRS 293.541 is hereby amended to read as follows:

9 293.541 1. The county clerk shall cancel the registration of a  
10 voter if:

11 (a) After consultation with the district attorney, the district  
12 attorney determines that there is probable cause to believe that  
13 information in the registration concerning the identity or residence  
14 of the voter is fraudulent;

15 (b) The county clerk provides a notice as required pursuant to  
16 subsection 2 or executes an affidavit of cancellation pursuant to  
17 subsection 3; and

18 (c) The voter fails to present satisfactory proof of identity and  
19 residence pursuant to subsection 2, 4 or 5.

20 2. Except as otherwise provided in subsection 3, the county  
21 clerk shall notify the voter by registered or certified mail, return  
22 receipt requested, of a determination made pursuant to subsection 1.  
23 The notice must set forth the grounds for cancellation. Unless the  
24 voter, within 15 days after the return receipt has been filed in the  
25 office of the county clerk, presents satisfactory proof of identity and  
26 residence to the county clerk, the county clerk shall cancel the  
27 voter's registration.

28 3. If insufficient time exists before a pending election to  
29 provide the notice required by subsection 2, the county clerk shall  
30 execute an affidavit of cancellation and file the affidavit of  
31 cancellation with the registrar of voters' register and:

32 (a) In counties where records of registration are not kept by  
33 computer, the county clerk shall attach a copy of the affidavit of  
34 cancellation in the election board register.

35 (b) In counties where records of registration are kept by  
36 computer, the county clerk shall have the affidavit of cancellation  
37 printed on the computer entry for the registration and add a copy of  
38 it to the election board register.

39 4. If a voter appears to vote at the election next following the  
40 date that an affidavit of cancellation was executed for the voter  
41 pursuant to this section, the voter must be allowed to vote only if the  
42 voter furnishes:

43 (a) ~~{Official}~~ **Photographic** identification ; ~~{which contains a~~  
44 ~~photograph of the voter, including, without limitation, a driver's~~  
45 ~~license or other official document;}~~ and



1 (b) Satisfactory ~~identification that contains~~ proof of the  
2 address at which the voter actually resides and that address is  
3 consistent with the address listed on the election board register.

4 5. If a determination is made pursuant to subsection 1  
5 concerning information in the registration to vote of a voter and an  
6 absent ballot or a ballot voted by a voter who resides in a mailing  
7 precinct is received from the voter, the ballot must be kept separate  
8 from other ballots and must not be counted unless the voter presents  
9 satisfactory proof to the county clerk of identity and residence  
10 before such ballots are counted on election day.

11 6. For the purposes of this section, a voter registration card  
12 issued pursuant to NRS 293.517 does not provide proof of the:

13 (a) Address at which a person actually resides; or

14 (b) Residence ~~for identity~~ of a person.

15 **Sec. 22.** NRS 293C.270 is hereby amended to read as follows:

16 293C.270 ~~H.~~ If a person's name appears in the election  
17 board register or if the person provides an affirmation pursuant to  
18 NRS 293C.525, the person is entitled to vote and must :

19 **1. Present photographic identification; and**

20 **2. Except as otherwise provided in NRS 293C.272,** sign his or  
21 her name in the election board register when he or she applies to  
22 vote. The signature must be compared by an election board officer  
23 with the signature or a facsimile thereof on the person's original  
24 application to register to vote or ~~one of the forms of identification~~  
25 ~~listed in subsection 2.~~

26 ~~—2.— The forms of identification that may be used to identify a~~  
27 ~~voter at the polling place are:~~

28 ~~—(a) The card issued to the voter at the time he or she registered~~  
29 ~~to vote;~~

30 ~~—(b) A driver's license;~~

31 ~~—(c) An identification card issued by the Department of Motor~~  
32 ~~Vehicles;~~

33 ~~—(d) A military identification card; or~~

34 ~~—(e) Any other form of identification issued by a governmental~~  
35 ~~agency that contains the voter's signature and physical description~~  
36 ~~or picture.] on his or her photographic identification.~~

37 **Sec. 23.** NRS 293C.272 is hereby amended to read as follows:

38 293C.272 Any registered voter who is unable to sign his or her  
39 name must ~~be~~ :

40 **1. Present photographic identification; and**

41 **2. Be further** identified by answering questions covering the  
42 personal data that is reported on the original application to register  
43 to vote. The officer in charge of the roster shall stamp, write or print  
44 "Identified as" to the left of the voter's name.



1       **Sec. 24.** NRS 293C.292 is hereby amended to read as follows:  
2       293C.292 1. A person applying to vote may be challenged:

3       (a) Orally by any registered voter of the precinct or district upon  
4 the ground that he or she is not the person entitled to vote as claimed  
5 or has voted before at the same election; or

6       (b) On any ground set forth in a challenge filed with the county  
7 clerk pursuant to the provisions of NRS 293.547.

8       2. If a person is challenged, an election board officer shall  
9 tender the challenged person the following oath or affirmation:

10       (a) If the challenge is on the ground that the challenged person  
11 does not reside at the residence for which the address is listed in the  
12 election board register, "I swear or affirm under penalty of perjury  
13 that I reside at the residence for which the address is listed in the  
14 election board register";

15       (b) If the challenge is on the ground that the challenged person  
16 previously voted a ballot for the election, "I swear or affirm under  
17 penalty of perjury that I have not voted for any of the candidates or  
18 questions included on this ballot for this election"; or

19       (c) If the challenge is on the ground that the challenged person is  
20 not the person he or she claims to be, "I swear or affirm under  
21 penalty of perjury that I am the person whose name is in this  
22 election board register."

23       ➤ The oath or affirmation must be set forth on a form prepared by  
24 the Secretary of State and signed by the challenged person under  
25 penalty of perjury.

26       3. If the challenged person refuses to execute the oath or  
27 affirmation so tendered, he or she must not be issued a ballot, and  
28 the officer in charge of the election board register shall write the  
29 words "Challenged ....." opposite his or her name in the  
30 election board register.

31       4. If the challenged person refuses to execute the oath or  
32 affirmation set forth in paragraph (a) of subsection 2, the election  
33 board officers shall inform the person that he or she is entitled to  
34 vote only in the manner prescribed in NRS 293C.295.

35       5. If the challenged person executes the oath or affirmation and  
36 the challenge is not based on the ground set forth in paragraph (c) of  
37 subsection 2, the election board officers shall issue him or her a  
38 ballot.

39       6. If the challenge is based on the ground set forth in paragraph  
40 (a) of subsection 2, and the challenged person executes the oath or  
41 affirmation, the election board shall not issue the person a ballot  
42 until he or she furnishes satisfactory identification that contains  
43 proof of the address at which the person actually resides. For the  
44 purposes of this subsection, a voter registration card issued pursuant



1 to NRS 293.517 does not provide proof of the address at which a  
2 person resides.

3 7. If the challenge is based on the ground set forth in paragraph  
4 (c) of subsection 2 and the challenged person executes the oath or  
5 affirmation, the election board shall not issue the person a ballot  
6 unless the person:

7 (a) Furnishes ~~{official}~~ *photographic* identification ; ~~{which~~  
8 ~~contains a photograph of the person, such as a driver's license or~~  
9 ~~other official document;}~~ or

10 (b) Brings before the election board officers a person who is at  
11 least 18 years of age who:

12 (1) Furnishes ~~{official}~~ *photographic* identification ; ~~{which~~  
13 ~~contains a photograph of the person, such as a driver's license or~~  
14 ~~other official document;}~~ and

15 (2) Executes an oath or affirmation under penalty of perjury  
16 that the challenged person is who he or she swears to be.

17 8. The election board officers shall:

18 (a) Record on the challenge list:

19 (1) The name of the challenged person;

20 (2) The name of the registered voter who initiated the  
21 challenge; and

22 (3) The result of the challenge; and

23 (b) If possible, orally notify the registered voter who initiated  
24 the challenge of the result of the challenge.

25 **Sec. 25.** NRS 293C.310 is hereby amended to read as follows:

26 293C.310 1. Except as otherwise provided in NRS 293.502  
27 and 293C.265, a registered voter who provides sufficient written  
28 notice to the city clerk may vote an absent ballot as provided in this  
29 chapter.

30 2. A city clerk shall consider a request from a voter who has  
31 given sufficient written notice on a form provided by the Federal  
32 Government as:

33 (a) A request for the primary city election and the general city  
34 election unless otherwise specified in the request; and

35 (b) A request for an absent ballot for the primary and general  
36 elections immediately following the date on which the city clerk  
37 received the request.

38 3. *A request from a voter for an absent ballot that is*  
39 *submitted on a form other than a form provided by the Federal*  
40 *Government must include:*

41 (a) *The name and address of the registered voter;*

42 (b) *The date of birth of the registered voter;*

43 (c) *A statement that the person requesting the absent ballot is a*  
44 *registered voter;*



1 (d) A statement identifying the election for which the absent  
2 ballot is requested;

3 (e) If the election identified in paragraph (d) is a primary city  
4 election, the political affiliation of the registered voter;

5 (f) The address to which the registered voter desires the absent  
6 ballot to be mailed, if that address is different from the address  
7 provided pursuant to paragraph (a); and

8 (g) One of the following:

9 (1) The driver's license number of the registered voter;

10 (2) The last four digits of the social security number of the  
11 registered voter;

12 (3) A copy of the photographic identification of the  
13 registered voter, which must include the name and address of the  
14 registered voter; or

15 (4) A copy of a current utility bill, bank statement,  
16 paycheck or document issued by a governmental entity, including  
17 a check but not including a voter registration card issued pursuant  
18 to NRS 293.517, which must include the name and address of the  
19 registered voter.

20 4. It is unlawful for a person fraudulently to request an absent  
21 ballot in the name of another person or to induce or coerce another  
22 person fraudulently to request an absent ballot in the name of  
23 another person. A person who violates any provision of this  
24 subsection is guilty of a category E felony and shall be punished as  
25 provided in NRS 193.130.

26 ~~4~~ 5. As used in this section, "sufficient written notice"  
27 means a:

28 (a) Written request for an absent ballot that is signed by the  
29 registered voter and returned to the city clerk in person or by mail or  
30 facsimile machine;

31 (b) Form prescribed by the Secretary of State that is completed  
32 and signed by the registered voter and returned to the city clerk in  
33 person or by mail or facsimile machine; or

34 (c) Form provided by the Federal Government.

35 **Sec. 26.** NRS 293C.330 is hereby amended to read as follows:

36 293C.330 1. Except as otherwise provided in subsection 2 of  
37 NRS 293C.322 and chapter 293D of NRS, and any regulations  
38 adopted pursuant thereto, when an absent voter receives an absent  
39 ballot, the absent voter must mark and fold it in accordance with the  
40 instructions, deposit it in the return envelope, seal the envelope,  
41 affix his or her signature on the back of the envelope in the space  
42 provided therefor and mail the return envelope.

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



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§~~ **photographic** identification before being  
8 issued a ballot to vote at the polling place. A person who receives a  
9 surrendered 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§~~ **photographic** 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. 27.** NRS 293C.3585 is hereby amended to read as  
32 follows:

33 293C.3585 1. Upon the appearance of a person to cast a  
34 ballot for early voting, the deputy clerk for early voting shall ~~§~~  
35 ~~—(a) Determine that§~~ **determine whether** the person is a registered  
36 voter in the county ~~§~~

37 ~~—(b)§~~ **and, if so:**

38 (a) Instruct the voter to sign the roster for early voting;

39 (b) **Require the voter to present photographic identification;**  
40 and

41 (c) Verify the signature of the voter against that contained on the  
42 original application to register to vote or a facsimile thereof, the  
43 card issued to the voter at the time of registration or ~~§some other~~  
44 ~~piece of official§~~ **the voter's photographic** identification.



1       2. The city clerk shall prescribe a procedure, approved by the  
2 Secretary of State, to determine that the voter has not already voted  
3 pursuant to this section.

4       3. The roster for early voting must contain:

5       (a) The voter's name, the address where he or she is registered  
6 to vote, his or her voter identification number and a place for the  
7 voter's signature;

8       (b) The voter's precinct or voting district number; and

9       (c) The date of voting early in person.

10      4. When a voter is entitled to cast a ballot and has identified  
11 himself or herself to the satisfaction of the deputy clerk for early  
12 voting, the voter is entitled to receive the appropriate ballot or  
13 ballots, but only for his or her own use at the polling place for early  
14 voting.

15      5. If the ballot is voted on a mechanical recording device which  
16 directly records the votes electronically, the deputy clerk for early  
17 voting shall:

18      (a) Prepare the mechanical recording device for the voter;

19      (b) Ensure that the voter's precinct or voting district and the  
20 form of ballot are indicated on the voting receipt, if the city clerk  
21 uses voting receipts; and

22      (c) Allow the voter to cast a vote.

23      6. A voter applying to vote early by personal appearance may  
24 be challenged pursuant to NRS 293C.292.

25      **Sec. 28.** The provisions of NRS 354.599 do not apply to any  
26 additional expenses of a local government that are related to the  
27 provisions of this act.

28      **Sec. 29.** The provisions of this act become effective on:

29      1. October 1, 2013, for the purpose of adopting regulations and  
30 performing other preparatory administrative tasks that are necessary  
31 to carry out the provisions of this act; and

32      2. October 1, 2014, for all other purposes.

