

ASSEMBLY BILL NO. 125—COMMITTEE ON ELECTIONS,  
PROCEDURES, AND ETHICS

(ON BEHALF OF THE NEVADA ASSOCIATION  
OF COUNTY CLERKS)

FEBRUARY 13, 2003

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Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Makes various changes to laws governing elections.  
(BDR 24-294)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

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AN ACT relating to elections; revising deadlines relating to the filing of certain documents before an election; providing for the filing and storage of certain documents by electronic means; revising provisions relating to pupils serving as trainees for the position of election board officer; revising provisions relating to absent ballots; authorizing a county or city clerk to designate centralized voting locations for certain elderly or disabled voters under certain circumstances; providing that certain voting records will be printed on paper only in the event of an election contest or recount; making various changes to election procedures; requiring that a candidate for the position of member of a town board who is unopposed be declared elected to the position; and providing other matters properly relating thereto.

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



\* A B 1 2 5 R 1 \*

1     **Section 1.** NRS 293.1715 is hereby amended to read as  
2 follows:

3     293.1715 1. The names of the candidates for partisan office  
4 of a minor political party must not appear on the ballot for a primary  
5 election.

6     2. The names of the candidates for partisan office of a minor  
7 political party must be placed on the ballot for the general election if  
8 the party has filed a certificate of existence and a list of its  
9 candidates for partisan office pursuant to the provisions of NRS  
10 293.1725 with the Secretary of State and:

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

15     (b) On January 1 preceding a primary election, the minor  
16 political party has been designated as the political party on the  
17 applications to register to vote of at least 1 percent of the total  
18 number of registered voters in this state; or

19     (c) Not later than the second Friday in August preceding the  
20 general election, files a petition with the Secretary of State which is  
21 signed by a number of registered voters equal to at least 1 percent of  
22 the total number of votes cast at the last preceding general election  
23 for the offices of Representative in Congress.

24     3. The name of a candidate for partisan office for a minor  
25 political party other than a candidate for the office of President  
26 or Vice President of the United States must be placed on the ballot  
27 for the general election if the party has filed:

28     (a) A certificate of existence;

29     (b) A list of candidates for partisan office containing the name  
30 of the candidate pursuant to the provisions of NRS 293.1725 with  
31 the Secretary of State; and

32     (c) Not earlier than the first Monday in May preceding the  
33 general election and not later than 5 p.m. on the ~~third~~ *second*  
34 *Friday after the first* Monday in May, a petition on behalf of  
35 the candidate with the Secretary of State containing not less than:

36     (1) Two hundred fifty signatures of registered voters if the  
37 candidate is to be nominated for a statewide office; or

38     (2) One hundred signatures of registered voters if the  
39 candidate is to be nominated for any office except a statewide  
40 office.

41 A minor political party that places names of one or more candidates  
42 for partisan office on the ballot pursuant to this subsection may also  
43 place the names of one or more candidates for partisan office on the  
44 ballot pursuant to subsection 2.



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

4 5. A minor political party must file a copy of the petition  
5 required by paragraph (c) of subsection 2 or paragraph (c) of  
6 subsection 3 with the Secretary of State before the petition may be  
7 circulated for signatures.

8 **Sec. 2.** NRS 293.1725 is hereby amended to read as follows:

9 293.1725 1. Except as otherwise provided in subsection 4, a  
10 minor political party that wishes to place its candidates for partisan  
11 office on the ballot for a general election and:

12 (a) Is entitled to do so pursuant to paragraph (a) or (b) of  
13 subsection 2 of NRS 293.1715;

14 (b) Files a petition pursuant to paragraph (c) of subsection 2 of  
15 NRS 293.1715; or

16 (c) Whose candidates are entitled to appear on the ballot  
17 pursuant to subsection 3 of NRS 293.1715,

18 must file with the Secretary of State a list of its candidates for  
19 partisan office not earlier than the first Monday in May preceding  
20 the election nor later than 5 p.m. on the ~~third~~ *second Friday after*  
21 *the first* Monday in May. The list must be signed by the person so  
22 authorized in the certificate of existence of the minor political party  
23 before a notary public or other person authorized to take  
24 acknowledgments. The Secretary of State shall strike from the list  
25 each candidate who is not entitled to appear on the ballot pursuant to  
26 subsection 3 of NRS 293.1715 if the minor political party is not  
27 entitled to place candidates on the ballot pursuant to subsection 2 of  
28 NRS 293.1715. The list must not be amended after it is filed.

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

33 3. Each candidate on the list must file his declaration of  
34 candidacy with the appropriate filing officer and pay the fee  
35 required by NRS 293.193 not earlier than the date on which the list  
36 of candidates for partisan office of his minor political party is filed  
37 with the Secretary of State nor later than 5 p.m. on the ~~third~~  
38 *second Friday after the first* Monday in May.

39 4. A minor political party that wishes to place candidates for  
40 the offices of President and Vice President of the United States on  
41 the ballot and has qualified to place the names of its candidates for  
42 partisan office on the ballot for the general election pursuant to  
43 subsection 2 of NRS 293.1715 must file with the Secretary of State  
44 a certificate of nomination for these offices not later than the first  
45 Tuesday in September.



1     **Sec. 3.** NRS 293.177 is hereby amended to read as follows:  
 2     293.177 1. Except as otherwise provided in NRS 293.165, a  
 3 name may not be printed on a ballot to be used at a primary election  
 4 unless the person named has filed a declaration of candidacy or an  
 5 acceptance of candidacy, and paid the fee required by NRS 293.193  
 6 not earlier than the first Monday in May of the year in which the  
 7 election is to be held nor later than 5 p.m. on the ~~third~~ *second*  
 8 *Friday after the first* Monday in May.

9     2. A declaration of candidacy or an acceptance of candidacy  
 10 required to be filed by this section must be in substantially the  
 11 following form:

12     (a) For partisan office:

13  
 14                     DECLARATION OF CANDIDACY OF ..... FOR THE  
 15                                     OFFICE OF .....

16  
 17 State of Nevada  
 18  
 19 County of .....

20  
 21 For the purpose of having my name placed on the official ballot as a  
 22 candidate for the ..... Party nomination for the office of  
 23 ....., I, the undersigned ....., do swear or affirm under penalty  
 24 of perjury that I actually, as opposed to constructively, reside at  
 25 ....., in the City or Town of ....., County of ....., State of  
 26 Nevada; that my actual, as opposed to constructive, residence in the  
 27 state, district, county, township, city or other area prescribed by law  
 28 to which the office pertains began on a date at least 30 days  
 29 immediately preceding the date of the close of filing of declarations  
 30 of candidacy for this office; that my telephone number is .....,  
 31 and the address at which I receive mail, if different than my  
 32 residence, is .....; that I am registered as a member of the  
 33 ..... Party; that I have not, in violation of the provisions of  
 34 NRS 293.176, changed the designation of my political party or  
 35 political party affiliation on an official application to register to vote  
 36 in any state since September 1 before the closing filing date for this  
 37 election; that I generally believe in and intend to support the  
 38 concepts found in the principles and policies of that political party in  
 39 the coming election; that if nominated as a candidate of the  
 40 ..... Party at the ensuing election, I will accept that  
 41 nomination and not withdraw; that I will not knowingly violate any  
 42 election law or any law defining and prohibiting corrupt and  
 43 fraudulent practices in campaigns and elections in this state; that I  
 44 will qualify for the office if elected thereto, including, but not  
 45 limited to, complying with any limitation prescribed by the



1 Constitution and laws of this state concerning the number of years  
2 or terms for which a person may hold the office; and that I  
3 understand that my name will appear on all ballots as designated in  
4 this declaration.

5  
6 .....  
7 (Designation of name)

8  
9 .....  
10 (Signature of candidate for office)

11  
12 Subscribed and sworn to before  
13 me this ..... day of the month of ..... of the year....

14  
15 .....  
16 Notary Public or other person  
17 authorized to administer an oath

18  
19 (b) For nonpartisan office:

20  
21 DECLARATION OF CANDIDACY OF ..... FOR THE  
22 OFFICE OF .....

23  
24 State of Nevada

25  
26 County of .....

27  
28 For the purpose of having my name placed on the official ballot as a  
29 candidate for the office of ....., I, the undersigned .....,  
30 do swear or affirm under penalty of perjury that I actually, as  
31 opposed to constructively, reside at ....., in the City or Town of  
32 ....., County of ....., State of Nevada; that my actual, as  
33 opposed to constructive, residence in the state, district, county,  
34 township, city or other area prescribed by law to which the office  
35 pertains began on a date at least 30 days immediately preceding the  
36 date of the close of filing of declarations of candidacy for this  
37 office; that my telephone number is ....., and the address at  
38 which I receive mail, if different than my residence, is .....; that if  
39 nominated as a nonpartisan candidate at the ensuing election, I will  
40 accept the nomination and not withdraw; that I will not knowingly  
41 violate any election law or any law defining and prohibiting corrupt  
42 and fraudulent practices in campaigns and elections in this state; that  
43 I will qualify for the office if elected thereto, including, but not  
44 limited to, complying with any limitation prescribed by the  
45 Constitution and laws of this state concerning the number of years



1 or terms for which a person may hold the office; and my name will  
2 appear on all ballots as designated in this declaration.

3  
4  
5  
6  
7  
8  
9

.....  
(Designation of name)

.....  
(Signature of candidate for office)

10 Subscribed and sworn to before  
11 me this ..... day of the month of ..... of the year ....

12  
13 .....  
14 Notary Public or other person  
15 authorized to administer an oath  
16

17 3. A person may be a candidate under his given name and  
18 surname, a contraction or familiar form of his given name followed  
19 by his surname or the initial of his given name followed by his  
20 surname. A nickname of not more than 10 letters may be  
21 incorporated into a candidate's name. The nickname must be in  
22 quotation marks and appear immediately before the candidate's  
23 surname. A nickname must not indicate any political, economic,  
24 social or religious view or affiliation and must not be the name of  
25 any person, living or dead, whose reputation is known on a  
26 statewide, nationwide or worldwide basis, or in any other manner  
27 deceive a voter regarding the person or principles for which he is  
28 voting.

29 4. The address of a candidate which must be included in the  
30 declaration of candidacy or acceptance of candidacy pursuant to  
31 subsection 2 must be the street address of the residence where he  
32 actually, as opposed to constructively, resides in accordance with  
33 NRS 281.050, if one has been assigned. The declaration or  
34 acceptance of candidacy must not be accepted for filing if the  
35 candidate's address is listed as a post office box unless a street  
36 address has not been assigned to his residence.

37 5. By filing the declaration or acceptance of candidacy, the  
38 candidate shall be deemed to have appointed the filing officer for  
39 the office as his agent for service of process for the purposes of a  
40 proceeding pursuant to NRS 293.182. Service of such process must  
41 first be attempted at the appropriate address as specified by the  
42 candidate in the declaration or acceptance of candidacy. If the  
43 candidate cannot be served at that address, service must be made by  
44 personally delivering to and leaving with the filing officer duplicate  
45 copies of the process. The filing officer shall immediately send, by



1 registered or certified mail, one of the copies to the candidate at his  
2 specified address, unless the candidate has designated in writing to  
3 the filing officer a different address for that purpose, in which case  
4 the filing officer shall mail the copy to the last address so  
5 designated.

6 **Sec. 4.** NRS 293.200 is hereby amended to read as follows:

7 293.200 1. An independent candidate for partisan office must  
8 file with the appropriate filing officer:

9 (a) A copy of the petition of candidacy that he intends to  
10 circulate for signatures. The copy must be filed not earlier than the  
11 January 2 preceding the date of the election and not later than 25  
12 working days before the last day to file the petition pursuant to  
13 subsection 4. The copy must also be filed before the petition may be  
14 circulated.

15 (b) Either of the following:

16 (1) A petition of candidacy signed by a number of registered  
17 voters equal to at least 1 percent of the total number of ballots cast  
18 in:

19 (I) This state for that office at the last preceding general  
20 election in which a person was elected to that office, if the office is a  
21 statewide office;

22 (II) The county for that office at the last preceding general  
23 election in which a person was elected to that office, if the office is a  
24 county office; or

25 (III) The district for that office at the last preceding  
26 general election in which a person was elected to that office, if the  
27 office is a district office.

28 (2) A petition of candidacy signed by 250 registered voters if  
29 the candidate is a candidate for statewide office, or signed by 100  
30 registered voters if the candidate is a candidate for any office other  
31 than a statewide office.

32 2. The petition may consist of more than one document. Each  
33 document must bear the name of the county in which it was  
34 circulated and only registered voters of that county may sign the  
35 document. If the office is not a statewide office, only the registered  
36 voters of the county, district or municipality in question may sign  
37 the document. The documents that are circulated for signature in a  
38 county must be submitted to that county clerk for verification in the  
39 manner prescribed in NRS 293.1276 to 293.1279, inclusive, not  
40 later than 25 working days before the last day to file the petition  
41 pursuant to subsection 4. Each person who signs the petition shall  
42 add to his signature the address of the place at which he actually  
43 resides, the date that he signs the petition and the name of the  
44 county where he is registered to vote. The person who circulates  
45 each document of the petition shall sign an affidavit attesting that



1 the signatures on the document are genuine to the best of his  
2 knowledge and belief and were signed in his presence by persons  
3 registered to vote in that county.

4 3. The petition of candidacy may state the principle, if any,  
5 which the person qualified represents.

6 4. Petitions of candidacy must be filed not earlier than the first  
7 Monday in May preceding the general election and not later than 5  
8 p.m. on the ~~third~~ *second Friday after the first* Monday in May.

9 5. No petition of candidacy may contain the name of more than  
10 one candidate for each office to be filled.

11 6. A person may not file as an independent candidate if he is  
12 proposing to run as the candidate of a political party.

13 7. The names of independent candidates must be placed on the  
14 general election ballot and must not appear on the primary election  
15 ballot.

16 8. If the candidacy of any person seeking to qualify pursuant to  
17 this section is challenged, all affidavits and documents in support of  
18 the challenge must be filed not later than 5 p.m. on the fourth  
19 Monday in May. Any judicial proceeding resulting from the  
20 challenge must be set for hearing not more than 5 days after the  
21 fourth Monday in May.

22 9. Any challenge pursuant to subsection 8 must be filed with:

23 (a) The first judicial district court if the petition of candidacy  
24 was filed with the Secretary of State.

25 (b) The district court for the county where the petition of  
26 candidacy was filed if the petition was filed with a county clerk.

27 10. An independent candidate for partisan office must file a  
28 declaration of candidacy with the appropriate filing officer and pay  
29 the fee required by NRS 293.193 not earlier than the first Monday in  
30 May of the year in which the election is held nor later than 5 p.m. on  
31 the ~~third~~ *second Friday after the first* Monday in May.

32 **Sec. 5.** NRS 293.206 is hereby amended to read as follows:

33 293.206 1. On or before the last day in May of every even-  
34 numbered year, the county clerk shall provide the Secretary of State  
35 and the Director of the Legislative Counsel Bureau with a copy *or*  
36 *electronic file* of a map showing the boundaries of all election  
37 precincts in the county . ~~together with a word description of the~~  
38 ~~boundaries of the precincts.~~

39 2. If the Secretary of State determines that the boundaries of an  
40 election precinct do not comply with the provisions of NRS  
41 293.205, he must provide the county clerk with a written statement  
42 of noncompliance setting forth the reasons the precinct is not in  
43 compliance. Within 15 days after receiving the notice of  
44 noncompliance, the county clerk shall make any adjustments to the  
45 boundaries of the precinct which are required to bring the precinct





1 into compliance with the provisions of NRS 293.205 and he shall  
2 submit a corrected *copy or electronic file of the* precinct map  
3 ~~[together with a corrected word description of the altered boundaries~~  
4 ~~of the precinct]~~ to the Secretary of State and the Director of the  
5 Legislative Counsel Bureau.

6 3. If the initial or corrected election precinct map is not filed as  
7 required pursuant to this section or the county clerk fails to make the  
8 necessary changes to the boundaries of an election precinct pursuant  
9 to subsection 2, the Secretary of State may establish appropriate  
10 precinct boundaries in compliance with the provisions of NRS  
11 293.205 to 293.213, inclusive. If the Secretary of State revises the  
12 map ~~[or description]~~ pursuant to this subsection, he shall submit a  
13 copy *or electronic file* of the revised map ~~[or description]~~ to the  
14 Director of the Legislative Counsel Bureau and the appropriate  
15 county clerk.

16 4. *As used in this section, "electronic file" includes, without*  
17 *limitation, an electronic data file of a geographic information*  
18 *system.*

19 **Sec. 6.** NRS 293.208 is hereby amended to read as follows:

20 293.208 1. Except as otherwise provided in subsections 2, 3  
21 and 5 and in NRS 293.206, no election precinct may be created,  
22 divided, abolished or consolidated, or the boundaries thereof  
23 changed, during the period between the third Wednesday in May of  
24 any year whose last digit is 6 and the time when the Legislature has  
25 been redistricted in a year whose last digit is 1, unless the creation,  
26 division, abolishment or consolidation of the precinct, or the change  
27 in boundaries thereof, is:

- 28 (a) Ordered by a court of competent jurisdiction;
- 29 (b) Required to meet objections to a precinct by the Attorney  
30 General of the United States pursuant to the Voting Rights Act of  
31 1965, 42 U.S.C. §§ 1971 and 1973 et seq., and any amendments  
32 thereto;
- 33 (c) Required to comply with subsection 2 of NRS 293.205;
- 34 (d) Required by the incorporation of a new city; or
- 35 (e) Required by the creation of or change in the boundaries of a  
36 special district.

37 As used in this subsection, "special district" means any general  
38 improvement district or any other quasi-municipal corporation  
39 organized under the local improvement and service district laws of  
40 this state as enumerated in title 25 of NRS which is required by law  
41 to hold elections or any fire protection district which is required by  
42 law to hold elections.

43 2. If a city annexes an unincorporated area located in the same  
44 county as the city and adjacent to the corporate boundary, the



1 annexed area may be included in an election precinct immediately  
2 adjacent to it.

3 3. A new election precinct may be established at any time if it  
4 lies entirely within the boundaries of any existing precinct.

5 4. If a change in the boundaries of an election precinct is made  
6 pursuant to this section during the time specified in subsection 1, the  
7 county clerk must:

8 (a) Within 15 days after the change to the boundary of a precinct  
9 is established by the county clerk or ordered by a court, send to the  
10 Director of the Legislative Counsel Bureau and the Secretary of  
11 State a copy *or electronic file* of a map showing the new boundaries  
12 of the precinct ; ~~together with a word description of the new~~  
13 ~~boundaries;~~ and

14 (b) Maintain in his office an index providing the name of the  
15 precinct and describing all changes which were made, including any  
16 change in the name of the precinct and the name of any new precinct  
17 created within the boundaries of an existing precinct.

18 5. Cities of population categories two and three are exempt  
19 from the provisions of subsection 1.

20 6. *As used in this section, "electronic file" includes, without*  
21 *limitation, an electronic data file of a geographic information*  
22 *system.*

23 **Sec. 7.** NRS 293.2175 is hereby amended to read as follows:

24 293.2175 1. The county clerk may appoint a pupil as a  
25 trainee for the position of election board officer. To qualify for such  
26 an appointment, the pupil must be:

27 (a) A United States citizen, a resident of Nevada and a resident  
28 of the county in which he serves;

29 (b) Enrolled ~~as a senior~~ in high school; *and*

30 (c) At the time of service, ~~enrolled in or have completed a high~~  
31 ~~school course in American government in accordance with NRS~~  
32 ~~389.020; and~~

33 ~~—(d) Performing at an academic level deemed acceptable by the~~  
34 ~~principal of the pupil's high school.] at least 16 years of age.~~

35 2. The county clerk may only appoint a pupil as a trainee if:

36 (a) The pupil is appointed without party affiliation;

37 (b) The county clerk sends the pupil a certificate stating the date  
38 and hours *that* the pupil ~~[, upon approval,]~~ will act as *a* trainee;

39 (c) At least 20 days before the election in which the pupil will  
40 act as *a* trainee, the principal of his high school *or his assigned*  
41 *school counselor* receives the county clerk's certificate and a  
42 written request signed by his parent or guardian to be excused from  
43 school for the time specified in the certificate;

44 (d) The principal of the high school *or the assigned school*  
45 *counselor of the pupil* approves the pupil's request; and



1 (e) The pupil attends the training class required by  
2 NRS 293B.260.

3 3. ~~[(The)]~~ *Except as otherwise provided in this subsection, the*  
4 county clerk may assign a trainee such duties as the county clerk  
5 deems appropriate. The county clerk shall not ~~[require]~~ :

6 (a) *Require* the trainee to perform those duties later than 10 p.m.  
7 or any applicable curfew, whichever is earlier ~~[ ]~~ ; or

8 (b) *Assign more than one trainee to serve as an election board*  
9 *officer in any one precinct.*

10 4. The county clerk may compensate a trainee for his service at  
11 the same rate fixed for election board officers generally.

12 **Sec. 8.** NRS 293.227 is hereby amended to read as follows:

13 293.227 1. Each election board consists of at least three  
14 members, one of whom must be designated chairman by the county  
15 or city clerk. The boards shall make the records of election required  
16 by this chapter.

17 2. The appointment of a trainee as set forth in NRS 293.2175  
18 and 293C.222 may be used to determine the number of members on  
19 the election board, but under no circumstances may ~~[trainees~~  
20 ~~comprise more than one third of the]~~ :

21 (a) *The* election board of any precinct ~~[or]~~ *include more than*  
22 *one trainee; or*

23 (b) *A trainee* serve as chairman of the election board.

24 3. The county or city clerk shall conduct or cause to be  
25 conducted, at least 5 days before the date of the election for which  
26 the boards are appointed, a school to acquaint the chairmen with the  
27 election laws, duties of election boards, regulations of the Secretary  
28 of State and with the procedure for making the records of election  
29 and using the register for election boards. If the person appointed  
30 chairman is unable for any reason to attend the school, he shall  
31 appoint some other member of his election board to attend the  
32 school in his stead.

33 4. The board of county commissioners of any county or the city  
34 council of any city may reimburse the chairmen or their designees  
35 who attend the school for their travel expenses at a rate not  
36 exceeding 10 cents per mile.

37 5. Each chairman shall instruct his board before election day.

38 **Sec. 9.** NRS 293.262 is hereby amended to read as follows:

39 293.262 An absent ballot or a ballot voted by a voter who  
40 resides in a mailing precinct must be voted ~~[on]~~ :

41 1. *On* a paper ballot ~~[or]~~ ;

42 2. *On* a ballot which is voted by punching a card ~~[ ]~~ ; or

43 3. *By any other system authorized by state or federal law.*



1       **Sec. 10.** NRS 293.2955 is hereby amended to read as follows:  
2       293.2955 1. Except as otherwise provided in subsection 2, at  
3 all times during which a polling place is open, the polling place  
4 must:

- 5       (a) Be accessible to a voter who is elderly or disabled; and
- 6       (b) Have at least one voting booth that is:
  - 7           (1) Designed to allow a voter in a wheelchair to vote;
  - 8           (2) Designated for use by a voter who is elderly or disabled;
- 9       and
- 10       (3) Equipped to allow a voter who is elderly or disabled to
- 11       vote with the same privacy as a voter who is not elderly or disabled.

12       2. A polling place that does not comply with the provisions of  
13 subsection 1 may be used if necessary because of a natural disaster,  
14 including, without limitation, an earthquake, flood, fire or storm.

15       3. At each polling place, the county clerk is encouraged to:

- 16       (a) Post in a conspicuous place, in at least 12-point type,  
17 instructions for voting;
- 18       (b) Provide ballots in alternative audio and visual formats for  
19 use by a voter who is elderly or disabled; and
- 20       (c) Provide, in alternative audio and visual formats for use by a  
21 voter who is elderly or disabled, all materials that are:
  - 22           (1) Related to the election; and
  - 23           (2) Made available to a voter in printed form at the polling  
24 place.

25       **4. *As an alternative to carrying out the functions described in***  
26 ***subsection 3, if in the opinion of the county clerk the needs of***  
27 ***voters who are elderly or disabled requiring the use of specially***  
28 ***equipped voting devices will be best served by placing such devices***  
29 ***at centralized voting locations, he may so provide. If the county***  
30 ***clerk provides for the placement of specially equipped voting***  
31 ***devices at centralized locations, a voter who is elderly or disabled***  
32 ***and requires the use of such a device to be able to cast his ballot***  
33 ***without assistance may cast his ballot at any centralized voting***  
34 ***location designated by the county clerk.***

35       **Sec. 11.** NRS 293.313 is hereby amended to read as follows:  
36       293.313 1. Except as otherwise provided in NRS 293.272  
37 and 293.502, a registered voter who provides sufficient written  
38 notice to the county clerk may vote an absent ballot as provided in  
39 this chapter.

- 40       2. A registered voter who:
  - 41           (a) Is at least 65 years of age; or
  - 42           (b) Has a physical disability or condition which substantially  
43           impairs his ability to go to the polling place,



1 may request an absent ballot for all elections held during the year he  
2 requests an absent ballot. ~~[(The registered voter must include in his  
3 request a description of his physical disability or condition.)]~~

4 3. As used in this section, "sufficient written notice" means a:  
5 (a) Written request for an absent ballot which is signed by the  
6 registered voter and returned to the county clerk in person or by  
7 mail or facsimile machine;

8 (b) Form prescribed by the Secretary of State which is  
9 completed and signed by the registered voter and returned to the  
10 county clerk in person or by mail or facsimile machine; or

11 (c) Form provided by the Federal Government.

12 4. A county clerk shall consider a request from a voter who has  
13 given sufficient written notice on a form provided by the Federal  
14 Government as a request for both the primary and general elections  
15 unless otherwise specified in the request.

16 5. It is unlawful for a person fraudulently to request an absent  
17 ballot in the name of another person or to induce or coerce another  
18 person fraudulently to request an absent ballot in the name of  
19 another person. A person who violates this subsection is guilty  
20 of a category E felony and shall be punished as provided in  
21 NRS 193.130.

22 **Sec. 12.** NRS 293.356 is hereby amended to read as follows:

23 293.356 ~~[(1.)~~ If a request is made to vote early by a registered  
24 voter in person, the ~~[county clerk]~~ *election board* shall issue a ballot  
25 for early voting to the voter. Such a ballot must be voted on the  
26 premises of ~~[the clerk's office and returned to the clerk.]~~ *a polling  
27 place for early voting established pursuant to NRS 293.3564 or  
28 293.3572 and returned to the election board.* If the ballot is a paper  
29 ballot, ~~[or]~~ a ballot which is voted by punching a card ~~[(the clerk]  
30 or a ballot which is voted by any other system authorized by state  
31 or federal law, the election board~~ shall follow the same procedure  
32 as in the case of absent ballots received by mail.

33 ~~[(2.) On the dates for early voting prescribed in NRS 293.3568,  
34 each county clerk shall provide a voting booth, with suitable  
35 equipment for voting, on the premises of his office for use by  
36 registered voters who are issued ballots for early voting in  
37 accordance with this section.]~~

38 **Sec. 13.** NRS 293.3572 is hereby amended to read as follows:

39 293.3572 1. In addition to permanent polling places for early  
40 voting, the county clerk may establish temporary branch polling  
41 places for early voting ~~[(1.)~~ *which may include, without limitation,  
42 the clerk's office.*

43 2. The provisions of subsection 3 of NRS 293.3568 do not  
44 apply to a temporary polling place. Voting at a temporary branch  
45 polling place may be conducted on any one or more days and during



1 any hours within the period for early voting by personal appearance,  
2 as determined by the county clerk.

3 3. The schedules for conducting voting are not required to be  
4 uniform among the temporary branch polling places.

5 4. The legal rights and remedies which inure to the owner or  
6 lessor of private property are not impaired or otherwise affected by  
7 the leasing of the property for use as a temporary branch polling  
8 place for early voting, except to the extent necessary to conduct  
9 early voting at that location.

10 **Sec. 14.** NRS 293.3608 is hereby amended to read as follows:

11 293.3608 On election day the county clerk shall:

12 1. Ensure that each mechanical recording device used during  
13 the period for early voting provides a record ~~{printed on paper}~~ of  
14 the total number of votes recorded on the device for each candidate  
15 and for or against each measure; and

16 2. Deliver to the central counting place:

17 (a) The items sorted and counted pursuant to subsection 3 of  
18 NRS 293.3604;

19 (b) The records ~~{printed on paper}~~ provided pursuant to  
20 subsection 1; and

21 (c) The storage device required pursuant to NRS 293B.084 from  
22 each mechanical recording device used during the period for early  
23 voting.

24 **Sec. 15.** NRS 293.391 is hereby amended to read as follows:

25 293.391 1. The voted ballots, rejected ballots, spoiled ballots,  
26 challenge lists, voting receipts, records printed on paper of voted  
27 ballots collected pursuant to NRS 293B.400, and stubs of the ballots  
28 used, enclosed and sealed, must, after canvass of the votes by the  
29 board of county commissioners, be deposited in the vaults of the  
30 county clerk. *The records of voted ballots that are maintained in  
31 electronic form must, after canvass of the votes by the board of  
32 county commissioners, be sealed and deposited in the vaults of the  
33 county clerk.* The tally lists and pollbooks collected pursuant to  
34 NRS 293B.400 must, after canvass of the votes by the board of  
35 county commissioners, be deposited in the vaults of the county clerk  
36 without being sealed. All materials described by this subsection  
37 must be preserved for at least 22 months and all such sealed  
38 materials must be destroyed immediately after the preservation  
39 period. A notice of the destruction must be published by the clerk in  
40 at least one newspaper of general circulation in the county not less  
41 than 2 weeks before the destruction.

42 2. Unused ballots, enclosed and sealed, must, after canvass of  
43 the votes by the board of county commissioners, be deposited in the  
44 vaults of the county clerk and preserved for at least the period



1 during which the election may be contested and adjudicated, after  
2 which the unused ballots may be destroyed.

3 3. The pollbooks containing the signatures of those persons  
4 who voted in the election and the tally lists deposited with the board  
5 of county commissioners are subject to the inspection of any elector  
6 who may wish to examine them at any time after their deposit with  
7 the county clerk.

8 4. A contestant of an election may inspect all of the material  
9 regarding that election which is preserved pursuant to subsection 1  
10 or 2, except the voted ballots.

11 5. The voted ballots deposited with the county clerk are not  
12 subject to the inspection of anyone, except in cases of contested  
13 election, and then only by the judge, body or board before whom the  
14 election is being contested, or by the parties to the contest, jointly,  
15 pursuant to an order of such judge, body or board.

16 **Sec. 16.** NRS 293.404 is hereby amended to read as follows:

17 293.404 1. Where a recount is demanded pursuant to the  
18 provisions of NRS 293.403, the:

19 (a) County clerk of each county affected by the recount shall  
20 employ a recount board to conduct the recount in the county, and  
21 shall act as chairman of the recount board unless the recount is for  
22 the office of county clerk, in which case the registrar of voters of the  
23 county, if a registrar of voters has been appointed for the county,  
24 shall act as chairman of the recount board. If a registrar of voters has  
25 not been appointed for the county, the chairman of the board of  
26 county commissioners, if he is not a candidate on the ballot, shall  
27 act as chairman of the recount board. If the recount is for the office  
28 of county clerk, a registrar of voters has not been appointed for the  
29 county and the chairman of the board of county commissioners is a  
30 candidate on the ballot, the chairman of the board of county  
31 commissioners shall appoint another member of the board of county  
32 commissioners who is not a candidate on the ballot to act as  
33 chairman of the recount board. A member of the board of county  
34 commissioners who is a candidate on the ballot may not serve as a  
35 member of the recount board. ~~At least one member of the board of~~  
36 ~~county commissioners who is not a candidate on the ballot must be~~  
37 ~~present at the recount.]~~

38 (b) City clerk shall employ a recount board to conduct the  
39 recount in the city, and shall act as chairman of the recount board  
40 unless the recount is for the office of city clerk, in which case the  
41 mayor of the city, if he is not a candidate on the ballot, shall act as  
42 chairman of the recount board. If the recount is for the office of city  
43 clerk and the mayor of the city is a candidate on the ballot, the  
44 mayor of the city shall appoint another member of the city council  
45 who is not a candidate on the ballot to act as chairman of the recount



1 board. A member of the city council who is a candidate on the ballot  
2 may not serve as a member of the recount board. ~~[At least one~~  
3 ~~member of the city council who is not a candidate on the ballot must~~  
4 ~~be present at the recount.]~~

5 2. Each candidate for the office affected by the recount and the  
6 voter who demanded the recount, if any, may be present in person or  
7 by an authorized representative, but may not be a member of the  
8 recount board.

9 3. Except in counties or cities using a mechanical voting  
10 system, the recount must include a count and inspection of all  
11 ballots, including rejected ballots, and must determine whether those  
12 ballots are marked as required by law.

13 4. If a recount is demanded in a county or city using a  
14 mechanical voting system, the person who demanded the recount  
15 shall select the ballots for the office or ballot question affected from  
16 5 percent of the precincts, but in no case fewer than three precincts,  
17 after notification to each candidate for the office or his authorized  
18 representative. The recount board shall examine the selected ballots,  
19 including any duplicate or rejected ballots, shall determine whether  
20 the ballots have been voted in accordance with this title and shall  
21 count the valid ballots by hand. In addition, a recount by computer  
22 must be made of all the selected ballots. If the count by hand or the  
23 recount by computer of the selected ballots shows a discrepancy  
24 equal to or greater than 1 percent or ~~[5]~~ five votes, whichever is  
25 greater, for the candidate demanding the recount or the candidate  
26 who won the election according to the original canvass of the  
27 returns, or in favor of or against a ballot question, according to the  
28 original canvass of the returns, the county or city clerk shall order a  
29 count by hand of all the ballots for that office or ballot question.  
30 Otherwise, the county or city clerk shall order a recount by  
31 computer of all the ballots for all candidates for the office or all the  
32 ballots for the ballot question.

33 5. The county or city clerk shall unseal and give to the recount  
34 board all ballots to be counted.

35 6. In the case of a demand for a recount affecting more than  
36 one county, the demand must be made to the Secretary of State, who  
37 shall notify the county clerks to proceed with the recount.

38 **Sec. 17.** NRS 293.469 is hereby amended to read as follows:

39 293.469 Each county clerk is encouraged to:

40 1. Not later than the earlier date of the notice provided pursuant  
41 to NRS 293.203 or the first notice provided pursuant to subsection 3  
42 of NRS 293.560, notify the public, through means designed to reach  
43 members of the public who are elderly or disabled, of the provisions  
44 of NRS **293.2955**, 293.296, 293.313, subsection 1 of NRS 293.315,  
45 NRS 293.316 and 293.3165.





1 2. Provide in alternative audio and visual formats information  
2 concerning elections, information concerning how to register to vote  
3 and information concerning the manner of voting for use by a  
4 person who is elderly or disabled, including, without limitation,  
5 providing such information through a telecommunications device  
6 that is accessible to a person who is deaf.

7 3. Not later than 5 working days after receiving the request of  
8 an elderly or disabled person, provide to the person, in a format that  
9 can be used by the person, any requested material that is:

10 (a) Related to elections; and

11 (b) Made available by the county clerk to the public in printed  
12 form.

13 **Sec. 18.** NRS 293.481 is hereby amended to read as follows:

14 293.481 1. Except as otherwise provided in subsection 2 or  
15 NRS 295.121 or 295.217, every governing body of a political  
16 subdivision, public or quasi-public corporation, or other local  
17 agency authorized by law to submit questions to the qualified  
18 electors or registered voters of a designated territory, when the  
19 governing body decides to submit a question:

20 (a) At a general election, shall provide a copy of the question,  
21 including an explanation of and arguments for and against the  
22 question, to each county clerk within the designated territory on or  
23 before the third Monday in July preceding the election.

24 (b) At a primary election, shall provide a copy of the question,  
25 including an explanation of and arguments for and against the  
26 question, to each county clerk within the designated territory on or  
27 before the ~~third~~ *second Friday after the first* Monday in May  
28 preceding the election.

29 (c) At any election other than a primary or general election at  
30 which the county clerk gives notice of the election or otherwise  
31 performs duties in connection therewith other than the registration  
32 of electors and the making of records of registered voters available  
33 for the election, shall provide a copy of the question, including an  
34 explanation of and arguments for and against the question, to each  
35 county clerk at least 60 days before the election.

36 (d) At any city election at which the city clerk gives notice of  
37 the election or otherwise performs duties in connection therewith,  
38 shall provide a copy of the question, including an explanation of and  
39 arguments for and against the question, to the city clerk at least 60  
40 days before the election.

41 2. A question may be submitted after the dates specified in  
42 subsection 1 if the question is expressly privileged or required to be  
43 submitted pursuant to the provisions of Article 19 of the  
44 Constitution of the State of Nevada, or pursuant to the provisions of  
45 chapter 295 of NRS or any other statute except NRS 293.482,



1 354.59817, 354.5982, 387.3285 or 387.3287 or any statute that  
2 authorizes the governing body to issue bonds upon the approval of  
3 the voters.

4 3. A county or city clerk may charge any political subdivision,  
5 public or quasi-public corporation or other local agency which  
6 submits a question a reasonable fee sufficient to pay for the  
7 increased costs incurred in including the question, explanation and  
8 arguments on the ballot.

9 **Sec. 19.** NRS 293.518 is hereby amended to read as follows:  
10 293.518 1. At the time an elector registers to vote he must  
11 indicate:

- 12 (a) His political party affiliation; or
  - 13 (b) That he is not affiliated with a political party.
- 14 An elector who indicates that he is "independent" shall be deemed  
15 not affiliated with a political party.

16 2. If an elector indicates that he is not affiliated with a political  
17 party, or that he is independent, the county clerk or field registrar of  
18 voters shall list the elector's political party as nonpartisan.

19 3. If an elector indicates an affiliation with a major political  
20 party or a minor political party that has filed a certificate of  
21 existence with the Secretary of State, the county clerk or field  
22 registrar of voters shall list the elector's political party as indicated  
23 by the elector.

24 4. If an elector indicates an affiliation with a minor political  
25 party that has not filed a certificate of existence with the Secretary  
26 of State, the county clerk or field registrar of voters shall:

- 27 (a) List the elector's political party as the party indicated in the  
28 application to register to vote.
- 29 (b) When compiling data related to voter registration for the  
30 county, report the elector's political party as "other party."

31 **5. *If an elector does not make any of the indications***  
32 ***described in subsection 1, the county clerk or field registrar of***  
33 ***voters shall:***

- 34 (a) *List the elector's political party as nonpartisan; and*
- 35 (b) *Mail to the elector a notice setting forth that the elector has*  
36 *been registered to vote as a nonpartisan because the elector did*  
37 *not make any of the indications described in subsection 1.*

38 **Sec. 20.** NRS 293.5235 is hereby amended to read as follows:  
39 293.5235 1. Except as otherwise provided in NRS 293.502, a  
40 person may register to vote by mailing an application to register to  
41 vote to the county clerk of the county in which he resides. The  
42 county clerk shall, upon request, mail an application to register to  
43 vote to an applicant. The county clerk shall make the applications  
44 available at various public places in the county. An application to



1 register to vote may be used to correct information in the registrar of  
2 voters' register.

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

9 3. The applicant must complete and sign the application.

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

12 5. If he determines that the application is complete, he shall,  
13 within 10 days after he receives the application, mail to the  
14 applicant:

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

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

21 The applicant shall be deemed to be registered or to have corrected  
22 the information in the register as of the date the application is  
23 postmarked or personally delivered.

24 6. ~~¶~~ *Except as otherwise provided in subsection 5 of NRS*  
25 *293.518, if* the county clerk determines that the application is not  
26 complete, he shall, as soon as possible, mail a notice to the applicant  
27 informing him that additional information is required to complete  
28 the application. If the applicant provides the information requested  
29 by the county clerk within 15 days after the county clerk mails the  
30 notice, the county clerk shall, within 10 days after he receives the  
31 information, mail to the applicant:

32 (a) A notice informing him that he is registered to vote and a  
33 voter registration card as required by subsection 6 of NRS 293.517;  
34 or

35 (b) A notice informing him that the registrar of voters' register  
36 has been corrected to reflect any changes indicated on the  
37 application.

38 The applicant shall be deemed to be registered or to have corrected  
39 the information in the register as of the date the application is  
40 postmarked or personally delivered. If the applicant does not  
41 provide the additional information within the prescribed period, the  
42 application is void.

43 7. The Secretary of State shall prescribe the form for an  
44 application to register to vote by mail which must be used to register



1 to vote by mail in this state. The application to register to vote by  
2 mail must include a notice in at least 10-point type which states:  
3

4 NOTICE: You are urged to return your application to  
5 register to vote to the County Clerk in person or by mail. If  
6 you choose to give your completed application to another  
7 person to return to the County Clerk on your behalf, and the  
8 person fails to deliver the application to the County Clerk,  
9 you will not be registered to vote. Please retain the duplicate  
10 copy or receipt from your application to register to vote.  
11

12 8. ~~The~~ *Except as otherwise provided in subsection 5 of NRS*  
13 *293.518, the* county clerk shall not register a person to vote pursuant  
14 to this section unless that person has provided all of the information  
15 required by the application.

16 9. The county clerk shall mail, by postcard, the notices  
17 required pursuant to subsections 5 and 6. If the postcard is returned  
18 to the county clerk by the United States Postal Service because the  
19 address is fictitious or the person does not live at that address, the  
20 county clerk shall attempt to determine whether the person's current  
21 residence is other than that indicated on his application to register to  
22 vote in the manner set forth in NRS 293.530.

23 10. A person who, by mail, registers to vote pursuant to this  
24 section may be assisted in completing the application to register to  
25 vote by any other person. The application must include the mailing  
26 address and signature of the person who assisted the applicant. The  
27 failure to provide the information required by this subsection will  
28 not result in the application being deemed incomplete.

29 11. An application to register to vote must be made available to  
30 all persons, regardless of political party affiliation.

31 12. An application must not be altered or otherwise defaced  
32 after the applicant has completed and signed it. An application must  
33 be mailed or delivered in person to the office of the county clerk  
34 within 10 days after it is completed.

35 13. A person who willfully violates any of the provisions of  
36 subsection 10, 11 or 12 is guilty of a category E felony and shall be  
37 punished as provided in NRS 193.130.

38 14. The Secretary of State shall adopt regulations to carry out  
39 the provisions of this section.

40 **Sec. 21.** NRS 293.563 is hereby amended to read as follows:

41 293.563 1. During the interval between the closing of  
42 registration and ~~[5 days before]~~ the election, the county clerk shall:

43 (a) In counties where records of registration are not kept by  
44 computer, prepare for each precinct or district a binder containing in  
45 alphabetical order the original applications to register to vote of the



1 electors in the precinct or district. The binder constitutes the election  
2 board register.

3 (b) In counties where records of registration are kept by  
4 computer, have printed and placed in a binder for each precinct or  
5 district a computer listing in alphabetical order of the applications to  
6 register to vote of the electors in the precinct or district. The binder  
7 constitutes the election board register.

8 2. Each election board register must be delivered or caused to  
9 be delivered by the county or city clerk to an election officer of the  
10 proper precinct or district before the opening of the polls.

11 **Sec. 22.** NRS 293.565 is hereby amended to read as follows:

12 293.565 1. Except as otherwise provided in subsection 2,  
13 sample ballots must include:

14 (a) The fiscal note, as provided pursuant to NRS 218.443 or  
15 293.250, for each proposed constitutional amendment or statewide  
16 measure;

17 (b) An explanation, as provided pursuant to NRS 218.443, of  
18 each proposed constitutional amendment or statewide measure,  
19 including arguments for and against it; and

20 (c) The full text of each proposed constitutional amendment.

21 2. Sample ballots that are mailed to registered voters may be  
22 printed without the full text of each proposed constitutional  
23 amendment if:

24 (a) The cost of printing the sample ballots would be significantly  
25 reduced if the full text of each proposed constitutional amendment  
26 were not included;

27 (b) The county clerk ensures that a sample ballot that includes  
28 the full text of each proposed constitutional amendment is provided  
29 at no charge to each registered voter who requests such a sample  
30 ballot; and

31 (c) The sample ballots provided to each polling place include the  
32 full text of each proposed constitutional amendment.

33 3. At least 10 days before any election, the county clerk shall  
34 cause to be mailed to each registered voter in the county a sample  
35 ballot for his precinct with a notice informing the voter of the  
36 location of his polling place. If the location of the polling place has  
37 changed since the last election:

38 (a) The county clerk shall mail a notice of the change to each  
39 registered voter in the county not sooner than 10 days before  
40 mailing the sample ballots; or

41 (b) The sample ballot must also include a notice in bold type  
42 immediately above the location which states:

43  
44  
45

**NOTICE: THE LOCATION OF YOUR POLLING PLACE  
HAS CHANGED SINCE THE LAST ELECTION**



- 1 4. Except as otherwise provided in subsection 5, a sample  
2 ballot required to be mailed pursuant to this section must:  
3 (a) Be printed in at least 12-point type; and  
4 (b) Include on the front page, in a separate box created by bold  
5 lines, a notice printed in at least 20-point bold type that states:

6  
7 NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
8 LARGE TYPE, CALL (Insert appropriate telephone number)  
9

10 5. A portion of a sample ballot that contains a facsimile of the  
11 display area of a voting device may include material in less than  
12 12-point type to the extent necessary to make the facsimile fit on the  
13 pages of the sample ballot.

14 6. The sample ballot mailed to a person who requests a sample  
15 ballot in large type by exercising the option provided pursuant to  
16 NRS 293.508, or in any other manner, must be printed in at least  
17 14-point type, or larger when practicable.

18 7. If a person requests a sample ballot in large type, the county  
19 clerk shall ensure that all future sample ballots mailed to that person  
20 from the county are in large type.

21 8. The county clerk shall include in each sample ballot a  
22 statement indicating that the county clerk will, upon request of a  
23 voter who is elderly or disabled, make reasonable accommodations  
24 to allow the voter to vote at his polling place and provide reasonable  
25 assistance to the voter in casting his vote, including, without  
26 limitation, providing appropriate materials to assist the voter. *In*  
27 *addition, if the county clerk has provided pursuant to subsection 4*  
28 *of NRS 293.2955 for the placement at centralized voting locations*  
29 *of specially equipped voting devices for use by voters who are*  
30 *elderly or disabled, the county clerk shall include in the sample*  
31 *ballot a statement indicating:*

32 (a) *The addresses of such centralized voting locations;*

33 (b) *The types of specially equipped voting devices available at*  
34 *such centralized voting locations; and*

35 (c) *That a voter who is elderly or disabled may cast his ballot*  
36 *at such a centralized voting location rather than at his regularly*  
37 *designated polling place.*

38 9. The cost of mailing sample ballots for any election other  
39 than a primary or general election must be borne by the political  
40 subdivision holding the election.

41 **Sec. 23.** NRS 293B.084 is hereby amended to read as follows:  
42 293B.084 A mechanical recording device which directly  
43 records votes electronically must:

44 1. Bear a number which identifies that mechanical recording  
45 device.



- 1 2. Be equipped with a storage device which:
- 2 (a) Stores the ballots voted on the mechanical recording device;
- 3 (b) Can be removed from the mechanical recording device for
- 4 the purpose of transporting the ballots stored therein to a central
- 5 counting place; and
- 6 (c) Bears the same number as the mechanical recording device.
- 7 3. Be designed in such a manner that voted ballots may be
- 8 stored within the mechanical recording device and the storage
- 9 device required pursuant to subsection 2 at the same time.
- 10 4. ~~{Provide}~~ *Be capable of providing* a record printed on paper
- 11 of:

- 12 (a) Each ballot voted on the mechanical recording device; and
- 13 (b) The total number of votes recorded on the mechanical
- 14 recording device for each candidate and for or against each measure.

15 **Sec. 24.** NRS 293B.165 is hereby amended to read as follows:  
16 293B.165 1. A test conducted in the manner prescribed in  
17 subsections 1 and 2 of NRS 293B.155 ~~{shall}~~ *must* be conducted  
18 immediately before the start of the official count of the ballots and  
19 again ~~{immediately}~~ *within 24 hours* after the official count of the  
20 ballots.

21 2. Such tests ~~{shall}~~ *must* be certified by the accuracy  
22 certification board.

23 **Sec. 25.** NRS 293B.265 is hereby amended to read as follows:  
24 293B.265 1. A member of an election board shall not serve in  
25 any election at which a mechanical voting system is used unless he  
26 has received instruction and is fully qualified to perform his duties  
27 in connection with the system.

28 2. NRS 293B.220 to ~~{293B.280,}~~ *293B.283*, inclusive, do not  
29 prevent the appointment and service of a member of an election  
30 board to fill a vacancy in an emergency.

31 **Sec. 26.** NRS 293B.400 is hereby amended to read as follows:  
32 293B.400 ~~{The}~~

33 *1. Except as otherwise provided in this section, if a recount is*  
34 *demande pursuant to the provisions of NRS 293.403 or if an*  
35 *election is contested pursuant to NRS 293.407, the county or city*  
36 *clerk shall ensure that each mechanical recording device which*  
37 *directly ~~{records}~~ recorded votes electronically for the applicable*  
38 *election provides a record printed on paper of each ballot voted on*  
39 *that device . ~~{as required by paragraph (a) of subsection 4 of NRS~~*  
40 *~~293B.084 not later than 10 days after the election. The}~~*

41 *2. In carrying out the requirements of this section, the county*  
42 *or city clerk shall ~~{collect}~~ :*

43 *(a) Print only the records required for the recount or contest;*  
44 *and*



1       **(b) Collect** those records and deposit them in the vaults of the  
2 county clerk pursuant to NRS 293.391.  
3       **Sec. 27.** NRS 293C.222 is hereby amended to read as follows:  
4       293C.222 1. The city clerk may appoint a pupil as a trainee  
5 for the position of election board officer. To qualify for such an  
6 appointment, the pupil must be:  
7       (a) A United States citizen, a resident of Nevada and a resident  
8 of the city in which he serves;  
9       (b) Enrolled ~~[as a senior]~~ in high school; **and**  
10       (c) At the time of service, ~~[enrolled in or have completed a high~~  
11 ~~school course in American government in accordance with NRS~~  
12 ~~389.020; and~~  
13 ~~—(d) Performing at an academic level deemed acceptable by the~~  
14 ~~principal of the pupil's high school.]~~ **at least 16 years of age.**  
15       2. The city clerk may only appoint a pupil as a trainee if:  
16       (a) The pupil is appointed without party affiliation;  
17       (b) The city clerk sends the pupil a certificate stating the date  
18 and hours **that** the pupil ~~[, upon approval,]~~ will act as a trainee;  
19       (c) At least 20 days before the election in which the pupil will  
20 act as a trainee, the principal of his high school **or his assigned**  
21 **school counselor** receives the city clerk's certificate and a written  
22 request signed by his parent or guardian to be excused from school  
23 for the time specified in the certificate;  
24       (d) The principal of the high school **or the assigned school**  
25 **counselor of the pupil** approves the pupil's request; and  
26       (e) The pupil attends the training class required by  
27 NRS 293B.260.  
28       3. ~~[The]~~ **Except as otherwise provided in this subsection, the**  
29 city clerk may assign a trainee such duties as the city clerk deems  
30 appropriate. The city clerk shall not ~~[require]~~ :  
31       **(a) Require** the trainee to perform those duties later than  
32 10 p.m., or any applicable curfew, whichever is earlier ~~[;]~~ **or**  
33       **(b) Assign more than one trainee to serve as an election board**  
34 **officer in any one precinct.**  
35       4. The city clerk may compensate a trainee for his service at  
36 the same rate fixed for election board officers generally.  
37       **Sec. 28.** NRS 293C.281 is hereby amended to read as follows:  
38       293C.281 1. Except as otherwise provided in subsection 2, at  
39 all times during which a polling place is open, the polling place  
40 must:  
41       (a) Be accessible to a voter who is elderly or disabled; and  
42       (b) Have at least one voting booth that is:  
43           (1) Designed to allow a voter in a wheelchair to vote;  
44           (2) Designated for use by a voter who is elderly or disabled;  
45 and





1 (3) Equipped to allow a voter who is elderly or disabled to  
2 vote with the same privacy as a voter who is not elderly or disabled.

3 2. A polling place that does not comply with the provisions of  
4 subsection 1 may be used if necessary because of a natural disaster,  
5 including, without limitation, an earthquake, flood, fire or storm.

6 3. At each polling place, the city clerk is encouraged to:

7 (a) Post in a conspicuous place, in at least 12-point type,  
8 instructions for voting;

9 (b) Provide ballots in alternative audio and visual formats for  
10 use by a voter who is elderly or disabled; and

11 (c) Provide, in alternative audio and visual formats for use by a  
12 voter who is elderly or disabled, all materials that are:

13 (1) Related to the election; and

14 (2) Made available to a voter in printed form at the polling  
15 place.

16 *4. As an alternative to carrying out the functions described in*  
17 *subsection 3, if in the opinion of the city clerk the needs of voters*  
18 *who are elderly or disabled requiring the use of specially equipped*  
19 *voting devices will be best served by placing such devices at*  
20 *centralized voting locations, he may so provide. If the city clerk*  
21 *provides for the placement of specially equipped voting devices at*  
22 *centralized locations, a voter who is elderly or disabled and*  
23 *requires the use of such a device to be able to cast his ballot*  
24 *without assistance may cast his ballot at any centralized voting*  
25 *location designated by the city clerk.*

26 **Sec. 29.** NRS 293C.310 is hereby amended to read as follows:

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

31 2. A registered voter who:

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

33 (b) Has a physical disability or condition that substantially  
34 impairs his ability to go to the polling place,

35 may request an absent ballot for all elections held during the year he  
36 requests an absent ballot. ~~The registered voter must include in his~~

37 ~~request a description of his physical disability or condition.~~

38 3. As used in this section, "sufficient written notice" means a:

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

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

45 (c) Form provided by the Federal Government.



1 4. A city clerk shall consider a request from a voter who has  
2 given sufficient written notice on a form provided by the Federal  
3 Government as a request for the primary city election and the  
4 general city election unless otherwise specified in the request.

5 5. It is unlawful for a person fraudulently to request an absent  
6 ballot in the name of another person or to induce or coerce another  
7 person fraudulently to request an absent ballot in the name of  
8 another person. A person who violates any provision of this  
9 subsection is guilty of a category E felony and shall be punished as  
10 provided in NRS 193.130.

11 **Sec. 30.** NRS 293C.390 is hereby amended to read as follows:

12 293C.390 1. The voted ballots, rejected ballots, spoiled  
13 ballots, challenge lists, voting receipts, records printed on paper of  
14 voted ballots collected pursuant to NRS 293B.400, and stubs of the  
15 ballots used, enclosed and sealed, must, after canvass of the votes by  
16 the governing body of the city, be deposited in the vaults of the city  
17 clerk. *The records of voted ballots that are maintained in*  
18 *electronic form must, after canvass of the votes by the governing*  
19 *body of the city, be sealed and deposited in the vaults of the city*  
20 *clerk.* The tally lists and pollbooks collected pursuant to NRS  
21 293B.400 must, after canvass of the votes by the governing body of  
22 the city, be deposited in the vaults of the city clerk without being  
23 sealed. All materials described by this subsection must be preserved  
24 for at least 22 months and all such sealed materials must be  
25 destroyed immediately after that period. A notice of the destruction  
26 must be published by the city clerk in at least one newspaper of  
27 general circulation in the city, or if no newspaper is of general  
28 circulation in that city, in a newspaper of general circulation in the  
29 nearest city, not less than 2 weeks before the destruction of the  
30 materials.

31 2. Unused ballots, enclosed and sealed, must, after canvass of  
32 the votes by the governing body of the city, be deposited in the  
33 vaults of the city clerk and preserved for at least the period during  
34 which the election may be contested and adjudicated, after which  
35 the unused ballots may be destroyed.

36 3. The pollbooks containing the signatures of those persons  
37 who voted in the election and the tally lists deposited with the  
38 governing body of the city are subject to the inspection of any  
39 elector who may wish to examine them at any time after their  
40 deposit with the city clerk.

41 4. A contestant of an election may inspect all of the material  
42 relating to that election which is preserved pursuant to subsection 1  
43 or 2, except the voted ballots.

44 5. The voted ballots deposited with the city clerk are not  
45 subject to the inspection of any person, except in a contested



1 election, and only by the judge, body or board before whom the  
2 election is being contested, or by the parties to the contest, jointly,  
3 pursuant to an order of the judge, body or board.

4 **Sec. 31.** NRS 293C.530 is hereby amended to read as follows:

5 293C.530 1. At least 10 days before an election, the city  
6 clerk shall cause to be mailed to each registered voter in the city a  
7 sample ballot for his precinct with a notice informing the voter of  
8 the location of his polling place. If the location of the polling place  
9 has changed since the last election:

10 (a) The city clerk shall mail a notice of the change to each  
11 registered voter in the city not sooner than 10 days before mailing  
12 the sample ballots; or

13 (b) The sample ballot must also include a notice in bold type  
14 immediately above the location which states:

15  
16 NOTICE: THE LOCATION OF YOUR POLLING PLACE  
17 HAS CHANGED SINCE THE LAST ELECTION  
18

19 2. Except as otherwise provided in subsection 3, a sample  
20 ballot required to be mailed pursuant to this section must:

21 (a) Be printed in at least 12-point type; and

22 (b) Include on the front page, in a separate box created by bold  
23 lines, a notice printed in at least 20-point bold type that states:

24  
25 NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
26 LARGE TYPE, CALL (Insert appropriate telephone number)  
27

28 3. A portion of a sample ballot that contains a facsimile of the  
29 display area of a voting device may include material in less than  
30 12-point type to the extent necessary to make the facsimile fit on the  
31 pages of the sample ballot.

32 4. The sample ballot mailed to a person who requests a sample  
33 ballot in large type by exercising the option provided pursuant to  
34 NRS 293.508, or in any other manner, must be printed in at least  
35 14-point type, or larger when practicable.

36 5. If a person requests a sample ballot in large type, the city  
37 clerk shall ensure that all future sample ballots mailed to that person  
38 from the city are in large type.

39 6. The city clerk shall include in each sample ballot a statement  
40 indicating that the city clerk will, upon request of a voter who is  
41 elderly or disabled, make reasonable accommodations to allow the  
42 voter to vote at his polling place and provide reasonable assistance  
43 to the voter in casting his vote, including, without limitation,  
44 providing appropriate materials to assist the voter. *In addition, if*  
45 *the city clerk has provided pursuant to subsection 4 of NRS*



1 *293C.281 for the placement at centralized voting locations of*  
2 *specially equipped voting devices for use by voters who are elderly*  
3 *or disabled, the city clerk shall include in the sample ballot a*  
4 *statement indicating:*

- 5 (a) *The addresses of such centralized voting locations;*
- 6 (b) *The types of specially equipped voting devices available at*  
7 *such centralized voting locations; and*
- 8 (c) *That a voter who is elderly or disabled may cast his ballot*  
9 *at such a centralized voting location rather than at his regularly*  
10 *designated polling place.*

11 7. The cost of mailing sample ballots for a city election must  
12 be borne by the city holding the election.

13 **Sec. 32.** NRS 293C.720 is hereby amended to read as follows:  
14 293C.720 Each city clerk is encouraged to:

15 1. Not later than the earlier date of the first notice provided  
16 pursuant to subsection 3 of NRS 293.560 or NRS 293C.187, notify  
17 the public, through means designed to reach members of the public  
18 who are elderly or disabled, of the provisions of NRS *293C.281,*  
19 *293C.282,* 293C.310, subsection 1 of NRS 293C.312, NRS  
20 293C.317 and 293C.318.

21 2. Provide in alternative audio and visual formats information  
22 concerning elections, information concerning how to register to vote  
23 and information concerning the manner of voting for use by a  
24 person who is elderly or disabled, including, without limitation,  
25 providing such information through a telecommunications device  
26 that is accessible to a person who is deaf.

27 3. Not later than 5 working days after receiving the request of  
28 an elderly or disabled person, provide to the person, in a format that  
29 can be used by the person, any requested material that is:

- 30 (a) Related to elections; and
- 31 (b) Made available by the city clerk to the public in printed  
32 form.

33 **Sec. 33.** NRS 295.121 is hereby amended to read as follows:

34 295.121 1. In a county whose population is 100,000 or more,  
35 for each *county-wide* initiative, referendum or other question to be  
36 placed on the ballot by the board, ~~for county clerk,~~ including,  
37 without limitation, pursuant to NRS 293.482, 295.115 or 295.160,  
38 the board shall, in consultation with the county clerk pursuant to  
39 subsection 4, appoint two committees. Except as otherwise provided  
40 in subsection 2, one committee must be composed of three persons  
41 who favor approval by the voters of the initiative, referendum or  
42 other question and the other committee must be composed of three  
43 persons who oppose approval by the voters of the initiative,  
44 referendum or other question.



1 2. If, after consulting with the county clerk pursuant to  
2 subsection 4, the board is unable to appoint three persons who are  
3 willing to serve on a committee, the board may appoint fewer than  
4 three persons to that committee, but the board must appoint at least  
5 one person to each committee appointed pursuant to this section.

6 3. With respect to a committee appointed pursuant to this  
7 section:

8 (a) A person may not serve simultaneously on the committee  
9 that favors approval by the voters of an initiative, referendum or  
10 other question and the committee that opposes approval by the  
11 voters of that initiative, referendum or other question.

12 (b) Members of the committee serve without compensation.

13 (c) The term of office for each member commences upon  
14 appointment and expires upon the publication of the sample ballot  
15 containing the initiative, referendum or other question.

16 4. Before the board appoints a committee pursuant to this  
17 section, the county clerk shall:

18 (a) Recommend to the board persons to be appointed to the  
19 committee; and

20 (b) Consider recommending pursuant to paragraph (a):

21 (1) Any person who has expressed an interest in serving on  
22 the committee; and

23 (2) A person who is a member of an organization that has  
24 expressed an interest in having a member of the organization serve  
25 on the committee.

26 5. If the board of a county whose population is 100,000 or  
27 more fails to appoint a committee as required pursuant to this  
28 section, the county clerk shall appoint the committee.

29 6. A committee appointed pursuant to this section:

30 (a) Shall elect a chairman for the committee;

31 (b) Shall meet and conduct its affairs as necessary to fulfill the  
32 requirements of this section;

33 (c) May seek and consider comments from the general public;

34 (d) Shall, based on whether the members were appointed to  
35 advocate or oppose approval by the voters of the initiative,  
36 referendum or other question, prepare an argument either advocating  
37 or opposing approval by the voters of the initiative, referendum or  
38 other question;

39 (e) Shall prepare a rebuttal to the argument prepared by the other  
40 committee appointed pursuant to this section; and

41 (f) Shall submit the argument and rebuttal prepared pursuant to  
42 paragraphs (d) and (e) to the county clerk not later than the date  
43 prescribed by the county clerk pursuant to subsection 7.

44 7. The county clerk of a county whose population is 100,000 or  
45 more shall provide, by rule or regulation:



1 (a) The maximum permissible length of an argument or rebuttal  
2 prepared pursuant to this section; and

3 (b) The date by which an argument or rebuttal prepared pursuant  
4 to this section must be submitted by the committee to the county  
5 clerk.

6 8. Upon receipt of an argument or rebuttal prepared pursuant to  
7 this section, the county clerk:

8 (a) May consult with persons who are generally recognized by a  
9 national or statewide organization as having expertise in the field or  
10 area to which the initiative, referendum or other question pertains;  
11 and

12 (b) Shall reject each statement in the argument or rebuttal that he  
13 believes is libelous or factually inaccurate.

14 Not later than 5 days after the county clerk rejects a statement  
15 pursuant to this subsection, the committee may appeal that rejection  
16 to the district attorney. The district attorney shall review the  
17 statement and the reasons for its rejection and may receive evidence,  
18 documentary or testimonial, to aid him in his decision. Not later  
19 than 3 business days after the appeal by the committee, the district  
20 attorney shall issue his decision rejecting or accepting the statement.  
21 The decision of the district attorney is a final decision for the  
22 purposes of judicial review.

23 9. The county clerk shall place in the sample ballot provided to  
24 the registered voters of the county each argument and rebuttal  
25 prepared pursuant to this section, containing all statements that were  
26 not rejected pursuant to subsection 8. The county clerk may revise  
27 the language submitted by the committee so that it is clear, concise  
28 and suitable for incorporation in the sample ballot, but shall not alter  
29 the meaning or effect without the consent of the committee.

30 10. In a county whose population is less than 100,000:

31 (a) The board may appoint committees pursuant to this section.

32 (b) If the board appoints committees pursuant to this section, the  
33 county clerk shall provide for rules or regulations pursuant to  
34 subsection 7.

35 *11. The provisions of chapter 241 of NRS do not apply to any*  
36 *consultations, deliberations, hearings or meetings conducted*  
37 *pursuant to this section.*

38 **Sec. 34.** Chapter 269 of NRS is hereby amended by adding  
39 thereto a new section to read as follows:

40 *If at 5 p.m. on the last day for filing a notice of intention of*  
41 *candidacy for the position of member of a town board, there is*  
42 *only one candidate who has filed a notice of intention for the*  
43 *position, that candidate must be declared elected and no election*  
44 *may be held for that position.*



1       **Sec. 35.** NRS 269.016 is hereby amended to read as follows:  
2       269.016 A town board form of government, for the purpose of  
3 governing such town in accordance with the powers specified in this  
4 chapter, may be established for any unincorporated town in the State  
5 of Nevada. The town board form of government ~~[shall]~~ **must** be  
6 adopted in the manner provided in NRS 269.0165 or ~~[NRS]~~ 269.017  
7 to 269.019, inclusive ~~[ ]~~, **and section 34 of this act.**

8       **Sec. 36.** Section 7 of the Moapa Valley Water District Act,  
9 being chapter 477, Statutes of Nevada 1983, as last amended by  
10 chapter 218, Statutes of Nevada 2001, at page 991, is hereby  
11 amended to read as follows:

12       Sec. 7. 1. Unless otherwise required for purposes of  
13 an election to incur an indebtedness, the Registrar of Voters  
14 of Clark County shall conduct, supervise and, by ordinance,  
15 regulate all district elections in accordance, as nearly as  
16 practicable, with the general election laws of the State,  
17 including, but not limited to, laws relating to the time of  
18 opening and closing of polls, the manner of conducting the  
19 election, the canvassing, announcement and certification of  
20 results, and the preparation and disposition of ballots.

21       2. A candidate for election to the Board shall file a  
22 declaration of candidacy with the Registrar of Voters of Clark  
23 County. The declaration of candidacy must be filed not earlier  
24 than the first Monday in May of the year in which the election  
25 is to be held and not later than 5 p.m. on the ~~[third]~~ **second**  
26 **Friday after the first** Monday in May of that year. Timely  
27 filing of such a declaration is a prerequisite to election.

28       3. Each member of the Board must be elected by a  
29 plurality of the registered voters voting in the election area  
30 which the member represents. If there are two seats upon the  
31 Board to be filled at the same election, each of which  
32 represents the same election area, the two candidates therefor  
33 receiving the highest number of votes, respectively, are  
34 elected.

35       4. If a member of the Board is unopposed in seeking  
36 reelection, the Board may declare that member elected  
37 without a formal election, but that member must not  
38 participate in the declaration.

39       5. If no person files candidacy for election to a particular  
40 seat upon the Board, the seat must be filled in the manner of  
41 filling a vacancy.

42       **Sec. 37.** NRS 293.337, 293B.280 and 293C.337 are hereby  
43 repealed.



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TEXT OF REPEALED SECTIONS

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**293.337 Registered voter not receiving absent ballot after application may vote in person on receipt of certificate.** The provisions of this chapter do not prohibit any registered voter who has applied for, but not received, an absent ballot from communicating that fact to the county clerk, receiving a certificate so stating and voting in person on election day in the manner provided by NRS 293.277.

**293B.280 Testing of mechanical recording devices by members of election board.** Before the polls are open for election, the members of the election board shall test every mechanical recording device by fully voting on it with an unofficial ballot.

**293C.337 Registered voter not receiving absent ballot after application may vote in person on receipt of certificate.** The provisions of this chapter do not prohibit any registered voter who has applied for, but not received, an absent ballot from communicating that fact to the city clerk, receiving a certificate so stating and voting in person on election day in the manner provided in NRS 293C.270.

