
ASSEMBLY BILL NO. 410—ASSEMBLYMEN SHERER, KNECHT,
BROWN, CONKLIN, GEDDES, GIUNCHIGLIANI, HETRICK
AND MARVEL

MARCH 17, 2003

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Makes various changes relating to elections.
(BDR 24-945)

FISCAL NOTE: Effect on Local Government: Yes.
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, for purposes of registering to vote in this state, that a person who maintains a residence in another state must agree to forfeit his residency in the other state for voting purposes; authorizing certain new residents of this state to vote for all federal offices and statewide offices; providing that the residency requirements for qualification as a voter in elections include an intent to remain a resident; revising the requirements concerning the contents of certain applications to register to vote; requiring, under certain circumstances, the county clerk of a county within this state to which an elector moves to send a cancellation notice to certain persons in the county, whether located within or without this state, in which the elector was last registered to vote; and providing other matters properly relating thereto.

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 and 3 of this act.

3 **Sec. 2. 1. *A person may have only one residence for the***
4 ***purposes of registering to vote.***



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1 2. *If a person maintains one or more residences in another*
2 *state, the person must, to register to vote in the State of Nevada,*
3 *agree to forfeit his residency in the other state for voting purposes.*

4 **Sec. 3. 1.** *If a new resident of the State of Nevada otherwise*
5 *qualified to vote in another state in any election for President and*
6 *Vice President of the United States has commenced his residence*
7 *in this state after the 30th day next preceding that election and for*
8 *this reason does not satisfy the requirements for registration in*
9 *this state, he may vote in this state for all federal offices and*
10 *statewide offices.*

11 2. *If a new resident of the State of Nevada wishes to vote for*
12 *all federal offices and statewide offices pursuant to this section, he*
13 *must:*

14 (a) *Apply to the county clerk for the appropriate ballot using*
15 *the form prescribed by the Secretary of State; and*

16 (b) *Vote only in the office of the county clerk during regular*
17 *office hours.*

18 3. *A county clerk, upon receipt of an application pursuant to*
19 *this section, shall provide to the applicant a ballot and any other*
20 *materials necessary to vote only for all federal offices and*
21 *statewide offices.*

22 4. *A vote cast pursuant to this section must not be:*

23 (a) *Combined with the total of a precinct but must be*
24 *segregated at the precinct and then combined with the totals for*
25 *the county.*

26 (b) *Included in precinct, district, county or state totals for*
27 *other electoral purposes.*

28 5. *The Secretary of State may, in a manner consistent with*
29 *the election laws of this state, adopt regulations to effectuate the*
30 *purposes of this section.*

31 **Sec. 4.** *NRS 293.485 is hereby amended to read as follows:*

32 293.485 1. Every citizen of the United States, 18 years of age
33 or over, who , *with an intent to remain*, has continuously *and*
34 *actually* resided in this state and in the county 30 days and in the
35 precinct 10 days next preceding the day of the next succeeding:

36 (a) Primary election;

37 (b) Primary city election;

38 (c) General election; or

39 (d) General city election,

40 and who has registered in the manner provided in this chapter, is
41 entitled to vote at that election.

42 2. This section does not exclude the registration of eligible
43 persons whose 18th birthday or the date of whose completion of the
44 required residence occurs on or before the next succeeding:

45 (a) Primary election;



- 1 (b) Primary city election;
- 2 (c) General election;
- 3 (d) General city election; or
- 4 (e) Any other election.

5 **Sec. 5.** NRS 293.507 is hereby amended to read as follows:

6 293.507 1. The Secretary of State shall prescribe:

- 7 (a) A standard form for applications to register to vote; and
- 8 (b) A special form for registration to be used in a county where
- 9 registrations are performed and records of registration are kept by
- 10 computer.

11 2. The county clerks shall provide forms for applications to

12 register to vote to field registrars in the form and number prescribed

13 by the Secretary of State.

14 3. A form for an application to register to vote must include a

15 duplicate copy or receipt to be retained by the applicant upon

16 completion of the form.

17 4. The form for an application to register to vote must include:

- 18 (a) A line for use by the county clerk to enter the number:
 - 19 (1) Indicated on the voter's social security card, driver's
 - 20 license or identification card issued by the Department of Motor
 - 21 Vehicles, or any other identification card issued by an agency of this
 - 22 state or the Federal Government that contains:

- 23 (I) An identifying number; and
- 24 (II) A photograph or physical description of the voter; or
- 25 (2) Issued to the voter pursuant to subsection 5.

26 (b) A line on which to enter the address at which the voter

27 actually resides, as set forth in NRS 293.486.

28 (c) A notice that the voter may not list a business as the address

29 required pursuant to paragraph (b) unless he actually resides there.

30 (d) A line on which to enter an address at which the voter may

31 receive mail, including, without limitation, a post office box or

32 general delivery.

33 *(e) A notice that a voter may have only one residence for the*

34 *purposes of registering to vote.*

35 *(f) A notice that if a person maintains one or more residences*

36 *in another state, the person must, to register to vote in the State of*

37 *Nevada, agree to forfeit his residency in the other state for voting*

38 *purposes.*

39 *(g) A line on which a voter may, if applicable, indicate his*

40 *agreement to forfeit his residency in another state as described in*

41 *paragraph (f).*

42 *(h) A notice that after a voter registers to vote in a county in*

43 *this state, the county clerk of the county will, if appropriate*

44 *pursuant to NRS 293.527, send a cancellation notice to the county*

45 *clerk or other appropriate election officer of the county in which*



1 *the voter last resided, whether that county is located within or*
2 *without this state.*

3 5. If a voter does not:

4 (a) Possess any of the identification set forth in subparagraph (1)
5 of paragraph (a) of subsection 4; or

6 (b) Wish to provide to the county clerk the number indicated on
7 that identification,

8 the county clerk shall issue an identification number to the voter.

9 6. The Secretary of State shall adopt regulations to carry out
10 the provisions of subsections 4 and 5.

11 **Sec. 6.** NRS 293.527 is hereby amended to read as follows:

12 293.527 When an elector moves to ~~{another}~~ a county *within*
13 *this state* and registers to vote therein, the county clerk of the county
14 where the elector has moved shall send a cancellation notice to the
15 county clerk *or other appropriate election officer* of the county in
16 which the elector previously resided ~~[-The]~~, *whether that county is*
17 *located within or without this state.* A county clerk ~~{receiving}~~ *in*
18 *this state who receives* such a notice shall cancel the registration of
19 the elector and place it in a cancelled file.

20 **Sec. 7.** NRS 298.259 is hereby repealed.

TEXT OF REPEALED SECTION

298.259 Voting by new residents; regulations.

1. If a new resident of the State of Nevada otherwise qualified to vote in another state in any election for President and Vice President of the United States has commenced his residence in this state after the 30th day next preceding that election and for this reason does not satisfy the requirements for registration in this state, he may vote for President and Vice President in this state.

2. If a new resident of the State of Nevada wishes to vote for the President and Vice President of the United States pursuant to this section, he must:

(a) Apply to the county clerk for the appropriate ballot using the form prescribed by the Secretary of State; and

(b) Vote only in the office of the county clerk during regular office hours.

3. A county clerk, upon receipt of an application pursuant to this section, shall provide the applicant a ballot and any other materials necessary to vote only for President and Vice President of the United States.

4. A vote cast pursuant to this section must not be:



(a) Combined with the total of a precinct but must be segregated at the precinct and then combined with the totals for the county.

(b) Included in precinct, district, county or state totals for other electoral purposes.

5. The Secretary of State may, in a manner consistent with the election laws of this state, adopt regulations to effectuate the purposes of this section.

