
ASSEMBLY BILL NO. 527—COMMITTEE ON ELECTIONS,
PROCEDURES, AND ETHICS

(ON BEHALF OF THE SECRETARY OF STATE)

MARCH 24, 2003

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Makes various changes concerning elections.
(BDR 24-413)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 20, 35)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 the Secretary of State to establish a statewide voter registration list; establishing certain standards for voting systems; establishing the use of provisional ballots for elections for federal offices; changing the date by which a board of county commissioners and governing board of a city must conduct a canvass of the election returns following an election; changing the types of acceptable identification for certain persons voting for the first time; requiring the posting of certain information at each polling place; requiring county and city clerks to take certain actions to assist elderly persons and persons with disabilities in voting; changing the type of identification required to register to vote; making various changes concerning voting by persons who are in the Armed Forces or overseas; exempting the Secretary of State from the competitive bidding process for awarding certain contracts concerning the statewide voter registration list; 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 to 15, inclusive, of this
3 act.
- 4 **Sec. 2.** *“Statewide voter registration list” means the list of*
5 *registered voters established and maintained pursuant to section 3*
6 *of this act.*
- 7 **Sec. 3. 1.** *The Secretary of State shall establish and*
8 *maintain an official statewide voter registration list in consultation*
9 *with each county and city clerk.*
- 10 **2.** *The statewide voter registration list must:*
- 11 **(a)** *Be a uniform, centralized and interactive computerized list;*
12 **(b)** *Serve as the single method for storing and managing the*
13 *official list of registered voters in this state;*
14 **(c)** *Serve as the official list of registered voters for the conduct*
15 *of all elections in this state;*
16 **(d)** *Contain the name and registration information of every*
17 *legally registered voter in this state;*
18 **(e)** *Include a unique identifier assigned by the Secretary of*
19 *State to each legally registered voter in this state;*
20 **(f)** *Be coordinated with the appropriate databases of other*
21 *agencies in this state;*
22 **(g)** *Be electronically accessible to each state and local election*
23 *official in this state at all times;*
24 **(h)** *Be accessible from all polling places in this state;*
25 **(i)** *Allow for data to be shared with other states under certain*
26 *circumstances; and*
27 **(j)** *Be regularly maintained to ensure the integrity of the*
28 *registration process and the election process.*
- 29 **3.** *Each county and city clerk shall:*
- 30 **(a)** *Electronically enter into the statewide voter registration list*
31 *all information related to voter registration obtained by the county*
32 *or city clerk at the time the information is provided to the county*
33 *or city clerk; and*
34 **(b)** *Provide the Secretary of State with information concerning*
35 *the voter registration of the county or city and any other*
36 *information requested by the Secretary of State in the form*
37 *required by the Secretary of State to establish or maintain the*
38 *statewide voter registration list.*
- 39 **4.** *In establishing and maintaining the statewide voter*
40 *registration list, the Secretary of State shall enter into a*
41 *cooperative agreement with the Department of Motor Vehicles to*
42 *match information in the database of the statewide voter*



1 registration list with information in the appropriate database of
2 the Department of Motor Vehicles to verify the accuracy of the
3 information in an application to register to vote.

4 5. The Department of Motor Vehicles shall enter into an
5 agreement with the Social Security Administration pursuant to the
6 Help America Vote Act of 2002, Public Law 107-252, to verify the
7 accuracy of information in an application to register to vote.

8 **Sec. 4.** If a county or city uses paper ballots or punch cards
9 in an election, including, without limitation, for absent ballots and
10 ballots voted in a mailing precinct, the county or city clerk shall
11 provide a voter education program specific to the voting system
12 used by the county or city. The voter education program must
13 include, without limitation, information concerning the effect of
14 overvoting and the procedures for correcting a vote on a ballot
15 before it is cast and counted and for obtaining a replacement
16 ballot.

17 **Sec. 5.** The Secretary of State and each county and city clerk
18 shall ensure that each voting system used in this state:

19 1. Secures to the voter privacy and independence in the act of
20 voting, including, without limitation, confidentiality of the ballot
21 of the voter;

22 2. Allows each voter to verify privately and independently the
23 votes selected by the voter on the ballot before the ballot is cast
24 and counted;

25 3. Provides each voter with the opportunity, in a private and
26 independent manner, to change the ballot and to correct any error
27 before the ballot is cast and counted, including, without limitation,
28 the opportunity to correct an error through the issuance of a
29 replacement ballot if the voter is otherwise unable to change the
30 ballot or correct the error;

31 4. Provides a permanent paper record with a manual audit
32 capacity which must be available as an official record for a
33 recount; and

34 5. Meets or exceeds the standards for voting systems
35 established by the Federal Election Commission, including,
36 without limitation, the error rate standards.

37 **Sec. 6.** 1. Each voting system used by a county or city shall
38 provide voting materials in English and other languages in
39 compliance with the provisions of 42 U.S.C. § 1973aa-1a.

40 2. As used in this section, the term "voting materials" has the
41 meaning ascribed to it in 42 U.S.C. § 1973aa-1a.

42 **Sec. 7.** A person at a polling place may cast a provisional
43 ballot in an election to vote for a candidate for federal office if the
44 person complies with the applicable provisions of section 8 of this
45 act and:



- 1 1. Declares that he has registered to vote and is eligible to
- 2 vote at that election for federal office in that jurisdiction, but his
- 3 name does not appear on the statewide voter registration list as a
- 4 voter eligible to vote in the election in that jurisdiction;
- 5 2. Applies by mail to register to vote and has not previously
- 6 voted in an election for federal office in this state and fails to
- 7 provide the identification required pursuant to paragraph (a) of
- 8 subsection 1 of section 10 of this act to the election board officer
- 9 at the polling place; or
- 10 3. Declares that he is entitled to vote after the polling place
- 11 would normally close as a result of a court order or other order
- 12 extending the time established for the closing of polls pursuant to
- 13 a law of this state in effect 10 days before the date of the election.
- 14 **Sec. 8. 1.** Before a person may cast a provisional ballot
- 15 pursuant to section 7 of this act, the person must complete a
- 16 written affirmation on a form provided by an election board
- 17 officer at the polling place which includes:
- 18 (a) The name of the person casting the provisional ballot;
- 19 (b) The reason for casting the provisional ballot;
- 20 (c) A statement in which the person casting the provisional
- 21 ballot affirms under penalty of perjury that he is a registered voter
- 22 in the jurisdiction and is eligible to vote in the election;
- 23 (d) The date and type of election;
- 24 (e) The signature of the person casting the provisional ballot;
- 25 (f) The signature of the election board officer;
- 26 (g) A unique affirmation identification number assigned to the
- 27 person casting the provisional ballot;
- 28 (h) If the person is casting the provisional ballot pursuant to
- 29 subsection 1 of section 7 of this act:
- 30 (1) An indication by the person as to whether or not he
- 31 provided the required identification at the time he applied to
- 32 register to vote;
- 33 (2) The address of the person as listed on his application to
- 34 register to vote;
- 35 (3) Information concerning the place, manner and
- 36 approximate date on which the person applied to register to vote;
- 37 (4) Any other information that the person believes may be
- 38 useful in verifying that the person has registered to vote; and
- 39 (5) A statement informing the voter that the required
- 40 identification must be provided to the county or city clerk not later
- 41 than 5 p.m. on the Tuesday following election day and that failure
- 42 to do so will result in the provisional ballot not being counted;
- 43 (i) If the person is casting the provisional ballot pursuant to
- 44 subsection 2 of section 7 of this act:



1 (1) *The address of the person as listed on his application to*
2 *register to vote;*

3 (2) *The voter registration number, if any, issued to the*
4 *person; and*

5 (3) *A statement informing the voter that the required*
6 *identification must be provided to the county or city clerk not later*
7 *than 5 p.m. on the Tuesday following election day and that failure*
8 *to do so will result in the provisional ballot not being counted; and*

9 (j) *If the person is casting the provisional ballot pursuant to*
10 *subsection 3 of section 7 of this act, the voter registration number,*
11 *if any, issued to the person.*

12 2. *After a person completes a written affirmation pursuant to*
13 *subsection 1:*

14 (a) *The election board officer shall provide the person with a*
15 *receipt that includes the unique affirmation identification number*
16 *described in subsection 1 and that explains how the person may*
17 *use the free access system established pursuant to section 13 of*
18 *this act to ascertain whether his vote was counted, and, if not, the*
19 *reason why the vote was not counted;*

20 (b) *The voter's name and applicable information must be*
21 *entered into the roster in a manner which indicates that the voter*
22 *cast a provisional ballot; and*

23 (c) *The election board officer shall issue a provisional ballot to*
24 *the person to vote only for federal offices.*

25 **Sec. 9.** *A person may cast a ballot by mail to vote for a*
26 *candidate for federal office which must be treated as a provisional*
27 *ballot by the city or county clerk if the person:*

28 1. *Applies by mail to register to vote and has not previously*
29 *voted in an election for federal office in this state;*

30 2. *Fails to provide the identification required pursuant to*
31 *paragraph (b) of subsection 1 of section 10 of this act to the*
32 *county or city clerk at the time that he mails his ballot; and*

33 3. *Completes the written affirmation set forth in subsection 1*
34 *of section 8 of this act.*

35 **Sec. 10.** 1. *Except as otherwise provided in subsection 2, in*
36 *sections 7 and 9 of this act and in federal law, a person who,*
37 *registers by mail to vote in this state and who has not previously*
38 *voted in an election for federal office in this state:*

39 (a) *May vote at a polling place only if the person presents to*
40 *the election board officer at the polling place:*

41 (1) *A current and valid photo identification of the person;*
42 *or*

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



1 *without limitation, a check, which indicates the name and address*
2 *of the person; and*
3 *(b) May vote by mail only if the person provides to the county*
4 *or city clerk:*
5 *(1) A copy of a current and valid photo identification of the*
6 *person; or*
7 *(2) A copy of a current utility bill, bank statement,*
8 *paycheck, or document issued by a governmental entity, including,*
9 *without limitation, a check, which indicates the name and address*
10 *of the person.*
11 *2. The provisions of this section do not apply to a person*
12 *who:*
13 *(a) Registers to vote by mail and submits with his application*
14 *to register to vote:*
15 *(1) A copy of a current and valid photo identification; or*
16 *(2) A copy of a current utility bill, bank statement,*
17 *paycheck, or document issued by a governmental entity, including,*
18 *without limitation, a check, which indicates the name and address*
19 *of the person;*
20 *(b) Registers to vote by mail and submits with his application*
21 *to register to vote a driver's license number or at least the last four*
22 *digits of his social security number, if a state or local election*
23 *official has matched that information with an existing*
24 *identification record bearing the same number, name and date of*
25 *birth as provided by the person in his application;*
26 *(c) Is entitled to vote an absent ballot pursuant to the*
27 *Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C.*
28 *1973ff et seq.;*
29 *(d) Is provided the right to vote otherwise than in person under*
30 *the Voting Accessibility for the Elderly and Handicapped Act, 42*
31 *U.S.C. 1973ee et seq.; or*
32 *(e) Is entitled to vote otherwise than in person under any other*
33 *federal law.*
34 **Sec. 11.** *Each county and city clerk shall establish*
35 *procedures to:*
36 *1. Keep each provisional ballot cast pursuant to section 7 or 9*
37 *of this act separate from other ballots until it has been determined*
38 *whether or not the voter was registered and eligible to vote in the*
39 *election in that jurisdiction;*
40 *2. Keep each provisional ballot cast pursuant to subsection 3*
41 *of section 7 of this act separate from all other provisional ballots;*
42 *and*
43 *3. Inform a person whose name does not appear on the*
44 *statewide voter registration list as an eligible voter for a polling*
45 *place or who an election official asserts is not eligible to vote at*



1 *the polling place, of the ability of the person to cast a provisional*
2 *ballot.*

3 **Sec. 12.** *1. Following each election, a canvass of the*
4 *provisional ballots cast in the election must be conducted pursuant*
5 *to NRS 293.387 and, if appropriate, pursuant to NRS 293C.387.*

6 *2. The county and city clerk shall not:*

7 *(a) Include any provisional ballot in the unofficial results*
8 *reported on election night; or*

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

11 *3. A provisional ballot must be counted if:*

12 *(a) The county or city clerk determines that the person who*
13 *cast the provisional ballot was registered to vote in the election,*
14 *eligible to vote in the election and issued the appropriate ballot for*
15 *the address at which he resides;*

16 *(b) A voter who failed to provide required identification at the*
17 *polling place or with his mailed ballot provides the required*
18 *identification to the county or city clerk not later than 5 p.m. on*
19 *the Tuesday following election day; or*

20 *(c) A court order has not been issued by 5 p.m. on the Tuesday*
21 *following election day directing that provisional ballots cast*
22 *pursuant subsection 3 of section 7 of this act not be counted, and*
23 *the provisional ballot was cast pursuant to subsection 3 of section*
24 *7 of this act.*

25 **Sec. 13.** *1. The Secretary of State shall establish a free*
26 *access system such as a toll-free telephone number or an Internet*
27 *website to inform a person who cast a provisional ballot whether*
28 *his vote was counted and, if not, the reason who the vote was not*
29 *counted.*

30 *2. The free access system must ensure secrecy of the ballot*
31 *while protecting the confidentiality and integrity of personal*
32 *information contained therein.*

33 *3. Access to information concerning a provisional ballot must*
34 *be restricted to the person who cast the provisional ballot.*

35 **Sec. 14.** *The Secretary of State and each county and city*
36 *clerk shall ensure that a copy of each of the following is posted in*
37 *a conspicuous place at each polling place on election day:*

38 *1. A sample ballot;*

39 *2. Information concerning the date and hours of operation of*
40 *the polling place;*

41 *3. Instructions for voting and casting a ballot, including a*
42 *provisional ballot;*

43 *4. Instructions concerning the identification required for*
44 *persons who by mail apply for the first time to register to vote;*



1 5. *Information concerning the accessibility of polling places*
2 *to persons with disabilities; and*

3 6. *General information concerning federal and state laws*
4 *which prohibit acts of fraud and misrepresentation.*

5 **Sec. 15.** *1. The Secretary of State shall:*

6 (a) *Provide information regarding voter registration and*
7 *absentee voting by Armed Forces personnel and overseas voters;*

8 (b) *Within 90 days after the date of each general election and*
9 *general city election in which electors voted for federal offices,*
10 *submit to the Election Assistance Commission established*
11 *pursuant to the Help America Vote Act of 2002, Public Law 107-*
12 *252, a report of the combined number of absentee ballots*
13 *transmitted to absent Armed Forces personnel and overseas voters*
14 *for the election and the combined number of such ballots that*
15 *were returned by such voters and cast in the election;*

16 (c) *Make each report submitted pursuant to paragraph (b)*
17 *available to the public; and*

18 (d) *Adopt any regulations which are necessary to comply with*
19 *the provisions of the Help America Vote Act of 2002, Public Law*
20 *107-252, and which are not inconsistent with the provisions of this*
21 *chapter to the extent the provisions of this chapter are consistent*
22 *with the Help American Vote Act of 2002, Public Law 107-252.*

23 2. *Each county and city clerk shall provide such information*
24 *as is requested by the Secretary of State to comply with the*
25 *provisions of this section.*

26 **Sec. 16.** NRS 293.010 is hereby amended to read as follows:

27 293.010 As used in this title, unless the context otherwise
28 requires, the words and terms defined in NRS 293.013 to 293.121,
29 inclusive, *and section 2 of this act* have the meanings ascribed to
30 them in those sections.

31 **Sec. 17.** NRS 293.1279 is hereby amended to read as follows:

32 293.1279 1. If the statistical sampling shows that the number
33 of valid signatures filed is 90 percent or more, but less than the sum
34 of 100 percent of the number of signatures of registered voters
35 needed to declare the petition sufficient plus the total number of
36 requests to remove a name received by the county clerks pursuant to
37 NRS 295.055 or 306.015, the Secretary of State shall order the
38 county clerks to examine the signatures for verification. The county
39 clerks shall examine the signatures for verification until they
40 determine that 100 percent of the number of signatures of registered
41 voters needed to declare the petition sufficient are valid. If the
42 county clerks received a request to remove a name pursuant to NRS
43 295.055 or 306.015, the county clerks may not determine that 100
44 percent of the number of signatures of registered voters needed to



1 declare the petition sufficient are valid until they have removed each
2 name as requested pursuant to NRS 295.055 or 306.015.

3 2. If the statistical sampling shows that the number of valid
4 signatures filed in any county is 90 percent or more but less than the
5 sum of 100 percent of the number of signatures of registered voters
6 needed to constitute 10 percent of the number of voters who voted at
7 the last preceding general election in that county plus the total
8 number of requests to remove a name received by the county clerk
9 in that county pursuant to NRS 295.055 or 306.015, the Secretary of
10 State may order the county clerk in that county to examine every
11 signature for verification. If the county clerk received a request to
12 remove a name pursuant to NRS 295.055 or 306.015, the county
13 clerk may not determine that 100 percent or more of the number of
14 signatures of registered voters needed to constitute 10 percent of the
15 number of voters who voted at the last preceding general election in
16 that county are valid until he has removed each name as requested
17 pursuant to NRS 295.055 or 306.015.

18 3. Within 12 days, excluding Saturdays, Sundays and holidays,
19 after receipt of such an order, the *county* clerk shall determine from
20 the records of registration what number of registered voters have
21 signed the petition. If necessary, the board of county commissioners
22 shall allow the county clerk additional assistants for examining the
23 signatures and provide for their compensation. In determining from
24 the records of registration what number of registered voters have
25 signed the petition, the *county* clerk may use any file or list of
26 registered voters maintained by his office , *the statewide voter*
27 *registration list* or *any* facsimiles of voters' signatures. The county
28 clerk may rely on the appearance of the signature and the address
29 and date included with each signature in determining the number of
30 registered voters that signed the petition.

31 4. Except as otherwise provided in subsection 5, upon
32 completing the examination, the county clerk shall immediately
33 attach to the documents of the petition an amended certificate ,
34 properly dated, showing the result of the examination and shall
35 immediately forward the documents with the amended certificate to
36 the Secretary of State. A copy of the amended certificate must be
37 filed in the county clerk's office.

38 5. For any petition containing signatures which are required to
39 be verified pursuant to the provisions of NRS 293.165, 293.200,
40 306.035 or 306.110 for any county, district or municipal office
41 within one county, the county clerk shall not forward to the
42 Secretary of State the documents containing the signatures of the
43 registered voters.

44 6. Except for a petition to recall a county, district or municipal
45 officer, the petition shall be deemed filed with the Secretary of State



1 as of the date on which he receives certificates from the county
2 clerks showing the petition to be signed by the requisite number of
3 voters of the State.

4 7. If the amended certificates received from all county clerks
5 by the Secretary of State establish that the petition is still
6 insufficient, he shall immediately so notify the petitioners and the
7 county clerks. If the petition is a petition to recall a county, district
8 or municipal officer, the Secretary of State shall also notify the
9 officer with whom the petition is to be filed.

10 **Sec. 18.** NRS 293.272 is hereby amended to read as follows:

11 293.272 1. Except as otherwise provided in subsection 2 ~~§~~
12 *and in sections 9 and 10 of this act*, a person who registered to vote
13 pursuant to the provisions of NRS 293.5235, shall, for the first
14 election in which he votes at which that registration is valid, vote in
15 person unless he has previously voted in the county in which he is
16 registered to vote.

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

18 (a) Is entitled to vote in the manner prescribed in NRS 293.343
19 to 293.355, inclusive;

20 (b) Is entitled to vote an absent ballot pursuant to federal law or
21 NRS 293.316 or 293.3165;

22 (c) Is disabled;

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

26 (e) Requests an absent ballot in person at the office of the
27 county clerk.

28 **Sec. 19.** NRS 293.277 is hereby amended to read as follows:

29 293.277 1. If a person's name appears in the election board
30 register or if he provides an affirmation pursuant to NRS 293.525,
31 he is entitled to vote and must sign his name in the election board
32 register when he applies to vote. His signature must be compared by
33 an election board officer with the signature or a facsimile thereof on
34 his original application to register to vote or one of the forms of
35 identification listed in subsection 2.

36 2. ~~The~~ *Except as otherwise provided in section 10 of this*
37 *act, the* forms of identification which may be used individually to
38 identify a voter at the polling place are:

39 (a) The card issued to the voter at the time he registered to vote;

40 (b) A driver's license;

41 (c) An identification card issued by the Department of Motor
42 Vehicles;

43 (d) A military identification card; or



1 (e) Any other form of identification issued by a governmental
2 agency which contains the voter's signature and physical description
3 or picture.

4 **Sec. 20.** NRS 293.2955 is hereby amended to read as follows:

5 293.2955 1. Except as otherwise provided in subsection 2, at
6 all times during which a polling place is open, the polling place
7 must:

8 (a) Be accessible to a voter who is elderly or ~~{disabled;}~~ *a voter*
9 *with a disability;* and

10 (b) Have at least one voting booth that is:

11 (1) Designed to allow a voter in a wheelchair to vote;

12 (2) Designated for use by a voter who is elderly or ~~{disabled;}~~
13 ~~and~~ *a voter with a disability;*

14 (3) Equipped to allow a voter who is elderly or ~~{disabled}~~ *a*
15 *voter with a disability* to vote with the same privacy as a voter who
16 is not elderly or ~~{disabled.}~~ *as a voter without a disability; and*

17 (4) *Equipped with a mechanical recording device which*
18 *directly records the votes electronically and which may be used by*
19 *a voter with a disability.*

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

23 3. At each polling place, the county clerk ~~{is encouraged to:}~~
24 *shall:*

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

27 (b) Provide ballots in alternative audio and visual formats for
28 use by a voter who is elderly or ~~{disabled;}~~ *a voter with a disability;*
29 and

30 (c) Provide, in alternative audio and visual formats for use by a
31 voter who is elderly or ~~{disabled.}~~ *a voter with a disability,* all
32 materials that are:

33 (1) Related to the election; and

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

36 **Sec. 21.** NRS 293.313 is hereby amended to read as follows:

37 293.313 1. Except as otherwise provided in NRS 293.272
38 and 293.502, a registered voter who provides sufficient written
39 notice to the county clerk may vote an absent ballot as provided in
40 this chapter.

41 2. A registered voter who:

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

43 (b) Has a physical disability or condition which substantially
44 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 ~~follows~~:

15 (a) A request for both the primary and general elections unless
16 otherwise specified in the request ~~follows~~; and

17 (b) *A request for an absent ballot for the two primary and
18 general elections immediately following the date on which the
19 county clerk received the request.*

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

26 **Sec. 22.** NRS 293.320 is hereby amended to read as follows:

27 293.320 1. The county clerk shall determine before issuing
28 an absent ballot that the person making application is a registered
29 voter in the proper county.

30 2. Armed Forces personnel who are not registered to vote and
31 are applying for absent ballots must complete:

32 (a) The application to register to vote required by NRS 293.517
33 for registration; or

34 (b) The form provided by the Federal Government for
35 registration and request of an absent ballot,
36 before receiving an absent ballot.

37 *3. If the county clerk rejects an application submitted
38 pursuant to subsection 2 or submitted by an overseas voter, the
39 county clerk shall inform the applicant of the reason for the
40 rejection.*

41 **Sec. 23.** NRS 293.387 is hereby amended to read as follows:

42 293.387 1. As soon as the returns from all the precincts and
43 districts in any county have been received by the board of county
44 commissioners, the board shall meet and canvass the returns. The



1 canvass must be completed on or before the ~~fifth~~ 10th working day
2 following the election.

3 2. In making its canvass, the board shall:

4 (a) Note separately any clerical errors discovered; and

5 (b) Take account of the changes resulting from the discovery ~~of~~
6 so that the result declared represents the true vote cast.

7 3. The county clerk shall, as soon as the result is declared,
8 enter upon the records of the board an abstract of the result ~~of~~ which
9 must contain the number of votes cast for each candidate. The
10 board, after making the abstract, shall cause the county clerk to
11 certify the abstract and, by an order made and entered in the minutes
12 of its proceedings, to make:

13 (a) A copy of the certified abstract; and

14 (b) A mechanized report of the abstract in compliance with
15 regulations adopted by the Secretary of State,
16 and transmit them to the Secretary of State not more than 6 working
17 days after the election.

18 4. The Secretary of State shall, immediately after any primary
19 election, compile the returns for all candidates voted for in more
20 than one county. He shall make out and file in his office an abstract
21 thereof, and shall certify to the county clerk of each county the name
22 of each person nominated ~~of~~ and the name of the office for which he
23 is nominated.

24 **Sec. 24.** NRS 293.505 is hereby amended to read as follows:

25 293.505 1. All justices of the peace, except those located in
26 county seats, are ex officio field registrars to carry out the
27 provisions of this chapter.

28 2. The county clerk shall appoint at least one registered voter to
29 serve as a field registrar of voters who, except as otherwise provided
30 in NRS 293.5055, shall register voters within the county for which
31 he is appointed. Except as otherwise provided in subsection 1, a
32 candidate for any office may not be appointed or serve as a field
33 registrar. A field registrar serves at the pleasure of the county clerk
34 and shall perform his duties as the county clerk may direct.

35 3. A field registrar shall demand of any person who applies for
36 registration all information required by the application to register to
37 vote and shall administer all oaths required by this chapter.

38 4. When a field registrar has in his possession five or more
39 completed applications to register to vote he shall forward them to
40 the county clerk, but in no case may he hold any number of them for
41 more than 10 days.

42 5. Immediately after the close of registration, each field
43 registrar shall forward to the county clerk all completed applications
44 in his possession. Within 5 days after the close of registration for a
45 general election or general city election, a field registrar shall return



1 all unused applications in his possession to the county clerk. If all of
2 the unused applications are not returned to the county clerk, the field
3 registrar shall account for the unreturned applications.

4 6. Each field registrar shall submit to the county clerk a list of
5 the serial numbers of the completed applications to register to vote
6 and the names of the electors on those applications. The serial
7 numbers must be listed in numerical order.

8 7. Each field registrar shall post notices sent to him by the
9 county clerk for posting in accordance with the election laws of this
10 state.

11 8. A field registrar, employee of a voter registration agency or
12 person assisting a voter pursuant to subsection ~~H0~~ 12 of NRS
13 293.5235 shall not:

- 14 (a) Delegate any of his duties to another person; or
15 (b) Refuse to register a person on account of that person's
16 political party affiliation.

17 9. A person shall not hold himself out to be or attempt to
18 exercise the duties of a field registrar unless he has been so
19 appointed.

20 10. A county clerk, field registrar, employee of a voter
21 registration agency or person assisting a voter pursuant to subsection
22 ~~H0~~ 12 of NRS 293.5235 shall not:

23 (a) Solicit a vote for or against a particular question or
24 candidate;

25 (b) Speak to a voter on the subject of marking his ballot for or
26 against a particular question or candidate; or

27 (c) Distribute any petition or other material concerning a
28 candidate or question which will be on the ballot for the ensuing
29 election,

30 while he is registering an elector.

31 11. When the county clerk receives applications to register to
32 vote from a field registrar , he shall issue a receipt to the field
33 registrar. The receipt must include:

34 (a) The number of persons registered; and

35 (b) The political party of the persons registered.

36 12. A county clerk, field registrar, employee of a voter
37 registration agency or person assisting a voter pursuant to subsection
38 ~~H0~~ 12 of NRS 293.5235 shall not:

39 (a) Knowingly register a person who is not a qualified elector or
40 a person who has filed a false or misleading application to register
41 to vote;

42 (b) Alter or deface an application to register to vote that has
43 been signed by an elector except to correct information contained in
44 the application after receiving notice from the elector that a change
45 in or addition to the information is required; or



1 (c) Register a person who fails to provide satisfactory proof of
2 identification and the address at which he actually resides.

3 13. If a field registrar violates any of the provisions of this
4 section, the county clerk shall immediately suspend the field
5 registrar and notify the district attorney of the county in which the
6 violation occurred.

7 14. A person who violates any of the provisions of subsection
8 8, 9, 10 or 12 is guilty of a category E felony and shall be punished
9 as provided in NRS 193.130.

10 **Sec. 25.** NRS 293.507 is hereby amended to read as follows:

11 293.507 1. The Secretary of State shall prescribe:

12 (a) A standard form for applications to register to vote; and

13 (b) A special form for registration to be used in a county where
14 registrations are performed and records of registration are kept by
15 computer.

16 2. The county clerks shall provide forms for applications to
17 register to vote to field registrars in the form and number prescribed
18 by the Secretary of State.

19 3. A form for an application to register to vote must include a
20 duplicate copy or receipt to be retained by the applicant upon
21 completion of the form.

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

23 (a) A line for use by the county clerk to enter ~~[the number;~~

24 ~~(1) Indicated on the voter's social security card,] :~~

25 *(1) The number indicated on the voter's current and valid*
26 *driver's license [or identification card] issued by the Department of*
27 *Motor Vehicles, [or any other identification card issued by an*
28 *agency of this state or the Federal Government that contains:*

29 ~~(I) An identifying number; and~~

30 ~~(II) A photograph or physical description of the voter; or~~

31 ~~(2) Issued] if the voter has such a driver's license;~~

32 *(2) The last four digits of the voter's social security*
33 *number, if the voter does not have a driver's license issued by the*
34 *Department of Motor Vehicles and does have a social security*
35 *number; or*

36 *(3) The number issued to the voter pursuant to subsection 5*
37 *[1], if the person does not have a current and valid driver's license*
38 *issued by the Department of Motor Vehicles or a social security*
39 *number.*

40 (b) A line on which to enter the address at which the voter
41 actually resides, as set forth in NRS 293.486.

42 (c) A notice that the voter may not list a business as the address
43 required pursuant to paragraph (b) unless he actually resides there.



1 (d) A line on which to enter an address at which the voter may
2 receive mail, including, without limitation, a post office box or
3 general delivery.

4 5. If a voter does not ~~[-~~
5 ~~-(a) Possess any of]~~ *have* the identification set forth in
6 subparagraph (1) *or* (2) of paragraph (a) of subsection 4 ~~[-~~
7 ~~-(b) Wish to provide to the county clerk the number indicated on~~
8 ~~that identification.]~~,
9 the *voter shall sign an affidavit stating that he does not have a*
10 *current and valid driver's license issued by the Department of*
11 *Motor Vehicles or a social security number. Upon receipt of the*
12 *affidavit, the county clerk shall issue an identification number to the*
13 *voter [-] which must be the same number as the unique identifier*
14 *assigned to the voter for purposes of the statewide voter*
15 *registration list.*

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

18 **Sec. 26.** NRS 293.517 is hereby amended to read as follows:

19 293.517 1. Any elector residing within the county may
20 register:

21 (a) By appearing before the county clerk, a field registrar or a
22 voter registration agency, completing the application to register to
23 vote , ~~[and]~~ giving true and satisfactory answers to all questions
24 relevant to his identity and right to vote ~~[-]~~ , *and providing proof of*
25 *his residence and identity;*

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

29 (c) Pursuant to the provisions of NRS 293.501 or 293.524; or

30 (d) At his residence with the assistance of a field registrar
31 pursuant to NRS 293.5237.

32 The county clerk shall require a person to submit official
33 identification as proof of residence and identity, such as a driver's
34 license or other official document, before registering him. *If the*
35 *applicant registers to vote pursuant to this subsection and fails to*
36 *provide proof of his residence and identity, the applicant must*
37 *provide proof of his residence and identity before casting a ballot*
38 *in person or by mail or after casting a provisional ballot pursuant*
39 *to section 7 or 9 of this act.*

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

42 3. Each elector who is or has been married must be registered
43 under his own given or first name, and not under the given or first
44 name or initials of his spouse.



1 4. An elector who is registered and changes his name must
2 complete a new application to register to vote. He may obtain a new
3 application:

- 4 (a) At the office of the county clerk or field registrar;
- 5 (b) By submitting an application to register to vote pursuant to
6 the provisions of NRS 293.5235;
- 7 (c) By submitting a written statement to the county clerk
8 requesting the county clerk to mail an application to register to vote;
9 or
- 10 (d) At any voter registration agency.

11 If the elector fails to register under his new name, he may be
12 challenged pursuant to the provisions of NRS 293.303 or 293C.292
13 and may be required to furnish proof of identity and subsequent
14 change of name.

15 5. An elector who registers to vote pursuant to paragraph (a) of
16 subsection 1 shall be deemed to be registered upon the completion
17 of his application to register to vote.

18 6. After the county clerk determines that the application to
19 register to vote of a person is complete and that the person is eligible
20 to vote, he shall issue a voter registration card to the voter which
21 contains:

- 22 (a) The name, address, political affiliation and precinct number
23 of the voter;
- 24 (b) The date of issuance; and
- 25 (c) The signature of the county clerk.

26 **Sec. 27.** NRS 293.5235 is hereby amended to read as follows:
27 293.5235 1. Except as otherwise provided in NRS 293.502, a
28 person may register to vote by mailing an application to register to
29 vote to the county clerk of the county in which he resides. The
30 county clerk shall, upon request, mail an application to register to
31 vote to an applicant. The county clerk shall make the applications
32 available at various public places in the county. An application to
33 register to vote may be used to correct information in the registrar of
34 voters' register.

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

41 3. The applicant must complete *the application, including,*
42 *without limitation, checking the boxes described in paragraphs (b)*
43 *and (c) of subsection 9* and ~~sign~~ *signing* the application.

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



1 5. If he determines that the application is complete, he shall,
2 within 10 days after he receives the application, mail to the
3 applicant:

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

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

10 The applicant shall be deemed to be registered or to have corrected
11 the information in the register as of the date the application is
12 postmarked or personally delivered.

13 6. If the county clerk determines that the application is not
14 complete, he shall, as soon as possible, mail a notice to the applicant
15 informing him that additional information is required to complete
16 the application. If the applicant provides the information requested
17 by the county clerk within 15 days after the county clerk mails the
18 notice, the county clerk shall, within 10 days after he receives the
19 information, mail to the applicant:

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

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

26 The applicant shall be deemed to be registered or to have corrected
27 the information in the register as of the date the application is
28 postmarked or personally delivered. If the applicant does not
29 provide the additional information within the prescribed period, the
30 application is void.

31 *7. If the applicant fails to check the box described in*
32 *paragraph (b) of subsection 9, the application shall not be*
33 *considered invalid and the county clerk shall provide a means for*
34 *the applicant to correct the omission at the time the applicant*
35 *appears to vote in person at his assigned polling place.*

36 8. The Secretary of State shall prescribe the form for an
37 application to register to vote by mail which must be used to register
38 to vote by mail in this state.

39 9. The application to register to vote by mail must include [a]:

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

41

42

43

44

45

NOTICE: You are urged to return your application to
register to vote to the County Clerk in person or by mail. If
you choose to give your completed application to another
person to return to the County Clerk on your behalf, and the



1 person fails to deliver the application to the County Clerk,
2 you will not be registered to vote. Please retain the duplicate
3 copy or receipt from your application to register to vote.
4

5 ~~[8.]~~ (b) *The question, “Are you a citizen of the United States?”*
6 *and boxes for the applicant to check to indicate whether or not the*
7 *applicant is a citizen of the United States.*

8 (c) *The question, “Will you be at least 18 years of age on or*
9 *before election day?” and boxes for the applicant to check to*
10 *indicate whether or not he will be at least 18 years of age or older*
11 *on election day.*

12 (d) *A statement instructing the applicant not to complete the*
13 *application if he checked “no” in response to the question set*
14 *forth in paragraph (b) or (c).*

15 (e) *A statement informing the applicant that if the application*
16 *is submitted by mail and the applicant is registering to vote for the*
17 *first time, the applicant must submit the information set forth in*
18 *paragraph (a) of subsection 2 of section 10 of this act to avoid the*
19 *requirements of subsection 1 of section 10 of this act upon voting*
20 *for the first time.*

21 10. The county clerk shall not register a person to vote
22 pursuant to this section unless that person has provided all of the
23 information required by the application.

24 ~~[9.]~~ 11. The county clerk shall mail, by postcard, the notices
25 required pursuant to subsections 5 and 6. If the postcard is returned
26 to the county clerk by the United States Postal Service because the
27 address is fictitious or the person does not live at that address, the
28 county clerk shall attempt to determine whether the person’s current
29 residence is other than that indicated on his application to register to
30 vote in the manner set forth in NRS 293.530.

31 ~~[10.]~~ 12. A person who, by mail, registers to vote pursuant to
32 this section may be assisted in completing the application to register
33 to vote by any other person. The application must include the
34 mailing address and signature of the person who assisted the
35 applicant. The failure to provide the information required by this
36 subsection will not result in the application being deemed
37 incomplete.

38 ~~[11.]~~ 13. An application to register to vote must be made
39 available to all persons, regardless of political party affiliation.

40 ~~[12.]~~ 14. An application must not be altered or otherwise
41 defaced after the applicant has completed and signed it. An
42 application must be mailed or delivered in person to the office of the
43 county clerk within 10 days after it is completed.



1 ~~[13.]~~ 15. A person who willfully violates any of the provisions
2 of subsection ~~[10, 11 or]~~ 12 , *13 or 14* is guilty of a category E
3 felony and shall be punished as provided in NRS 193.130.

4 ~~[14.]~~ 16. The Secretary of State shall adopt regulations to carry
5 out the provisions of this section.

6 **Sec. 28.** NRS 293.530 is hereby amended to read as follows:

7 293.530 1. County clerks may use any reliable and
8 reasonable means available to correct the ~~[official registration lists]~~
9 *portions of the statewide voter registration list which are relevant*
10 *to the county clerks* and to determine whether a registered voter's
11 current residence is other than that indicated on his application to
12 register to vote.

13 2. A county clerk may, with the consent of the board of county
14 commissioners, make investigations of registration in the county by
15 census, by house-to-house canvass or by any other method.

16 3. A county clerk shall cancel the registration of a voter
17 pursuant to this section if:

18 (a) He mails a written notice to the voter which the United
19 States Postal Service is required to forward;

20 (b) He mails a return postcard with the notice which has a place
21 for the voter to write his new address, is addressed to the county
22 clerk and has postage guaranteed;

23 (c) The voter does not respond; and

24 (d) The voter does not appear to vote in an election before the
25 polls have closed in the second general election following the date
26 of the notice.

27 4. For the purposes of this section, the date of the notice is
28 deemed to be 3 days after it is mailed.

29 5. The county clerk shall maintain records of:

30 (a) Any notice mailed pursuant to subsection 3;

31 (b) Any response to such notice; and

32 (c) Whether a person to whom a notice is mailed appears to vote
33 in an election,
34 for not less than 2 years after creation.

35 6. The county clerk shall use any postcards which are returned
36 to correct the ~~[official registration lists.]~~ *portions of the statewide*
37 *voter registration list which are relevant to the county clerk.*

38 7. If a voter fails to return the postcard mailed pursuant to
39 subsection 3 within 30 days, the county clerk shall designate the
40 voter as inactive on his application to register to vote.

41 8. The Secretary of State shall adopt regulations to prescribe
42 the method for maintaining a list of voters who have been
43 designated as inactive pursuant to subsection 7.



1 **Sec. 29.** NRS 293.5303 is hereby amended to read as follows:
2 293.5303 In addition to the methods described in NRS
3 293.530, the county clerk in each county may enter into an
4 agreement with the United States Postal Service or any person
5 authorized by it to obtain the data compiled by the United States
6 Postal Service concerning changes of addresses of its postal patrons
7 for use by the county clerk to correct *the portions of the statewide*
8 voter registration ~~[lists.]~~ *list relevant to the county clerk.*

9 **Sec. 30.** NRS 293.5307 is hereby amended to read as follows:
10 293.5307 If a county clerk enters into an agreement pursuant to
11 NRS 293.5303, he shall review each notice of a change of address
12 filed with the United States Postal Service by a resident of the
13 county and identify each resident who is a registered voter and has
14 moved to a new address. Before removing or correcting information
15 in the ~~[official]~~ *statewide voter* registration list, the county clerk
16 shall mail a notice to each such registered voter and follow the
17 procedures set forth in NRS 293.530.

18 **Sec. 31.** NRS 293B.063 is hereby amended to read as follows:
19 293B.063 ~~[1.—Except as otherwise provided in subsection 2,~~
20 ~~no]~~ *No* mechanical voting system may be used in this state unless it
21 meets or exceeds the standards for voting systems established by the
22 Federal Election Commission.

23 ~~[2.—A mechanical voting system that does not comply with the~~
24 ~~standards established by the Federal Election Commission for~~
25 ~~computers or software for computers may be used if it is~~
26 ~~demonstrated to the Secretary of State that the system performs all~~
27 ~~functions required by the commission.]~~

28 **Sec. 32.** NRS 293B.065 is hereby amended to read as follows:
29 293B.065 A mechanical voting system must secure to the voter
30 ~~[secrecy]~~ *privacy and independence* in the act of voting.

31 **Sec. 33.** NRS 293B.084 is hereby amended to read as follows:
32 293B.084 A mechanical recording device which directly
33 records votes electronically must:

- 34 1. Bear a number which identifies that mechanical recording
35 device.
- 36 2. Be equipped with a storage device which:
 - 37 (a) Stores the ballots voted on the mechanical recording device;
 - 38 (b) Can be removed from the mechanical recording device for
39 the purpose of transporting the ballots stored therein to a central
40 counting place; and
 - 41 (c) Bears the same number as the mechanical recording device.
- 42 3. Be designed in such a manner that voted ballots may be
43 stored within the mechanical recording device and the storage
44 device required pursuant to subsection 2 at the same time.
- 45 4. Provide a record printed on paper of:



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

4 **5. *The paper record described in subsection 4 must be made***
5 ***available for a manual audit and must serve as an official record***
6 ***for a recount.***

7 **Sec. 34.** NRS 293C.265 is hereby amended to read as follows:

8 293C.265 1. Except as otherwise provided in subsection 2 ~~4~~
9 ***and in sections 9 and 10 of this act***, a person who registered to vote
10 pursuant to the provisions of NRS 293.5235, shall, for the first city
11 election in which he votes at which that registration is valid, vote in
12 person unless he has previously voted in the county in which he is
13 registered to vote.

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

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

17 (b) Is entitled to vote an absent ballot pursuant to federal law or
18 NRS 293C.317 or 293C.318;

19 (c) Is disabled;

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

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

25 **Sec. 35.** NRS 293C.281 is hereby amended to read as follows:

26 293C.281 1. Except as otherwise provided in subsection 2, at
27 all times during which a polling place is open, the polling place
28 must:

29 (a) Be accessible to a voter who is elderly or ~~disabled;~~ ***a voter***
30 ***with a disability;*** and

31 (b) Have at least one voting booth that is:

32 (1) Designed to allow a voter in a wheelchair to vote;

33 (2) Designated for use by a voter who is elderly or ~~disabled;~~
34 ***and a voter with a disability;***

35 (3) Equipped to allow a voter who is elderly or ~~disabled;~~ ***a***
36 ***voter with a disability*** to vote with the same privacy as a voter who
37 is not elderly or ~~disabled;~~ ***as a voter without a disability; and***

38 ***(4) Equipped with a mechanical recording device which***
39 ***directly records the votes electronically and which may be used by***
40 ***persons with disabilities.***

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

44 3. At each polling place, the city clerk ~~is encouraged to;~~
45 ***shall:***



- 1 (a) Post in a conspicuous place, in at least 12-point type,
2 instructions for voting;
- 3 (b) Provide ballots in alternative audio and visual formats for
4 use by a voter who is elderly or ~~{disabled;}~~ *a voter with a disability;*
5 and
- 6 (c) Provide, in alternative audio and visual formats for use by a
7 voter who is elderly or ~~{disabled;}~~ *a voter with a disability,* all
8 materials that are:
 - 9 (1) Related to the election; and
 - 10 (2) Made available to a voter in printed form at the polling
11 place.

12 **Sec. 36.** NRS 293C.310 is hereby amended to read as follows:
13 293C.310 1. Except as otherwise provided in NRS 293.502
14 and 293C.265, a registered voter who provides sufficient written
15 notice to the city clerk may vote an absent ballot as provided in this
16 chapter.

17 2. A registered voter who:
18 (a) Is at least 65 years of age; or
19 (b) Has a physical disability or condition that substantially
20 impairs his ability to go to the polling place,
21 may request an absent ballot for all elections held during the year he
22 requests an absent ballot. The registered voter must include in his
23 request a description of his physical disability or condition.

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

- 25 (a) Written request for an absent ballot that is signed by the
26 registered voter and returned to the city clerk in person or by mail or
27 facsimile machine;
- 28 (b) Form prescribed by the Secretary of State that is completed
29 and signed by the registered voter and returned to the city clerk in
30 person or by mail or facsimile machine; or
- 31 (c) Form provided by the Federal Government.

32 4. A city clerk shall consider a request from a voter who has
33 given sufficient written notice on a form provided by the Federal
34 Government as ~~{a}~~:

35 (a) A request for the primary city election and the general city
36 election unless otherwise specified in the request ~~{}~~; and

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

40 5. It is unlawful for a person fraudulently to request an absent
41 ballot in the name of another person or to induce or coerce another
42 person fraudulently to request an absent ballot in the name of
43 another person. A person who violates any provision of this
44 subsection is guilty of a category E felony and shall be punished as
45 provided in NRS 193.130.



1 **Sec. 37.** NRS 293C.387 is hereby amended to read as follows:
2 293C.387 1. The election returns from a special election,
3 primary city election or general city election must be filed with the
4 city clerk, who shall immediately place the returns in a safe or vault.
5 No person may handle, inspect or in any manner interfere with the
6 returns until they are canvassed by the mayor and the governing
7 body of the city.
8 2. After the governing body of a city receives the returns from
9 all the precincts and districts in the city, it shall meet with the mayor
10 to canvass the returns. The canvass must be completed on or before
11 the ~~fifth~~ *tenth* working day following the election.
12 3. In completing the canvass of the returns, the governing body
13 of the city and the mayor shall:
14 (a) Note separately any clerical errors discovered; and
15 (b) Take account of the changes resulting from the discovery ~~of~~
16 so that the result declared represents the true vote cast.
17 4. After the canvass is completed, the governing body of the
18 city and mayor shall declare the result of the canvass.
19 5. The city clerk shall enter upon the records of the governing
20 body of the city an abstract of the result. The abstract must be
21 prepared in the manner prescribed by regulations adopted by the
22 Secretary of State and must contain the number of votes cast for
23 each candidate.
24 6. After the abstract is entered, the:
25 (a) City clerk shall seal the election returns, maintain them in a
26 vault for at least 22 months and give no person access to them
27 during that period, unless access is ordered by a court of competent
28 jurisdiction or by the governing body of the city.
29 (b) Governing body of the city shall, by an order made and
30 entered in the minutes of its proceedings, cause the city clerk to:
31 (1) Certify the abstract;
32 (2) Make a copy of the certified abstract;
33 (3) Make a mechanized report of the abstract in compliance
34 with regulations adopted by the Secretary of State; and
35 (4) Transmit the copy of the certified abstract and the
36 mechanized report of the abstract to the Secretary of State within 6
37 working days after the election.
38 7. After the abstract of the results from a:
39 (a) Primary city election has been certified, the city clerk shall
40 certify the name of each person nominated and the name of the
41 office for which he is nominated.
42 (b) General city election has been certified, the city clerk shall:
43 (1) Issue under his hand and official seal to each person
44 elected a certificate of election; and



1 (2) Deliver the certificate to the persons elected upon their
2 application at the office of the city clerk.

3 8. The officers elected to the governing body of the city qualify
4 and enter upon the discharge of their respective duties on the first
5 regular meeting of that body next succeeding that in which the
6 canvass of returns was made pursuant to subsection 2.

7 **Sec. 38.** NRS 293C.532 is hereby amended to read as follows:
8 293C.532 1. Each person who resides within the boundaries
9 of the city at the time of the holding of any city election, and whose
10 name appears upon the ~~{official register of voters for}~~ *statewide*
11 *voter registration list as a registered voter of* the city, is entitled to
12 vote at each special election, primary city election and general city
13 election, and for all officers to be voted for and on all questions
14 submitted to the people at those elections except as otherwise
15 provided in chapter 266 of NRS.

16 2. The governing body of a city may provide for a
17 supplemental registration.

18 **Sec. 39.** NRS 293C.535 is hereby amended to read as follows:
19 293C.535 1. Except as otherwise provided by special charter,
20 registration of electors in incorporated cities must be accomplished
21 in the manner provided in this chapter.

22 2. The county clerk shall *use the statewide voter registration*
23 *list to* prepare for the city clerk of each incorporated city within his
24 county the election board register of all electors eligible to vote at a
25 regular or special city election.

26 3. The official register must be prepared in suitable books, one
27 for each ward or other voting district within each incorporated city.
28 The entries in the election board register must be arranged
29 alphabetically with the surnames first.

30 4. The county clerk shall keep duplicate originals or copies of
31 the applications to register to vote contained in the official register
32 in his office.

33 **Sec. 40.** Section 5.100 of the Charter of Carson City, being
34 chapter 213, Statutes of Nevada 1969, as amended by chapter 189,
35 Statutes of Nevada 1977, at page 354, is hereby amended to read as
36 follows:

37 Sec. 5.100 Election returns; canvass; certificates of
38 election; entry of officers upon duties.

39 1. The election returns from any special, primary or
40 general municipal election shall be filed with the clerk, who
41 shall immediately place such returns in a safe or vault, and no
42 person shall be permitted to handle, inspect or in any manner
43 interfere with such returns until canvassed by the board.

44 2. The board shall meet within 10 *working* days after
45 any election and canvass the returns and declare the result.



1 The election returns shall then be sealed and kept by the clerk
2 for 6 months , and no person shall have access thereto except
3 on order of a court of competent jurisdiction or by order of
4 the board.

5 3. The clerk, under his hand and official seal, shall issue
6 to each person declared to be elected a certificate of election.
7 The officers so elected shall qualify and enter upon the
8 discharge of their respective duties on the 1st Monday in
9 January next following their election.

10 **Sec. 41.** Section 5.100 of the Charter of the City of Reno,
11 being chapter 662, Statutes of Nevada 1971, as last amended by
12 chapter 9, Statutes of Nevada 1993, at page 24, is hereby amended
13 to read as follows:

14 Sec. 5.100 Election returns; canvass; certificates of
15 election; entry of officers upon duties; tie vote procedure.

16 1. The election returns from any special, primary or
17 general election must be filed with the city clerk, who shall
18 immediately place those returns in a safe or vault, and no
19 person may handle, inspect or in any manner interfere with
20 those returns until canvassed by the city council.

21 2. The city council and city manager shall meet within
22 10 *working* days after any election and canvass the returns
23 and declare the result. The election returns must then be
24 sealed and kept by the city clerk for 6 months, and no person
25 may have access thereto except on order of a court of
26 competent jurisdiction or by order of the city council.

27 3. The city clerk, under his hand and official seal, shall
28 issue to each person declared to be elected a certificate of
29 election. The officers elected shall qualify and enter upon the
30 discharge of their respective duties at the first regular city
31 council meeting following their election.

32 4. If any election results in a tie, the city council shall
33 summon the candidates who received the tie vote and
34 determine the tie by lot. The clerk shall issue to the winner a
35 certificate of election.

36 **Sec. 42.** Section 5.100 of the Charter of the City of Sparks,
37 being chapter 470, Statutes of Nevada 1975, as last amended by
38 chapter 41, Statutes of Nevada 2001, at page 399, is hereby
39 amended to read as follows:

40 Sec. 5.100 Election returns: Canvass; certificates of
41 election; entry of officers upon duties; tie vote procedure.

42 1. The election returns from any election must be filed
43 with the city clerk, who shall immediately place the returns in
44 a safe or vault. No person may handle, inspect or in any



1 manner interfere with the returns until canvassed by the city
2 council.

3 2. The city council shall meet within 10 *working* days
4 after any election and canvass the returns and declare the
5 result. The election returns must then be sealed and kept by
6 the city clerk for 22 months, and no person may have access
7 to them except on order of a court of competent jurisdiction
8 or by order of the city council.

9 3. The city clerk, under his hand and official seal, shall
10 issue a certificate of election to each person elected. The
11 officers elected shall qualify and enter upon the discharge of
12 their respective duties at the first regular city council meeting
13 following their election.

14 4. If any election results in a tie, the city council shall
15 summon the candidates who received the tie vote and
16 determine the tie by lot. The city clerk shall then issue to the
17 winner a certificate of election.

18 **Sec. 43.** The provisions of NRS 354.599 do not apply to any
19 additional expenses of a local government that are related to the
20 provisions of this act.

21 **Sec. 44.** The provisions of NRS 338.143 do not apply to a
22 contract awarded before January 1, 2005, by the Secretary of State
23 to establish and maintain the statewide voter registration list created
24 pursuant to section 3 of this act.

25 **Sec. 45.** 1. This section and sections 40 to 44, inclusive, of
26 this act become effective upon passage and approval.

27 2. Section 10 of this act becomes effective on July 1, 2003.

28 3. Section 3 of this act becomes effective on passage and
29 approval for purpose of awarding contracts to establish and maintain
30 a statewide voter registration list pursuant to section 3 of this act,
31 and on January 1, 2004, for all other purposes.

32 4. Sections 1, 2, 4 to 9, inclusive, and 11 to 39, inclusive, of
33 this act become effective on July 1, 2004.

