

SENATE BILL NO. 262—SENATORS NEAL, TITUS, CARE, CARLTON,
COFFIN, MATHEWS, SCHNEIDER AND WIENER

MARCH 12, 2003

Referred to Committee on Government Affairs

SUMMARY—Requires certain abstracts of votes to be posted on certain websites or transmitted to certain public libraries. (BDR 24-906)

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 the Secretary of State, a board of county commissioners, a county clerk and any other person who prepares certain abstracts of votes to post such an abstract on a website on the Internet or transmit such an abstract to each public library within the jurisdiction of that person or entity; requiring a city clerk who certifies an abstract of votes to post such an abstract on a website on the Internet or transmit such an abstract to each public library in the city; 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 a new section to read as follows:
3 *The Secretary of State, a board of county commissioners, a*
4 *county clerk and any other person who prepares an abstract of*
5 *votes pursuant to this chapter shall:*
6 1. *Transmit on paper or by electronic mail to each public*
7 *library in the jurisdiction of that person or entity; or*
8 2. *Post on a website maintained by that person or entity on*
9 *the Internet or its successor, if any,*



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1 *a copy of each abstract that the person or entity prepares within 30*
2 *days after the abstract is prepared.*

3 **Sec. 2.** NRS 293C.387 is hereby amended to read as follows:
4 293C.387 1. The election returns from a special election,
5 primary city election or general city election must be filed with the
6 city clerk, who shall immediately place the returns in a safe or vault.
7 No person may handle, inspect or in any manner interfere with the
8 returns until they are canvassed by the mayor and the governing
9 body of the city.

10 2. After the governing body of a city receives the returns from
11 all the precincts and districts in the city, it shall meet with the mayor
12 to canvass the returns. The canvass must be completed on or before
13 the fifth working day following the election.

14 3. In completing the canvass of the returns, the governing body
15 of the city and the mayor shall:

- 16 (a) Note separately any clerical errors discovered; and
17 (b) Take account of the changes resulting from the discovery, so
18 that the result declared represents the true vote cast.

19 4. After the canvass is completed, the governing body of the
20 city and mayor shall declare the result of the canvass.

21 5. The city clerk shall enter upon the records of the governing
22 body of the city an abstract of the result. The abstract must be
23 prepared in the manner prescribed by regulations adopted by the
24 Secretary of State and must contain the number of votes cast for
25 each candidate.

26 6. After the abstract is entered, the:

27 (a) City clerk shall seal the election returns, maintain them in a
28 vault for at least 22 months and give no person access to them
29 during that period, unless access is ordered by a court of competent
30 jurisdiction or by the governing body of the city.

31 (b) Governing body of the city shall, by an order made and
32 entered in the minutes of its proceedings, cause the city clerk to:

- 33 (1) Certify the abstract;
34 (2) Make a copy of the certified abstract;
35 (3) Make a mechanized report of the abstract in compliance
36 with regulations adopted by the Secretary of State; ~~and~~
37 (4) Transmit ~~the~~ a copy of the certified abstract and the
38 mechanized report of the abstract to the Secretary of State within 6
39 working days after the election ~~;~~; and

40 (5) *Transmit on paper or by electronic mail to each public*
41 *library in the city, or post on a website maintained by the city or*
42 *the city clerk on the Internet or its successor, if any, a copy of the*
43 *certified abstract within 30 days after the election.*

44 7. After the abstract of the results from a:



1 (a) Primary city election has been certified, the city clerk shall
2 certify the name of each person nominated and the name of the
3 office for which he is nominated.

4 (b) General city election has been certified, the city clerk shall:

5 (1) Issue under his hand and official seal to each person
6 elected a certificate of election; and

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

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

