

SENATE BILL NO. 453—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE SECRETARY OF STATE)

MARCH 24, 2003

Referred to Committee on Government Affairs

SUMMARY—Makes various changes concerning elections.
(BDR 24-560)

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

CONTAINS UNFUNDED MANDATE (§§ 20, 38)
(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 certain elections held in this state; 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 of the United States or overseas; extending the period for registering to vote; exempting the Secretary of State from the State Purchasing Act 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:



* S B 4 5 3 R 1 *

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) Allow for data to be shared with other states under certain*
25 *circumstances; and*

26 *(i) Be regularly maintained to ensure the integrity of the*
27 *registration process and the election process.*

28 **3.** *Each county and city clerk shall:*

29 *(a) Electronically enter into the statewide voter registration list*
30 *all information related to voter registration obtained by the county*
31 *or city clerk at the time the information is provided to the county*
32 *or city clerk; and*

33 *(b) Provide the Secretary of State with information concerning*
34 *the voter registration of the county or city and any other*
35 *information requested by the Secretary of State in the form*
36 *required by the Secretary of State to establish or maintain the*
37 *statewide voter registration list.*

38 **4.** *In establishing and maintaining the statewide voter*
39 *registration list, the Secretary of State shall enter into a*
40 *cooperative agreement with the Department of Motor Vehicles to*
41 *match information in the database of the statewide voter*
42 *registration list with information in the appropriate database of*
43 *the Department of Motor Vehicles to verify the accuracy of the*
44 *information in an application to register to vote.*



1 5. *The Department of Motor Vehicles shall enter into an*
2 *agreement with the Social Security Administration pursuant to 42*
3 *U.S.C. § 15483, to verify the accuracy of information in an*
4 *application to register to vote.*

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

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

16 1. *Secures to each voter privacy and independence in the act*
17 *of voting, including, without limitation, confidentiality of the*
18 *ballot of the voter;*

19 2. *Allows each voter to verify privately and independently the*
20 *votes selected by the voter on the ballot before the ballot is cast*
21 *and counted;*

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

28 4. *Provides a permanent paper record with a manual audit*
29 *capacity which must be available as an official record for a*
30 *recount; and*

31 5. *Meets or exceeds the standards for voting systems*
32 *established by the Federal Election Commission, including,*
33 *without limitation, the error rate standards.*

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

37 2. *As used in this section, the term “voting materials” has the*
38 *meaning ascribed to it in 42 U.S.C. § 1973aa-1a.*

39 **Sec. 7.** *A person at a polling place may cast a provisional*
40 *ballot in an election to vote for a candidate if the person complies*
41 *with the applicable provisions of section 8 of this act and:*

42 1. *Declares that he has registered to vote and is eligible to*
43 *vote at that election in that jurisdiction, but his name does not*
44 *appear on the statewide voter registration list as a voter eligible to*
45 *vote in that election in that jurisdiction;*



1 2. *Applies by mail to register to vote and has not previously*
2 *voted in an election in this state and fails to provide the*
3 *identification required pursuant to paragraph (a) of subsection 1*
4 *of section 10 of this act to the election board officer at the polling*
5 *place; or*

6 3. *Declares that he is entitled to vote after the polling place*
7 *would normally close as a result of a court order or other order*
8 *extending the time established for the closing of polls pursuant to*
9 *a law of this state in effect 10 days before the date of the election.*

10 **Sec. 8. 1.** *Before a person may cast a provisional ballot*
11 *pursuant to section 7 of this act, the person must complete a*
12 *written affirmation on a form provided by an election board*
13 *officer, as prescribed by the Secretary of State, at the polling place*
14 *which includes:*

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

16 (b) *The reason for casting the provisional ballot;*

17 (c) *A statement in which the person casting the provisional*
18 *ballot affirms under penalty of perjury that he is a registered voter*
19 *in the jurisdiction and is eligible to vote in the election;*

20 (d) *The date and type of election;*

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

22 (f) *The signature of the election board officer;*

23 (g) *A unique affirmation identification number assigned to the*
24 *person casting the provisional ballot;*

25 (h) *If the person is casting the provisional ballot pursuant to*
26 *subsection 1 of section 7 of this act:*

27 (1) *An indication by the person as to whether or not he*
28 *provided the required identification at the time he applied to*
29 *register to vote;*

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

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

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

36 (5) *A statement informing the voter that if the voter does*
37 *not provide identification at the time the voter casts the provisional*
38 *ballot, the required identification must be provided to the county*
39 *or city clerk not later than 5 p.m. on the Friday following election*
40 *day and that failure to do so will result in the provisional ballot*
41 *not being counted;*

42 (i) *If the person is casting the provisional ballot pursuant to*
43 *subsection 2 of section 7 of this act:*

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



1 (2) *The voter registration number, if any, issued to the*
2 *person; and*
3 (3) *A statement informing the voter that the required*
4 *identification must be provided to the county or city clerk not later*
5 *than 5 p.m. on the Friday following election day and that failure*
6 *to do so will result in the provisional ballot not being counted; and*
7 (j) *If the person is casting the provisional ballot pursuant to*
8 *subsection 3 of section 7 of this act, the voter registration number,*
9 *if any, issued to the person.*
10 2. *After a person completes a written affirmation pursuant to*
11 *subsection 1:*
12 (a) *The election board officer shall provide the person with a*
13 *receipt that includes the unique affirmation identification number*
14 *described in subsection 1 and that explains how the person may*
15 *use the free access system established pursuant to section 13 of*
16 *this act to ascertain whether his vote was counted, and, if his vote*
17 *was not counted, the reason why the vote was not counted;*
18 (b) *The voter's name and applicable information must be*
19 *entered into the roster in a manner which indicates that the voter*
20 *cast a provisional ballot; and*
21 (c) *The election board officer shall issue a provisional ballot*
22 *for the jurisdiction in which the voter claims he is eligible to vote*
23 *and allow the person to cast the provisional ballot.*
24 **Sec. 9.** *A person may cast a ballot by mail to vote in an*
25 *election, which must be treated as a provisional ballot by the*
26 *county or city clerk if the person:*
27 1. *Applies by mail to register to vote and has not previously*
28 *voted in an election in this state;*
29 2. *Fails to provide the identification required pursuant to*
30 *paragraph (b) of subsection 1 of section 10 of this act to the*
31 *county or city clerk at the time that he mails his ballot; and*
32 3. *Completes the written affirmation set forth in subsection 1*
33 *of section 8 of this act.*
34 **Sec. 10.** 1. *Except as otherwise provided in subsection 2, in*
35 *sections 7 and 9 of this act and in federal law, a person who*
36 *registers by mail to vote in this state and who has not previously*
37 *voted in an election in this state:*
38 (a) *May vote at a polling place only if the person presents to*
39 *the election board officer at the polling place:*
40 (1) *A current and valid photo identification of the person;*
41 *or*
42 (2) *A copy of a current utility bill, bank statement,*
43 *paycheck, or document issued by a governmental entity, including,*
44 *without limitation, a check, which indicates the name and address*
45 *of the person; and*



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



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

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

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

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

9 **3.** *Except as otherwise provided in subsection 4, a provisional*
10 *ballot must be counted if:*

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

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

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

24 **4.** *A provisional ballot must not be counted if the county or*
25 *city clerk determines that the person who cast the provisional*
26 *ballot cast the wrong ballot for the address at which he resides.*

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

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

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

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

40 **1.** *A sample ballot;*

41 **2.** *Information concerning the date and hours of operation of*
42 *the polling place;*

43 **3.** *Instructions for voting and casting a ballot, including a*
44 *provisional ballot;*



1 *4. Instructions concerning the identification required for*
2 *persons who registered by mail and are first-time voters in this*
3 *state;*

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

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

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

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

11 *(b) Within 90 days after the date of each general election and*
12 *general city election in which electors voted for federal offices,*
13 *submit to the Election Assistance Commission established*
14 *pursuant to 42 U.S.C. § 15321 a report of the combined number of*
15 *absentee ballots transmitted to absent Armed Forces personnel*
16 *and overseas voters for the election and the combined number of*
17 *such ballots that were returned by such voters and cast in the*
18 *election;*

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

21 *(d) Adopt any regulations which are necessary to comply with*
22 *the provisions of the Help America Vote Act of 2002, Public Law*
23 *107-252, and which are not inconsistent with the provisions of this*
24 *chapter to the extent the provisions of this chapter are consistent*
25 *with the Help American Vote Act of 2002, Public Law 107-252.*

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

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

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

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

35 293.1279 1. If the statistical sampling shows that the number
36 of valid signatures filed is 90 percent or more, but less than the sum
37 of 100 percent of the number of signatures of registered voters
38 needed to declare the petition sufficient plus the total number of
39 requests to remove a name received by the county clerks pursuant to
40 NRS 295.055 or 306.015, the Secretary of State shall order the
41 county clerks to examine the signatures for verification. The county
42 clerks shall examine the signatures for verification until they
43 determine that 100 percent of the number of signatures of registered
44 voters needed to declare the petition sufficient are valid. If the
45 county clerks received a request to remove a name pursuant to NRS



1 295.055 or 306.015, the county clerks may not determine that 100
2 percent of the number of signatures of registered voters needed to
3 declare the petition sufficient are valid until they have removed each
4 name as requested pursuant to NRS 295.055 or 306.015.

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

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

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

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



1 6. Except for a petition to recall a county, district or municipal
2 officer, the petition shall be deemed filed with the Secretary of State
3 as of the date on which he receives certificates from the county
4 clerks showing the petition to be signed by the requisite number of
5 voters of the State.

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

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

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

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

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

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

24 (c) Is disabled;

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

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

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

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

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

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

42 (b) A driver's license;

43 (c) An identification card issued by the Department of Motor
44 Vehicles;

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

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

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

32 (1) Related to the election; and

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

35 **Sec. 21.** 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}~~ *an absent ballot for the two*
15 *primary and general elections* ~~{unless otherwise specified in}~~
16 *immediately following the date on which the county clerk received*
17 the request.

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

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

25 293.320 1. The county clerk shall determine before issuing
26 an absent ballot that the person making application is a registered
27 voter in the proper county.

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

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

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

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

39 **Sec. 23.** NRS 293.504 is hereby amended to read as follows:

40 293.504 1. The following offices shall serve as voter
41 registration agencies:

42 (a) Such offices that provide public assistance as are designated
43 by the Secretary of State;

44 (b) Each office that receives money from the State of Nevada to
45 provide services to persons in this state who are disabled;



1 (c) The offices of the Department of Motor Vehicles;
2 (d) The offices of the city and county clerks; and
3 (e) Such other offices as the Secretary of State deems
4 appropriate.

5 2. Each voter registration agency shall:

6 (a) Post in a conspicuous place, in at least 12-point type,
7 instructions for registering to vote;

8 (b) Make applications to register to vote which may be returned
9 by mail available to each person who applies for or receives services
10 or assistance from the agency;

11 (c) Provide the same amount of assistance to an applicant in
12 completing an application to register to vote as the agency provides
13 to a person completing any other forms for the agency; and

14 (d) Accept completed applications to register to vote.

15 3. Except as otherwise provided in this subsection and NRS
16 293.524, any application to register to vote accepted by a voter
17 registration agency must be transmitted to the county clerk not later
18 than 10 days after the application is accepted. ~~During~~ *The*
19 *applications must be forwarded daily during* the 2 weeks
20 immediately preceding the ~~close of registration for an election, the~~
21 ~~applications must be forwarded daily.~~ *fifth Saturday preceding an*
22 *election.* The county clerk shall accept any application to register to
23 vote which is *obtained from a voter registration agency pursuant*
24 *to this section and* completed by the ~~last day to register~~ *fifth*
25 *Saturday preceding an election* if he receives the application not
26 later than 5 days after ~~the close of registration.~~ *that date.*

27 4. The Secretary of State shall cooperate with the Secretary of
28 Defense to develop and carry out procedures to enable persons in
29 this state to apply to register to vote at recruitment offices of the
30 United States Armed Forces.

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

32 293.505 1. All justices of the peace, except those located in
33 county seats, are ex officio field registrars to carry out the
34 provisions of this chapter.

35 2. The county clerk shall appoint at least one registered voter to
36 serve as a field registrar of voters who, except as otherwise provided
37 in NRS 293.5055, shall register voters within the county for which
38 he is appointed. Except as otherwise provided in subsection 1, a
39 candidate for any office may not be appointed or serve as a field
40 registrar. A field registrar serves at the pleasure of the county clerk
41 and shall perform his duties as the county clerk may direct.

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



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

5 5. ~~Immediately~~ *Each field registrar shall forward to the*
6 *county clerk all completed applications in his possession*
7 *immediately* after the ~~[close of registration, each field registrar shall~~
8 ~~forward to the county clerk all completed applications in his~~
9 ~~possession.]~~ *fifth Saturday preceding an election.* Within 5 days
10 after the ~~[close of registration for a]~~ *fifth Saturday preceding any*
11 general election or general city election, a field registrar shall return
12 all unused applications in his possession to the county clerk. If all of
13 the unused applications are not returned to the county clerk, the field
14 registrar shall account for the unreturned applications.

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

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

22 8. A field registrar, employee of a voter registration agency or
23 person assisting a voter pursuant to subsection ~~H0~~ *12* of NRS
24 293.5235 shall not:

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

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

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

- 34 (a) Solicit a vote for or against a particular question or
35 candidate;
36 (b) Speak to a voter on the subject of marking his ballot for or
37 against a particular question or candidate; or
38 (c) Distribute any petition or other material concerning a
39 candidate or question which will be on the ballot for the ensuing
40 election,
41 while he is registering an elector.

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

- 45 (a) The number of persons registered; and



1 (b) The political party of the persons registered.
2 12. A county clerk, field registrar, employee of a voter
3 registration agency or person assisting a voter pursuant to subsection
4 ~~10~~ 12 of NRS 293.5235 shall not:

5 (a) Knowingly register a person who is not a qualified elector or
6 a person who has filed a false or misleading application to register
7 to vote;

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

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

14 13. If a field registrar violates any of the provisions of this
15 section, the county clerk shall immediately suspend the field
16 registrar and notify the district attorney of the county in which the
17 violation occurred.

18 14. A person who violates any of the provisions of subsection
19 8, 9, 10 or 12 is guilty of a category E felony and shall be punished
20 as provided in NRS 193.130.

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

22 293.507 1. The Secretary of State shall prescribe:

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

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

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

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

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

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

35 ~~(1) Indicated on the voter's social security card.]:~~

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

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

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

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

43 *(2) The last four digits of the voter's social security*
44 *number, if the voter does not have a driver's license issued by the*



1 *Department of Motor Vehicles and does have a social security*
2 *number; or*

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

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

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

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

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

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

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

28 293.517 1. Any elector residing within the county may
29 register:

30 (a) ~~[By]~~ *Except as otherwise provided in NRS 293.560 and*
31 *293C.527, by* appearing before the county clerk, *a* field registrar or a
32 voter registration agency, completing the application to register to
33 vote, ~~[and]~~ giving true and satisfactory answers to all questions
34 relevant to his identity and right to vote ~~[.]~~, *and providing proof of*
35 *his residence and identity;*

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

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

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

42 The county clerk shall require a person to submit official
43 identification as proof of residence and identity, such as a driver's
44 license or other official document, before registering him. *If the*
45 *applicant registers to vote pursuant to this subsection and fails to*



1 *provide proof of his residence and identity, the applicant must*
2 *provide proof of his residence and identity before casting a ballot*
3 *in person or by mail or after casting a provisional ballot pursuant*
4 *to section 7 or 9 of this act.*

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

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

10 4. An elector who is registered and changes his name must
11 complete a new application to register to vote. He may obtain a new
12 application:

13 (a) At the office of the county clerk or field registrar;

14 (b) By submitting an application to register to vote pursuant to
15 the provisions of NRS 293.5235;

16 (c) By submitting a written statement to the county clerk
17 requesting the county clerk to mail an application to register to vote;
18 or

19 (d) At any voter registration agency.

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

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

27 6. After the county clerk determines that the application to
28 register to vote of a person is complete and that the person is eligible
29 to vote, he shall issue a voter registration card to the voter which
30 contains:

31 (a) The name, address, political affiliation and precinct number
32 of the voter;

33 (b) The date of issuance; and

34 (c) The signature of the county clerk.

35 **Sec. 27.** NRS 293.5235 is hereby amended to read as follows:

36 293.5235 1. Except as otherwise provided in NRS 293.502, a
37 person may register to vote by mailing an application to register to
38 vote to the county clerk of the county in which he resides. The
39 county clerk shall, upon request, mail an application to register to
40 vote to an applicant. The county clerk shall make the applications
41 available at various public places in the county. An application to
42 register to vote may be used to correct information in the registrar of
43 voters' register.

44 2. An application to register to vote which is mailed to an
45 applicant by the county clerk or made available to the public at



1 various locations or voter registration agencies in the county may be
2 returned to the county clerk by mail or in person. For the purposes
3 of this section, an application which is personally delivered to the
4 county clerk shall be deemed to have been returned by mail.

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

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

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

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

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

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

22 6. If the county clerk determines that the application is not
23 complete, he shall, as soon as possible, mail a notice to the applicant
24 informing him that additional information is required to complete
25 the application. If the applicant provides the information requested
26 by the county clerk within 15 days after the county clerk mails the
27 notice, the county clerk shall, within 10 days after he receives the
28 information, mail to the applicant:

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

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

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

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



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

4 9. The application to register to vote by mail must include ~~fa~~:
5 (a) A notice in at least 10-point type which states:

6
7 NOTICE: You are urged to return your application to
8 register to vote to the County Clerk in person or by mail. If
9 you choose to give your completed application to another
10 person to return to the County Clerk on your behalf, and the
11 person fails to deliver the application to the County Clerk,
12 you will not be registered to vote. Please retain the duplicate
13 copy or receipt from your application to register to vote.
14

15 ~~8.~~ (b) *The question, "Are you a citizen of the United States?"*
16 *and boxes for the applicant to check to indicate whether or not the*
17 *applicant is a citizen of the United States.*

18 (c) *The question, "Will you be at least 18 years of age on or*
19 *before election day?" and boxes for the applicant to check to*
20 *indicate whether or not the applicant will be at least 18 years of*
21 *age or older on election day.*

22 (d) *A statement instructing the applicant not to complete the*
23 *application if the applicant checked "no" in response to the*
24 *question set forth in paragraph (b) or (c).*

25 (e) *A statement informing the applicant that if the application*
26 *is submitted by mail and the applicant is registering to vote for the*
27 *first time, the applicant must submit the information set forth in*
28 *paragraph (a) of subsection 2 of section 10 of this act to avoid the*
29 *requirements of subsection 1 of section 10 of this act upon voting*
30 *for the first time.*

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

34 ~~9.~~ 11. The county clerk shall mail, by postcard, the notices
35 required pursuant to subsections 5 and 6. If the postcard is returned
36 to the county clerk by the United States Postal Service because the
37 address is fictitious or the person does not live at that address, the
38 county clerk shall attempt to determine whether the person's current
39 residence is other than that indicated on his application to register to
40 vote in the manner set forth in NRS 293.530.

41 ~~10.~~ 12. A person who, by mail, registers to vote pursuant to
42 this section may be assisted in completing the application to register
43 to vote by any other person. The application must include the
44 mailing address and signature of the person who assisted the
45 applicant. The failure to provide the information required by this



1 subsection will not result in the application being deemed
2 incomplete.

3 ~~{11.}~~ **13.** An application to register to vote must be made
4 available to all persons, regardless of political party affiliation.

5 ~~{12.}~~ **14.** An application must not be altered or otherwise
6 defaced after the applicant has completed and signed it. An
7 application must be mailed or delivered in person to the office of the
8 county clerk within 10 days after it is completed.

9 ~~{13.}~~ **15.** A person who willfully violates any of the provisions
10 of subsection ~~{10, 11 or}~~ 12 , **13 or 14** is guilty of a category E
11 felony and shall be punished as provided in NRS 193.130.

12 ~~{14.}~~ **16.** The Secretary of State shall adopt regulations to carry
13 out the provisions of this section.

14 **Sec. 28.** NRS 293.5237 is hereby amended to read as follows:
15 293.5237 Any time before the ~~{close of registration}~~ **fifth**
16 **Saturday preceding an election**, a person who because of illness,
17 disability or for other good cause shown requires assistance to
18 complete an application to register to vote may request the county
19 clerk in writing or by telephone to register him at his residence.
20 Upon request, the county clerk shall direct the appropriate field
21 registrar to go to the home of such a person to register him to vote.

22 **Sec. 29.** NRS 293.524 is hereby amended to read as follows:
23 293.524 1. The Department of Motor Vehicles shall provide
24 an application to register to vote to each person who applies for the
25 issuance or renewal of any type of driver's license or for an
26 identification card.

27 2. The county clerk shall use the applications to register to vote
28 which are signed and completed pursuant to subsection 1 to register
29 applicants to vote or to correct information in the registrar of voters'
30 register. An application that is not signed must not be used to
31 register or correct the registration of the applicant.

32 3. For the purposes of this section, each employee specifically
33 authorized to do so by the Director of the Department may oversee
34 the completion of an application. The authorized employee shall
35 check the application for completeness and verify the information
36 required by the application. Each application must include a
37 duplicate copy or receipt to be retained by the applicant upon
38 completion of the form. The Department shall, except as otherwise
39 provided in this subsection, forward each application on a weekly
40 basis to the county clerk or, if applicable, to the registrar of voters of
41 the county in which the applicant resides. ~~{During}~~ **The applications**
42 **must be forwarded daily during** the 2 weeks immediately preceding
43 the ~~{close of registration for an election, the applications must be~~
44 ~~forwarded daily.}~~ **fifth Saturday preceding an election.**



1 4. The county clerk shall accept any application to register to
2 vote which is *obtained from the Department of Motor Vehicles*
3 *pursuant to this section and* completed by the ~~[last day to register]~~
4 *fifth Saturday preceding an election* if he receives the application
5 not later than 5 days after ~~[the close of registration.]~~ *that date*. Upon
6 receipt of an application, the county clerk or field registrar of voters
7 shall determine whether the application is complete. If he
8 determines that the application is complete, he shall notify the
9 applicant and the applicant shall be deemed to be registered as of the
10 date of the submission of the application. If he determines that
11 the application is not complete, he shall notify the applicant of the
12 additional information required. The applicant shall be deemed to be
13 registered as of the date of the initial submission of the application if
14 the additional information is provided within 15 days after the
15 notice for the additional information is mailed. If the applicant has
16 not provided the additional information within 15 days after the
17 notice for the additional information is mailed, the incomplete
18 application is void. Any notification required by this subsection
19 must be given by mail at the mailing address on the application not
20 more than 7 working days after the determination is made
21 concerning whether the application is complete.

22 5. The county clerk shall use any form submitted to the
23 Department to correct information on a driver's license or
24 identification card to correct information in the registrar of voters'
25 register, unless the person indicates on the form that the correction
26 is not to be used for the purposes of voter registration. The
27 Department shall forward each such form to the county clerk or, if
28 applicable, to the registrar of voters of the county in which the
29 person resides in the same manner provided by subsection 3 for
30 applications to register to vote.

31 6. Upon receipt of a form to correct information, the county
32 clerk shall compare the information to that contained in the registrar
33 of voters' register. If the person is a registered voter, the county
34 clerk shall correct the information to reflect any changes indicated
35 on the form. After making any changes, the county clerk shall notify
36 the person by mail that his records have been corrected.

37 7. The Secretary of State shall, with the approval of the
38 Director, adopt regulations to:

39 (a) Establish any procedure necessary to provide an elector who
40 applies to register to vote pursuant to this section the opportunity to
41 do so;

42 (b) Prescribe the contents of any forms or applications which the
43 Department is required to distribute pursuant to this section; and

44 (c) Provide for the transfer of the completed applications of
45 registration from the Department to the appropriate county clerk for



1 inclusion in the election board registers and registrar of voters'
2 register.

3 **Sec. 30.** NRS 293.530 is hereby amended to read as follows:

4 293.530 1. County clerks may use any reliable and
5 reasonable means available to correct the ~~official registration lists~~
6 *portions of the statewide voter registration list which are relevant*
7 *to the county clerks* and to determine whether a registered voter's
8 current residence is other than that indicated on his application to
9 register to vote.

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

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

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

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

20 (c) The voter does not respond; and

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

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

26 5. The county clerk shall maintain records of:

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

28 (b) Any response to such notice; and

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

32 6. The county clerk shall use any postcards which are returned
33 to correct the ~~official registration lists~~ *portions of the statewide*
34 *voter registration list which are relevant to the county clerk.*

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

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

41 **Sec. 31.** NRS 293.5303 is hereby amended to read as follows:

42 293.5303 In addition to the methods described in NRS
43 293.530, the county clerk in each county may enter into an
44 agreement with the United States Postal Service or any person
45 authorized by it to obtain the data compiled by the United States



1 Postal Service concerning changes of addresses of its postal patrons
2 for use by the county clerk to correct *the portions of the statewide*
3 voter registration ~~lists~~ *list relevant to the county clerk.*

4 **Sec. 32.** NRS 293.5307 is hereby amended to read as follows:
5 293.5307 If a county clerk enters into an agreement pursuant to
6 NRS 293.5303, he shall review each notice of a change of address
7 filed with the United States Postal Service by a resident of the
8 county and identify each resident who is a registered voter and has
9 moved to a new address. Before removing or correcting information
10 in the ~~official~~ *statewide voter* registration list, the county clerk
11 shall mail a notice to each such registered voter and follow the
12 procedures set forth in NRS 293.530.

13 **Sec. 33.** NRS 293.560 is hereby amended to read as follows:
14 293.560 1. Except as otherwise provided in NRS 293.502,
15 registration must close at 9 p.m. on the ~~fifth Saturday~~ *third*
16 *Tuesday* preceding any primary or general election and at 9 p.m. on
17 the third Saturday preceding any recall or special election, except
18 that if a recall or special election is held on the same day as a
19 primary or general election, registration must close at 9 p.m. on the
20 ~~fifth Saturday~~ *third Tuesday* preceding the day of the elections.

21 2. The ~~offices~~ *office* of the county clerk ~~and other ex officio~~
22 ~~registrars~~ must be open from 9 a.m. to 5 p.m. and ~~the office of the~~
23 ~~county clerk must also be open~~ from 7 p.m. to 9 p.m., including
24 Saturdays, during the last days before the close of registration,
25 according to the following schedule:

26 (a) In a county whose population is less than 100,000, ~~those~~
27 ~~offices~~ *the office of the county clerk* must be open during the last 3
28 days before registration closes.

29 (b) In all other counties, ~~those offices~~ *the office of the county*
30 *clerk* must be open during the last 5 days before registration closes.

31 3. Except for a special election held pursuant to chapter 306 or
32 350 of NRS:

33 (a) The county clerk of each county shall cause a notice signed
34 by him to be published in a newspaper having a general circulation
35 in the county indicating the day that registration will be closed. If no
36 such newspaper is published in the county, the publication may be
37 made in a newspaper of general circulation published in the nearest
38 county in this state.

39 (b) The notice must be published once each week for 4
40 consecutive weeks next preceding the close of registration for any
41 election.

42 4. The offices of the county clerk and other ex officio registrars
43 may remain open on the last Friday in October in each even-
44 numbered year.



1 **5. For the period beginning the fifth Saturday preceding any**
2 **primary or general election and ending the third Tuesday**
3 **preceding any primary or general election, an elector may register**
4 **to vote only by appearing in person at the office of the county**
5 **clerk.**

6 **Sec. 34.** NRS 293B.063 is hereby amended to read as follows:
7 293B.063 ~~{1. Except as otherwise provided in subsection 2,~~
8 ~~no}~~ **No** mechanical voting system may be used in this state unless it
9 meets or exceeds the standards for voting systems established by the
10 Federal Election Commission.

11 ~~{2. A mechanical voting system that does not comply with the~~
12 ~~standards established by the Federal Election Commission for~~
13 ~~computers or software for computers may be used if it is~~
14 ~~demonstrated to the Secretary of State that the system performs all~~
15 ~~functions required by the Commission.}~~

16 **Sec. 35.** NRS 293B.065 is hereby amended to read as follows:
17 293B.065 A mechanical voting system must secure to the voter
18 ~~{secrecy}~~ **privacy and independence** in the act of voting.

19 **Sec. 36.** NRS 293B.084 is hereby amended to read as follows:
20 293B.084 A mechanical recording device which directly
21 records votes electronically must:

22 1. Bear a number which identifies that mechanical recording
23 device.

24 2. Be equipped with a storage device which:

25 (a) Stores the ballots voted on the mechanical recording device;

26 (b) Can be removed from the mechanical recording device for
27 the purpose of transporting the ballots stored therein to a central
28 counting place; and

29 (c) Bears the same number as the mechanical recording device.

30 3. Be designed in such a manner that voted ballots may be
31 stored within the mechanical recording device and the storage
32 device required pursuant to subsection 2 at the same time.

33 4. Provide a record printed on paper of:

34 (a) Each ballot voted on the mechanical recording device; and

35 (b) The total number of votes recorded on the mechanical
36 recording device for each candidate and for or against each measure.

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

40 **Sec. 37.** NRS 293C.265 is hereby amended to read as follows:

41 293C.265 1. Except as otherwise provided in subsection 2 ~~{}~~
42 **and in sections 9 and 10 of this act**, a person who registered to vote
43 pursuant to the provisions of NRS 293.5235 ~~{}~~ shall, for the first
44 city election in which he votes at which that registration is valid,



1 vote in person unless he has previously voted in the county in which
2 he is registered to vote.

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

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

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

8 (c) Is disabled;

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

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

14 **Sec. 38.** NRS 293C.281 is hereby amended to read as follows:

15 293C.281 1. Except as otherwise provided in subsection 2, at
16 all times during which a polling place is open, the polling place
17 must:

18 (a) Be accessible to a voter who is elderly or ~~[disabled,]~~ *a voter*
19 *with a disability;* and

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

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

22 (2) Designated for use by a voter who is elderly or ~~[disabled,]~~
23 ~~and]~~ *a voter with a disability;*

24 (3) Equipped to allow a voter who is elderly or ~~[disabled]~~ *a*
25 *voter with a disability* to vote with the same privacy as a voter who
26 is not elderly or ~~[disabled.]~~ *as a voter without a disability; and*

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

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

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

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

36 (b) Provide ballots in alternative audio and visual formats for
37 use by a voter who is elderly or ~~[disabled,]~~ *a voter with a disability;*
38 and

39 (c) Provide, in alternative audio and visual formats for use by a
40 voter who is elderly or ~~[disabled,]~~ *a voter with a disability,* all
41 materials that are:

42 (1) Related to the election; and

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



1 **Sec. 39.** NRS 293C.310 is hereby amended to read as follows:
2 293C.310 1. Except as otherwise provided in NRS 293.502
3 and 293C.265, a registered voter who provides sufficient written
4 notice to the city clerk may vote an absent ballot as provided in this
5 chapter.

6 2. A registered voter who:
7 (a) Is at least 65 years of age; or
8 (b) Has a physical disability or condition that substantially
9 impairs his ability to go to the polling place,
10 may request an absent ballot for all elections held during the year he
11 requests an absent ballot. The registered voter must include in his
12 request a description of his physical disability or condition.

13 3. As used in this section, "sufficient written notice" means a:
14 (a) Written request for an absent ballot that is signed by the
15 registered voter and returned to the city clerk in person or by mail or
16 facsimile machine;
17 (b) Form prescribed by the Secretary of State that is completed
18 and signed by the registered voter and returned to the city clerk in
19 person or by mail or facsimile machine; or
20 (c) Form provided by the Federal Government.

21 4. A city clerk shall consider a request from a voter who has
22 given sufficient written notice on a form provided by the Federal
23 Government as ~~follows~~:

24 (a) *A request for the primary city election and the general city*
25 *election unless otherwise specified in the request ~~follows~~; and*
26 (b) *A request for an absent ballot for the two primary and*
27 *general elections immediately following the date on which the city*
28 *clerk received the request.*

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

35 **Sec. 40.** NRS 293C.527 is hereby amended to read as follows:
36 293C.527 1. Except as otherwise provided in NRS 293.502,
37 registration must close at 9 p.m. on the ~~the fifth Saturday~~ *third*
38 *Tuesday* preceding any primary city election or general city election
39 and at 9 p.m. on the third Saturday preceding any recall or special
40 election, except that if a recall or special election is held on the same
41 day as a primary city election or general city election, registration
42 must close at 9 p.m. on the ~~the fifth Saturday~~ *third Tuesday* preceding
43 the day of the elections.

44 2. The ~~offices~~ *office* of the city ~~and county clerk and other~~
45 ~~ex-officio registrars~~ *clerk* must be open from 9 a.m. to 5 p.m. and



1 ~~the offices of the city and county clerk must also be open~~ from 7
2 p.m. to 9 p.m., including Saturdays, during the last days before the
3 close of registration before a primary city election or general city
4 election, according to the following schedule:

5 (a) In a city whose population is less than 25,000, ~~those offices~~
6 *the office of the city clerk* must be open during the last 3 days
7 before registration closes.

8 (b) In a city whose population is 25,000 or more, ~~those offices~~
9 *the office of the city clerk* must be open during the last 5 days
10 before registration closes.

11 3. Except for a special election held pursuant to chapter 306 or
12 350 of NRS:

13 (a) The city clerk of each city shall cause a notice signed by him
14 to be published in a newspaper having a general circulation in the
15 city indicating the day that registration will be closed. If no
16 newspaper is of general circulation in that city, the publication may
17 be made in a newspaper of general circulation in the nearest city in
18 this state.

19 (b) The notice must be published once each week for 4
20 consecutive weeks next preceding the close of registration for any
21 election.

22 *4. For the period beginning the fifth Saturday preceding any*
23 *primary city election or general city election and ending the third*
24 *Tuesday preceding any primary city election or general city*
25 *election, an elector may register to vote only by appearing in*
26 *person at the office of the city clerk.*

27 **Sec. 41.** NRS 293C.532 is hereby amended to read as follows:
28 293C.532 1. Each person who resides within the boundaries
29 of the city at the time of the holding of any city election, and whose
30 name appears upon the ~~official register of voters for~~ *statewide*
31 *voter registration list as a registered voter of* the city, is entitled to
32 vote at each special election, primary city election and general city
33 election, and for all officers to be voted for and on all questions
34 submitted to the people at those elections except as otherwise
35 provided in chapter 266 of NRS.

36 2. The governing body of a city may provide for a
37 supplemental registration.

38 **Sec. 42.** NRS 293C.535 is hereby amended to read as follows:
39 293C.535 1. Except as otherwise provided by special charter,
40 registration of electors in incorporated cities must be accomplished
41 in the manner provided in this chapter.

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



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

5 4. The county clerk shall keep duplicate originals or copies of
6 the applications to register to vote contained in the official register
7 in his office.

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

11 **Sec. 44.** The provisions of chapter 333 of NRS do not apply to
12 a contract awarded before January 1, 2005, by the Secretary of State
13 to establish and maintain the statewide voter registration list created
14 pursuant to section 3 of this act.

15 **Sec. 45.** 1. This section and sections 43 and 44 of this act
16 become effective upon passage and approval.

17 2. Section 3 of this act becomes effective on passage and
18 approval for purposes of awarding contracts to establish and
19 maintain a statewide voter registration list pursuant to section 3 of
20 this act, and:

21 (a) If the State of Nevada obtains a waiver in the manner set
22 forth in 42 U.S.C. § 15483(d)(1)(B), on January 1, 2006, for all
23 other purposes; or

24 (b) If the State of Nevada does not obtain such a waiver, on
25 January 1, 2004, for all other purposes.

26 3. Section 10 of this act becomes effective on July 1, 2003.

27 4. Sections 1, 2, 4 to 9, inclusive, 11 to 19, inclusive, 21 to 37,
28 inclusive, and 39 to 42, inclusive, of this act become effective on
29 January 1, 2004.

30 5. Sections 20 and 38 of this act become effective on
31 January 1, 2006.

