

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)

~

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 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; requiring the county clerk to cancel the registration of a voter under certain circumstances; 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 certain contracts concerning voting systems throughout this state; and providing other matters properly relating thereto.



\* S B 4 5 3 R 2 \*

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, which may be*  
9 *maintained on the Internet, in consultation with each county and*  
10 *city clerk.*
- 11     **2.** *The statewide voter registration list must:*
- 12         **(a)** *Be a uniform, centralized and interactive computerized list;*  
13         **(b)** *Serve as the single method for storing and managing the*  
14 *official list of registered voters in this state;*  
15         **(c)** *Serve as the official list of registered voters for the conduct*  
16 *of all elections in this state;*  
17         **(d)** *Contain the name and registration information of every*  
18 *legally registered voter in this state;*  
19         **(e)** *Include a unique identifier assigned by the Secretary of*  
20 *State to each legally registered voter in this state;*  
21         **(f)** *Be coordinated with the appropriate databases of other*  
22 *agencies in this state;*  
23         **(g)** *Be electronically accessible to each state and local election*  
24 *official in this state at all times;*  
25         **(h)** *Allow for data to be shared with other states under certain*  
26 *circumstances; and*  
27         **(i)** *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 other reasonable*  
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 42  
6 U.S.C. § 15483, to verify the accuracy of information in an  
7 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 each voter privacy and independence in the act  
20 of voting, including, without limitation, confidentiality of the  
21 ballot 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 in that jurisdiction, but his name does not  
3 appear on a voter registration list as a voter eligible to vote in that  
4 election in that jurisdiction or an election official asserts that the  
5 person is not eligible to vote in that election in that jurisdiction;

6       2. Applies by mail, on or after January 1, 2003, to register to  
7 vote and has not previously voted in an election for federal office  
8 in this state and fails to provide the identification required  
9 pursuant to paragraph (a) of subsection 1 of section 10 of this act  
10 to the election board officer at the polling place; or

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

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

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

21       (b) The reason for casting the provisional ballot;

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

25       (d) The date and type of election;

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

27       (f) The signature of the election board officer;

28       (g) A unique affirmation identification number assigned to the  
29 person casting the provisional ballot;

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

32       (1) An indication by the person as to whether or not he  
33 provided the required identification at the time he applied to  
34 register to vote;

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

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

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

41       (5) A statement informing the voter that if the voter does  
42 not provide identification at the time the voter casts the provisional  
43 ballot, the required identification must be provided to the county  
44 or city clerk not later than 5 p.m. on the Friday following election



1 *day and that failure to do so will result in the provisional ballot*  
2 *not being counted;*

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

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

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

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

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

16 *2. After a person completes a written affirmation pursuant to*  
17 *subsection 1:*

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

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

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

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

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

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

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

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

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



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



1       2. *Keep each provisional ballot cast pursuant to subsection 3*  
2 *of section 7 of this act separate from all other provisional ballots;*  
3 *and*

4       3. *Inform a person whose name does not appear on a voter*  
5 *registration list as an eligible voter for a polling place or who an*  
6 *election official asserts is not eligible to vote at the polling place of*  
7 *the ability of the person to cast a provisional ballot.*

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

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

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

14       (b) *Open any envelope containing a provisional ballot before*  
15 *8 a.m. on the Wednesday following election day.*

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

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

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

26       (c) *A court order has not been issued by 5 p.m. on the Friday*  
27 *following election day directing that provisional ballots cast*  
28 *pursuant subsection 3 of section 7 of this act not be counted, and*  
29 *the provisional ballot was cast pursuant to subsection 3 of section*  
30 *7 of this act.*

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

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

39       2. *The free access system must ensure secrecy of the ballot*  
40 *while protecting the confidentiality and integrity of personal*  
41 *information contained therein.*

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



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

- 4       1. *A sample ballot;*
- 5       2. *Information concerning the date and hours of operation of*  
6 *the polling place;*
- 7       3. *Instructions for voting and casting a ballot, including a*  
8 *provisional ballot;*
- 9       4. *Instructions concerning the identification required for*  
10 *persons who registered by mail and are first-time voters for federal*  
11 *office in this state;*
- 12       5. *Information concerning the accessibility of polling places*  
13 *to persons with disabilities; and*
- 14       6. *General information concerning federal and state laws*  
15 *which prohibit acts of fraud and misrepresentation.*

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

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

19       (b) *Within 90 days after the date of each general election and*  
20 *general city election in which electors voted for federal offices,*  
21 *submit to the Election Assistance Commission established*  
22 *pursuant to 42 U.S.C. § 15321 a report of the combined number of*  
23 *absentee ballots transmitted to absent Armed Forces personnel*  
24 *and overseas voters for the election and the combined number of*  
25 *such ballots that were returned by such voters and cast in the*  
26 *election;*

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

29       (d) *Adopt any regulations which are necessary to comply with*  
30 *the provisions of the Help America Vote Act of 2002, Public Law*  
31 *107-252, and which are not inconsistent with the provisions of this*  
32 *chapter to the extent the provisions of this chapter are consistent*  
33 *with the Help American Vote Act of 2002, Public Law 107-252.*

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

37       **Sec. 15.5.** *1. The county clerk shall cancel the registration*  
38 *of a voter, if:*

39       (a) *After consultation with the district attorney, the district*  
40 *attorney determines that there is probable cause to believe that*  
41 *information in the registration concerning the identity or*  
42 *residence of the voter is fraudulent;*

43       (b) *The county clerk provides a notice as required pursuant to*  
44 *subsection 2 or executes an affidavit of cancellation pursuant to*  
45 *subsection 3; and*





1 (c) *The voter fails to present satisfactory proof of his identity*  
2 *and residence pursuant to subsection 2, 4 or 5.*

3 2. *Except as otherwise provided in subsection 3, the county*  
4 *clerk shall notify the voter by registered or certified mail, return*  
5 *receipt requested, of a determination made pursuant to subsection*  
6 *1. The notice must set forth the grounds for cancellation. Unless*  
7 *the voter, within 15 days after the return receipt has been filed in*  
8 *the office of the county clerk, presents satisfactory proof of his*  
9 *identity and residence to the county clerk, the county clerk shall*  
10 *cancel his registration.*

11 3. *If insufficient time exists before a pending election to*  
12 *provide the notice required by subsection 2, the county clerk shall*  
13 *execute an affidavit of cancellation and file the affidavit of*  
14 *cancellation with the registrar of voters' register and:*

15 (a) *In counties where records of registration are not kept by*  
16 *computer, the county clerk shall attach a copy of the affidavit of*  
17 *cancellation in the election board register.*

18 (b) *In counties where records of registration are kept by*  
19 *computer, the county clerk shall have the affidavit of cancellation*  
20 *printed on the computer entry for the registration and add a copy*  
21 *of it to the election board register.*

22 4. *If a voter appears to vote at the election next following the*  
23 *date that an affidavit of cancellation was executed for the voter*  
24 *pursuant to this section, the voter must be allowed to vote only if*  
25 *he furnishes:*

26 (a) *Official identification which contains a photograph of*  
27 *himself, including, without limitation, a driver's license or other*  
28 *official document; and*

29 (b) *Satisfactory identification that contains proof of the*  
30 *address at which he actually resides and that address is consistent*  
31 *with the address listed on the election board register.*

32 5. *If a determination is made pursuant to subsection 1*  
33 *concerning information in the registration to vote of a voter and*  
34 *an absent ballot or a ballot voted by a voter who resides in a*  
35 *mailing precinct is received from the voter, the ballot must be kept*  
36 *separate from other ballots and must not be counted unless the*  
37 *voter presents satisfactory proof to the county clerk of his identity*  
38 *and residence before such ballots are counted on election day.*

39 **Sec. 16.** NRS 293.010 is hereby amended to read as follows:  
40 293.010 As used in this title, unless the context otherwise  
41 requires, the words and terms defined in NRS 293.013 to 293.121,  
42 inclusive, *and section 2 of this act* have the meanings ascribed to  
43 them in those sections.



1       **Sec. 17.** NRS 293.1279 is hereby amended to read as follows:  
2       293.1279 1. If the statistical sampling shows that the number  
3 of valid signatures filed is 90 percent or more, but less than the sum  
4 of 100 percent of the number of signatures of registered voters  
5 needed to declare the petition sufficient plus the total number of  
6 requests to remove a name received by the county clerks pursuant to  
7 NRS 295.055 or 306.015, the Secretary of State shall order the  
8 county clerks to examine the signatures for verification. The county  
9 clerks shall examine the signatures for verification until they  
10 determine that 100 percent of the number of signatures of registered  
11 voters needed to declare the petition sufficient are valid. If the  
12 county clerks received a request to remove a name pursuant to NRS  
13 295.055 or 306.015, the county clerks may not determine that 100  
14 percent of the number of signatures of registered voters needed to  
15 declare the petition sufficient are valid until they have removed each  
16 name as requested pursuant to NRS 295.055 or 306.015.  
17       2. If the statistical sampling shows that the number of valid  
18 signatures filed in any county is 90 percent or more but less than the  
19 sum of 100 percent of the number of signatures of registered voters  
20 needed to constitute 10 percent of the number of voters who voted at  
21 the last preceding general election in that county plus the total  
22 number of requests to remove a name received by the county clerk  
23 in that county pursuant to NRS 295.055 or 306.015, the Secretary of  
24 State may order the county clerk in that county to examine every  
25 signature for verification. If the county clerk received a request to  
26 remove a name pursuant to NRS 295.055 or 306.015, the county  
27 clerk may not determine that 100 percent or more of the number of  
28 signatures of registered voters needed to constitute 10 percent of the  
29 number of voters who voted at the last preceding general election in  
30 that county are valid until he has removed each name as requested  
31 pursuant to NRS 295.055 or 306.015.  
32       3. Within 12 days, excluding Saturdays, Sundays and holidays,  
33 after receipt of such an order, the *county* clerk shall determine from  
34 the records of registration what number of registered voters have  
35 signed the petition. If necessary, the board of county commissioners  
36 shall allow the county clerk additional assistants for examining the  
37 signatures and provide for their compensation. In determining from  
38 the records of registration what number of registered voters have  
39 signed the petition, the *county* clerk ~~may use any file or list of~~  
40 ~~registered voters maintained by his office or facsimiles of voters'~~  
41 ~~signatures.]~~ *must use the statewide voter registration list.* The  
42 county clerk may rely on the appearance of the signature and the  
43 address and date included with each signature in determining  
44 the number of registered voters that signed the petition.



1 4. Except as otherwise provided in subsection 5, upon  
2 completing the examination, the county clerk shall immediately  
3 attach to the documents of the petition an amended certificate ,  
4 properly dated, showing the result of the examination and shall  
5 immediately forward the documents with the amended certificate to  
6 the Secretary of State. A copy of the amended certificate must be  
7 filed in the county clerk's office.

8 5. For any petition containing signatures which are required to  
9 be verified pursuant to the provisions of NRS 293.165, 293.200,  
10 306.035 or 306.110 for any county, district or municipal office  
11 within one county, the county clerk shall not forward to the  
12 Secretary of State the documents containing the signatures of the  
13 registered voters.

14 6. Except for a petition to recall a county, district or municipal  
15 officer, the petition shall be deemed filed with the Secretary of State  
16 as of the date on which he receives certificates from the county  
17 clerks showing the petition to be signed by the requisite number of  
18 voters of the State.

19 7. If the amended certificates received from all county clerks  
20 by the Secretary of State establish that the petition is still  
21 insufficient, he shall immediately so notify the petitioners and the  
22 county clerks. If the petition is a petition to recall a county, district  
23 or municipal officer, the Secretary of State shall also notify the  
24 officer with whom the petition is to be filed.

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

26 293.272 1. Except as otherwise provided in subsection 2 ~~§~~  
27 *and in sections 9 and 10 of this act*, a person who registered to vote  
28 pursuant to the provisions of NRS 293.5235 ~~§~~ shall, for the first  
29 election in which he votes at which that registration is valid, vote in  
30 person unless he has previously voted in the county in which he is  
31 registered to vote.

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

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

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

37 (c) Is disabled;

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

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

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

44 293.277 1. ~~§~~ *Except as otherwise provided in section 15.5*  
45 *of this act, if* a person's name appears in the election board register



1 or if he provides an affirmation pursuant to NRS 293.525, he is  
2 entitled to vote and must sign his name in the election board register  
3 when he applies to vote. His signature must be compared by an  
4 election board officer with the signature or a facsimile thereof on his  
5 original application to register to vote or one of the forms of  
6 identification listed in subsection 2.

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

- 10 (a) The card issued to the voter at the time he registered to vote;
- 11 (b) A driver's license;
- 12 (c) An identification card issued by the Department of Motor  
13 Vehicles;
- 14 (d) A military identification card; or
- 15 (e) Any other form of identification issued by a governmental  
16 agency which contains the voter's signature and physical description  
17 or picture.

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

19 293.2955 1. Except as otherwise provided in subsection 2, at  
20 all times during which a polling place is open, the polling place  
21 must:

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

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

- 25 (1) Designed to allow a voter in a wheelchair to vote;
- 26 (2) Designated for use by a voter who is elderly or ~~disabled;~~  
27 *and a voter with a disability;*

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

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

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

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

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

40 (b) Provide ballots in alternative audio and visual formats for  
41 use by a voter who is elderly or ~~disabled;~~ *a voter with a disability;*  
42 and

43 (c) Provide, in alternative audio and visual formats for use by a  
44 voter who is elderly or ~~disabled;~~ *a voter with a disability,* all  
45 materials that are:



- 1 (1) Related to the election; and
- 2 (2) Made available to a voter in printed form at the polling
- 3 place.

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

5 293.313 1. Except as otherwise provided in NRS 293.272  
6 and 293.502, a registered voter who provides sufficient written  
7 notice to the county clerk may vote an absent ballot as provided in  
8 this chapter.

9 2. A registered voter who:

- 10 (a) Is at least 65 years of age; or
- 11 (b) Has a physical disability or condition which substantially  
12 impairs his ability to go to the polling place,  
13 may request an absent ballot for all elections held during the year he  
14 requests an absent ballot. The registered voter must include in his  
15 request a description of his physical disability or condition.

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

17 (a) Written request for an absent ballot which is signed by the  
18 registered voter and returned to the county clerk in person or by  
19 mail or facsimile machine;

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

23 (c) Form provided by the Federal Government.

24 4. A county clerk shall consider a request from a voter who has  
25 given sufficient written notice on a form provided by the Federal  
26 Government as a request for ~~both~~ *an absent ballot for the two*  
27 *primary and general elections* ~~unless otherwise specified in~~  
28 *immediately following the date on which the county clerk received*  
29 the request.

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

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

37 293.320 1. The county clerk shall determine before issuing  
38 an absent ballot that the person making application is a registered  
39 voter in the proper county.

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

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

44 (b) The form provided by the Federal Government for  
45 registration and request of an absent ballot,



1 before receiving an absent ballot.

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

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

7 293.504 1. The following offices shall serve as voter  
8 registration agencies:

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

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

13 (c) The offices of the Department of Motor Vehicles;

14 (d) The offices of the city and county clerks; and

15 (e) Such other offices as the Secretary of State deems  
16 appropriate.

17 2. Each voter registration agency shall:

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

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

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

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

27 3. Except as otherwise provided in this subsection and NRS  
28 293.524, any application to register to vote accepted by a voter  
29 registration agency must be transmitted to the county clerk not later  
30 than 10 days after the application is accepted. ~~During~~ **The**  
31 **applications must be forwarded daily during** the 2 weeks  
32 immediately preceding the ~~close of registration for an election, the~~  
33 ~~applications must be forwarded daily.~~ **fifth Sunday preceding an**  
34 **election.** The county clerk shall accept any application to register to  
35 vote which is **obtained from a voter registration agency pursuant**  
36 **to this section and** completed by the ~~last day to register~~ **fifth**  
37 **Sunday preceding an election** if he receives the application not later  
38 than 5 days after ~~the close of registration.~~ **that date.**

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



1       **Sec. 24.** NRS 293.505 is hereby amended to read as follows:  
2       293.505 1. All justices of the peace, except those located in  
3 county seats, are ex officio field registrars to carry out the  
4 provisions of this chapter.  
5       2. The county clerk shall appoint at least one registered voter to  
6 serve as a field registrar of voters who, except as otherwise provided  
7 in NRS 293.5055, shall register voters within the county for which  
8 he is appointed. Except as otherwise provided in subsection 1, a  
9 candidate for any office may not be appointed or serve as a field  
10 registrar. A field registrar serves at the pleasure of the county clerk  
11 and shall perform his duties as the county clerk may direct.  
12       3. A field registrar shall demand of any person who applies for  
13 registration all information required by the application to register to  
14 vote and shall administer all oaths required by this chapter.  
15       4. When a field registrar has in his possession five or more  
16 completed applications to register to vote he shall forward them to  
17 the county clerk, but in no case may he hold any number of them for  
18 more than 10 days.  
19       5. ~~Immediately~~ *Each field registrar shall forward to the*  
20 *county clerk all completed applications in his possession*  
21 *immediately* after the ~~[close of registration, each field registrar shall~~  
22 ~~forward to the county clerk all completed applications in his~~  
23 ~~possession.]~~ *fifth Sunday preceding an election.* Within 5 days  
24 after the ~~[close of registration for a]~~ *fifth Sunday preceding any*  
25 general election or general city election, a field registrar shall return  
26 all unused applications in his possession to the county clerk. If all of  
27 the unused applications are not returned to the county clerk, the field  
28 registrar shall account for the unreturned applications.  
29       6. Each field registrar shall submit to the county clerk a list of  
30 the serial numbers of the completed applications to register to vote  
31 and the names of the electors on those applications. The serial  
32 numbers must be listed in numerical order.  
33       7. Each field registrar shall post notices sent to him by the  
34 county clerk for posting in accordance with the election laws of this  
35 state.  
36       8. A field registrar, employee of a voter registration agency or  
37 person assisting a voter pursuant to subsection ~~10~~ *12* of NRS  
38 293.5235 shall not:  
39       (a) Delegate any of his duties to another person; or  
40       (b) Refuse to register a person on account of that person's  
41 political party affiliation.  
42       9. A person shall not hold himself out to be or attempt to  
43 exercise the duties of a field registrar unless he has been so  
44 appointed.



1 10. A county clerk, field registrar, employee of a voter  
2 registration agency or person assisting a voter pursuant to subsection  
3 ~~10~~ 12 of NRS 293.5235 shall not:

- 4 (a) Solicit a vote for or against a particular question or  
5 candidate;
- 6 (b) Speak to a voter on the subject of marking his ballot for or  
7 against a particular question or candidate; or
- 8 (c) Distribute any petition or other material concerning a  
9 candidate or question which will be on the ballot for the ensuing  
10 election,

11 while he is registering an elector.

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

- 15 (a) The number of persons registered; and
- 16 (b) The political party of the persons registered.

17 12. A county clerk, field registrar, employee of a voter  
18 registration agency or person assisting a voter pursuant to subsection  
19 ~~10~~ 12 of NRS 293.5235 shall not:

- 20 (a) Knowingly register a person who is not a qualified elector or  
21 a person who has filed a false or misleading application to register  
22 to vote;
- 23 (b) Alter or deface an application to register to vote that has  
24 been signed by an elector except to correct information contained in  
25 the application after receiving notice from the elector that a change  
26 in or addition to the information is required; or
- 27 (c) Register a person who fails to provide satisfactory proof of  
28 identification and the address at which he actually resides.

29 13. If a field registrar violates any of the provisions of this  
30 section, the county clerk shall immediately suspend the field  
31 registrar and notify the district attorney of the county in which the  
32 violation occurred.

33 14. A person who violates any of the provisions of subsection  
34 8, 9, 10 or 12 is guilty of a category E felony and shall be punished  
35 as provided in NRS 193.130.

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

37 293.507 1. The Secretary of State shall prescribe:

- 38 (a) A standard form for applications to register to vote; and
- 39 (b) A special form for registration to be used in a county where  
40 registrations are performed and records of registration are kept by  
41 computer.

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





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

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

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

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

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

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

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

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

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

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

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

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

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

29 5. If a voter does not ~~[~~

30 ~~(a) Possess any of] have the identification set forth in~~  
31 ~~subparagraph (1) or (2) of paragraph (a) of subsection 4, [; or~~

32 ~~(b) Wish to provide to the county clerk the number indicated on~~  
33 ~~that identification,] the voter shall sign an affidavit stating that he~~  
34 ~~does not have a current and valid driver's license issued by the~~  
35 ~~Department of Motor Vehicles or a social security number. Upon~~  
36 ~~receipt of the affidavit, the county clerk shall issue an identification~~  
37 ~~number to the voter [ ] which must be the same number as the~~  
38 ~~unique identifier assigned to the voter for purposes of the~~  
39 ~~statewide voter registration list.~~

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

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

43 293.517 1. Any elector residing within the county may  
44 register:



- 1 (a) ~~By~~ *Except as otherwise provided in NRS 293.560 and*  
2 *293C.527, by* appearing before the county clerk, a field registrar or a  
3 voter registration agency, completing the application to register to  
4 vote, ~~and~~ giving true and satisfactory answers to all questions  
5 relevant to his identity and right to vote ~~;~~, *and providing proof of*  
6 *his residence and identity;*
- 7 (b) By completing and mailing or personally delivering to the  
8 county clerk an application to register to vote pursuant to the  
9 provisions of NRS 293.5235;
- 10 (c) Pursuant to the provisions of NRS 293.501 or 293.524; or
- 11 (d) At his residence with the assistance of a field registrar  
12 pursuant to NRS 293.5237.
- 13 The county clerk shall require a person to submit official  
14 identification as proof of residence and identity, such as a driver's  
15 license or other official document, before registering him. *If the*  
16 *applicant registers to vote pursuant to this subsection and fails to*  
17 *provide proof of his residence and identity, the applicant must*  
18 *provide proof of his residence and identity before casting a ballot*  
19 *in person or by mail or after casting a provisional ballot pursuant*  
20 *to section 7 or 9 of this act.*
- 21 2. The application to register to vote must be signed and  
22 verified under penalty of perjury by the elector registering.
- 23 3. Each elector who is or has been married must be registered  
24 under his own given or first name, and not under the given or first  
25 name or initials of his spouse.
- 26 4. An elector who is registered and changes his name must  
27 complete a new application to register to vote. He may obtain a new  
28 application:
- 29 (a) At the office of the county clerk or field registrar;
- 30 (b) By submitting an application to register to vote pursuant to  
31 the provisions of NRS 293.5235;
- 32 (c) By submitting a written statement to the county clerk  
33 requesting the county clerk to mail an application to register to vote;  
34 or
- 35 (d) At any voter registration agency.
- 36 If the elector fails to register under his new name, he may be  
37 challenged pursuant to the provisions of NRS 293.303 or 293C.292  
38 and may be required to furnish proof of identity and subsequent  
39 change of name.
- 40 5. An elector who registers to vote pursuant to paragraph (a) of  
41 subsection 1 shall be deemed to be registered upon the completion  
42 of his application to register to vote.
- 43 6. After the county clerk determines that the application to  
44 register to vote of a person is complete and that the person is eligible



1 to vote, he shall issue a voter registration card to the voter which  
2 contains:

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

5 (b) The date of issuance; and

6 (c) The signature of the county clerk.

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

8 293.5235 1. Except as otherwise provided in NRS 293.502, a  
9 person may register to vote by mailing an application to register to  
10 vote to the county clerk of the county in which he resides. The  
11 county clerk shall, upon request, mail an application to register to  
12 vote to an applicant. The county clerk shall make the applications  
13 available at various public places in the county. An application to  
14 register to vote may be used to correct information in the registrar of  
15 voters' register.

16 2. An application to register to vote which is mailed to an  
17 applicant by the county clerk or made available to the public at  
18 various locations or voter registration agencies in the county may be  
19 returned to the county clerk by mail or in person. For the purposes  
20 of this section, an application which is personally delivered to the  
21 county clerk shall be deemed to have been returned by mail.

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

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

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

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

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

36 The applicant shall be deemed to be registered or to have corrected  
37 the information in the register as of the date the application is  
38 postmarked or personally delivered.

39 6. If the county clerk determines that the application is not  
40 complete, he shall, as soon as possible, mail a notice to the applicant  
41 informing him that additional information is required to complete  
42 the application. If the applicant provides the information requested  
43 by the county clerk within 15 days after the county clerk mails the  
44 notice, the county clerk shall, within 10 days after he receives the  
45 information, mail to the applicant:



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

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

7 The applicant shall be deemed to be registered or to have corrected  
8 the information in the register as of the date the application is  
9 postmarked or personally delivered. If the applicant does not  
10 provide the additional information within the prescribed period, the  
11 application is void.

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

17 *8.* The Secretary of State shall prescribe the form for an  
18 application to register to vote by mail which must be used to register  
19 to vote by mail in this state.

20 *9.* The application to register to vote by mail must include ~~1a~~:

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

22

23 NOTICE: You are urged to return your application to  
24 register to vote to the County Clerk in person or by mail. If  
25 you choose to give your completed application to another  
26 person to return to the County Clerk on your behalf, and the  
27 person fails to deliver the application to the County Clerk,  
28 you will not be registered to vote. Please retain the duplicate  
29 copy or receipt from your application to register to vote.

30

31 ~~18~~ (b) *The question, "Are you a citizen of the United States?"  
32 and boxes for the applicant to check to indicate whether or not the  
33 applicant is a citizen of the United States.*

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

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

41 (e) *A statement informing the applicant that if the application  
42 is submitted by mail and the applicant is registering to vote for the  
43 first time, the applicant must submit the information set forth in  
44 paragraph (a) of subsection 2 of section 10 of this act to avoid the*



1 *requirements of subsection 1 of section 10 of this act upon voting*  
2 *for the first time.*

3 **10.** The county clerk shall not register a person to vote  
4 pursuant to this section unless that person has provided all of the  
5 information required by the application.

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

13 ~~[10.]~~ **12.** A person who, by mail, registers to vote pursuant to  
14 this section may be assisted in completing the application to register  
15 to vote by any other person. The application must include the  
16 mailing address and signature of the person who assisted the  
17 applicant. The failure to provide the information required by this  
18 subsection will not result in the application being deemed  
19 incomplete.

20 ~~[11.]~~ **13.** An application to register to vote must be made  
21 available to all persons, regardless of political party affiliation.

22 ~~[12.]~~ **14.** An application must not be altered or otherwise  
23 defaced after the applicant has completed and signed it. An  
24 application must be mailed or delivered in person to the office of the  
25 county clerk within 10 days after it is completed.

26 ~~[13.]~~ **15.** A person who willfully violates any of the provisions  
27 of subsection ~~[10, 11 or]~~ 12 , **13 or 14** is guilty of a category E  
28 felony and shall be punished as provided in NRS 193.130.

29 ~~[14.]~~ **16.** The Secretary of State shall adopt regulations to carry  
30 out the provisions of this section.

31 **Sec. 28.** NRS 293.5237 is hereby amended to read as follows:  
32 293.5237 Any time before the ~~[close of registration]~~ **fifth**  
33 **Sunday preceding an election**, a person who because of illness,  
34 disability or for other good cause shown requires assistance to  
35 complete an application to register to vote may request the county  
36 clerk in writing or by telephone to register him at his residence.  
37 Upon request, the county clerk shall direct the appropriate field  
38 registrar to go to the home of such a person to register him to vote.

39 **Sec. 29.** NRS 293.524 is hereby amended to read as follows:  
40 293.524 1. The Department of Motor Vehicles shall provide  
41 an application to register to vote to each person who applies for the  
42 issuance or renewal of any type of driver's license or for an  
43 identification card.

44 2. The county clerk shall use the applications to register to vote  
45 which are signed and completed pursuant to subsection 1 to register



1 applicants to vote or to correct information in the registrar of voters'  
2 register. An application that is not signed must not be used to  
3 register or correct the registration of the applicant.

4 3. For the purposes of this section, each employee specifically  
5 authorized to do so by the Director of the Department may oversee  
6 the completion of an application. The authorized employee shall  
7 check the application for completeness and verify the information  
8 required by the application. Each application must include a  
9 duplicate copy or receipt to be retained by the applicant upon  
10 completion of the form. The Department shall, except as otherwise  
11 provided in this subsection, forward each application on a weekly  
12 basis to the county clerk or, if applicable, to the registrar of voters of  
13 the county in which the applicant resides. ~~During~~ **The applications**  
14 **must be forwarded daily during** the 2 weeks immediately preceding  
15 the ~~close of registration for an election, the applications must be~~  
16 ~~forwarded daily.~~ **fifth Sunday preceding an election.**

17 4. The county clerk shall accept any application to register to  
18 vote which is **obtained from the Department of Motor Vehicles**  
19 **pursuant to this section and** completed by the ~~Last day to register~~  
20 **fifth Sunday preceding an election** if he receives the application not  
21 later than 5 days after ~~the close of registration.~~ **that date.** Upon  
22 receipt of an application, the county clerk or field registrar of voters  
23 shall determine whether the application is complete. If he  
24 determines that the application is complete, he shall notify the  
25 applicant and the applicant shall be deemed to be registered as of the  
26 date of the submission of the application. If he determines that  
27 the application is not complete, he shall notify the applicant of the  
28 additional information required. The applicant shall be deemed to be  
29 registered as of the date of the initial submission of the application if  
30 the additional information is provided within 15 days after the  
31 notice for the additional information is mailed. If the applicant has  
32 not provided the additional information within 15 days after the  
33 notice for the additional information is mailed, the incomplete  
34 application is void. Any notification required by this subsection  
35 must be given by mail at the mailing address on the application not  
36 more than 7 working days after the determination is made  
37 concerning whether the application is complete.

38 5. The county clerk shall use any form submitted to the  
39 Department to correct information on a driver's license or  
40 identification card to correct information in the registrar of voters'  
41 register, unless the person indicates on the form that the correction  
42 is not to be used for the purposes of voter registration. The  
43 Department shall forward each such form to the county clerk or, if  
44 applicable, to the registrar of voters of the county in which the



1 person resides in the same manner provided by subsection 3 for  
2 applications to register to vote.

3 6. Upon receipt of a form to correct information, the county  
4 clerk shall compare the information to that contained in the registrar  
5 of voters' register. If the person is a registered voter, the county  
6 clerk shall correct the information to reflect any changes indicated  
7 on the form. After making any changes, the county clerk shall notify  
8 the person by mail that his records have been corrected.

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

11 (a) Establish any procedure necessary to provide an elector who  
12 applies to register to vote pursuant to this section the opportunity to  
13 do so;

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

16 (c) Provide for the transfer of the completed applications of  
17 registration from the Department to the appropriate county clerk for  
18 inclusion in the election board registers and registrar of voters'  
19 register.

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

21 293.530 *Except as otherwise provided in section 15.5 of this*  
22 *act:*

23 1. County clerks may use any reliable and reasonable means  
24 available to correct the ~~official registration lists~~ *portions of the*  
25 *statewide voter registration list which are relevant to the county*  
26 *clerks* and *to* determine whether a registered voter's current  
27 residence is other than that indicated on his application to register to  
28 vote.

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

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

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

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

39 (c) The voter does not respond; and

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

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

45 5. The county clerk shall maintain records of:



\* S B 4 5 3 R 2 \*

- 1 (a) Any notice mailed pursuant to subsection 3;
- 2 (b) Any response to such notice; and
- 3 (c) Whether a person to whom a notice is mailed appears to vote
- 4 in an election,
- 5 for not less than 2 years after creation.

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

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

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

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

16 293.5303 In addition to the methods described in NRS  
17 293.530, the county clerk in each county may enter into an  
18 agreement with the United States Postal Service or any person  
19 authorized by it to obtain the data compiled by the United States  
20 Postal Service concerning changes of addresses of its postal patrons  
21 for use by the county clerk to correct *the portions of the statewide*  
22 voter registration ~~lists~~ *list relevant to the county clerk.*

23 **Sec. 32.** NRS 293.5307 is hereby amended to read as follows:

24 293.5307 If a county clerk enters into an agreement pursuant to  
25 NRS 293.5303, he shall review each notice of a change of address  
26 filed with the United States Postal Service by a resident of the  
27 county and identify each resident who is a registered voter and has  
28 moved to a new address. Before removing or correcting information  
29 in the ~~official~~ *statewide voter* registration list, the county clerk  
30 shall mail a notice to each such registered voter and follow the  
31 procedures set forth in NRS 293.530.

32 **Sec. 32.5.** NRS 293.540 is hereby amended to read as follows:

33 293.540 The county clerk shall cancel the registration:

34 1. If he has personal knowledge of the death of the person  
35 registered, or if an authenticated certificate of the death of any  
36 elector is filed in his office.

37 2. If the insanity or mental incompetence of the person  
38 registered is legally established.

39 3. Upon the determination that the person registered has been  
40 convicted of a felony.

41 4. Upon the production of a certified copy of the judgment of  
42 any court directing the cancellation to be made.

43 5. Upon the request of any registered voter to affiliate with any  
44 political party or to change his affiliation, if that change is made  
45 before the end of the last day to register to vote in the election.





1 6. At the request of the person registered.  
2 7. If he has discovered an incorrect registration pursuant to the  
3 provisions of NRS 293.5235, 293.530, or 293.535 and the elector  
4 has failed to respond or appear to vote within the required time.  
5 8. *As required by section 15.5 of this act.*  
6 9. Upon verification that the application to register to vote is a  
7 duplicate if he has the original or another duplicate of the  
8 application on file in his office.  
9 **Sec. 33.** NRS 293.560 is hereby amended to read as follows:  
10 293.560 1. Except as otherwise provided in NRS 293.502,  
11 registration must close at 9 p.m. on the ~~[[fifth-Saturday]]~~ *third*  
12 *Tuesday* preceding any primary or general election and at 9 p.m. on  
13 the third Saturday preceding any recall or special election, except  
14 that if a recall or special election is held on the same day as a  
15 primary or general election, registration must close at 9 p.m. on the  
16 ~~[[fifth-Saturday]]~~ *third Tuesday* preceding the day of the elections.  
17 2. The ~~[[offices]]~~ *office* of the county clerk ~~[[and other ex-officio~~  
18 ~~registrars]]~~ must be open from 9 a.m. to 5 p.m. and ~~[[the office of the~~  
19 ~~county clerk must also be open]]~~ from 7 p.m. to 9 p.m., including  
20 Saturdays, during the last days before the close of registration,  
21 according to the following schedule:  
22 (a) In a county whose population is less than 100,000, ~~[[those~~  
23 ~~offices]]~~ *the office of the county clerk* must be open during the last  
24 ~~[[3 days]]~~ *day* before registration closes.  
25 (b) In all other counties, ~~[[those offices]]~~ *the office of the county*  
26 *clerk* must be open during the last 5 days before registration closes.  
27 3. Except for a special election held pursuant to chapter 306 or  
28 350 of NRS:  
29 (a) The county clerk of each county shall cause a notice signed  
30 by him to be published in a newspaper having a general circulation  
31 in the county indicating the day that registration will be closed. If no  
32 such newspaper is published in the county, the publication may be  
33 made in a newspaper of general circulation published in the nearest  
34 county in this state.  
35 (b) The notice must be published once each week for 4  
36 consecutive weeks next preceding the close of registration for any  
37 election.  
38 4. The offices of the county clerk and other ex officio registrars  
39 may remain open on the last Friday in October in each even-  
40 numbered year.  
41 5. *For the period beginning the fifth Sunday preceding any*  
42 *primary or general election and ending the third Tuesday*  
43 *preceding any primary or general election, an elector may register*  
44 *to vote only by appearing in person at the office of the county*  
45 *clerk.*



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

6     ~~[2. A mechanical voting system that does not comply with the~~  
7 ~~standards established by the Federal Election Commission for~~  
8 ~~computers or software for computers may be used if it is~~  
9 ~~demonstrated to the Secretary of State that the system performs all~~  
10 ~~functions required by the Commission.]~~

11     **Sec. 35.** NRS 293B.065 is hereby amended to read as follows:  
12     293B.065 A mechanical voting system must secure to the voter  
13 ~~[secrecy]~~ *privacy and independence* in the act of voting.

14     **Sec. 36.** NRS 293B.084 is hereby amended to read as follows:  
15     293B.084 A mechanical recording device which directly  
16 records votes electronically must:

17     1. Bear a number which identifies that mechanical recording  
18 device.

19     2. Be equipped with a storage device which:

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

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

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

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

28     4. Provide a record printed on paper of:

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

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

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

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

36     293C.265 1. Except as otherwise provided in subsection 2 ~~[ ]~~  
37 *and in sections 9 and 10 of this act*, a person who registered to vote  
38 pursuant to the provisions of NRS 293.5235 ~~[ ]~~ shall, for the first  
39 city election in which he votes at which that registration is valid,  
40 vote in person unless he has previously voted in the county in which  
41 he is registered to vote.

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

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



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

3 (c) Is disabled;

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

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

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

10 293C.281 1. Except as otherwise provided in subsection 2, at  
11 all times during which a polling place is open, the polling place  
12 must:

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

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

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

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

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

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

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

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

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

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

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

37 (1) Related to the election; and

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

40 **Sec. 39.** NRS 293C.310 is hereby amended to read as follows:

41 293C.310 1. Except as otherwise provided in NRS 293.502  
42 and 293C.265, a registered voter who provides sufficient written  
43 notice to the city clerk may vote an absent ballot as provided in this  
44 chapter.

45 2. A registered voter who:



1 (a) Is at least 65 years of age; or  
2 (b) Has a physical disability or condition that substantially  
3 impairs his ability to go to the polling place,  
4 may request an absent ballot for all elections held during the year he  
5 requests an absent ballot. The registered voter must include in his  
6 request a description of his physical disability or condition.

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

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

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

14 (c) Form provided by the Federal Government.

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

18 (a) A request for the primary city election and the general city  
19 election unless otherwise specified in the request ~~follows~~; and

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

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

29 **Sec. 40.** NRS 293C.527 is hereby amended to read as follows:

30 293C.527 1. Except as otherwise provided in NRS 293.502,  
31 registration must close at 9 p.m. on the ~~the fifth Saturday~~ *third*  
32 *Tuesday* preceding any primary city election or general city election  
33 and at 9 p.m. on the third Saturday preceding any recall or special  
34 election, except that if a recall or special election is held on the same  
35 day as a primary city election or general city election, registration  
36 must close at 9 p.m. on the ~~the fifth Saturday~~ *third Tuesday* preceding  
37 the day of the elections.

38 2. The ~~offices~~ *office* of the city ~~and county clerk and other~~  
39 ~~ex-officio registrars~~ *clerk* must be open from 9 a.m. to 5 p.m. and  
40 ~~the offices of the city and county clerk must also be open~~ from 7  
41 p.m. to 9 p.m., including Saturdays, during the last days before the  
42 close of registration before a primary city election or general city  
43 election, according to the following schedule:



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

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

7 3. Except for a special election held pursuant to chapter 306 or  
8 350 of NRS:

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

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

18 *4. For the period beginning the fifth Sunday preceding any*  
19 *primary city election or general city election and ending the third*  
20 *Tuesday preceding any primary city election or general city*  
21 *election, an elector may register to vote only by appearing in*  
22 *person at the office of the city clerk.*

23 **Sec. 41.** NRS 293C.532 is hereby amended to read as follows:

24 293C.532 1. Each person who resides within the boundaries  
25 of the city at the time of the holding of any city election, and whose  
26 name appears upon the ~~official register of voters for~~ *statewide*  
27 *voter registration list as a registered voter of* the city, is entitled to  
28 vote at each special election, primary city election and general city  
29 election, and for all officers to be voted for and on all questions  
30 submitted to the people at those elections except as otherwise  
31 provided in chapter 266 of NRS.

32 2. The governing body of a city may provide for a  
33 supplemental registration.

34 **Sec. 42.** NRS 293C.535 is hereby amended to read as follows:

35 293C.535 1. Except as otherwise provided by special charter,  
36 registration of electors in incorporated cities must be accomplished  
37 in the manner provided in this chapter.

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

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



1 4. The county clerk shall keep duplicate originals or copies of  
2 the applications to register to vote contained in the official register  
3 in his office.

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

7 **Sec. 44.** The provisions of chapter 333 of NRS do not apply to  
8 a contract awarded before January 1, 2005, by the Secretary of  
9 State:

10 1. To establish and maintain the statewide voter registration list  
11 created pursuant to section 3 of this act; or

12 2. To upgrade or replace voting systems throughout this state.

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

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

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

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

24 3. Sections 10, 15.5 and 32.5 of this act become effective  
25 July 1, 2003.

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

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

