

---

---

SENATE BILL NO. 478—COMMITTEE ON LEGISLATIVE  
OPERATIONS AND ELECTIONS

(ON BEHALF OF THE SECRETARY OF STATE)

MARCH 29, 2005

---

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises various provisions relating to elections.  
(BDR 24-573)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

---

---

AN ACT relating to elections; making various changes to the provisions governing initiative and referendum petitions; revising the date for conducting a primary election in the State; revising the provisions relating to proof of identity and residence when making a declaration of candidacy; providing for the procedure in the event of a tie vote for the determination of presidential electors; authorizing the Secretary of State to adopt regulations relating to the use of a mechanical voting system which directly records the votes electronically and which provides a record of the votes cast on that system on paper; eliminating obsolete references to mechanical voting systems that use a punch card; revising the provisions relating to restoration of the right to vote of a person convicted of a felony; revising provisions relating to withdrawal of a candidate; providing a civil penalty; and providing other matters properly relating thereto.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** Chapter 293 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this  
3 act.

4       **Sec. 2.** *“Current and valid photographic identification”*  
5 *means identification that bears a recognizable photograph of the*  
6 *person presenting it as identification and which is not invalid or*  
7 *expired, including, but not limited to:*

8       1. *A driver’s license or identification card issued by the*  
9 *Department of Motor Vehicles;*

10       2. *An identification card issued by a branch of the United*  
11 *States Armed Forces;*

12       3. *An identification card issued by a sheriff of a county in*  
13 *Nevada to an employee as a condition of his employment by*  
14 *certain business enterprises;*

15       4. *An identification card issued by an agency of the State of*  
16 *Nevada, or political subdivision thereof, or the United States,*  
17 *including, but not limited to, a school, college or university;*

18       5. *A United States passport; or*

19       6. *Any other article of identification which the county clerk*  
20 *or registrar of voters determines, in his discretion, to be a reliable*  
21 *indication of the true name and identity of a person, including,*  
22 *without limitation, a credit card, membership card or employee*  
23 *identification card of a business or financial institution located*  
24 *within the State of Nevada.*

25       **Sec. 3.** *“Full text of the measure” means:*

26       1. *The complete text of any existing section of the Nevada*  
27 *Constitution, statute or ordinance that will be amended if the*  
28 *initiative or referendum is approved by the voters, including,*  
29 *without limitation, the identification of the existing text of the*  
30 *section of the Nevada Constitution, statute or ordinance, any text*  
31 *to be deleted from the section of the Nevada Constitution, statute*  
32 *or ordinance and any new text to be added to the section of the*  
33 *Nevada Constitution, statute or ordinance;*

34       2. *The complete text of any new section to be added to the*  
35 *Nevada Constitution, new statute or new ordinance if the initiative*  
36 *or referendum is approved by the voters; and*

37       3. *The complete text of any existing section of the Nevada*  
38 *Constitution, statute or ordinance to be repealed in its entirety if*  
39 *the initiative or referendum is approved by the voters.*

40       **Sec. 4.** 1. *“Sufficient proof of residence and identity”*  
41 *means:*



1 (a) *A copy of a current utility bill, bank statement, receipt for a*  
2 *rental or lease payment, or paycheck that indicates the name and*  
3 *street address of a person; or*

4 (b) *A document issued by a governmental entity that indicates*  
5 *the name and street address of the person, including, without*  
6 *limitation, a check, income tax statement or vehicle registration.*

7 2. *The term does not include a document issued by an*  
8 *election official to a person in the course of administration of*  
9 *voter registration or an election, including, but not limited to, a*  
10 *voter registration card, sample ballot or receipt.*

11 **Sec. 5.** *“Residence” or “resides” means the place where a*  
12 *person is legally domiciled and maintains a permanent habitation.*

13 **Sec. 6.** NRS 293.010 is hereby amended to read as follows:

14 293.010 As used in this title, unless the context otherwise  
15 requires, the words and terms defined in NRS 293.013 to 293.121,  
16 inclusive, *and sections 2 to 5, inclusive, of this act* have the  
17 meanings ascribed to them in those sections.

18 **Sec. 7.** NRS 293.025 is hereby amended to read as follows:

19 293.025 “Ballot” means the record of a voter’s preference of  
20 candidates and questions voted upon at an election. The term  
21 includes, without limitation, any paper given to a voter upon which  
22 he places his vote, ~~[a punch card which records the vote of a voter]~~  
23 and electronic storage tapes.

24 **Sec. 8.** NRS 293.040 is hereby amended to read as follows:

25 293.040 “Clerk” means the election board officer designated or  
26 assigned to make the record of the election in the ~~[pollbook,]~~ *roster,*  
27 tally list and challenge list in the precinct or district in which such  
28 officer is appointed.

29 **Sec. 9.** NRS 293.113 is hereby amended to read as follows:

30 293.113 “Tally list” ~~[or “tally book”]~~ means the forms  
31 furnished election board officers to be used in tallying or recording  
32 the number of votes cast for each candidate and question on the  
33 ballot. ~~[as such votes are called in counting.]~~

34 **Sec. 10.** NRS 293.127565 is hereby amended to read as  
35 follows:

36 293.127565 1. At each building that is open to the general  
37 public and occupied by the government of this State or a political  
38 subdivision of this State or an agency thereof, other than a building  
39 of a public elementary or secondary school, an area must be made  
40 available for the use of any person to gather signatures on a petition  
41 at any time that the building is open to the public. The area must be  
42 reasonable and may be inside or outside of the building. Each public  
43 officer or employee in control of the operation of a building  
44 governed by this subsection *or his designee* shall *be available at all*  
45 *times the building is open to the general public to* designate and



1 approve ~~[the area required by this subsection]~~ *an area* for the  
2 building ~~[ ]~~ *as required by this subsection.*

3 2. Before a person may use an area designated pursuant to  
4 subsection 1, the person must notify the public officer or employee  
5 in control of the operation of the building governed by subsection 1  
6 of the dates and times that the person intends to use the area to  
7 gather signatures on a petition. The public officer or employee  
8 ~~[may]~~ *or his designee:*

9 (a) *Shall be available at all times the building is open to the*  
10 *general public to receive the notice required pursuant to this*  
11 *subsection;*

12 (b) *Shall not require a person to provide the notice required*  
13 *pursuant to this subsection on a day before the day the person*  
14 *intends to use the area; and*

15 (c) *Shall* not deny the person the use of the area.

16 3. A person aggrieved by a decision made by a public officer or  
17 employee pursuant to subsection 1 *or 2* may appeal the decision to  
18 the Secretary of State. The Secretary of State shall review the  
19 decision to determine whether the public officer or employee  
20 ~~[designated a reasonable area as required by subsection 1.]~~ *violated*  
21 *a provision of this section. If the Secretary of State determines that*  
22 *a public officer or employee violated a provision of this section,*  
23 *the Secretary of State may impose on the public agency employing*  
24 *the public officer or employee a civil penalty of not more than*  
25 *\$5,000 per day for each violation of a provision of this section and*  
26 *payment of court costs and attorney's fees. The civil penalty must*  
27 *be recovered in a civil action brought in the name of the State of*  
28 *Nevada by the Secretary of State in the First Judicial District*  
29 *Court and deposited by the Secretary of State for credit to the State*  
30 *General Fund in the bank designated by the State Treasurer. Any*  
31 *penalty must be paid from the current annual operating budget of*  
32 *the public entity.*

33 4. The decision of the Secretary of State is a final decision for  
34 the purposes of judicial review. The decision of the Secretary of  
35 State may only be appealed in the First Judicial District Court.

36 5. The Secretary of State ~~[may]~~ :

37 (a) *Shall adopt regulations to specify the factors that a public*  
38 *officer or employee shall consider in designating an area pursuant*  
39 *to subsection 1.*

40 (b) *May* adopt regulations to carry out the provisions of  
41 subsection 3.



1     **Sec. 11.** NRS 293.12757 is hereby amended to read as  
2 follows:

3     293.12757 A person may sign a petition required under the  
4 election laws of this State on or after the date he is deemed to be  
5 registered to vote pursuant to ~~subsection 5~~:

6     1. *Paragraph (a) of subsection 1* of NRS 293.517 ; or  
7 ~~subsection 5 of~~

8     2. *If the person submitted a copy of current and valid*  
9 *photographic identification or a copy of sufficient proof of*  
10 *residence and identity when registering to vote pursuant to*  
11 NRS 293.5235.

12     **Sec. 12.** NRS 293.1277 is hereby amended to read as follows:

13     293.1277 1. If the Secretary of State finds that the total  
14 number of signatures submitted to all the county clerks is 100  
15 percent or more of the number of registered voters needed to declare  
16 the petition sufficient, he shall immediately so notify the county  
17 clerks. Within 9 days, excluding Saturdays, Sundays and holidays,  
18 after notification, each of the county clerks shall determine the  
19 number of registered voters who have signed the documents  
20 submitted in his county.

21     2. If more than 500 names have been signed on the documents  
22 submitted to him, a county clerk shall examine the signatures by  
23 sampling them at random for verification. The random sample of  
24 signatures to be verified must be drawn in such a manner that every  
25 signature which has been submitted to the county clerk is given an  
26 equal opportunity to be included in the sample. The sample must  
27 include an examination of at least 500 or 5 percent of the signatures,  
28 whichever is greater.

29     3. In determining from the records of registration the number  
30 of registered voters who signed the documents, the county clerk may  
31 use the signatures contained in the file of applications to register to  
32 vote. If the county clerk uses that file, he shall ensure that every  
33 application in the file is examined, including any application in his  
34 possession which may not yet be entered into his records. The  
35 county clerk shall rely only on the appearance of the signature and  
36 the address and date included with each signature in making his  
37 determination.

38     4. Except as otherwise provided in subsection 6, upon  
39 completing the examination, the county clerk shall immediately  
40 attach to the documents a certificate properly dated, showing the  
41 result of his examination and transmit the documents with the  
42 certificate to the Secretary of State. A copy of this certificate must  
43 be filed in the clerk's office. When the county clerk transmits the  
44 certificate to the Secretary of State, the county clerk shall notify the  
45 Secretary of State of the number of requests to remove a name



1 received , *on or before the date the petition was submitted for*  
2 *verification of signatures*, by the county clerk pursuant to NRS  
3 295.055 or 306.015.

4 5. A person who submits a petition to the county clerk which is  
5 required to be verified pursuant to NRS 293.128, 293.165, 293.172,  
6 293.200, 295.056, 298.109, 306.035 or 306.110 must be allowed to  
7 witness the verification of the signatures. A public officer who is the  
8 subject of a recall petition must also be allowed to witness the  
9 verification of the signatures on the petition.

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

16 7. The Secretary of State may by regulation establish further  
17 procedures for carrying out the provisions of this section.

18 **Sec. 13.** NRS 293.1278 is hereby amended to read as follows:

19 293.1278 1. If the certificates received by the Secretary of  
20 State from all the county clerks establish that the number of valid  
21 signatures is less than 90 percent of the required number of  
22 registered voters, the petition shall be deemed to have failed to  
23 qualify, and the Secretary of State shall immediately so notify the  
24 petitioners and the county clerks.

25 2. If those certificates establish that the number of valid  
26 signatures is equal to or more than the sum of 100 percent of the  
27 number of registered voters needed to make the petition sufficient  
28 plus the total number of requests to remove a name received , *on or*  
29 *before the date the petition was submitted for verification of*  
30 *signatures*, by the county clerks pursuant to NRS 295.055 or  
31 306.015, the petition shall be deemed to qualify as of the date of  
32 receipt by the Secretary of State of those certificates, and the  
33 Secretary of State shall immediately so notify the petitioners and the  
34 county clerks.

35 3. If the certificates establish that the petitioners have 100  
36 percent or more of the number of registered voters needed to make  
37 the petition sufficient but the petition fails to qualify pursuant to  
38 subsection 2, each county clerk who received , *on or before the date*  
39 *the petition was submitted for verification of signatures*, a request  
40 to remove a name pursuant to NRS 295.055 or 306.015 shall  
41 remove each name as requested, amend the certificate and transmit  
42 the amended certificate to the Secretary of State. If the amended  
43 certificates establish that the petitioners have 100 percent or more of  
44 the number of registered voters needed to make the petition  
45 sufficient, the petition shall be deemed to qualify as of the date of



1 receipt by the Secretary of State of the amended certificates, and the  
2 Secretary of State shall immediately so notify the petitioners and the  
3 county clerks.

4 **Sec. 14.** NRS 293.1279 is hereby amended to read as follows:

5 293.1279 1. If the statistical sampling shows that the number  
6 of valid signatures filed is 90 percent or more, but less than the sum  
7 of 100 percent of the number of signatures of registered voters  
8 needed to declare the petition sufficient plus the total number of  
9 requests to remove a name received , *on or before the date the*  
10 *petition was submitted for verification of signatures*, by the county  
11 clerks pursuant to NRS 295.055 or 306.015, the Secretary of State  
12 shall order the county clerks to examine the signatures for  
13 verification. The county clerks shall examine the signatures for  
14 verification until they determine that 100 percent of the number of  
15 signatures of registered voters needed to declare the petition  
16 sufficient are valid. If , *on or before the date the petition was*  
17 *submitted for verification of signatures*, the county clerks received  
18 a request to remove a name pursuant to NRS 295.055 or 306.015,  
19 the county clerks may not determine that 100 percent of the number  
20 of signatures of registered voters needed to declare the petition  
21 sufficient are valid until they have removed each name ~~as~~ *so*  
22 requested pursuant to NRS 295.055 or 306.015.

23 2. If the statistical sampling shows that the number of valid  
24 signatures filed in any county is 90 percent or more but less than the  
25 sum of 100 percent of the number of signatures of registered voters  
26 needed to constitute 10 percent of the number of voters who voted at  
27 the last preceding general election in that county plus the total  
28 number of requests to remove a name received , *on or before the*  
29 *date the petition was submitted for verification of signatures*, by  
30 the county clerk in that county pursuant to NRS 295.055 , ~~for~~  
31 ~~306.015.~~ the Secretary of State may order the county clerk in that  
32 county to examine every signature for verification. If , *on or before*  
33 *the date the petition was submitted for verification of signatures*,  
34 the county clerk received a request to remove a name pursuant to  
35 NRS 295.055 , ~~for 306.015.~~ the county clerk may not determine  
36 that 100 percent or more of the number of signatures of registered  
37 voters needed to constitute 10 percent of the number of voters who  
38 voted at the last preceding general election in that county are valid  
39 until he has removed each name ~~as~~ *so* requested pursuant to NRS  
40 295.055 . ~~for 306.015.~~

41 3. Within 12 days, excluding Saturdays, Sundays and holidays,  
42 after receipt of such an order, the county clerk shall determine from  
43 the records of registration what number of registered voters have  
44 signed the petition. If necessary, the board of county commissioners  
45 shall allow the county clerk additional assistants for examining the



1 signatures and provide for their compensation. In determining from  
2 the records of registration what number of registered voters have  
3 signed the petition, the county clerk must use the statewide voter  
4 registration list. The county clerk may rely on the appearance of the  
5 signature and the address and date included with each signature in  
6 determining the number of registered voters that signed the petition.

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

14 5. For any petition containing signatures which are required to  
15 be verified pursuant to the provisions of NRS 293.165, 293.200,  
16 306.035 or 306.110 for any county, district or municipal office  
17 within one county, the county clerk shall not forward to the  
18 Secretary of State the documents containing the signatures of the  
19 registered voters.

20 6. Except for a petition to recall a county, district or municipal  
21 officer, the petition shall be deemed filed with the Secretary of State  
22 as of the date on which he receives certificates from the county  
23 clerks showing the petition to be signed by the requisite number of  
24 voters of the State.

25 7. If the amended certificates received from all county clerks  
26 by the Secretary of State establish that the petition is still  
27 insufficient, he shall immediately so notify the petitioners and the  
28 county clerks. If the petition is a petition to recall a county, district  
29 or municipal officer, the Secretary of State shall also notify the  
30 officer with whom the petition is to be filed.

31 **Sec. 15.** NRS 293.12793 is hereby amended to read as  
32 follows:

33 293.12793 1. If the Secretary of State determines that the  
34 total number of signatures that the county clerks have certified  
35 pursuant to NRS 293.1277 or 293.1279 is less than 100 percent of  
36 the number of registered voters needed to make the petition  
37 sufficient, the person who submitted the petition may contest the  
38 *determination, made pursuant to the process for the* verification of  
39 the signatures, *that a signature on the petition was not valid* by  
40 filing an appeal with the Secretary of State. The appeal must:

41 (a) Be filed within 5 working days after receipt of notification of  
42 the determination of the Secretary of State;

43 (b) Include each reason for the appeal; and

44 (c) Include a statement of the number of signatures, if any, that  
45 the county clerk determined were invalid.





2. The Secretary of State shall:

(a) If the petition was circulated pursuant to chapter 306 of NRS, immediately notify the public officer who is the subject of the petition of the appeal by the person who submitted the petition; and

(b) Consider the allegations and conduct an investigation, if necessary.

**Sec. 16.** NRS 293.12795 is hereby amended to read as follows:

293.12795 1. If an appeal is based upon the results of the verification of signatures on a petition performed pursuant to NRS 293.1277 or 293.1279, the Secretary of State shall:

(a) If he finds for the appellant, order the county clerk to recertify the petition, including as verified signatures all contested signatures which the Secretary of State determines are valid. If the county clerk has not yet removed each name as requested pursuant to NRS 295.055 or 306.015, the county clerk shall do so before recertifying the petition.

(b) If he does not find for the appellant, notify the appellant and the county clerk that the petition remains insufficient.

2. If the Secretary of State is unable to make a decision on the appeal based upon the documents submitted to him, the Secretary of State may order the county clerk to reverify the signatures.

3. The decision of the Secretary of State is a final decision for the purposes of judicial review. The decision of the Secretary of State may only be appealed in the First Judicial District Court ~~[ ]~~ *and must be filed with the Court not later than 5 working days after receipt of notification of the finding by the Secretary of State pursuant to this section. The Court shall give priority to such a complaint over all other matters pending with the Court, except for criminal proceedings.*

**Sec. 17.** NRS 293.128 is hereby amended to read as follows:

293.128 1. To qualify as a major political party, any organization must, under a common name:

(a) On ~~[January 1 preceding any]~~ *September 1 of the year immediately preceding a year in which a* primary election ~~[ ]~~ *is held*, have been designated as a political party on the applications to register to vote of at least 10 percent of the total number of registered voters in this State; or

(b) File a petition with the Secretary of State not later than the last Friday in ~~[April before any]~~ *December of the year immediately preceding a year in which a* primary election *is held that is* signed by a number of registered voters equal to or more than 10 percent of the total number of votes cast at the last preceding general election for the offices of Representative in Congress.



1        2. If a petition is filed pursuant to paragraph (b) of subsection  
2 1, the names of the voters need not all be on one document, but each  
3 document of the petition must be verified by the circulator thereof to  
4 the effect that the signers are registered voters of this State  
5 according to his best information and belief and that the signatures  
6 are genuine and were signed in his presence. Each document of the  
7 petition must bear the name of a county, and only registered voters  
8 of that county may sign the document. The documents which are  
9 circulated for signature must then be submitted for verification  
10 pursuant to NRS 293.1276 to 293.1279, inclusive, not later than 25  
11 working days before the last Friday in ~~{April}~~ *December of the year*  
12 *immediately* preceding a *year in which* a primary election ~~{}~~ *is*  
13 *held*.

14        3. In addition to the requirements set forth in subsection 1,  
15 each organization which wishes to qualify as a political party must  
16 file with the Secretary of State a certificate of existence which  
17 includes the:

- 18        (a) Name of the political party;
- 19        (b) Names and addresses of its officers;
- 20        (c) Names of the members of its executive committee; and
- 21        (d) Name of the person who is authorized by the party to act as  
22 resident agent in this State.

23        4. A political party shall file with the Secretary of State an  
24 amended certificate of existence within 5 days after any change in  
25 the information contained in the certificate.

26        **Sec. 18.** NRS 293.165 is hereby amended to read as follows:

27        293.165 1. Except as otherwise provided in NRS 293.166, a  
28 vacancy occurring in a major or minor political party nomination for  
29 a partisan office may be filled by a candidate designated by the  
30 party central committee of the county or State, as the case may be,  
31 of the major political party or by the executive committee of the  
32 minor political party subject to the provisions of subsections 4  
33 and 5.

34        2. A vacancy occurring in a nonpartisan nomination after the  
35 close of filing and on or before 5 p.m. of the second Tuesday in  
36 ~~{July}~~ *March* must be filled by filing a nominating petition that is  
37 signed by registered voters of the State, county, district or  
38 municipality who may vote for the office in question. The number  
39 of registered voters who sign the petition must not be less than 1  
40 percent of the number of persons who voted for the office in  
41 question in the State, county, district or municipality at the last  
42 preceding general election. The petition must be filed not earlier  
43 than the first Tuesday in ~~{June}~~ *February* and not later than the  
44 fourth Tuesday in ~~{July}~~ *March*. The petition may consist of more  
45 than one document. Each document must bear the name of one



1 county and must be signed only by a person who is a registered  
2 voter of that county and who may vote for the office in question.  
3 Each document of the petition must be submitted for verification  
4 pursuant to NRS 293.1276 to 293.1279, inclusive, to the county  
5 clerk of the county named on the document. A candidate nominated  
6 pursuant to the provisions of this subsection:

7 (a) Must file a declaration of candidacy or acceptance of  
8 candidacy and pay the statutory filing fee on or before the date the  
9 petition is filed; and

10 (b) May be elected only at a general election, and his name must  
11 not appear on the ballot for a primary election.

12 3. A vacancy occurring in a nonpartisan nomination after 5  
13 p.m. of the ~~second~~ first Tuesday in ~~July~~ March and on or before  
14 5 p.m. of the second Tuesday in ~~September~~ August must be filled  
15 by the person who receives the next highest vote for the nomination  
16 in the primary.

17 4. No change may be made on the ballot for the general  
18 election after 5 p.m. of the second Tuesday in ~~September~~ August  
19 of the year in which the general election is held. If a nominee dies  
20 after that time and date, his name must remain on the ballot for the  
21 general election and, if elected, a vacancy exists.

22 5. All designations provided for in this section must be filed on  
23 or before 5 p.m. on the second Tuesday in ~~September.~~ August. In  
24 each case, the statutory filing fee must be paid and an acceptance of  
25 the designation must be filed on or before 5 p.m. on the date the  
26 designation is filed.

27 **Sec. 19.** NRS 293.166 is hereby amended to read as follows:

28 293.166 1. A vacancy occurring in a party nomination for the  
29 office of State Senator or Assemblyman from a legislative district  
30 comprising more than one county may be filled as follows, subject  
31 to the provisions of subsections 2 and 3. The county commissioners  
32 of each county, all or part of which is included within the legislative  
33 district, shall meet to appoint a person who is of the same political  
34 party as the former nominee and who actually, as opposed to  
35 constructively, resides in the district to fill the vacancy, under the  
36 chairmanship of the chairman of the board of county commissioners  
37 of the county whose population residing within the district is the  
38 greatest. Each board of county commissioners shall first meet  
39 separately and determine the single candidate it will nominate to fill  
40 the vacancy. Then, the boards shall meet jointly and the chairmen on  
41 behalf of the boards shall cast a proportionate number of votes  
42 according to the percent, rounded to the nearest whole percent,  
43 which the population of its county is of the population of the entire  
44 district. Populations must be determined by the last decennial census  
45 or special census conducted by the Bureau of the Census of the



1 United States Department of Commerce. The person who receives a  
2 plurality of these votes is appointed to fill the vacancy. If no person  
3 receives a plurality of the votes, the boards of county commissioners  
4 of the respective counties shall each as a group select one candidate,  
5 and the nominee must be chosen by drawing lots among the persons  
6 so selected.

7 2. No change may be made on the ballot *for a general election*  
8 after the second Tuesday in ~~September~~ *August* of the year in  
9 which the general election is held. If a nominee dies after that date,  
10 his name must remain on the ballot and, if elected, a vacancy exists.

11 3. The designation of a nominee pursuant to this section must  
12 be filed with the Secretary of State before 5 p.m. of the second  
13 Tuesday in ~~September~~ *August*, and the statutory filing fee must be  
14 paid with the designation.

15 **Sec. 20.** NRS 293.1715 is hereby amended to read as follows:

16 293.1715 1. The names of the candidates for partisan office  
17 of a minor political party must not appear on the ballot for a primary  
18 election.

19 2. The names of the candidates for partisan office of a minor  
20 political party must be placed on the ballot for the general election if  
21 the party has filed a certificate of existence and a list of its  
22 candidates for partisan office pursuant to the provisions of NRS  
23 293.1725 with the Secretary of State and:

24 (a) At the last preceding general election, the minor political  
25 party polled for any of its candidates for partisan office a number of  
26 votes equal to or more than 1 percent of the total number of votes  
27 cast for the offices of Representative in Congress;

28 (b) On ~~January~~ *September 1 of the year immediately*  
29 preceding *a year in which* a primary election ~~is~~ *is held*, the minor  
30 political party has been designated as the political party on the  
31 applications to register to vote of at least 1 percent of the total  
32 number of registered voters in this State; or

33 (c) Not later than the second Friday in August preceding the  
34 general election, files a petition with the Secretary of State which is  
35 signed by a number of registered voters equal to at least 1 percent of  
36 the total number of votes cast at the last preceding general election  
37 for the offices of Representative in Congress.

38 3. The name of a candidate for partisan office for a minor  
39 political party other than a candidate for the office of President or  
40 Vice President of the United States must be placed on the ballot for  
41 the general election if the party has filed:

42 (a) A certificate of existence;

43 (b) A list of candidates for partisan office containing the name  
44 of the candidate pursuant to the provisions of NRS 293.1725 with  
45 the Secretary of State; and



1 (c) Not earlier than the first Monday in ~~[May]~~ *January*  
2 preceding the general election and not later than 5 p.m. on the  
3 second Friday after the first Monday in ~~[May.]~~ *January*, a petition  
4 on behalf of the candidate with the Secretary of State containing not  
5 less than:

6 (1) Two hundred fifty signatures of registered voters if the  
7 candidate is to be nominated for a statewide office; or

8 (2) One hundred signatures of registered voters if the  
9 candidate is to be nominated for any office except a statewide  
10 office.

11 ↪ A minor political party that places names of one or more  
12 candidates for partisan office on the ballot pursuant to this  
13 subsection may also place the names of one or more candidates for  
14 partisan office on the ballot pursuant to subsection 2.

15 4. The name of only one candidate of each minor political  
16 party for each partisan office may appear on the ballot for a general  
17 election.

18 5. A minor political party must file a copy of the petition  
19 required by paragraph (c) of subsection 2 or paragraph (c) of  
20 subsection 3 with the Secretary of State before the petition may be  
21 circulated for signatures.

22 **Sec. 21.** NRS 293.1725 is hereby amended to read as follows:

23 293.1725 1. Except as otherwise provided in subsection 4, a  
24 minor political party that wishes to place its candidates for partisan  
25 office on the ballot for a general election and:

26 (a) Is entitled to do so pursuant to paragraph (a) or (b) of  
27 subsection 2 of NRS 293.1715;

28 (b) Files a petition pursuant to paragraph (c) of subsection 2 of  
29 NRS 293.1715; or

30 (c) Whose candidates are entitled to appear on the ballot  
31 pursuant to subsection 3 of NRS 293.1715,

32 ↪ must file with the Secretary of State a list of its candidates for  
33 partisan office not earlier than the first Monday in ~~[May]~~ *January*  
34 preceding the election nor later than 5 p.m. on the second Friday  
35 after the first Monday in ~~[May.]~~ *January*. The list must be signed by  
36 the person so authorized in the certificate of existence of the minor  
37 political party before a notary public or other person authorized to  
38 take acknowledgments. The Secretary of State shall strike from the  
39 list each candidate who is not entitled to appear on the ballot  
40 pursuant to subsection 3 of NRS 293.1715 if the minor political  
41 party is not entitled to place candidates on the ballot pursuant to  
42 subsection 2 of NRS 293.1715. The list may be amended not later  
43 than 5 p.m. on the second Friday after the first Monday in ~~[May.]~~  
44 *January*.



1       2. The Secretary of State shall immediately forward a certified  
2 copy of the list of candidates for partisan office of each minor  
3 political party to the filing officer with whom each candidate must  
4 file his declaration of candidacy.

5       3. Each candidate on the list must file his declaration of  
6 candidacy with the appropriate filing officer and pay the fee  
7 required by NRS 293.193 not earlier than the date on which the list  
8 of candidates for partisan office of his minor political party is filed  
9 with the Secretary of State ~~nor~~ *or* later than 5 p.m. on the second  
10 Friday after the first Monday in ~~May~~ *January*.

11       4. A minor political party that wishes to place candidates for  
12 the offices of President and Vice President of the United States on  
13 the ballot and has qualified to place the names of its candidates for  
14 partisan office on the ballot for the general election pursuant to  
15 subsection 2 of NRS 293.1715 must file with the Secretary of State  
16 a certificate of nomination for these offices not later than the first  
17 Tuesday in ~~September~~ *May*.

18       **Sec. 22.** NRS 293.174 is hereby amended to read as follows:

19       293.174 1. If the qualification of a minor political party is  
20 challenged, all affidavits and documents in support of the challenge  
21 must be filed not later than 5 p.m. on the third Friday in August.  
22 Any judicial proceeding resulting from the challenge must be set for  
23 hearing not more than 5 days after the third Friday in August. A  
24 challenge pursuant to this subsection must be filed with the First  
25 Judicial District Court if the petition was filed with the Secretary of  
26 State.

27       2. If the qualification of a candidate of a minor political party  
28 other than a candidate for the office of President or Vice President  
29 of the United States is challenged, all affidavits and documents in  
30 support of the challenge must be filed not later than 5 p.m. on the  
31 fourth Monday in ~~May~~ *January*. Any judicial proceeding  
32 resulting from the challenge must be set for hearing not more than  
33 5 days after the fourth Monday in ~~May~~ *January*. A challenge  
34 pursuant to this subsection must be filed with:

35       (a) The First Judicial District Court; or

36       (b) If a candidate who filed a declaration of candidacy with a  
37 county clerk is challenged, the district court for the county where  
38 the declaration of candidacy was filed.

39       **Sec. 23.** NRS 293.175 is hereby amended to read as follows:

40       293.175 1. The primary election must be held on the first  
41 Tuesday of ~~September~~ *May* in each even-numbered year.

42       2. Candidates for partisan office of a major political party and  
43 candidates for nonpartisan office must be nominated at the primary  
44 election.



1 3. Candidates for partisan office of a minor political party must  
2 be nominated in the manner prescribed pursuant to NRS 293.171 to  
3 293.174, inclusive.

4 4. Independent candidates for partisan office must be  
5 nominated in the manner provided in NRS 293.200.

6 5. The provisions of NRS 293.175 to 293.203, inclusive, do not  
7 apply to:

8 (a) Special elections to fill vacancies.

9 (b) The nomination of the officers of incorporated cities.

10 (c) The nomination of district officers whose nomination is  
11 otherwise provided for by statute.

12 **Sec. 24.** NRS 293.177 is hereby amended to read as follows:

13 293.177 1. Except as otherwise provided in NRS 293.165, a  
14 name may not be printed on a ballot to be used at a primary election  
15 unless the person named has filed a declaration of candidacy or an  
16 acceptance of candidacy, and has paid the fee required by NRS  
17 293.193 not earlier than the first Monday in ~~May~~ *January* of the  
18 year in which the election is to be held nor later than 5 p.m. on the  
19 second Friday after the first Monday in ~~May~~ *January*.

20 2. A declaration of candidacy or an acceptance of candidacy  
21 required to be filed by this section must be in substantially the  
22 following form:

23 (a) For partisan office:

24  
25 DECLARATION OF CANDIDACY OF ..... FOR THE  
26 OFFICE OF .....

27  
28 State of Nevada

29  
30 County of .....

31  
32 For the purpose of having my name placed on the official ballot as a  
33 candidate for the ..... Party nomination for the office of  
34 ....., I, the undersigned ....., do swear or affirm under penalty  
35 of perjury that I actually, as opposed to constructively, reside at  
36 ....., in the City or Town of ....., County of ....., State of  
37 Nevada; that my actual, as opposed to constructive, residence in the  
38 State, district, county, township, city or other area prescribed by law  
39 to which the office pertains began on a date *that was* at least 30 days  
40 immediately preceding the date of the close of filing of declarations  
41 of candidacy for this *office and that complies with any durational*  
42 *residency requirements required by law specifically for this* office;  
43 that my telephone number is ....., and the address at which I  
44 receive mail, if different than my residence, is .....; that I am  
45 registered as a member of the ..... Party; that I am a qualified



1 elector pursuant to Section 1 of Article 2 of the Constitution of the  
 2 State of Nevada; that if I have ever been convicted of treason or a  
 3 felony, my civil rights have been restored by a court of competent  
 4 jurisdiction; that I have not, in violation of the provisions of NRS  
 5 293.176, changed the designation of my political party or political  
 6 party affiliation on an official application to register to vote in any  
 7 state since September 1 before the closing filing date for this  
 8 election; that I generally believe in and intend to support the  
 9 concepts found in the principles and policies of that political party in  
 10 the coming election; that if nominated as a candidate of the  
 11 ..... Party at the ensuing election, I will accept that  
 12 nomination and not withdraw; that I will not knowingly violate any  
 13 election law or any law defining and prohibiting corrupt and  
 14 fraudulent practices in campaigns and elections in this State; that I  
 15 will qualify for the office if elected thereto, including, but not  
 16 limited to, complying with any limitation prescribed by the  
 17 Constitution and laws of this State concerning the number of years  
 18 or terms for which a person may hold the office; and that I  
 19 understand that my name will appear on all ballots as designated in  
 20 this declaration.

21  
22  
23  
24  
25  
26  
27

.....  
 (Designation of name)

.....  
 (Signature of candidate for office)

28 Subscribed and sworn to before me  
 29 this ..... day of the month of ..... of the year .....

30  
31 .....  
 32 Notary Public or other person  
 33 authorized to administer an oath  
 34

35 (b) For nonpartisan office:

36  
 37 DECLARATION OF CANDIDACY OF ..... FOR THE  
 38 OFFICE OF .....

39  
 40 State of Nevada  
 41  
 42 County of .....

43  
 44 For the purpose of having my name placed on the official ballot as a  
 45 candidate for the office of ....., I, the undersigned .....





1 do swear or affirm under penalty of perjury that I actually, as  
 2 opposed to constructively, reside at ....., in the City or Town of  
 3 ....., County of ....., State of Nevada; that my actual, as  
 4 opposed to constructive, residence in the State, district, county,  
 5 township, city or other area prescribed by law to which the office  
 6 pertains began on a date *that was* at least 30 days immediately  
 7 preceding the date of the close of filing of declarations of candidacy  
 8 for this *office and that complies with any durational residency*  
 9 *requirements required by law specifically for this* office; that my  
 10 telephone number is ....., and the address at which I receive mail,  
 11 if different than my residence, is .....; that I am a qualified elector  
 12 pursuant to Section 1 of Article 2 of the Constitution of the State of  
 13 Nevada; that if I have ever been convicted of treason or a felony, my  
 14 civil rights have been restored by a court of competent jurisdiction;  
 15 that if nominated as a nonpartisan candidate at the ensuing election,  
 16 I will accept the nomination and not withdraw; that I will not  
 17 knowingly violate any election law or any law defining and  
 18 prohibiting corrupt and fraudulent practices in campaigns and  
 19 elections in this State; that I will qualify for the office if elected  
 20 thereto, including, but not limited to, complying with any limitation  
 21 prescribed by the Constitution and laws of this State concerning the  
 22 number of years or terms for which a person may hold the office;  
 23 and my name will appear on all ballots as designated in this  
 24 declaration.

25  
 26  
 27  
 28  
 29  
 30  
 31

.....  
 (Designation of name)

.....  
 (Signature of candidate for office)

32 Subscribed and sworn to before me  
 33 this ..... day of the month of ..... of the year .....

34  
 35 .....  
 36 Notary Public or other person  
 37 authorized to administer an oath  
 38

39 3. The address of a candidate which must be included in the  
 40 declaration of candidacy or acceptance of candidacy pursuant to  
 41 subsection 2 must be the street address of the residence where he  
 42 actually, as opposed to constructively, resides in accordance with  
 43 NRS 281.050, if one has been assigned. The declaration or  
 44 acceptance of candidacy must not be accepted for filing if:



1 (a) The candidate's address is listed as a post office box unless a  
2 street address has not been assigned to his residence; or

3 (b) The candidate does not present to the filing officer:

4 (1) ~~[A valid driver's license or identification card issued by a  
5 governmental agency that contains a photograph of the candidate  
6 and the candidate's address; or~~

7 ~~— (2) A current utility bill, bank statement, paycheck, or  
8 document issued by a governmental entity, including, without  
9 limitation, a check, which indicates the candidate's name and  
10 address.]~~

11 *Current and valid photographic identification that indicates the  
12 street address of the residence of the candidate; or*

13 *(2) If the current and valid photographic identification does  
14 not indicate the street address of the residence of the candidate,  
15 current and valid photographic identification and sufficient proof  
16 of residence and identity.*

17 4. By filing the declaration or acceptance of candidacy, the  
18 candidate shall be deemed to have appointed the filing officer for  
19 the office as his agent for service of process for the purposes of a  
20 proceeding pursuant to NRS 293.182. Service of such process must  
21 first be attempted at the appropriate address as specified by the  
22 candidate in the declaration or acceptance of candidacy. If the  
23 candidate cannot be served at that address, service must be made by  
24 personally delivering to and leaving with the filing officer duplicate  
25 copies of the process. The filing officer shall immediately send, by  
26 registered or certified mail, one of the copies to the candidate at his  
27 specified address, unless the candidate has designated in writing to  
28 the filing officer a different address for that purpose, in which case  
29 the filing officer shall mail the copy to the last address so  
30 designated.

31 5. If the filing officer receives credible evidence indicating that  
32 a candidate has been convicted of a felony and has not had his civil  
33 rights restored by a court of competent jurisdiction, the filing  
34 officer:

35 (a) May conduct an investigation to determine whether the  
36 candidate has been convicted of a felony and, if so, whether he has  
37 had his civil rights restored by a court of competent jurisdiction; and

38 (b) Shall transmit the credible evidence and the findings from  
39 such investigation to the Attorney General, if the filing officer is the  
40 Secretary of State, or to the district attorney, if the filing officer is a  
41 person other than the Secretary of State.

42 6. The receipt of information by the Attorney General or  
43 district attorney pursuant to subsection 5 must be treated as a  
44 challenge of a candidate pursuant to subsections 4 and 5 of NRS  
45 293.182. If the ballots are printed before a court of competent



1 jurisdiction makes a determination that a candidate has been  
2 convicted of a felony and has not had his civil rights restored by a  
3 court of competent jurisdiction, the filing officer must post a notice  
4 at each polling place where the candidate's name will appear on the  
5 ballot informing the voters that the candidate is disqualified from  
6 entering upon the duties of the office for which the candidate filed  
7 the declaration of candidacy or acceptance of candidacy.

8 **Sec. 25.** NRS 293.180 is hereby amended to read as follows:

9 293.180 1. Ten or more registered voters may, not earlier  
10 than the first Monday in ~~[April]~~ *December of the year immediately*  
11 *preceding a year in which a primary election is held* nor later than  
12 5 p.m. on the first Friday in ~~[May,]~~ *January of the year in which a*  
13 *primary election is held*, file a certificate of candidacy designating  
14 any registered voter as a candidate for his major political party's  
15 nomination for any partisan elective office, or as a candidate for  
16 nomination for any nonpartisan office. When the certificate has been  
17 filed, the officer in whose office it is filed shall notify the person  
18 named in the certificate. If the person named in the certificate files  
19 an acceptance of candidacy and pays the required fee, as provided  
20 by law, he is a candidate in the primary election in like manner as if  
21 he had filed a declaration of candidacy.

22 2. If a certificate of candidacy relates to a partisan office, all of  
23 the signers must be of the same major political party as the  
24 candidate designated.

25 **Sec. 26.** NRS 293.182 is hereby amended to read as follows:

26 293.182 1. After a person files a declaration of candidacy or  
27 an acceptance of candidacy to be a candidate for an office, and not  
28 later than ~~[5]~~ 12 days after the last day ~~[the]~~ *that a* person may  
29 ~~[withdraw his]~~ *file for* candidacy pursuant to NRS ~~[293.202,]~~  
30 *293.177*, an elector may file with the filing officer for the office a  
31 written challenge of the person on the grounds that the person fails  
32 to meet any qualification required for the office pursuant to the  
33 Constitution or a statute of this State, including, without limitation,  
34 a requirement concerning age or residency. Before accepting the  
35 challenge from the elector, the filing officer shall notify the elector  
36 that if the challenge is found by a court to be frivolous, the elector  
37 may be required to pay the reasonable attorney's fees and court  
38 costs of the challenged person.

39 2. A challenge filed pursuant to subsection 1 must:

- 40 (a) Indicate each qualification the person fails to meet;  
41 (b) Have attached all documentation and evidence supporting  
42 the challenge; and  
43 (c) Be in the form of an affidavit, signed by the elector under  
44 penalty of perjury.

45 3. Upon receipt of a challenge pursuant to subsection 1:



1 (a) The Secretary of State shall immediately transmit the  
2 challenge to the Attorney General.

3 (b) A filing officer other than the Secretary of State shall  
4 immediately transmit the challenge to the district attorney.

5 4. If the Attorney General or district attorney determines that  
6 probable cause exists to support the challenge, the Attorney General  
7 or district attorney shall, not later than 5 working days after  
8 receiving the challenge, petition a court of competent jurisdiction to  
9 order the person to appear before the court. Upon receipt of such a  
10 petition, the court shall enter an order directing the person to appear  
11 before the court at a hearing, at a time and place to be fixed by the  
12 court in the order, to show cause why the challenge is not valid. A  
13 certified copy of the order must be served upon the person. The  
14 court shall give priority to such proceedings over all other matters  
15 pending with the court, except for criminal proceedings.

16 5. If, at the hearing, the court determines by a preponderance of  
17 the evidence that the challenge is valid or that the person otherwise  
18 fails to meet any qualification required for the office pursuant to the  
19 Constitution or a statute of this State, or if the person fails to appear  
20 at the hearing:

21 (a) The name of the person must not appear on any ballot for the  
22 election for the office for which he filed the declaration of  
23 candidacy or acceptance of candidacy; and

24 (b) The person is disqualified from entering upon the duties of  
25 the office for which he filed the declaration of candidacy or  
26 acceptance of candidacy.

27 6. If, at the hearing, the court determines that the challenge is  
28 frivolous, the court may order the elector who filed the challenge to  
29 pay the reasonable attorney's fees and court costs of the challenged  
30 person.

31 **Sec. 27.** NRS 293.200 is hereby amended to read as follows:

32 293.200 1. An independent candidate for partisan office must  
33 file with the appropriate filing officer:

34 (a) A copy of the petition of candidacy that he intends to  
35 subsequently circulate for signatures. The copy must be filed not  
36 earlier than ~~{the January 2}~~ *September of the year immediately*  
37 preceding the ~~{date of}~~ *year in which the general election is held*  
38 and not later than 25 working days before the last day to file the  
39 petition pursuant to subsection 4.

40 (b) Either of the following:

41 (1) A petition of candidacy signed by a number of registered  
42 voters equal to at least 1 percent of the total number of ballots cast  
43 in:



1 (I) This State for that office at the last preceding general  
2 election in which a person was elected to that office, if the office is a  
3 statewide office;

4 (II) The county for that office at the last preceding general  
5 election in which a person was elected to that office, if the office is a  
6 county office; or

7 (III) The district for that office at the last preceding  
8 general election in which a person was elected to that office, if the  
9 office is a district office.

10 (2) A petition of candidacy signed by 250 registered voters if  
11 the candidate is a candidate for statewide office, or signed by 100  
12 registered voters if the candidate is a candidate for any office other  
13 than a statewide office.

14 2. The petition may consist of more than one document. Each  
15 document must bear the name of the county in which it was  
16 circulated, and only registered voters of that county may sign the  
17 document. If the office is not a statewide office, only the registered  
18 voters of the county, district or municipality in question may sign  
19 the document. The documents that are circulated for signature in a  
20 county must be submitted to that county clerk for verification in the  
21 manner prescribed in NRS 293.1276 to 293.1279, inclusive, not  
22 later than 25 working days before the last day to file the petition  
23 pursuant to subsection 4. Each person who signs the petition shall  
24 add to his signature the address of the place at which he actually  
25 resides, the date that he signs the petition and the name of the  
26 county where he is registered to vote. The person who circulates  
27 each document of the petition shall sign an affidavit attesting that  
28 the signatures on the document are genuine to the best of his  
29 knowledge and belief and were signed in his presence by persons  
30 registered to vote in that county.

31 3. The petition of candidacy may state the principle, if any,  
32 which the person qualified represents.

33 4. Petitions of candidacy must be filed not earlier than the first  
34 Monday in ~~May~~ **January** preceding the general election and not  
35 later than 5 p.m. on the second Friday after the first Monday in  
36 ~~May~~ **January**.

37 5. No petition of candidacy may contain the name of more than  
38 one candidate for each office to be filled.

39 6. A person may not file as an independent candidate if he is  
40 proposing to run as the candidate of a political party.

41 7. The names of independent candidates must be placed on the  
42 general election ballot and must not appear on the primary election  
43 ballot.

44 8. If the candidacy of any person seeking to qualify pursuant to  
45 this section is challenged, all affidavits and documents in support of



1 the challenge must be filed not later than 5 p.m. on the fourth  
2 Monday in ~~[May-]~~ *January*. Any judicial proceeding resulting from  
3 the challenge must be set for hearing not more than 5 days after the  
4 fourth Monday in ~~[May-]~~ *January*.

5 9. Any challenge pursuant to subsection 8 must be filed with:

6 (a) The First Judicial District Court if the petition of candidacy  
7 was filed with the Secretary of State.

8 (b) The district court for the county where the petition of  
9 candidacy was filed if the petition was filed with a county clerk.

10 10. An independent candidate for partisan office must file a  
11 declaration of candidacy with the appropriate filing officer and pay  
12 the fee required by NRS 293.193 not earlier than the first Monday in  
13 ~~[May]~~ *January* of the year in which the election is held nor later  
14 than 5 p.m. on the second Friday after the first Monday in ~~[May-]~~  
15 *January*.

16 **Sec. 28.** NRS 293.202 is hereby amended to read as follows:

17 293.202 A withdrawal of candidacy for office must be in  
18 writing and must be presented by the candidate in person ~~[, within 7~~  
19 ~~days, excluding Saturdays, Sundays and holidays, after the last day~~  
20 ~~for filing,]~~ *by the second Tuesday in March* to the officer whose  
21 duty it is to receive filings for candidacy for that office.

22 **Sec. 29.** NRS 293.205 is hereby amended to read as follows:

23 293.205 1. Except as otherwise provided in NRS 293.208, on  
24 or before the third Wednesday in ~~[May]~~ *January* of every even-  
25 numbered year, the county clerk shall establish election precincts,  
26 define the boundaries thereof, abolish, alter, consolidate and  
27 designate precincts as public convenience, necessity and economy  
28 may require.

29 2. The boundaries of each election precinct must follow visible  
30 ground features or extensions of visible ground features, except  
31 where the boundary coincides with the official boundary of the State  
32 or a county or city.

33 3. Election precincts must be composed only of contiguous  
34 territory.

35 4. As used in this section, "visible ground feature" includes a  
36 street, road, highway, river, stream, shoreline, drainage ditch,  
37 railroad right-of-way or any other physical feature which is clearly  
38 visible from the ground.

39 **Sec. 30.** NRS 293.206 is hereby amended to read as follows:

40 293.206 1. On or before the last day in ~~[May]~~ *January* of  
41 every even-numbered year, the county clerk shall provide the  
42 Secretary of State and the Director of the Legislative Counsel  
43 Bureau with a copy or electronic file of a map showing the  
44 boundaries of all election precincts in the county.



1       2. If the Secretary of State determines that the boundaries of an  
2 election precinct do not comply with the provisions of NRS  
3 293.205, he must provide the county clerk with a written statement  
4 of noncompliance setting forth the reasons the precinct is not in  
5 compliance. Within 15 days after receiving the notice of  
6 noncompliance, the county clerk shall make any adjustments to the  
7 boundaries of the precinct which are required to bring the precinct  
8 into compliance with the provisions of NRS 293.205 and he shall  
9 submit a corrected copy or electronic file of the precinct map to the  
10 Secretary of State and the Director of the Legislative Counsel  
11 Bureau.

12       3. If the initial or corrected election precinct map is not filed as  
13 required pursuant to this section or the county clerk fails to make the  
14 necessary changes to the boundaries of an election precinct pursuant  
15 to subsection 2, the Secretary of State may establish appropriate  
16 precinct boundaries in compliance with the provisions of NRS  
17 293.205 to 293.213, inclusive. If the Secretary of State revises the  
18 map pursuant to this subsection, he shall submit a copy or electronic  
19 file of the revised map to the Director of the Legislative Counsel  
20 Bureau and the appropriate county clerk.

21       4. As used in this section, “electronic file” includes, without  
22 limitation, an electronic data file of a geographic information  
23 system.

24       **Sec. 31.** NRS 293.208 is hereby amended to read as follows:

25       293.208 1. Except as otherwise provided in subsections 2, 3  
26 and 5 and in NRS 293.206, no election precinct may be created,  
27 divided, abolished or consolidated, or the boundaries thereof  
28 changed, during the period between the third Wednesday in ~~May~~  
29 *January* of any year whose last digit is 6 and the time when the  
30 Legislature has been redistricted in a year whose last digit is 1,  
31 unless the creation, division, abolishment or consolidation of the  
32 precinct, or the change in boundaries thereof, is:

- 33       (a) Ordered by a court of competent jurisdiction;  
34       (b) Required to meet objections to a precinct by the Attorney  
35 General of the United States pursuant to the Voting Rights Act of  
36 1965, 42 U.S.C. §§ 1971 and 1973 et seq., and any amendments  
37 thereto;  
38       (c) Required to comply with subsection 2 of NRS 293.205;  
39       (d) Required by the incorporation of a new city; or  
40       (e) Required by the creation of or change in the boundaries of a  
41 special district.

42       ↪ As used in this subsection, “special district” means any general  
43 improvement district or any other quasi-municipal corporation  
44 organized under the local improvement and service district laws of  
45 this State as enumerated in title 25 of NRS which is required by law



1 to hold elections or any fire protection district which is required by  
2 law to hold elections.

3 2. If a city annexes an unincorporated area located in the same  
4 county as the city and adjacent to the corporate boundary, the  
5 annexed area may be included in an election precinct immediately  
6 adjacent to it.

7 3. A new election precinct may be established at any time if it  
8 lies entirely within the boundaries of any existing precinct.

9 4. If a change in the boundaries of an election precinct is made  
10 pursuant to this section during the time specified in subsection 1, the  
11 county clerk must:

12 (a) Within 15 days after the change to the boundary of a precinct  
13 is established by the county clerk or ordered by a court, send to the  
14 Director of the Legislative Counsel Bureau and the Secretary of  
15 State a copy or electronic file of a map showing the new boundaries  
16 of the precinct; and

17 (b) Maintain in his office an index providing the name of the  
18 precinct and describing all changes which were made, including any  
19 change in the name of the precinct and the name of any new precinct  
20 created within the boundaries of an existing precinct.

21 5. Cities of population categories two and three are exempt  
22 from the provisions of subsection 1.

23 6. As used in this section, "electronic file" includes, without  
24 limitation, an electronic data file of a geographic information  
25 system.

26 **Sec. 32.** NRS 293.247 is hereby amended to read as follows:

27 293.247 1. The Secretary of State shall adopt regulations, not  
28 inconsistent with the election laws of this State, for the conduct of  
29 primary, general, special and district elections in all cities and  
30 counties. The Secretary of State shall prescribe the forms for a  
31 declaration of candidacy, certificate of candidacy, acceptance of  
32 candidacy and any petition which is filed pursuant to the general  
33 election laws of this State.

34 2. The regulations must prescribe:

35 (a) The duties of election boards;

36 (b) The type and amount of election supplies;

37 (c) The manner of printing ballots and the number of ballots to  
38 be distributed to precincts and districts;

39 (d) The method to be used in distributing ballots to precincts and  
40 districts;

41 (e) The method of inspection and the disposition of ballot boxes;

42 (f) The form and placement of instructions to voters;

43 (g) The recess periods for election boards;

44 (h) The size, lighting and placement of voting booths;





1 (i) The amount and placement of guardrails and other furniture  
2 and equipment at voting places;

3 (j) The disposition of election returns;

4 (k) The procedures to be used for canvasses, ties, recounts and  
5 contests ~~(j)~~, *including, without limitation, the appropriate use of a*  
6 *paper record created when a voter casts a ballot on a mechanical*  
7 *voting system that directly records the votes electronically;*

8 (l) The procedures to be used to ensure the security of the ballots  
9 from the time they are transferred from the polling place until they  
10 are stored pursuant to the provisions of NRS 293.391 or 293C.390;

11 (m) The procedures to be used to ensure the security and  
12 accuracy of computer programs and tapes used for elections;

13 (n) *The procedures to be used for the testing, use and auditing*  
14 *of a mechanical voting system that directly records the votes*  
15 *electronically and that creates a paper record when a voter casts a*  
16 *ballot on the system;*

17 (o) The procedures to be used for the disposition of absent  
18 ballots in case of an emergency;

19 ~~(p)~~ (p) The forms for applications to register to vote and any  
20 other forms necessary for the administration of this title; and

21 ~~(q)~~ (q) Such other matters as determined necessary by the  
22 Secretary of State.

23 3. The Secretary of State may provide interpretations and take  
24 other actions necessary for the effective administration of the  
25 statutes and regulations governing the conduct of primary, general,  
26 special and district elections in this State.

27 4. The Secretary of State shall prepare and distribute to each  
28 county and city clerk copies of:

29 (a) Laws and regulations concerning elections in this State;

30 (b) Interpretations issued by the Secretary of State's Office; and

31 (c) Any Attorney General's opinions or any state or federal  
32 court decisions which affect state election laws or regulations  
33 whenever any of those opinions or decisions become known to the  
34 Secretary of State.

35 **Sec. 33.** NRS 293.250 is hereby amended to read as follows:

36 293.250 1. The Secretary of State shall, in a manner  
37 consistent with the election laws of this State, prescribe:

38 (a) The form of all ballots, absent ballots, diagrams, sample  
39 ballots, certificates, notices, declarations, applications to register to  
40 vote, lists, applications, ~~pollbooks,~~ registers, rosters, statements  
41 and abstracts required by the election laws of this State.

42 (b) The procedure to be followed when a computer is used to  
43 register voters and to keep records of registration.

44 2. The Secretary of State shall prescribe with respect to the  
45 matter to be printed on every kind of ballot:



1 (a) The placement and listing of all offices, candidates and  
2 measures upon which voting is statewide, which must be uniform  
3 throughout the State.

4 (b) The listing of all other candidates required to file with him,  
5 and the order of listing all offices, candidates and measures upon  
6 which voting is not statewide, from which each county or city clerk  
7 shall prepare appropriate ballot forms for use in any election in his  
8 county.

9 3. The Secretary of State shall place the condensation of each  
10 proposed constitutional amendment or statewide measure near the  
11 spaces or devices for indicating the voter's choice.

12 4. The fiscal note for, explanation of, arguments for and  
13 against, and rebuttals to such arguments of each proposed  
14 constitutional amendment or statewide measure must be included on  
15 all sample ballots.

16 5. The condensations and explanations for constitutional  
17 amendments and statewide measures proposed by initiative or  
18 referendum must be prepared by the Secretary of State, upon  
19 consultation with the Attorney General. The arguments and rebuttals  
20 for or against constitutional amendments and statewide measures  
21 proposed by initiative or referendum must be prepared in the  
22 manner set forth in NRS 293.252. The fiscal notes for constitutional  
23 amendments and statewide measures proposed by initiative or  
24 referendum must be prepared by the Secretary of State, upon  
25 consultation with the Fiscal Analysis Division of the Legislative  
26 Counsel Bureau. The condensations, explanations, arguments,  
27 rebuttals and fiscal notes must be in easily understood language and  
28 of reasonable length, and whenever feasible must be completed by  
29 August 1 of the year in which the general election is to be held.

30 6. *Except as otherwise provided in this subsection, the legal*  
31 *sufficiency of a condensation, explanation, argument, rebuttal or*  
32 *fiscal note may be challenged by filing a complaint in the First*  
33 *Judicial District Court not later than 5 days after the*  
34 *condensation, explanation, argument, rebuttal or fiscal note is*  
35 *prepared or accepted by the Secretary of State. All affidavits and*  
36 *documents in support of the challenge must be filed with the*  
37 *complaint. The Court shall set the matter for hearing not later*  
38 *than 5 days after the complaint is filed and shall give priority to*  
39 *such a complaint over all other matters pending with the Court,*  
40 *except for criminal proceedings. If a decision of the First Judicial*  
41 *District Court is appealed, to the extent consistent with the Nevada*  
42 *Rules of Appellate Procedure, the Supreme Court shall expedite*  
43 *such an appeal. A committee that appealed the rejection of a*  
44 *statement pursuant to subsection 7 of NRS 293.252 may not*  
45 *appeal again pursuant to this subsection.*



1       7. The names of candidates for township and legislative or  
2 special district offices must be printed only on the ballots furnished  
3 to voters of that township or district.

4       ~~7.~~ 8. A county clerk:

5       (a) May divide paper ballots into two sheets in a manner which  
6 provides a clear understanding and grouping of all measures and  
7 candidates.

8       (b) Shall prescribe the color or colors of the ballots and voting  
9 receipts used in any election which the clerk is required to conduct.

10       **Sec. 34.** NRS 293.252 is hereby amended to read as follows:

11       293.252 1. For each constitutional amendment or statewide  
12 measure proposed by initiative or referendum to be placed on the  
13 ballot by the Secretary of State, the Secretary of State shall, pursuant  
14 to subsection 4, appoint two committees. Except as otherwise  
15 provided in subsection 2, one committee must be composed of three  
16 persons who favor approval by the voters of the initiative or  
17 referendum and the other committee must be composed of three  
18 persons who oppose approval by the voters of the initiative or  
19 referendum.

20       2. If the Secretary of State is unable to appoint three persons  
21 who are willing to serve on a committee, he may appoint fewer than  
22 three persons to that committee, but he must appoint at least one  
23 person to each committee appointed pursuant to this section.

24       3. With respect to a committee appointed pursuant to this  
25 section:

26       (a) A person may not serve simultaneously on the committee  
27 that favors approval by the voters of an initiative or referendum and  
28 the committee that opposes approval by the voters of that initiative  
29 or referendum.

30       (b) Members of the committee serve without compensation.

31       (c) The term of office for each member commences upon  
32 appointment and expires upon the publication of the sample ballot  
33 containing the initiative or referendum.

34       4. The Secretary of State shall consider appointing to a  
35 committee pursuant to this section:

36       (a) Any person who has expressed an interest in serving on the  
37 committee; and

38       (b) A person who is a member of an organization that has  
39 expressed an interest in having a member of the organization serve  
40 on the committee.

41       5. A committee appointed pursuant to this section:

42       (a) Shall elect a chairman for the committee;

43       (b) Shall meet and conduct its affairs as necessary to fulfill the  
44 requirements of this section;

45       (c) May seek and consider comments from the general public;



1 (d) Shall, based on whether the members were appointed to  
2 advocate or oppose approval by the voters of the initiative or  
3 referendum, prepare an argument either advocating or opposing  
4 approval by the voters of the initiative or referendum;

5 (e) Shall prepare a rebuttal to the argument prepared by the other  
6 committee appointed pursuant to this section;

7 (f) Shall address in the argument and rebuttal prepared pursuant  
8 to paragraphs (d) and (e):

9 (1) The fiscal impact of the initiative or referendum;

10 (2) The environmental impact of the initiative or referendum;  
11 and

12 (3) The impact of the initiative or referendum on the public  
13 health, safety and welfare; and

14 (g) Shall submit the argument and rebuttal prepared pursuant to  
15 paragraphs (d), (e) and (f) to the Secretary of State not later than the  
16 date prescribed by the Secretary of State pursuant to subsection 6.

17 6. The Secretary of State shall provide, by rule or regulation:

18 (a) The maximum permissible length of an argument and  
19 rebuttal prepared pursuant to this section; and

20 (b) The date by which an argument and rebuttal prepared  
21 pursuant to this section must be submitted by a committee to the  
22 Secretary of State.

23 7. Upon receipt of an argument or rebuttal prepared pursuant to  
24 this section, the Secretary of State:

25 (a) May consult with persons who are generally recognized by a  
26 national or statewide organization as having expertise in the field or  
27 area to which the initiative or referendum pertains; and

28 (b) Shall reject each statement in the argument or rebuttal that he  
29 believes is libelous or factually inaccurate.

30 ➤ Not later than 5 days after the Secretary of State rejects a  
31 statement pursuant to this subsection, the committee that prepared  
32 the statement may appeal that rejection ~~[to the Attorney General.  
33 The Attorney General shall review the statement and the reasons for  
34 its rejection and may receive evidence, documentary or testimonial,  
35 to aid him in his decision. Not later than 3 business days after the  
36 appeal by the committee, the Attorney General shall issue his  
37 decision rejecting or accepting the statement. The decision of the  
38 Attorney General is a final decision for the purposes of judicial  
39 review.]~~ *in the First Judicial District Court. The First Judicial  
40 District Court shall set the matter for hearing not later than 5 days  
41 after the appeal is filed and shall give priority to such a complaint  
42 over all other matters pending with the Court, except for criminal  
43 proceedings. If a decision of the First Judicial District Court is  
44 appealed, to the extent consistent with the Nevada Rules of*



1 *Appellate Procedure, the Supreme Court shall expedite such an*  
2 *appeal.*

3 8. The Secretary of State may revise the language submitted by  
4 a committee pursuant to this section so that it is clear, concise and  
5 suitable for incorporation in the sample ballot, but shall not alter the  
6 meaning or effect of the language without the consent of the  
7 committee.

8 **Sec. 35.** NRS 293.262 is hereby amended to read as follows:

9 293.262 An absent ballot or a ballot voted by a voter who  
10 resides in a mailing precinct must be voted:

11 1. On a paper ballot ~~};~~

12 ~~2. On a ballot which is voted by punching a card; or~~  
13 ~~3.]; or~~

14 2. By any other system authorized by state or federal law.

15 **Sec. 36.** NRS 293.2693 is hereby amended to read as follows:

16 293.2693 If a county or city uses paper ballots ~~[or punch cards]~~  
17 in an election, including, without limitation, for absent ballots and  
18 ballots voted in a mailing precinct, the county or city clerk shall  
19 provide a voter education program specific to the voting system  
20 used by the county or city. The voter education program must  
21 include, without limitation, information concerning the effect of  
22 overvoting and the procedures for correcting a vote on a ballot  
23 before it is cast and counted and for obtaining a replacement ballot.

24 **Sec. 37.** NRS 293.2696 is hereby amended to read as follows:

25 293.2696 The Secretary of State and each county and city clerk  
26 shall ensure that each voting system used in this State:

27 1. Secures to each voter privacy and independence in the act of  
28 voting, including, without limitation, confidentiality of the ballot of  
29 the voter;

30 2. Allows each voter to verify privately and independently the  
31 votes selected by the voter on the ballot before the ballot is cast and  
32 counted;

33 3. Provides each voter with the opportunity, in a private and  
34 independent manner, to change the ballot and to correct any error  
35 before the ballot is cast and counted, including, without limitation,  
36 the opportunity to correct an error through the issuance of a  
37 replacement ballot if the voter is otherwise unable to change the  
38 ballot or correct the error;

39 4. Provides a permanent paper record with a manual audit  
40 capacity which must be ~~[available]~~ :

41 (a) *Printed when the voter casts the ballot; and*

42 (b) *Available* as an official record for a recount; and

43 5. Meets or exceeds the standards for voting systems  
44 established by the Federal Election Commission, including, without  
45 limitation, the error rate standards.



1       **Sec. 38.** NRS 293.2725 is hereby amended to read as follows:

2       293.2725 1. Except as otherwise provided in subsection 2, in  
3 NRS 293.3081 and 293.3083 and in federal law, a person who  
4 registers by mail to vote in this State and who has not previously  
5 voted in an election for federal office in this State:

6       (a) May vote at a polling place only if the person presents to the  
7 election board officer at the polling place:

8           (1) A current and valid ~~[photo]~~ *photographic* identification  
9 of the person; or

10          (2) A copy of ~~[a current utility bill, bank statement,~~  
11 ~~paycheck, or document issued by a governmental entity, including,~~  
12 ~~without limitation, a check, which indicates the name and address of~~  
13 ~~the person;]~~ *sufficient proof of residence and identity*; and

14       (b) May vote by mail only if the person provides to the county  
15 or city clerk ~~[ ]~~ *with his ballot*:

16           (1) A copy of a current and valid ~~[photo]~~ *photographic*  
17 identification of the person; or

18          (2) A copy of ~~[a current utility bill, bank statement,~~  
19 ~~paycheck, or document issued by a governmental entity, including,~~  
20 ~~without limitation, a check, which indicates the name and address of~~  
21 ~~the person;]~~ *sufficient proof of residence and identity*.

22       2. The provisions of this section do not apply to a person who:

23       (a) Registers to vote by mail and submits with his application to  
24 register to vote:

25           (1) A copy of a current and valid ~~[photo]~~ *photographic*  
26 identification; or

27          (2) A copy of ~~[a current utility bill, bank statement,~~  
28 ~~paycheck, or document issued by a governmental entity, including,~~  
29 ~~without limitation, a check, which indicates the name and address of~~  
30 ~~the person;]~~ *sufficient proof of residence and identity*;

31       (b) Registers to vote by mail and submits with his application to  
32 register to vote a driver's license number or at least the last four  
33 digits of his social security number, if a state or local election  
34 official has matched that information with an existing identification  
35 record bearing the same number, name and date of birth as provided  
36 by the person in his application;

37       (c) Is entitled to vote an absent ballot pursuant to the Uniformed  
38 and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et  
39 seq.;

40       (d) Is provided the right to vote otherwise than in person under  
41 the Voting Accessibility for the Elderly and Handicapped Act, 42  
42 U.S.C. §§ 1973ee et seq.; or

43       (e) Is entitled to vote otherwise than in person under any other  
44 federal law.



1       **Sec. 39.** NRS 293.277 is hereby amended to read as follows:

2       293.277 1. Except as otherwise provided in NRS 293.541, if  
3 a person's name appears in the election board register or if he  
4 provides an affirmation pursuant to NRS 293.525, he is entitled to  
5 vote and must sign his name in the ~~[election board register]~~ *roster*  
6 when he applies to vote. ~~[His]~~ *Except as otherwise provided in NRS*  
7 *293.2725, his* signature must be compared by an election board  
8 officer with the signature or a facsimile thereof on his original  
9 application to register to vote or ~~[one of the forms of identification~~  
10 ~~listed in subsection 2.~~

11       ~~2. Except as otherwise provided in NRS 293.2725, the forms of~~  
12 ~~identification which may be used individually to identify a voter at~~  
13 ~~the polling place are:~~

14       ~~—(a) The card issued to the voter at the time he registered to vote;~~

15       ~~—(b) A driver's license;~~

16       ~~—(c) An identification card issued by the Department of Motor~~  
17 ~~Vehicles;~~

18       ~~—(d) A military identification card; or~~

19       ~~—(e) Any other form of identification issued by a governmental~~  
20 ~~agency] *the current and valid photographic identification* which~~  
21 ~~contains the voter's signature . [and physical description or picture.]~~

22       **Sec. 40.** NRS 293.285 is hereby amended to read as follows:

23       293.285 ~~[1.]~~ A registered voter applying to vote shall state  
24 his name to the election board officer in charge of the election board  
25 register and the officer shall immediately announce the name and  
26 take the registered voter's signature. ~~[After a registered voter is~~  
27 ~~properly identified at a polling place where paper ballots are used,~~  
28 ~~one partisan ballot and, if required, one nonpartisan ballot, correctly~~  
29 ~~folded must be given to the voter and the number of the ballot or~~  
30 ~~ballots must be written by an election board officer upon the~~  
31 ~~pollbook, opposite the name of the registered voter receiving the~~  
32 ~~ballot or ballots.~~

33       ~~2. In pollbooks in which voters' names have been entered,~~  
34 ~~election officers may indicate the application to vote without writing~~  
35 ~~the name.]~~

36       **Sec. 41.** NRS 293.297 is hereby amended to read as follows:

37       293.297 ~~[1.—~~Except as otherwise provided in subsection 2:

38       ~~—(a) Any voter who spoils his ballot may return the spoiled ballot~~  
39 ~~to the election board and receive another in its place.~~

40       ~~—(b) The election board officers shall indicate in the pollbook that~~  
41 ~~the ballot is spoiled and shall enter the number of the ballot issued in~~  
42 ~~its place.~~

43       ~~—(c) Each spoiled ballot returned must be cancelled by writing the~~  
44 ~~word "Cancelled" across the back of the ballot. A spoiled paper~~  
45 ~~ballot must be cancelled without unfolding it.~~



1 ~~—(d) A record must be made of those cancelled ballots at the~~  
2 ~~closing of the polls and before counting. The ballots must be placed~~  
3 ~~in a separate envelope and returned to the appropriate county clerk~~  
4 ~~with the election supplies.~~

5 ~~—2. If ballots which are voted on a]~~ A mechanical recording  
6 device which directly records the votes electronically ~~[are used,]~~  
7 **must allow** the voter ~~[must be able]~~ to change his vote before the  
8 mechanical recording device permanently records that vote.

9 **Sec. 42.** NRS 293.303 is hereby amended to read as follows:

10 293.303 1. A person applying to vote may be challenged:

11 (a) Orally by any registered voter of the precinct or district upon  
12 the ground that he is not the person entitled to vote as claimed or has  
13 voted before at the same election; or

14 (b) On any ground set forth in a challenge filed with the county  
15 clerk pursuant to the provisions of NRS 293.547.

16 2. If a person is challenged, an election board officer shall  
17 tender the challenged person the following oath or affirmation:

18 (a) If the challenge is on the ground that he does not belong to  
19 the political party designated upon the register, “I swear or affirm  
20 under penalty of perjury that I belong to the political party  
21 designated upon the register”;

22 (b) If the challenge is on the ground that the register does not  
23 show that he designated the political party to which he claims to  
24 belong, “I swear or affirm under penalty of perjury that I designated  
25 on the application to register to vote the political party to which I  
26 claim to belong”;

27 (c) If the challenge is on the ground that he does not reside at the  
28 residence for which the address is listed in the election board  
29 register, “I swear or affirm under penalty of perjury that I reside at  
30 the residence for which the address is listed in the election board  
31 register”;

32 (d) If the challenge is on the ground that he previously voted a  
33 ballot for the election, “I swear or affirm under penalty of perjury  
34 that I have not voted for any of the candidates or questions included  
35 on this ballot for this election”; or

36 (e) If the challenge is on the ground that he is not the person he  
37 claims to be, “I swear or affirm under penalty of perjury that I am  
38 the person whose name is in this election board register.”

39 ↪ The oath or affirmation must be set forth on a form prepared by  
40 the Secretary of State and signed by the challenged person under  
41 penalty of perjury.

42 3. Except as otherwise provided in subsection 4, if the  
43 challenged person refuses to execute the oath or affirmation so  
44 tendered, he must not be issued a ballot, and the officer in charge of





1 the election board register shall write the words “Challenged  
2 .....” opposite his name in the election board register.

3 4. If the challenged person refuses to execute the oath or  
4 affirmation set forth in paragraph (a) or (b) of subsection 2, the  
5 election board officers shall issue him a nonpartisan ballot.

6 5. If the challenged person refuses to execute the oath or  
7 affirmation set forth in paragraph (c) of subsection 2, the election  
8 board officers shall inform him that he is entitled to vote only in the  
9 manner prescribed in NRS 293.304.

10 6. If the challenged person executes the oath or affirmation and  
11 the challenge is not based on the ground set forth in paragraph (e) of  
12 subsection 2, the election board officers shall issue him a partisan  
13 ballot.

14 7. If the challenge is based on the ground set forth in paragraph  
15 (c) of subsection 2, and the challenged person executes the oath or  
16 affirmation, the election board shall not issue the person a ballot  
17 until he furnishes ~~[satisfactory]~~ :

18 (a) *Current and valid photographic* identification which  
19 ~~[contains proof of]~~ *indicates* the address at which he actually resides  
20 ~~[ ]~~ ; or

21 (b) *Sufficient proof of residence and identity.*

22 8. If the challenge is based on the ground set forth in paragraph  
23 (e) of subsection 2 and the challenged person executes the oath or  
24 affirmation, the election board shall not issue the person a ballot  
25 unless he:

26 (a) Furnishes ~~[official identification which contains a  
27 photograph of himself, such as his driver’s license or other official  
28 document.]~~ :

29 (I) *Current and valid photographic identification; or*

30 (2) *Sufficient proof of residence and identity;* or

31 (b) Brings before the election board officers a person who is at  
32 least 18 years of age who:

33 (1) Furnishes ~~[official identification which contains a  
34 photograph of himself, such as his driver’s license or other official  
35 document.]~~ :

36 (I) *Current and valid photographic identification; or*

37 (II) *Sufficient proof of residence and identity;* and

38 (2) Executes an oath or affirmation under penalty of perjury  
39 that the challenged person is who he swears he is.

40 9. The election board officers shall:

41 (a) Record on the challenge list:

42 (1) The name of the challenged person;

43 (2) The name of the registered voter who initiated the  
44 challenge; and

45 (3) The result of the challenge; and



1 (b) If possible, orally notify the registered voter who initiated  
2 the challenge of the result of the challenge.

3 **Sec. 43.** NRS 293.304 is hereby amended to read as follows:

4 293.304 1. If a person is successfully challenged on the  
5 ground set forth in paragraph (c) of subsection 2 of NRS 293.303 or  
6 if a person refuses to provide an affirmation pursuant to NRS  
7 293.525, the election board shall instruct the voter that he may vote  
8 only at the special polling place in the manner set forth in this  
9 section.

10 2. The county clerk of each county shall maintain a special  
11 polling place in his office and at such other locations as he deems  
12 necessary during each election. The ballots voted at the special  
13 polling place must be kept separate from the ballots of voters who  
14 have not been so challenged or who have provided an affirmation  
15 pursuant to NRS 293.525 in ~~f~~:

16 ~~—(a) A special ballot box if the ballots are paper ballots or ballots~~  
17 ~~which are voted by punching a card; or~~

18 ~~—(b) A} a~~ special sealed container if the ballots are ballots which  
19 are voted on a mechanical recording device which directly records  
20 the votes electronically.

21 3. A person who votes at a special polling place may place his  
22 vote only for the following offices and questions:

23 (a) President and Vice President of the United States;

24 (b) United States Senator;

25 (c) All state officers for whom all voters in the State may vote;

26 (d) All officers for whom all voters in the county may vote; and

27 (e) Questions which have been submitted to all voters of the  
28 county or State.

29 4. The ballots voted at the special polling place must be  
30 counted when other ballots are counted and ~~f~~:

31 ~~—(a) If the ballots are paper ballots or ballots which are voted by~~  
32 ~~punching a card, maintained in a separate ballot box; or~~

33 ~~—(b) If} , if~~ the ballots are ballots which are voted on a mechanical  
34 recording device which directly records the votes electronically,  
35 maintained in a separate sealed container ~~f~~;

36 ~~—} until~~ any contest of election is resolved or the date for filing a  
37 contest of election has passed, whichever is later.

38 **Sec. 44.** NRS 293.309 is hereby amended to read as follows:

39 293.309 1. The county clerk of each county shall prepare an  
40 absent ballot for the use of registered voters who have requested  
41 absent ballots. The county clerk shall make reasonable  
42 accommodations for the use of the absent ballot by an elderly or  
43 disabled person, including, without limitation, by providing, upon  
44 request, the absent ballot in 12-point type to an elderly or disabled  
45 person.



1 2. The ballot must be prepared and ready for distribution to a  
2 registered voter who:

3 (a) Resides within the State, not later than 20 days before the  
4 election in which it is to be used; or

5 (b) Resides outside the State, not later than ~~[40]~~ 45 days before a  
6 primary or general election, if possible.

7 3. Any legal action which would prevent the ballot from being  
8 issued pursuant to subsection 2 is moot and of no effect.

9 **Sec. 45.** NRS 293.313 is hereby amended to read as follows:

10 293.313 1. Except as otherwise provided in NRS ~~[293.272~~  
11 ~~and]~~ 293.502, a registered voter who provides sufficient written  
12 notice to the county clerk may vote an absent ballot as provided in  
13 this chapter.

14 2. A registered voter who:

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

16 (b) Has a physical disability or condition which substantially  
17 impairs his ability to go to the polling place,

18 ➔ may request an absent ballot for all elections held during the year  
19 he requests an absent ballot.

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

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

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

27 (c) Form provided by the Federal Government.

28 4. A county clerk shall consider a request from a voter who has  
29 given sufficient written notice on a form provided by the Federal  
30 Government as a request for an absent ballot for the two primary  
31 and general elections immediately following the date on which the  
32 county clerk received the request.

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

39 **Sec. 46.** NRS 293.323 is hereby amended to read as follows:

40 293.323 1. Except as otherwise provided in subsection 2, if  
41 the request for an absent ballot is made by mail or facsimile  
42 machine, the county clerk shall, as soon as the official absent ballot  
43 for the precinct or district in which the applicant resides has been  
44 printed, send to the voter by first-class mail if the absent voter is  
45 within the boundaries of the United States, its territories or



1 possessions or on a military base, or by air mail if the absent voter is  
2 in a foreign country but not on a military base:

3 (a) ~~[(a) Except as otherwise provided in paragraph (b):~~

4 ~~— (1) An absent ballot;~~

5 ~~[(2) (b) A return envelope;~~

6 ~~[(3) (c) Supplies for marking the ballot;~~

7 ~~[(4) (d) An envelope or similar device into which the ballot~~  
8 ~~is inserted to ensure its secrecy; and~~

9 ~~[(5) Instructions.~~

10 ~~— (b) In those counties using a mechanical voting system whereby~~  
11 ~~a vote is cast by punching a card:~~

12 ~~— (1) A card attached to a sheet of foam plastic or similar~~  
13 ~~backing material;~~

14 ~~— (2) A return envelope;~~

15 ~~— (3) A punching instrument;~~

16 ~~— (4) A sample ballot;~~

17 ~~— (5) An envelope or similar device into which the card is~~  
18 ~~inserted to ensure its secrecy; and~~

19 ~~— (6) (e) Instructions.~~

20 2. If the county clerk fails to send an absent ballot pursuant to  
21 subsection 1 to a voter who resides within the continental United  
22 States, the county clerk may use a facsimile machine to send an  
23 absent ballot and instructions to the voter. The voter shall mail his  
24 absent ballot to the county clerk.

25 3. The return envelope sent pursuant to subsection 1 must  
26 include postage prepaid by first-class mail if the absent voter is  
27 within the boundaries of the United States, its territories or  
28 possessions or on a military base.

29 4. Nothing may be enclosed or sent with an absent ballot  
30 except as required by subsection 1 or 2.

31 5. Before depositing a ballot in the mails or sending a ballot by  
32 facsimile machine, the county clerk shall record the date the ballot is  
33 issued, the name of the registered voter to whom it is issued, his  
34 precinct or district, his political affiliation, if any, the number of the  
35 ballot and any remarks he finds appropriate.

36 6. The Secretary of State shall adopt regulations to carry out  
37 the provisions of subsection 2.

38 **Sec. 47.** NRS 293.330 is hereby amended to read as follows:

39 293.330 1. Except as otherwise provided in NRS 293.3157  
40 and subsection 2 of NRS 293.323 and any regulations adopted  
41 pursuant thereto, when an absent voter receives his ballot, he must  
42 mark and fold it ~~[, if it is a paper ballot, or punch it, if the ballot is~~  
43 ~~voted by punching a card,]~~ in accordance with the instructions,  
44 deposit it in the return envelope, seal the envelope, affix his



1 signature on the back of the envelope in the space provided therefor  
2 and mail the return envelope.

3 2. Except as otherwise provided in subsection 3, if an absent  
4 voter who has requested a ballot by mail applies to vote the ballot in  
5 person at:

6 (a) The office of the county clerk, he must mark ~~for punch~~ the  
7 ballot, seal it in the return envelope and affix his signature in the  
8 same manner as provided in subsection 1, and deliver the envelope  
9 to the clerk.

10 (b) A polling place, including, without limitation, a polling place  
11 for early voting, he must surrender the absent ballot and provide  
12 ~~satisfactory identification~~ *current and valid photographic*  
13 *identification or sufficient proof of residence and identity* before  
14 being issued a ballot to vote at the polling place. A person who  
15 receives a surrendered absent ballot shall mark it "Cancelled."

16 3. If an absent voter who has requested a ballot by mail applies  
17 to vote in person at the office of the county clerk or a polling place,  
18 including, without limitation, a polling place for early voting, and  
19 the voter does not have the absent ballot to deliver or surrender, the  
20 voter must be issued a ballot to vote if the voter:

21 (a) Provides ~~satisfactory identification;~~ *current and valid*  
22 *photographic identification or sufficient proof of residence and*  
23 *identity;*

24 (b) Is a registered voter who is otherwise entitled to vote; and

25 (c) Signs an affirmation under penalty of perjury on a form  
26 prepared by the Secretary of State declaring that the voter has not  
27 voted during the election.

28 4. Except as otherwise provided in NRS 293.316, it is unlawful  
29 for any person to return an absent ballot other than the voter who  
30 requested the absent ballot or, at the request of the voter, a member  
31 of his family. A person who returns an absent ballot and who is a  
32 member of the family of the voter who requested the absent ballot  
33 shall, under penalty of perjury, indicate on a form prescribed by the  
34 county clerk that he is a member of the family of the voter who  
35 requested the absent ballot and that the voter requested that he return  
36 the absent ballot. A person who violates the provisions of this  
37 subsection is guilty of a category E felony and shall be punished as  
38 provided in NRS 193.130.

39 **Sec. 48.** NRS 293.333 is hereby amended to read as follows:

40 293.333 On the day of an election, the precinct or district  
41 election boards receiving the absent voters' ballots from the county  
42 clerk shall, in the presence of a majority of the election board  
43 officers, remove the ballots from the ballot box and the containers in  
44 which the ballots were transported pursuant to NRS 293.325 and  
45 deposit the ballots in the regular ballot box in the following manner:



1 1. The name of the voter, as shown on the return envelope,  
2 must be called and checked as if the voter were voting in person;

3 2. The signature on the back of the return envelope must be  
4 compared with that on the original application to register to vote;

5 3. If the board determines that the absent voter is entitled to  
6 cast his ballot, the envelope must be opened, the numbers on the  
7 ballot and envelope compared, the number strip or stub detached  
8 from the ballot, and, if the numbers are the same, the ballot  
9 deposited in the regular ballot box; and

10 4. The election board officers shall mark in the ~~[pollbook]~~  
11 *roster* opposite the name of the voter the word "Voted."

12 **Sec. 49.** NRS 293.345 is hereby amended to read as follows:

13 293.345 The county clerk shall mail to each registered voter in  
14 each mailing precinct and in each absent ballot mailing precinct,  
15 before 5 p.m. on the third Thursday in ~~[August]~~ *April* and before 5  
16 p.m. on the fourth Tuesday in October of any year in which a  
17 general election is to be held, an official mailing ballot to be voted  
18 by him at the election.

19 **Sec. 50.** NRS 293.350 is hereby amended to read as follows:

20 293.350 1. The county clerk shall:

21 (a) Make certain of the names and addresses of all voters  
22 registered to vote in mailing precincts and absent ballot mailing  
23 precincts;

24 (b) Enroll the name and address of each voter found eligible to  
25 vote in those precincts in the mailing precinct record book;

26 (c) Mark the number of the ballot on the return envelope; and

27 (d) Mail the ballot to the registered voter.

28 2. ~~[Except as otherwise provided in subsection 3, the]~~ *The*  
29 ballot must be accompanied by:

30 (a) Supplies for marking the ballot;

31 (b) A return envelope;

32 (c) An envelope or similar device into which the ballot is  
33 inserted to ensure its secrecy;

34 (d) A sample ballot; and

35 (e) Instructions regarding the manner of marking and returning  
36 the ballot.

37 ~~[3. In those counties using a mechanical voting system  
38 whereby a vote is cast by punching a card, the ballot must be  
39 accompanied by:~~

40 ~~—(a) A sheet of foam plastic or similar backing material attached  
41 to the card;~~

42 ~~—(b) A punching instrument;~~

43 ~~—(c) A return envelope;~~

44 ~~—(d) An envelope or similar device into which the card is inserted  
45 to ensure its secrecy;~~



- 1 ~~—(e) A sample ballot; and~~
- 2 ~~—(f) Instructions regarding the manner of punching and returning~~
- 3 ~~the card.]~~

4 **Sec. 51.** NRS 293.353 is hereby amended to read as follows:

5 293.353 Upon receipt of a mailing ballot from the county clerk,  
6 the registered voter must:

7 1. ~~Except as otherwise provided in subsection 2:~~

8 ~~—(a) Immediately after opening the envelope, mark and fold the~~  
9 ~~ballot;~~

10 ~~[(b)]~~ 2. Place the ballot in the return envelope;

11 ~~[(e)]~~ 3. Affix his signature on the back of the envelope; and

12 ~~[(d)]~~ 4. Mail or deliver the envelope to the county clerk.

13 ~~[2. In those counties using a mechanical voting system~~  
14 ~~whereby a vote is cast by punching a card:~~

15 ~~—(a) Immediately after opening the envelope, punch the card;~~

16 ~~—(b) Place the unfolded card in the return envelope;~~

17 ~~—(c) Affix his signature on the back of the envelope; and~~

18 ~~—(d) Mail or deliver the envelope to the county clerk.]~~

19 **Sec. 52.** NRS 293.356 is hereby amended to read as follows:

20 293.356 If a request is made to vote early by a registered voter  
21 in person, the election board shall issue a ballot for early voting to  
22 the voter. Such a ballot must be voted on the premises of a polling  
23 place for early voting established pursuant to NRS 293.3564 or  
24 293.3572 . ~~[and returned to the election board. If the ballot is a~~  
25 ~~paper ballot, a ballot which is voted by punching a card or a ballot~~  
26 ~~which is voted by any other system authorized by state or federal~~  
27 ~~law, the election board shall follow the same procedure as in the~~  
28 ~~case of absent ballots received by mail.]~~

29 **Sec. 53.** NRS 293.3585 is hereby amended to read as follows:

30 293.3585 1. Upon the appearance of a person to cast a ballot  
31 for early voting, the deputy clerk for early voting shall:

32 (a) Determine that the person is a registered voter in the county;

33 (b) Instruct the voter to sign the roster for early voting; and

34 (c) Verify the signature of the voter against that contained on the  
35 original application to register to vote or facsimile thereof, the card  
36 issued to the voter at the time of registration or ~~[some other piece of~~  
37 ~~official identification.]~~ *the current and valid photographic*  
38 *identification or sufficient proof of residence and identity.*

39 2. The county clerk shall prescribe a procedure, approved by  
40 the Secretary of State, to determine that the voter has not already  
41 voted pursuant to this section.

42 3. The roster for early voting must contain:

43 (a) The voter's name, the address where he is registered to vote,  
44 his voter identification number and a place for the voter's signature;

45 (b) The voter's precinct or voting district number; and



1 (c) The date of voting early in person.

2 4. When a voter is entitled to cast his ballot and has identified  
3 himself to the satisfaction of the deputy clerk for early voting, he is  
4 entitled to receive the appropriate ballot or ballots, but only for his  
5 own use at the polling place for early voting.

6 5. ~~If the ballot is voted by punching a card, the deputy clerk~~  
7 ~~for early voting shall:~~

8 ~~—(a) Ensure that the voter's precinct or voting district and the~~  
9 ~~form of ballot are indicated on the card;~~

10 ~~—(b) Direct the voter to the appropriate mechanical recording~~  
11 ~~device for his form of ballot; and~~

12 ~~—(c) Allow the voter to place his voted ballot in the ballot box.~~

13 ~~6. If the ballot is voted on a mechanical recording device which~~  
14 ~~directly records the votes electronically, the] The deputy clerk for~~  
15 early voting shall:

16 (a) Prepare the mechanical recording device for the voter;

17 (b) Ensure that the voter's precinct or voting district and the  
18 form of ballot are indicated on each part of the voting receipt;

19 (c) Retain one part of the voting receipt for the election board  
20 and return the other part of the voting receipt to the voter; and

21 (d) Allow the voter to cast his vote.

22 ~~[7.] 6.~~ A voter applying to vote early by personal appearance  
23 may be challenged pursuant to NRS 293.303.

24 **Sec. 54.** NRS 293.3625 is hereby amended to read as follows:

25 293.3625 The county clerk shall make a record of the receipt at  
26 the central counting place of each sealed container used to transport  
27 official ballots pursuant to NRS 293.304, 293.325, ~~[293.3602,]~~  
28 293B.330 and 293B.335. The record must include the numbers  
29 indicated on the container and its seal pursuant to NRS 293.462.

30 **Sec. 55.** NRS 293.363 is hereby amended to read as follows:

31 293.363 When the polls are closed, the counting board shall  
32 prepare to count the ballots voted. The counting procedure must be  
33 public and continue without adjournment until completed. If the  
34 ballots are paper ballots, ~~[for ballots which are voted by punching a~~  
35 ~~card,]~~ the counting board shall prepare in the following manner:

36 1. ~~[The pollbooks must be compared and errors corrected until~~  
37 ~~the books agree.~~

38 ~~2.]~~ The container that holds the ballots, or the ballot box must  
39 be opened and the ballots contained therein counted by the counting  
40 board and opened far enough to ascertain whether each ballot is  
41 single. If two or more ballots are found folded together to present  
42 the appearance of a single ballot, they must be laid aside until the  
43 count of the ballots is completed. If ~~[, on comparison of the count~~  
44 ~~with the pollbook,]~~ a majority of the inspectors are of the opinion  
45 that the ballots folded together were voted by one person, the ballots





1 must be rejected and placed in an envelope, upon which must be  
2 written the reason for their rejection. The envelope must be signed  
3 by the counting board officers and placed in the container or ballot  
4 box after the count is completed.

5 ~~[3.]~~ 2. If the ballots in the container or box are found to exceed  
6 in number the number of names *indicated* on the ~~[pollbooks,]~~ *roster*  
7 *as having voted*, the ballots must be replaced in the container or  
8 box, and a counting board officer, with his back turned to the  
9 container or box, shall draw out a number of ballots equal to the  
10 excess. The excess ballots must be marked on the back thereof with  
11 the words "Excess ballots not counted." The ballots when so marked  
12 must be immediately sealed in an envelope and returned to the  
13 county clerk with the other ballots rejected for any cause.

14 ~~[4.]~~ 3. When it has been ascertained that ~~[the pollbook and]~~ the  
15 number of ballots agree with the number of names of registered  
16 voters shown to have voted, the board shall proceed to count. If  
17 there is a discrepancy between the number of ballots and the number  
18 of voters, a record of the discrepancy must be made.

19 **Sec. 56.** NRS 293.367 is hereby amended to read as follows:

20 293.367 1. The basic factor to be considered by an election  
21 board when making a determination of whether a particular ballot  
22 must be rejected is whether any identifying mark appears on the  
23 ballot which, in the opinion of the election board, constitutes an  
24 identifying mark such that there is a reasonable belief entertained in  
25 good faith that the ballot has been tampered with and, as a result of  
26 the tampering, the outcome of the election would be affected.

27 2. The regulations for counting ballots must include provisions  
28 that:

29 (a) An error in marking one or more votes on a ballot does not  
30 invalidate any votes properly marked on that ballot.

31 (b) A soiled or defaced ballot may not be rejected if it appears  
32 that the soiling or defacing was inadvertent and was not done  
33 purposely to identify the ballot.

34 (c) Only devices provided for in this chapter or chapter 293B of  
35 NRS may be used in marking ballots.

36 (d) It is unlawful for any election board officer to place any  
37 mark upon any ballot other than a spoiled ballot.

38 (e) When an election board officer rejects a ballot for any  
39 alleged defect or illegality, the officer shall seal the ballot in an  
40 envelope and write upon the envelope a statement that it was  
41 rejected and the reason for rejecting it. Each election board officer  
42 shall sign the envelope.

43 ~~[(f) In counties where mechanical voting systems are used~~  
44 ~~whereby a vote is cast by punching a card, a superfluous punch into~~  
45 ~~any card does not constitute grounds for rejection of the ballot~~



1 ~~unless the election board determines that the condition of the ballot~~  
2 ~~justifies its exclusion pursuant to subsection 1.]~~

3 **Sec. 57.** NRS 293.3677 is hereby amended to read as follows:

4 293.3677 1. When counting a vote in an election, if more  
5 choices than permitted by the instructions for a ballot are marked for  
6 any office or question, the vote for that office or question may not  
7 be counted.

8 2. ~~[Except as otherwise provided in subsection 1, in an election~~  
9 ~~in which a paper ballot is used whereby a vote is cast by placing a~~  
10 ~~cross in the designated square on the paper ballot, a vote on the~~  
11 ~~ballot must not be counted unless indicated by a cross in the~~  
12 ~~designated square.~~

13 ~~3. Except as otherwise provided in subsection 1, in an election~~  
14 ~~in which a mechanical voting system is used whereby a vote is cast~~  
15 ~~by punching a card:~~

16 ~~(a) A chip on the card must be counted as a vote if:~~

17 ~~— (1) The chip has at least one corner that is detached from the~~  
18 ~~card; or~~

19 ~~— (2) The fibers of paper on at least one edge of the chip are~~  
20 ~~broken in a way that permits unimpeded light to be seen through the~~  
21 ~~card.~~

22 ~~(b) A writing or other mark on the card, including, without~~  
23 ~~limitation, a cross, check, tear or scratch, may not be counted as a~~  
24 ~~vote. The remaining votes on such a card must be counted unless the~~  
25 ~~ballot is otherwise disqualified.~~

26 ~~4.]~~ Except as otherwise provided in subsection 1, in an election  
27 in which a mechanical voting system is used whereby a vote is cast  
28 by darkening a designated space on the ballot:

29 (a) A vote must be counted if the designated space is darkened  
30 or there is a writing in the designated space, including, without  
31 limitation, a cross or check; and

32 (b) Except as otherwise provided in paragraph (a), a writing or  
33 other mark on the ballot, including, without limitation, a cross,  
34 check, tear or scratch may not be counted as a vote.

35 ~~[5.]~~ 3. The Secretary of State:

36 (a) May adopt regulations establishing additional uniform,  
37 statewide standards, not inconsistent with this section, for counting  
38 a vote cast by ~~[a]~~ *the* method of voting described in subsection 2 ; ~~[~~  
39 ~~3 or 4;]~~ and

40 (b) Shall adopt regulations establishing uniform, statewide  
41 standards for counting a vote cast by each method of voting used in  
42 this State that is not described in subsection 2 , ~~[, 3 or 4,]~~ including,  
43 without limitation, a vote cast on a mechanical recording device  
44 which directly records the votes electronically.



1       **Sec. 58.** NRS 293.368 is hereby amended to read as follows:

2       293.368 1. Whenever a candidate whose name appears upon  
3 the ballot at a primary election dies after 5 p.m. of the second  
4 Tuesday in ~~[July,]~~ *March*, his name must remain on the ballot and  
5 the votes cast for the deceased candidate must be counted in  
6 determining the nomination for the office for which the decedent  
7 was a candidate.

8       2. If the deceased candidate on the ballot at the primary  
9 election receives the number of votes required to receive the  
10 nomination to the office for which he was a candidate, except as  
11 otherwise provided in subsection 3 of NRS 293.165, he shall be  
12 deemed nominated and there shall be a vacancy in the nomination  
13 that must be filled as provided in NRS 293.165 or 293.166. If the  
14 deceased person was a candidate for a nonpartisan office, the  
15 nomination must be filled pursuant to subsection 2 of NRS 293.165.

16       3. Whenever a candidate whose name appears upon the ballot  
17 at a general election dies after 5 p.m. of the second Tuesday in  
18 ~~[September,]~~ *August*, the votes cast for the deceased candidate must  
19 be counted in determining the results of the election for the office  
20 for which the decedent was a candidate.

21       4. If the deceased candidate on the ballot at the general election  
22 receives the majority of the votes cast for the office, he shall be  
23 deemed elected and the office to which he was elected shall be  
24 deemed vacant at the beginning of the term for which he was  
25 elected. The vacancy thus created must be filled in the same manner  
26 as if the candidate had died after taking office for that term.

27       **Sec. 59.** NRS 293.370 is hereby amended to read as follows:

28       293.370 1. When all the votes have been ~~[tallied,]~~ *counted*,  
29 the counting board officers shall enter on the tally lists by the name  
30 of each candidate the number of votes he received. The number  
31 must be expressed in words and figures. The vote for and against  
32 any question submitted to the electors must be entered in the same  
33 manner.

34       2. The tally lists must show the number of votes, other than  
35 absentee votes and votes in a mailing precinct, which each candidate  
36 received in each precinct at:

37       (a) A primary election held in an even-numbered year; or

38       (b) A general election.

39       **Sec. 60.** NRS 293.373 is hereby amended to read as follows:

40       293.373 If paper ballots ~~[or ballots which are voted by~~  
41 ~~punching a card]~~ are used:

42       1. After the tally lists have been completed, the voted ballots,  
43 rejected ballots, tally lists for regular ballots, tally list for rejected  
44 ballots, challenge list, stubs of used ballots, spoiled ballots and



1 unused ballots must be sealed under cover by the counting board  
2 officers and addressed to the county clerk.

3 2. The other ~~{pollbooks,}~~ tally lists and election board register  
4 must be returned to the county clerk.

5 **Sec. 61.** NRS 293.385 is hereby amended to read as follows:

6 293.385 1. After 8 a.m. on election day, the counting board,  
7 if it is responsible for counting absent ballots, or the absent ballot  
8 central counting board shall withdraw from the appropriate ballot  
9 boxes or containers all the ballots received the previous day and  
10 ascertain that each box or container has the required number of  
11 ballots according to the county clerk's absent voters' ballot record.

12 2. If any absent ballots are received by the county clerk on  
13 election day pursuant to NRS 293.316, the county clerk shall deposit  
14 the absent ballots in the appropriate ballot boxes or containers.

15 3. After 8 a.m. on election day, the appropriate board shall  
16 count in public the votes cast on the absent ballots.

17 4. If paper ballots are used, the results of the absent ballot vote  
18 in each precinct must be certified and submitted to the county clerk  
19 who shall have the results added to the regular votes of the precinct.  
20 ~~{If a mechanical voting system is used in which a voter casts his~~  
21 ~~ballot by punching a card which is counted by a computer, the~~  
22 ~~absent ballots may be counted with the regular votes of the~~  
23 ~~precinct.}~~ The returns of absent ballots must be reported separately  
24 from the regular votes of the precinct, unless reporting the returns  
25 separately would violate the secrecy of a voter's ballot. The county  
26 clerks shall develop a procedure to ensure that each ballot is kept  
27 secret.

28 5. Any person who disseminates to the public in any way  
29 information pertaining to the count of absent ballots before the polls  
30 close is guilty of a misdemeanor.

31 **Sec. 62.** NRS 293.391 is hereby amended to read as follows:

32 293.391 1. The *rosters*, voted ballots, rejected ballots, spoiled  
33 ballots, challenge lists, voting receipts, records printed on paper of  
34 voted ballots collected pursuant to NRS 293B.400, and stubs of the  
35 ballots used, enclosed and sealed, must, after canvass of the votes by  
36 the board of county commissioners, be deposited in the vaults of the  
37 county clerk. The records of voted ballots that are maintained in  
38 electronic form must, after canvass of the votes by the board of  
39 county commissioners, be sealed and deposited in the vaults of the  
40 county clerk. The tally lists ~~{and pollbooks}~~ collected pursuant to  
41 NRS 293B.400 must, after canvass of the votes by the board of  
42 county commissioners, be deposited in the vaults of the county clerk  
43 without being sealed. All materials described by this subsection  
44 must be preserved for at least 22 months, and all such sealed  
45 materials must be destroyed immediately after the preservation



1 period. A notice of the destruction must be published by the clerk in  
2 at least one newspaper of general circulation in the county not less  
3 than 2 weeks before the destruction.

4 2. Unused ballots, enclosed and sealed, must, after canvass of  
5 the votes by the board of county commissioners, be deposited in the  
6 vaults of the county clerk and preserved for at least the period  
7 during which the election may be contested and adjudicated, after  
8 which the unused ballots may be destroyed.

9 3. The ~~[pollbooks]~~ *rosters* containing the signatures of those  
10 persons who voted in the election and the tally lists deposited with  
11 the board of county commissioners are subject to the inspection of  
12 any elector who may wish to examine them at any time after their  
13 deposit with the county clerk.

14 4. A contestant of an election may inspect all of the material  
15 regarding that election which is preserved pursuant to subsection 1  
16 or 2, except the voted ballots.

17 5. The voted ballots deposited with the county clerk are not  
18 subject to the inspection of anyone, except in cases of contested  
19 election, and then only by the judge, body or board before whom the  
20 election is being contested, or by the parties to the contest, jointly,  
21 pursuant to an order of such judge, body or board.

22 **Sec. 63.** NRS 293.404 is hereby amended to read as follows:

23 293.404 1. Where a recount is demanded pursuant to the  
24 provisions of NRS 293.403, the:

25 (a) County clerk of each county affected by the recount shall  
26 employ a recount board to conduct the recount in the county, and  
27 shall act as chairman of the recount board unless the recount is for  
28 the office of county clerk, in which case the registrar of voters of the  
29 county, if a registrar of voters has been appointed for the county,  
30 shall act as chairman of the recount board. If a registrar of voters has  
31 not been appointed for the county, the chairman of the board of  
32 county commissioners, if he is not a candidate on the ballot, shall  
33 act as chairman of the recount board. If the recount is for the office  
34 of county clerk, a registrar of voters has not been appointed for the  
35 county and the chairman of the board of county commissioners is a  
36 candidate on the ballot, the chairman of the board of county  
37 commissioners shall appoint another member of the board of county  
38 commissioners who is not a candidate on the ballot to act as  
39 chairman of the recount board. A member of the board of county  
40 commissioners who is a candidate on the ballot may not serve as a  
41 member of the recount board.

42 (b) City clerk shall employ a recount board to conduct the  
43 recount in the city, and shall act as chairman of the recount board  
44 unless the recount is for the office of city clerk, in which case the  
45 mayor of the city, if he is not a candidate on the ballot, shall act as



1 chairman of the recount board. If the recount is for the office of city  
2 clerk and the mayor of the city is a candidate on the ballot, the  
3 mayor of the city shall appoint another member of the city council  
4 who is not a candidate on the ballot to act as chairman of the recount  
5 board. A member of the city council who is a candidate on the ballot  
6 may not serve as a member of the recount board.

7 2. Each candidate for the office affected by the recount and the  
8 voter who demanded the recount, if any, may be present in person or  
9 by an authorized representative, but may not be a member of the  
10 recount board.

11 3. ~~Except in counties or cities using a mechanical voting~~  
12 ~~system, the recount must include a count and inspection of all~~  
13 ~~ballots, including rejected ballots, and must determine whether those~~  
14 ~~ballots are marked as required by law.~~

15 ~~—4.]~~ If a recount is demanded in a county or city using a  
16 mechanical voting system, the person who demanded the recount  
17 shall select the ballots for the office or ballot question affected from  
18 5 percent of the precincts, but in no case fewer than three precincts,  
19 after notification to each candidate for the office or his authorized  
20 representative. The recount board shall examine the selected ballots,  
21 including any duplicate or rejected ballots, shall determine whether  
22 the ballots have been voted in accordance with this title and shall  
23 count the valid ballots by hand. In addition, a recount by computer  
24 must be made of all the selected ballots. If the count by hand or the  
25 recount by computer of the selected ballots shows a discrepancy  
26 equal to or greater than 1 percent or five votes, whichever is greater,  
27 for the candidate demanding the recount or the candidate who won  
28 the election according to the original canvass of the returns, or in  
29 favor of or against a ballot question, according to the original  
30 canvass of the returns, the county or city clerk shall order a count by  
31 hand of all the ballots for that office or ballot question. Otherwise,  
32 the county or city clerk shall order a recount by computer of all the  
33 ballots for all candidates for the office or all the ballots for the ballot  
34 question.

35 ~~[5.]~~ 4. The county or city clerk shall unseal and give to the  
36 recount board all ballots to be counted.

37 ~~[6.]~~ 5. In the case of a demand for a recount affecting more  
38 than one county, the demand must be made to the Secretary of State,  
39 who shall notify the county clerks to proceed with the recount.

40 **Sec. 64.** NRS 293.462 is hereby amended to read as follows:

41 293.462 1. Each container used to transport official ballots  
42 pursuant to NRS 293.304, 293.325, ~~[293.3602,]~~ 293B.330 and  
43 293B.335 must:

44 (a) Be constructed of metal or any other rigid material; and



1 (b) Contain a seal which is placed on the container to ensure  
2 detection of any opening of the container.

3 2. The container and seal must be separately numbered for  
4 identification.

5 **Sec. 65.** NRS 293.481 is hereby amended to read as follows:

6 293.481 1. Except as otherwise provided in subsection 2 or  
7 NRS 295.121 or 295.217, every governing body of a political  
8 subdivision, public or quasi-public corporation, or other local  
9 agency authorized by law to submit questions to the qualified  
10 electors or registered voters of a designated territory, when the  
11 governing body decides to submit a question:

12 (a) At a general election, shall provide to each county clerk  
13 within the designated territory on or before the third Monday in July  
14 preceding the election:

15 (1) A copy of the question, including an explanation of the  
16 question;

17 (2) Arguments for and against the question; and

18 (3) If the question is an advisory question that proposes a  
19 bond, tax, fee or expense, a fiscal note prepared by the governing  
20 body in accordance with subsection 4 of NRS 293.482.

21 (b) At a primary election, shall provide to each county clerk  
22 within the designated territory on or before the second Friday after  
23 the first Monday in ~~May~~ *January* preceding the election:

24 (1) A copy of the question, including an explanation of the  
25 question;

26 (2) Arguments for and against the question; and

27 (3) If the question is an advisory question that proposes a  
28 bond, tax, fee or expense, a fiscal note prepared by the governing  
29 body in accordance with subsection 4 of NRS 293.482.

30 (c) At any election other than a primary or general election at  
31 which the county clerk gives notice of the election or otherwise  
32 performs duties in connection therewith other than the registration  
33 of electors and the making of records of registered voters available  
34 for the election, shall provide to each county clerk at least 60 days  
35 before the election:

36 (1) A copy of the question, including an explanation of the  
37 question;

38 (2) Arguments for and against the question; and

39 (3) If the question is an advisory question that proposes a  
40 bond, tax, fee or expense, a fiscal note prepared by the governing  
41 body in accordance with subsection 4 of NRS 293.482.

42 (d) At any city election at which the city clerk gives notice of  
43 the election or otherwise performs duties in connection therewith,  
44 shall provide to the city clerk at least 60 days before the election:



1 (1) A copy of the question, including an explanation of the  
2 question;

3 (2) Arguments for and against the question; and

4 (3) If the question is an advisory question that proposes a  
5 bond, tax, fee or expense, a fiscal note prepared by the governing  
6 body in accordance with subsection 4 of NRS 293.482.

7 2. A question may be submitted after the dates specified in  
8 subsection 1 if the question is expressly privileged or required to be  
9 submitted pursuant to the provisions of Article 19 of the  
10 Constitution of the State of Nevada, or pursuant to the provisions of  
11 chapter 295 of NRS or any other statute except NRS 293.482,  
12 354.59817, 354.5982, 387.3285 or 387.3287 or any statute that  
13 authorizes the governing body to issue bonds upon the approval of  
14 the voters.

15 3. A county or city clerk may charge any political subdivision,  
16 public or quasi-public corporation, or other local agency which  
17 submits a question a reasonable fee sufficient to pay for the  
18 increased costs incurred in including the question, explanation,  
19 arguments and fiscal note on the ballot.

20 **Sec. 66.** NRS 293.501 is hereby amended to read as follows:

21 293.501 Notwithstanding any other provisions of this title:

22 1. Any elector of this State who resides outside this State may  
23 ~~use the form~~ *register to vote in this State using the:*

24 (a) *Form* provided by the Federal Government pursuant to the  
25 provisions of the Uniformed and Overseas Citizens Absentee Voting  
26 Act of 1986, 42 U.S.C. ~~§§ 1973-, to register to vote in this State.~~ *§§*  
27 *1973ff et seq.; or*

28 (b) *National Mail Voter Registration Form developed by the*  
29 *Federal Government pursuant to the provisions of the National*  
30 *Voter Registration Act, 42 U.S.C. §§ 1973gg et. seq.*

31 2. The county clerk shall not register a voter who submits the  
32 form from any location within this State.

33 3. If an elector registers to vote pursuant to the provisions of  
34 subsection 1, he shall be deemed to be registered as of the date that  
35 the form or the envelope containing the form is postmarked.

36 **Sec. 67.** NRS 293.505 is hereby amended to read as follows:

37 293.505 1. All justices of the peace, except those located in  
38 county seats, are ex officio field registrars to carry out the  
39 provisions of this chapter.

40 2. The county clerk shall appoint at least one registered voter to  
41 serve as a field registrar of voters who, except as otherwise provided  
42 in NRS 293.5055, shall register voters within the county for which  
43 he is appointed. Except as otherwise provided in subsection 1, a  
44 candidate for any office may not be appointed or serve as a field





1 registrar. A field registrar serves at the pleasure of the county clerk  
2 and shall perform his duties as the county clerk may direct.

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

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

10 5. Each field registrar shall forward to the county clerk all  
11 completed applications in his possession immediately after the fifth  
12 Sunday preceding an election. Within 5 days after the fifth Sunday  
13 preceding any general election or general city election, a field  
14 registrar shall return all unused applications in his possession to the  
15 county clerk. If all of the unused applications are not returned to the  
16 county clerk, the field registrar shall account for the unreturned  
17 applications.

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

22 7. Each field registrar shall post notices sent to him by the  
23 county clerk for posting in accordance with the election laws of this  
24 State.

25 8. A field registrar, employee of a voter registration agency or  
26 person assisting a voter pursuant to subsection 12 of NRS 293.5235  
27 shall not:

28 (a) Delegate any of his duties to another person; or

29 (b) Refuse to register a person on account of that person's  
30 political party affiliation.

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

34 10. A county clerk, field registrar, employee of a voter  
35 registration agency or person assisting a voter pursuant to subsection  
36 12 of NRS 293.5235 shall not:

37 (a) Solicit a vote for or against a particular question or  
38 candidate;

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

41 (c) Distribute any petition or other material concerning a  
42 candidate or question which will be on the ballot for the ensuing  
43 election,

44 ↪ while he is registering an elector.



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

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

6 12. A county clerk, field registrar, employee of a voter  
7 registration agency or person assisting a voter pursuant to subsection  
8 12 of NRS 293.5235 shall not:

9 (a) Knowingly register a person who is not a qualified elector or  
10 a person who has filed a false or misleading application to register  
11 to vote;

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

16 (c) Register a person who fails to provide ~~[satisfactory proof of~~  
17 ~~identification and the address at which he actually resides.]~~ *current*  
18 *and valid photographic identification or sufficient proof of*  
19 *residence and identity.*

20 13. If a field registrar violates any of the provisions of this  
21 section, the county clerk shall immediately suspend the field  
22 registrar and notify the district attorney of the county in which the  
23 violation occurred.

24 14. A person who violates any of the provisions of subsection  
25 8, 9, 10 or 12 is guilty of a category E felony and shall be punished  
26 as provided in NRS 193.130.

27 **Sec. 68.** 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) 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, giving true and satisfactory answers to all questions relevant to  
34 his identity and right to vote. ~~[and providing proof of his residence~~  
35 ~~and identity.];~~ *The county clerk, field registrar or voter registration*  
36 *agency shall require a person to provide a copy of current and*  
37 *valid photographic identification or a copy of sufficient proof of*  
38 *residence and identity, as proof of residence and identity, before*  
39 *registering the person to vote. An elector who registers to vote*  
40 *pursuant to this paragraph shall be deemed to be registered after*  
41 *he completes the application to register to vote and provides a copy*  
42 *of current and valid photographic identification or a copy of*  
43 *sufficient proof of residence and identity, as proof of his residence*  
44 *and identity.*



1 (b) By completing and mailing or personally delivering to the  
2 county clerk an application to register to vote pursuant to the  
3 provisions of NRS 293.5235. ~~[;]~~

4 (c) Pursuant to the provisions of NRS 293.501 or 293.524. ~~[; or]~~

5 (d) At his residence with the assistance of a field registrar  
6 pursuant to NRS 293.5237. ~~[;~~

7 ~~↪ The county clerk shall require a person to submit official  
8 identification as proof of residence and identity, such as a driver's  
9 license or other official document, before registering him. If the]~~

10 **2. If an** applicant registers to vote pursuant to ~~[this subsection]~~  
11 **subsection 1** and fails to provide proof of his residence and identity,  
12 the applicant must provide proof of his residence and identity before  
13 ~~[casting];~~

14 **(a) Signing a petition required under the election laws of this**  
15 **State; or**

16 **(b) Casting** a ballot in person or by mail or after casting a  
17 provisional ballot pursuant to NRS 293.3081 or 293.3083.

18 ~~[2.]~~ **3.** The application to register to vote must be signed and  
19 verified under penalty of perjury by the elector registering.

20 ~~[3.]~~ **4.** Each elector who is or has been married must be  
21 registered under his own given or first name, and not under the  
22 given or first name or initials of his spouse.

23 ~~[4.]~~ **5.** An elector who is registered and changes his name must  
24 complete a new application to register to vote. He may obtain a new  
25 application:

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

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

29 (c) By submitting a written statement to the county clerk  
30 requesting the county clerk to mail an application to register to vote;  
31 or

32 (d) At any voter registration agency.

33 ~~↪~~ If the elector fails to register under his new name, he may be  
34 challenged pursuant to the provisions of NRS 293.303 or 293C.292  
35 and may be required to furnish proof of identity and subsequent  
36 change of name.

37 ~~[5.—An elector who registers to vote pursuant to paragraph (a)  
38 of subsection 1 shall be deemed to be registered upon the  
39 completion of his application to register to vote.]~~

40 **6.** After the county clerk determines that the application to  
41 register to vote of a person is complete and that the person is eligible  
42 to vote, he shall issue a voter registration card to the voter which  
43 contains:

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



- 1 (b) The date of issuance; and
- 2 (c) The signature of the county clerk.

3 **Sec. 69.** NRS 293.5235 is hereby amended to read as follows:

4 293.5235 1. Except as otherwise provided in NRS 293.502, a  
5 person may register to vote by mailing ~~an~~ *a completed* application  
6 to register to vote to the county clerk of the county in which he  
7 resides. *A person may include a copy of current and valid*  
8 *photographic identification or a copy of sufficient proof of*  
9 *residence and identity with a completed application to register to*  
10 *vote mailed to a county clerk.* The county clerk shall, upon request,  
11 mail an application to register to vote to an applicant. The county  
12 clerk shall make the applications available at various public places  
13 in the county. An application to register to vote may be used to  
14 correct information in the registrar of voters' register.

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

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

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

26 5. If he determines that the application is complete, he shall,  
27 within 10 days after he receives the application, mail to the  
28 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  
36 corrected the information in the register as of the date the  
37 application is postmarked or personally delivered.

38 6. Except as otherwise provided in subsection 5 of NRS  
39 293.518, 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  
8 corrected the information in the register as of the date the  
9 application is postmarked or personally delivered. If the applicant  
10 does not provide the additional information within the prescribed  
11 period, the application is void.

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

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 (b) The question, "Are you a citizen of the United States?" and  
32 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 age  
37 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 question  
40 set forth in paragraph (b) or (c).

41 (e) A statement informing the applicant that if the application is  
42 submitted by mail and the applicant is registering to vote for the first  
43 time, the applicant must submit the information set forth in  
44 paragraph (a) of subsection 2 of NRS 293.2725 to avoid the



1 requirements of subsection 1 of NRS 293.2725 upon voting for the  
2 first time.

3 10. Except as otherwise provided in subsection 5 of NRS  
4 293.518, the county clerk shall not register a person to vote pursuant  
5 to this section unless that person has provided all of the information  
6 required by the application.

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

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

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

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

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

29 16. The Secretary of State shall adopt regulations to carry out  
30 the provisions of this section.

31 **Sec. 70.** NRS 293.540 is hereby amended to read as follows:

32 293.540 The county clerk shall cancel the registration:

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

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

38 3. Upon the determination that the person registered has been  
39 convicted of a felony ~~§~~, **unless:**

40 ***(a) If the person registered was convicted of a felony in this***  
41 ***State, the person provides satisfactory proof that:***

42 ***(1) His conviction was overturned; or***

43 ***(2) His right to vote has been restored pursuant to the***  
44 ***provisions of NRS 176A.850, 179.285, 213.090, 213.155 or***  
45 ***213.157.***



1       ***(b) If the person registered was convicted of a felony in***  
2 ***another state, the person provides satisfactory proof that:***

3           ***(1) His conviction was overturned; or***

4           ***(2) His right to vote has been restored pursuant to the laws***  
5 ***of the state in which the person was convicted.***

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

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

11       6. At the request of the person registered.

12       7. If he has discovered an incorrect registration pursuant to the  
13 provisions of NRS 293.5235, 293.530, or 293.535 and the elector  
14 has failed to respond or appear to vote within the required time.

15       8. As required by NRS 293.541.

16       9. Upon verification that the application to register to vote is a  
17 duplicate if he has the original or another duplicate of the  
18 application on file in his office.

19       **Sec. 71.** NRS 293.541 is hereby amended to read as follows:

20       293.541 1. The county clerk shall cancel the registration of a  
21 voter, if:

22       (a) After consultation with the district attorney, the district  
23 attorney determines that there is probable cause to believe that  
24 information in the registration concerning the identity or residence  
25 of the voter is fraudulent;

26       (b) The county clerk provides a notice as required pursuant to  
27 subsection 2 or executes an affidavit of cancellation pursuant to  
28 subsection 3; and

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

31       2. Except as otherwise provided in subsection 3, the county  
32 clerk shall notify the voter by registered or certified mail, return  
33 receipt requested, of a determination made pursuant to subsection 1.  
34 The notice must set forth the grounds for cancellation. Unless the  
35 voter, within 15 days after the return receipt has been filed in the  
36 office of the county clerk, presents ~~[satisfactory proof of his identity~~  
37 ~~and residence]~~ ***current and valid photographic identification or***  
38 ***sufficient proof of residence and identity*** to the county clerk, the  
39 county clerk shall cancel his registration.

40       3. If insufficient time exists before a pending election to  
41 provide the notice required by subsection 2, the county clerk shall  
42 execute an affidavit of cancellation and file the affidavit of  
43 cancellation with the registrar of voters' register and:



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

4 (b) In counties where records of registration are kept by  
5 computer, the county clerk shall have the affidavit of cancellation  
6 printed on the computer entry for the registration and add a copy of  
7 it to the election board register.

8 4. If a voter appears to vote at the election next following the  
9 date that an affidavit of cancellation was executed for the voter  
10 pursuant to this section, the voter must be allowed to vote only if he  
11 furnishes:

12 (a) ~~Official identification which contains a photograph of~~  
13 ~~himself, including, without limitation, a driver's license or other~~  
14 ~~official document; and~~

15 ~~—(b) Satisfactory identification that contains proof of the address~~  
16 ~~at which he actually resides and that address is consistent with the~~  
17 ~~address listed on the election board register.]~~ *Current and valid*  
18 *photographic identification; or*

19 *(b) Sufficient proof of residence and identity.*

20 5. If a determination is made pursuant to subsection 1  
21 concerning information in the registration to vote of a voter and an  
22 absent ballot or a ballot voted by a voter who resides in a mailing  
23 precinct is received from the voter, the ballot must be kept separate  
24 from other ballots and must not be counted unless the voter presents  
25 satisfactory proof to the county clerk of his identity and residence  
26 before such ballots are counted on election day.

27 **Sec. 72.** NRS 293.543 is hereby amended to read as follows:

28 293.543 1. If the registration of an elector is cancelled  
29 pursuant to subsection 2 of NRS 293.540, the county clerk shall  
30 reregister the elector upon notice from the clerk of the district court  
31 that the elector has been declared sane or mentally competent by the  
32 district court.

33 2. If the registration of an elector is cancelled pursuant to  
34 subsection 3 of NRS 293.540, the elector may reregister after he  
35 presents ~~[written evidence from a court or governmental agency of~~  
36 ~~this State]~~ *satisfactory evidence* which demonstrates that:

37 (a) His conviction has been overturned; or

38 (b) His civil rights have been restored ~~[ ]~~:

39 *(1) If he was convicted in this State, pursuant to the*  
40 *provisions of NRS 176A.850, 179.285, 213.090, 213.155 or*  
41 *213.157.*

42 *(2) If he was convicted in another state, pursuant to the*  
43 *laws of the state in which he was convicted.*





1 3. If the registration of an elector is cancelled pursuant to the  
2 provisions of subsection 5 of NRS 293.540, the elector may  
3 reregister immediately.

4 4. If the registration of an elector is cancelled pursuant to the  
5 provisions of subsection 6 of NRS 293.540, after the close of  
6 registration for a primary election, the elector may not reregister  
7 until after the primary election.

8 **Sec. 73.** NRS 293B.032 is hereby amended to read as follows:

9 293B.032 “Mechanical recording device” means a device ~~[-~~  
10 ~~—1.—Which]~~ **which** mechanically or electronically compiles a  
11 total of the number of votes cast for each candidate and for or  
12 against each measure voted on. ~~[-; or~~

13 ~~—2.— To which a list of offices and candidates and the statements~~  
14 ~~of measures to be voted on may be affixed and into which a card~~  
15 ~~may be inserted so that the votes cast for each candidate and for or~~  
16 ~~against each measure may be indicated by punching the card with~~  
17 ~~reference to the list.]~~

18 **Sec. 74.** NRS 293B.033 is hereby amended to read as follows:

19 293B.033 “Mechanical voting system” means a system of  
20 voting whereby a voter may cast his vote:

21 1. On a device which mechanically or electronically compiles a  
22 total of the number of votes cast for each candidate and for or  
23 against each measure voted on; or

24 2. By ~~[-punching a card or]~~ marking a paper ballot which is  
25 subsequently counted on an electronic tabulator, counting device or  
26 computer.

27 **Sec. 75.** NRS 293B.103 is hereby amended to read as follows:

28 293B.103 ~~[-1.—If a mechanical voting system is used whereby~~  
29 ~~votes are cast by punching a card:~~

30 ~~—(a) The cards to be used must have two detachable stubs.~~

31 ~~—(b) Each of the stubs attached to a particular card must bear the~~  
32 ~~number of that card.~~

33 ~~—(c) One of the stubs must be detached and given to the voter~~  
34 ~~when he returns his voted ballot, and the other stub must be retained~~  
35 ~~by the election board.~~

36 ~~—2.]~~ If a mechanical voting system is used whereby votes are  
37 directly recorded electronically:

38 ~~[(a)]~~ 1. A voting receipt which has two parts must be used.

39 ~~[(b)]~~ 2. Each part of the voting receipt must bear the same  
40 number for identification.

41 ~~[(c)]~~ 3. One part of the voting receipt must be given to the  
42 voter when he votes and the other part of the voting receipt must be  
43 retained by the election board.



1       **Sec. 76.** NRS 293B.155 is hereby amended to read as follows:

2       293B.155 1. The tests prescribed by NRS 293B.150 and  
3 293B.165 must be conducted by processing a preaudited group of  
4 logic and accuracy test ballots so ~~[punched,]~~ voted or marked as to  
5 record a predetermined number of valid votes for each candidate  
6 and on each measure, and must include for each office one or more  
7 ballots which have votes in excess of the number allowed by law in  
8 order to test the ability of the mechanical recording device or the  
9 automatic tabulating equipment and programs to reject those votes.

10       2. If any error is detected, the cause therefor must be  
11 ascertained and corrected and an errorless count must be made  
12 before the mechanical recording device or the automatic tabulating  
13 equipment and programs are approved.

14       3. When satisfied with the accuracy of the mechanical  
15 recording device or automatic tabulating equipment and computer  
16 program, the accuracy certification board and the county or city  
17 clerk shall date and sign all reports, and seal the program, if any,  
18 and the reports and all test material in an appropriate container. The  
19 container must be kept sealed by the clerk.

20       4. Except as otherwise provided in this subsection, the contents  
21 of such a sealed container are not subject to the inspection of anyone  
22 except in the case of a contested election, and then only by the  
23 judge, body or board before whom the election is being contested, or  
24 by the parties to the contest, jointly, pursuant to an order of that  
25 judge, body or board. For the period set forth in NRS 293.413  
26 during which a candidate may file a statement of contest, the results  
27 of the test must be made available in the clerk's office for public  
28 inspection.

29       **Sec. 77.** NRS 293B.305 is hereby amended to read as follows:

30       293B.305 Unless a major political party allows a nonpartisan  
31 voter to vote for its candidates:

32       1. In a primary election, a member of the election board for a  
33 precinct shall issue each nonpartisan voter a ballot with a distinctive  
34 code and printed designation identifying it as a nonpartisan ballot.

35       2. If a mechanical voting system is used in a primary election  
36 whereby votes are directly recorded electronically, a member of the  
37 election board shall, in addition to the ballot described in subsection  
38 1, issue the nonpartisan voter a voting receipt with a printed  
39 designation identifying it as a nonpartisan ballot.

40       3. The member of the election board shall:

41       (a) Direct the nonpartisan voter to a mechanical recording  
42 device containing a list of offices and candidates setting forth only  
43 the nonpartisan ballot; *or*

44       (b) Direct the nonpartisan voter to a mechanical recording  
45 device containing a list of offices and candidates arranged for a



1 partisan ballot, instruct the voter to vote only the nonpartisan section  
2 of the list and advise the voter that any votes he may cast in the  
3 partisan section will not be counted. ~~;~~ or

4 ~~—(c) Issue a nonpartisan ballot attached to a sheet of foam plastic~~  
5 ~~or similar backing material, a punching instrument, a sample~~  
6 ~~nonpartisan ballot and an instruction sheet to the nonpartisan voter~~  
7 ~~and instruct him to punch his ballot by reference to the sample~~  
8 ~~ballot.]~~

9 **Sec. 78.** NRS 293B.330 is hereby amended to read as follows:

10 293B.330 1. Upon closing of the polls, the election board  
11 shall:

12 (a) Secure all mechanical recording devices against further  
13 voting.

14 (b) ~~If a mechanical voting system is used whereby votes are~~  
15 ~~cast by punching a card:~~

16 ~~—(1) Count the number of ballots in the ballot boxes.~~

17 ~~—(2) Account for all ballots on the statement of ballots.~~

18 ~~—(3) Place all official ballots, the ballot statement and any~~  
19 ~~other records, reports and materials as directed by the county clerk~~  
20 ~~into the container provided by him to transport those items to a~~  
21 ~~central counting place and seal the container.~~

22 ~~—(c) If a mechanical voting system is used whereby votes are~~  
23 ~~directly recorded electronically:~~

24 (1) Ensure that each mechanical recording device:

25 (I) Provides a record printed on paper of the total number  
26 of votes recorded on the device for each candidate and for or against  
27 each measure; and

28 (II) Transfers the ballots voted on that device to the  
29 storage device required pursuant to NRS 293B.084.

30 (2) Count the number of ballots voted at the polling place.

31 (3) Account for all ballots on the statement of ballots.

32 (4) Place all records printed on paper provided by the  
33 mechanical recording devices, all storage devices which store the  
34 ballots voted on the mechanical recording devices, and any other  
35 records, reports and materials as directed by the county clerk into  
36 the container provided by him to transport those items to a central  
37 counting place and seal the container.

38 ~~(d)~~ (c) Record the number of voters on a form provided by the  
39 county clerk.

40 2. If a difference exists between the number of voters and the  
41 number of ballots voted, the election board shall report the  
42 difference and any known reasons for the difference, in writing, to  
43 the county clerk.

44 3. After closing the polls, the election board shall:



1 (a) Compare the quantity of the supplies furnished by the county  
2 clerk with the inventory of those supplies; and

3 (b) Note any shortages.

4 4. The county clerk shall allow members of the general public  
5 to observe the handling of the ballots pursuant to subsection 1 if  
6 those members do not interfere with the handling of the ballots.

7 **Sec. 79.** NRS 293B.354 is hereby amended to read as follows:

8 293B.354 1. The county clerk shall, not later than ~~July~~  
9 *March* 1 of each year in which a general election is held, submit to  
10 the Secretary of State for his approval a written plan for the  
11 accommodation of members of the general public who observe the  
12 delivery, counting, handling and processing of ballots at a polling  
13 place, receiving center or central counting place.

14 2. The city clerk shall, not later than January 1 of each year in  
15 which a general city election is held, submit to the Secretary of State  
16 for his approval a written plan for the accommodation of members  
17 of the general public who observe the delivery, counting, handling  
18 and processing of the ballots at a polling place, receiving center or  
19 central counting place.

20 3. Each plan must include:

21 (a) The location of the central counting place and of each polling  
22 place and receiving center;

23 (b) A procedure for the establishment of areas within each  
24 polling place and receiving center and the central counting place  
25 from which members of the general public may observe the  
26 activities set forth in subsections 1 and 2;

27 (c) The requirements concerning the conduct of the members of  
28 the general public who observe the activities set forth in subsections  
29 1 and 2; and

30 (d) Any other provisions relating to the accommodation of  
31 members of the general public who observe the activities set forth in  
32 subsections 1 and 2 which the county or city clerk considers  
33 appropriate.

34 **Sec. 80.** NRS 293B.365 is hereby amended to read as follows:

35 293B.365 The central ballot inspection board shall:

36 1. Receive the ballots in sealed containers.

37 2. Inspect the containers, record the number indicated on each  
38 container and its seal pursuant to NRS 293.462 and remove the  
39 ballots or storage devices which store the ballots voted on  
40 mechanical recording devices which directly record votes  
41 electronically.

42 3. Register the numbers of ballots by precinct.

43 4. Deliver any damaged ballots to the ballot duplicating board .

44 ~~[, if the ballots were voted by punching a card.]~~



1 5. Receive duplicates of damaged ballots from the ballot  
2 duplicating board and place the duplicates with the voted ballots of  
3 the appropriate precinct . ~~[, if the ballots were voted by punching a~~  
4 ~~card.]~~

5 6. Place each damaged original ballot in a separate envelope  
6 and note on the outside of the envelope the appropriate number of  
7 the precinct . ~~[, if the ballot was voted by punching a card.]~~

8 7. Reject any ballot that has been marked in a way that  
9 identifies the voter.

10 8. Place each rejected ballot in a separate envelope and note on  
11 the outside of the envelope the appropriate number of the precinct  
12 and the reason for the board's rejection of the ballot . ~~[, if the ballot~~  
13 ~~was voted by punching a card.]~~

14 **Sec. 81.** NRS 293B.375 is hereby amended to read as follows:

15 293B.375 ~~[If ballots which are voted by punching a card are~~  
16 ~~used, the]~~ *The* ballot duplicating board shall:

17 1. Receive damaged ballots, including ballots which have been  
18 torn, bent or mutilated.

19 2. ~~[Receive cards with incompletely punched chips.~~  
20 ~~—3.]~~ Prepare on a distinctly colored, serially numbered ballot  
21 marked "duplicate" an exact copy of each damaged ballot.

22 ~~[4. In the case of a card with an incompletely punched chip:~~

23 ~~—(a) Remove the incompletely punched chip if:~~

24 ~~—(1) The chip has at least one corner that is detached from the~~  
25 ~~card; or~~

26 ~~—(2) The fibers of paper on at least one edge of the chip are~~  
27 ~~broken in a way that permits unimpeded light to be seen through the~~  
28 ~~card; or~~

29 ~~—(b) Duplicate the card without punching the location of the~~  
30 ~~incompletely punched chip if:~~

31 ~~—(1) The chip does not have at least one corner that is~~  
32 ~~detached from the card; and~~

33 ~~—(2) The fibers of paper on no edge of the chip are broken in a~~  
34 ~~way that permits unimpeded light to be seen through the card.~~

35 ~~—5.]~~ 3. Record the serial number of the duplicate ballot on the  
36 damaged original ballot and return the damaged and duplicate  
37 ballots to the appropriate ballot inspection board.

38 ~~[6.]~~ 4. Hold aside the duplicated ballots for counting after all  
39 other ballots are counted if this procedure is directed by the county  
40 clerk.

41 **Sec. 82.** NRS 293C.185 is hereby amended to read as follows:

42 293C.185 1. Except as otherwise provided in NRS 293C.115  
43 and 293C.190, a name may not be printed on a ballot to be used at a  
44 primary city election, unless the person named has filed a  
45 declaration of candidacy or an acceptance of candidacy and has paid



1 the fee established by the governing body of the city not earlier than  
2 70 days before the primary city election and not later than 5 p.m. on  
3 the 60th day before the primary city election.

4 2. A declaration of candidacy required to be filed by this  
5 section must be in substantially the following form:

6  
7 DECLARATION OF CANDIDACY OF ..... FOR THE  
8 OFFICE OF .....

9  
10 State of Nevada

11  
12 City of .....

13  
14 For the purpose of having my name placed on the official ballot as a  
15 candidate for the office of ....., I, the undersigned .....,  
16 do swear or affirm under penalty of perjury that I actually, as  
17 opposed to constructively, reside at ....., in the City or  
18 Town of ....., County of ....., State of Nevada; that my  
19 actual, as opposed to constructive, residence in the city, township or  
20 other area prescribed by law to which the office pertains began on a  
21 date *that was* at least 30 days immediately preceding the date of the  
22 close of filing of declarations of candidacy for this *office and that*  
23 *complies with any durational residency requirements required by*  
24 *law specifically for this* office; that my telephone number is .....,  
25 and the address at which I receive mail, if different than my  
26 residence, is .....; that I am a qualified elector pursuant to  
27 Section 1 of Article 2 of the Constitution of the State of Nevada;  
28 that if I have ever been convicted of treason or a felony, my civil  
29 rights have been restored by a court of competent jurisdiction; that if  
30 nominated as a candidate at the ensuing election I will accept the  
31 nomination and not withdraw; that I will not knowingly violate any  
32 election law or any law defining and prohibiting corrupt and  
33 fraudulent practices in campaigns and elections in this State; that I  
34 will qualify for the office if elected thereto, including, but not  
35 limited to, complying with any limitation prescribed by the  
36 Constitution and laws of this State concerning the number of years  
37 or terms for which a person may hold the office; and my name will  
38 appear on all ballots as designated in this declaration.

39  
40 .....  
41 (Designation of name)

42  
43 .....  
44 (Signature of candidate for office)



1 Subscribed and sworn to before me  
2 this ..... day of the month of ..... of the year .....

3  
4 .....  
5 Notary Public or other person  
6 authorized to administer an oath  
7

8 3. The address of a candidate that must be included in the  
9 declaration or acceptance of candidacy pursuant to subsection 2  
10 must be the street address of the residence where he actually, as  
11 opposed to constructively, resides in accordance with NRS 281.050,  
12 if one has been assigned. The declaration or acceptance of  
13 candidacy must not be accepted for filing if:

14 (a) The candidate's address is listed as a post office box unless a  
15 street address has not been assigned to his residence; or

16 (b) The candidate does not present to the filing officer:

17 (1) ~~[A valid driver's license or identification card issued by a  
18 governmental agency that contains a photograph of the candidate  
19 and the candidate's address; or~~

20 ~~— (2) A current utility bill, bank statement, paycheck, or  
21 document issued by a governmental entity, including, without  
22 limitation, a check, which indicates the candidate's name and  
23 address.]~~ *Current and valid photographic identification that  
24 indicates the street address of the residence of the candidate; or*

25 *(2) If the current and valid photographic identification does  
26 not indicate the street address of the residence of the candidate,  
27 current and valid photographic identification and sufficient proof  
28 of residence and identity.*

29 4. By filing the declaration or acceptance of candidacy, the  
30 candidate shall be deemed to have appointed the city clerk as his  
31 agent for service of process for the purposes of a proceeding  
32 pursuant to NRS 293C.186. Service of such process must first be  
33 attempted at the appropriate address as specified by the candidate in  
34 the declaration or acceptance of candidacy. If the candidate cannot  
35 be served at that address, service must be made by personally  
36 delivering to and leaving with the city clerk duplicate copies of the  
37 process. The city clerk shall immediately send, by registered or  
38 certified mail, one of the copies to the candidate at his specified  
39 address, unless the candidate has designated in writing to the city  
40 clerk a different address for that purpose, in which case the city  
41 clerk shall mail the copy to the last address so designated.

42 5. If the city clerk receives credible evidence indicating that a  
43 candidate has been convicted of a felony and has not had his civil  
44 rights restored by a court of competent jurisdiction, the city clerk:



1 (a) May conduct an investigation to determine whether the  
2 candidate has been convicted of a felony and, if so, whether he has  
3 had his civil rights restored by a court of competent jurisdiction; and

4 (b) Shall transmit the credible evidence and the findings from  
5 such investigation to the city attorney.

6 6. The receipt of information by the city attorney pursuant to  
7 subsection 5 must be treated as a challenge of a candidate pursuant  
8 to subsections 4 and 5 of NRS 293C.186. If the ballots are printed  
9 before a court of competent jurisdiction makes a determination that  
10 a candidate has been convicted of a felony and has not had his civil  
11 rights restored by a court of competent jurisdiction, the city clerk  
12 must post a notice at each polling place where the candidate's name  
13 will appear on the ballot informing the voters that the candidate is  
14 disqualified from entering upon the duties of the office for which the  
15 candidate filed the declaration of candidacy or acceptance of  
16 candidacy.

17 **Sec. 83.** NRS 293C.270 is hereby amended to read as follows:

18 293C.270 ~~[H.—H]~~ *Except as otherwise provided in NRS*  
19 *293.541, if* a person's name appears in the election board register or  
20 if he provides an affirmation pursuant to NRS 293C.525, he is  
21 entitled to vote and must sign his name in the ~~[election board~~  
22 ~~register]~~ *roster* when he applies to vote. His signature must be  
23 compared by an election board officer with the signature or a  
24 facsimile thereof on his original application to register to vote or  
25 ~~[one of the forms of identification listed in subsection 2.~~

26 ~~—2. The forms of identification that may be used to identify a~~  
27 ~~voter at the polling place are:~~

28 ~~—(a) The card issued to the voter at the time he registered to vote;~~

29 ~~—(b) A driver's license;~~

30 ~~—(c) An identification card issued by the Department of Motor~~  
31 ~~Vehicles;~~

32 ~~—(d) A military identification card; or~~

33 ~~—(e) Any other form of identification issued by a governmental~~  
34 ~~agency]~~ *the current and valid photographic identification* that  
35 contains the voter's signature. ~~[and physical description or picture.]~~

36 **Sec. 84.** NRS 293C.275 is hereby amended to read as follows:

37 293C.275 ~~[H.—]~~ A registered voter who applies to vote must  
38 state his name to the election board officer in charge of the election  
39 board register, and the officer shall immediately announce the name  
40 and take the registered voter's signature. ~~[After a registered voter is~~  
41 ~~properly identified at a polling place where paper ballots are used,~~  
42 ~~one ballot correctly folded, must be given to the voter and the~~  
43 ~~number of the ballot must be written by an election board officer~~  
44 ~~upon the pollbook, opposite the name of the registered voter~~  
45 ~~receiving the ballot.~~





1 ~~—2. In pollbooks in which the names of the voters have been~~  
2 ~~entered, election officers may indicate the application to vote~~  
3 ~~without writing the name.]~~

4 **Sec. 85.** NRS 293C.285 is hereby amended to read as follows:

5 293C.285 [1.—Except as otherwise provided in subsection 2:

6 ~~—(a) Any voter who spoils his ballot may return the spoiled ballot~~  
7 ~~to the election board and receive another in its place.~~

8 ~~—(b) The election board officers shall indicate in the pollbook that~~  
9 ~~the ballot is spoiled and shall enter the number of the ballot issued in~~  
10 ~~its place.~~

11 ~~—(c) Each spoiled ballot returned must be cancelled by writing the~~  
12 ~~word “Cancelled” across the back of the ballot. A spoiled paper~~  
13 ~~ballot must be cancelled without unfolding it.~~

14 ~~—(d) A record must be made of those cancelled ballots at the~~  
15 ~~closing of the polls and before counting. The ballots must be placed~~  
16 ~~in a separate envelope and returned to the city clerk with the~~  
17 ~~election supplies.~~

18 ~~—2. If ballots that are voted on a] A mechanical recording device~~  
19 ~~which directly records the votes electronically [are used,] *must*~~  
20 ~~*allow* the voter [must be able] to change his vote before the~~  
21 ~~mechanical recording device permanently records that vote.~~

22 **Sec. 86.** NRS 293C.292 is hereby amended to read as follows:

23 293C.292 1. A person applying to vote may be challenged:

24 (a) Orally by any registered voter of the precinct or district upon  
25 the ground that he is not the person entitled to vote as claimed or has  
26 voted before at the same election; or

27 (b) On any ground set forth in a challenge filed with the county  
28 clerk pursuant to the provisions of NRS 293.547.

29 2. If a person is challenged, an election board officer shall  
30 tender the challenged person the following oath or affirmation:

31 (a) If the challenge is on the ground that he does not reside at the  
32 residence for which the address is listed in the election board  
33 register, “I swear or affirm under penalty of perjury that I reside at  
34 the residence for which the address is listed in the election board  
35 register”;

36 (b) If the challenge is on the ground that he previously voted a  
37 ballot for the election, “I swear or affirm under penalty of perjury  
38 that I have not voted for any of the candidates or questions included  
39 on this ballot for this election”; or

40 (c) If the challenge is on the ground that he is not the person he  
41 claims to be, “I swear or affirm under penalty of perjury that I am  
42 the person whose name is in this election board register.”

43 ➤ The oath or affirmation must be set forth on a form prepared by  
44 the Secretary of State and signed by the challenged person under  
45 penalty of perjury.



1 3. If the challenged person refuses to execute the oath or  
2 affirmation so tendered, he must not be issued a ballot, and the  
3 officer in charge of the election board register shall write the words  
4 "Challenged ....." opposite his name in the election board  
5 register.

6 4. If the challenged person refuses to execute the oath or  
7 affirmation set forth in paragraph (a) of subsection 2, the election  
8 board officers shall inform him that he is entitled to vote only in the  
9 manner prescribed in NRS 293C.295.

10 5. If the challenged person executes the oath or affirmation and  
11 the challenge is not based on the ground set forth in paragraph (c) of  
12 subsection 2, the election board officers shall issue him a ballot.

13 6. If the challenge is based on the ground set forth in paragraph  
14 (a) of subsection 2, and the challenged person executes the oath or  
15 affirmation, the election board shall not issue the person a ballot  
16 until he furnishes satisfactory identification that contains proof of  
17 the address at which he actually resides.

18 7. If the challenge is based on the ground set forth in paragraph  
19 (c) of subsection 2 and the challenged person executes the oath or  
20 affirmation, the election board shall not issue the person a ballot  
21 unless he:

22 (a) Furnishes ~~{official identification which contains a~~  
23 ~~photograph of himself, such as his driver's license or other official~~  
24 ~~document;}~~ :

25 *(1) Current and valid photographic identification; or*

26 *(2) Sufficient proof of residence and identity; or*

27 (b) Brings before the election board officers a person who is at  
28 least 18 years of age who:

29 (1) Furnishes ~~{official identification which contains a~~  
30 ~~photograph of himself, such as his driver's license or other official~~  
31 ~~document;}~~ :

32 *(I) Current and valid photographic identification; or*

33 *(II) Sufficient proof of residence and identity; and*

34 (2) Executes an oath or affirmation under penalty of perjury  
35 that the challenged person is who he swears he is.

36 8. The election board officers shall:

37 (a) Record on the challenge list:

38 (1) The name of the challenged person;

39 (2) The name of the registered voter who initiated the  
40 challenge; and

41 (3) The result of the challenge; and

42 (b) If possible, orally notify the registered voter who initiated  
43 the challenge of the result of the challenge.



1       **Sec. 87.** NRS 293C.295 is hereby amended to read as follows:

2       293C.295 1. If a person is successfully challenged on the  
3 ground set forth in paragraph (a) of subsection 2 of NRS 293C.292  
4 or if a person refuses to provide an affirmation pursuant to NRS  
5 293C.525, the election board shall instruct the voter that he may  
6 vote only at the special polling place in the manner set forth in this  
7 section.

8       2. The city clerk shall maintain at least one special polling  
9 place at such locations as he deems necessary during each election.  
10 The ballots voted at the special polling place must be kept separate  
11 from the ballots of voters who have not been so challenged or who  
12 have provided an affirmation pursuant to NRS 293C.525 in ~~§~~:

13 ~~—(a) A special ballot box if the ballots are paper ballots or ballots~~  
14 ~~that are voted by punching a card; or~~

15 ~~—(b) A~~ a special sealed container if the ballots are ballots that are  
16 voted on a mechanical recording device which directly records the  
17 votes electronically.

18       3. A person who votes at a special polling place may place his  
19 vote only for the following offices and questions:

20       (a) All officers for whom all voters in the city may vote; and

21       (b) Questions that have been submitted to all voters of the city.

22       4. The ballots voted at the special polling place must be  
23 counted when other ballots are counted and ~~§~~:

24 ~~—(a) If the ballots are paper ballots or ballots that are voted by~~  
25 ~~punching a card, maintained in a separate ballot box; or~~

26 ~~—(b) If~~, if the ballots are ballots that are voted on a mechanical  
27 recording device that directly records the votes electronically,  
28 maintained in a separate sealed container ~~§~~

29 ~~→~~ until any contest of election is resolved or the date for filing a  
30 contest of election has passed, whichever is later.

31       **Sec. 88.** NRS 293C.310 is hereby amended to read as follows:

32       293C.310 1. Except as otherwise provided in NRS 293.502 ,  
33 ~~and 293C.265,~~ a registered voter who provides sufficient written  
34 notice to the city clerk may vote an absent ballot as provided in this  
35 chapter.

36       2. A registered voter who:

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

38       (b) Has a physical disability or condition that substantially  
39 impairs his ability to go to the polling place,

40       → may request an absent ballot for all elections held during the year  
41 he requests an absent ballot.

42       3. As used in this section, “sufficient written notice” means a:

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



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

4 (c) Form provided by the Federal Government.

5 4. A city clerk shall consider a request from a voter who has  
6 given sufficient written notice on a form provided by the Federal  
7 Government as:

8 (a) A request for the primary city election and the general city  
9 election unless otherwise specified in the request; and

10 (b) A request for an absent ballot for the two primary and  
11 general elections immediately following the date on which the city  
12 clerk received the request.

13 5. It is unlawful for a person fraudulently to request an absent  
14 ballot in the name of another person or to induce or coerce another  
15 person fraudulently to request an absent ballot in the name of  
16 another person. A person who violates any provision of this  
17 subsection is guilty of a category E felony and shall be punished as  
18 provided in NRS 193.130.

19 **Sec. 89.** NRS 293C.322 is hereby amended to read as follows:

20 293C.322 1. Except as otherwise provided in subsection 2, if  
21 the request for an absent ballot is made by mail or facsimile  
22 machine, the city clerk shall, as soon as the official absent ballot for  
23 the precinct or district in which the applicant resides has been  
24 printed, send to the voter by first-class mail if the absent voter is  
25 within the boundaries of the United States, its territories or  
26 possessions or on a military base, or by air mail if the absent voter is  
27 in a foreign country but not on a military base:

28 (a) ~~Except as otherwise provided in paragraph (b):~~

29 ~~(1) An absent ballot;~~

30 ~~(2) (b) A return envelope;~~

31 ~~(3) (c) Supplies for marking the ballot;~~

32 ~~(4) (d) An envelope or similar device into which the ballot  
33 is inserted to ensure its secrecy; and~~

34 ~~(5) Instructions.~~

35 ~~(b) In those cities using a mechanical voting system whereby a  
36 vote is cast by punching a card:~~

37 ~~(1) A card attached to a sheet of foam plastic or similar  
38 backing material;~~

39 ~~(2) A return envelope;~~

40 ~~(3) A punching instrument;~~

41 ~~(4) A sample ballot;~~

42 ~~(5) An envelope or similar device into which the card is  
43 inserted to ensure its secrecy; and~~

44 ~~(6) (e) Instructions.~~



1 2. If the city clerk fails to send an absent ballot pursuant to  
2 subsection 1 to a voter who resides within the continental United  
3 States, the city clerk may use a facsimile machine to send an absent  
4 ballot and instructions to the voter. The voter shall mail his absent  
5 ballot to the city clerk.

6 3. The return envelope sent pursuant to subsection 1 must  
7 include postage prepaid by first-class mail if the absent voter is  
8 within the boundaries of the United States, its territories or  
9 possessions or on a military base.

10 4. Nothing may be enclosed or sent with an absent ballot  
11 except as required by subsection 1 or 2.

12 5. Before depositing a ballot with the United States Postal  
13 Service or sending a ballot by facsimile machine, the city clerk shall  
14 record the date the ballot is issued, the name of the registered voter  
15 to whom it is issued, his precinct or district, the number of the ballot  
16 and any remarks he finds appropriate.

17 6. The Secretary of State shall adopt regulations to carry out  
18 the provisions of subsection 2.

19 **Sec. 90.** NRS 293C.330 is hereby amended to read as follows:

20 293C.330 1. Except as otherwise provided in NRS 293C.315  
21 and subsection 2 of NRS 293C.322 and any regulations adopted  
22 pursuant thereto, when an absent voter receives his ballot, he must  
23 mark and fold it ~~[, if it is a paper ballot, or punch it, if the ballot is~~  
24 ~~voted by punching a card,]~~ in accordance with the instructions,  
25 deposit it in the return envelope, seal the envelope, affix his  
26 signature on the back of the envelope in the space provided therefor  
27 and mail the return envelope.

28 2. Except as otherwise provided in subsection 3, if an absent  
29 voter who has requested a ballot by mail applies to vote the ballot in  
30 person at:

31 (a) The office of the city clerk, he must mark ~~[or punch]~~ the  
32 ballot, seal it in the return envelope and affix his signature in the  
33 same manner as provided in subsection 1, and deliver the envelope to  
34 the city clerk.

35 (b) A polling place, including, without limitation, a polling place  
36 for early voting, he must surrender the absent ballot and provide  
37 ~~[satisfactory—identification]~~ *current and valid photographic*  
38 *identification or sufficient proof of residence and identity* before  
39 being issued a ballot to vote at the polling place. A person who  
40 receives a surrendered absent ballot shall mark it "Cancelled."

41 3. If an absent voter who has requested a ballot by mail applies  
42 to vote in person at the office of the city clerk or a polling place,  
43 including, without limitation, a polling place for early voting, and  
44 the voter does not have the absent ballot to deliver or surrender, the  
45 voter must be issued a ballot to vote if the voter:



1 (a) Provides ~~[(satisfactory identification);~~ *current and valid*  
2 *photographic identification or sufficient proof of residence and*  
3 *identity;*

4 (b) Is a registered voter who is otherwise entitled to vote; and

5 (c) Signs an affirmation under penalty of perjury on a form  
6 prepared by the Secretary of State declaring that the voter has not  
7 voted during the election.

8 4. Except as otherwise provided in NRS 293C.317, it is  
9 unlawful for any person to return an absent ballot other than the  
10 voter who requested the absent ballot or, at the request of the voter,  
11 a member of his family. A person who returns an absent ballot and  
12 who is a member of the family of the voter who requested the absent  
13 ballot shall, under penalty of perjury, indicate on a form prescribed  
14 by the city clerk that he is a member of the family of the voter who  
15 requested the absent ballot and that the voter requested that he return  
16 the absent ballot. A person who violates the provisions of this  
17 subsection is guilty of a category E felony and shall be punished as  
18 provided in NRS 193.130.

19 **Sec. 91.** NRS 293C.332 is hereby amended to read as follows:

20 293C.332 On the day of an election, the precinct or district  
21 election boards receiving the absent voters' ballots from the city  
22 clerk shall, in the presence of a majority of the election board  
23 officers, remove the ballots from the ballot box and the containers in  
24 which the ballots were transported pursuant to NRS 293C.325 and  
25 deposit the ballots in the regular ballot box in the following manner:

26 1. The name of the voter, as shown on the return envelope,  
27 must be called and checked as if the voter were voting in person;

28 2. The signature on the back of the return envelope must be  
29 compared with that on the original application to register to vote;

30 3. If the board determines that the absent voter is entitled to  
31 cast his ballot, the envelope must be opened, the numbers on the  
32 ballot and envelope compared, the number strip or stub detached  
33 from the ballot and, if the numbers are the same, the ballot deposited  
34 in the regular ballot box; and

35 4. The election board officers shall mark in the ~~[pollbook]~~  
36 *roster* opposite the name of the voter the word "Voted."

37 **Sec. 92.** NRS 293C.347 is hereby amended to read as follows:

38 293C.347 1. The city clerk shall:

39 (a) Make certain of the names and addresses of all voters  
40 registered to vote in mailing precincts and absent ballot mailing  
41 precincts;

42 (b) Enroll the name and address of each voter found eligible to  
43 vote in those precincts in the mailing precinct record book;

44 (c) Mark the number of the ballot on the return envelope; and

45 (d) Mail the ballot to the registered voter.



1        2. ~~Except as otherwise provided in subsection 3, the~~ *The*  
2 ballot must be accompanied by:

- 3        (a) Supplies for marking the ballot;
- 4        (b) A return envelope;
- 5        (c) An envelope or similar device into which the ballot is
- 6 inserted to ensure its secrecy;
- 7        (d) A sample ballot; and
- 8        (e) Instructions regarding the manner of marking and returning
- 9 the ballot.

10        ~~3. In those cities using a mechanical voting system whereby a~~  
11 ~~vote is cast by punching a card, the ballot must be accompanied by:~~

- 12        ~~—(a) A sheet of foam plastic or similar backing material attached~~  
13 ~~to the card;~~
- 14        ~~—(b) A punching instrument;~~
- 15        ~~—(c) A return envelope;~~
- 16        ~~—(d) An envelope or similar device into which the card is inserted~~  
17 ~~to ensure its secrecy;~~
- 18        ~~—(e) A sample ballot; and~~
- 19        ~~—(f) Instructions concerning the manner of punching and~~  
20 ~~returning the card.]~~

21        **Sec. 93.** NRS 293C.350 is hereby amended to read as follows:  
22        293C.350 Upon receipt of a mailing ballot from the city clerk,  
23 the registered voter must:

24        1. ~~Except as otherwise provided in subsection 2:~~  
25        ~~(a) Immediately after opening the envelope, mark and fold the~~  
26 ~~ballot;~~

27        ~~(b) 2. Place the ballot in the return envelope;~~

28        ~~(c) 3. Affix his signature on the back of the envelope; and~~

29        ~~(d) 4. Mail or deliver the envelope to the city clerk.~~

30        ~~2. In those cities using a mechanical voting system whereby a~~  
31 ~~vote is cast by punching a card:~~

32        ~~(a) Immediately after opening the envelope, punch the card;~~

33        ~~(b) Place the unfolded card in the return envelope;~~

34        ~~(c) Affix his signature on the back of the envelope; and~~

35        ~~(d) Mail or deliver the envelope to the city clerk.]~~

36        **Sec. 94.** NRS 293C.356 is hereby amended to read as follows:  
37        293C.356 1. If a request is made to vote early by a registered

38 voter in person, the city clerk shall issue a ballot for early voting to  
39 the voter. Such a ballot must be voted on the premises of the clerk's  
40 office and returned to the clerk. ~~If the ballot is a paper ballot or a~~  
41 ~~ballot which is voted by punching a card, the clerk shall follow the~~  
42 ~~same procedure as in the case of absent ballots received by mail.]~~

43        2. On the dates for early voting prescribed in NRS 293C.3568,  
44 each city clerk shall provide a voting booth, with suitable equipment  
45 for voting, on the premises of his office for use by registered voters



1 who are issued ballots for early voting in accordance with this  
2 section.

3 **Sec. 95.** NRS 293C.3585 is hereby amended to read as  
4 follows:

5 293C.3585 1. Upon the appearance of a person to cast a  
6 ballot for early voting, the deputy clerk for early voting shall:

- 7 (a) Determine that the person is a registered voter in the county;
- 8 (b) Instruct the voter to sign the roster for early voting; and
- 9 (c) Verify the signature of the voter against that contained on the  
10 original application to register to vote or facsimile thereof, the card  
11 issued to the voter at the time of registration or ~~some other piece of~~  
12 ~~official identification.~~ *current and valid photographic*  
13 *identification or sufficient proof of residence and identity.*

14 2. The city clerk shall prescribe a procedure, approved by the  
15 Secretary of State, to determine that the voter has not already voted  
16 pursuant to this section.

17 3. The roster for early voting must contain:

- 18 (a) The voter's name, the address where he is registered to vote,  
19 his voter identification number and a place for the voter's signature;
- 20 (b) The voter's precinct or voting district number; and
- 21 (c) The date of voting early in person.

22 4. When a voter is entitled to cast his ballot and has identified  
23 himself to the satisfaction of the deputy clerk for early voting, he is  
24 entitled to receive the appropriate ballot or ballots, but only for his  
25 own use at the polling place for early voting.

26 5. ~~If the ballot is voted by punching a card, the deputy clerk~~  
27 ~~for early voting shall:~~

- 28 ~~—(a) Ensure that the voter's precinct or voting district and the~~  
29 ~~form of ballot are indicated on the card;~~
- 30 ~~—(b) Direct the voter to the appropriate mechanical recording~~  
31 ~~device for his form of ballot; and~~
- 32 ~~—(c) Allow the voter to place his voted ballot in the ballot box.~~

33 ~~6. If the ballot is voted on a mechanical recording device which~~  
34 ~~directly records the votes electronically, the] *The* deputy clerk for  
35 early voting shall:~~

- 36 (a) Prepare the mechanical recording device for the voter;
- 37 (b) Ensure that the voter's precinct or voting district and the  
38 form of ballot are indicated on each part of the voting receipt;
- 39 (c) Retain one part of the voting receipt for the election board  
40 and return the other part of the voting receipt to the voter; and
- 41 (d) Allow the voter to cast his vote.

42 ~~[7]~~ 6. A voter applying to vote early by personal appearance  
43 may be challenged pursuant to NRS 293C.292.





1     **Sec. 96.** NRS 293C.3615 is hereby amended to read as  
2 follows:

3     293C.3615 The city clerk shall make a record of the receipt at  
4 the central counting place of each sealed container used to transport  
5 official ballots pursuant to NRS 293C.295, 293C.325, ~~293C.3602,~~  
6 293C.630 and 293C.635. The record must include the numbers  
7 indicated on the container and its seal pursuant to NRS 293C.700.

8     **Sec. 97.** NRS 293C.362 is hereby amended to read as follows:

9     293C.362 When the polls are closed, the counting board shall  
10 prepare to count the ballots voted. The counting procedure must be  
11 public and continue without adjournment until completed. If the  
12 ballots are paper ballots , ~~for ballots that are voted by punching a~~  
13 ~~card,~~ the counting board shall prepare in the following manner:

14     1. ~~The pollbooks must be compared and errors corrected until~~  
15 ~~the books agree.~~

16     ~~2.~~ The container that holds the ballots, or the ballot box must  
17 be opened and the ballots contained therein counted by the counting  
18 board and opened far enough to determine whether each ballot is  
19 single. If two or more ballots are found folded together to present  
20 the appearance of a single ballot, they must be laid aside until the  
21 count of the ballots is completed. If ~~on comparison of the count~~  
22 ~~with the pollbook,~~ a majority of the inspectors are of the opinion  
23 that the ballots folded together were voted by one person, the ballots  
24 must be rejected and placed in an envelope, upon which must be  
25 written the reason for their rejection. The envelope must be signed  
26 by the counting board officers and placed in the container or ballot  
27 box after the count is completed.

28     ~~3.~~ 2. If the ballots in the container or box are found to exceed  
29 the number of names *indicated* on the ~~pollbooks,~~ *roster as having*  
30 *voted,* the ballots must be replaced in the container or box and a  
31 counting board officer shall, with his back turned to the container or  
32 box, draw out a number of ballots equal to the excess. The excess  
33 ballots must be marked on the back thereof with the words "Excess  
34 ballots not counted." The ballots when so marked must be  
35 immediately sealed in an envelope and returned to the city clerk  
36 with the other ballots rejected for any cause.

37     ~~4.~~ 3. When it has been determined that the ~~pollbook and the~~  
38 number of ballots agree with the number of names of registered  
39 voters shown to have voted, the board shall proceed to count. If  
40 there is a discrepancy between the number of ballots and the number  
41 of voters, a record of the discrepancy must be made.

42     **Sec. 98.** NRS 293C.367 is hereby amended to read as follows:

43     293C.367 1. The basic factor to be considered by an election  
44 board when making a determination of whether a particular ballot  
45 must be rejected is whether any identifying mark appears on the



1 ballot which, in the opinion of the election board, constitutes an  
2 identifying mark such that there is a reasonable belief entertained in  
3 good faith that the ballot has been tampered with and, as a result of  
4 the tampering, the outcome of the election would be affected.

5 2. Regulations for counting ballots must include provisions  
6 that:

7 (a) An error in marking one or more votes on a ballot does not  
8 invalidate any votes properly marked on that ballot.

9 (b) A soiled or defaced ballot may not be rejected if it appears  
10 that the soiling or defacing was inadvertent and was not done  
11 purposely to identify the ballot.

12 (c) Only devices provided for in this chapter, chapter 293 or  
13 293B of NRS may be used in marking ballots.

14 (d) It is unlawful for any election board officer to place any  
15 mark upon any ballot other than a spoiled ballot.

16 (e) When an election board officer rejects a ballot for any  
17 alleged defect or illegality, the officer shall seal the ballot in an  
18 envelope and write upon the envelope a statement that it was  
19 rejected and the reason for rejecting it. Each election board officer  
20 shall sign the envelope.

21 ~~[(f) In cities where mechanical voting systems are used whereby  
22 a vote is cast by punching a card, a superfluous punch into any card  
23 does not constitute grounds for rejection of the ballot unless the  
24 election board determines that the condition of the ballot justifies its  
25 exclusion pursuant to subsection 1.]~~

26 **Sec. 99.** NRS 293C.369 is hereby amended to read as follows:

27 293C.369 1. When counting a vote in an election, if more  
28 choices than permitted by the instructions for a ballot are marked for  
29 any office or question, the vote for that office or question may not  
30 be counted.

31 2. ~~Except as otherwise provided in subsection 1, in an election  
32 in which a paper ballot is used whereby a vote is cast by placing a  
33 cross in the designated square on the paper ballot, a cross in the  
34 designated square must be counted as a vote.~~

35 ~~3. Except as otherwise provided in subsection 1, in an election  
36 in which a mechanical voting system is used whereby a vote is cast  
37 by punching a card:~~

38 ~~(a) A chip on the card must be counted as a vote if:~~

39 ~~(1) The chip has at least one corner that is detached from the  
40 card; or~~

41 ~~(2) The fibers of paper on at least one edge of the chip are  
42 broken in a way that permits unimpeded light to be seen through the  
43 card.~~

44 ~~(b) A writing or other mark on the card, including, without  
45 limitation, a cross, check, tear or scratch, may not be counted as a~~



1 ~~vote. The remaining votes on such a card must be counted unless the~~  
2 ~~ballot is otherwise disqualified.~~

3 ~~—4.]~~ Except as otherwise provided in subsection 1, in an election  
4 in which a mechanical voting system is used whereby a vote is cast  
5 by darkening a designated space on the ballot:

6 (a) A vote must be counted if the designated space is darkened  
7 or there is a writing in the designated space, including, without  
8 limitation, a cross or check; and

9 (b) Except as otherwise provided in paragraph (a), a writing or  
10 other mark on the ballot, including, without limitation, a cross,  
11 check, tear or scratch may not be counted as a vote.

12 ~~[5.]~~ 3. The Secretary of State:

13 (a) May adopt regulations establishing additional uniform,  
14 statewide standards, not inconsistent with this section, for counting  
15 a vote cast by ~~[a]~~ *the* method of voting described in subsection 2 ; ~~[~~  
16 ~~3 or 4;]~~ and

17 (b) Shall adopt regulations establishing uniform, statewide  
18 standards for counting a vote cast by each method of voting used in  
19 this State that is not described in subsection 2 , ~~[, 3 or 4,]~~ including,  
20 without limitation, a vote cast on a mechanical recording device  
21 which directly records the votes electronically.

22 **Sec. 100.** NRS 293C.372 is hereby amended to read as  
23 follows:

24 293C.372 When all the votes have been ~~[tallied,]~~ *counted*, the  
25 counting board officers shall enter on the tally lists by the name of  
26 each candidate the number of votes he received. The number must  
27 be expressed in words and figures. The vote for and against any  
28 question submitted to the electors must be entered in the same  
29 manner.

30 **Sec. 101.** NRS 293C.375 is hereby amended to read as  
31 follows:

32 293C.375 If paper ballots ~~[or ballots which are voted by~~  
33 ~~punching a card]~~ are used:

34 1. After the tally lists have been completed, the voted ballots,  
35 rejected ballots, tally lists for regular ballots, tally list for rejected  
36 ballots, challenge list, stubs of used ballots, spoiled ballots and  
37 unused ballots must be sealed under cover by the counting board  
38 officers and addressed to the city clerk.

39 2. The other ~~[pollbooks,]~~ tally lists and election board register  
40 must be returned to the city clerk.

41 **Sec. 102.** NRS 293C.385 is hereby amended to read as  
42 follows:

43 293C.385 1. After 8 a.m. on election day, the counting board,  
44 if it is responsible for counting absent ballots, or the absent ballot  
45 central counting board shall withdraw from the appropriate ballot



1 boxes or containers all the ballots received the previous day and  
2 determine whether each box or container has the required number of  
3 ballots according to the city clerk's absent voters' ballot record.

4 2. If any absent ballots are received by the city clerk on  
5 election day pursuant to NRS 293C.317, the city clerk shall deposit  
6 the absent ballots in the appropriate ballot boxes or containers.

7 3. After 8 a.m. on election day, the appropriate board shall  
8 count in public the votes cast on the absent ballots.

9 4. If paper ballots are used, the results of the absent ballot vote  
10 in each precinct must be certified and submitted to the city clerk,  
11 who shall have the results added to the regular votes of the precinct.

12 ~~[If a mechanical voting system is used in which a voter casts his~~  
13 ~~ballot by punching a card that is counted by a computer, the absent~~  
14 ~~ballots may be counted with the regular votes of the precinct.]~~ The  
15 returns of absent ballots must be reported separately from the  
16 regular votes of the precinct, unless reporting the returns separately  
17 would violate the secrecy of a voter's ballot. The city clerks shall  
18 develop a procedure to ensure that each ballot is kept secret.

19 5. Any person who disseminates to the public information  
20 relating to the count of absent ballots before the polls close is guilty  
21 of a misdemeanor.

22 **Sec. 103.** NRS 293C.390 is hereby amended to read as  
23 follows:

24 293C.390 1. The *rosters*, voted ballots, rejected ballots,  
25 spoiled ballots, challenge lists, voting receipts, records printed on  
26 paper of voted ballots collected pursuant to NRS 293B.400, and  
27 stubs of the ballots used, enclosed and sealed, must, after canvass of  
28 the votes by the governing body of the city, be deposited in the  
29 vaults of the city clerk. The records of voted ballots that are  
30 maintained in electronic form must, after canvass of the votes by the  
31 governing body of the city, be sealed and deposited in the vaults of  
32 the city clerk. The tally lists ~~{and pollbooks}~~ collected pursuant to  
33 NRS 293B.400 must, after canvass of the votes by the governing  
34 body of the city, be deposited in the vaults of the city clerk without  
35 being sealed. All materials described by this subsection must be  
36 preserved for at least 22 months, and all such sealed materials must  
37 be destroyed immediately after that period. A notice of the  
38 destruction must be published by the city clerk in at least one  
39 newspaper of general circulation in the city, or if no newspaper is of  
40 general circulation in that city, in a newspaper of general circulation  
41 in the nearest city, not less than 2 weeks before the destruction of  
42 the materials.

43 2. Unused ballots, enclosed and sealed, must, after canvass of  
44 the votes by the governing body of the city, be deposited in the  
45 vaults of the city clerk and preserved for at least the period during



1 which the election may be contested and adjudicated, after which  
2 the unused ballots may be destroyed.

3 3. The ~~[pollbooks]~~ *rosters* containing the signatures of those  
4 persons who voted in the election and the tally lists deposited with  
5 the governing body of the city are subject to the inspection of any  
6 elector who may wish to examine them at any time after their  
7 deposit with the city clerk.

8 4. A contestant of an election may inspect all of the material  
9 relating to that election which is preserved pursuant to subsection 1  
10 or 2, except the voted ballots.

11 5. The voted ballots deposited with the city clerk are not  
12 subject to the inspection of any person, except in a contested  
13 election, and only by the judge, body or board before whom the  
14 election is being contested, or by the parties to the contest, jointly,  
15 pursuant to an order of the judge, body or board.

16 **Sec. 104.** NRS 293C.620 is hereby amended to read as  
17 follows:

18 293C.620 1. At each election a member of the election board  
19 for a precinct shall issue each voter a ballot.

20 2. If a mechanical voting system is used in a primary city  
21 election whereby votes are directly recorded electronically, a  
22 member of the election board shall, in addition to the ballot  
23 described in subsection 1, issue the voter a voting receipt.

24 3. The member of the election board shall ~~;~~  
25 ~~—(a) Direct]~~ *direct* the voter to a mechanical recording device  
26 containing a list of offices and candidates. ~~;~~ ~~or~~

27 ~~—(b) Issue a ballot attached to a sheet of foam plastic or similar~~  
28 ~~backing material, a punching instrument, a sample ballot and an~~  
29 ~~instruction sheet to the voter and instruct him to punch his ballot by~~  
30 ~~reference to the sample ballot.]~~

31 **Sec. 105.** NRS 293C.630 is hereby amended to read as  
32 follows:

33 293C.630 1. Upon closing of the polls, the election board  
34 shall:

35 (a) Secure all mechanical recording devices against further  
36 voting.

37 (b) ~~[If a mechanical voting system is used whereby votes are~~  
38 ~~cast by punching a card:~~

39 ~~—(1) Count the number of ballots in the ballot boxes.~~

40 ~~—(2) Account for all ballots on the statement of ballots.~~

41 ~~—(3) Place all official ballots, the ballot statement and any~~  
42 ~~other records, reports and materials as directed by the city clerk into~~  
43 ~~the container provided by him to transport those items to a central~~  
44 ~~counting place and seal the container.~~



1 ~~—(e)~~ If a mechanical voting system is used whereby votes are  
2 directly recorded electronically:

3 (1) Ensure that each mechanical recording device:

4 (I) Provides a record printed on paper of the total number  
5 of votes recorded on the device for each candidate and for or against  
6 each measure; and

7 (II) Transfers the ballots voted on that device to the  
8 storage device required pursuant to NRS 293B.084.

9 (2) Count the number of ballots voted at the polling place.

10 (3) Account for all ballots on the statement of ballots.

11 (4) Place all records printed on paper provided by the  
12 mechanical recording devices, all storage devices which store the  
13 ballots voted on the mechanical recording devices, and any other  
14 records, reports and materials as directed by the city clerk into the  
15 container provided by him to transport those items to a central  
16 counting place and seal the container.

17 ~~[(d)]~~ (c) Record the number of voters on a form provided by the  
18 city clerk.

19 2. If a difference exists between the number of voters and the  
20 number of ballots voted, the election board shall report the  
21 difference and any known reasons for the difference, in writing, to  
22 the city clerk.

23 3. After closing the polls, the election board shall:

24 (a) Compare the quantity of the supplies furnished by the city  
25 clerk with the inventory of those supplies; and

26 (b) Note any shortages.

27 4. The city clerk shall allow members of the general public to  
28 observe the handling of the ballots pursuant to subsection 1 if those  
29 members do not interfere with the handling of the ballots.

30 **Sec. 106.** NRS 293C.645 is hereby amended to read as  
31 follows:

32 293C.645 The central ballot inspection board shall:

33 1. Receive the ballots in sealed containers.

34 2. Inspect the containers, record the number indicated on each  
35 container and its seal pursuant to NRS 293.462 and remove the  
36 ballots or storage devices that store the ballots voted on mechanical  
37 recording devices that directly record votes electronically.

38 3. Register the numbers of ballots by precinct.

39 4. Deliver any damaged ballots to the ballot duplicating board .  
40 ~~[- if the ballots were voted by punching a card.]~~

41 5. Receive duplicates of damaged ballots from the ballot  
42 duplicating board and place the duplicates with the voted ballots of  
43 the appropriate precinct . ~~[- if the ballots were voted by punching a  
44 card.]~~



1 6. Place each damaged original ballot in a separate envelope  
2 and note on the outside of the envelope the appropriate number of  
3 the precinct . ~~[, if the ballot was voted by punching a card.]~~

4 7. Reject any ballot that has been marked in a way that  
5 identifies the voter.

6 8. Place each rejected ballot in a separate envelope and note on  
7 the outside of the envelope the appropriate number of the precinct  
8 and the reason for the board's rejection of the ballot . ~~[, if the ballot  
9 was voted by punching a card.]~~

10 **Sec. 107.** NRS 293C.655 is hereby amended to read as  
11 follows:

12 293C.655 ~~[If ballots that are voted by punching a card are  
13 used, the]~~ *The* ballot duplicating board shall:

14 1. Receive damaged ballots, including ballots that have been  
15 torn, bent or mutilated.

16 2. ~~[Receive cards with incompletely punched chips.~~

17 ~~—3.]~~ Prepare on a distinctly colored, serially numbered ballot  
18 marked "duplicate" an exact copy of each damaged ballot.

19 ~~[4. In the case of a card with an incompletely punched chip:~~

20 ~~—(a) Remove the incompletely punched chip if:~~

21 ~~—(1) The chip has at least one corner that is detached from the  
22 card; or~~

23 ~~—(2) The fibers of paper on at least one edge of the chip are  
24 broken in a way that permits unimpeded light to be seen through the  
25 card; or~~

26 ~~—(b) Duplicate the card without punching the location of the  
27 incompletely punched chip if:~~

28 ~~—(1) The chip does not have at least one corner that is  
29 detached from the card; and~~

30 ~~—(2) The fibers of paper on no edge of the chip are broken in a  
31 way that permits unimpeded light to be seen through the card.~~

32 ~~—5.]~~ 3. Record the serial number of the duplicate ballot on the  
33 damaged original ballot and return the damaged and duplicate  
34 ballots to the appropriate ballot inspection board.

35 ~~[6.]~~ 4. Hold aside the duplicated ballots for counting after all  
36 other ballots are counted if this procedure is directed by the city  
37 clerk.

38 **Sec. 108.** NRS 293C.700 is hereby amended to read as  
39 follows:

40 293C.700 1. Each container used to transport official ballots  
41 pursuant to NRS 293C.295, 293C.325, ~~[293C.3602,]~~ 293C.630 and  
42 293C.635 must:

43 (a) Be constructed of metal or any other rigid material; and

44 (b) Contain a seal which is placed on the container to ensure  
45 detection of any opening of the container.



1 2. The container and seal must be separately numbered for  
2 identification.

3 **Sec. 109.** Chapter 295 of NRS is hereby amended by adding  
4 thereto the provisions set forth as sections 110 and 111 of this act.

5 **Sec. 110.** *Each petition for initiative must embrace but one*  
6 *subject and matter necessarily connected therewith and pertaining*  
7 *thereto. The subject must be clearly indicated in the title. In all*  
8 *cases where the subject of the measure is not so expressed in the*  
9 *title, the measure shall be void as to the matter not expressed in*  
10 *the title.*

11 **Sec. 111.** *Each petition for referendum must embrace but*  
12 *one subject and matter necessarily connected therewith and*  
13 *pertaining thereto. The subject must be clearly indicated in the*  
14 *title. In all cases where the subject of the measure is not so*  
15 *expressed in the title, the measure shall be void as to the matter*  
16 *not expressed in the title.*

17 **Sec. 112.** NRS 295.015 is hereby amended to read as follows:

18 295.015 A copy of a petition for initiative *containing the full*  
19 *text of the measure proposed* must be placed on file in the Office of  
20 the Secretary of State before it may be presented to the registered  
21 voters for their signatures.

22 **Sec. 113.** NRS 295.045 is hereby amended to read as follows:

23 295.045 1. A copy of a petition for referendum *containing*  
24 *the full text of the measure to be considered* must be placed on file  
25 in the Office of the Secretary of State before it may be presented to  
26 the registered voters for their signatures.

27 2. A petition for referendum must be filed with the Secretary of  
28 State not less than 120 days before the date of the next succeeding  
29 general election.

30 3. The Secretary of State shall certify the questions to the  
31 county clerks, and they shall publish them in accordance with the  
32 provisions of law requiring county clerks to publish questions and  
33 proposed constitutional amendments which are to be submitted for  
34 popular vote.

35 4. The title of the statute or resolution must be set out on the  
36 ballot, and the question printed upon the ballot for the information  
37 of the voters must be as follows: "Shall the statute (setting out its  
38 title) be approved?"

39 5. Where a mechanical voting system is used, the title of the  
40 statute must appear on the list of offices and candidates and the  
41 statements of measures to be voted on and may be condensed to no  
42 more than 25 words.

43 6. The votes cast upon the question must be counted and  
44 canvassed as the votes for state officers are counted and canvassed.





1       **Sec. 114.** NRS 295.056 is hereby amended to read as follows:

2       295.056 1. Before a petition for initiative or referendum is  
3 filed with the Secretary of State, the petitioners must , *all in one*  
4 *day*, submit to each county clerk for verification pursuant to NRS  
5 293.1276 to 293.1279, inclusive, *all* the ~~{document or}~~ documents  
6 which were circulated for signature within his county. The clerks  
7 shall give the person submitting ~~{a document or}~~ *the* documents a  
8 receipt stating the number of documents and pages and the person's  
9 statement of the number of signatures contained therein.

10      2. If a petition for initiative proposes a statute or an amendment  
11 to a statute, the ~~{document or}~~ documents must be submitted not  
12 later than ~~{the second Tuesday in November of an even numbered~~  
13 ~~year.}~~ *95 days before the first day of the next succeeding regular*  
14 *session of the Legislature.*

15      3. If a petition for initiative proposes an amendment to the  
16 Constitution, the ~~{document or}~~ documents must be submitted not  
17 later than ~~{the third Tuesday in June of an even numbered year.}~~ *155*  
18 *days before the date of the next succeeding general election.*

19      4. If the petition is for referendum, the ~~{document or}~~  
20 documents must be submitted not later than ~~{the third Tuesday in~~  
21 ~~May of an even numbered year.}~~ *185 days before the date of the*  
22 *next succeeding general election.*

23      5. All documents which are submitted to ~~{a}~~ *each* county clerk  
24 for verification must be submitted at the same time.

25       **Sec. 115.** NRS 295.061 is hereby amended to read as follows:

26       295.061 ~~{The}~~ *Except for an appeal upon a challenge based*  
27 *on the results of the verification of signatures pursuant to the*  
28 *provisions of subsection 3 of NRS 293.12795, the* legal sufficiency  
29 of a petition filed pursuant to NRS 295.015 to 295.061, inclusive,  
30 *and sections 110 and 111 of this act* may be challenged by filing a  
31 complaint in district court not later than ~~{5}~~ *30* days, Saturdays,  
32 Sundays and holidays excluded, after *a copy of* the petition is filed  
33 with the Secretary of State ~~{}~~ *pursuant to NRS 295.015 or*  
34 *subsection 1 of NRS 295.045.* All affidavits and documents in  
35 support of the challenge must be filed with the complaint. The court  
36 shall set the matter for hearing not later than ~~{30}~~ *5* days after the  
37 complaint is filed and shall give priority to such a complaint over all  
38 other matters pending with the court, except for criminal  
39 proceedings.

40       **Sec. 116.** NRS 295.095 is hereby amended to read as follows:

41       295.095 1. Any five registered voters of the county may  
42 commence initiative or referendum proceedings by filing with the  
43 county clerk an affidavit stating they will constitute the petitioners'  
44 committee and be responsible for circulating the petition and filing  
45 it in proper form, stating their names and addresses and specifying



1 the address to which all notices to the committee are to be sent, and  
2 setting out ~~fin~~ *the full text of the measure* proposed *by* initiative  
3 ~~ordinance~~ or citing the ~~ordinance~~ *full text of the measure* sought  
4 to be reconsidered.

5 2. Initiative petitions must be signed by a number of registered  
6 voters of the county equal to 15 percent or more of the number of  
7 voters who voted at the last preceding general election in the county.

8 3. Referendum petitions must be signed by a number of  
9 registered voters of the county equal to 10 percent or more of the  
10 number of voters who voted at the last preceding general election in  
11 the county.

12 4. A petition must be submitted to the county clerk for  
13 verification, pursuant to NRS 295.250 to 295.290, inclusive, not  
14 later than:

15 (a) One hundred and eighty days after the date that the affidavit  
16 required by subsection 1 is filed with the county clerk; or

17 (b) One hundred and thirty days before the election,

18 ↪ whichever is earlier.

19 5. A petition may consist of more than one document, but all  
20 documents of a petition must be uniform in size and style, numbered  
21 and assembled as one instrument for submission. Each signature  
22 must be executed in ink or indelible pencil and followed by  
23 the address of the person signing and the date on which he signed  
24 the petition. All signatures on a petition must be obtained within the  
25 period specified in subsection 4. Each document must contain, or  
26 have attached thereto throughout its circulation, the full text of the  
27 ~~ordinance~~ *measure* proposed or sought to be reconsidered.

28 6. Each document of a petition must have attached to it when  
29 submitted an affidavit executed by the circulator thereof stating:

30 (a) That he personally circulated the document;

31 (b) The number of signatures thereon;

32 (c) That all the signatures were affixed in his presence;

33 (d) That he believes them to be genuine signatures of the  
34 persons whose names they purport to be; and

35 (e) That each signer had an opportunity before signing to read  
36 the full text of the ~~ordinance~~ *measure* proposed or sought to be  
37 reconsidered.

38 7. The county clerk shall issue a receipt to any person who  
39 submits a petition pursuant to this section. The receipt must set forth  
40 the number of:

41 (a) Documents included in the petition;

42 (b) Pages in each document; and

43 (c) Signatures that the person declares are included in the  
44 petition.



1     **Sec. 117.** NRS 295.140 is hereby amended to read as follows:

2     295.140 1. Whenever 10 percent or more of the registered  
3 voters of any county of this State, as shown by the number of  
4 registered voters who voted at the last preceding general election,  
5 express their wish that any ~~act or resolution~~ *measure* enacted by  
6 the Legislature, and pertaining to that county only, be submitted to  
7 the vote of the people, they shall submit to the county clerk a  
8 petition, which must contain the names and residence addresses of at  
9 least 10 percent of the registered voters of that county, demanding  
10 that a referendum vote be had by the people of the county at the next  
11 primary or general election upon the ~~act or resolution~~ *measure* on  
12 which the referendum is demanded.

13     2. A petition must be submitted to the county clerk for  
14 verification, pursuant to NRS 295.250 to 295.290, inclusive, not  
15 later than 130 days before the time set for the next succeeding  
16 general election.

17     3. A petition may consist of more than one document, but all  
18 documents of a petition must be uniform in size and style, numbered  
19 and assembled as one instrument for submission. Each signature  
20 must be executed in ink or indelible pencil and followed by the  
21 address of the person signing and the date on which he signed the  
22 petition. Each document must contain, or have attached thereto  
23 throughout its circulation, the full text of the ~~act or resolution~~  
24 *measure* on which the referendum is demanded.

25     4. Each document of a petition must have attached to it when  
26 submitted an affidavit executed by the circulator thereof stating:

27     (a) That he personally circulated the document;

28     (b) The number of signatures thereon;

29     (c) That all the signatures were affixed in his presence;

30     (d) That he believes them to be genuine signatures of the  
31 persons whose names they purport to be; and

32     (e) That each signer had an opportunity before signing to read  
33 the full text of the ~~act or resolution~~ *measure* on which the  
34 referendum is demanded.

35     5. The county clerk shall issue a receipt to any person who  
36 submits a petition pursuant to this section. The receipt must set forth  
37 the number of:

38     (a) Documents included in the petition;

39     (b) Pages in each document; and

40     (c) Signatures that the person declares are included in the  
41 petition.

42     6. Within 20 days after a petition is submitted, the county clerk  
43 shall complete a certificate as to its sufficiency. Unless a request for  
44 review is filed pursuant to subsection 7, the certificate is a final  
45 determination as to the sufficiency of the petition.



1 7. If a petition is certified insufficient, the person who  
2 submitted the petition may, within 2 days after receiving a copy of  
3 the certificate, file a request that it be reviewed by the board of  
4 county commissioners. The board shall review the certificate at its  
5 next meeting following the filing of the request and approve or  
6 disapprove it, and the determination of the board is a final  
7 determination as to the sufficiency of the petition.

8 8. A final determination as to the sufficiency of a petition is  
9 subject to judicial review. A final determination of insufficiency,  
10 even if sustained upon judicial review, does not prejudice the filing  
11 of a new petition for the same purpose.

12 **Sec. 118.** NRS 295.205 is hereby amended to read as follows:

13 295.205 1. Any five registered voters of the city may  
14 commence initiative or referendum proceedings by filing with the  
15 city clerk an affidavit:

16 (a) Stating they will constitute the petitioners' committee and be  
17 responsible for circulating the petition and filing it in proper form;

18 (b) Stating their names and addresses;

19 (c) Specifying the address to which all notices to the committee  
20 are to be sent; and

21 (d) Setting out ~~the~~ *the full text of the measure* proposed by  
22 initiative ~~ordinance~~ or citing the ~~ordinance~~ *full text of the*  
23 *measure* sought to be reconsidered.

24 2. Initiative petitions must be signed by a number of registered  
25 voters of the city equal to 15 percent or more of the number of  
26 voters who voted at the last preceding city election.

27 3. Referendum petitions must be signed by a number of  
28 registered voters of the city equal to 10 percent or more of the  
29 number of voters who voted at the last preceding city election.

30 4. A petition must be submitted to the city clerk for  
31 verification, pursuant to NRS 295.250 to 295.290, inclusive, not  
32 later than:

33 (a) One hundred and eighty days after the date that the affidavit  
34 required by subsection 1 is filed with the city clerk; or

35 (b) One hundred and thirty days before the election,  
36 ↪ whichever is earlier.

37 5. A petition may consist of more than one document, but all  
38 documents of a petition must be uniform in size and style, numbered  
39 and assembled as one instrument for submission. Each signature  
40 must be executed in ink or indelible pencil and followed by  
41 the address of the person signing and the date on which he signed  
42 the petition. All signatures on a petition must be obtained within the  
43 period specified in subsection 4. Each document must contain, or  
44 have attached thereto throughout its circulation, the full text of the  
45 ~~ordinance~~ *measure* proposed or sought to be reconsidered.



1 6. Each document of a petition must have attached to it when  
2 submitted an affidavit executed by the circulator thereof stating:

- 3 (a) That he personally circulated the document;  
4 (b) The number of signatures thereon;  
5 (c) That all the signatures were affixed in his presence;  
6 (d) That he believes them to be genuine signatures of the  
7 persons whose names they purport to be; and  
8 (e) That each signer had an opportunity before signing to read  
9 the full text of the ~~ordinance~~ *measure* proposed or sought to be  
10 reconsidered.

11 7. The city clerk shall issue a receipt to any person who  
12 submits a petition pursuant to this section. The receipt must set forth  
13 the number of:

- 14 (a) Documents included in the petition;  
15 (b) Pages in each document; and  
16 (c) Signatures that the person declares are included in the  
17 petition.

18 **Sec. 119.** NRS 298.025 is hereby amended to read as follows:

19 298.025 **1.** Presidential electors are not nominated at the  
20 primary election or placed upon the general election ballot, but the  
21 nominees of the presidential and vice presidential candidates who  
22 receive the highest number of votes at the general election thereby  
23 become the official presidential electors. The presidential electors  
24 shall perform the duties of such electors as required by law and the  
25 Constitution of the United States.

26 **2.** *If, after the completion of the canvass of the returns of any*  
27 *election, two or more presidential candidates tie, both receiving*  
28 *the highest number of votes, the Legislature shall, by joint vote of*  
29 *both Houses, select which nominees of a presidential and vice*  
30 *presidential candidate for presidential electors shall become the*  
31 *official presidential electors.*

32 **Sec. 120.** NRS 5.020 is hereby amended to read as follows:

33 5.020 **1.** Except as provided in subsection 3 and NRS  
34 266.405 ~~§~~ *and 293.260*, each municipal judge must be chosen by  
35 the electors of the city within which the municipal court is  
36 established on a day to be fixed by the governing body of that city.  
37 The term of office of a municipal judge is the period fixed by:

- 38 (a) An ordinance adopted by the city if the city is organized  
39 under general law; or  
40 (b) The charter of the city if the city is organized under a special  
41 charter.

42 ➤ Before entering upon his duties, a municipal judge shall take the  
43 constitutional oath of office.

44 **2.** A municipal judge must:

- 45 (a) Be a citizen of the State;



1 (b) Except as otherwise provided in the charter of a city  
2 organized under a special charter, have been a bona fide resident of  
3 the city for not less than 1 year next preceding his election;

4 (c) Be a qualified elector in the city; and

5 (d) Not have ever been removed or retired from any judicial  
6 office by the Commission on Judicial Discipline.

7 3. The governing body of a city, with the consent of the board  
8 of county commissioners and the justice of the peace, may provide  
9 that a justice of the peace of the township in which the city is  
10 located is ex officio the municipal judge of the city.

11 4. For the purposes of this section, a person shall not be  
12 ineligible to be a candidate for the office of municipal judge if a  
13 decision to remove or retire him from a judicial office is pending  
14 appeal before the Supreme Court or has been overturned by the  
15 Supreme Court.

16 **Sec. 121.** NRS 248.010 is hereby amended to read as follows:

17 248.010 1. Sheriffs must be elected by the qualified electors  
18 of their respective counties.

19 2. ~~{Sheriffs}~~ *Except as otherwise provided in NRS 293.260,*  
20 *sheriffs* must be chosen by the electors of their respective counties  
21 at the general election in 1922, and at the general election every 4  
22 years thereafter, and shall enter upon the duties of their respective  
23 offices on the first Monday of January subsequent to their election.

24 **Sec. 122.** NRS 269.017 is hereby amended to read as follows:

25 269.017 1. If the board of county commissioners determines  
26 that the best interests of an unincorporated town would be served by  
27 adoption of a town board form of government it shall establish a  
28 town board for the town by appointing five persons who are  
29 residents and qualified electors in the town to serve as members of  
30 the town board until successors can be elected at the next general  
31 election.

32 2. ~~{At}~~ *Except as otherwise provided in NRS 293.260, at* the  
33 next general election five persons who are residents and qualified  
34 electors in the town must be elected by the registered voters of the  
35 town to serve as members of the town board.

36 **Sec. 123.** NRS 269.0171 is hereby amended to read as  
37 follows:

38 269.0171 1. If the establishment of a town board form of  
39 government is proposed by initiative petition, and the proposal is  
40 submitted to the electors, the prospective members of the town  
41 board must be elected at the same general election in which the  
42 proposal is submitted to the electors.

43 2. Any person who is a resident, is a qualified elector and  
44 desires to become a candidate for the position of member of a town  
45 board must, within the time specified by subsection 3, file in the



1 office of the county clerk a notice of his intention to become a  
2 candidate. The notice of intention must show that the person  
3 possesses the qualifications required by this section. Each person  
4 filing the notice of intention as required by this section is entitled to  
5 have his name placed on the official ballot.

6 3. The notice of intention required by subsection 2 must be  
7 filed not later than 5 p.m. on the second Tuesday in May of the year  
8 in which the election is held.

9 4. ~~[H]~~ *Except as otherwise provided in NRS 293.260, if* the  
10 proposal to establish a town board form of government is approved  
11 at the election, members of the town board elected pursuant to this  
12 section serve as members until the next general election.

13 **Sec. 124.** NRS 318.095 is hereby amended to read as follows:

14 318.095 Except as otherwise provided in NRS *293.260 and*  
15 318.0953:

16 1. There must be held simultaneously with the first general  
17 election in the county after the creation of the district and  
18 simultaneously with every general election thereafter an election to  
19 be known as the biennial election of the district. The election must  
20 be conducted under the supervision of the county clerk or registrar  
21 of voters. A district shall reimburse the county clerk or registrar of  
22 voters for the costs he incurred in conducting the election for the  
23 district.

24 2. The office of trustee is a nonpartisan office. The general  
25 election laws of this State govern the candidacy, nominations and  
26 election of a member of the board. The names of the candidates for  
27 trustee of a district may be placed on the ballot for the primary or  
28 general election.

29 3. At the first biennial election in any district organized or  
30 reorganized and operating under this chapter, and each fourth year  
31 thereafter, there must be elected by the qualified electors of the  
32 district two qualified electors as members of the board to serve for  
33 terms of 4 years. At the second biennial election and each fourth  
34 year thereafter, there must be so elected three qualified electors as  
35 members of the board to serve for terms of 4 years.

36 4. The secretary of the district shall give notice of election by  
37 publication, and shall arrange such other details in connection  
38 therewith as the county clerk or registrar of voters may direct.

39 5. Any new member of the board must qualify in the same  
40 manner as members of the first board qualify.

41 **Sec. 125.** NRS 320.080 is hereby amended to read as follows:

42 320.080 1. ~~[A]~~ *Except as otherwise provided in NRS*  
43 *293.260, a* biennial election for the district must be held  
44 simultaneously with the first general election in the county held



1 after the district is created and simultaneously with each general  
2 election held thereafter.

3 2. The office of a member of the board is a nonpartisan office.  
4 The general election laws of this State govern the candidacy,  
5 nominations and election of a member of the board. Except as  
6 otherwise provided in subsection 3, the term of office of a member  
7 of the board is 4 years.

8 3. At the first biennial election of the district, there must be  
9 elected by the qualified voters of the district:

10 (a) Two qualified electors as members of the board to serve for  
11 terms of 2 years; and

12 (b) Three qualified electors as members of the board to serve for  
13 terms of 4 years.

14 4. The secretary of the board shall provide notice of the  
15 election by publication and take any other action concerning the  
16 election as the county clerk or the registrar of voters may direct.

17 5. A member of the board who is elected must qualify in the  
18 same manner as a member of the initial board pursuant to  
19 NRS 320.070.

20 **Sec. 126.** NRS 353.264 is hereby amended to read as follows:

21 353.264 1. The Reserve for Statutory Contingency Account  
22 is hereby created in the State General Fund.

23 2. The State Board of Examiners shall administer the Reserve  
24 for Statutory Contingency Account. The money in the Account must  
25 be expended only for:

26 (a) The payment of claims which are obligations of the State  
27 pursuant to NRS 41.03435, 41.0347, 621.050, 176.485, 179.310,  
28 212.040, 212.050, 212.070, 281.174, 282.290, 282.315, 288.203,  
29 293.253, 293.405, 353.120, 353.262, 412.154 and 475.235;

30 (b) The payment of claims which are obligations of the State  
31 pursuant to:

32 (1) Chapter 472 of NRS arising from operations of the  
33 Division of Forestry of the State Department of Conservation and  
34 Natural Resources directly involving the protection of life and  
35 property; and

36 (2) NRS 7.155, 34.750, 176A.640, 179.225 ~~[- 213.153 and~~  
37 ~~293B.210.] and 213.153,~~

38 ➤ except that claims may be approved for the respective purposes  
39 listed in this paragraph only when the money otherwise appropriated  
40 for those purposes has been exhausted;

41 (c) The payment of claims which are obligations of the State  
42 pursuant to NRS 41.0349 and 41.037, but only to the extent that the  
43 money in the Fund for Insurance Premiums is insufficient to pay the  
44 claims; and





1 (d) The payment of claims which are obligations of the State  
2 pursuant to NRS 535.030 arising from remedial actions taken by the  
3 State Engineer when the condition of a dam becomes dangerous to  
4 the safety of life or property.

5 3. The State Board of Examiners may authorize its Clerk,  
6 under such circumstances as it deems appropriate, to approve, on  
7 behalf of the Board, the payment of claims from the Reserve for  
8 Statutory Contingency Account. For the purpose of exercising any  
9 authority granted to the Clerk of the State Board of Examiners  
10 pursuant to this subsection, any statutory reference to the State  
11 Board of Examiners relating to such a claim shall be deemed to refer  
12 to the Clerk of the Board.

13 **Sec. 127.** NRS 385.021 is hereby amended to read as follows:

14 385.021 1. The State Board consists of 10 members elected  
15 by the registered voters within the districts described in NRS  
16 385.0225 to 385.0265, inclusive.

17 2. Each member of the State Board must be a resident of the  
18 district from which that member is elected.

19 3. ~~At~~ *Except as otherwise provided in NRS 293.260, at*  
20 the general election in 2002, and every 4 years thereafter, one member  
21 of the State Board must be elected for a term of 4 years from  
22 Districts Numbers 2, 5, 6 and 10.

23 4. ~~At~~ *Except as otherwise provided in NRS 293.260, at*  
24 the general election in 2004, and every 4 years thereafter, one member  
25 of the State Board must be elected for a term of 4 years from  
26 Districts Numbers 1, 3, 4, 7, 8 and 9.

27 5. If a vacancy occurs on the State Board, the Governor shall  
28 appoint a member to fill the vacancy until the next general election,  
29 at which election a member must be chosen for the balance of the  
30 unexpired term. The appointee must be a resident of the district  
31 where the vacancy occurs.

32 6. No member of the State Board may be elected to the office  
33 more than three times.

34 **Sec. 128.** NRS 386.160 is hereby amended to read as follows:

35 386.160 1. ~~At~~ *Except as otherwise provided in NRS*  
36 *293.260, at* the general election in 1980 and every 4 years thereafter,  
37 in a county school district where fewer than 1,000 pupils were  
38 enrolled during the preceding school year, three trustees shall be  
39 elected at large within the district, as follows:

40 (a) One person who resides at the county seat; but if less than 40  
41 percent of the residents of the county reside at the county seat then  
42 such person need not reside at the county seat.

43 (b) One person who resides in the county but not at the county  
44 seat.



1 (c) One person who resides in the county but not at the county  
2 seat; but if 80 percent or more of the residents of the county reside  
3 at the county seat then a person who resides at the county seat may  
4 be elected to the office.

5 2. ~~[A+] Except as otherwise provided in NRS 293.260, at the~~  
6 general election in 1982 and every 4 years thereafter, in a county  
7 school district where fewer than 1,000 pupils were enrolled during  
8 the preceding school year, two trustees shall be elected at large  
9 within the district, as follows:

10 (a) One person who resides at the county seat; but if less than 20  
11 percent of the residents of the county reside at the county seat then  
12 such person need not reside at the county seat.

13 (b) One person who resides in the county but who resides  
14 neither at the county seat nor in any incorporated city within the  
15 county.

16 3. The term of each person elected to the office of school  
17 trustee is 4 years.

18 **Sec. 129.** NRS 386.165 is hereby amended to read as follows:

19 386.165 1. In each county school district in which more than  
20 75,000 pupils are enrolled, the board of trustees shall establish seven  
21 election districts for school trustees. The districts must be:

22 (a) As nearly equal in population as practicable; and

23 (b) Composed of contiguous territory.

24 2. In each county school district in which more than 25,000  
25 pupils but not more than 75,000 pupils are enrolled, the board of  
26 trustees shall establish seven election districts for school trustees, as  
27 follows:

28 (a) Five districts which are as nearly equal in population as  
29 practicable, each of which includes approximately one-fifth of the  
30 population of the county; and

31 (b) Two districts which are as nearly equal in population as  
32 practicable, each of which includes approximately one-half of the  
33 population of the county.

34 ↪ The districts must be composed of contiguous territory.

35 3. Each trustee of a school district to which this section applies  
36 must reside in the election district which he represents and be  
37 elected by the voters of that election district.

38 4. In each school district in which more than 25,000 pupils are  
39 enrolled, the term of a school trustee is 4 years. ~~[Three]~~ *Except as*  
40 *otherwise provided in NRS 293.260, three* trustees must be elected  
41 at the general election of 1982 and four trustees must be elected at  
42 the general election of 1984.

43 **Sec. 130.** NRS 386.190 is hereby amended to read as follows:

44 386.190 1. If the certificate of the Superintendent of Public  
45 Instruction filed with the county clerk states that the pupil



1 enrollment during the preceding school year in a county school  
2 district was 1,000 or more, and the board of trustees of the district is  
3 composed of five members elected as provided in NRS 386.160,  
4 then , *except as otherwise provided in NRS 293.260*, at the next  
5 succeeding general election one additional trustee who resides at the  
6 county seat must be elected for a term of 4 years, and one additional  
7 trustee who resides in the county but not at the county seat must be  
8 elected for a term of 2 years.

9 2. Thereafter, while continued pupil enrollment in the county  
10 school district is 1,000 or more, the offices of school trustees must  
11 be filled as provided by law for school districts having pupil  
12 enrollments of that size.

13 3. The provisions of subsections 1 and 2 do not apply in a  
14 school district in which the pupil enrollment during the preceding  
15 school year was 1,000 or more but less than 1,500, and in which the  
16 board of trustees of the school district has adopted a resolution  
17 specifying that the board will consist of five members.

18 **Sec. 131.** NRS 386.200 is hereby amended to read as follows:

19 386.200 1. In addition to the manner of election provided in  
20 NRS 386.205, 386.215 and 386.225, the trustees of a county school  
21 district may be elected from school trustee election areas in the  
22 alternate manner provided in this section.

23 2. Within 30 days before May 1 of any year in which a general  
24 election is to be held in the State, 10 percent or more of the  
25 registered voters of a county school district in which 25,000 or  
26 fewer pupils are enrolled may file a written petition with the board  
27 of county commissioners of the county praying for the creation of  
28 school trustee election areas within the county school district in the  
29 manner provided in this section. The petition must specify with  
30 particularity the school trustee election areas proposed to be created,  
31 the number of trustees to be elected from each area, and the manner  
32 of their nomination and election. The number of school trustee  
33 election areas proposed must not exceed the number of trustees  
34 authorized by law for the particular county school district. The  
35 description of the proposed school trustee election areas need not be  
36 given by metes and bounds or by legal subdivisions, but must be  
37 sufficient to enable a person to ascertain what territory is proposed  
38 to be included within a particular school trustee election area. The  
39 signatures to the petition need not all be appended to one paper, but  
40 each signer must add to his name his place of residence, giving the  
41 street and number whenever practicable. One of the signers of each  
42 paper shall swear or affirm, before a person competent to administer  
43 oaths, that each signature to the paper appended is the genuine  
44 signature of the person whose name it purports to be.



1 3. Immediately after the receipt of the petition, the board of  
2 county commissioners shall fix a date for a public hearing to be held  
3 during the month of May, and shall give notice thereof by  
4 publication at least once in a newspaper published in the county, or  
5 if no such newspaper is published therein then in a newspaper  
6 published in the State of Nevada and having a general circulation in  
7 the county. The costs of publication of the notice is a proper charge  
8 against the county school district fund.

9 4. If, as a result of the public hearing, the board of county  
10 commissioners finds that the creation of school trustee election areas  
11 within the county school district is desirable, the board of county  
12 commissioners shall, by resolution regularly adopted before June 1,  
13 divide the county school district into the number of school trustee  
14 election areas specified in the petition, designate them by number  
15 and define their boundaries. The territory comprising each school  
16 trustee election area must be contiguous. The resolution must further  
17 set forth the number of trustees to be elected from each school  
18 trustee election area and the manner of their nomination and  
19 election.

20 5. Before June 1 and immediately following the adoption of the  
21 resolution creating school trustee election areas within a county  
22 school district, the clerk of the board of county commissioners shall  
23 transmit a certified copy of the resolution to the Superintendent of  
24 Public Instruction.

25 6. Upon the creation of school trustee election areas within a  
26 county school district the terms of office of all trustees then in office  
27 expire on the 1st Monday of January thereafter next following a  
28 general election. ~~[A+] Except as otherwise provided in NRS~~  
29 **293.260, at** the general election held following the creation of  
30 school trustee election areas within a county school district, school  
31 trustees to represent the odd-numbered school trustee election areas  
32 must be elected for terms of 4 years and school trustees to represent  
33 the even-numbered school trustee election areas must be elected for  
34 terms of 2 years. Thereafter, **except as otherwise provided in NRS**  
35 **293.260,** at each general election, the offices of school trustees must  
36 be filled for terms of 4 years in the order in which the terms of  
37 office expire.

38 7. A candidate for the office of trustee of a county school  
39 district in which school trustee election areas have been created  
40 must be a qualified elector and a resident of the school trustee  
41 election area which he seeks to represent.

42 8. The board of county commissioners may by resolution  
43 change the boundaries of school trustee election areas or the manner  
44 of nomination or election of school trustees after:



1 (a) Holding a public hearing of which notice must be given as  
2 provided in subsection 3; and

3 (b) Receiving, at the hearing or by resolution, the consent of the  
4 board of trustees of the school district.

5 9. If the Superintendent of Public Instruction certifies to the  
6 county clerk that the enrollment of pupils during the preceding  
7 school year in a county school district was less than 1,000, or was  
8 1,000 or more but less than 1,500 in a district in which the board of  
9 trustees has adopted a resolution in accordance with NRS 386.120  
10 specifying that the board will consist of five members, and the board  
11 of trustees of the county school district is composed of seven elected  
12 members based upon a previous enrollment of 1,000 or more, the  
13 board of county commissioners shall alter the school trustee election  
14 areas or change the number of trustees to be elected from the areas,  
15 or the manner of their nomination and election, as may be necessary  
16 to provide for reduction of the membership of the board of trustees  
17 of the county school board from seven to five members, and only  
18 five school trustees may thereafter be nominated and elected at the  
19 forthcoming elections.

20 10. If the Superintendent of Public Instruction certifies to the  
21 county clerk that the enrollment of pupils during the preceding  
22 school year in a county school district was 1,000 or more, and the  
23 board of trustees of the county school district is composed of five  
24 elected members, the board of county commissioners shall alter the  
25 school trustee election areas or change the number of trustees to be  
26 elected from the areas, or the manner of their nomination and  
27 election, as may be necessary to provide for increasing the  
28 membership of the board of trustees of the county school district  
29 from five to seven members, and two additional school trustees must  
30 thereafter be nominated and elected at the forthcoming elections.

31 11. The provisions of subsection 10 do not apply in a school  
32 district in which the pupil enrollment during the preceding school  
33 year was 1,000 or more but less than 1,500, and in which the board  
34 of trustees of the school district has adopted a resolution specifying  
35 that the board will consist of five members.

36 **Sec. 132.** NRS 396.040 is hereby amended to read as follows:

37 396.040 1. The Board of Regents consists of 13 members  
38 elected by the registered voters within the districts described in NRS  
39 396.0415 to 396.046, inclusive.

40 2. The members of the Board of Regents must be elected as  
41 follows:

42 (a) ~~[At]~~ *Except as otherwise provided in NRS 293.260*, the  
43 general election in 2002, and every 6 years thereafter, one member  
44 of the Board of Regents must be elected from districts 2, 3, 5  
45 and 10.



1 (b) ~~[A+]~~ *Except as otherwise provided in NRS 293.260*, the  
2 general election in 2004, and every 6 years thereafter, one member  
3 of the Board of Regents must be elected from districts 6, 7, 8, 11  
4 and 13.

5 (c) ~~[A+]~~ *Except as otherwise provided in NRS 293.260*, the  
6 general election in 2006, and every 6 years thereafter, one member  
7 of the Board of Regents must be elected from districts 1, 4, 9  
8 and 12.

9 3. Each member of the Board of Regents must be a resident of  
10 the district from which he is elected.

11 **Sec. 133.** NRS 450.080 is hereby amended to read as follows:

12 450.080 Except in counties where the board of county  
13 commissioners is the board of hospital trustees:

14 1. The offices of hospital trustees are hereby declared to be  
15 nonpartisan, and the names of candidates for such offices shall  
16 appear alike upon the ballots of all parties at all primary elections.

17 2. ~~[A+]~~ *Except as otherwise provided in NRS 293.260*, at the  
18 general election only the names of those candidates, not to exceed  
19 twice the number of hospital trustees to be elected, who received the  
20 highest numbers of votes at the primary election shall appear on the  
21 ballot.

22 **Sec. 134.** NRS 539.143 is hereby amended to read as follows:

23 539.143 In all ~~[pollbooks]~~ *rosters* and lists of registered  
24 electors prepared for any election under this chapter, the names of  
25 electors who have registered or reregistered for such election shall  
26 be distinguished from the names of those who voted at the last  
27 preceding district election but who have not so registered or  
28 reregistered, by the letter "R" enclosed in parentheses placed before  
29 each of the names of the former and the omission thereof in  
30 connection with the names of the latter.

31 **Sec. 135.** Section 5.020 of the Charter of the City of Reno,  
32 being chapter 662, Statutes of Nevada 1971, as last amended by  
33 chapter 100, Statutes of Nevada 1999, at page 274, is hereby  
34 amended to read as follows:

35 Sec. 5.020 Primary elections; declaration of candidacy.

36 1. A candidate for any office to be voted for at an  
37 election must file a declaration of candidacy with the City  
38 Clerk. All filing fees collected by the City Clerk must be  
39 deposited to the credit of the General Fund of the City.

40 2. If for any general election, there are three or more  
41 candidates for any office to be filled at that election, a  
42 primary election for any such office must be held on the first  
43 Tuesday in ~~[September]~~ *May* preceding the general election.  
44 If for any general election there are two or fewer candidates  
45 for any office to be filled at that election, their names must



1 not be placed on the ballot for the primary election but must  
2 be placed on the ballot for the general election.

3 3. In the primary election:

4 (a) The names of the two candidates for Municipal Judge,  
5 City Attorney or a particular City Council seat, as the case  
6 may be, who receive the highest number of votes must be  
7 placed on the ballot for the general election.

8 (b) Candidates for Councilman who represent a specific  
9 ward must be voted upon only by the registered voters of that  
10 ward.

11 (c) Candidates for Mayor and Councilman at large must  
12 be voted upon by all registered voters of the City.

13 4. The Mayor and all Councilmen must be voted upon  
14 by all registered voters of the City at the general election.

15 **Sec. 136.** NRS 293.075, 293.12756, 293.233, 293.272,  
16 293.293, 293.300, 293.359, 293.3602, 293B.160, 293B.210,  
17 293C.235, 293C.256, 293C.280, 293C.359 and 293C.3602 are  
18 hereby repealed.

---

---

## LEADLINES OF REPEALED SECTIONS

---

---

**293.075 "Pollbook" defined.**

**293.12756 Informational pamphlet concerning petitions;  
fee.**

**293.233 Appointment and duties of voting board and  
counting board in precinct or district where there are 200 or  
more registered voters and paper ballots are used.**

**293.272 Voting in person required for voter who registered  
to vote by mail; exceptions.**

**293.293 Procedure for voting by paper ballot; duties of  
election board officer upon receipt of voted ballot.**

**293.300 Return of ballot not voted; cancellation.**

**293.359 Ballot boxes for paper ballots or ballots voted by  
punching card; seals.**

**293.3602 Custody of paper ballots or ballots voted by  
punching card; observation by general public of handling of  
ballots.**

**293B.160 Test program and card deck to be used for  
certain mechanical voting systems at election.**

**293B.210 Clerk to furnish lists of candidates and measures  
to be voted on at election; Secretary of State to provide to or  
reimburse county for cards used in elections.**



**293C.235 Appointment and duties of voting board and counting board in precinct or district where 200 or more registered voters and paper ballots used.**

**293C.256 Absent ballot or ballot voted in mailing precinct to be voted on paper ballot or ballot voted by punching card.**

**293C.280 Procedure for voting by paper ballot; duties of election board officer upon receipt of voted ballot.**

**293C.359 Ballot boxes for paper ballots or ballots voted by punching card; seals.**

**293C.3602 Custody of paper ballots or ballots voted by punching card; observation by general public of handling of ballots.**

