

SENATE BILL NO. 449—COMMITTEE ON  
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE SECRETARY OF STATE)

MARCH 25, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to elections.  
(BDR 24-969)

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

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

AN ACT relating to elections; clarifying certain provisions relating to certified lists of candidates for office; revising the date by which a political subdivision is prohibited from making certain changes to the boundaries of an election district during an election year; revising outdated references to the Federal Elections Commission; setting forth certain provisions to determine the winner of a tie vote in certain primary elections; establishing certain protections for private property owners who rent private property for use as a polling place; revising certain provisions relating to indicating an affiliation or nonaffiliation with a political party on applications to register to vote; requiring county clerks and city clerks to publish notice of the deadlines to register to vote by mail, in person and by computer; revising certain provisions relating to prohibiting a person from voting more than once in the same election; requiring a committee for the recall of a public officer to report certain contributions and expenditures; requiring the Secretary of State to assign a title to a petition for initiative or referendum; revising requirements relating to persons who may sign a notice of intent to circulate a petition to recall a public officer; and providing other matters properly relating thereto.



**Legislative Counsel's Digest:**

1 Existing law establishes separate periods for filing for office for judicial  
2 candidates and nonjudicial candidates and requires a candidate who wishes to  
3 withdraw to do so within 7 days after the last day for filing. The Secretary of State  
4 is required under existing law to forward a certified list of candidates to each  
5 county clerk not later than 5 working days after the last day a candidate may  
6 withdraw his or her candidacy, after which the county clerk must publish notice of  
7 the primary or general election in a newspaper. (NRS 293.180, 293.187, 293.202,  
8 293.203) **Sections 1 and 2** of this bill clarify that the Secretary of State must  
9 forward the list of candidates for judicial and nonjudicial offices not later than 5  
10 working days after the last day a candidate for nonjudicial office may withdraw his  
11 or her candidacy, after which each county clerk must publish notice of the election.

12 **Section 18** of this bill eliminates the authority of registered voters to file a  
13 certificate of candidacy designating a registered voter as a candidate for office.

14 Existing law prohibits a political subdivision of the State from making certain  
15 changes to an election district after the first day of filing by candidates in an  
16 election year, which is the first Monday in January. (NRS 293.177, 293.209)

17 **Section 3** of this bill instead prohibits a political subdivision from making such  
18 changes after the first day of filing by nonjudicial candidates in an election year,  
19 which is the first Monday in March.

20 Existing federal law establishes the United States Election Assistance  
21 Commission and charges the agency with various duties, including the development  
22 of standards for voting systems. (52 U.S.C. §§ 20921, 21081) **Sections 5, 12 and**  
23 **13** of this bill revise references to the standards for voting systems established by  
24 the Federal Election Commission with the United States Election Assistance  
25 Commission.

26 Under existing law, if there has been a tie vote for any office of a county,  
27 township, incorporated city, city organized under a special charter where the charter  
28 is silent on the issue or district located wholly within one county, the winner is  
29 determined by lot. (NRS 293.400) **Section 6** of this bill provides that if the tie vote  
30 occurs in a primary election for nonpartisan office: (1) if the candidates who  
31 received the tie votes received the highest number of votes at the primary election,  
32 all of those candidates must be declared the nominees for the office and placed on  
33 the ballot at the general election; or (2) if the candidates who received the tie votes  
34 did not receive the highest number of votes but received the next highest number of  
35 votes, the candidate who received the highest number of votes and the candidates  
36 who received the tie votes at the primary election must be declared the nominees  
37 for the office and placed on the ballot at the general election. **Section 4** of this bill  
38 makes conforming changes.

39 Existing law authorizes a county or city clerk to rent privately owned locations  
40 to be designated as a polling place on election day. (NRS 293.437) **Section 7** of this  
41 bill provides that the legal rights and remedies of the owner or lessor of the private  
42 property to be rented as a location to be used as a polling place are not impaired or  
43 affected by renting the property.

44 Existing law provides that if a person does not indicate a political party  
45 affiliation or indicates that he or she is not affiliated with a political party on an  
46 application to preregister or register to vote, the county clerk or field registrar of  
47 voters shall list his or her political party as nonpartisan. (NRS 293.518) **Section 8**  
48 of this bill provides that if a person who is already preregistered or registered to  
49 vote submits a new paper application in the same county in which he or she is  
50 already registered and the person does not make any indications on the new  
51 application, the county clerk or field registrar of voters shall list his or her political  
52 party or that he or she is not affiliated with a political party as is listed in the current  
53 records of the county clerk. **Section 9** of this bill makes conforming changes.



54 Existing law establishes certain deadlines for registration by mail, in person and  
55 by computer and requires each county and city clerk to publish notice in a  
56 newspaper in the county or city indicating the time that registration will be closed.  
57 (NRS 293.560, 293C.527) **Sections 10 and 14** of this bill clarify that the county  
58 and city clerks must publish notice of the times that registration by mail, in person  
59 and by computer, if applicable, will close.

60 Existing law prohibits a person from voting or attempting to vote more than  
61 once at the same election. (NRS 293.780) **Section 11** of this bill clarifies that this  
62 prohibition includes: (1) voting more than once in the same election in this State;  
63 and (2) voting more than once in the same federal election in this State and another  
64 state.

65 Existing law establishes certain requirements for a committee for the recall of a  
66 public officer to report certain contributions received and expenditures made by the  
67 committee during its recall efforts. If a district court determines that a petition to  
68 recall a public officer is legally insufficient, the committee must report such  
69 contributions and expenditures within 30 days after the district court orders the  
70 filing officer to cease proceedings regarding the petition. (NRS 294A.270) If the  
71 committee appeals the determination of the district court that the petition is legally  
72 insufficient, **section 15** of this bill requires the committee to also report certain  
73 contributions received and expenditures made by the committee during the appeals  
74 process.

75 Existing law requires a copy of a petition for initiative or referendum to be  
76 placed on file with the Secretary of State before it may be circulated for signatures.  
77 (NRS 295.015) **Section 16** of this bill requires the Secretary of State to assign a  
78 title to petitions for initiative or referendum.

79 Existing law requires a person proposing to circulate a petition to recall a public  
80 officer to file a notice of intent, which must be signed by three registered voters  
81 who actually voted in the State or in the county, district or municipality electing the  
82 officer at the last proceeding general election. (NRS 306.015) **Section 17** of this bill  
83 revises this requirement to instead require the three registered voters who sign the  
84 notice of intent to: (1) have actually voted in the election at which the public officer  
85 was elected; and (2) if the officer was elected to a county, district or municipal  
86 office, currently reside in the county, district, municipality or portion thereof that  
87 the public officer represents.

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

1 **Section 1.** NRS 293.187 is hereby amended to read as follows:  
2 293.187 1. Not later than 5 working days after the last day on  
3 which ~~any~~ a candidate *for a nonjudicial office* may withdraw his  
4 or her candidacy pursuant to NRS 293.202:

5 (a) The Secretary of State shall forward to each county clerk a  
6 certified list containing the name and mailing address of each person  
7 for whom candidacy papers *for judicial and nonjudicial office* have  
8 been filed in the Office of the Secretary of State, and who is entitled  
9 to be voted for in the county at the next succeeding primary election,  
10 together with the title of the office for which the person is a  
11 candidate and the party or principles he or she represents; and



1 (b) Each county clerk shall forward to the Secretary of State a  
2 certified list containing the name and mailing address of each person  
3 for whom candidacy papers *for judicial and nonjudicial office* have  
4 been filed in the office of the county clerk, and who is entitled to be  
5 voted for in the county at the next succeeding primary election,  
6 together with the title of the office for which the person is a  
7 candidate and the party or principles he or she represents.

8 2. There must be a party designation only for candidates for  
9 partisan offices.

10 **Sec. 2.** NRS 293.203 is hereby amended to read as follows:

11 293.203 Immediately upon receipt by the county clerk of the  
12 certified list of candidates *for judicial and nonjudicial office* from  
13 the Secretary of State ~~§~~ *pursuant to NRS 293.187*, the county clerk  
14 shall publish a notice of primary election or general election in a  
15 newspaper of general circulation in the county once a week for 2  
16 successive weeks. If no such newspaper is published in the county,  
17 the publication may be made in a newspaper of general circulation  
18 published in the nearest Nevada county. The notice must contain:

- 19 1. The date of the election.
- 20 2. The location of the polling places.
- 21 3. The hours during which the polling places will be open for  
22 voting.
- 23 4. The names of the candidates.
- 24 5. A list of the offices to which the candidates seek nomination  
25 or election.

26 ↪ The notice required for a general election pursuant to this section  
27 may be published in conjunction with the notice required for a  
28 proposed constitution or constitutional amendment pursuant to NRS  
29 293.253. If the notices are combined in this manner, they must be  
30 published three times in accordance with subsection 3 of  
31 NRS 293.253.

32 **Sec. 3.** NRS 293.209 is hereby amended to read as follows:

33 293.209 A political subdivision of this State shall not create,  
34 divide, change the boundaries of, abolish or consolidate an election  
35 district after the first day of filing by candidates *for nonjudicial*  
36 *office set forth in NRS 293.177* during any year in which a general  
37 election or city general election is held for that election district. This  
38 section does not prohibit a political subdivision from annexing  
39 territory in a year in which a general election or city general election  
40 is held for that election district.

41 **Sec. 4.** NRS 293.260 is hereby amended to read as follows:

42 293.260 1. If there is no contest of election for nomination to  
43 a particular office, neither the title of the office nor the name of the  
44 candidate may appear on the ballot at the primary election.



1 2. If a major political party has two or more candidates for a  
2 particular office, the person who receives the highest number of  
3 votes at the primary election must be declared the nominee of that  
4 major political party for the office.

5 3. If not more than the number of candidates to be elected have  
6 filed for nomination for:

7 (a) Any partisan office or the office of judge of a district court,  
8 judge of the Court of Appeals or justice of the Supreme Court, the  
9 names of those candidates must be omitted from all ballots for a  
10 primary election and placed on all ballots for the general election;

11 (b) Any nonpartisan office, other than the office of judge of a  
12 district court, judge of the Court of Appeals, justice of the Supreme  
13 Court or member of a town advisory board, the names of those  
14 candidates must appear on the ballot for a primary election unless  
15 the candidates were nominated pursuant to subsection 2 of NRS  
16 293.165. If a candidate receives one or more votes at the primary  
17 election, the candidate must be declared elected to the office and his  
18 or her name must not be placed on the ballot for the general  
19 election. If a candidate does not receive one or more votes at the  
20 primary election, his or her name must be placed on the ballot for  
21 the general election; and

22 (c) The office of member of a town advisory board, the  
23 candidate must be declared elected to the office and no election  
24 must be held for that office.

25 4. If there are not more than twice the number of candidates to  
26 be elected to a nonpartisan office, the candidates must, without a  
27 primary election, be declared the nominees for the office, and the  
28 names of the candidates must be omitted from all ballots for a  
29 primary election and placed on all ballots for the general election.

30 5. If there are more than twice the number of candidates to be  
31 elected to a nonpartisan office, the names of the candidates must  
32 appear on the ballot for a primary election. ~~Those~~ *Except as*  
33 *otherwise provided in NRS 293.400, those* candidates who receive  
34 the highest number of votes at the primary election, not to exceed  
35 twice the number to be elected, must be declared nominees for the  
36 office and the names of those candidates must be placed on the  
37 ballot for the general election, except that if one of those candidates  
38 receives a majority of the votes cast in the primary election for:

39 (a) The office of judge of a district court, judge of the Court of  
40 Appeals or justice of the Supreme Court, the candidate must be  
41 declared the only nominee for the office and only his or her name  
42 must be placed on the ballot for the general election.

43 (b) Any other nonpartisan office, the candidate must be declared  
44 elected to the office and his or her name must not be placed on the  
45 ballot for the general election.



1       **Sec. 5.** NRS 293.2696 is hereby amended to read as follows:  
2       293.2696 The Secretary of State and each county and city clerk  
3 shall ensure that each voting system used in this State:

4       1. Secures to each voter privacy and independence in the act of  
5 voting, including, without limitation, confidentiality of the ballot of  
6 the voter;

7       2. Allows each voter to verify privately and independently the  
8 votes selected by the voter on the ballot before the ballot is cast and  
9 counted;

10       3. Provides each voter with the opportunity, in a private and  
11 independent manner, to change the ballot and to correct any error  
12 before the ballot is cast and counted, including, without limitation,  
13 the opportunity to correct an error through the issuance of a  
14 replacement ballot if the voter is otherwise unable to change the  
15 ballot or correct the error;

16       4. Provides a permanent paper record with a manual audit  
17 capacity; and

18       5. Meets or exceeds the standards for voting systems  
19 established by the ~~Federal~~ *United States Election Assistance*  
20 Commission, *or its successor agency*, including, without limitation,  
21 the error rate standards.

22       **Sec. 6.** NRS 293.400 is hereby amended to read as follows:

23       293.400 1. If, after the completion of the canvass of the  
24 returns of any election, two or more persons receive an equal  
25 number of votes, which is sufficient for the election of one or more  
26 but fewer than all of them to the office, the person or persons  
27 elected must be determined as follows:

28       (a) In a general election for a United States Senator,  
29 Representative in Congress, state officer who is elected statewide or  
30 by district, district judge, or district officer whose district includes  
31 area in more than one county, the Legislature shall, by joint vote of  
32 both houses, elect one of those persons to fill the office.

33       (b) In a primary election for a United States Senator,  
34 Representative in Congress, state officer who is elected statewide or  
35 by district, district judge, or district officer whose district includes  
36 area in more than one county, the Secretary of State shall summon  
37 the candidates who have received the tie votes to appear before the  
38 Secretary of State at a time and place designated by the Secretary of  
39 State and the Secretary of State shall determine the tie by lot. If the  
40 tie vote is for the office of Secretary of State, the Governor shall  
41 perform these duties.

42       (c) ~~For~~ *In a general election for* any office of a county,  
43 township, incorporated city, city organized under a special charter  
44 where the charter is silent as to determination of a tie vote, or  
45 district which is wholly located within one county, the county clerk



1 shall summon the candidates who have received the tie votes to  
2 appear before the county clerk at a time and place designated by the  
3 county clerk and determine the tie by lot. If the tie vote is for the  
4 office of county clerk, the board of county commissioners shall  
5 perform these duties.

6 *(d) In a primary election for a nonpartisan office of a county,*  
7 *township, incorporated city, city organized under a special charter*  
8 *where the charter is silent as to determination of a tie vote, or*  
9 *district which is wholly located within one county:*

10 *(1) If the candidates who received the tie votes received the*  
11 *highest number of votes at the primary election, all of those*  
12 *candidates must be declared nominees for the office and placed on*  
13 *the ballot for the general election.*

14 *(2) If the candidates who have received the tie votes did not*  
15 *receive the highest number of votes but received the next highest*  
16 *number of votes, the candidate who received the highest number*  
17 *of votes at the primary election and the candidates who received*  
18 *the tie votes at the primary election must be declared the nominees*  
19 *for the office and placed on the ballot for the general election.*

20 2. The summons mentioned in this section must be mailed to  
21 the address of the candidate as it appears upon the candidate's  
22 declaration of candidacy at least 5 days before the day fixed for the  
23 determination of the tie vote and must contain the time and place  
24 where the determination will take place.

25 3. The right to a recount extends to all candidates in case of a  
26 tie.

27 **Sec. 7.** NRS 293.437 is hereby amended to read as follows:

28 293.437 1. The county or city clerk may designate any  
29 building, public or otherwise, or any portion of a building, as the  
30 site for any polling place or any number of polling places for any of  
31 the precincts or districts in the county or city.

32 2. If, in the opinion of the county or city clerk, the convenience  
33 and comfort of the voters and election officers will be best served by  
34 putting two or more polling places in any such building, or if, in the  
35 opinion of the county or city clerk, the expense to the county or city  
36 for polling places can be diminished by putting two or more polling  
37 places in any such building, the county or city clerk may so provide.

38 3. In precincts where there are no public buildings or other  
39 appropriate locations owned by the State, county, township, city,  
40 town or precinct, privately owned locations may be rented at a rate  
41 not to exceed \$35 for each election if only one precinct is involved  
42 and at a rate not to exceed \$50 for each election if more than one  
43 precinct is involved.

44 *4. The legal rights and remedies which inure to the owner or*  
45 *lessor of private property are not impaired or otherwise affected by*



1 *the leasing of the property for use as a polling place pursuant to*  
2 *subsection 3, except to the extent necessary to conduct voting at*  
3 *that location.*

4 **Sec. 8.** NRS 293.518 is hereby amended to read as follows:

5 293.518 1. At the time a person preregisters or an elector  
6 registers to vote, the person or elector must indicate:

7 (a) A political party affiliation; or

8 (b) That he or she is not affiliated with a political party.

9 ↪ A person or an elector who indicates that he or she is  
10 "independent" shall be deemed not affiliated with a political party.

11 2. If a person or an elector indicates that he or she is not  
12 affiliated with a political party, or is independent, the county clerk  
13 or field registrar of voters shall list the person's or elector's political  
14 party as nonpartisan.

15 3. If a person or an elector indicates an affiliation with a major  
16 political party or a minor political party that has filed a certificate of  
17 existence with the Secretary of State, the county clerk or field  
18 registrar of voters shall list the person's or elector's political party as  
19 indicated by the person or elector.

20 4. If a person or an elector indicates an affiliation with a minor  
21 political party that has not filed a certificate of existence with the  
22 Secretary of State, the county clerk or field registrar of voters shall:

23 (a) List the person's or elector's political party as the party  
24 indicated in the application to preregister or register to vote, as  
25 applicable.

26 (b) When compiling data related to preregistration and voter  
27 registration for the county, report the person's or elector's political  
28 party as "other party."

29 5. ~~¶¶~~ *Except as otherwise provided in subsection 6, if* a  
30 person or an elector does not make any of the indications described  
31 in subsection 1, the county clerk or field registrar of voters shall:

32 (a) List the person's or elector's political party as nonpartisan;  
33 and

34 (b) Mail to the person or elector a notice setting forth that the  
35 person has been preregistered or the elector has been registered to  
36 vote, as applicable, as a nonpartisan because he or she did not make  
37 any of the indications described in subsection 1.

38 6. *Except as otherwise provided in subsection 7, if a person*  
39 *who is preregistered or registered to vote:*

40 (a) *Submits a new paper application to preregister or register*  
41 *to vote in the same county in which the person is preregistered or*  
42 *registered to vote; and*

43 (b) *The person does not make any of the indications described*  
44 *in subsection 1 on the new paper application,*





1   ↪ *the county clerk or field registrar of voters shall list the political*  
2 *party or lack of affiliation with a political party of the person as*  
3 *the party or lack thereof indicated in the current records of the*  
4 *county clerk.*

5   7. *The provisions of subsection 6 do not apply to a voter who*  
6 *registers to vote using the National Mail Voter Registration*  
7 *Application promulgated by the Election Assistance Commission*  
8 *pursuant to the National Voter Registration Act, 52 U.S.C. §*  
9 *20501 et seq.*

10   **Sec. 9.** NRS 293.5235 is hereby amended to read as follows:

11   293.5235 1. Except as otherwise provided in NRS 293.502  
12 and chapter 293D of NRS, a person may preregister or register to  
13 vote by mailing an application to preregister or register to vote to  
14 the county clerk of the county in which the person resides or may  
15 preregister or register to vote by computer, if the county clerk has  
16 established a system pursuant to NRS 293.506 for using a computer  
17 to preregister or register to vote. The county clerk shall, upon  
18 request, mail an application to preregister or register to vote to an  
19 applicant. The county clerk shall make the applications available at  
20 various public places in the county. An application to preregister to  
21 vote may be used to correct information in a previous application.  
22 An application to register to vote may be used to correct information  
23 in the registrar of voters' register.

24   2. An application to preregister or register to vote which is  
25 mailed to an applicant by the county clerk or made available to the  
26 public at various locations or voter registration agencies in the  
27 county may be returned to the county clerk by mail or in person. For  
28 the purposes of this section, an application which is personally  
29 delivered to the county clerk shall be deemed to have been returned  
30 by mail.

31   3. The applicant must complete the application, including,  
32 without limitation, checking the boxes described in paragraphs (b)  
33 and (c) of subsection 10 and signing the application.

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

36   5. If the county clerk determines that the application is  
37 complete, he or she shall, within 10 days after receiving the  
38 application, mail to the applicant:

39   (a) A notice that the applicant is preregistered or registered to  
40 vote, as applicable. If the applicant is registered to vote, the county  
41 clerk must also mail to the applicant a voter registration card as  
42 required by subsection 6 of NRS 293.517; or

43   (b) A notice that the person's application to preregister to vote  
44 or the registrar of voters' register has been corrected to reflect any  
45 changes indicated on the application.



1 6. Except as otherwise provided in ~~subsection~~ *subsections* 5  
2 *and 6* of NRS 293.518, if the county clerk determines that the  
3 application is not complete, the county clerk shall, as soon as  
4 possible, mail a notice to the applicant that additional information is  
5 required to complete the application. If the applicant provides the  
6 information requested by the county clerk within 15 days after the  
7 county clerk mails the notice, the county clerk shall, within 10 days  
8 after receiving the information, mail to the applicant:

9 (a) A notice that the applicant is:

10 (1) Preregistered to vote; or

11 (2) Registered to vote and a voter registration card as  
12 required by subsection 6 of NRS 293.517; or

13 (b) A notice that the person's application to preregister to vote  
14 or the registrar of voters' register has been corrected to reflect any  
15 changes indicated on the application.

16 ➔ If the applicant does not provide the additional information  
17 within the prescribed period, the application is void.

18 7. The applicant shall be deemed to be preregistered or  
19 registered or to have corrected the information in the application to  
20 preregister to vote or the registrar of voters' register on the date the  
21 application is postmarked or received by the county clerk,  
22 whichever is earlier.

23 8. If the applicant fails to check the box described in paragraph  
24 (b) of subsection 10, the application shall not be considered invalid  
25 and the county clerk shall provide a means for the applicant to  
26 correct the omission at the time the applicant appears to vote in  
27 person at the assigned polling place.

28 9. The Secretary of State shall prescribe the form for  
29 applications to preregister or register to vote by:

30 (a) Mail, which must be used to preregister or register to vote by  
31 mail in this State.

32 (b) Computer, which must be used to preregister or register to  
33 vote in a county if the county clerk has established a system  
34 pursuant to NRS 293.506 for using a computer to preregister or  
35 register to vote.

36 10. The application to preregister or register to vote by mail  
37 must include:

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

39  
40 NOTICE: You are urged to return your application to the  
41 County Clerk in person or by mail. If you choose to give your  
42 completed application to another person to return to the  
43 County Clerk on your behalf, and the person fails to deliver  
44 the application to the County Clerk, you will not be  
45 preregistered or registered to vote, as applicable. Please retain



1 the duplicate copy or receipt from your application to  
2 preregister or register to vote.  
3

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

7 (c) If the application is to:

8 (1) Preregister to vote, the question, “Are you at least 17  
9 years of age and not more than 18 years of age?” and boxes to  
10 indicate whether or not the applicant is at least 17 years of age and  
11 not more than 18 years of age.

12 (2) Register to vote, the question, “Will you be at least 18  
13 years of age on or before election day?” and boxes for the applicant  
14 to check to indicate whether or not the applicant will be at least 18  
15 years of age or older on election day.

16 (d) A statement instructing the applicant not to complete the  
17 application if the applicant checked “no” in response to the question  
18 set forth in:

19 (1) If the application is to preregister to vote, paragraph (b)  
20 or subparagraph (1) of paragraph (c).

21 (2) If the application is to register to vote, paragraph (b) or  
22 subparagraph (2) of paragraph (c).

23 (e) A statement informing the applicant that if the application is  
24 submitted by mail and the applicant is preregistering or registering  
25 to vote for the first time, the applicant must submit the information  
26 set forth in paragraph (a) of subsection 2 of NRS 293.2725 to avoid  
27 the requirements of subsection 1 of NRS 293.2725 upon voting for  
28 the first time.

29 11. Except as otherwise provided in subsection 5 of NRS  
30 293.518, the county clerk shall not preregister or register a person to  
31 vote pursuant to this section unless that person has provided all of  
32 the information required by the application.

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

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



1 information required by this subsection will not result in the  
2 application being deemed incomplete.

3 14. An application to preregister or register to vote must be  
4 made available to all persons, regardless of political party affiliation.

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

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

12 17. The Secretary of State shall adopt regulations to carry out  
13 the provisions of this section.

14 **Sec. 10.** NRS 293.560 is hereby amended to read as follows:

15 293.560 1. Except as otherwise provided in NRS 293.502,  
16 293D.230 and 293D.300:

17 (a) For a primary or general election, or a recall or special  
18 election that is held on the same day as a primary or general  
19 election, the last day to register to vote:

20 (1) By mail is the fourth Tuesday preceding the primary or  
21 general election.

22 (2) By appearing in person at the office of the county clerk  
23 or, if open, a county facility designated pursuant to NRS 293.5035,  
24 is the third Tuesday preceding the primary or general election.

25 (3) By computer, if the county clerk has established a system  
26 pursuant to NRS 293.506 for using a computer to register voters, is  
27 the Thursday preceding the first day of the period for early voting.

28 (b) If a recall or special election is not held on the same day as a  
29 primary or general election, the last day to register to vote for the  
30 recall or special election by any means is the third Saturday  
31 preceding the recall or special election.

32 2. For a primary or special election, the office of the county  
33 clerk must be open until 7 p.m. during the last 2 days on which a  
34 person may register to vote in person. In a county whose population  
35 is less than 100,000, the office of the county clerk may close at 5  
36 p.m. during the last 2 days a person may register to vote in person if  
37 approved by the board of county commissioners.

38 3. For a general election:

39 (a) In a county whose population is less than 100,000, the office  
40 of the county clerk must be open until 7 p.m. during the last 2 days  
41 on which a person may register to vote in person. The office of the  
42 county clerk may close at 5 p.m. if approved by the board of county  
43 commissioners.

44 (b) In a county whose population is 100,000 or more, the office  
45 of the county clerk must be open during the last 4 days on which a



1 person may register to vote in person, according to the following  
2 schedule:

3 (1) On weekdays until 9 p.m.; and

4 (2) A minimum of 8 hours on Saturdays, Sundays and legal  
5 holidays.

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

8 (a) The county clerk of each county shall cause a notice signed  
9 by him or her to be published in a newspaper having a general  
10 circulation in the county indicating:

11 (1) The day and time that registration *by mail, by appearing*  
12 *in person and, if applicable, by computer* will be closed; and

13 (2) If the county clerk has designated a county facility  
14 pursuant to NRS 293.5035, the location of that facility.

15 ➔ If no such newspaper is published in the county, the publication  
16 may be made in a newspaper of general circulation published in the  
17 nearest county in this State.

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

21 5. The offices of the county clerk, a county facility designated  
22 pursuant to NRS 293.5035 and other ex officio registrars may  
23 remain open on the last Friday in October in each even-numbered  
24 year.

25 6. A county facility designated pursuant to NRS 293.5035 may  
26 be open during the periods described in this section for such hours  
27 of operation as the county clerk may determine, as set forth in  
28 subsection 3 of NRS 293.5035.

29 **Sec. 11.** NRS 293.780 is hereby amended to read as follows:

30 293.780 1. A person who is entitled to vote shall not vote or  
31 attempt to vote more than once at the same election ~~†~~:

32 (a) *In this State; or*

33 (b) *During a federal election, in this State and another state.*

34 2. Any person who votes or attempts to vote twice at the same  
35 election *pursuant to subsection 1* is guilty of a category D felony  
36 and shall be punished as provided in NRS 193.130.

37 ~~†~~ 3. Notice of the provisions of subsection 1 must be given  
38 by the county or city clerk as follows:

39 (a) Stated on all sample ballots distributed by mail or electronic  
40 means;

41 (b) Posted in boldface type at each polling place; and

42 (c) Posted in boldface type at the office of the county or city  
43 clerk.



1     **Sec. 12.** NRS 293B.063 is hereby amended to read as follows:  
2     293B.063 No mechanical voting system may be used in this  
3 State unless it meets or exceeds the standards for voting systems  
4 established by the ~~{}Federal}~~ *United States Election Assistance*  
5 *Commission, or its successor agency*, pursuant to federal law.

6     **Sec. 13.** NRS 293B.104 is hereby amended to read as follows:  
7     293B.104 The Secretary of State shall not approve any  
8 mechanical voting system which does not meet or exceed the  
9 standards for voting systems established by the ~~{}Federal}~~ *United*  
10 *States Election Assistance Commission, or its successor agency*,  
11 pursuant to federal law.

12     **Sec. 14.** NRS 293C.527 is hereby amended to read as follows:  
13     293C.527 1. Except as otherwise provided in NRS 293.502,  
14 293D.230 and 293D.300:

15     (a) For a primary city election or general city election, or a recall  
16 or special election that is held on the same day as a primary city  
17 election or general city election, the last day to register to vote:

18         (1) By mail is the fourth Tuesday preceding the primary city  
19 election or general city election.

20         (2) By appearing in person at the office of the city clerk or, if  
21 open, a municipal facility designated pursuant to NRS 293C.520, is  
22 the third Tuesday preceding the primary city election or general city  
23 election.

24         (3) By computer, if the county clerk of the county in which  
25 the city is located has established a system pursuant to NRS 293.506  
26 for using a computer to register voters and:

27             (I) The governing body of the city has provided for early  
28 voting by personal appearance pursuant to paragraph (b) of  
29 subsection 2 of NRS 293C.110, is the Thursday preceding the first  
30 day of the period for early voting.

31             (II) The governing body of the city has not provided for  
32 early voting by personal appearance pursuant to paragraph (b) of  
33 subsection 2 of NRS 293C.110, is the third Tuesday preceding any  
34 primary city election or general city election.

35     (b) If a recall or special election is not held on the same day as a  
36 primary city election or general city election, the last day to register  
37 to vote for the recall or special election by any means is the third  
38 Saturday preceding the recall or special election.

39     2. For a primary city election or special city election, the office  
40 of the city clerk must be open until 7 p.m. during the last 2 days on  
41 which a person may register to vote in person. In a city whose  
42 population is less than 25,000, the office of the city clerk may close  
43 at 5 p.m. if approved by the governing body of the city.

44     3. For a general election:



1 (a) In a city whose population is less than 25,000, the office of  
2 the city clerk must be open until 7 p.m. during the last 2 days on  
3 which a person may register to vote in person. The office of the city  
4 clerk may close at 5 p.m. if approved by the governing body of the  
5 city.

6 (b) In a city whose population is 25,000 or more, the office of  
7 the city clerk must be open during the last 4 days on which a person  
8 may register to vote in person, according to the following schedule:

9 (1) On weekdays until 9 p.m.; and

10 (2) A minimum of 8 hours on Saturdays, Sundays and legal  
11 holidays.

12 4. Except for a special election held pursuant to chapter 306 or  
13 350 of NRS:

14 (a) The city clerk of each city shall cause a notice signed by him  
15 or her to be published in a newspaper having a general circulation in  
16 the city indicating:

17 (1) The day and time that registration *by mail, by appearing*  
18 *in person and, if applicable, by computer* will be closed; and

19 (2) If the city clerk has designated a municipal facility  
20 pursuant to NRS 293C.520, the location of that facility.

21 ↪ If no newspaper is of general circulation in that city, the  
22 publication may be made in a newspaper of general circulation in  
23 the nearest city in this State.

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

27 5. A municipal facility designated pursuant to NRS 293C.520  
28 may be open during the periods described in this section for such  
29 hours of operation as the city clerk may determine, as set forth in  
30 subsection 3 of NRS 293C.520.

31 **Sec. 15.** NRS 294A.270 is hereby amended to read as follows:

32 294A.270 1. Except as otherwise provided in subsections 3 ,  
33 ~~and~~ 4 ~~and~~ 5, each committee for the recall of a public officer  
34 shall, not later than:

35 (a) Four days before the beginning of early voting by personal  
36 appearance for the special election to recall a public officer, for the  
37 period from the date the notice of intent to circulate the petition for  
38 recall is filed pursuant to NRS 306.015 through 5 days before the  
39 beginning of early voting by personal appearance for the special  
40 election;

41 (b) Four days before the special election, for the period from 4  
42 days before the beginning of early voting by personal appearance  
43 for the special election through 5 days before the special election;  
44 and



1 (c) Thirty days after the special election, for the remaining  
2 period through the date of the special election,  
3 ↪ report each contribution received or made by the committee for  
4 the recall of a public officer during the period in excess of \$100 and  
5 contributions received from a contributor or made to one recipient  
6 which cumulatively exceed \$100.

7 2. Except as otherwise provided in ~~subsection 3.~~ *subsections*  
8 *3 and 4*, if a petition for the recall of a public officer is not  
9 submitted to the filing officer before the expiration of the notice of  
10 intent pursuant to the provisions of chapter 306 of NRS or is  
11 otherwise legally insufficient when submitted to the filing officer  
12 pursuant to the provisions of chapter 306 of NRS, the committee for  
13 the recall of a public officer shall, not later than 30 days after the  
14 expiration of the notice of intent, report each contribution received  
15 by the committee for the recall of a public officer, and each  
16 contribution made by the committee for the recall of a public officer  
17 in excess of \$100 and contributions made to one recipient which  
18 cumulatively exceed \$100. The provisions of this subsection apply  
19 to the committee for the recall of a public officer if the committee:

20 (a) Fails to submit the petition to the filing officer as required by  
21 chapter 306 of NRS;

22 (b) Submits the petition to the filing officer without any valid  
23 signatures or with fewer than the necessary number of valid  
24 signatures required by chapter 306 of NRS; or

25 (c) Otherwise submits a legally insufficient petition or suspends  
26 or ceases its efforts to obtain the necessary number of valid  
27 signatures required by chapter 306 of NRS.

28 3. If a district court determines that the petition for the recall of  
29 the public officer is legally insufficient pursuant to subsection 6 of  
30 NRS 306.040, the committee for the recall of a public officer shall,  
31 not later than 30 days after the district court orders the officer with  
32 whom the petition is filed to cease any further proceedings  
33 regarding the petition, for the period from the filing of the notice of  
34 intent to circulate the petition for recall through the day of the  
35 district court's order, report each contribution received or made by  
36 the committee for the recall of a public officer in excess of \$100 and  
37 contributions received from a contributor or made to one recipient  
38 which cumulatively exceed \$100.

39 4. *If the committee for the recall of a public officer appeals*  
40 *the order of the district court to cease any further proceedings*  
41 *regarding the petition for the recall of the public officer, the*  
42 *committee for the recall of a public officer shall, not later than 30*  
43 *days after the committee for the recall of a public officer has*  
44 *exhausted all appeals regarding the petition, for the period*  
45 *beginning the day after the order of the district court through the*





1 *final resolution by a higher court, report each contribution*  
2 *received or made by the committee for the recall of a public officer*  
3 *in excess of \$100 and contributions received from a contributor or*  
4 *made to one recipient which cumulatively exceed \$100.*

5 5. If the special election is held on the same day as a primary  
6 election or general election, the committee for the recall of a public  
7 officer shall, not later than:

8 (a) Twenty-one days before the special election, for the period  
9 from the filing of the notice of intent to circulate the petition for  
10 recall through 25 days before the special election;

11 (b) Four days before the special election, for the period from 24  
12 days before the special election through 5 days before the special  
13 election; and

14 (c) The 15th day of the second month after the special election,  
15 for the remaining period through the date of the special election,  
16 ↪ report each contribution received or made by the committee for  
17 the recall of a public officer in excess of \$100 and contributions  
18 received from a contributor or made to one recipient which  
19 cumulatively exceed \$100.

20 ~~15.1~~ 6. Except as otherwise provided in NRS 294A.3737, each  
21 report of contributions must be filed electronically with the  
22 Secretary of State.

23 ~~16.1~~ 7. A report shall be deemed to be filed on the date that it  
24 was received by the Secretary of State.

25 ~~17.1~~ 8. The name and address of the contributor or recipient  
26 and the date on which the contribution was received must be  
27 included on the report for each contribution, whether from or to a  
28 natural person, association or corporation.

29 **Sec. 16.** NRS 295.015 is hereby amended to read as follows:

30 295.015 1. Before a petition for initiative or referendum may  
31 be presented to the registered voters for their signatures, the person  
32 who intends to circulate the petition must:

33 (a) File a copy of the petition for initiative or referendum,  
34 including the description required pursuant to NRS 295.009, with  
35 the Secretary of State.

36 (b) Submit to the Secretary of State on a form prescribed by the  
37 Secretary of State:

38 (1) The name and signature of the person.

39 (2) If the person has formed a committee for political action  
40 for the purposes of advocating the passage of the initiative or  
41 referendum, the name of that committee for political action.

42 (3) The names of not more than three persons who are  
43 authorized to withdraw the petition or submit an amended petition.

44 2. If a petition for initiative or referendum or a description of  
45 the effect of an initiative or referendum required pursuant to



1 NRS 295.009 is amended after the petition is placed on file with the  
2 Secretary of State pursuant to subsection 1:

3 (a) The revised petition must be placed on file with the Secretary  
4 of State before it is presented to the registered voters for their  
5 signatures;

6 (b) Any signatures that were collected on the original petition  
7 before it was amended are not valid; and

8 (c) The requirements for submission of the petition to each  
9 county clerk set forth in NRS 295.056 apply to the revised petition.

10 3. Upon receipt of a petition for initiative or referendum placed  
11 on file pursuant to subsection 1 or 2:

12 (a) *The Secretary of State shall assign a title consisting of a*  
13 *serial number or letter to each initiative or referendum, which*  
14 *shall distinguish between the type of petition received.*

15 (b) The Secretary of State shall consult with the Fiscal Analysis  
16 Division of the Legislative Counsel Bureau to determine if the  
17 initiative or referendum may have any anticipated financial effect on  
18 the State or local governments if the initiative or referendum is  
19 approved by the voters. If the Fiscal Analysis Division determines  
20 that the initiative or referendum may have an anticipated financial  
21 effect on the State or local governments if the initiative or  
22 referendum is approved by the voters, the Division must prepare a  
23 fiscal note that includes an explanation of any such effect.

24 ~~{(b)}~~ (c) The Secretary of State shall consult with the  
25 Legislative Counsel regarding the petition for initiative or  
26 referendum. The Legislative Counsel may provide technical  
27 suggestions regarding the petition for initiative or referendum.

28 4. Not later than 10 business days after the Secretary of State  
29 receives a petition for initiative or referendum filed pursuant to  
30 subsection 1 or 2, the Secretary of State shall post a copy of the  
31 petition, including the description required pursuant to NRS  
32 295.009, *the title assigned by the Secretary of State pursuant to*  
33 *subsection 3*, any fiscal note prepared pursuant to subsection 3 and  
34 any suggestions made by the Legislative Counsel pursuant to  
35 subsection 3, on the Secretary of State's Internet website.

36 **Sec. 17.** NRS 306.015 is hereby amended to read as follows:

37 306.015 1. Before a petition to recall a public officer is  
38 circulated, the persons proposing to circulate the petition must file a  
39 notice of intent with the filing officer.

40 2. The notice of intent:

41 (a) Must be signed by three registered voters who ~~{actually}~~ :

42 (1) *Actually* voted in this State or in the county, district or  
43 municipality electing the officer ~~{at}~~ *in* the ~~{last preceding general}~~  
44 election ~~{}~~ *at which the public officer was elected; and*



1           (2) *If the officer was elected to a county, district or*  
2 *municipal office, currently reside in the county, district,*  
3 *municipality or portion thereof that the public officer represents.*

4           (b) Must be signed before a person authorized by law to  
5 administer oaths that the statements and signatures contained in the  
6 notice are true.

7           (c) Is valid until the date on which the call for a special election  
8 is issued, as set forth in NRS 306.040.

9           3. The petition may consist of more than one document. The  
10 persons filing the notice of intent shall submit the petition that was  
11 circulated for signatures to the filing officer within 90 days after the  
12 date on which the notice of intent was filed. The filing officer shall  
13 immediately submit the petition to the county clerk for verification  
14 pursuant to NRS 306.035. Any person who fails to submit the  
15 petition to the filing officer as required by this subsection is guilty  
16 of a misdemeanor. Copies of the petition are not valid for any  
17 subsequent petition.

18           4. The county clerk shall, upon completing the verification of  
19 the signatures on the petition, file the petition with the filing officer.

20           5. Any person who signs a petition to recall any public officer  
21 may request that the county clerk remove the person's name from  
22 the petition by submitting a request in writing to the county clerk at  
23 any time before the petition is submitted for the verification of the  
24 signatures thereon pursuant to NRS 306.035.

25           6. A person who signs a notice of intent pursuant to subsection  
26 1 or a petition to recall a public officer is immune from civil liability  
27 for conduct related to the exercise of the person's right to participate  
28 in the recall of a public officer.

29           7. As used in this section, "filing officer" means the officer  
30 with whom the public officer to be recalled filed his or her  
31 declaration of candidacy or acceptance of candidacy pursuant to  
32 NRS 293.185, 293C.145 or 293C.175.

33           **Sec. 18.** NRS 293.180 is hereby repealed.

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**TEXT OF REPEALED SECTION**

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**293.180 Certificates of candidacy: Requirements; filing; acceptance of candidacy.**

1. Ten or more registered voters may file a certificate of candidacy designating any registered voter as a candidate for:

(a) Their major political party's nomination for any partisan elective office, or as a candidate for nomination for any nonpartisan



office other than a judicial office, not earlier than the first Monday in February of the year in which the election is to be held nor later than 5 p.m. on the first Friday in March; or

(b) Nomination for a judicial office, not earlier than the first Monday in December of the year immediately preceding the year in which the election is to be held nor later than 5 p.m. on the first Friday in January of the year in which the election is to be held.

2. When the certificate has been filed, the officer in whose office it is filed shall notify the person named in the certificate. If the person named in the certificate files an acceptance of candidacy and pays the required fee, as provided by law, he or she is a candidate in the primary election in like manner as if he or she had filed a declaration of candidacy.

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

