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SENATE BILL NO. 238—SENATORS STONE, KRASNER, GOICOECHEA,  
HANSEN, BUCK; HAMMOND, SEEVERS GANSERT AND TITUS

MARCH 8, 2023

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JOINT SPONSORS: ASSEMBLYMEN YUREK, DICKMAN; AND GURR

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Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to certain voter registration agencies. (BDR 43-583)

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

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

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AN ACT relating to voter registration agencies; establishing certain requirements for the Department of Motor Vehicles upon receiving an application for certain licenses, cards or permits from persons who do not provide documentation of citizenship; revising provisions governing the transactions that qualify for automatic voter registration; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires an applicant for a driver’s license, driver authorization  
2 card, instruction permit, identification card or motorcycle driver’s license to submit  
3 proof of his or her full legal name and age. (NRS 483.290, 483.291, 483.850,  
4 483.860, 486.081) Existing law also establishes certain procedures for the  
5 registration of a person to vote automatically or by paper application at the  
6 Department of Motor Vehicles and other automatic voter registration agencies  
7 when a person applies for the issuance or renewal of any type of driver’s license or  
8 identification card or submits certain other types of applications. (NRS 293.5727-  
9 293.57699) **Sections 2, 3 and 9** of this bill provide that if a person who is 18 years  
10 of age or older submits documentation to prove his or her full legal name and age  
11 with an application for a driver’s license, driver authorization card, instruction  
12 permit, identification card or motorcycle driver’s license which does not  
13 demonstrate that the applicant is a citizen of the United States, the Department  
14 shall: (1) provide the applicant with a form stating that only citizens of the United  
15 States are eligible to vote; and (2) include a disclaimer on the person’s driver’s  
16 license, driver authorization card, instruction permit, identification card or  
17 motorcycle driver’s license that only citizens of the United States are eligible to



18 vote. **Sections 2, 3 and 9** also require the Department to adopt regulations to carry  
19 out these requirements.

20 **Section 11** of this bill provides that the provisions governing automatic voter  
21 registration do not apply to an application submitted to the Department for a driver  
22 authorization card. **Section 11** also provides that if a person submits certain  
23 specified documentation to the Department or any other automatic voter  
24 registration agency which indicates that the person is not an elector who meets the  
25 qualifications to register to vote in this State, the automatic voter registration  
26 agency must not transmit the persons' information using the automatic voter  
27 registration system.

28 Existing law requires the Department to provide certain information to the  
29 holder at the time of issuance of a driver's license and identification card. (NRS  
30 483.340, 483.840) **Sections 6 and 8** of this bill make conforming changes related to  
31 the requirement set forth in **sections 2 and 3**, respectively, that the Department also  
32 provide a form to certain persons stating that only citizens of the United States are  
33 eligible to vote.

34 **Sections 4, 5, 7 and 10** of this bill make conforming changes to indicate the  
35 proper placement of **sections 2, 3 and 9** in the Nevada Revised Statutes.

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

1 **Section 1.** Chapter 483 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1. If a person who is 18 years of age or older**  
4 **submits documentation to prove his or her full legal name and age**  
5 **with an application for a driver's license, driver authorization card**  
6 **or instruction permit pursuant to NRS 483.290 or 483.291 which**  
7 **does not demonstrate that the applicant is a citizen of the United**  
8 **States:**

9 **(a) The Department shall provide the applicant with a form**  
10 **that states that only citizens of the United States are eligible to**  
11 **vote; and**

12 **(b) The driver's license, driver authorization card or**  
13 **instruction permit shall include a disclaimer on the license, card or**  
14 **permit, as applicable, which provides that only citizens of the**  
15 **United States are eligible to vote.**

16 **2. The Department shall adopt regulations to carry out the**  
17 **provisions of this section.**

18 **Sec. 3. 1. If a person who is 18 years of age or older**  
19 **submits documentation to prove his or her full legal name and age**  
20 **with an application for an identification card pursuant to NRS**  
21 **483.850 which does not indicate that the applicant is a citizen of**  
22 **the United States:**

23 **(a) The Department shall provide the applicant with a form**  
24 **that states that only citizens of the United States are eligible to**  
25 **vote; and**



1 *(b) The identification card shall include a disclaimer which*  
2 *provides that only citizens of the United States are eligible to vote.*

3 *2. The Department shall adopt regulations to carry out the*  
4 *provisions of this section.*

5 **Sec. 4.** NRS 483.015 is hereby amended to read as follows:

6 483.015 Except as otherwise provided in NRS 483.330, the  
7 provisions of NRS 483.010 to 483.630, inclusive, *and section 2 of*  
8 *this act*, apply only with respect to noncommercial drivers' licenses.

9 **Sec. 5.** NRS 483.020 is hereby amended to read as follows:

10 483.020 As used in NRS 483.010 to 483.630, inclusive, *and*  
11 *section 2 of this act*, unless the context otherwise requires, the  
12 words and terms defined in NRS 483.030 to 483.190, inclusive,  
13 have the meanings ascribed to them in those sections.

14 **Sec. 6.** NRS 483.340 is hereby amended to read as follows:

15 483.340 1. The Department shall, upon payment of the  
16 required fee, issue to every qualified applicant a driver's license  
17 indicating the type or class of vehicles the licensee may drive.

18 2. The Department shall adopt regulations prescribing the  
19 information that must be contained on a driver's license.

20 3. The Department may issue a driver's license for purposes of  
21 identification only for use by officers of local police and sheriffs'  
22 departments, agents of the Investigation Division of the Department  
23 of Public Safety while engaged in special undercover investigations  
24 relating to narcotics or prostitution or for other undercover  
25 investigations requiring the establishment of a fictitious identity,  
26 federal agents while engaged in undercover investigations,  
27 investigators employed by the Attorney General while engaged in  
28 undercover investigations, criminal investigators employed by the  
29 Secretary of State while engaged in undercover investigations and  
30 agents of the Nevada Gaming Control Board while engaged in  
31 investigations pursuant to NRS 463.140. An application for such a  
32 license must be made through the head of the police or sheriff's  
33 department, the Chief of the Investigation Division of the  
34 Department of Public Safety, the director of the appropriate federal  
35 agency, the Attorney General, the Secretary of State or his or her  
36 designee or the Chair of the Nevada Gaming Control Board. Such a  
37 license is exempt from the fees required by NRS 483.410. The  
38 Department, by regulation, shall provide for the cancellation of any  
39 such driver's license upon the completion of the special  
40 investigation for which it was issued.

41 4. Except as otherwise provided in NRS 239.0115, information  
42 pertaining to the issuance of a driver's license pursuant to  
43 subsection 3 is confidential.



1 5. It is a misdemeanor for any person to use a driver's license  
2 issued pursuant to subsection 3 for any purpose other than the  
3 special investigation for which it was issued.

4 6. At the time of the issuance of the driver's license, the  
5 Department shall:

6 (a) Give the holder the opportunity to have indicated on his or  
7 her driver's license that the holder:

8 (1) Wishes to be a donor of all or part of his or her body  
9 pursuant to NRS 451.500 to 451.598, inclusive; or

10 (2) Does not at that time wish to make an anatomical gift of  
11 his or her body or part thereof.

12 (b) Give the holder the opportunity to have indicated whether he  
13 or she wishes to donate \$1 or more to the Anatomical Gift Account  
14 created by NRS 460.150.

15 (c) Provide to each holder who is interested in becoming a donor  
16 information relating to anatomical gifts, including the procedure for  
17 registering as a donor with the donor registry with which the  
18 Department has entered into a contract pursuant to this paragraph.  
19 To carry out this paragraph, the Department shall, on such terms as  
20 it deems appropriate, enter into a contract with a donor registry that  
21 is in compliance with the provisions of NRS 451.500 to 451.598,  
22 inclusive.

23 (d) If the Department has established a program for imprinting a  
24 symbol or other indicator of a medical condition on a driver's  
25 license pursuant to NRS 483.3485, give the holder the opportunity  
26 to have a symbol or other indicator of a medical condition imprinted  
27 on his or her driver's license.

28 (e) Provide to the holder information instructing the holder how  
29 to register with the Next-of-Kin Registry pursuant to NRS 483.653  
30 if he or she so chooses.

31 *(f) Provide the holder the information required pursuant to*  
32 *section 2 of this act, if applicable.*

33 7. At the time of the renewal of the driver's license, the  
34 Department shall:

35 (a) If the holder indicated at the time of the issuance of the  
36 driver's license pursuant to subsection 6 that the holder wishes to be  
37 a donor of all or part of his or her body pursuant to NRS 451.500 to  
38 451.598, inclusive, provide the holder:

39 (1) Notice that, unless the holder affirmatively indicates upon  
40 the renewal of the driver's license that he or she wishes to change  
41 that indication, the indication will remain on his or her driver's  
42 license;

43 (2) The opportunity to have indicated whether he or she  
44 wishes to donate \$1 or more to the Anatomical Gift Account created  
45 by NRS 460.150; and



1 (3) If the Department has established a program for  
2 imprinting a symbol or other indicator of a medical condition on a  
3 driver's license pursuant to NRS 483.3485, the opportunity to have  
4 a symbol or other indicator of a medical condition imprinted on his  
5 or her driver's license.

6 (b) If the holder indicated at the time of the issuance of the  
7 driver's license pursuant to subsection 6 that the holder did not at  
8 that time wish to be a donor of all or part of his or her body pursuant  
9 to NRS 451.500 to 451.598, inclusive, provide the holder:

10 (1) The opportunity to change that indication to indicate that  
11 the holder wishes to be a donor of all or part of his or her body  
12 pursuant to NRS 451.500 to 451.598, inclusive;

13 (2) The opportunity to have indicated whether he or she  
14 wishes to donate \$1 or more to the Anatomical Gift Account created  
15 by NRS 460.150;

16 (3) If the holder is interested in becoming a donor,  
17 information relating to anatomical gifts, including the procedure for  
18 registering as a donor with the donor registry with which the  
19 Department has entered into a contract pursuant to this section; and

20 (4) If the Department has established a program for  
21 imprinting a symbol or other indicator of a medical condition on a  
22 driver's license pursuant to NRS 483.3485, the opportunity to have  
23 a symbol or other indicator of a medical condition imprinted on his  
24 or her driver's license.

25 *(c) Provide the holder the information required pursuant to*  
26 *section 2 of this act, if applicable.*

27 8. If the holder wishes to make a donation to the Anatomical  
28 Gift Account, the Department shall collect the donation and deposit  
29 the money collected in the State Treasury for credit to the  
30 Anatomical Gift Account.

31 9. The Department shall submit to the donor registry with  
32 which the Department has entered into a contract pursuant to  
33 paragraph (c) of subsection 6 information from the records of the  
34 Department relating to persons who have drivers' licenses that  
35 indicate the intention of those persons to make an anatomical gift.  
36 The Department shall adopt regulations to carry out the provisions  
37 of this subsection.

38 **Sec. 7.** NRS 483.820 is hereby amended to read as follows:

39 483.820 1. A person who applies for an identification card in  
40 accordance with the provisions of NRS 483.810 to 483.890,  
41 inclusive, *and section 3 of this act* and who is not ineligible to  
42 receive an identification card pursuant to NRS 483.861, is entitled to  
43 receive an identification card if the person is:



1 (a) A resident of this State and is 10 years of age or older and  
2 does not hold a valid driver's license or identification card from any  
3 state or jurisdiction; or

4 (b) A seasonal resident who does not hold a valid Nevada  
5 driver's license.

6 2. Except as otherwise provided in NRS 483.825, the  
7 Department shall charge and collect the following fees for the  
8 issuance of an original, duplicate or changed identification card:  
9

|    |   |     |
|----|---|-----|
| 10 | An original or duplicate identification card      |     |
| 11 | issued to a person 65 years of age or older       |     |
| 12 | which expires on or before the fourth             |     |
| 13 | anniversary of the person's birthday .....        | \$4 |
| 14 | An original or duplicate identification card      |     |
| 15 | issued to a person 65 years of age or older       |     |
| 16 | which expires on or before the eighth             |     |
| 17 | anniversary of the person's birthday .....        | 8   |
| 18 | An original or duplicate identification card      |     |
| 19 | issued to a person under 18 years of age          |     |
| 20 | which expires on the eighth anniversary of        |     |
| 21 | the person's birthday .....                       | 6   |
| 22 | A renewal of an identification card for a person  |     |
| 23 | under 18 years of age which expires on the        |     |
| 24 | eighth anniversary of the person's birthday ..... | 6   |
| 25 | An original or duplicate identification card      |     |
| 26 | issued to a person under 18 years of age          |     |
| 27 | which expires on or before the fourth             |     |
| 28 | anniversary of the person's birthday .....        | 3   |
| 29 | A renewal of an identification card for a person  |     |
| 30 | under 18 years of age which expires on or         |     |
| 31 | before the fourth anniversary of the              |     |
| 32 | person's birthday .....                           | 3   |
| 33 | An original or duplicate identification card      |     |
| 34 | issued to any person at least 18 years of         |     |
| 35 | age, but less than 65 years of age, which         |     |
| 36 | expires on the eighth anniversary of the          |     |
| 37 | person's birthday .....                           | 18  |
| 38 | A renewal of an identification card for any       |     |
| 39 | person at least 18 years of age, but less than    |     |
| 40 | 65 years of age, which expires on the eighth      |     |
| 41 | anniversary of the person's birthday .....        | 18  |



1 An original or duplicate identification card  
 2 issued to any person at least 18 years of  
 3 age, but less than 65 years of age, which  
 4 expires on or before the fourth anniversary  
 5 of the person's birthday..... \$9  
 6 A renewal of an identification card for any  
 7 person at least 18 years of age, but less than  
 8 65 years of age, which expires on or before  
 9 the fourth anniversary of the person's  
 10 birthday ..... 9  
 11 A new photograph or change of name, or both ..... 4  
 12

13 3. The Department shall not charge a fee for:

- 14 (a) An identification card issued to a person who has voluntarily
- 15 surrendered his or her driver's license pursuant to NRS 483.420; or
- 16 (b) A renewal of an identification card for a person 65 years of
- 17 age or older.

18 4. Except as otherwise provided in NRS 483.825, the increase  
 19 in fees authorized in NRS 483.347 must be paid in addition to the  
 20 fees charged pursuant to this section.

21 5. As used in this section, "photograph" has the meaning  
 22 ascribed to it in NRS 483.125.

23 **Sec. 8.** NRS 483.840 is hereby amended to read as follows:

24 483.840 1. The form of the identification cards must be  
 25 similar to that of drivers' licenses but distinguishable in color or  
 26 otherwise.

27 2. Identification cards do not authorize the operation of any  
 28 motor vehicles.

29 3. The Department shall adopt regulations prescribing the  
 30 information that must be contained on an identification card.

31 4. At the time of the issuance of the identification card, the  
 32 Department shall:

33 (a) Give the holder the opportunity to have indicated on his or  
 34 her identification card that the holder:

35 (1) Wishes to be a donor of all or part of his or her body  
 36 pursuant to NRS 451.500 to 451.598, inclusive; or

37 (2) Does not at that time wish to make an anatomical gift of  
 38 his or her body or part thereof.

39 (b) Give the holder the opportunity to indicate whether he or she  
 40 wishes to donate \$1 or more to the Anatomical Gift Account created  
 41 by NRS 460.150.

42 (c) Provide to each holder who is interested in becoming a donor  
 43 information relating to anatomical gifts, including the procedure for  
 44 registering as a donor with the donor registry with which the  
 45 Department has entered into a contract pursuant to this paragraph.



1 To carry out this paragraph, the Department shall, on such terms as  
2 it deems appropriate, enter into a contract with a donor registry that  
3 is in compliance with the provisions of NRS 451.500 to 451.598,  
4 inclusive.

5 (d) If the Department has established a program for imprinting a  
6 symbol or other indicator of a medical condition on an identification  
7 card pursuant to NRS 483.863, give the holder the opportunity to  
8 have a symbol or other indicator of a medical condition imprinted  
9 on his or her identification card.

10 (e) Provide to the holder information instructing the holder how  
11 to register with the Next-of-Kin Registry pursuant to NRS 483.653  
12 if he or she so chooses.

13 *(f) Provide the holder the information required pursuant to*  
14 *section 3 of this act, if applicable.*

15 5. At the time of the renewal of the identification card, the  
16 Department shall:

17 (a) If the holder indicated at the time of the issuance of the  
18 identification card pursuant to subsection 4 that the holder wishes to  
19 be a donor of all or part of his or her body pursuant to NRS 451.500  
20 to 451.598, inclusive, provide the holder:

21 (1) Notice that, unless the holder affirmatively indicates upon  
22 the renewal of the identification card that he or she wishes to change  
23 that indication, the indication will remain on his or her identification  
24 card;

25 (2) The opportunity to have indicated whether he or she  
26 wishes to donate \$1 or more to the Anatomical Gift Account created  
27 by NRS 460.150; and

28 (3) If the Department has established a program for  
29 imprinting a symbol or other indicator of a medical condition on an  
30 identification card pursuant to NRS 483.3485, the opportunity to  
31 have a symbol or other indicator of a medical condition imprinted  
32 on his or her identification card.

33 (b) If the holder indicated at the time of the issuance of the  
34 identification card pursuant to subsection 4 that the holder did not at  
35 that time wish to be a donor of all or part of his or her body pursuant  
36 to NRS 451.500 to 451.598, inclusive, provide the holder:

37 (1) The opportunity to change that indication to indicate that  
38 the holder wishes to be a donor of all or part of his or her body  
39 pursuant to NRS 451.500 to 451.598, inclusive;

40 (2) The opportunity to have indicated whether he or she  
41 wishes to donate \$1 or more to the Anatomical Gift Account created  
42 by NRS 460.150;

43 (3) If the holder is interested in becoming a donor,  
44 information relating to anatomical gifts, including the procedure for





1 registering as a donor with the donor registry with which the  
2 Department has entered into a contract pursuant to this section; and

3 (4) If the Department has established a program for  
4 imprinting a symbol or other indicator of a medical condition on an  
5 identification card pursuant to NRS 483.3485, the opportunity to  
6 have a symbol or other indicator of a medical condition imprinted  
7 on his or her identification card.

8 (c) Provide to the holder information instructing the holder how  
9 to register with the Next-of-Kin Registry pursuant to NRS 483.653  
10 if he or she chooses.

11 *(d) Provide the holder the information required pursuant to*  
12 *section 3 of this act, if applicable.*

13 6. If the holder wishes to make a donation to the Anatomical  
14 Gift Account, the Department shall collect the donation and deposit  
15 the money collected in the State Treasury for credit to the  
16 Anatomical Gift Account.

17 7. The Department shall submit to the donor registry with  
18 which the Department has entered into a contract pursuant to  
19 paragraph (c) of subsection 4 information from the records of the  
20 Department relating to persons who have identification cards issued  
21 by the Department that indicate the intention of those persons to  
22 make an anatomical gift. The Department shall adopt regulations to  
23 carry out the provisions of this subsection.

24 **Sec. 9.** Chapter 486 of NRS is hereby amended by adding  
25 thereto a new section to read as follows:

26 *1. If a person who is 18 years of age or older submits*  
27 *documentation to prove his or her full legal name and age with an*  
28 *application for a motorcycle driver's license pursuant to NRS*  
29 *486.081 which does not demonstrate that the applicant is a citizen*  
30 *of the United States:*

31 *(a) The Department shall provide the applicant with a form*  
32 *that states that only citizens of the United States are eligible to*  
33 *vote; and*

34 *(b) The motorcycle driver's license shall include a disclaimer*  
35 *on the license which provides that only citizens of the United*  
36 *States are eligible to vote.*

37 *2. The Department shall adopt regulations to carry out the*  
38 *provisions of this section.*

39 **Sec. 10.** NRS 486.011 is hereby amended to read as follows:

40 486.011 As used in NRS 486.011 to 486.381, inclusive, *and*  
41 *section 9 of this act*, unless the context otherwise requires, the  
42 words and terms defined in NRS 486.031 to 486.057, inclusive,  
43 have the meanings ascribed to them in those sections.



1       **Sec. 11.** NRS 293.5768 is hereby amended to read as follows:  
2       293.5768 1. The following agencies are automatic voter  
3 registration agencies:

- 4       (a) The Department of Motor Vehicles;  
5       (b) The Department of Health and Human Services;  
6       (c) Any agency designated by the Director of the Department of  
7 Health and Human Services to receive applications for Medicaid;  
8       (d) The Silver State Health Insurance Exchange created by  
9 NRS 695I.200;

10       (e) Any agency that has been designated by the Governor as an  
11 automatic voter registration agency pursuant to NRS 293.57682; and

12       (f) Any agency of an Indian tribe that has been designated by the  
13 Governor to be an automatic voter registration agency pursuant to  
14 NRS 293.57684.

15       2. If, in the normal course of business, an automatic voter  
16 registration agency collects sufficient information that demonstrates  
17 a person is qualified to vote pursuant to NRS 293.485, including,  
18 without limitation, proof of identity, citizenship, residence and date  
19 of birth, the provisions of NRS 293.5768 to 293.57699, inclusive,  
20 apply to the automatic voter registration agency when a person  
21 submits any of the following:

22       (a) An application for the issuance or renewal of or change of  
23 address for any type of driver's license or identification card issued  
24 by the Department of Motor Vehicles ~~§~~, *other than a driver*  
25 *authorization card issued pursuant to NRS 483.291;*

26       (b) An application for Medicaid through the system established  
27 by the Department of Health and Human Services pursuant to  
28 NRS 422.2703;

29       (c) An application for health insurance through the Silver State  
30 Health Insurance Exchange; and

31       (d) An application for any service or assistance from an  
32 automatic voter registration agency described in paragraph (e) or (f)  
33 of subsection 1.

34       3. An automatic voter registration agency shall not:

35       (a) Request any additional information for purposes of voter  
36 registration that is not required in the normal course of business; and

37       (b) Transmit any information about a person using the system  
38 established pursuant to NRS 293.57686 if the person ~~did~~:

39       (1) *Did* not provide the agency in the normal course of  
40 business sufficient information that demonstrates the person is  
41 qualified to vote pursuant to NRS 293.485, including, without  
42 limitation, proof of identity, citizenship, residence and date of birth  
43 ~~§~~; *or*



1           (2) *Submits any of the following documents with an*  
2 *application described in subsection 2 to an automatic voter*  
3 *registration agency:*

4           (I) *A Permanent Resident Card, Alien Registration*  
5 *Receipt Card, Form I-551, or any temporary version of such*  
6 *documents issued by the United States Citizenship and*  
7 *Immigration Services of the Department of Homeland Security;*

8           (II) *An employment authorization document issued by*  
9 *the United States Citizenship and Immigration Services of the*  
10 *Department of Homeland Security using Form I-765 or I-766;*

11           (III) *An arrival and departure record issued by United*  
12 *States Customs and Border Protection of the Department of*  
13 *Homeland Security using Form I-94;*

14           (IV) *A nonimmigrant visa issued by the United States*  
15 *Department of State; or*

16           (V) *Any birth certificate, driver's license or*  
17 *identification card which indicates that the person is not 17 years*  
18 *of age or older as of the date of the application.*

19       **Sec. 12.** 1. This section becomes effective upon passage and  
20 approval.

21       2. Sections 1 to 11, inclusive, of this act become effective:

22       (a) Upon passage and approval for the purpose of adopting  
23 regulations and any other preparatory administrative tasks that are  
24 necessary to carry out the provisions of this act; and

25       (b) On January 1, 2024, for all other purposes.

