

ASSEMBLY BILL NO. 148—ASSEMBLYMEMBER HAFEN

PREFILED JANUARY 29, 2025

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections. (BDR 24-770)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. 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.

AN ACT relating to elections; revising the deadline for a county or city clerk to distribute sample ballots; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires, with certain exception, a county clerk or city clerk to
2 distribute a sample ballot to each registered voter in the county or city, as
3 applicable, before the period for early voting for any election begins. (NRS
4 293.565, 293C.530) Existing law further requires, with limited exception, the
5 county clerk or city clerk to distribute a mail ballot for every election to: (1) each
6 active registered voter; and (2) each person who registers to vote or updates his or
7 her voter registration information not later than 14 days before the election. With
8 certain exceptions, the deadline for distributing a mail ballot to: (1) each active
9 registered voter who resides within the State is not later than 20 days before the
10 election; (2) each active registered voter who resides outside the State is not later
11 than 40 days before the election; (3) each active registered voter who registers to
12 vote after certain deadlines is not later than 13 days before the election; and (4)
13 each covered voter who is entitled to have a military-overseas ballot transmitted
14 pursuant to certain provisions of federal and state law is not later than 45 days
15 before the election. (NRS 293.269911, 293C.263, 293D.320) Further, in the case of
16 a special election where no candidate for federal office will appear on the ballot,
17 mail ballots must be distributed to each active registered voter not later than 15
18 days before the special election. (NRS 293.269911, 293C.263)

19 **Sections 1 and 2** of this bill require a county clerk or city clerk, as applicable,
20 to distribute a sample ballot to each registered voter before the applicable deadline
21 for the clerk to distribute a mail ballot to the registered voter. **Section 3** of this bill
22 makes a conforming change to require sample ballots for an election relating to
23 incorporating a city to be distributed before the applicable deadline for the county
24 clerk or registrar of voters to distribute a mail ballot to a registered voter for such
25 an election.



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

1 **Section 1.** NRS 293.565 is hereby amended to read as follows:
2 293.565 1. Except as otherwise provided in subsection 3,
3 sample ballots must include:

4 (a) If applicable, the statement required by NRS 293.267;

5 (b) The fiscal note or description of anticipated financial effect,
6 as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015,
7 295.095 or 295.230 for each proposed constitutional amendment,
8 statewide measure, measure to be voted upon only by a special
9 district or political subdivision and advisory question;

10 (c) An explanation, as provided pursuant to NRS 218D.810,
11 293.250, 293.481, 295.121 or 295.230, of each proposed
12 constitutional amendment, statewide measure, measure to be voted
13 upon only by a special district or political subdivision and advisory
14 question;

15 (d) Arguments for and against each proposed constitutional
16 amendment, statewide measure, measure to be voted upon only by a
17 special district or political subdivision and advisory question, and
18 rebuttals to each argument, as provided pursuant to NRS 218D.810,
19 293.250, 293.252 or 295.121; and

20 (e) The full text of each proposed constitutional amendment.

21 2. If, pursuant to the provisions of NRS 293.2565, the word
22 “Incumbent” must appear on the ballot next to the name of the
23 candidate who is the incumbent, the word “Incumbent” must appear
24 on the sample ballot next to the name of the candidate who is the
25 incumbent.

26 3. Sample ballots that are mailed to registered voters may be
27 printed without the full text of each proposed constitutional
28 amendment if:

29 (a) The cost of printing the sample ballots would be significantly
30 reduced if the full text of each proposed constitutional amendment
31 were not included;

32 (b) The county clerk ensures that a sample ballot that includes
33 the full text of each proposed constitutional amendment is provided
34 at no charge to each registered voter who requests such a sample
35 ballot; and

36 (c) The sample ballots provided to each polling place include the
37 full text of each proposed constitutional amendment.

38 4. A county clerk may establish a system for distributing
39 sample ballots by electronic means to each registered voter who
40 elects to receive a sample ballot by electronic means. Such a system
41 may include, without limitation, electronic mail or electronic access
42 through an Internet website. If a county clerk establishes such a



1 system and a registered voter elects to receive a sample ballot by
2 electronic means, the county clerk shall distribute the sample ballot
3 to the registered voter by electronic means pursuant to the
4 procedures and requirements set forth by regulations adopted by the
5 Secretary of State.

6 5. If a registered voter does not elect to receive a sample ballot
7 by electronic means pursuant to subsection 4, the county clerk shall
8 distribute the sample ballot to the registered voter by mail.

9 6. Except as otherwise provided in subsection 7, before the
10 ~~[period for early voting for any election begins,]~~ *applicable*
11 *deadline for distributing a mail ballot to a registered voter*
12 *established by NRS 293.269911*, the county clerk shall distribute to
13 each registered voter in the county by mail or electronic means, as
14 applicable, the sample ballot for his or her precinct, with a notice
15 informing the voter of the location of his or her polling place or
16 places. If the location of the polling place or places has changed
17 since the last election:

18 (a) The county clerk shall mail a notice of the change to each
19 registered voter in the county not sooner than 10 days before
20 distributing the sample ballots; or

21 (b) The sample ballot must also include a notice in bold type
22 immediately above the location which states:

23
24 NOTICE: THE LOCATION OF YOUR POLLING PLACE OR
25 PLACES HAS CHANGED SINCE THE LAST ELECTION
26

27 7. If a person registers to vote less than 20 days before the date
28 of an election, the county clerk is not required to distribute to the
29 person the sample ballot for that election by mail or electronic
30 means.

31 8. Except as otherwise provided in subsection 9, a sample
32 ballot required to be distributed pursuant to this section must:

33 (a) Be prepared in at least 12-point type; and

34 (b) Include on the front page, in a separate box created by bold
35 lines, a notice prepared in at least 20-point bold type that states:

36
37 NOTICE: TO RECEIVE A SAMPLE BALLOT IN
38 LARGE TYPE, CALL (Insert appropriate telephone number)
39

40 9. A portion of a sample ballot that contains a facsimile of the
41 display area of a voting device may include material in less than 12-
42 point type to the extent necessary to make the facsimile fit on the
43 pages of the sample ballot.

44 10. The sample ballot distributed to a person who requests a
45 sample ballot in large type by exercising the option provided



1 pursuant to NRS 293.508, or in any other manner, must be prepared
2 in at least 14-point type, or larger when practicable.

3 11. If a person requests a sample ballot in large type, the
4 county clerk shall ensure that all future sample ballots distributed to
5 that person from the county are in large type.

6 12. The county clerk shall include in each sample ballot a
7 statement indicating that the county clerk will, upon request of a
8 voter who is elderly or disabled, make reasonable accommodations
9 to allow the voter to vote at his or her polling place or places and
10 provide reasonable assistance to the voter in casting his or her vote,
11 including, without limitation, providing appropriate materials to
12 assist the voter. In addition, if the county clerk has provided
13 pursuant to subsection 4 of NRS 293.2955 for the placement at
14 centralized voting locations of specially equipped voting devices for
15 use by voters who are elderly or disabled, the county clerk shall
16 include in the sample ballot a statement indicating:

17 (a) The addresses of such centralized voting locations;

18 (b) The types of specially equipped voting devices available at
19 such centralized voting locations; and

20 (c) That a voter who is elderly or disabled may cast his or her
21 ballot at such a centralized voting location rather than at his or her
22 regularly designated polling place or places.

23 13. The cost of distributing sample ballots for any election
24 other than a primary election, presidential preference primary
25 election or general election must be borne by the political
26 subdivision holding the election.

27 **Sec. 2.** NRS 293C.530 is hereby amended to read as follows:

28 293C.530 1. A city clerk may establish a system for
29 distributing sample ballots by electronic means to each registered
30 voter who elects to receive a sample ballot by electronic means.
31 Such a system may include, without limitation, electronic mail or
32 electronic access through an Internet website. If a city clerk
33 establishes such a system and a registered voter elects to receive a
34 sample ballot by electronic means, the city clerk shall distribute the
35 sample ballot to the registered voter by electronic means pursuant to
36 the procedures and requirements set forth by regulations adopted by
37 the Secretary of State.

38 2. If a registered voter does not elect to receive a sample ballot
39 by electronic means pursuant to subsection 1, the city clerk shall
40 distribute the sample ballot to the registered voter by mail.

41 3. Except as otherwise provided in subsection 4, before the
42 ~~[period for early voting for any election begins,]~~ *applicable*
43 *deadline for distributing a mail ballot to a registered voter*
44 *established by NRS 293C.263*, the city clerk shall distribute to each
45 registered voter in the city by mail or electronic means, as



1 applicable, the sample ballot for his or her precinct, with a notice
2 informing the voter of the location of his or her polling place or
3 places. If the location of the polling place or places has changed
4 since the last election:

5 (a) The city clerk shall mail a notice of the change to each
6 registered voter in the city not sooner than 10 days before
7 distributing the sample ballots; or

8 (b) The sample ballot must also include a notice in bold type
9 immediately above the location which states:

10
11 **NOTICE: THE LOCATION OF YOUR POLLING PLACE OR**
12 **PLACES HAS CHANGED SINCE THE LAST ELECTION**
13

14 4. If a person registers to vote less than 20 days before the date
15 of an election, the city clerk is not required to distribute to the
16 person the sample ballot for that election by mail or electronic
17 means.

18 5. Except as otherwise provided in subsection 7, a sample
19 ballot required to be distributed pursuant to this section must:

20 (a) Be prepared in at least 12-point type;

21 (b) Include the description of the anticipated financial effect and
22 explanation of each citywide measure and advisory question,
23 including arguments for and against the measure or question, as
24 required pursuant to NRS 295.205 or 295.217; and

25 (c) Include on the front page, in a separate box created by bold
26 lines, a notice prepared in at least 20-point bold type that states:

27
28 **NOTICE: TO RECEIVE A SAMPLE BALLOT IN**
29 **LARGE TYPE, CALL (Insert appropriate telephone number)**
30

31 6. The word "Incumbent" must appear on the sample ballot
32 next to the name of the candidate who is the incumbent, if required
33 pursuant to NRS 293.2565.

34 7. A portion of a sample ballot that contains a facsimile of the
35 display area of a voting device may include material in less than 12-
36 point type to the extent necessary to make the facsimile fit on the
37 pages of the sample ballot.

38 8. The sample ballot distributed to a person who requests a
39 sample ballot in large type by exercising the option provided
40 pursuant to NRS 293.508, or in any other manner, must be prepared
41 in at least 14-point type, or larger when practicable.

42 9. If a person requests a sample ballot in large type, the city
43 clerk shall ensure that all future sample ballots distributed to that
44 person from the city are in large type.



1 10. The city clerk shall include in each sample ballot a
2 statement indicating that the city clerk will, upon request of a voter
3 who is elderly or disabled, make reasonable accommodations to
4 allow the voter to vote at his or her polling place or places and
5 provide reasonable assistance to the voter in casting his or her vote,
6 including, without limitation, providing appropriate materials to
7 assist the voter. In addition, if the city clerk has provided pursuant to
8 subsection 4 of NRS 293C.281 for the placement at centralized
9 voting locations of specially equipped voting devices for use by
10 voters who are elderly or disabled, the city clerk shall include in the
11 sample ballot a statement indicating:

12 (a) The addresses of such centralized voting locations;

13 (b) The types of specially equipped voting devices available at
14 such centralized voting locations; and

15 (c) That a voter who is elderly or disabled may cast his or her
16 ballot at such a centralized voting location rather than at the voter's
17 regularly designated polling place or places.

18 11. The cost of distributing sample ballots for a city election
19 must be borne by the city holding the election.

20 **Sec. 3.** NRS 266.0325 is hereby amended to read as follows:

21 266.0325 1. ~~[At least 10 days before]~~ *Before the applicable*
22 *deadline for distributing mail ballots for* an election held pursuant
23 to NRS 266.029, the county clerk or registrar of voters shall
24 distribute to each qualified elector by mail or electronic means, as
25 applicable, a sample ballot for the elector's precinct with a notice
26 informing the elector of the location of the polling place for that
27 precinct. A sample ballot may be distributed by electronic means to
28 an elector only if the county clerk has established a system for
29 distributing sample ballots by electronic means pursuant to NRS
30 293.565 and the elector elects to receive a sample ballot by
31 electronic means.

32 2. The sample ballot must:

33 (a) Be in the form required by NRS 266.032.

34 (b) Include the information required by NRS 266.032.

35 (c) Except as otherwise provided in subsection 3, be prepared in
36 at least 12-point type.

37 (d) Describe the area proposed to be incorporated by assessor's
38 parcel maps, existing boundaries of subdivision or parcel maps,
39 identifying visible ground features, extensions of the visible ground
40 features, or by any boundary that coincides with the official
41 boundary of the State, a county, a city, a township, a section or any
42 combination thereof.

43 (e) Contain a copy of the map or plat that was submitted with
44 the petition pursuant to NRS 266.019 and depicts the existing



1 dedicated streets, sewer interceptors and outfalls and their proposed
2 extensions.

3 (f) Include on the front page, in a separate box created by bold
4 lines, a notice prepared in at least 20-point bold type that states:
5

6 **NOTICE: TO RECEIVE A SAMPLE BALLOT IN**
7 **LARGE TYPE, CALL (Insert appropriate telephone number)**
8

9 3. A portion of a sample ballot that contains a facsimile of the
10 display area of a voting device may include material in less than 12-
11 point type to the extent necessary to make the facsimile fit on the
12 pages of the sample ballot.

13 4. The sample ballot distributed to a person who requests a
14 sample ballot in large type by exercising the option provided
15 pursuant to NRS 293.508, or in any other manner, must be prepared
16 in at least 14-point type, or larger when practicable.

17 5. If a person requests a sample ballot in large type, the county
18 clerk shall ensure that all future sample ballots distributed to that
19 person from the county are in large type.



