

ASSEMBLY BILL NO. 229—ASSEMBLYMEMBER DELONG

FEBRUARY 6, 2025

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections. (BDR 24-37)

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; revising certain deadlines relating to the return of mail ballots; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, if a mail ballot is returned by mail, the mail ballot must be:
2 (1) postmarked on or before the day of the election; and (2) received by the county
3 or city clerk by 5 p.m. on the fourth day following the election. (NRS 293.269921,
4 293.269923, 293C.26321, 293C.26323) This bill instead requires mail ballots that
5 are returned by mail to be postmarked on or before the last day of the period for
6 early voting and received by the county or city clerk before the time set for the
7 closing of the polls on the day of the election.

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

1 Section 1. NRS 293.269921 is hereby amended to read as
2 follows:

3 293.269921 1. Except as otherwise provided in subsection 2
4 and chapter 293D of NRS, in order for a mail ballot to be counted
5 for any election, the mail ballot must be:

6 (a) Before the time set for closing of the polls, delivered by hand
7 to the county clerk, or any ballot drop box established in the county
8 pursuant to this section; or

9 (b) Mailed to the county clerk, and:

10 (1) Postmarked on or before the *last* day of the ~~election;~~
11 *period for early voting*; and



1 (2) Received by the clerk ~~[not later than 5 p.m. on]~~ *before*
2 the ~~[fourth]~~ *time set for closing of the polls on the* day ~~[following]~~
3 *of* the election.

4 2. If a mail ballot is received by mail ~~[not later than 5 p.m. on]~~
5 *before* the ~~[third]~~ *time set for closing of the polls on the* day
6 ~~[following]~~ *of* the election and the date of the postmark cannot be
7 determined, the mail ballot shall be deemed to have been
8 postmarked on or before the *last* day of the ~~[election.]~~ *period for*
9 *early voting.*

10 3. Each county clerk must establish a ballot drop box at every
11 polling place in the county, including, without limitation, a polling
12 place for early voting. A county clerk may establish a ballot drop
13 box at any other location in the county where mail ballots can be
14 delivered by hand and collected during the period for early voting
15 and on election day. No person other than a clerk may establish a
16 drop box for mail ballots.

17 4. A ballot drop box must be:

18 (a) Constructed of metal or any other rigid material of sufficient
19 strength and resistance to protect the security of the mail ballots; and

20 (b) Capable of securely receiving and holding the mail ballots
21 and being locked.

22 5. A ballot drop box must be:

23 (a) Placed in an accessible and convenient location at the office
24 of the county clerk or a polling place in the county; and

25 (b) Made available for use during the hours when the office of
26 the county clerk, or the polling place, is open for business or voting,
27 as applicable.

28 **Sec. 2.** NRS 293.269923 is hereby amended to read as
29 follows:

30 293.269923 1. Except as otherwise provided in subsection 2,
31 at the request of a voter whose mail ballot has been prepared by or
32 on behalf of the voter, a person authorized by the voter may return
33 the mail ballot on behalf of the voter by mail or personal delivery to
34 the county clerk, or any ballot drop box established in the county,
35 pursuant to NRS 293.269921.

36 2. Except for an election board officer in the course of the
37 election board officer's official duties, a person shall not willfully:

38 (a) Impede, obstruct, prevent or interfere with the return of a
39 voter's mail ballot;

40 (b) Deny a voter the right to return the voter's mail ballot; or

41 (c) If the person receives the voter's mail ballot and
42 authorization to return the mail ballot on behalf of the voter by mail
43 or personal delivery, fail to return the mail ballot, unless otherwise
44 authorized by the voter ~~[, by]~~ :

45 (1) *By* mail ~~[or personal delivery]~~ :



1 ~~—(1)~~ :

2 (I) Before the end of the third day after the day of receipt,
3 if the person receives the mail ballot from the voter four or more
4 days before the *last* day of the ~~[election;]~~ *period for early voting*; or

5 ~~[(2)]~~ (II) Before the deadline established by the United States
6 Postal Service for the mail ballot to be postmarked on the *last* day of
7 the ~~[election or before the polls close on the day of the election, as
8 applicable to the type of delivery,]~~ *period for early voting*, if the
9 person receives the mail ballot from the voter three or fewer days
10 before the *last* day of the ~~[election;]~~ *period for early voting*; or

11 (2) *By personal delivery:*

12 (I) *Before the end of the third day after the day of*
13 *receipt, if the person receives the mail ballot from the voter four or*
14 *more days before the day of the election; or*

15 (II) *Before the time set for closing of the polls on the*
16 *day of the election, if the person receives the mail ballot from the*
17 *voter three or fewer days before the day of the election.*

18 3. A person who violates any provision of subsection 2 is
19 guilty of a category E felony and shall be punished as provided in
20 NRS 193.130.

21 **Sec. 3.** NRS 293C.26321 is hereby amended to read as
22 follows:

23 293C.26321 1. Except as otherwise provided in subsection 2
24 and chapter 293D of NRS, in order for a mail ballot to be counted
25 for any election, the mail ballot must be:

26 (a) Before the time set for closing of the polls, delivered by hand
27 to the city clerk, or any ballot drop box established in the city,
28 pursuant to this section; or

29 (b) Mailed to the city clerk, and:

30 (1) Postmarked on or before the *last* day of the ~~[election;]~~
31 *period for early voting*; and

32 (2) Received by the clerk ~~[not later than 5 p.m. on]~~ *before*
33 the ~~[fourth]~~ *time set for closing of the polls on the* day ~~[following]~~
34 *of* the election.

35 2. If a mail ballot is received by mail ~~[not later than 5 p.m. on]~~
36 *before* the ~~[third]~~ *time set for closing of the polls on the* day
37 ~~[following]~~ *of* the election and the date of the postmark cannot be
38 determined, the mail ballot shall be deemed to have been
39 postmarked on or before the *last* day of the ~~[election;]~~ *period for*
40 *early voting.*

41 3. Each city clerk must establish a ballot drop box at every
42 polling place in the city, including, without limitation, a polling
43 place for early voting. A city clerk may establish a drop box at any
44 other location in the city where mail ballots can be delivered by
45 hand and collected during the period for early voting and on election



1 day. No person other than a clerk may establish a drop box for mail
2 ballots.

3 4. A ballot drop box must be:

4 (a) Constructed of metal or any other rigid material of sufficient
5 strength and resistance to protect the security of the mail ballots; and

6 (b) Capable of securely receiving and holding the mail ballots
7 and being locked.

8 5. A ballot drop box must be:

9 (a) Placed in an accessible and convenient location at the office
10 of the city clerk, or a polling place in the city; and

11 (b) Made available for use during the hours when the office of
12 the city clerk, or the polling place, is open for business or voting, as
13 applicable.

14 **Sec. 4.** NRS 293C.26323 is hereby amended to read as
15 follows:

16 293C.26323 1. Except as otherwise provided in subsection 2,
17 at the request of a voter whose mail ballot has been prepared by or
18 on behalf of the voter, a person authorized by the voter may return
19 the mail ballot on behalf of the voter by mail or personal delivery to
20 the city clerk, or any ballot drop box established in the city, pursuant
21 to NRS 293C.26321.

22 2. Except for an election board officer in the course of the
23 election board officer's official duties, a person shall not willfully:

24 (a) Impede, obstruct, prevent or interfere with the return of a
25 voter's mail ballot;

26 (b) Deny a voter the right to return the voter's mail ballot; or

27 (c) If the person receives the voter's mail ballot and
28 authorization to return the mail ballot on behalf of the voter by mail
29 or personal delivery, fail to return the mail ballot, unless otherwise
30 authorized by the voter ~~[, by]~~ :

31 *(1) By mail ~~[or personal delivery]~~:*

32 ~~—(1)] :~~

33 *(1) Before the end of the third day after the day of receipt,*
34 *if the person receives the mail ballot from the voter four or more*
35 *days before the **last** day of the ~~[election:]~~ **period for early voting;** or*

36 ~~[(2)]~~ *(II) Before the deadline established by the United States*
37 *Postal Service for the mail ballot to be postmarked on the **last** day of*
38 *the ~~[election or before the polls close on the day of the election, as~~*
39 *~~applicable to the type of delivery.]~~ **period for early voting,** if the*
40 *person receives the mail ballot from the voter three or fewer days*
41 *before the **last** day of the ~~[election.]~~ **period for early voting; or***

42 *(2) By personal delivery:*

43 *(1) Before the end of the third day after the day of*
44 *receipt, if the person receives the mail ballot from the voter four or*
45 *more days before the day of the election; or*



1 *(II) Before the time set for closing of the polls on the*
2 *day of the election, if the person receives the mail ballot from the*
3 *voter three or fewer days before the day of the election.*

4 3. A person who violates any provision of subsection 2 is
5 guilty of a category E felony and shall be punished as provided in
6 NRS 193.130.

7 **Sec. 5.** This act becomes effective on July 1, 2025.



