
ASSEMBLY BILL NO. 261—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE JOINT INTERIM STANDING COMMITTEE
ON LEGISLATIVE OPERATIONS AND ELECTIONS

FEBRUARY 19, 2025

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to voter registration.
(BDR 24-360)

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

CONTAINS UNFUNDED MANDATE (§§ 1, 5)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; requiring, under certain circumstances, that a county or city clerk affirmatively ask whether a registered voter would like to update his or her signature in the voter registration records of the clerk; providing, under certain circumstances, that any signature provided by a voter to cure a mail ballot becomes the voter’s signature for purposes of his or her voter registration; requiring the Secretary of State, rather than the county clerk, to send certain notices to persons who register to vote or update their voter registration using the automatic voter registration system; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires, with certain exceptions, that in order to vote a mail
2 ballot, a voter must affix his or her signature on the return envelope in the space
3 provided for the signature. (NRS 293.269917, 293C.26316) Existing law further
4 requires each county or city clerk, as applicable, to check the signature used for the
5 mail ballot. If there is a reasonable question of fact as to whether the signature used
6 for the mail ballot matches the signature of the voter in the records of the clerk, the
7 clerk is required to contact the voter. (NRS 293.269927, 293C.26327) **Sections 1**
8 **and 5** of this bill provide that if the clerk contacts the voter, the clerk must, in



9 addition to other requirements, affirmatively ask whether the voter would like to
10 update his or her signature in the records of the clerk. Unless the voter affirmatively
11 declines to update his or her signature: (1) it shall be deemed that the voter
12 consented to update his or her signature; and (2) any signature provided by the
13 registered voter to the clerk becomes the voter's signature for purposes of his or her
14 voter registration.

15 Existing law requires certain governmental agencies to provide services for
16 automatic voter registration. (NRS 293.5768, 293.57682, 293.57684) The Secretary
17 of State and each automatic voter registration agency are required to cooperatively
18 establish a system by which voter registration information that is collected by the
19 automatic voter registration agency is transmitted electronically to the centralized
20 database of voter registration information for purposes of registering a person to
21 vote or updating the voter registration information of a person. (NRS 293.57686,
22 293.57688) Upon transmission of the information to the database by an automatic
23 voter registration agency, existing law requires the county clerk to determine
24 whether a person is eligible to register to vote in this State. If the person is eligible
25 to vote, the county clerk must immediately mail a notice to the current residence
26 that includes certain information, including: (1) a space for the person to indicate a
27 political party affiliation; (2) a space for the person to affirmatively decline to apply
28 to register to vote or have his or her voter registration updated, as applicable; (3) a
29 statement setting forth the qualifications to vote in this State and that if the person
30 does not meet the qualifications to vote in this State, the person should return the
31 notice and affirmatively decline in writing to register to vote; (4) a statement
32 explaining that the person may affirmatively decline to register to vote or update his
33 or her voter registration information, as applicable; and (5) a statement setting forth
34 the penalties for submitting a false application to register to vote. (NRS 293.57693)
35 **Section 4** of this bill instead requires the Secretary of State to send this notice.
36 **Section 3** of this bill makes a conforming change to account for the requirement in
37 **section 4** that the Secretary of State, rather than the county clerk, send this notice.
38 **Section 2** of this bill makes a conforming change to eliminate the requirement that
39 the county clerk provide written notice of the addition or change to the voter
40 registration information of a voter on the statewide voter registration list as a result
41 of the process for automatic voter registration.

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

1 **Section 1.** Chapter 293 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. If a registered voter is contacted by a county clerk pursuant*
4 *to NRS 293.269927 because there is a reasonable question of fact*
5 *as to whether the signature used for the mail ballot matches the*
6 *signature of the registered voter that is available in the records of*
7 *the county clerk, the county clerk shall, in addition to the*
8 *requirements set forth in NRS 293.269927, affirmatively ask*
9 *whether the registered voter would like to update his or her*
10 *signature in the records of the county clerk. Unless the voter*
11 *affirmatively declines to update his or her signature in the records*
12 *of the county clerk:*



1 (a) *It shall be deemed that the voter consented to update his or*
2 *her signature; and*

3 (b) *Any signature provided pursuant to NRS 293.269927 by the*
4 *registered voter to the county clerk becomes the voter's signature*
5 *for purposes of his or her voter registration.*

6 **2. The Secretary of State may adopt any regulations**
7 **necessary to carry out the provisions of this section.**

8 **Sec. 2.** NRS 293.530 is hereby amended to read as follows:

9 293.530 1. Except as otherwise provided in NRS 293.541:

10 (a) County clerks may use any reliable and reasonable means
11 available to correct the portions of the statewide voter registration
12 list which are relevant to the county clerks and to determine whether
13 a registered voter's current residence is other than that indicated on
14 the voter's application to register to vote.

15 (b) A county clerk may, with the consent of the board of county
16 commissioners, make investigations of registration in the county by
17 census, by house-to-house canvass or by any other method.

18 (c) A county clerk shall cancel the registration of a voter
19 pursuant to this subsection if:

20 (1) The county clerk mails a written notice to the voter which
21 the United States Postal Service is required to forward;

22 (2) The county clerk mails a return postcard with the notice
23 which has a place for the voter to write his or her new address, is
24 addressed to the county clerk and has postage guaranteed;

25 (3) The voter does not respond;

26 (4) The voter's registration information has not been updated
27 by an automatic voter registration agency pursuant to NRS 293.5768
28 to 293.57699, inclusive; and

29 (5) The voter does not appear to vote in an election before
30 the polls have closed in the second general election following the
31 date of the notice.

32 (d) For the purposes of this subsection, the date of the notice is
33 deemed to be 3 days after it is mailed.

34 (e) The county clerk shall maintain records of:

35 (1) Any notice mailed pursuant to paragraph (c);

36 (2) Any response to such notice; and

37 (3) Whether a person to whom a notice is mailed appears to
38 vote in an election,

39 ↪ for not less than 2 years after creation.

40 (f) The county clerk shall use any postcards which are returned
41 to correct the portions of the statewide voter registration list which
42 are relevant to the county clerk.

43 (g) If a voter fails to return the postcard mailed pursuant to
44 paragraph (c) within 30 days, the county clerk shall designate the
45 voter as inactive on the voter's application to register to vote.



1 (h) The Secretary of State shall adopt regulations to prescribe
2 the method for maintaining a list of voters who have been
3 designated as inactive pursuant to paragraph (g).

4 ~~[(i) If:~~

5 ~~— (1) The name of a voter is added to the statewide voter
6 registration list pursuant to NRS 293.57693; or~~

7 ~~— (2) The voter registration information of a voter whose name
8 is on the statewide voter registration list is updated pursuant to
9 NRS 293.5752;~~

10 ~~→ the county clerk shall provide written notice of the addition or
11 change to the voter not later than 5 working days after the addition
12 or change is made. Except as otherwise provided in this paragraph,
13 the notice must be mailed to the current residence of the voter. The
14 county clerk may send the notice by electronic mail if the voter
15 confirms the validity of the electronic mail address to which the
16 notice will be sent by responding to a confirmation inquiry sent to
17 that electronic mail address. Such a confirmation inquiry must be
18 sent for each notice sent pursuant to this paragraph. The notice
19 required pursuant to this paragraph may be provided as part of the
20 notice mailed pursuant to NRS 293.57693.]~~

21 2. A county clerk is not required to take any action pursuant to
22 this section in relation to a person who preregisters to vote until the
23 person is deemed to be registered to vote pursuant to subsection 2 of
24 NRS 293.4855.

25 **Sec. 3.** NRS 293.57691 is hereby amended to read as follows:

26 293.57691 1. A county clerk shall not reject as an application
27 to register to vote the information received from an automatic voter
28 registration agency solely on the basis that the information does not
29 contain an electronic facsimile of the signature of the person who is
30 applying to vote or update his or her voter registration information
31 on the statewide voter registration list.

32 2. If the county clerk does not receive an electronic facsimile
33 of the signature of the person from the automatic voter registration
34 agency, the county clerk must obtain the person's signature or an
35 electronic facsimile of the person's signature through one of the
36 following methods:

37 (a) Through the notice provided by the ~~[county clerk]~~ **Secretary**
38 **of State** to the person pursuant to NRS 293.57693, if the notice is
39 returned to the county clerk by the person and the returned notice
40 includes the person's signature;

41 (b) Requesting an electronic facsimile of the person's signature
42 from the Department of Motor Vehicles or another state agency;

43 (c) Requesting the person to submit an electronic facsimile of
44 the person's signature through a method approved by the Secretary
45 of State; or



1 (d) Requesting the person to sign a paper or electronic form the
2 first time the person applies to vote in person at a polling place,
3 including, without limitation, a polling place for early voting by
4 personal appearance. A signature provided by a person pursuant to
5 this paragraph must be compared to one of the forms of
6 identification which may be used individually to identify a voter at
7 the polling place set forth in NRS 293.277 before the person is
8 allowed to vote in person.

9 3. In addition to the requirements of this section and NRS
10 293.2725, a person who is registered to vote pursuant to NRS
11 293.5768 to 293.57699, inclusive, must provide an affirmation
12 signed under penalty of perjury that the person is eligible to vote the
13 first time a person votes in person or by mail ballot if the person has
14 not already provided such an affirmation to the county clerk.

15 **Sec. 4.** NRS 293.57693 is hereby amended to read as follows:

16 293.57693 1. Upon transmission of the information to the
17 database created by the Secretary of State pursuant to NRS 293.675
18 by an automatic voter registration agency, the county clerk shall
19 collate the information into an individual electronic document,
20 which shall be deemed an application to register to vote. The county
21 clerk shall review the voter registration information transmitted by
22 the automatic voter registration agency to determine whether the
23 person is eligible to register to vote in this State.

24 2. If the county clerk determines that a person is eligible to
25 vote ~~[, the]~~ :

26 (a) *The* person shall be deemed a registered voter ~~[,]~~ ;

27 (b) *The county clerk shall immediately notify the Secretary of*
28 *State that the person is eligible to vote;*

29 (c) The person's name must appear on the statewide voter
30 registration list and the appropriate roster ; and ~~[the]~~

31 (d) *The* person must be provided all sample ballots and other
32 voter information provided to registered voters.

33 3. ~~[In addition to the requirements of subsection 2,]~~ *Upon*
34 *notification by* the county clerk *that a person is eligible to vote, the*
35 *Secretary of State* shall immediately mail a notice to the current
36 residence of the person. The notice must be in the form prescribed
37 by the Secretary of State and include, without limitation:

38 (a) A space for the person to indicate a political party affiliation;

39 (b) A space for the person to affirmatively decline to apply to
40 register to vote or have his or her voter registration updated, as
41 applicable;

42 (c) A preaddressed return envelope with *the address of the*
43 *appropriate county clerk and* postage prepaid;

44 (d) A statement setting forth the qualifications to vote in this
45 State as provided by NRS 293.485 and that if the person does not



1 meet the qualifications to vote in this State, the person should return
2 the notice and affirmatively decline in writing to register to vote;

3 (e) A statement explaining that unless the person affirmatively
4 declines in writing to apply to register to vote or have his or her
5 voter registration information updated, as applicable, the person is
6 deemed to have consented to the transmission of information to the
7 database created by the Secretary of State pursuant to NRS 293.675
8 by the automatic voter registration agency for the purpose of
9 registering the person to vote or updating the voter registration
10 information on the statewide voter registration list;

11 (f) A statement explaining that if the person affirmatively
12 declines in writing to apply to register to vote or to have his or her
13 voter registration information updated, as applicable, the county
14 clerk will remove the person from the statewide voter registration
15 list or revert the person's information on the statewide voter
16 registration list to the information that was on the statewide voter
17 registration list before the automatic voter registration agency
18 transmitted the information, and the person shall be deemed to not
19 have registered to vote or updated his or her voter registration
20 information, as applicable;

21 (g) A statement setting forth the penalties for submitting a false
22 application to register to vote; and

23 (h) A statement that:

24 (1) Indicates a political party affiliation or indicates that the
25 person is not affiliated with a political party is voluntary;

26 (2) The person may indicate a political party affiliation on
27 the form provided by the ~~county clerk~~ *Secretary of State* in the
28 notice; and

29 (3) The person will not be able to vote at a primary election,
30 presidential preference primary election or primary city election for
31 candidates for partisan offices of a major political party unless the
32 person updates his or her voter registration information to indicate a
33 major political party affiliation.

34 4. The ~~county clerk~~ *Secretary of State* may send the notice
35 required pursuant to subsection 3 by electronic mail if the person
36 confirms the validity of the electronic mail address to which the
37 notice will be sent by responding a confirmation inquiry sent to that
38 electronic mail address.

39 5. The failure or refusal of the person to acknowledge that he
40 or she has received the notice required by subsection 3 is not a
41 declination by the person to apply to register to vote or have his or
42 her voter registration information updated.

43 6. If the county clerk determines that a person is not eligible to
44 register to vote or if the voter affirmatively declines in writing to be



1 registered to vote or have his or her automatic voter registration
2 updated:

3 (a) It shall be deemed that the transmittal from the automatic
4 voter registration agency is not a completed voter registration
5 application;

6 (b) It shall be deemed that the person did not apply to register to
7 vote;

8 (c) It shall be deemed that the transmission of the person's
9 information by the automatic voter registration system was an
10 official authorized act;

11 (d) It shall be deemed that the person did not falsely claim
12 citizenship in order to register to vote unless the person
13 affirmatively claimed to be a citizen to the automatic voter
14 registration agency; and

15 (e) The county clerk must remove the person's registration from
16 the database created by the Secretary of State pursuant to NRS
17 293.675 or revert the person's information on the database to the
18 information that was on the database before the automatic voter
19 registration agency transmitted the information to the county clerk,
20 as applicable.

21 **Sec. 5.** Chapter 293C of NRS is hereby amended by adding
22 thereto a new section to read as follows:

23 *1. If a registered voter is contacted by a city clerk pursuant to*
24 *NRS 293C.26327 because there is a reasonable question of fact as*
25 *to whether the signature used for the mail ballot matches the*
26 *signature of the registered voter that is available in the records of*
27 *the city clerk, the city clerk shall, in addition to the requirements*
28 *set forth in NRS 293C.26327, affirmatively ask whether the*
29 *registered voter would like to update his or her signature in the*
30 *records of the city clerk. Unless the voter affirmatively declines to*
31 *update his or her signature in the records of the city clerk:*

32 *(a) It shall be deemed that the voter consented to update his or*
33 *her signature; and*

34 *(b) Any signature provided pursuant to NRS 293C.26327 by*
35 *the registered voter to the city clerk becomes the voter's signature*
36 *for purposes of his or her voter registration.*

37 *2. The Secretary of State may adopt any regulations*
38 *necessary to carry out the provisions of this section.*

39 **Sec. 6.** The provisions of NRS 354.599 do not apply to any
40 additional expenses of a local government that are related to the
41 provisions of this act.

42 **Sec. 7.** 1. This section and section 6 of this act become
43 effective upon passage and approval.

44 2. Sections 1 to 5, inclusive, of this act become effective:



- 1 (a) Upon passage and approval for the purpose of adopting any
2 regulations and performing any other preparatory administrative
3 tasks that are necessary to carry out the provisions of this act; and
4 (b) On January 1, 2026, for all other purposes.

