

ASSEMBLY BILL NO. 306—ASSEMBLYMEMBERS
YEAGER, MONROE-MORENO AND MOSCA

FEBRUARY 27, 2025

JOINT SPONSORS: SENATORS CANNIZZARO AND OHRENSCHALL

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-569)

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

CONTAINS UNFUNDED MANDATE (§ 1)
(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 a county clerk in certain counties to establish a certain number of locations for a voter to return his or her mail ballot in a mail ballot drop box during the period between the last day for early voting and the day of a general election; authorizing the county clerk in certain counties to establish such locations; authorizing a person, under certain circumstances, to return a mail ballot to a mail ballot drop box established at such a location on behalf of a voter; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law: (1) requires a general election to be held on the first Tuesday after
2 the first Monday of November in each even-numbered year; and (2) provides that
3 the period for early voting by personal appearance begins the third Saturday
4 preceding a general election and extends through the Friday before election day.
5 (NRS 293.12755, 293.3568) Existing law further requires each county clerk to:
6 establish a certain number of polling places where a person can vote during the
7 period for early voting by personal appearance and on the day of the general
8 election; and (2) requires each county clerk to establish a ballot drop box at every
9 polling place in the county, including, without limitation, a polling place for early
10 voting. (NRS 293.269921, 293.2731, 293.3564)



11 **Section 1** of this bill requires each county clerk in certain counties to, for the
12 period beginning on the day after the last day for early voting by personal
13 appearance and ending on the day before the day of the general election, establish a
14 certain number of locations where a voter may return his or her mail ballot in a mail
15 ballot drop box and requires such locations to be open for at least 7 hours each day
16 during that period for certain counties. Specifically, in a county whose population is
17 700,000 or more (currently only Clark County), a county clerk is required to
18 establish 10 such locations, and in a county whose population is 100,000 or more
19 but less than 700,000 (currently only Washoe County), a county clerk is required to
20 establish 5 such locations. **Section 1** further authorizes a county clerk in a county
21 whose population is less than 100,000 (currently all counties other than Clark and
22 Washoe Counties) to establish any number of such locations and prescribe the
23 hours for such locations to be open. **Section 2** of this bill provides that a mail ballot
24 dropped in a mail ballot drop box pursuant to **section 1** counts as a vote in the
25 general election. **Section 4** of this bill makes a conforming change to make certain
26 provisions relating to mail ballots generally applicable to **section 1**.

27 Existing law authorizes, at the request of a voter whose mail ballot has been
28 prepared by or on behalf of the voter, a person authorized by the voter to return the
29 mail ballot on behalf of the voter by mail or personal delivery to the county clerk,
30 or any ballot drop box established in the county by the county clerk. (NRS
31 293.269923) **Section 3** of this bill additionally authorizes a person, under such
32 circumstances, to return a mail ballot on behalf of a voter by returning the mail
33 ballot to a mail ballot drop box established pursuant to **section 1**.

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 *For the period beginning on the day after the last day for early*
4 *voting by personal appearance and ending on the day before the*
5 *day of the general election, each county clerk:*

6 *1. In a county whose population is 700,000 or more, shall*
7 *establish at least 10 locations where a voter may return his or her*
8 *mail ballot in a mail ballot drop box which must remain open to*
9 *the public for at least 7 hours each day;*

10 *2. In a county whose population is 100,000 or more but less*
11 *than 700,000, shall establish at least 5 locations where a voter may*
12 *return his or her mail ballot in a mail ballot drop box which must*
13 *remain open to the public for at least 7 hours each day; and*

14 *3. In a county whose population is less than 100,000, may*
15 *provide any number of locations where a voter may return his or*
16 *her mail ballot in a mail ballot drop box and prescribe the hours*
17 *that the location is open for voting pursuant to this section.*



1 **Sec. 2.** 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 section 1 of this act*; or

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

10 (1) Postmarked on or before the day of the election; and

11 (2) Received by the clerk not later than 5 p.m. on the fourth
12 day following the election.

13 2. If a mail ballot is received by mail not later than 5 p.m. on
14 the third day following the election and the date of the postmark
15 cannot be determined, the mail ballot shall be deemed to have been
16 postmarked on or before the day of the election.

17 3. Each county clerk must establish a ballot drop box at every
18 polling place in the county, including, without limitation, a polling
19 place for early voting. A county clerk may establish a ballot drop
20 box at any other location in the county where mail ballots can be
21 delivered by hand and collected during the period for early voting
22 and on election day. No person other than a clerk may establish a
23 drop box for mail ballots.

24 4. A ballot drop box must be:

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

27 (b) Capable of securely receiving and holding the mail ballots
28 and being locked.

29 5. A ballot drop box must be:

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

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

35 **Sec. 3.** NRS 293.269923 is hereby amended to read as
36 follows:

37 293.269923 1. Except as otherwise provided in subsection 2,
38 at the request of a voter whose mail ballot has been prepared by or
39 on behalf of the voter, a person authorized by the voter may return
40 the mail ballot on behalf of the voter by mail or personal delivery to
41 the county clerk, or any ballot drop box established in the county,
42 pursuant to NRS 293.269921 ~~§~~ *or section 1 of this act*.

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



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

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

4 (c) If the person receives the voter's mail ballot and
5 authorization to return the mail ballot on behalf of the voter by mail
6 or personal delivery, fail to return the mail ballot, unless otherwise
7 authorized by the voter, by mail or personal delivery:

8 (1) Before the end of the third day after the day of receipt, if
9 the person receives the mail ballot from the voter four or more days
10 before the day of the election; or

11 (2) Before the deadline established by the United States
12 Postal Service for the mail ballot to be postmarked on the day of the
13 election or before the polls close on the day of the election, as
14 applicable to the type of delivery, if the person receives the mail
15 ballot from the voter three or fewer days before the day of the
16 election.

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

20 **Sec. 4.** NRS 293.269925 is hereby amended to read as
21 follows:

22 293.269925 1. The county clerk shall establish procedures
23 for the processing and counting of mail ballots.

24 2. The procedures established pursuant to subsection 1:

25 (a) May authorize mail ballots to be processed, verified and
26 counted by computer or other electronic means; and

27 (b) Must not conflict with the provisions of NRS 293.269911 to
28 293.269937, inclusive ~~H~~, *and section 1 of this act.*

29 **Sec. 5.** The provisions of NRS 354.599 do not apply to any
30 additional expenses of a local government that are related to the
31 provisions of this act.

