

SENATE BILL NO. 122—SENATOR ELLISON

PREFILED JANUARY 28, 2025

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections. (BDR 24-606)

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.

AN ACT relating to elections; prohibiting a person from returning a mail ballot on behalf of a voter unless the person is a resident of this State; requiring that the person returning a ballot on behalf of a voter submit with the mail ballot an affirmation, signed under penalty of perjury, attesting that the person is a resident of this State; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a voter may, in certain circumstances, authorize a person to
2 return the voter’s mail ballot by mail or personal delivery to the county or city
3 clerk, or at any ballot drop box established in the county or city. (NRS 293.269923,
4 293C.26323)

5 **Sections 1 and 2** of this bill: (1) prohibit a person from returning a mail ballot
6 on behalf of a voter unless the person is a resident of this State; and (2) requires that
7 any person who returns a mail ballot on behalf of a voter submit with the mail
8 ballot an affirmation, signed under penalty of perjury, that attests that the person
9 returning the mail ballot is a resident of this State.

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

1 **Section 1.** NRS 293.269923 is hereby amended to read as
2 follows:

3 293.269923 1. Except as otherwise provided in ~~{subsection~~
4 ~~2.}~~ *this section*, at the request of a voter whose mail ballot has been
5 prepared by or on behalf of the voter, a person authorized by the
6 voter may return the mail ballot on behalf of the voter by mail or



1 personal delivery to the county clerk, or any ballot drop box
2 established in the county, pursuant to NRS 293.269921. *A person*
3 *shall not return a mail ballot on behalf of the voter unless the*
4 *person is a resident of this State. Any person who returns a mail*
5 *ballot on behalf of a voter must submit with the mail ballot an*
6 *affirmation, in the form prescribed by the Secretary of State, that:*

7 (a) *Attests that the person returning the mail ballot is a*
8 *resident of this State; and*

9 (b) *Is signed by the person under penalty of perjury.*

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

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

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

15 (c) If the person receives the voter's mail ballot and
16 authorization to return the mail ballot on behalf of the voter by mail
17 or personal delivery, fail to return the mail ballot, unless otherwise
18 authorized by the voter, by mail or personal delivery:

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

22 (2) Before the deadline established by the United States
23 Postal Service for the mail ballot to be postmarked on the day of the
24 election or before the polls close on the day of the election, as
25 applicable to the type of delivery, if the person receives the mail
26 ballot from the voter three or fewer days before the day of the
27 election.

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

31 **Sec. 2.** NRS 293C.26323 is hereby amended to read as
32 follows:

33 293C.26323 1. Except as otherwise provided in ~~subsection~~
34 ~~2-1~~ *this section*, at the request of a voter whose mail ballot has been
35 prepared by or on behalf of the voter, a person authorized by the
36 voter may return the mail ballot on behalf of the voter by mail or
37 personal delivery to the city clerk, or any ballot drop box established
38 in the city, pursuant to NRS 293C.26321. *A person shall not return*
39 *a mail ballot on behalf of the voter unless the person is a resident*
40 *of this State. Any person who returns a mail ballot on behalf of a*
41 *voter must submit with the mail ballot an affirmation, in the form*
42 *prescribed by the Secretary of State, that:*

43 (a) *Attests that the person returning the mail ballot is a*
44 *resident of this State; and*

45 (b) *Is signed by the person under penalty of perjury.*



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

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

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

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

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

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

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

22 **Sec. 3.** This act becomes effective on July 1, 2025.



