
ASSEMBLY BILL NO. 520—COMMITTEE ON ELECTIONS,
PROCEDURES, AND ETHICS

MARCH 12, 1999

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Makes various changes to provisions governing elections. (BDR 24-280)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to elections; revising the procedure by which independent candidates and candidates of minor parties qualify to appear on the ballot for the general election; revising certain provisions governing challenges to the registration of a voter; reducing the length of the period for early voting; changing the label for unaffiliated voters from “nonpartisan” to “independent”; enacting certain provisions governing the reporting of election results; requiring the county clerks to provide access to the secretary of state to certain voter information; revising the procedure for consolidating precincts and for designating a precinct to be a mailing precinct; and providing other matters properly relating thereto.

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 thereto
2 the provisions set forth as sections 2 and 3 of this act.
3 **Sec. 2.** *The secretary of state, a board of county commissioners, a*
4 *county clerk and any other person who prepares an abstract of votes or*
5 *other report of votes pursuant to this chapter shall not include in that*
6 *abstract or report a person designated as an inactive voter pursuant to*
7 *subsection 7 of NRS 293.530 when determining the percentage of voters*
8 *who have voted or the total number of voters.*
9 **Sec. 3. 1.** *A person who files a written challenge pursuant to NRS*
10 *293.547 or an affidavit pursuant to NRS 293.535 may withdraw the*
11 *challenge or affidavit at any time by submitting a written request to the*
12 *county clerk. Upon receipt of the request, the county clerk shall:*

1 (a) Remove the challenge or affidavit from the registrar of voters'
2 register, any election board register and any other record in which the
3 challenge or affidavit has been filed or entered;

4 (b) If a notice of the challenge or affidavit has been mailed to the
5 person who is the subject of the challenge or affidavit, mail a notice and
6 a copy of the request to withdraw to that person; and

7 (c) If a notice of the challenge has been mailed to the district attorney,
8 mail a notice and a copy of the request to withdraw to the district
9 attorney.

10 2. If the county clerk receives a request to withdraw pursuant to
11 subsection 1, the county clerk shall withdraw the person's challenge or
12 affidavit.

13 Sec. 4. NRS 293.1715 is hereby amended to read as follows:

14 293.1715 1. The ~~[names of the candidates]~~ *name of a candidate* of a
15 minor political party must not appear on the ballot for a primary election.

16 2. The ~~[names of the candidates]~~ *name of a candidate* of a minor
17 political party *other than a candidate for the office of President or Vice*
18 *President of the United States* must ~~[be placed]~~ *appear* on the ballot for
19 the general election if ~~[the]~~ :

20 (a) *The* party has filed a certificate of existence ~~[and a]~~ *pursuant to*
21 *NRS 293.171;*

22 (b) *The name of the candidate appears on the* list of ~~[its]~~ candidates
23 *filed by the party* pursuant to the provisions of *subsection 1 of* NRS
24 293.1725 with the secretary of state ~~[and:~~

25 ~~—(a) At the last preceding general election, the minor political party~~
26 ~~polled for any of its candidates a number of votes equal to or more than 1~~
27 ~~percent of the total number of votes cast for the offices of Representative~~
28 ~~in Congress;~~

29 ~~—(b) On January 1 preceding a primary election, the minor political party~~
30 ~~has been designated as the political party on the applications to register to~~
31 ~~vote of at least 1 percent of the total number of registered voters in the~~
32 ~~state; or~~

33 ~~—(c) Not later than the second Friday in August preceding the general~~
34 ~~election, files a petition with the secretary of state which is signed by a~~
35 ~~number of registered voters equal to at least 1 percent of the total number~~
36 ~~of votes cast at the last preceding general election for the offices of~~
37 ~~Representative in Congress.] ;~~

38 (c) *The party has held one or more conventions not earlier than the*
39 *first Saturday in April preceding the election and not later than the*
40 *second Saturday in April, at which the party obtained on a petition on*
41 *behalf of the candidate not less than:*

42 (1) *Two hundred signatures if the candidate is to be nominated for*
43 *a* *statewide* *office;* *or*

1 (2) Twenty-five signatures if the candidate is to be nominated for
2 any office except a statewide office;

3 (d) The party has filed the petition circulated pursuant to paragraph
4 (c) with the secretary of state not later than 5 p.m. on the third Monday
5 in May; and

6 (e) The petition filed pursuant to paragraph (d) meets the
7 requirements set forth in NRS 293.172.

8 3. The name of a candidate of a minor political party for the office of
9 President or Vice President of the United States must appear on the
10 ballot for the general election if:

11 (a) The party has filed a certificate of existence pursuant to NRS
12 293.171;

13 (b) The name of the candidate appears on the certificate of
14 nomination filed by the party pursuant to the provisions of subsection 4
15 of NRS 293.1725 with the secretary of state;

16 (c) The party has held one or more conventions not earlier than the
17 first Saturday in April preceding the election and not later than the
18 second Saturday in July, at which the party obtained on a petition on
19 behalf of the candidate not less than 200 signatures;

20 (d) The party has filed the petition circulated pursuant to paragraph
21 (c) with the secretary of state not later than 5 p.m. on the second Friday
22 in August; and

23 (e) The petition filed pursuant to paragraph (d) meets the
24 requirements set forth in NRS 293.172.

25 4. Notwithstanding the provisions of subsection 2, the name of a
26 candidate of a minor political party must not appear on the ballot of the
27 general election unless the candidate files his declaration of candidacy
28 and pays the filing fee in accordance with subsection 3 of NRS 293.1725.

29 5. The name of only one candidate of each minor political party for
30 each office may appear on the ballot for a general election.

31 ~~4.~~ 6. A minor political party must file ~~it~~ with the secretary of state
32 an unsigned copy of ~~the~~ each petition required by ~~paragraph (c) of~~
33 ~~subsection 2 with the secretary of state~~ :

34 (a) Subsection 2 before the petition may be circulated for signatures ~~it~~
35 at the convention held pursuant to subsection 2.

36 (b) Subsection 3 before the petition may be circulated for signatures at
37 the convention held pursuant to subsection 3.

38 7. As used in this section, "convention" means an assemblage of not
39 less than 25 registered voters.

40 Sec. 5. NRS 293.172 is hereby amended to read as follows:

41 293.172 1. A petition filed pursuant to ~~paragraph (c) of~~ subsection
42 2 or 3 of NRS 293.1715 may consist of more than one document. Each
43 document of the petition must:

1 (a) Bear the name of the ~~{county in which it was circulated;}~~ **minor**
2 **political party, candidate and office to which the candidate is to be**
3 **nominated.**

4 (b) Include the affidavit of the person who circulated the document
5 verifying that the signers are registered voters in the state according to his
6 best information and belief and that the signatures are genuine and were
7 signed in his presence . ~~{; and~~

8 ~~—(c) Be submitted to}~~

9 (c) **Bear the name of a county and be verified by** the county clerk ~~{in~~
10 ~~the county in which it is circulated for verification}~~ **of that county** in the
11 manner prescribed in NRS 293.1276 to 293.1279, inclusive, ~~{not later than~~
12 ~~40 days before the third Tuesday in August.}~~ **before the petition is filed**
13 **with the secretary of state pursuant to subsection 2 or 3 of NRS 293.1715.**

14 A challenge to the form of a ~~{petition filed pursuant to paragraph (c) of~~
15 ~~subsection 2 of NRS 293.1715}~~ **document** must be made in a district court
16 in the county ~~{in which the petition was circulated.}~~

17 ~~—2.—A document which bears the name of a county may be}~~ **that is**
18 **named on the document.**

19 (d) **Be** signed only by registered voters of ~~{that county.}~~ **the county that**
20 **is named on the document.**

21 **2. If the office to which the candidate is to be nominated is a county**
22 **office, only the registered voters of that county may sign the petition. If**
23 **the office to which the candidate is to be nominated is a district office,**
24 **only the registered voters of that district may sign the petition.**

25 **3.** Each person who signs a ~~{document}~~ **petition** shall also provide the
26 address of the place where he resides, the date that he signs and the name
27 of the county in which he is registered to vote.

28 **4.** The county clerk shall not disqualify the signature of a voter who
29 failed to provide all of the information required by ~~{this section}~~
30 **subsection 3** if the voter is registered in the county **that is** named on the
31 document.

32 **Sec. 6.** NRS 293.1725 is hereby amended to read as follows:

33 293.1725 1. Except as otherwise provided in subsection 4, a minor
34 political party ~~{which}~~ **that** wishes to place ~~{its}~~ candidates on the ballot for
35 a general election ~~{and:~~

36 ~~—(a) Is entitled to do so pursuant to paragraph (a) or (b) of subsection 2~~
37 ~~of NRS 293.1715; or~~

38 ~~—(b) Files a petition pursuant to paragraph (c) of subsection 2 of NRS~~
39 ~~293.1715.}~~

40 must file with the secretary of state a list of ~~{its}~~ candidates **who are**
41 **entitled to appear on the ballot pursuant to subsection 2 of NRS 293.1715**
42 not earlier than the first Monday in May preceding the election nor later
43 than **5 p.m. on** the ~~{last Friday in June.}~~ **third Monday in May.** The list

1 must be signed by the person so authorized in the certificate of existence of
2 the minor political party before a notary public or other person authorized
3 to take acknowledgments. *The secretary of state shall not accept the list*
4 *unless each candidate on the list is entitled to appear on the ballot*
5 *pursuant to subsection 2 of NRS 293.1715.* The list must not be amended
6 after it is filed ~~{ }~~ *and accepted by the secretary of state.*

7 2. The secretary of state shall immediately forward a certified copy of
8 the *filed and accepted* list of candidates of each minor political party to the
9 filing officer with whom each candidate must file his declaration of
10 candidacy.

11 3. Each candidate on the list must file his declaration of candidacy
12 with the proper filing officer and pay the fee required by NRS 293.193 not
13 earlier than the date on which the list of candidates of his minor political
14 party is filed with the secretary of state nor later than *5 p.m. on* the ~~{first~~
15 ~~Wednesday in July.}~~ *third Monday in May.*

16 4. A minor political party that wishes to place candidates for the
17 offices of President and Vice President of the United States ~~{on the ballot~~
18 ~~and has otherwise qualified to place the names of its candidates}~~ on the
19 ballot for the general election ~~{pursuant to the provisions of this chapter}~~
20 must file with the secretary of state a certificate of nomination for these
21 offices not later than *5 p.m. on* the ~~{first Tuesday in September.}~~ *second*
22 *Friday in August. The secretary of state shall not accept the certificate of*
23 *nomination unless each candidate who appears on the certificate is*
24 *entitled to appear on the ballot pursuant to subsection 3 of NRS*
25 *293.1715.*

26 **Sec. 7.** NRS 293.174 is hereby amended to read as follows:

27 293.174 1. If the qualification of a minor political party *or a*
28 *candidate of a minor political party other than a candidate for the office*
29 *of President or Vice President of the United States* is challenged, all
30 affidavits and documents in support of the challenge must be filed not later
31 than 5 p.m. on the ~~{3rd Friday in August.}~~ *fourth Monday in May.* Any
32 judicial proceeding resulting from the challenge must be set for hearing not
33 more than 5 days after the ~~{3rd Friday in August.}~~
34 ~~—2.—Any such}~~ *fourth Monday in May. A challenge pursuant to this*
35 *subsection must be filed with:*

36 (a) *The first judicial district court; or*

37 (b) *If a candidate who filed a declaration of candidacy with a county*
38 *clerk is challenged, the district court for the county where the declaration*
39 *of candidacy was filed.*

40 2. *If the qualification of a candidate of a minor political party for the*
41 *office of President or Vice President of the United States is challenged,*
42 *all affidavits and documents in support of the challenge must be filed not*
43 *later than 5 p.m. on the fourth Tuesday in August. Any judicial*

1 *proceeding resulting from the challenge must be set for hearing not more*
2 *than 5 days after the fourth Tuesday in August. A challenge pursuant to*
3 *this subsection* must be filed with the first judicial district court . ~~if the~~
4 ~~petition was filed with the secretary of state.~~

5 **Sec. 8.** NRS 293.175 is hereby amended to read as follows:

6 293.175 1. The primary election must be held on the first Tuesday of
7 September in each even-numbered year.

8 2. Candidates of a major political party and candidates for nonpartisan
9 offices must be nominated at the primary election.

10 3. Candidates of a minor political party must be nominated in the
11 manner prescribed pursuant to NRS 293.171 ~~to~~ *to 293.174, inclusive.*

12 4. Independent candidates for partisan office must be nominated in the
13 manner provided in NRS 293.200.

14 5. The provisions of NRS 293.175 to 293.203, inclusive, do not apply
15 to:

16 (a) Special elections to fill vacancies.

17 (b) The nomination of the officers of incorporated cities.

18 (c) The nomination of district officers whose nomination is otherwise
19 provided for by statute.

20 **Sec. 9.** NRS 293.176 is hereby amended to read as follows:

21 293.176 1. Except as otherwise provided in subsection 2, no person
22 may be a candidate in any election if he has changed:

23 (a) The designation of his political party affiliation; or

24 (b) His designation of political party from ~~nonpartisan~~ *independent* to
25 a designation of a political party affiliation,

26 on an application to register to vote in the State of Nevada or in any other
27 state since the September 1 next preceding the closing filing date for the
28 election, whether or not his previous registration was still effective at the
29 time of the change in party designation.

30 2. The provisions of subsection 1 do not apply to any person who is a
31 candidate of a political party that was not qualified pursuant to NRS
32 293.171 on the September 1 next preceding the closing filing date for the
33 election.

34 **Sec. 10.** NRS 293.194 is hereby amended to read as follows:

35 293.194 The filing fee of an independent candidate who files a petition
36 pursuant to NRS 293.200 or 298.109, of a candidate of a minor political
37 party or of a candidate of a new major political party, must be returned to
38 the candidate by the officer to whom the fee was paid within 10 days after
39 the date on which a final determination is made that the petition of the
40 candidate ~~minor political party~~ or new major political party failed to
41 contain the required number of signatures.

42 **Sec. 11.** NRS 293.200 is hereby amended to read as follows:

293.200 1. An independent candidate for partisan office must file with the proper filing officer:

(a) A copy of the petition of candidacy that he intends to circulate for signatures. The copy must be filed before the petition may be circulated.

(b) A petition of candidacy signed by a number of registered voters equal to at least ~~1 percent of the total number of ballots cast in the state or in the county or district electing that officer at the last preceding general election in which a person was elected to that office.~~ :

(1) Two hundred signatures if the candidate is a candidate for a statewide office; or

(2) Twenty-five signatures if the candidate is a candidate for any office except a statewide office.

2. The petition may consist of more than one document. Each document must bear the name of the county in which it was circulated and only registered voters of that county may sign the document. The person who circulates the document must be a registered voter of that county. If the office is a district office, only the registered voters of that district may sign the document. The documents ~~which~~ *that* are circulated for signature in a county must be ~~submitted to~~ *verified by* that county clerk ~~for verification~~ in the manner prescribed in NRS 293.1276 to 293.1279, inclusive, ~~not later than 40 days before filing the petition of candidacy with the proper filing officer.~~ *before the petition is filed pursuant to subsection 4.* Each signer shall add to his signature the address of the place at which he actually resides, the date that he signs the petition and the name of the county where he is registered to vote for the purpose of determining whether he is a registered voter. The person who circulates each document of the petition shall sign an affidavit attesting that the signatures on the document are genuine to the best of his knowledge and belief and were signed in his presence by persons registered to vote in that county.

3. The petition of candidacy may state the principle, if any, which the person qualified represents.

4. Petitions of candidacy must be filed not earlier than the ~~first Monday in May~~ *second Saturday in April* preceding the general election and not later than 5 p.m. on the third ~~Tuesday in August.~~ *Monday in May.*

5. No petition of candidacy may contain the name of more than one candidate for each office to be filled.

6. A person may not file as an independent candidate if he is proposing to run as the candidate of a political party.

7. The names of independent candidates must be placed on the general election ballot and must not appear on the primary election ballot.

1 8. If the candidacy of any person seeking to qualify pursuant to this
2 section is challenged, all affidavits and documents in support of the
3 challenge must be filed not later than 5 p.m. on the fourth ~~Tuesday in~~
4 ~~August.~~ **Monday in May.** Any judicial proceeding resulting from the
5 challenge must be set for hearing not more than 5 days after the fourth
6 ~~Tuesday in August.~~ **Monday in May.**

7 9. Any challenge pursuant to subsection 8 must be filed with:

8 (a) The first judicial district court if the petition of candidacy was filed
9 with the secretary of state.

10 (b) The district court for the county where the petition of candidacy was
11 filed if the petition was filed with a county clerk.

12 10. An independent candidate for partisan office must file a
13 declaration of candidacy with the proper filing officer and pay the fee
14 required by NRS 293.193 not earlier than the first Monday in May of the
15 year in which the election is held nor later than 5 p.m. ~~of the first~~
16 ~~Wednesday in July.~~ **on the third Monday in May.**

17 **Sec. 12.** NRS 293.207 is hereby amended to read as follows:

18 293.207 1. Election precincts must be established on the basis of the
19 number of registered voters therein, with a maximum of 600 registered
20 voters per precinct in those precincts in which paper ballots are used, or a
21 maximum of 1,500 registered voters who are not designated inactive
22 pursuant to NRS 293.530 per precinct in those precincts in which a
23 mechanical voting system is used.

24 2. ~~The~~ **Except as otherwise provided in subsections 3 and 4, the**
25 county clerk may consolidate two or more contiguous election precincts
26 into a single voting district to conduct a particular election as public
27 convenience, necessity and economy may require.

28 3. **If a county clerk proposes to consolidate two or more contiguous**
29 **election precincts, in whole or in part, pursuant to subsection 2, the**
30 **county clerk shall, at least 14 days before consolidating the precincts,**
31 **cause notice of the proposed consolidation to be:**

32 (a) **Posted in the manner prescribed for a regular meeting of the**
33 **board of county commissioners; and**

34 (b) **Mailed to each assemblyman, state senator and public officer of a**
35 **local government who represents residents of a precinct affected by the**
36 **consolidation.**

37 4. **A person may file a written objection to the proposed**
38 **consolidation with the county clerk. The county clerk shall consider each**
39 **written objection filed pursuant to this subsection before consolidating**
40 **the precincts.**

41 **Sec. 13.** NRS 293.213 is hereby amended to read as follows:

42 293.213 1. Whenever there were not more than 20 voters registered
43 in a precinct for the last preceding general election, the county clerk may

1 establish ~~{such}~~ *that* precinct as a mailing precinct, and shall forthwith mail
2 notification to the field registrar for ~~{such}~~ *that* precinct.

3 2. Except as otherwise provided ~~{by}~~ *in* NRS 293.208, the county
4 clerk in any county where an absent ballot central counting board is
5 appointed may abolish two or more existing mailing precincts and combine
6 those mailing precincts into absent ballot precincts . ~~{and those}~~ *Those*
7 *mailing* precincts must be designated absent ballot mailing precincts.

8 3. In any county where an absent ballot central counting board is
9 appointed, any established precinct which had less than 200 ballots cast at
10 the last preceding general election, or any newly established precinct with
11 less than 200 registered voters, may be designated an absent ballot mailing
12 precinct.

13 4. *The county clerk shall, at least 14 days before establishing or*
14 *designating a precinct as a mailing precinct or absent ballot mailing*
15 *precinct or before abolishing a mailing precinct pursuant to this section,*
16 *cause notice of such action to be:*

17 (a) *Posted in the manner prescribed for a regular meeting of the*
18 *board of county commissioners; and*

19 (b) *Mailed to each assemblyman, state senator and public officer of a*
20 *local government who represents residents of a precinct affected by the*
21 *action.*

22 **Sec. 14.** NRS 293.3568 is hereby amended to read as follows:

23 293.3568 1. The period for early voting by personal appearance
24 begins the ~~{third Saturday}~~ *first Tuesday* preceding a primary or general
25 election and extends through the ~~{Friday}~~ *day* before election day,
26 ~~{Sundays}~~ *Sunday* and holidays excepted.

27 2. The county clerk may ~~{~~
28 ~~—(a) Include}~~ *include* any Sunday or holiday that falls within the period
29 for early voting by personal appearance.

30 ~~{(b) Require a permanent polling place for early voting to remain open~~
31 ~~until 8 p.m. on any Saturday that falls within the period for early voting.}~~

32 3. A permanent polling place for early voting must remain open:

33 (a) On Monday through Friday , ~~{~~

34 ~~—(1) During the first week of early voting, from 8 a.m. until 6 p.m.~~

35 ~~—(2) During the second week of early voting,}~~ from 8 a.m. until 6 p.m.

36 or until 8 p.m. if the county clerk so requires.

37 (b) On ~~{any}~~ *the* Saturday that falls within the period for early voting,
38 from 10 a.m. until 6 p.m. *or until 8 p.m. if the county clerk so requires.*

39 (c) If the county clerk includes ~~{a}~~ *the* Sunday that falls within the
40 period for early voting pursuant to subsection 2, during such hours as he
41 may establish.

42 **Sec. 15.** NRS 293.510 is hereby amended to read as follows:

293.510 1. In counties where computers are not used to register voters, the county clerk shall:

(a) Segregate original applications to register to vote according to the precinct in which the registered voters reside and arrange the applications in each precinct or district in alphabetical order. The applications for each precinct or district must be kept in a separate binder which is marked with the number of the precinct or district. This binder constitutes the election board register.

(b) Arrange the duplicate applications of registration in alphabetical order for the entire county and keep them in binders or a suitable file which constitutes the registrar of voters' register.

2. In any county where a computer is used to register voters, the county clerk shall:

(a) Arrange the original applications to register to vote in alphabetical order for the entire county and keep them in binders or a suitable file which constitutes the registrar of voters' register.

(b) Segregate the applications to register to vote in a computer file according to the precinct or district in which the registered voters reside, and for each precinct or district have printed a computer listing which contains the applications to register to vote in alphabetical order. These listings of applications to register to vote must be placed in separate binders which are marked with the number of the precinct or district. These binders constitute the election board registers.

3. Upon the request of the secretary of state, the county clerk shall provide the secretary of state access to the registrar of voters' register and the election board registers. The secretary of state shall not add to, modify or remove information from the original copy of a register. To satisfy the requirement of providing access to the registers, the county clerk may provide to the secretary of state a copy of the registers in a form that is convenient to the county clerk.

Sec. 16. NRS 293.518 is hereby amended to read as follows:

293.518 1. At the time an elector registers to vote he must indicate:

(a) His political party affiliation; or

(b) That he is not affiliated with a political party.

An elector who indicates that he is "independent" shall be deemed not affiliated with a political party.

2. If an elector indicates that he is not affiliated with a political party, or that he is independent, the county clerk or field registrar of voters shall list the elector's political party as ~~nonpartisan.~~ **independent.**

3. If an elector indicates an affiliation with a major political party or a minor political party that has filed a certificate of existence with the secretary of state, the county clerk or field registrar of voters shall list the elector's political party as indicated by the elector.

4. If an elector indicates an affiliation with a minor political party that has not filed a certificate of existence with the secretary of state, the county clerk or field registrar of voters shall:

(a) List the elector's political party as the party indicated in the application to register to vote.

(b) When compiling data related to voter registration for the county, report the elector's political party as "other party."

Sec. 17. NRS 293.547 is hereby amended to read as follows:

~~293.547 1. After the {30th day but not later than the 15th}~~ **90th** day before any election, a written challenge may be filed with the county clerk.

2. A registered voter may file a written challenge if:

(a) He is registered to vote in the same precinct or district as the person whose right to vote is challenged; or

(b) The challenge is based on the personal knowledge of the registered voter.

3. The challenge must be signed and verified by the registered voter and name the person whose right to vote is challenged and the ground of the challenge.

4. A challenge filed pursuant to this section must not contain the name of more than one person whose right to vote is challenged. The county clerk shall not accept for filing any challenge which contains more than one such name.

5. The county clerk shall ~~{file}~~ :

(a) File the challenge in the registrar of voters' register and:

~~{(a)}~~ **(1)** In counties where records of registration are not kept by computer, he shall attach a copy of the challenge to the challenged registration in the election board register.

~~{(b)}~~ **(2)** In counties where records of registration are kept by computer, he shall have the challenge printed on the computer entry for the challenged registration and add a copy of it to the election board register.

~~{6. — The county clerk shall, within}~~

(b) Within 5 days after a challenge is filed, mail a notice **in the manner set forth in NRS 293.530** to the person whose right to vote has been challenged pursuant to this section informing him of the challenge. **If the person fails to respond or appear to vote within the required time, the county clerk shall cancel his registration.** A copy of the challenge **and information describing how to reregister properly** must accompany the notice.

(c) Immediately notify the district attorney. A copy of the challenge must accompany the notice.

6. Upon receipt of a notice pursuant to this section, the district attorney shall investigate the challenge within 14 days and, if appropriate, cause proceedings to be instituted and prosecuted in a court

1 *of competent jurisdiction without delay. The court shall give such*
2 *proceedings priority over other civil matters that are not expressly given*
3 *priority by law. Upon court order, the county clerk shall cancel the*
4 *registration of the person whose right to vote has been challenged*
5 *pursuant to this section.*

6 **Sec. 18.** NRS 293B.190 is hereby amended to read as follows:

7 293B.190 When used in primary elections, the list of offices and
8 candidates and the statements of measures to be voted on for each
9 mechanical recording device, except those devices intended solely for
10 ~~{nonpartisan}~~ *independent* voters, must be so arranged that it contains a
11 page or pages setting forth the ballot of one major political party only,
12 followed by a page or pages setting forth the nonpartisan ballot and so that
13 the voter may cast his partisan and nonpartisan votes on a single ballot but
14 may not cast his partisan votes for a candidate of another major political
15 party.

16 **Sec. 19.** NRS 293B.305 is hereby amended to read as follows:

17 293B.305 Unless a major political party allows ~~{a nonpartisan}~~ *an*
18 *independent* voter to vote for its candidates:

19 1. In a primary election, a member of the election board for a precinct
20 shall issue each ~~{nonpartisan}~~ *independent* voter a ballot with a distinctive
21 code and printed designation identifying it as a nonpartisan ballot.

22 2. If a mechanical voting system is used in a primary election whereby
23 votes are directly recorded electronically, a member of the election board
24 shall, in addition to the ballot described in subsection 1, issue the
25 ~~{nonpartisan}~~ *independent* voter a voting receipt with a printed designation
26 identifying it as a nonpartisan ballot.

27 3. The member of the election board shall:

28 (a) Direct the ~~{nonpartisan}~~ *independent* voter to a mechanical
29 recording device containing a list of offices and candidates setting forth
30 only the nonpartisan ballot;

31 (b) Direct the ~~{nonpartisan}~~ *independent* voter to a mechanical
32 recording device containing a list of offices and candidates arranged for a
33 partisan ballot, instruct the voter to vote only the nonpartisan section of the
34 list and advise the voter that any votes he may cast in the partisan section
35 will not be counted; or

36 (c) Issue a nonpartisan ballot attached to a sheet of foam plastic or
37 similar backing material, a punching instrument, a sample nonpartisan
38 ballot and an instruction sheet to the ~~{nonpartisan}~~ *independent* voter and
39 instruct him to punch his ballot by reference to the sample ballot.

40 **Sec. 20.** NRS 293B.310 is hereby amended to read as follows:

41 293B.310 In a primary election, the county clerk may require those
42 partisan voters in a precinct or district whose political parties each
43 comprise less than 5 percent of the registered voters for that precinct or

- 1 district to vote in the manner prescribed for ~~nonpartisan~~ *independent*
- 2 voters in NRS 293B.305.

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

3 *The governing body of a city, a city clerk and any other person who*
4 *prepares an abstract of votes or other report of votes pursuant to this*
5 *chapter shall not include in that abstract or report a person designated as*
6 *an inactive voter pursuant to subsection 7 of NRS 293.530 when*
7 *determining the percentage of voters who have voted or the total number*
8 *of voters.*

9 **Sec. 22.** NRS 293C.3568 is hereby amended to read as follows:

10 293C.3568 1. The period for early voting by personal appearance
11 begins the ~~{third Saturday}~~ *first Tuesday* preceding a primary city election
12 or general city election, and extends through the ~~{Friday}~~ *day* before
13 election day, ~~{Sundays}~~ *Sunday* and holidays excepted.

14 2. The city clerk may ~~+~~
15 ~~—(a) Include~~ *include* any Sunday or holiday that falls within the period
16 for early voting by personal appearance.

17 ~~{(b) Require a permanent polling place for early voting to remain open~~
18 ~~until 8 p.m. on any Saturday that falls within the period for early voting.}~~

19 3. A permanent polling place for early voting must remain open:

20 (a) On Monday through Friday, ~~+~~

21 ~~—(1) During the first week of early voting, from 8 a.m. until 6 p.m.~~

22 ~~—(2) During the second week of early voting,}~~ from 8 a.m. until 6 p.m.

23 or until 8 p.m. if the city clerk so requires.

24 (b) On ~~{any}~~ *the* Saturday that falls within the period for early voting,
25 from 10 a.m. until 6 p.m. *or until 8 p.m. if the county clerk so requires.*

26 (c) If the city clerk includes ~~{a}~~ *the* Sunday that falls within the period
27 for early voting pursuant to subsection 2, during such hours as he may
28 establish.