

ASSEMBLY BILL NO. 637—COMMITTEE ON ELECTIONS,  
PROCEDURES, AND ETHICS

(ON BEHALF OF COUNTY FISCAL OFFICERS ASSOCIATION)

MARCH 26, 2001

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Makes various changes concerning elections. (BDR 24-339)

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 the length of time a voter may remain in a voting booth; allowing a special election to be conducted as an election by mail; providing for a person without a street address to register to vote; repealing the requirement that checklists of voters be created for elections; clarifying who may sign a petition to fill a vacancy in a nomination for a nonpartisan office; allowing certain persons who change designations of political party affiliation to be independent or minor party candidates for partisan office; revising the requirement for posting lists of voters in each precinct on election day; revising the requirements concerning certain requests for absent ballots and voting by persons who request absent ballots; revising the requirements for handling and maintaining election materials after an election; revising the requirements concerning the form, contents and filing of certain applications to register to vote; prohibiting the public disclosure of certain information concerning voters; providing for the verification of signatures on county and municipal petitions; revising the deadlines for submitting certain county and municipal petitions; prohibiting the removal of signatures from petitions; requiring notice to be given upon an appointment to fill a vacancy in an elected office; 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 to 14, inclusive, of this act.

3 **Sec. 2.** *“Facsimile machine” means a device that sends or receives a*  
4 *reproduction or facsimile of a document or photograph which is*  
5 *transmitted electronically or telephonically by telecommunications lines.*

6 **Sec. 3. 1.** *Except as otherwise provided in this section, a voter shall*  
7 *not remain in a voting booth longer than the time allowed to vote. If a*



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- 1 voter remains in a voting booth longer than the time allowed to vote, the  
2 election board may remove the voter from the voting booth.
- 3 2. The time allowed to vote is the time determined by the county clerk  
4 as appropriate for that election, but not less than 5 minutes. The county  
5 clerk shall indicate in the sample ballot the time allowed to vote. If the  
6 county clerk fails to indicate the time allowed to vote in the sample ballot,  
7 the time allowed to vote shall be deemed to be 5 minutes.
- 8 3. The election board may allow a voter to remain in a voting booth  
9 longer than the time allowed to vote if the election board determines that:  
10 (a) The voter requires more time to vote; and  
11 (b) By remaining in the voting booth longer than the time allowed to  
12 vote, the voter is not interfering with the conduct of the election.
- 13 Sec. 4. A county clerk may designate a special election, including,  
14 without limitation, a recall election, as an election by mail. If the county  
15 clerk designates a special election as an election by mail, the special  
16 election must be conducted in that county pursuant to the provisions of  
17 sections 4 to 13, inclusive, of this act.
- 18 Sec. 5. As used in sections 4 to 13, inclusive, of this act, "eligible  
19 voter" means a registered voter who is otherwise eligible to vote in the  
20 special election and who resides in the county in which the county clerk  
21 designated the special election as an election by mail.
- 22 Sec. 6. Not less than once each week for 2 consecutive weeks next  
23 preceding the close of registration for the special election, the county  
24 clerk shall cause to be published in a newspaper having a general  
25 circulation in the county a notice indicating:  
26 1. The date and purpose of the special election;  
27 2. That the special election has been designated as an election by  
28 mail in the county;  
29 3. The date of the close of registration for the special election;  
30 4. The date the voting materials, including, without limitation, the  
31 ballot, will be mailed by the county clerk; and  
32 5. The dates upon which an eligible voter may appear at the office of  
33 the county clerk to vote if the eligible voter has not received the voting  
34 materials mailed by the county clerk.
- 35 Sec. 7. 1. Not later than 2 weeks before the date of the special  
36 election, the county clerk shall send by first-class mail to each eligible  
37 voter, postage prepaid:  
38 (a) Except as otherwise provided in paragraph (b):  
39 (1) A ballot;  
40 (2) A sample ballot;  
41 (3) Supplies for marking the ballot;  
42 (4) A device, which may be an envelope, into which the ballot is  
43 inserted to ensure its secrecy;  
44 (5) A return envelope with postage prepaid by first-class mail; and  
45 (6) Instructions.  
46 (b) In those counties using a mechanical voting system whereby a vote  
47 is cast by punching a card:  
48 (1) A ballot, which must be a card attached to a sheet of foam  
49 plastic or similar backing material;



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- 1       (2) *A sample ballot;*
- 2       (3) *A punching instrument;*
- 3       (4) *A device, which may be an envelope, into which the ballot is*
- 4 *inserted to ensure its secrecy;*
- 5       (5) *A return envelope with postage prepaid by first-class mail; and*
- 6       (6) *Instructions.*
- 7       2. *The instructions must include:*
- 8       (a) *The date and time by which the ballot must be received by the*
- 9 *county clerk for the ballot to be counted;*
- 10       (b) *A description of the proper method to:*
- 11       (1) *Mark or punch the ballot;*
- 12       (2) *Insert the ballot into the device to ensure its secrecy; and*
- 13       (3) *Seal the ballot in the return envelope; and*
- 14       (c) *A notice that if the return envelope is not signed by the voter, the*
- 15 *ballot will be rejected.*
- 16       3. *The county clerk may include additional instructions and other*
- 17 *material to assist the voter.*
- 18       **Sec. 8.** 1. *If an eligible voter receives the voting materials sent by*
- 19 *the county clerk pursuant to section 7 of this act, the eligible voter may*
- 20 *vote as provided in this section.*
- 21       2. *After an eligible voter receives the voting materials, to effectively*
- 22 *cast his ballot:*
- 23       (a) *He must mark or punch the ballot, place the ballot in the device to*
- 24 *ensure its secrecy and seal the ballot in the return envelope, in*
- 25 *accordance with the instructions; and*
- 26       (b) *After sealing the ballot in the return envelope, the eligible voter*
- 27 *must affix his signature on the back of the return envelope in the space*
- 28 *provided therefor and:*
- 29       (1) *Mail the return envelope to the office of the county clerk;*
- 30       (2) *Deliver the return envelope to the office of the county clerk in*
- 31 *person; or*
- 32       (3) *Have the return envelope delivered to the office of the county*
- 33 *clerk by a person designated by the eligible voter.*
- 34       3. *An eligible voter may take the voting materials he has received to*
- 35 *the office of the county clerk and perform the procedure described in*
- 36 *subsection 2 at the office of the county clerk.*
- 37       **Sec. 9.** 1. *If an eligible voter does not receive the voting materials*
- 38 *sent by the county clerk pursuant to section 7 of this act, the eligible voter*
- 39 *may vote as provided in this section.*
- 40       2. *During the period set forth in this section, the eligible voter may*
- 41 *appear at the office of the county clerk to request a ballot. The eligible*
- 42 *voter must be issued a ballot to vote if the eligible voter:*
- 43       (a) *Provides satisfactory identification; and*
- 44       (b) *Signs an affirmation under penalty of perjury on a form prepared*
- 45 *by the secretary of state declaring that the eligible voter has not voted*
- 46 *during the election.*
- 47       3. *Upon receipt of a ballot pursuant to this section, the eligible voter*
- 48 *must mark or punch the ballot at the office of the county clerk and*
- 49 *return the ballot to the county clerk.*



1     4. During the period set forth in this section, the county clerk shall  
2     provide a voting booth, with suitable equipment for voting, on the  
3     premises of his office for use by an eligible voter issued a ballot pursuant  
4     to this section.

5     5. An eligible voter may vote pursuant to this section:

6     (a) From 8 a.m. until 6 p.m. during the 7 days next preceding the date  
7     of the special election, excluding Saturdays, Sundays and holidays.

8     (b) From 8 a.m. until 7 p.m. on the date of the special election.

9     Sec. 10. A ballot must be rejected if it is received by the county clerk  
10    after 7 p.m. on the date of the special election.

11    Sec. 11. 1. Except as otherwise provided in this section, until the  
12    date of the special election, ballots received by the county clerk must be  
13    secured in a ballot box in a location accessible only to the county clerk.

14    2. Not earlier than the third day before the date of the special  
15    election, the county clerk may prepare the ballots to be counted. To  
16    prepare the ballots, the county clerk may:

17    (a) Remove the ballots from:

18       (1) The ballot box;

19       (2) The return envelopes, if any; and

20       (3) The devices to ensure their secrecy, if any;

21    (b) Count the number of ballots;

22    (c) Account for all ballots;

23    (d) Sort and stack the ballots;

24    (e) If the county uses a mechanical voting system, process the ballots  
25    using a counting device or computer, provided that no reports of the  
26    count may be printed before 7 p.m. on the date of the special election;  
27    and

28    (f) Place the ballots in a container and seal the container.

29    3. The county clerk shall allow members of the general public to  
30    observe the preparation of the ballots pursuant to subsection 2 if those  
31    members do not interfere with the preparation of the ballots.

32    Sec. 12. After 7 p.m. on the date of the special election, the county  
33    clerk shall follow the same procedure as in the case of a special election  
34    that has not been designated as an election by mail.

35    Sec. 13. The provisions of sections 4 to 13, inclusive, of this act:

36    1. Apply only to the conduct of a special election within a county in  
37    which the county clerk has designated the special election as an election  
38    by mail.

39    2. Do not authorize a person to vote in a special election if he is not  
40    otherwise eligible to vote in the special election.

41    Sec. 14. 1. Except as otherwise provided in subsection 2, for the  
42    purposes of registering to vote, the address at which the voter actually  
43    resides is the street address assigned to the location at which the voter  
44    actually resides.

45    2. For the purposes of registering to vote, if the voter does not reside  
46    at a location that has been assigned a street address, the address at which  
47    the voter actually resides is a description of the location at which the  
48    voter actually resides. The description must identify the location with



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1 *sufficient specificity to allow the county clerk to assign the location to a*  
2 *precinct.*

3 *3. The provisions of this section do not authorize a person to register*  
4 *to vote if he is not otherwise eligible to register to vote.*

5 **Sec. 15.** NRS 293.010 is hereby amended to read as follows:

6 293.010 As used in this Title, unless the context otherwise requires,  
7 the words and terms defined in NRS 293.013 to 293.121, inclusive, *and*  
8 *section 2 of this act* have the meanings ascribed to them in those sections.

9 **Sec. 16.** NRS 293.040 is hereby amended to read as follows:

10 293.040 "Clerk" means the election board officer designated or  
11 assigned to make the record of the election in the pollbook, tally list ~~†~~ *and*  
12 challenge list ~~†and-checklist~~ in the precinct or district in which such officer  
13 is appointed.

14 **Sec. 17.** NRS 293.165 is hereby amended to read as follows:

15 293.165 1. Except as otherwise provided in NRS 293.166, a vacancy  
16 occurring in a major or minor political party nomination for a partisan  
17 office may be filled by a candidate designated by the party central  
18 committee of the county or state, as the case may be, subject to the  
19 provisions of subsections 4 and 5.

20 2. A vacancy occurring in a nonpartisan nomination after the close of  
21 filing and on or before the second Tuesday in August must be filled by  
22 filing a nominating petition that is signed by registered voters of the state,  
23 county, district or municipality who may vote for the office in question.  
24 The number of registered voters who sign the petition must not be less than  
25 1 percent of the number of persons who voted for the office in question in  
26 the state, county, district or municipality at the last preceding general  
27 election. The petition must be filed not earlier than the first Tuesday in  
28 June and not later than the fourth Tuesday in August. The petition may  
29 consist of more than one document. Each document must bear the name of  
30 one county and must ~~†not~~ be signed *only* by a person who is ~~†not~~ a  
31 registered voter of that county ~~†~~ *and who may vote for the office in*  
32 *question.* Each document of the petition must be submitted for verification  
33 pursuant to NRS 293.1276 to 293.1279, inclusive, to the county clerk of  
34 the county named on the document. A candidate nominated pursuant to the  
35 provisions of this subsection:

36 (a) Must file a declaration of candidacy or acceptance of candidacy and  
37 pay the statutory filing fee on or before the date the petition is filed; and

38 (b) May be elected only at a general election and his name must not  
39 appear on the ballot for a primary election.

40 3. A vacancy occurring in a nonpartisan nomination after the second  
41 Tuesday in August and on or before the second Tuesday in September must  
42 be filled by the person who receives the next highest vote for the  
43 nomination in the primary.

44 4. No change may be made on the ballot after the second Tuesday in  
45 September of the year in which the general election is held. If a nominee  
46 dies after that date, his name must remain on the ballot and, if elected, a  
47 vacancy exists.

48 5. All designations provided for in this section must be filed before 5  
49 p.m. on the second Tuesday in September. In each case, the statutory filing



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1 fee must be paid and an acceptance of the designation must be filed before  
2 5 p.m. on the date the designation is filed.

3 **Sec. 18.** NRS 293.176 is hereby amended to read as follows:

4 293.176 1. Except as otherwise provided in subsection 2, no person  
5 may be a candidate *of a major political party* for partisan office in any  
6 election if he has changed:

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

8 (b) His designation of political party from nonpartisan to a designation  
9 of a political party affiliation,  
10 on an application to register to vote in the State of Nevada or in any other  
11 state during the time beginning on September 1 preceding the closing filing  
12 date for that election and ending on the date of that election whether or not  
13 his previous registration was still effective at the time of the change in  
14 party designation.

15 2. The provisions of subsection 1 do not apply to any person who is a  
16 candidate of a political party that was not qualified pursuant to NRS  
17 293.171 on the September 1 next preceding the closing filing date for the  
18 election.

19 **Sec. 19.** NRS 293.251 is hereby amended to read as follows:

20 293.251 If *a registrar of voters' register or* an election board register  
21 is kept by computer, the register must include all the information contained  
22 in the original applications to register to vote.

23 **Sec. 20.** NRS 293.273 is hereby amended to read as follows:

24 293.273 1. Except as otherwise provided in subsection 2 and NRS  
25 293.305, at all elections held under the provisions of this Title, the polls  
26 must open at 7 a.m. and close at 7 p.m.

27 2. Whenever at any election all the votes of the precinct or district, as  
28 shown on the ~~checklist and~~ roster, have been cast, the election board  
29 officers shall close the polls, and the counting of votes must begin and  
30 continue without unnecessary delay until the count is completed.

31 3. Upon opening the polls, one of the election board officers shall  
32 cause a proclamation to be made that all present may be aware of the fact  
33 that applications of registered voters to vote will be received.

34 4. No person other than election board officers engaged in receiving,  
35 preparing or depositing ballots may be permitted inside the guardrail  
36 during the time the polls are open, except by authority of the election board  
37 as necessary to keep order and carry out the provisions of this Title.

38 **Sec. 21.** NRS 293.301 is hereby amended to read as follows:

39 293.301 1. ~~The~~ *In a county whose population is 100,000 or more,*  
40 *the* county clerk ~~of each county~~ shall require an election board officer to  
41 post an alphabetical listing of all registered voters for each precinct in a  
42 public area of each polling place in the county. Except as otherwise  
43 provided in NRS 293.558, the alphabetical listing must include the name,  
44 address and political affiliation of each voter. Not less than ~~four~~ *two*  
45 times during the hours in which the polling place is open, an election board  
46 officer shall identify the name of each voter that voted since the last  
47 identification.

48 2. Each page of the alphabetical listing must contain a notice which  
49 reads substantially as follows:



1 It is unlawful for any person to remove, tear, mark or otherwise  
2 deface this alphabetical listing of registered voters except an election  
3 board officer acting pursuant to subsection 1 of NRS 293.301.  
4

5 3. Any person who removes, tears, marks or otherwise defaces an  
6 alphabetical listing posted pursuant to this section with the intent to falsify  
7 or prevent others from readily ascertaining the name, address or political  
8 affiliation of any voter, or the fact that a voter has or has not voted, is  
9 guilty of a misdemeanor.

10 **Sec. 22.** NRS 293.303 is hereby amended to read as follows:

11 293.303 1. A person applying to vote may be challenged:

12 (a) Orally by any registered voter of the precinct or district upon the  
13 ground that he is not the person entitled to vote as claimed or has voted  
14 before at the same election; or

15 (b) On any ground set forth in a challenge filed with the county clerk  
16 pursuant to the provisions of NRS 293.547.

17 2. If a person is challenged, an election board officer shall tender the  
18 challenged person the following oath or affirmation:

19 (a) If the challenge is on the ground that he does not belong to the  
20 political party designated upon the register, "I swear or affirm under  
21 penalty of perjury that I belong to the political party designated upon the  
22 register";

23 (b) If the challenge is on the ground that the register does not show that  
24 he designated the political party to which he claims to belong, "I swear or  
25 affirm under penalty of perjury that I designated on the application to  
26 register to vote the political party to which I claim to belong";

27 (c) If the challenge is on the ground that he does not reside at the  
28 residence for which the address is listed in the election board register, "I  
29 swear or affirm under penalty of perjury that I reside at the residence for  
30 which the address is listed in the election board register";

31 (d) If the challenge is on the ground that he previously voted a ballot for  
32 the election, "I swear or affirm under penalty of perjury that I have not  
33 voted for any of the candidates or questions included on this ballot for this  
34 election"; or

35 (e) If the challenge is on the ground that he is not the person he claims  
36 to be, "I swear or affirm under penalty of perjury that I am the person  
37 whose name is in this election board register."

38 The oath or affirmation must be set forth on a form prepared by the  
39 secretary of state and signed by the challenged person under penalty of  
40 perjury.

41 3. Except as otherwise provided in subsection 4, if the challenged  
42 person refuses to execute the oath or affirmation so tendered, he must not  
43 be issued a ballot, and the officer in charge of the election board register  
44 shall write the words "Challenged ....." opposite his name in the  
45 election board register.

46 4. If the challenged person refuses to execute the oath or affirmation  
47 set forth in paragraph (a) or (b) of subsection 2, the election board officers  
48 shall issue him a nonpartisan ballot.



1 5. If the challenged person refuses to execute the oath or affirmation  
2 set forth in paragraph (c) of subsection 2, the election board officers shall  
3 inform him that he is entitled to vote only in the manner prescribed in NRS  
4 293.304.

5 6. If the challenged person executes the oath or affirmation and the  
6 challenge is not based on the ground set forth in paragraph (e) of  
7 subsection 2, the election board officers shall issue him a partisan ballot.

8 7. If the challenge is based on the ground set forth in paragraph (c) of  
9 subsection 2, and the challenged person executes the oath or affirmation,  
10 the election board shall not issue the person a ballot until he furnishes  
11 satisfactory identification which contains proof of the address at which he  
12 actually resides.

13 8. If the challenge is based on the ground set forth in paragraph (e) of  
14 subsection 2 and the challenged person executes the oath or affirmation,  
15 the election board shall not issue the person a ballot unless he:

16 (a) Furnishes official identification which contains a photograph of  
17 himself, such as his driver's license or other official document; or

18 (b) Brings before the election board officers a person who is at least 18  
19 years ~~old~~ of age who:

20 (1) Furnishes official identification which contains a photograph of  
21 himself, such as his driver's license or other official document; and

22 (2) Executes an oath or affirmation under penalty of perjury that the  
23 challenged person is who he swears he is.

24 9. The election board officers shall record *the name of the challenged*  
25 *person and* the result of the challenge on the challenge list. ~~and the~~  
26 ~~election board officer in charge of the checklist shall indicate next to the~~  
27 ~~name of the challenged person the result of the challenge.~~

28 **Sec. 23.** NRS 293.3095 is hereby amended to read as follows:

29 293.3095 1. A person who, during the 6 months immediately  
30 preceding an election, ~~mails~~ *distributes* to more than a total of 500  
31 registered voters a form to request an absent ballot for the election shall:

32 (a) ~~Mail~~ *Distribute* the form prescribed by the secretary of state,  
33 which must, in 14-point type or larger:

34 (1) Identify the person who is ~~mailing~~ *distributing* the form;

35 (2) Include a notice stating, "This is a request for an absent ballot.";  
36 and

37 (3) State that by returning the form, the form will be submitted to the  
38 county clerk;

39 (b) Not later than 14 days before ~~mailing~~ *distributing* such a form,  
40 ~~notify~~ *provide written notice to* the county clerk of each county to which  
41 a form will be ~~mailed~~ *distributed* of the number of forms to be ~~mailed~~  
42 *distributed* to voters in the county and the date of the ~~mailing~~ *distribution*  
43 of the forms; and

44 (c) Not ~~mail~~ *distribute* such a form later than 21 days before the  
45 election.

46 2. The provisions of this section do not authorize a person to vote by  
47 absent ballot if he is not otherwise eligible to vote by absent ballot.





1     **Sec. 24.** NRS 293.313 is hereby amended to read as follows:  
2     293.313 1. Except as otherwise provided in NRS 293.272 and  
3     293.502, a registered voter who provides sufficient written notice to the  
4     county clerk ~~+~~ may vote an absent ballot as provided in this chapter.

5     2. A registered voter who:

6     (a) Is at least 65 years ~~old~~ *of age*; or

7     (b) Has a physical disability or condition which substantially impairs his  
8     ability to go to the polling place,  
9     may request an absent ballot for all elections held during the year he  
10    requests an absent ballot. The registered voter must include in his request a  
11    description of his physical disability or condition.

12    3. As used in this section, "sufficient written notice" means a:

13    (a) Written request for an absent ballot which is signed by the registered  
14    voter and returned to the county clerk in person or by mail ~~+~~ *or facsimile*  
15    *machine*;

16    (b) Form prescribed by the secretary of state which is completed and  
17    signed by the registered voter and returned to the county clerk in person or  
18    by mail ~~+~~ *or facsimile machine*; or

19    (c) Form provided by the Federal Government.

20    4. A county clerk shall consider a request from a voter who has given  
21    sufficient written notice on a form provided by the Federal Government as  
22    a request for both the primary and general elections unless otherwise  
23    specified in the request.

24    5. It is unlawful for a person fraudulently to request an absent ballot in  
25    the name of another person or to induce or coerce another person  
26    fraudulently to request an absent ballot in the name of another person. A  
27    person who violates this subsection is guilty of a category E felony and  
28    shall be punished as provided in NRS 193.130.

29    **Sec. 25.** NRS 293.315 is hereby amended to read as follows:

30    293.315 1. A registered voter referred to in NRS 293.313 may, at  
31    any time before 5 p.m. on the ~~Tuesday~~ *10th calendar day* preceding any  
32    election, make an application to that clerk for an absent voter's ballot. The  
33    application must be made available for public inspection.

34    2. When the voter has identified himself to the satisfaction of the clerk,  
35    he is entitled to receive the appropriate ballot or ballots, but only for his  
36    own use.

37    3. A county clerk who allows a person to copy information from an  
38    application for an absent ballot is immune from any civil or criminal  
39    liability for any damage caused by the distribution of that information,  
40    unless he knowingly and willingly allows a person who intends to use the  
41    information to further an unlawful act to copy such information.

42    **Sec. 26.** NRS 293.3157 is hereby amended to read as follows:

43    293.3157 1. Any registered voter of this state who resides outside the  
44    continental United States may use a facsimile machine to request an absent  
45    ballot.

46    2. The county clerk shall use a facsimile machine to send an absent  
47    ballot to the registered voter.

48    3. The registered voter shall mail his absent ballot to the county clerk.



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1 4. The secretary of state shall adopt regulations to carry out the  
2 provisions of this section.

3 ~~{5. As used in this section, "facsimile machine" means a device which~~  
4 ~~sends or receives a reproduction or facsimile of a document or photograph~~  
5 ~~which is transmitted electronically or telephonically by~~  
6 ~~telecommunications lines.}~~

7 **Sec. 27.** NRS 293.330 is hereby amended to read as follows:

8 293.330 1. When an absent voter receives his ballot, he must mark  
9 and fold it, if it is a paper ballot, or punch it, if the ballot is voted by  
10 punching a card, in accordance with the instructions, deposit it in the return  
11 envelope, seal the envelope, affix his signature on the back of the envelope  
12 in the space provided therefor and mail the return envelope.

13 2. ~~If the~~ *Except as otherwise provided in subsection 3, if an* absent  
14 voter who has ~~received~~ *requested* a ballot by mail applies to vote the  
15 ballot in person at:

16 (a) The ~~county clerk's office,~~ *office of the county clerk,* he must mark  
17 or punch the ballot, seal it in the return envelope and affix his signature in  
18 the same manner as provided in subsection 1, and deliver the envelope to  
19 the clerk.

20 (b) A polling place, he must surrender the absent ballot and provide  
21 satisfactory identification before being issued a ballot to vote at the polling  
22 place. A person who receives a surrendered absent ballot shall mark it  
23 "Canceled."

24 3. *If an absent voter who has requested a ballot by mail applies to*  
25 *vote in person at the office of the county clerk or a polling place and the*  
26 *voter does not have the absent ballot to deliver or surrender, the voter*  
27 *must be issued a ballot to vote if the voter:*

28 (a) *Provides satisfactory identification;*

29 (b) *Is a registered voter who is otherwise entitled to vote; and*

30 (c) *Signs an affirmation under penalty of perjury on a form prepared*  
31 *by the secretary of state declaring that the voter has not voted during the*  
32 *election.*

33 4. Except as otherwise provided in NRS 293.316, it is unlawful for any  
34 person to return an absent ballot other than the voter who requested the  
35 absent ballot or, at the request of the voter, a member of his family. A  
36 person who returns an absent ballot and who is a member of the family of  
37 the voter who requested the absent ballot shall, under penalty of perjury,  
38 indicate on a form prescribed by the county clerk that he is a member of  
39 the family of the voter who requested the absent ballot and that the voter  
40 requested that he return the absent ballot. A person who violates the  
41 provisions of this subsection is guilty of a category E felony and shall be  
42 punished as provided in NRS 193.130.

43 **Sec. 28.** NRS 293.373 is hereby amended to read as follows:

44 293.373 If paper ballots or ballots which are voted by punching a card  
45 are used:

46 1. After the tally lists have been completed, the ~~counting board~~  
47 ~~officers shall:~~

48 ~~—(a) File the voted ballots on a string, enclose and seal them in an~~  
49 ~~envelope marked "Election returns, voted ballots."~~



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1 ~~—(b) File the rejected ballots on a string, enclose and seal them in an~~  
2 ~~envelope marked "Election returns, rejected ballots."~~

3 ~~—(c) Place one of the tally lists for regular ballots and one of the~~  
4 ~~pollbooks in an envelope marked "Election returns" and seal the envelope.~~

5 ~~2. The~~ voted ballots, rejected ballots, tally lists for regular ballots,  
6 tally list for rejected ballots, challenge list, stubs of used ballots, spoiled  
7 ballots and unused ballots must be sealed under cover by the counting  
8 board officers and addressed to the county clerk.

9 ~~3-1~~ 2. The other pollbooks, tally lists and election board register must  
10 be returned to the county clerk.

11 **Sec. 29.** NRS 293.391 is hereby amended to read as follows:

12 293.391 1. The voted ballots, rejected ballots, spoiled ballots, ~~tally~~  
13 ~~lists, pollbooks,~~ challenge lists, voting receipts, records printed on paper  
14 of voted ballots collected pursuant to NRS 293B.400 , and stubs of the  
15 ballots used, enclosed and sealed, must, after canvass of the votes by the  
16 board of county commissioners, be deposited in the vaults of the county  
17 clerk . ~~1, and~~ *The tally lists and pollbooks collected pursuant to NRS*  
18 *293B.400 must, after canvass of the votes by the board of county*  
19 *commissioners, be deposited in the vaults of the county clerk without*  
20 *being sealed. All materials described by this subsection must be* preserved  
21 for at least 22 months ~~1. All such sealed materials must be~~ and destroyed  
22 immediately after the preservation period. A notice of the destruction must  
23 be published by the clerk in at least one newspaper of general circulation in  
24 the county not less than 2 weeks before the destruction.

25 2. Unused ballots, enclosed and sealed, must, after canvass of the votes  
26 by the board of county commissioners, be deposited in the vaults of the  
27 county clerk and preserved for at least the period during which the election  
28 may be contested and adjudicated, after which the unused ballots may be  
29 destroyed.

30 ~~12-1~~ 3. The pollbooks containing the signatures of those persons who  
31 voted in the election and the tally lists deposited with the board of county  
32 commissioners are subject to the inspection of any elector who may wish to  
33 examine them at any time after their deposit with the county clerk.

34 ~~13-1~~ 4. A contestant of an election may inspect all of the material  
35 regarding that election which is preserved pursuant to subsection 1 ~~1-1~~ or 2,  
36 except the voted ballots.

37 ~~14-1~~ 5. The voted ballots deposited with the county clerk are not subject  
38 to the inspection of anyone, except in cases of contested election, and then  
39 only by the judge, body or board before whom the election is being  
40 contested, or by the parties to the contest, jointly, pursuant to an order of  
41 such judge, body or board.

42 **Sec. 30.** NRS 293.507 is hereby amended to read as follows:

43 293.507 1. The secretary of state shall prescribe:

44 (a) A standard form for applications to register to vote; and

45 (b) A special form for registration to be used in a county where  
46 registrations are performed and records of registration are kept by  
47 computer.



1 2. The county clerks shall provide forms for applications to register to  
2 vote to field registrars in the form and number prescribed by the secretary  
3 of state.

4 3. A form for an application to register to vote ~~must~~ *may* include a  
5 duplicate copy marked as the receipt to be retained by the applicant upon  
6 completion of the form.

7 4. The form for an application to register to vote must include:

8 (a) A line for use by the county clerk to enter the number:

9 (1) Indicated on the voter's social security card, driver's license or  
10 identification card issued by the department of motor vehicles and public  
11 safety, or any other identification card issued by an agency of this state or  
12 the Federal Government that contains:

13 (I) ~~A unique~~ *An identifying* number; and

14 (II) A photograph or physical description of the voter; or

15 (2) Issued to the voter pursuant to subsection 5.

16 (b) A line on which to enter the address at which the voter actually  
17 resides ~~1. The application must not be accepted if the address is listed as a~~  
18 ~~post office box unless a street address has not been assigned to his~~  
19 ~~residence.~~ *, as set forth in section 14 of this act.*

20 (c) A notice that the voter may not list ~~this address as~~ a business *as the*  
21 *address required pursuant to paragraph (b)* unless he actually resides  
22 there.

23 *(d) A line on which to enter an address at which the voter may receive*  
24 *mail, including, without limitation, a post office box or general delivery.*

25 5. If a voter does not:

26 (a) Possess any of the identification set forth in subparagraph (1) of  
27 paragraph (a) of subsection 4; or

28 (b) Wish to provide to the county clerk the number indicated on that  
29 identification,

30 the county clerk shall issue ~~a unique~~ *an* identification number to the  
31 voter.

32 6. The secretary of state shall adopt regulations to carry out the  
33 provisions of subsections 4 and 5.

34 **Sec. 31.** NRS 293.510 is hereby amended to read as follows:

35 293.510 1. In counties where computers are not used to register  
36 voters, the county clerk shall:

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

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

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

48 (a) ~~Arrange~~ *Retain* the original applications to register to vote .



1     ***(b) Arrange the applications to register to vote in a computer file*** in  
2 alphabetical order for the entire county, ***print a computer listing of those***  
3 ***applications to register to vote for the entire county*** and keep ~~them in~~  
4 ~~binders~~ ***the computer listing in a binder*** or a suitable file. ~~which~~ ***The***  
5 ***binder or suitable file*** constitutes the registrar of voters' register.

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

13     **Sec. 32.** NRS 293.5235 is hereby amended to read as follows:

14     293.5235 1. Except as otherwise provided in NRS 293.502, a person  
15 may register to vote by mailing an application to register to vote to the  
16 county clerk of the county in which he resides. The county clerk shall,  
17 upon request, mail an application to register to vote to an applicant. The  
18 county clerk shall make the applications available at various public places  
19 in the county. An application to register to vote may be used to correct  
20 information in the registrar of voters' register.

21     2. An application to register to vote which is mailed to an applicant by  
22 the county clerk or made available to the public at various locations or  
23 voter registration agencies in the county may be returned to the county  
24 clerk by mail or in person. For the purposes of this section, an application  
25 which is personally delivered to the county clerk shall be deemed to have  
26 been returned by mail.

27     3. The applicant must complete and sign the application.

28     4. The county clerk shall, upon receipt of an application, determine  
29 whether the application is complete.

30     5. If he determines that the application is complete, he shall, within 10  
31 days after he receives the application, mail ~~a notice~~ to the applicant  
32 ~~informing him that:~~

33     ~~—(a) He~~ :

34     ***(a) A notice informing him that he*** is registered to vote and a voter  
35 registration card as required by subsection 6 of NRS 293.517; or

36     (b) ~~The~~ ***A notice informing him that the*** registrar of voters' register  
37 has been corrected to reflect any changes indicated on the application.

38     The applicant shall be deemed to be registered or to have corrected the  
39 information in the register as of the date the application is postmarked ~~or~~  
40 ***or personally delivered.***

41     6. If the county clerk determines that the application is not complete,  
42 he shall, as soon as possible, mail a notice to the applicant informing him  
43 that additional information is required to complete the application. If the  
44 applicant provides the information requested by the county clerk within 15  
45 days after the county clerk mails the notice, the county clerk shall, within  
46 10 days after he receives the information, mail ~~a notice~~ to the applicant  
47 ~~informing him that:~~

48     ~~—(a) He~~ :



1 (a) *A notice informing him that he* is registered to vote and a voter  
2 registration card as required by subsection 6 of NRS 293.517; or

3 (b) ~~the~~ *A notice informing him that the* registrar of voters' register  
4 has been corrected to reflect any changes indicated on the application.  
5 The applicant shall be deemed to be registered or to have corrected the  
6 information in the register as of the date the application is postmarked ~~+~~  
7 *or personally delivered*. If the applicant does not provide the additional  
8 information within the prescribed period, the application is void.

9 7. The secretary of state shall prescribe the form for an application to  
10 register to vote by mail which must be used to register to vote by mail in  
11 this state. *The application to register to vote by mail must include a notice*  
12 *in at least 10-point type which states:*

13  
14 *NOTICE: You are urged to return your application to register to*  
15 *vote to the County Clerk in person or by mail. If you choose to give*  
16 *your completed application to another person to return to the*  
17 *County Clerk on your behalf, and the person fails to deliver the*  
18 *application to the County Clerk, you will not be registered to vote.*  
19

20 8. The county clerk shall not register a person to vote pursuant to this  
21 section unless that person has provided all of the information required by  
22 the application.

23 9. The county clerk shall mail, by postcard, the notices required  
24 pursuant to subsections 5 and 6. If the postcard is returned to the county  
25 clerk by the United States Postal Service because the address is fictitious or  
26 the person does not live at that address, the county clerk shall attempt to  
27 determine whether the person's current residence is other than that  
28 indicated on his application to register to vote in the manner set forth in  
29 NRS 293.530.

30 10. A person who, by mail, registers to vote pursuant to this section  
31 may be assisted in completing the application to register to vote by any  
32 other person. The application must include the mailing address and  
33 signature of the person who assisted the applicant. The failure to provide  
34 the information required by this subsection will not result in the application  
35 being deemed incomplete.

36 11. An application to register to vote must be made available to all  
37 persons, regardless of political party affiliation.

38 12. An application must not be altered or otherwise defaced after the  
39 applicant has completed and signed it. An application must be mailed or  
40 delivered in person to the ~~county clerk's~~ office *of the county clerk* within  
41 10 days after it is completed.

42 13. A person who willfully violates any of the provisions of subsection  
43 10, 11 or 12 is guilty of a category E felony and shall be punished as  
44 provided in NRS 193.130.

45 14. The secretary of state shall adopt regulations to carry out the  
46 provisions of this section.



1     **Sec. 33.** NRS 293.524 is hereby amended to read as follows:

2     293.524 1. The department of motor vehicles and public safety shall  
3 provide an application to register to vote to each person who applies for the  
4 issuance or renewal of any type of driver's license or for an identification  
5 card.

6     2. The county clerk shall use the applications to register to vote which  
7 are signed and completed pursuant to subsection 1 to register applicants to  
8 vote or to correct information in the registrar of voters' register. An  
9 application that is not signed must not be used to register or correct the  
10 registration of the applicant.

11    3. For the purposes of this section, each employee specifically  
12 authorized to do so by the director of the department may oversee the  
13 completion of an application. The authorized employee shall check the  
14 application for completeness and verify the information required by the  
15 application. Each application ~~must~~ *may* include a duplicate copy marked  
16 as the receipt to be retained by the applicant upon completion of the form.  
17 The department shall, except as otherwise provided in this subsection,  
18 forward each application on a weekly basis to the county clerk or, if  
19 applicable, to the registrar of voters of the county in which the applicant  
20 resides. During the 2 weeks immediately preceding the close of registration  
21 for an election, the applications must be forwarded daily.

22    4. The county clerk shall accept any application to register to vote  
23 which is completed by the last day to register if he receives the application  
24 not later than 5 days after the close of registration. Upon receipt of an  
25 application, the county clerk or field registrar of voters shall determine  
26 whether the application is complete. If he determines that the application is  
27 complete, he shall notify the applicant and the applicant shall be deemed to  
28 be registered as of the date of the submission of the application. If he  
29 determines that the application is not complete, he shall notify the applicant  
30 of the additional information required. The applicant shall be deemed to be  
31 registered as of the date of the initial submission of the application if the  
32 additional information is provided within 15 days after the notice for the  
33 additional information is mailed. If the applicant has not provided the  
34 additional information within 15 days after the notice for the additional  
35 information is mailed, the incomplete application is void. Any notification  
36 required by this subsection must be given by mail at the mailing address on  
37 the application not more than 7 working days after the determination is  
38 made concerning whether the application is complete.

39    5. The county clerk shall use any form submitted to the department to  
40 correct information on a driver's license or identification card to correct  
41 information in the registrar of voters' register, unless the person indicates  
42 on the form that the correction is not to be used for the purposes of voter  
43 registration. The department shall forward each such form to the county  
44 clerk or, if applicable, to the registrar of voters of the county in which the  
45 person resides in the same manner provided by subsection 3 for  
46 applications to register to vote.

47    6. Upon receipt of a form to correct information, the county clerk shall  
48 compare the information to that contained in the registrar of voters'  
49 register. If the person is a registered voter, the county clerk shall correct the



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1 information to reflect any changes indicated on the form. After making any  
2 changes, the county clerk shall notify the person by mail that his records  
3 have been corrected.

4 7. The secretary of state shall, with the approval of the director, adopt  
5 regulations to:

6 (a) Establish any procedure necessary to provide an elector who applies  
7 to register to vote pursuant to this section the opportunity to do so;

8 (b) Prescribe the contents of any forms or applications which the  
9 department is required to distribute pursuant to this section; and

10 (c) Provide for the transfer of the completed applications of registration  
11 from the department to the appropriate county clerk for inclusion in the  
12 election board registers and registrar of voters' register.

13 **Sec. 34.** NRS 293.558 is hereby amended to read as follows:

14 293.558 1. *The county clerk shall not disclose the identification*  
15 *number of a registered voter to the public, including, without limitation:*

16 (a) *In response to an inquiry received by the county clerk; or*

17 (b) *By inclusion on any list of registered voters made available for*  
18 *public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290*  
19 *or 293C.542.*

20 2. A registered voter may submit a written request to the county clerk  
21 to have his address *and telephone number* withheld from *the public. Upon*  
22 *receipt of such a request, the county clerk shall not disclose the address*  
23 *or telephone number of the registered voter to the public, including,*  
24 *without limitation:*

25 (a) *In response to an inquiry received by the county clerk; or*

26 (b) *By inclusion on* any list of registered voters made available for  
27 public inspection pursuant to NRS 293.301, 293.440, 293.557 ~~and~~  
28 ~~293C.290.~~

29 ~~2. After the county clerk receives a request from a registered voter~~  
30 ~~pursuant to subsection 1, the person's address must be withheld from any~~  
31 ~~such list., 293C.290 or 293C.542.~~

32 3. No information other than the address , *telephone number and*  
33 *identification number* of a registered voter may be withheld from ~~a list of~~  
34 ~~registered voters.~~ *the public.*

35 **Sec. 35.** NRS 293.565 is hereby amended to read as follows:

36 293.565 1. Except as otherwise provided in subsection 2, sample  
37 ballots must include:

38 (a) The fiscal note, as provided pursuant to NRS 218.443 or 293.250,  
39 for each proposed constitutional amendment or statewide measure;

40 (b) An explanation, as provided pursuant to NRS 218.443, of each  
41 proposed constitutional amendment or statewide measure, including  
42 arguments for and against it; and

43 (c) The full text of each proposed constitutional amendment.

44 2. Sample ballots that are mailed to registered voters may be printed  
45 without the full text of each proposed constitutional amendment if:

46 (a) The cost of printing the sample ballots would be significantly  
47 reduced if the full text of each proposed constitutional amendment were  
48 not included;





(b) The county clerk ensures that a sample ballot that includes the full text of each proposed constitutional amendment is provided at no charge to each registered voter who requests such a sample ballot; and

(c) The sample ballots provided to each polling place include the full text of each proposed constitutional amendment.

3. At least 10 days before any election, the county clerk shall cause to be mailed to each registered voter in the county a sample ballot for his precinct with a notice informing the voter of the location of his polling place ~~+~~ *and the time allowed to vote as provided in section 3 of this act.* If the location of the polling place has changed since the last election:

(a) The county clerk shall mail a notice of the change to each registered voter in the county not sooner than 10 days before mailing the sample ballots; or

(b) The sample ballot must also include a notice in at least 10-point bold type immediately above the location which states:

NOTICE: THE LOCATION OF YOUR POLLING PLACE  
HAS CHANGED SINCE THE LAST ELECTION

4. ~~The county clerk shall include in each sample ballot for a primary election, a separate page on which is printed a list of the offices and candidates for those offices for which there is no opposition.~~

~~—5.—~~ The cost of mailing sample ballots for any election other than a primary or general election must be borne by the political subdivision holding the election.

**Sec. 36.** Chapter 293C of NRS is hereby amended by adding thereto the provisions set forth as sections 37 to 47, inclusive, of this act.

**Sec. 37. 1.** *Except as otherwise provided in this section, a voter shall not remain in a voting booth longer than the time allowed to vote. If a voter remains in a voting booth longer than the time allowed to vote, the election board may remove the voter from the voting booth.*

*2. The time allowed to vote is the time determined by the city clerk as appropriate for that election, but not less than 5 minutes. The city clerk shall indicate in the sample ballot the time allowed to vote. If the city clerk fails to indicate the time allowed to vote in the sample ballot, the time allowed to vote shall be deemed to be 5 minutes.*

*3. The election board may allow a voter to remain in a voting booth longer than the time allowed to vote if the election board determines that:*

*(a) The voter requires more time to vote; and*

*(b) By remaining in the voting booth longer than the time allowed to vote, the voter is not interfering with the conduct of the election.*

**Sec. 38.** *A city clerk may designate a special election, including, without limitation, a recall election, as an election by mail. If the city clerk designates a special election as an election by mail, the special election must be conducted in that city pursuant to the provisions of sections 38 to 47, inclusive, of this act.*



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1     **Sec. 39.** *As used in sections 38 to 47, inclusive, of this act, “eligible*  
2 *voter” means a registered voter who is otherwise eligible to vote in the*  
3 *special election and who resides in the city in which the city clerk*  
4 *designated the special election as an election by mail.*

5     **Sec. 40.** *Not less than once each week for 2 consecutive weeks next*  
6 *preceding the close of registration for the special election, the city clerk*  
7 *shall cause to be published in a newspaper having a general circulation*  
8 *in the city a notice indicating:*

- 9         1. *The date and purpose of the special election;*  
10        2. *That the special election has been designated as an election by*  
11 *mail in the city;*  
12        3. *The date of the close of registration for the special election;*  
13        4. *The date the voting materials, including, without limitation, the*  
14 *ballot, will be mailed by the city clerk; and*  
15        5. *The dates upon which an eligible voter may appear at the office of*  
16 *the city clerk to vote if the eligible voter has not received the voting*  
17 *materials mailed by the city clerk.*

18     **Sec. 41.** 1. *Not later than 2 weeks before the date of the special*  
19 *election, the city clerk shall send by first-class mail to each eligible voter,*  
20 *postage prepaid:*

- 21       (a) *Except as otherwise provided in paragraph (b):*  
22           (1) *A ballot;*  
23           (2) *A sample ballot;*  
24           (3) *Supplies for marking the ballot;*  
25           (4) *A device, which may be an envelope, into which the ballot is*  
26 *inserted to ensure its secrecy;*  
27           (5) *A return envelope with postage prepaid by first-class mail; and*  
28           (6) *Instructions.*  
29       (b) *In those cities using a mechanical voting system whereby a vote is*  
30 *cast by punching a card:*  
31           (1) *A ballot, which must be a card attached to a sheet of foam*  
32 *plastic or similar backing material;*  
33           (2) *A sample ballot;*  
34           (3) *A punching instrument;*  
35           (4) *A device, which may be an envelope, into which the ballot is*  
36 *inserted to ensure its secrecy;*  
37           (5) *A return envelope with postage prepaid by first-class mail; and*  
38           (6) *Instructions.*  
39       2. *The instructions must include:*  
40           (a) *The date and time by which the ballot must be received by the city*  
41 *clerk for the ballot to be counted;*  
42           (b) *A description of the proper method to:*  
43                (1) *Mark or punch the ballot;*  
44                (2) *Insert the ballot into the device to ensure its secrecy; and*  
45                (3) *Seal the ballot in the return envelope; and*  
46           (c) *A notice that if the return envelope is not signed by the voter, the*  
47 *ballot will be rejected.*  
48       3. *The city clerk may include additional instructions and other*  
49 *material to assist the voter.*



1     **Sec. 42.**   1.   *If an eligible voter receives the voting materials sent by*  
2     *the city clerk pursuant to section 41 of this act, the eligible voter may vote*  
3     *as provided in this section.*

4     2.   *After an eligible voter receives the voting materials, to effectively*  
5     *cast his ballot:*

6       (a) *He must mark or punch the ballot, place the ballot in the device to*  
7       *ensure its secrecy and seal the ballot in the return envelope, in*  
8       *accordance with the instructions; and*

9       (b) *After sealing the ballot in the return envelope, the eligible voter*  
10      *must affix his signature on the back of the return envelope in the space*  
11      *provided therefor and:*

12          (1) *Mail the return envelope to the office of the city clerk;*

13          (2) *Deliver the return envelope to the office of the city clerk in*  
14          *person; or*

15          (3) *Have the return envelope delivered to the office of the city clerk*  
16          *by a person designated by the eligible voter.*

17     3.   *An eligible voter may take the voting materials he has received to*  
18     *the office of the city clerk and perform the procedure described in*  
19     *subsection 2 at the office of the city clerk.*

20     **Sec. 43.**   1.   *If an eligible voter does not receive the voting materials*  
21     *sent by the city clerk pursuant to section 41 of this act, the eligible voter*  
22     *may vote as provided in this section.*

23     2.   *During the period set forth in this section, the eligible voter may*  
24     *appear at the office of the city clerk to request a ballot. The eligible voter*  
25     *must be issued a ballot to vote if the eligible voter:*

26       (a) *Provides satisfactory identification; and*

27       (b) *Signs an affirmation under penalty of perjury on a form prepared*  
28       *by the secretary of state declaring that the eligible voter has not voted*  
29       *during the election.*

30     3.   *Upon receipt of a ballot pursuant to this section, the eligible voter*  
31     *must mark or punch the ballot at the office of the city clerk and return*  
32     *the ballot to the city clerk.*

33     4.   *During the period set forth in this section, the city clerk shall*  
34     *provide a voting booth, with suitable equipment for voting, on the*  
35     *premises of his office for use by an eligible voter issued a ballot pursuant*  
36     *to this section.*

37     5.   *An eligible voter may vote pursuant to this section:*

38       (a) *From 8 a.m. until 6 p.m. during the 7 days next preceding the date*  
39       *of the special election, excluding Saturdays, Sundays and holidays.*

40       (b) *From 8 a.m. until 7 p.m. on the date of the special election.*

41     **Sec. 44.**   *A ballot must be rejected if it is received by the city clerk*  
42     *after 7 p.m. on the date of the special election.*

43     **Sec. 45.**   1.   *Except as otherwise provided in this section, until the*  
44     *date of the special election, ballots received by the city clerk must be*  
45     *secured in a ballot box in a location accessible only to the city clerk.*

46     2.   *Not earlier than the third day before the date of the special*  
47     *election, the city clerk may prepare the ballots to be counted. To prepare*  
48     *the ballots, the city clerk may:*

49       (a) *Remove the ballots from:*



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- 1       (1) *The ballot box;*
- 2       (2) *The return envelopes, if any; and*
- 3       (3) *The devices to ensure their secrecy, if any;*
- 4       (b) *Count the number of ballots;*
- 5       (c) *Account for all ballots;*
- 6       (d) *Sort and stack the ballots;*
- 7       (e) *If the city uses a mechanical voting system, process the ballots*  
8 *using a counting device or computer, provided that no reports of the*  
9 *count may be printed before 7 p.m. on the date of the special election;*  
10 *and*
- 11       (f) *Place the ballots in a container and seal the container.*

12       3. *The city clerk shall allow members of the general public to observe*  
13 *the preparation of the ballots pursuant to subsection 2 if those members*  
14 *do not interfere with the preparation of the ballots.*

15       Sec. 46. *After 7 p.m. on the date of the special election, the city clerk*  
16 *shall follow the same procedure as in the case of a special election that*  
17 *has not been designated as an election by mail.*

18       Sec. 47. *The provisions of sections 38 to 47, inclusive, of this act:*

19       1. *Apply only to the conduct of a special election within a city in*  
20 *which the city clerk has designated the special election as an election by*  
21 *mail.*

22       2. *Do not authorize a person to vote in a special election if he is not*  
23 *otherwise eligible to vote in the special election.*

24       Sec. 48. NRS 293C.267 is hereby amended to read as follows:

25       293C.267 1. Except as otherwise provided in subsection 2 and NRS  
26 293C.297, at all elections held pursuant to the provisions of this chapter,  
27 the polls must open at 7 a.m. and close at 7 p.m.

28       2. Whenever at any election all the votes of the precinct or district, as  
29 shown on the ~~cheeklist and~~ roster, have been cast, the election board  
30 officers shall close the polls and the counting of votes must begin and  
31 continue without unnecessary delay until the count is completed.

32       3. Upon opening the polls, one of the election board officers shall  
33 cause a proclamation to be made so that all present may be aware of the  
34 fact that applications of registered voters to vote will be received.

35       4. No person other than election board officers engaged in receiving,  
36 preparing or depositing ballots may be permitted inside the guardrail  
37 during the time the polls are open, except by authority of the election board  
38 as necessary to keep order and carry out the provisions of this chapter.

39       Sec. 49. NRS 293C.290 is hereby amended to read as follows:

40       293C.290 1. ~~The~~ *In a city whose population is 150,000 or more,*  
41 *the* city clerk shall require an election board officer to post an alphabetical  
42 listing of all registered voters for each precinct in a public area of each  
43 polling place in the city. Except as otherwise provided in NRS 293.558, the  
44 alphabetical listing must include the name and address of each voter. Not  
45 less than ~~four~~ *two* times during the hours in which the polling place is  
46 open, an election board officer shall identify the name of each voter who  
47 voted since the last identification.

48       2. Each page of the alphabetical listing must contain a notice which  
49 reads substantially as follows:



1 It is unlawful for any person to remove, tear, mark or otherwise  
2 deface this alphabetical listing of registered voters except an election  
3 board officer acting pursuant to NRS 293C.290.  
4

5 3. Any person who removes, tears, marks or otherwise defaces an  
6 alphabetical listing posted pursuant to this section with the intent to falsify  
7 or prevent others from readily ascertaining the name or address of any  
8 voter, or the fact that a voter has or has not voted, is guilty of a  
9 misdemeanor.

10 **Sec. 50.** NRS 293C.292 is hereby amended to read as follows:

11 293C.292 1. A person applying to vote may be challenged:

12 (a) Orally by any registered voter of the precinct or district upon the  
13 ground that he is not the person entitled to vote as claimed or has voted  
14 before at the same election; or

15 (b) On any ground set forth in a challenge filed with the county clerk  
16 pursuant to the provisions of NRS 293.547.

17 2. If a person is challenged, an election board officer shall tender the  
18 challenged person the following oath or affirmation:

19 (a) If the challenge is on the ground that he does not reside at the  
20 residence for which the address is listed in the election board register, "I  
21 swear or affirm under penalty of perjury that I reside at the residence for  
22 which the address is listed in the election board register";

23 (b) If the challenge is on the ground that he previously voted a ballot for  
24 the election, "I swear or affirm under penalty of perjury that I have not  
25 voted for any of the candidates or questions included on this ballot for this  
26 election"; or

27 (c) If the challenge is on the ground that he is not the person he claims  
28 to be, "I swear or affirm under penalty of perjury that I am the person  
29 whose name is in this election board register."

30 The oath or affirmation must be set forth on a form prepared by the  
31 secretary of state and signed by the challenged person under penalty of  
32 perjury.

33 3. If the challenged person refuses to execute the oath or affirmation so  
34 tendered, he must not be issued a ballot, and the officer in charge of the  
35 election board register shall write the words "Challenged ....."  
36 opposite his name in the election board register.

37 4. If the challenged person refuses to execute the oath or affirmation  
38 set forth in paragraph (a) of subsection 2, the election board officers shall  
39 inform him that he is entitled to vote only in the manner prescribed in NRS  
40 293C.295.

41 5. If the challenged person executes the oath or affirmation and the  
42 challenge is not based on the ground set forth in paragraph (c) of  
43 subsection 2, the election board officers shall issue him a ballot.

44 6. If the challenge is based on the ground set forth in paragraph (a) of  
45 subsection 2, and the challenged person executes the oath or affirmation,  
46 the election board shall not issue the person a ballot until he furnishes  
47 satisfactory identification that contains proof of the address at which he  
48 actually resides.



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1 7. If the challenge is based on the ground set forth in paragraph (c) of  
2 subsection 2 and the challenged person executes the oath or affirmation,  
3 the election board shall not issue the person a ballot unless he:

4 (a) Furnishes official identification which contains a photograph of  
5 himself, such as his driver's license or other official document; or

6 (b) Brings before the election board officers a person who is at least 18  
7 years ~~old~~ *of age* who:

8 (1) Furnishes official identification which contains a photograph of  
9 himself, such as his driver's license or other official document; and

10 (2) Executes an oath or affirmation under penalty of perjury that the  
11 challenged person is who he swears he is.

12 8. The election board officers shall record *the name of the challenged*  
13 *person and* the result of the challenge on the challenge list . ~~and the~~  
14 ~~election board officer in charge of the checklist shall indicate next to the~~  
15 ~~name of the challenged person the result of the challenge.~~

16 **Sec. 51.** NRS 293C.306 is hereby amended to read as follows:

17 293C.306 1. A person who, during the 6 months immediately  
18 preceding an election, ~~mails~~ *distributes* to more than a total of 500  
19 registered voters a form to request an absent ballot for the election shall:

20 (a) ~~Mail~~ *Distribute* the form prescribed by the secretary of state,  
21 which must, in 14-point type or larger:

22 (1) Identify the person who is ~~mailing~~ *distributing* the form;

23 (2) Include a notice stating, "This is a request for an absent ballot.";  
24 and

25 (3) State that by returning the form , the form will be submitted to the  
26 city clerk;

27 (b) Not later than 14 days before ~~mailing~~ *distributing* such a form,  
28 ~~notify~~ *provide written notice to* the city clerk of each city to which a form  
29 will be ~~mailed~~ *distributed* of the number of forms to be ~~mailed~~  
30 *distributed* to voters in the city and the date of the ~~mailing~~ *distribution* of  
31 the forms; and

32 (c) Not ~~mail~~ *distribute* such a form later than 21 days before the  
33 election.

34 2. The provisions of this section do not authorize a person to vote by  
35 absent ballot if he is not otherwise eligible to vote by absent ballot.

36 **Sec. 52.** NRS 293C.310 is hereby amended to read as follows:

37 293C.310 1. Except as otherwise provided in NRS 293.502 and  
38 293C.265, a registered voter who provides sufficient written notice to the  
39 city clerk ~~if~~ may vote an absent ballot as provided in this chapter.

40 2. A registered voter who:

41 (a) Is at least 65 years ~~old~~ *of age*; or

42 (b) Has a physical disability or condition that substantially impairs his  
43 ability to go to the polling place,  
44 may request an absent ballot for all elections held during the year he  
45 requests an absent ballot. The registered voter must include in his request a  
46 description of his physical disability or condition.

47 3. As used in this section, "sufficient written notice" means a:



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1 (a) Written request for an absent ballot that is signed by the registered  
2 voter and returned to the city clerk in person or by mail ~~or~~ *or facsimile*  
3 *machine*;

4 (b) Form prescribed by the secretary of state that is completed and  
5 signed by the registered voter and returned to the city clerk in person or by  
6 mail ~~or~~ *or facsimile machine*; or

7 (c) Form provided by the Federal Government.

8 4. A city clerk shall consider a request from a voter who has given  
9 sufficient written notice on a form provided by the Federal Government as  
10 a request for the primary city election and the general city election unless  
11 otherwise specified in the request.

12 5. It is unlawful for a person fraudulently to request an absent ballot in  
13 the name of another person or to induce or coerce another person  
14 fraudulently to request an absent ballot in the name of another person. A  
15 person who violates any provision of this subsection is guilty of a category  
16 E felony and shall be punished as provided in NRS 193.130.

17 **Sec. 53.** NRS 293C.312 is hereby amended to read as follows:

18 293C.312 1. A registered voter referred to in NRS 293C.310 may, at  
19 any time before 5 p.m. on the ~~Tuesday~~ *10th calendar day* preceding any  
20 election, make an application to the city clerk for an absent voter's ballot.  
21 The application must be made available for public inspection.

22 2. When the voter has identified himself to the satisfaction of the city  
23 clerk, he is entitled to receive the appropriate ballot or ballots, but only for  
24 his own use.

25 3. A city clerk who allows a person to copy information from an  
26 application for an absent ballot is immune from any civil or criminal  
27 liability for any damage caused by the distribution of that information,  
28 unless he knowingly and willingly allows a person who intends to use the  
29 information to further an unlawful act to copy the information.

30 **Sec. 54.** NRS 293C.315 is hereby amended to read as follows:

31 293C.315 1. Any registered voter of this state who resides outside  
32 the continental United States may use a facsimile machine to request an  
33 absent ballot.

34 2. The city clerk shall use a facsimile machine to send an absent ballot  
35 to the registered voter.

36 3. The registered voter shall mail his absent ballot to the city clerk.

37 4. The secretary of state shall adopt regulations to carry out the  
38 provisions of this section.

39 ~~{5. As used in this section, "facsimile machine" means a device that~~  
40 ~~sends or receives a reproduction or facsimile of a document or photograph~~  
41 ~~which is transmitted electronically or telephonically by~~  
42 ~~telecommunications lines.}~~

43 **Sec. 55.** NRS 293C.330 is hereby amended to read as follows:

44 293C.330 1. When an absent voter receives his ballot, he must mark  
45 and fold it, if it is a paper ballot, or punch it, if the ballot is voted by  
46 punching a card, in accordance with the instructions, deposit it in the return  
47 envelope, seal the envelope, affix his signature on the back of the envelope  
48 in the space provided therefor and mail the return envelope.





1 2. ~~If the~~ *Except as otherwise provided in subsection 3, if an* absent  
2 voter who has ~~received~~ *requested* a ballot by mail applies to vote the  
3 ballot in person at:

4 (a) The ~~city clerk's office,~~ *office of the city clerk,* he must mark or  
5 punch the ballot, seal it in the return envelope and affix his signature in the  
6 same manner as provided in subsection 1, and deliver the envelope to the  
7 city clerk.

8 (b) A polling place, he must surrender the absent ballot and provide  
9 satisfactory identification before being issued a ballot to vote at the polling  
10 place. A person who receives a surrendered absent ballot shall mark it  
11 "Canceled."

12 3. *If an absent voter who has requested a ballot by mail applies to*  
13 *vote in person at the office of the city clerk or a polling place and the*  
14 *voter does not have the absent ballot to deliver or surrender, the voter*  
15 *must be issued a ballot to vote if the voter:*

16 (a) *Provides satisfactory identification;*

17 (b) *Is a registered voter who is otherwise entitled to vote; and*

18 (c) *Signs an affirmation under penalty of perjury on a form prepared*  
19 *by the secretary of state declaring that the voter has not voted during the*  
20 *election.*

21 4. Except as otherwise provided in NRS 293C.317, it is unlawful for  
22 any person to return an absent ballot other than the voter who requested the  
23 absent ballot or, at the request of the voter, a member of his family. A  
24 person who returns an absent ballot and who is a member of the family of  
25 the voter who requested the absent ballot shall, under penalty of perjury,  
26 indicate on a form prescribed by the city clerk that he is a member of the  
27 family of the voter who requested the absent ballot and that the voter  
28 requested that he return the absent ballot. A person who violates the  
29 provisions of this subsection is guilty of a category E felony and shall be  
30 punished as provided in NRS 193.130.

31 **Sec. 56.** NRS 293C.375 is hereby amended to read as follows:

32 293C.375 If paper ballots or ballots which are voted by punching a  
33 card are used:

34 1. After the tally lists have been completed, the ~~counting board~~  
35 ~~officers shall:~~

36 ~~—(a) File the voted ballots on a string, enclose and seal them in an~~  
37 ~~envelope marked "Election returns, voted ballots."~~

38 ~~—(b) File the rejected ballots on a string, enclose and seal them in an~~  
39 ~~envelope marked "Election returns, rejected ballots."~~

40 ~~—(c) Place one of the tally lists for regular ballots and one of the~~  
41 ~~pollbooks in an envelope marked "Election returns" and seal the envelope.~~

42 ~~2. The~~ voted ballots, rejected ballots, tally lists for regular ballots,  
43 tally list for rejected ballots, challenge list, stubs of used ballots, spoiled  
44 ballots and unused ballots must be sealed under cover by the counting  
45 board officers and addressed to the city clerk.

46 ~~3. 2.~~ The other pollbooks, tally lists and election board register must  
47 be returned to the city clerk.





1     **Sec. 57.** NRS 293C.390 is hereby amended to read as follows:  
2     293C.390 1. The voted ballots, rejected ballots, spoiled ballots, ~~tally~~  
3 ~~lists, pollbooks,~~ challenge lists, voting receipts, records printed on paper  
4 of voted ballots collected pursuant to NRS 293B.400 , and stubs of the  
5 ballots used, enclosed and sealed , must, after canvass of the votes by the  
6 governing body of the city, be deposited in the vaults of the city clerk .  
7 ~~and~~ *The tally lists and pollbooks collected pursuant to NRS 293B.400*  
8 *must, after canvass of the votes by the governing body of the city, be*  
9 *deposited in the vaults of the city clerk without being sealed. All materials*  
10 *described by this subsection must be* preserved for at least 22 months ~~[-. All~~  
11 ~~such sealed materials must be]~~ *and* destroyed immediately after that  
12 period. A notice of the destruction must be published by the city clerk in at  
13 least one newspaper of general circulation in the city, or if no newspaper is  
14 of general circulation in that city, in a newspaper of general circulation in  
15 the nearest city, not less than 2 weeks before the destruction of the  
16 materials.  
17     2. Unused ballots, enclosed and sealed, must, after canvass of the votes  
18 by the governing body of the city, be deposited in the vaults of the city  
19 clerk and preserved for at least the period during which the election may be  
20 contested and adjudicated, after which the unused ballots may be  
21 destroyed.  
22     ~~[-]~~ 3. The pollbooks containing the signatures of those persons who  
23 voted in the election and the tally lists deposited with the governing body  
24 of the city are subject to the inspection of any elector who may wish to  
25 examine them at any time after their deposit with the city clerk.  
26     ~~[-]~~ 4. A contestant of an election may inspect all of the material  
27 relating to that election which is preserved pursuant to subsection 1 ~~[-]~~ *or 2,*  
28 except the voted ballots.  
29     ~~[-]~~ 5. The voted ballots deposited with the city clerk are not subject to  
30 the inspection of any person, except in a contested election, and only by the  
31 judge, body or board before whom the election is being contested, or by the  
32 parties to the contest, jointly, pursuant to an order of the judge, body or  
33 board.  
34     **Sec. 58.** NRS 293C.530 is hereby amended to read as follows:  
35     293C.530 1. At least 10 days before an election, the city clerk shall  
36 cause to be mailed to each registered voter in the city a sample ballot for  
37 his precinct with a notice informing the voter of the location of his polling  
38 place ~~[-]~~ *and the time allowed to vote as provided in section 37 of this act.*  
39 If the location of the polling place has changed since the last election:  
40     (a) The city clerk shall mail a notice of the change to each registered  
41 voter in the city not sooner than 10 days before mailing the sample ballots;  
42 or  
43     (b) The sample ballot must also include a notice in at least 10-point bold  
44 type immediately above the location which states:  
45  
46             NOTICE: THE LOCATION OF YOUR POLLING PLACE  
47             HAS CHANGED SINCE THE LAST ELECTION



1 2. ~~{The city clerk shall include in each sample ballot for a primary city~~  
2 ~~election, a separate page on which is printed a list of the offices and~~  
3 ~~candidates for those offices for which there is no opposition.~~

4 ~~3.1~~ The cost of mailing sample ballots for a city election must be borne  
5 by the city holding the election.

6 **Sec. 59.** NRS 293C.540 is hereby amended to read as follows:

7 293C.540 Not later than 3 days before the day on which any regular or  
8 special city election is held, the county clerk shall deliver to the city clerk

9 ~~1. The~~ *the* official register for the city.  
10 ~~2. The checklists for each ward or voting district therein.~~

11 ~~1. The~~ *the* official register for the city.  
12 **Sec. 60.** Chapter 295 of NRS is hereby amended by adding thereto the  
13 provisions set forth as sections 61 to 65, inclusive, of this act.

14 **Sec. 61.** *1. Upon submission of a petition containing signatures*  
15 *that are required to be verified pursuant to NRS 295.095, 295.140 or*  
16 *295.205, the county or city clerk shall determine the total number of*  
17 *signatures on the petition.*

18 *2. If the county or city clerk finds that the total number of signatures*  
19 *on the petition is:*

20 *(a) One hundred percent or more of the required number of*  
21 *signatures of registered voters, the county or city clerk shall examine the*  
22 *signatures for verification as provided in section 62 of this act.*

23 *(b) Less than 100 percent of the required number of signatures of*  
24 *registered voters:*

25 *(1) The petition shall be deemed insufficient; and*

26 *(2) The county or city clerk shall not examine the signatures for*  
27 *verification as provided in section 62 of this act.*

28 **Sec. 62.** *1. If the total number of signatures on the petition is 500*  
29 *or less, the county or city clerk shall examine every signature on the*  
30 *petition for verification.*

31 *2. Except as otherwise provided in this subsection, if the total*  
32 *number of signatures on the petition is more than 500, the county or city*  
33 *clerk shall examine the signatures only by sampling them at random for*  
34 *verification. The random sample of signatures to be verified must be*  
35 *drawn in such a manner that every signature which has been submitted*  
36 *to the county or city clerk is given an equal opportunity to be included in*  
37 *the sample. The sample must include an examination of at least 500, or 5*  
38 *percent, of the signatures, whichever is greater. If the examination of the*  
39 *random sample shows that the number of valid signatures is less than 90*  
40 *percent of the number of signatures of registered voters needed to certify*  
41 *the petition sufficient, the petition must be certified insufficient pursuant*  
42 *to subsection 5. If the examination of the random sample shows that the*  
43 *number of valid signatures is 90 percent or more but less than 100*  
44 *percent of the number of signatures of registered voters needed to certify*  
45 *the petition sufficient, the county or city clerk shall continue to examine*  
46 *the signatures for verification until he has:*

47 *(a) Determined that 100 percent of the number of signatures of*  
48 *registered voters needed to certify the petition sufficient are valid; or*

49 *(b) Examined every signature for verification.*



1     3. In determining from the records of registration the number of  
2 registered voters who have signed the petition, and in examining the  
3 signatures on the petition for verification, the county or city clerk may  
4 use any file or list of registered voters maintained by his office or  
5 facsimiles of the signatures of voters. If the county or city clerk uses the  
6 file of applications to register to vote, he shall ensure that every  
7 application in the file is examined, including any application in his  
8 possession which may not yet be entered into his records. The county or  
9 city clerk may rely on the appearance of the signature, and the address  
10 and date included with each signature, in making his determination.  
11 Notwithstanding the provisions of this subsection, a petition must not be  
12 certified insufficient for lack of the required number of valid signatures  
13 if, in the absence of other proof of disqualification, any signature on the  
14 face thereof does not exactly correspond with the signature appearing on  
15 the file or list of registered voters used by the county or city clerk and the  
16 identity of the signer can be ascertained from the face of the petition.

17     4. If necessary, the board of county commissioners or the governing  
18 body of the city shall allow the county or city clerk additional assistants  
19 for examining the signatures and provide for their compensation.

20     5. If, pursuant to the examination of signatures for verification as  
21 required by this section, the number of valid signatures is:

22     (a) One hundred percent or more of the number of signatures of  
23 registered voters needed to certify the petition sufficient, the petition must  
24 be certified sufficient.

25     (b) Less than 100 percent of the number of signatures of registered  
26 voters needed to certify the petition sufficient, the petition must be  
27 certified insufficient.

28     Sec. 63. 1. Upon the determination of the sufficiency or  
29 insufficiency of the petition pursuant to section 61 or 62 of this act, the  
30 county or city clerk shall:

31     (a) Attach a certificate to the petition indicating the date and the  
32 sufficiency or insufficiency of the petition;

33     (b) If the petition is certified insufficient, specify the deficiencies in  
34 the petition that render it insufficient;

35     (c) If the petition was submitted pursuant to NRS 295.095 or 295.205,  
36 promptly send a copy of the certificate by registered or certified mail to  
37 the petitioners' committee;

38     (d) If the petition was submitted pursuant to NRS 295.140, promptly  
39 send a copy of the certificate by registered or certified mail to the person  
40 who submitted the petition; and

41     (e) Retain the petition and the original certificate at the office of the  
42 county or city clerk.

43     2. The petition shall be deemed filed with the county or city clerk as  
44 of the date of the certificate showing the petition to be validly signed by  
45 the number of registered voters needed to certify the petition sufficient.

46     Sec. 64. After the submission of the petition to the county or city  
47 clerk for verification pursuant to sections 61 to 65, inclusive, of this act,  
48 the petition must not be handled by any person other than an employee of



1 *the office of the county or city clerk until the county or city clerk has*  
2 *attached a certificate to the petition pursuant to section 63 of this act.*

3 **Sec. 65.** *The county or city clerk shall allow the person who*  
4 *submitted the petition or a member of the petitioners' committee, if any,*  
5 *to witness:*

6 *1. The determination of the total number of signatures on the*  
7 *petition; and*

8 *2. The examination of the signatures on the petition for verification.*

9 **Sec. 66.** NRS 295.055 is hereby amended to read as follows:

10 295.055 1. The secretary of state shall by regulation specify:

11 (a) The format for the signatures on a petition for an initiative or  
12 referendum and make free specimens of the format available upon request.  
13 Each signature must be dated.

14 (b) The manner of fastening together several sheets circulated by one  
15 person to constitute a single document.

16 2. Each document of the petition must bear the name of a county, and  
17 only registered voters of that county may sign the document.

18 3. A person who signs a petition may **not** remove his name from ~~it by~~  
19 ~~transmitting his request in writing to the county clerk at any time before~~  
20 ~~the petition. [is filed with the county clerk.]~~

21 **Sec. 67.** NRS 295.095 is hereby amended to read as follows:

22 295.095 1. Any five registered voters of the county may commence  
23 initiative or referendum proceedings by filing with the county clerk an  
24 affidavit stating they will constitute the petitioners' committee and be  
25 responsible for circulating the petition and filing it in proper form, stating  
26 their names and addresses and specifying the address to which all notices  
27 to the committee are to be sent, and setting out in full the proposed  
28 initiative ordinance or citing the ordinance sought to be reconsidered.

29 2. Initiative petitions must be signed by a number of registered voters  
30 of the county equal to 15 percent or more of the number of voters who  
31 voted at the last preceding general election in the county.

32 3. Referendum petitions must be signed by a number of registered  
33 voters of the county equal to 10 percent or more of the number of voters  
34 who voted at the last preceding general election in the county.

35 4. A petition must be ~~filed~~ *submitted to the county clerk for*  
36 *verification, pursuant to sections 61 to 65, inclusive, of this act,* not later  
37 than:

38 (a) One hundred and eighty days after the date that the affidavit required  
39 by subsection 1 is filed with the county clerk; or

40 (b) One hundred *and twenty-five* days before the election,  
41 whichever is earlier.

42 5. A petition may consist of more than one document, but all  
43 documents of a petition must be uniform in size and style, numbered and  
44 assembled as one instrument for ~~filing~~ *submission*. Each signature must  
45 be executed in ink or indelible pencil and followed by the address of the  
46 person signing and the date on which he signed the petition. All signatures  
47 on a petition must be obtained within the period specified in paragraph (a)  
48 of subsection 4. Each document must contain , or have attached thereto



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1 throughout its circulation , the full text of the ordinance proposed or sought  
2 to be reconsidered.

3 6. Each document of a petition must have attached to it when ~~filed~~  
4 *submitted* an affidavit executed by the circulator thereof stating:

- 5 (a) That he personally circulated the document;  
6 (b) The number of signatures thereon;  
7 (c) That all the signatures were affixed in his presence;  
8 (d) That he believes them to be genuine signatures of the persons whose  
9 names they purport to be; and  
10 (e) That each signer had an opportunity before signing to read the full  
11 text of the ordinance proposed or sought to be reconsidered.

12 7. The county clerk shall issue a receipt to any person who submits a  
13 petition pursuant to this section. The receipt must set forth the number of:

- 14 (a) Documents included in the petition;  
15 (b) Pages in each document; and  
16 (c) Signatures that the person declares are included in the petition.

17 **Sec. 68.** NRS 295.105 is hereby amended to read as follows:

18 295.105 1. Within 20 days after the petition is ~~filed~~ *submitted to*  
19 *the county clerk pursuant to NRS 295.095*, the county clerk shall  
20 complete a certificate as to its sufficiency . ~~I, specifying, if it is insufficient,~~  
21 ~~the particulars wherein it is defective and shall promptly send a copy of the~~  
22 ~~certificate to the petitioners' committee by registered or certified mail.~~

23 ~~— 2. A petition must not be certified insufficient for lack of the required~~  
24 ~~number of valid signatures if, in the absence of other proof of~~  
25 ~~disqualification, any signature on the face thereof does not exactly~~  
26 ~~correspond with the signature appearing on the official register of voters~~  
27 ~~and the identity of the signer can be ascertained from the face of the~~  
28 ~~petition.~~

29 2. A petition certified insufficient for lack of the required number of  
30 valid signatures may be amended once if the petitioners' committee files a  
31 notice of intention to amend it with the county clerk within 2 days after  
32 receiving the copy of his certificate and ~~files~~ *submits to the county clerk*  
33 *for verification, pursuant to sections 61 to 65, inclusive, of this act*, a  
34 supplementary petition upon additional papers within 10 days after  
35 receiving the copy of the certificate. A supplementary petition must  
36 comply with the requirements of subsections 5 and 6 of NRS 295.095, and  
37 within 5 days after it is ~~filed~~ *submitted*, the county clerk shall complete a  
38 certificate as to the sufficiency of the petition as amended . ~~and promptly~~  
39 ~~send a copy of the certificate to the petitioners' committee by registered or~~  
40 ~~certified mail.~~

41 3. If a petition or amended petition is certified sufficient, or if a  
42 petition or amended petition is certified insufficient and the petitioners'  
43 committee does not elect to amend or request board review under  
44 subsection 4 within the time required, the county clerk shall promptly  
45 present his certificate to the board and the certificate is a final  
46 determination as to the sufficiency of the petition.

47 4. If a petition has been certified insufficient and the petitioners'  
48 committee does not file notice of intention to amend it or if an amended  
49 petition has been certified insufficient, the committee may, within 2 days



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1 after receiving a copy of the certificate, file a request that it be reviewed by  
2 the board. The board shall review the certificate at its next meeting  
3 following the filing of the request and approve or disapprove it, and the  
4 determination of the board is a final determination as to the sufficiency of  
5 the petition.

6 5. A final determination as to the sufficiency of a petition is subject to  
7 ~~court~~ *judicial* review. A final determination of insufficiency, even if  
8 sustained upon ~~court~~ *judicial* review, does not prejudice the filing of a  
9 new petition for the same purpose.

10 **Sec. 69.** NRS 295.115 is hereby amended to read as follows:

11 295.115 1. When an initiative or referendum petition has been finally  
12 determined sufficient, the board shall promptly consider the proposed  
13 initiative ordinance in the manner provided by law for the consideration of  
14 ordinances generally or reconsider the referred ordinance by voting its  
15 repeal. If *, within 30 days after the date the petition was finally*  
16 *determined sufficient,* the board fails to adopt ~~it~~ *the* proposed initiative  
17 ordinance without any change in substance ~~within 60 days~~ or fails to  
18 repeal the referred ordinance ~~within 30 days after the date the petition was~~  
19 ~~finally determined sufficient, it~~ *, the board* shall submit the proposed or  
20 referred ordinance to the registered voters of the county.

21 2. The vote of the county on ~~it~~ *the* proposed or referred ordinance  
22 must be held at the next primary or general election. Copies of the  
23 proposed or referred ordinance must be made available at the polls.

24 3. An initiative or referendum petition may be withdrawn at any time  
25 before the 30th day preceding the day scheduled for a vote of the county or  
26 the deadline for placing questions on the ballot, whichever is earlier, by  
27 filing with the county clerk a request for withdrawal signed by at least four  
28 members of the petitioners' original committee. Upon the filing of that  
29 request, the petition has no further effect and all proceedings thereon must  
30 be terminated.

31 **Sec. 70.** NRS 295.140 is hereby amended to read as follows:

32 295.140 *1.* Whenever 10 percent or more of the registered voters of  
33 any county of this state, as shown by the number of registered voters who  
34 voted at the last preceding general election, express their wish that any act  
35 or resolution enacted by the legislature, and pertaining to that county only,  
36 be submitted to the vote of the people, they shall ~~file with~~ *submit to* the  
37 county clerk ~~not less than 4 months before the time set for the next~~  
38 ~~succeeding general election,~~ a petition, which must contain the names and  
39 residence addresses of at least 10 percent of the registered voters of that  
40 county, demanding that a referendum vote be had by the people of the  
41 county at the next primary or general election upon the act or resolution on  
42 which the referendum is demanded.

43 *2. A petition must be submitted to the county clerk for verification,*  
44 *pursuant to sections 61 to 65, inclusive, of this act, not later than 4*  
45 *months before the time set for the next succeeding general election.*

46 *3. A petition may consist of more than one document, but all*  
47 *documents of a petition must be uniform in size and style, numbered and*  
48 *assembled as one instrument for submission. Each signature must be*  
49 *executed in ink or indelible pencil and followed by the address of the*



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1 *person signing and the date on which he signed the petition. Each*  
2 *document must contain, or have attached thereto throughout its*  
3 *circulation, the full text of the act or resolution on which the referendum*  
4 *is demanded.*

5 4. *Each document of a petition must have attached to it when*  
6 *submitted an affidavit executed by the circulator thereof stating:*

- 7 (a) *That he personally circulated the document;*  
8 (b) *The number of signatures thereon;*  
9 (c) *That all the signatures were affixed in his presence;*  
10 (d) *That he believes them to be genuine signatures of the persons*  
11 *whose names they purport to be; and*  
12 (e) *That each signer had an opportunity before signing to read the full*  
13 *text of the act or resolution on which the referendum is demanded.*

14 5. *The county clerk shall issue a receipt to any person who submits a*  
15 *petition pursuant to this section. The receipt must set forth the number*  
16 *of:*

- 17 (a) *Documents included in the petition;*  
18 (b) *Pages in each document; and*  
19 (c) *Signatures that the person declares are included in the petition.*

20 6. *Within 20 days after a petition is submitted, the county clerk shall*  
21 *complete a certificate as to its sufficiency. Unless a request for review is*  
22 *filed pursuant to subsection 7, the certificate is a final determination as*  
23 *to the sufficiency of the petition.*

24 7. *If a petition is certified insufficient, the person who submitted the*  
25 *petition may, within 2 days after receiving a copy of the certificate, file a*  
26 *request that it be reviewed by the board of county commissioners. The*  
27 *board shall review the certificate at its next meeting following the filing*  
28 *of the request and approve or disapprove it, and the determination of the*  
29 *board is a final determination as to the sufficiency of the petition.*

30 8. *A final determination as to the sufficiency of a petition is subject*  
31 *to judicial review. A final determination of insufficiency, even if*  
32 *sustained upon judicial review, does not prejudice the filing of a new*  
33 *petition for the same purpose.*

34 **Sec. 71.** NRS 295.160 is hereby amended to read as follows:

35 295.160 1. ~~If the~~ *If the petition is determined to be sufficient, the*  
36 *county clerk shall* ~~file the petition upon its receipt by him. At~~ *, at the next*  
37 *primary or general election ,* ~~he shall~~ *submit the act or resolution, by*  
38 *appropriate questions on the ballot, for the approval or disapproval of the*  
39 *people of that county.*

40 2. The county clerk shall publish those questions in accordance with  
41 the provisions of law requiring county clerks to publish questions and  
42 proposed constitutional amendments which are to be submitted for popular  
43 vote.

44 **Sec. 72.** NRS 295.205 is hereby amended to read as follows:

45 295.205 1. Any five registered voters of the city may commence  
46 initiative or referendum proceedings by filing with the city clerk an  
47 affidavit:

- 48 (a) Stating they will constitute the petitioners' committee and be  
49 responsible for circulating the petition and filing it in proper form;



1 (b) Stating their names and addresses;  
2 (c) Specifying the address to which all notices to the committee are to  
3 be sent; and

4 (d) Setting out in full the proposed initiative ordinance or citing the  
5 ordinance sought to be reconsidered.

6 2. Initiative petitions must be signed by a number of registered voters  
7 of the city equal to 15 percent or more of the number of voters who voted  
8 at the last preceding city election.

9 3. Referendum petitions must be signed by a number of registered  
10 voters of the city equal to 10 percent or more of the number of voters who  
11 voted at the last preceding city election.

12 4. A petition must be ~~filed~~ *submitted to the city clerk for*  
13 *verification, pursuant to sections 61 to 65, inclusive, of this act*, not later  
14 than:

15 (a) One hundred and eighty days after the date that the affidavit required  
16 by subsection 1 is filed with the city clerk; or

17 (b) One hundred *and twenty-five* days before the election,  
18 whichever is earlier.

19 5. A petition may consist of more than one document, but all  
20 documents of a petition must be uniform in size and style, numbered and  
21 assembled as one instrument for ~~filing~~ *submission*. Each signature must  
22 be executed in ink or indelible pencil and followed by the address of the  
23 person signing and the date on which he signed the petition. All signatures  
24 on a petition must be obtained within the period specified in paragraph (a)  
25 of subsection 4. Each document must contain , or have attached thereto  
26 throughout its circulation , the full text of the ordinance proposed or sought  
27 to be reconsidered.

28 6. Each document of a petition must have attached to it when ~~filed~~  
29 *submitted* an affidavit executed by the circulator thereof stating:

30 (a) That he personally circulated the document;

31 (b) The number of signatures thereon;

32 (c) That all the signatures were affixed in his presence;

33 (d) That he believes them to be genuine signatures of the persons whose  
34 names they purport to be; and

35 (e) That each signer had an opportunity before signing to read the full  
36 text of the ordinance proposed or sought to be reconsidered.

37 7. The city clerk shall issue a receipt to any person who submits a  
38 petition pursuant to this section. The receipt must set forth the number of:

39 (a) Documents included in the petition;

40 (b) Pages in each document; and

41 (c) Signatures that the person declares are included in the petition.

42 **Sec. 73.** NRS 295.210 is hereby amended to read as follows:

43 295.210 1. Within 20 days after the petition is ~~filed~~ *submitted to*  
44 *the city clerk pursuant to NRS 295.205*, the city clerk shall ~~examine the~~  
45 ~~signatures thereon~~ complete a certificate as to its sufficiency . ~~It~~  
46 ~~specifying, if it is insufficient, the particulars wherein it is defective and~~  
47 ~~shall promptly send a copy of the certificate to the petitioners' committee~~  
48 ~~by registered or certified mail.~~



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1 ~~—2. If more than 500 names are signed on the documents filed with him,~~  
2 ~~the city clerk must examine the signatures by sampling them randomly for~~  
3 ~~verification. The random sample of signatures to be verified must be drawn~~  
4 ~~in such a manner that every signature which has been submitted to the city~~  
5 ~~clerk is given an equal opportunity to be included in the sample. The~~  
6 ~~sample must include an examination of at least 500 signatures or 5 percent~~  
7 ~~of the signatures, whichever is greater.~~

8 ~~—3. A petition must not be certified insufficient for lack of the required~~  
9 ~~number of valid signatures if, in the absence of other proof of~~  
10 ~~disqualification, any signature on the face thereof does not exactly~~  
11 ~~correspond with the signature appearing on the official register of voters~~  
12 ~~and the identity of the signer can be ascertained from the face of the~~  
13 ~~petition.~~

14 2. A petition certified insufficient for lack of the required number of  
15 valid signatures may be amended once if the petitioners' committee files a  
16 notice of intention to amend it with the city clerk within 2 days after  
17 receiving the copy of his certificate and ~~files~~ *submits to the city clerk for*  
18 *verification, pursuant to sections 61 to 65, inclusive, of this act,* a  
19 supplementary petition upon additional papers within 10 days after  
20 receiving the copy of the certificate. A supplementary petition must  
21 comply with the requirements of subsections 5 and 6 of NRS 295.205, and  
22 within 5 days after it is ~~filed~~ *submitted*, the city clerk shall complete a  
23 certificate as to the sufficiency of the petition as amended. ~~and promptly~~  
24 ~~send a copy of the certificate to the petitioners' committee by registered or~~  
25 ~~certified mail.~~

26 ~~4.~~ 3. If a petition or amended petition is certified sufficient, or if a  
27 petition or amended petition is certified insufficient and the petitioners'  
28 committee does not elect to amend or request council review under  
29 subsection ~~4~~ 4 within the time required, the city clerk must promptly  
30 present his certificate to the council and the certificate is a final  
31 determination as to the sufficiency of the petition.

32 ~~5.~~ 4. If a petition has been certified insufficient and the petitioners'  
33 committee does not file notice of intention to amend it or if an amended  
34 petition has been certified insufficient, the committee may, within 2 days  
35 after receiving the copy of the certificate, file a request that it be reviewed  
36 by the council. The council shall review the certificate at its next meeting  
37 following the filing of the request and approve or disapprove it, and the  
38 council's determination is a final determination as to the sufficiency of the  
39 petition.

40 ~~6.~~ 5. A final determination as to the sufficiency of a petition is  
41 subject to ~~court~~ *judicial* review. A final determination of insufficiency,  
42 even if sustained upon ~~court~~ *judicial* review, does not prejudice the filing  
43 of a new petition for the same purpose.

44 **Sec. 74.** NRS 295.215 is hereby amended to read as follows:  
45 295.215 1. When an initiative or referendum petition has been finally  
46 determined sufficient, the council shall promptly consider the proposed  
47 initiative ordinance in the manner provided by law for the consideration of  
48 ordinances generally or reconsider the referred ordinance by voting its  
49 repeal. If , *within 30 days after the date the petition was finally*



1 ~~determined sufficient~~, the council fails to adopt ~~it~~ *the* proposed initiative  
2 ordinance without any change in substance ~~{within 60 days}~~ or fails to  
3 repeal the referred ordinance ~~{within 30 days after the date the petition was~~  
4 ~~finally determined sufficient, it}~~, *the council* shall submit the proposed or  
5 referred ordinance to the registered voters of the city.

6 2. The vote of the city on ~~it~~ *the* proposed or referred ordinance must  
7 be held at the next primary or general city election or primary or general  
8 election. Copies of the proposed or referred ordinance must be made  
9 available at the polls.

10 3. An initiative or referendum petition may be withdrawn at any time  
11 before the 30th day preceding the day scheduled for a vote of the city or  
12 the deadline for placing questions on the ballot, whichever is earlier, by  
13 filing with the city clerk a request for withdrawal signed by at least four  
14 members of the petitioners' original committee. Upon the filing of that  
15 request the petition has no further effect and all proceedings thereon must  
16 be terminated.

17 **Sec. 75.** NRS 306.015 is hereby amended to read as follows:

18 306.015 1. Before a petition to recall a public officer is circulated,  
19 the persons proposing to circulate the petition must file a notice of intent  
20 with the filing officer.

21 2. The notice of intent:

22 (a) Must be signed by three registered voters who actually voted in this  
23 state or in the county, district or municipality electing the officer at the last  
24 preceding general election.

25 (b) Must be signed before a person authorized by law to administer  
26 oaths that the statements and signatures contained in the notice are true.

27 (c) Is valid until the date on which the call for a special election is  
28 issued, as set forth in NRS 306.040.

29 3. The petition may consist of more than one document. The persons  
30 filing the notice of intent shall submit the petition that was circulated for  
31 signatures to the filing officer within 60 days after the date on which the  
32 notice of intent was filed. The filing officer shall immediately submit the  
33 petition to the county clerk for verification pursuant to NRS 306.035. Any  
34 person who fails to ~~file~~ *submit* the petition *to the filing officer* as  
35 required by this subsection is guilty of a misdemeanor. Copies of the  
36 petition are not valid for any subsequent petition.

37 4. The county clerk shall, upon completing the verification of the  
38 signatures on the petition, file the petition with the filing officer.

39 5. ~~{Any}~~ *A* person who signs a petition to recall ~~{any}~~ *a* public officer  
40 may *not* remove his name from the petition. ~~{by submitting a request in~~  
41 ~~writing to the county clerk at any time before the petition is submitted for~~  
42 ~~the verification of the signatures thereon pursuant to NRS 306.035.}~~

43 6. A person who signs a notice of intent pursuant to subsection 1 or a  
44 petition to recall a public officer is immune from civil liability for conduct  
45 related to the exercise of his right to participate in the recall of a public  
46 officer.

47 7. As used in this section, "filing officer" means the officer with whom  
48 the public officer to be recalled filed his declaration of candidacy or  
49 acceptance of candidacy pursuant to NRS 293.185, 293C.145 or 293C.175.



1     **Sec. 76.** NRS 306.040 is hereby amended to read as follows:  
2     306.040 1. Upon determining that the number of signatures on a  
3 petition to recall is sufficient pursuant to NRS 293.1276 to 293.1279,  
4 inclusive, the secretary of state shall notify the county clerk, the officer  
5 with whom the petition is to be filed pursuant to subsection 4 of NRS  
6 306.015 and the public officer who is the subject of the petition.

7     2. ~~After the verification of signatures is complete, but not later than~~  
8 ~~the date a complaint is filed pursuant to subsection 5 or the date the call for~~  
9 ~~a special election is issued, whichever is earlier, a] A person who signs a~~  
10 petition to recall may ~~request the secretary of state to strike his name from~~  
11 ~~the petition. If the person demonstrates good cause therefor, the secretary~~  
12 ~~of state shall strike] not remove~~ his name from the petition.

13     3. Not sooner than 10 days nor more than 20 days after the secretary of  
14 state completes the notification required by subsection 1, if a complaint is  
15 not filed pursuant to subsection 5, the officer with whom the petition is  
16 filed shall issue a call for a special election in the jurisdiction in which the  
17 public officer who is the subject of the petition was elected to determine  
18 whether the people will recall him.

19     4. The call for a special election pursuant to subsection 3 or 6 must  
20 include, without limitation:

21     (a) The last day on which a person may register to vote to qualify to  
22 vote in the special election; and

23     (b) The last day on which a petition to nominate other candidates for the  
24 office may be filed.

25     5. The legal sufficiency of the petition may be challenged by filing a  
26 complaint in district court not later than 5 days, Saturdays, Sundays and  
27 holidays excluded, after the secretary of state completes the notification  
28 required by subsection 1. All affidavits and documents in support of the  
29 challenge must be filed with the complaint. The court shall set the matter  
30 for hearing not later than 30 days after the complaint is filed and shall give  
31 priority to such a complaint over all other matters pending with the court,  
32 except for criminal proceedings.

33     6. Upon the conclusion of the hearing, if the court determines that the  
34 petition is sufficient, it shall order the officer with whom the petition is  
35 filed to issue a call for a special election in the jurisdiction in which the  
36 public officer who is the subject of the petition was elected to determine  
37 whether the people will recall him. If the court determines that the petition  
38 is not sufficient, it shall order the officer with whom the petition is filed to  
39 cease any further proceedings regarding the petition.

40     **Sec. 77.** Chapter 283 of NRS is hereby amended by adding thereto a  
41 new section to read as follows:

42     1. *Upon making an appointment to fill a vacancy in an elected office,*  
43 *the appointing authority shall notify the filing officer for that elected*  
44 *office. The notice must include:*

45     (a) *The name, residence address and telephone number of the*  
46 *appointed person;*

47     (b) *The political party of the appointed person; and*

48     (c) *The term of the appointment.*



1     **2. This section applies to each appointment to fill a vacancy in an**  
2     **electd office, including, without limitation, the initial appointment to fill**  
3     **a vacancy in a newly created elected office.**

4     **3. As used in this section, "filing officer" has the meaning ascribed**  
5     **to it in NRS 293.057.**

6     **Sec. 78.** Section 5.070 of the charter of the City of Caliente, being  
7     chapter 31, Statutes of Nevada 1971, at page 67, is hereby amended to read  
8     as follows:

9         Sec. 5.070 Availability of lists of registered voters. If, for any  
10        purpose relating to a municipal election or to candidates or issues  
11        involved in such an election, any organization, group or person  
12        requests a list of registered voters of the city, the department, office or  
13        agency which has custody of the official register of voters shall ,  
14        *except as otherwise provided in NRS 293.558*, either permit the  
15        organization, group or person to copy the voters' names and addresses  
16        from the official register of voters or furnish such a list.

17     **Sec. 79.** Section 5.060 of the charter of the City of Carlin, being  
18     chapter 344, Statutes of Nevada 1971, at page 616, is hereby amended to  
19     read as follows:

20        Sec. 5.060 Availability of lists of registered voters. If, for any  
21        purpose relating to a municipal election or to candidates or issues  
22        involved in such an election, any organization, group or person  
23        requests a list of registered voters of the city, the department, office or  
24        agency which has custody of the official register of voters shall ,  
25        *except as otherwise provided in NRS 293.558*, either permit the  
26        organization, group or person to copy the voters' names and addresses  
27        from the official register of voters or furnish such a list.

28     **Sec. 80.** Section 5.070 of the charter of Carson City, being chapter  
29     213, Statutes of Nevada 1969, as amended by chapter 118, Statutes of  
30     Nevada 1985, at page 478, is hereby amended to read as follows:

31        Sec. 5.070 Availability of list of registered voters. If, for any  
32        purpose relating to a municipal election or to the candidates or issues  
33        involved in that election, any organization, group or person requests a  
34        list of the registered voters of Carson City, the department, office or  
35        agency which has custody of the official register of voters shall ~~it~~ ,  
36        *except as otherwise provided in NRS 293.558*:

37        1. Permit the organization, group or person to copy the voters'  
38        names and addresses from the official register of voters; or

39        2. Furnish the list upon payment of the fee which is prescribed in  
40        chapter 293 of NRS.

41     **Sec. 81.** Section 5.060 of the charter of the City of Elko, being chapter  
42     276, Statutes of Nevada 1971, at page 489, is hereby amended to read as  
43     follows:

44        Sec. 5.060 Availability of lists of registered voters. If, for any  
45        purpose relating to a municipal election or to candidates or issues  
46        involved in such an election, any organization, group or person  
47        requests a list of registered voters of the city, the department, office or  
48        agency which has custody of the official register of voters shall ,  
49        *except as otherwise provided in NRS 293.558*, either permit the



1 organization, group or person to copy the voters' names and addresses  
2 from the official register of voters or furnish such a list.

3 **Sec. 82.** Section 5.060 of the charter of the City of Gabbs, being  
4 chapter 265, Statutes of Nevada 1971, at page 397, is hereby amended to  
5 read as follows:

6 Sec. 5.060 Availability of lists of registered voters. If, for any  
7 purpose relating to a municipal election or to candidates or issues  
8 involved in such an election, any organization, group or person  
9 requests a list of registered voters of the city, the department, office or  
10 agency which has custody of the official register of voters shall ,  
11 *except as otherwise provided in NRS 293.558*, either permit the  
12 organization, group or person to copy the voters' names and addresses  
13 from the official register of voters or furnish such a list.

14 **Sec. 83.** Section 5.070 of the charter of the City of Las Vegas, being  
15 chapter 517, Statutes of Nevada 1983, at page 1416, is hereby amended to  
16 read as follows:

17 Sec. 5.070 Availability of lists of registered voters. If, for any  
18 purpose which relates to a municipal election or to the candidates or  
19 issues which are involved in that election, any organization, group or  
20 person requests a list of the registered voters of the city, the  
21 department, office or agency which has custody of the official register  
22 of voters shall , *except as otherwise provided in NRS 293.558*, either  
23 permit that organization, group or person to copy the voters' names  
24 and addresses from the official register of voters or furnish the list  
25 upon payment of the fee which is prescribed in chapter 293 of NRS.

26 **Sec. 84.** Section 5.120 of the charter of the City of Las Vegas, being  
27 chapter 517, Statutes of Nevada 1983, at page 1417, is hereby amended to  
28 read as follows:

29 Sec. 5.120 Special elections: Notice of election.

30 1. The city clerk shall cause a notice of a special municipal  
31 election to be published at least once a week for 2 consecutive weeks  
32 by two weekly insertions 1 week apart, the first publication to be not  
33 more than 14 days nor less than 8 days next preceding the special  
34 election.

35 2. ~~The~~ *Except as otherwise provided in sections 38 to 47,*  
36 *inclusive, of this act, the* notice of the special election must contain:

- 37 (a) The date and places of holding the election.  
38 (b) The hours during the day in which the polls will be open, which  
39 must be the same as are provided for general elections.  
40 (c) A statement of the question in substantially the same form as it  
41 will appear on the official ballot.

42 **Sec. 85.** Section 5.130 of the charter of the City of Las Vegas, being  
43 chapter 517, Statutes of Nevada 1983, at page 1417, is hereby amended to  
44 read as follows:

45 Sec. 5.130 Special elections: Consolidation of voting precincts;  
46 qualification of voters; costs.

47 1. ~~The~~ *Except as otherwise provided in sections 38 to 47,*  
48 *inclusive, of this act, the* city clerk may consolidate or otherwise  
49 modify voting precincts for any special municipal election and shall



1 designate the polling places, appoint the officers of the election for  
2 each precinct in such number as he may determine, and fix the  
3 respective duties and compensation of those officers.

4 2. Any qualified elector who is properly registered is qualified to  
5 vote at the special election.

6 3. The costs of any special election must be paid by the city.

7 **Sec. 86.** Section 5.070 of the charter of the City of Reno, being  
8 chapter 662, Statutes of Nevada 1971, as last amended by chapter 9,  
9 Statutes of Nevada 1993, at page 23, is hereby amended to read as follows:

10 Sec. 5.070 Availability of lists of registered voters. If, for any  
11 purpose relating to an election or to candidates or issues involved in  
12 that election, any organization, group or person requests a list of  
13 registered voters of the city, the department, office or agency which  
14 has custody of the official register of voters shall , *except as otherwise*  
15 *provided in NRS 293.558*, permit the organization, group or person to  
16 copy the voters' names and addresses from the official register of  
17 voters or furnish such a list upon payment of the cost established by  
18 state election law.

19 **Sec. 87.** Section 5.070 of the charter of the City of Sparks, being  
20 chapter 470, Statutes of Nevada 1975, at page 737, is hereby amended to  
21 read as follows:

22 Sec. 5.070 Availability of lists of registered voters. If, for any  
23 purpose relating to a municipal election or to candidates or issues  
24 involved in such an election, any organization, group or person  
25 requests a list of registered voters of the city, the department, office or  
26 agency which has custody of the official register of voters shall ,  
27 *except as otherwise provided in NRS 293.558*, provide the same upon  
28 payment therefor in an amount determined pursuant to the provisions  
29 of ~~subsection 2 of~~ NRS 293.440.

30 **Sec. 88.** Section 5.060 of the charter of the City of Wells, being  
31 chapter 275, Statutes of Nevada 1971, at page 470, is hereby amended to  
32 read as follows:

33 Sec. 5.060 Availability of lists of registered voters. If, for any  
34 purpose relating to a municipal election or to candidates or issues  
35 involved in such an election, any organization, group or person  
36 requests a list of registered voters of the city, the department, office or  
37 agency which has custody of the official register of voters shall ,  
38 *except as otherwise provided in NRS 293.558*, either permit the  
39 organization, group or person to copy the voters' names and addresses  
40 from the official register of voters or furnish such a list.

41 **Sec. 89.** Section 5.060 of the charter of the City of Yerington, being  
42 chapter 465, Statutes of Nevada 1971, at page 913, is hereby amended to  
43 read as follows:

44 Sec. 5.060 Availability of lists of registered voters. If, for any  
45 purpose relating to a municipal election or to candidates or issues  
46 involved in such an election, any organization, group or person  
47 requests a list of registered voters of the city, the department, office or  
48 agency which has custody of the official register of voters shall ,



\* A B 6 3 7 \*

- 1 *except as otherwise provided in NRS 293.558*, furnish such a list at a
- 2 fee to be established by the city council.
- 3 **Sec. 90.** NRS 293.037, 293B.320 and 293C.537 are hereby repealed.

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### LEADLINES OF REPEALED SECTIONS

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293.037 “Checklist” defined.  
293B.320 Time allowed in booth; removal from booth.  
293C.537 County clerk to prepare checklists for wards or voting  
districts in cities; contents of checklists; use of checklists by election  
board members.

