
ASSEMBLY BILL NO. 136—COMMITTEE ON ELECTIONS,
PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTY CLERKS)

FEBRUARY 24, 2005

Referred to Committee on Elections, Procedures,
Ethics, and Constitutional Amendments

SUMMARY—Requires Secretary of State to provide to or reimburse counties and cities for computer programs and certain supplies required for conducting elections. (BDR 24-418)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to elections; requiring the Secretary of State to provide to or reimburse each county and city for computer programs and certain supplies that are necessary for conducting elections; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires the Secretary of State to provide to each county or
2 reimburse each county for all ballot cards used in each primary or general election.
3 (NRS 293B.210) The governing body of a city must provide all necessary books,
4 ballots and supplies for the proper conduct of city elections. (NRS 293C.120)
5 This bill requires the Secretary of State to provide to, or reimburse a county and
6 city for the following items for a primary and general election: (1) computer
7 programs necessary for the proper functioning of the mechanical voting system and
8 the costs for installing or applying the program; (2) paper, cards or other material
9 used to produce absentee ballots; and (3) paper used to print the permanent paper
10 record to enable a manual audit of votes recorded. Reimbursement must be paid
11 from the Reserve for Statutory Contingency Account.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 293.443 is hereby amended to read as follows:
2 293.443 1. Except as otherwise provided in subsection 3 ~~{H}~~
3 *of this section, subsection 3 of NRS 293.481, subsection 2 of NRS*
4 *293B.210 and subsection 2 of NRS 293C.120,* the expense of
5 providing all ballots, forms and other supplies to be used at any
6 election regulated by this chapter or chapter 293C of NRS and all
7 expenses necessarily incurred in the preparation for, or the conduct
8 of, any such election is a charge upon the municipality, county,
9 district or State, as the case may be.

10 2. The county or city clerk may submit the printing of ballots
11 for competitive bidding.

12 3. If a political party or other entity requests more than 50
13 applications to register to vote by mail, the clerk may assess a
14 charge, not to exceed the cost of printing the applications, for each
15 application requested in excess of 50.

16 **Sec. 2.** NRS 293B.125 is hereby amended to read as follows:

17 293B.125 1. ~~{The}~~ *Except as otherwise provided in*
18 *subsection 2 of NRS 293B.210 and subsection 2 of NRS 293C.120,*
19 *the* cost of a mechanical voting system is a charge upon the county
20 or city adopting it.

21 2. The board of county commissioners or city council or other
22 governing body of any city may provide for the payment of the costs
23 of such a voting system in such *a* manner and by such method as
24 ~~{they consider}~~ *it considers* in the best local interests, and also may
25 for that purpose issue bonds, certificates of indebtedness ~~{H}~~ or other
26 obligations which are a charge on the county or city. The bonds,
27 certificates or other obligations may be issued with or without
28 interest, payable at such time as the authorities may determine, but
29 may not be issued or sold at less than par.

30 **Sec. 3.** NRS 293B.210 is hereby amended to read as follows:

31 293B.210 1. If a mechanical voting system is used whereby a
32 vote is cast by punching a card, the county or city clerk shall furnish
33 sufficient lists of offices and candidates and the statements of
34 measures to be voted on for the mechanical recording devices used
35 at any election.

36 2. The Secretary of State shall provide to *each county,* or
37 reimburse each county for ~~{all cards used in}~~ *the cost of preparing,*
38 *causing to be prepared or purchasing, as the case may be, the:*

39 *(a) Computer program or programs necessary for the proper*
40 *functioning of the mechanical voting system used in that county*
41 *and any cost for installing or applying that program;*



1 ***(b) Paper, cards or other material used to produce absent***
2 ***ballots for voters in that county; and***

3 ***(c) Paper used to print the permanent paper record that must***
4 ***be available for a potential manual audit of votes recorded,***

5 ***↪ that are necessary for the conduct of*** each primary or general
6 election. Any reimbursement must be paid from the Reserve for
7 Statutory Contingency Account upon recommendation by the
8 Secretary of State and approval by the State Board of Examiners.

9 **Sec. 4.** NRS 293C.120 is hereby amended to read as follows:

10 293C.120 ~~***[The]***~~

11 ***1. Except as otherwise provided in subsection 2, the***
12 governing body of a city shall provide all necessary books, ballots
13 and supplies for the proper conduct of city elections.

14 ***2. The Secretary of State shall provide to each city, or***
15 ***reimburse each city for the cost of preparing, causing to be***
16 ***prepared or purchasing, as the case may be, the:***

17 ***(a) Computer program or programs necessary for the proper***
18 ***functioning of the mechanical voting system used in that city and***
19 ***any cost for installing or applying that program;***

20 ***(b) Paper, cards or other material used to produce absent***
21 ***ballots for voters in that city; and***

22 ***(c) Paper used to print the permanent paper record that must***
23 ***be available for a potential manual audit of votes recorded,***

24 ***↪ that are necessary for the conduct of each primary city or***
25 ***general city election. Any reimbursement must be paid from the***
26 ***Reserve for Statutory Contingency Account upon recommendation***
27 ***by the Secretary of State and approval by the State Board of***
28 ***Examiners.***

29 **Sec. 5.** NRS 293C.545 is hereby amended to read as follows:

30 293C.545 1. As full compensation for all services rendered
31 pursuant to the provisions of ***subsection 1 of*** NRS 293C.120 and
32 ~~***[293C.535 to 293C.542, inclusive,]***~~ ***NRS 293C.535, 293C.540 and***
33 ***293C.542,*** the county registrar is entitled to receive on behalf of the
34 county the sum of 15 cents for each name of an elector copied by
35 him, regardless of the number of times each name is copied.

36 2. The account of the county registrar:

37 (a) Is a claim against the city.

38 (b) Must be made out so as to indicate clearly the number of
39 names copied by him.

40 (c) Must be sworn to and filed with the governing body of the
41 city.



3. The claim, including all other just and reasonable demands of other persons for books, advertising and supplies necessarily incurred in carrying out the provisions of **subsection 1 of NRS 293C.120** and ~~[293C.535 to 293C.542, inclusive,]~~ **NRS 293C.535, 293C.540 and 293C.542**, must be audited and paid out of the general fund of the city.

4. All money received by the county registrar pursuant to this section must be deposited by him for credit to the general fund of the county.

Sec. 6. NRS 353.264 is hereby amended to read as follows:

353.264 1. The Reserve for Statutory Contingency Account is hereby created in the State General Fund.

2. The State Board of Examiners shall administer the Reserve for Statutory Contingency Account. The money in the Account must be expended only for:

(a) The payment of claims which are obligations of the State pursuant to NRS 41.03435, 41.0347, 621.050, 176.485, 179.310, 212.040, 212.050, 212.070, 281.174, 282.290, 282.315, 288.203, 293.253, 293.405, 353.120, 353.262, 412.154 and 475.235;

(b) The payment of claims which are obligations of the State pursuant to:

(1) Chapter 472 of NRS arising from operations of the Division of Forestry of the State Department of Conservation and Natural Resources directly involving the protection of life and property; and

(2) NRS 7.155, 34.750, 176A.640, 179.225, 213.153 ~~and 293B.210,]~~, **subsection 2 of NRS 293B.210 and subsection 2 of NRS 293C.120**,

➔ except that claims may be approved for the respective purposes listed in this paragraph only when the money otherwise appropriated for those purposes has been exhausted;

(c) The payment of claims which are obligations of the State pursuant to NRS 41.0349 and 41.037, but only to the extent that the money in the Fund for Insurance Premiums is insufficient to pay the claims; and

(d) The payment of claims which are obligations of the State pursuant to NRS 535.030 arising from remedial actions taken by the State Engineer when the condition of a dam becomes dangerous to the safety of life or property.

3. The State Board of Examiners may authorize its Clerk, under such circumstances as it deems appropriate, to approve, on behalf of the Board, the payment of claims from the Reserve for Statutory Contingency Account. For the purpose of exercising any authority granted to the Clerk of the State Board of Examiners pursuant to this subsection, any statutory reference to the State



- 1 Board of Examiners relating to such a claim shall be deemed to refer
- 2 to the Clerk of the Board.

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