

ASSEMBLY BILL NO. 499—COMMITTEE ON ELECTIONS,  
PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS

MARCH 28, 2005

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

SUMMARY—Makes various changes relating to elections.  
(BDR 24-898)

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

CONTAINS UNFUNDED MANDATE (§ 22)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

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AN ACT relating to elections; requiring an election board to have a copy of a list of all registered voters in the county who are eligible to vote in an election; revising provisions relating to registering a person to vote; revising provisions relating to requesting and casting an absent ballot for an election; providing that an out-of-state student enrolled in the University and Community College System of Nevada may serve as a member of an election board; revising provisions relating to powers of a chairman of an election board; revising the provision requiring an employer to give an employee leave for the purpose of voting; revising the provisions relating to permanent polling places for early voting in person; revising the provisions relating to the casting of a provisional ballot; providing that a district attorney has concurrent jurisdiction with the Secretary of State to enforce the provisions of title 24 of NRS; directing the Legislative Commission to conduct an interim study of various matters relating to the conduct of elections in this State; providing a penalty; and providing other matters properly relating thereto.



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

**Section 1.** Chapter 293 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

**Sec. 2. 1.** *The county clerk may appoint a nonresident college student as an election board officer. To qualify for such an appointment, the nonresident college student must be:*

*(a) A United States citizen and not eligible to register to vote in this State;*

*(b) Enrolled in the University and Community College System of Nevada; and*

*(c) At least 16 years of age at the time of service.*

**2.** *The county clerk may only appoint a nonresident college student as an election board officer pursuant to subsection 1 if:*

*(a) The nonresident college student is appointed without party affiliation;*

*(b) The county clerk sends the nonresident college student a certificate stating the date and hours that the nonresident college student shall act as an election board officer; and*

*(c) The nonresident college student attends the training class required by NRS 293B.260.*

**3.** *Except as otherwise provided in this subsection, the county clerk may assign a nonresident college student such duties as the county clerk deems appropriate. The county clerk shall not assign more than one nonresident college student to serve as an election board officer in any one precinct.*

**4.** *The county clerk may compensate a nonresident college student for his service at the same rate fixed for election board officers generally.*

**Sec. 3. 1.** *The county or city clerk shall appoint a manager and an assistant manager for each polling place at which voting will be conducted during an election.*

**2.** *The manager for a polling place may:*

*(a) Be a chairman of one of the election boards for a precinct located at the polling place; and*

*(b) If the polling place is a site at which two or more election boards will conduct voting, reassign an election board officer from one of the election boards located at the polling place to a different election board located at the polling place.*

**Sec. 4.** *Not later than 45 days before the close of registration pursuant to NRS 293.560, a county clerk shall publish a list of each registration of a voter cancelled pursuant to the provisions of NRS 293.530, 293.535, 293.540 or 293.541.*



1       **Sec. 5.** NRS 293.124 is hereby amended to read as follows:

2       293.124 1. The Secretary of State shall serve as the Chief  
3       Officer of Elections for this State. As Chief Officer, the Secretary of  
4       State is responsible for the execution and enforcement of the  
5       provisions of title 24 of NRS and all other provisions of state and  
6       federal law relating to elections in this State.

7       2. *The district attorneys of this State have concurrent*  
8       *jurisdiction to investigate and prosecute a person who violates a*  
9       *provision of title 24 of NRS and any other provision of state and*  
10      *federal law relating to elections in this State.*

11      3. The Secretary of State shall adopt such regulations as are  
12      necessary to carry out the provisions of this section.

13      **Sec. 6.** NRS 293.217 is hereby amended to read as follows:

14      293.217 1. ~~[[The]~~ *Except as otherwise provided in subsection*  
15      *2, the* county clerk of each county shall appoint and notify  
16      registered voters to act as election board officers for the various  
17      precincts and districts in the county as provided in NRS 293.220 to  
18      293.245, inclusive, and 293.384, and shall conclude those duties no  
19      later than 31 days before the election. The registered voters  
20      appointed as election board officers for any precinct or district must  
21      not all be of the same political party. No candidate for nomination or  
22      election or his relative within the second degree of consanguinity or  
23      affinity may be appointed as an election board officer. Immediately  
24      after election board officers are appointed, if requested by the  
25      county clerk, the sheriff shall:

26      (a) Appoint a deputy sheriff for each polling place in the county  
27      and for the central election board or the absent ballot central  
28      counting board; or

29      (b) Deputize as a deputy sheriff for the election an election  
30      board officer of each polling place in the county and for the central  
31      election board or the absent ballot central counting board. The  
32      deputized officer shall receive no additional compensation for his  
33      services rendered as a deputy sheriff during the election for which  
34      he is deputized.

35      ➤ Deputy sheriffs so appointed and deputized shall preserve order  
36      during hours of voting and attend closing of the polls.

37      2. The county clerk may appoint ~~[[a]]~~ :

38      (a) *A* trainee for the position of election board officer as set  
39      forth in NRS 293.2175 ~~[[H]]~~ ; and

40      (b) *A nonresident college student as an election board officer*  
41      *as set forth in section 2 of this act.*

42      **Sec. 7.** NRS 293.220 is hereby amended to read as follows:

43      293.220 Upon the selection of persons to act as election board  
44      officers pursuant to NRS 293.217 *or section 2 of this act* or as  
45      trainees pursuant to NRS 293.2175, the county clerk shall deliver,



1 by mail or other means, notifications of the appointments to those  
2 persons.

3 **Sec. 8.** NRS 293.223 is hereby amended to read as follows:

4 293.223 If any person appointed to serve as an election board  
5 officer pursuant to NRS 293.217 *or section 2 of this act* or as a  
6 trainee pursuant to NRS 293.2175 is unwilling to serve as  
7 appointed, he shall notify the county clerk within 5 days after  
8 receipt of the notification that he is unwilling to serve, whereupon  
9 the county clerk shall appoint some other registered voter to serve at  
10 the election.

11 **Sec. 9.** NRS 293.225 is hereby amended to read as follows:

12 293.225 1. Members of election boards continue as such  
13 from the day before the day of the election, until the time for filing  
14 contests of the election has expired.

15 2. Each member of an election board is subject to call by the  
16 board of county commissioners or city council to correct any errors  
17 discovered during the canvass of votes by the board of county  
18 commissioners or city council.

19 3. Reserve election board officers must be appointed by the  
20 county or city clerk, if practicable, to fill any vacancy which occurs  
21 on the day of the election, and the reserve officers must be  
22 compensated if they serve at the polls.

23 4. If a vacancy occurs in any election board on the day of the  
24 election and no reserves are available, the *chairman of the* election  
25 board may appoint, at the polling place, any ~~registered voter~~  
26 *person* who is *qualified and* willing to serve and satisfies the  
27 *chairman of the* election board that he possesses the qualifications  
28 required to perform the services required.

29 *5. If the chairman of the election board determines that*  
30 *additional election board officers are needed on the day of the*  
31 *election and no reserves are available, the chairman of the*  
32 *election board may appoint, at the polling place, any person who is*  
33 *qualified and willing to serve and satisfies the chairman of the*  
34 *election board that he possesses the qualifications required to*  
35 *perform the services required.*

36 **Sec. 10.** NRS 293.227 is hereby amended to read as follows:

37 293.227 1. Each election board consists of at least three  
38 members, one of whom must be designated chairman by the county  
39 or city clerk. The boards shall make the records of election required  
40 by this chapter.

41 2. The appointment of a trainee as set forth in NRS 293.2175  
42 and 293C.222 *or a nonresident college student as set forth in*  
43 *sections 2 and 28 of this act* may be used to determine the number  
44 of members on the election board, but under no circumstances may:



(a) The election board of any precinct include more than one trainee; ~~{or}~~

(b) *The election board of any precinct include more than one nonresident college student; or*

(c) A trainee *or a nonresident college student* serve as chairman of the election board.

3. The county or city clerk shall conduct or cause to be conducted, at least 5 days before the date of the election for which the boards are appointed, a school to acquaint the chairmen with the election laws, duties of election boards, regulations of the Secretary of State and with the procedure for making the records of election and using the register for election boards. If the person appointed chairman is unable for any reason to attend the school, he shall appoint some other member of his election board to attend the school in his stead.

4. The board of county commissioners of any county or the city council of any city may reimburse the chairmen or their designees who attend the school for their travel expenses at a rate not exceeding 10 cents per mile.

5. Each chairman shall instruct his board before election day.

**Sec. 11.** NRS 293.275 is hereby amended to read as follows:

293.275 No election board may perform its duty in serving registered voters at any precinct or district polling place in any election provided for in this title, unless it has before it ~~{the}~~ :

1. *A list of all registered voters in the county in which the precinct or district polling place is located who are eligible to vote in the election; and*

2. *The election board register for its precinct or district.*

**Sec. 12.** NRS 293.277 is hereby amended to read as follows:

293.277 1. Except as otherwise provided in NRS 293.541, if a person's name appears in the election board register or if he provides an affirmation pursuant to NRS 293.525, he is entitled to vote and must sign his name in the election board register when he applies to vote. ~~{His}~~

2. *The signature of the person provided pursuant to subsection 1* must be compared by an election board officer with the signature or a facsimile thereof on his original application to register to vote. ~~{or}~~

3. *If the election board officer determines that the signature of the person provided pursuant to subsection 1 does not match the signature or facsimile thereof on his original application, the person may use* one of the forms of identification listed in subsection ~~{2.}~~

~~—2.} 4 for the purpose of identification.~~



1       **4.** Except as otherwise provided in NRS 293.2725, the forms of  
2 identification which may be used individually to identify a voter at  
3 the polling place are:

- 4       (a) The card issued to the voter at the time he registered to vote;  
5       (b) A driver's license;  
6       (c) An identification card issued by the Department of Motor  
7 Vehicles;  
8       (d) A military identification card; ~~for~~  
9       (e) *An identification card issued by an educational institution;*

10 *or*

11       (f) Any other form of identification issued by a governmental  
12 agency which contains the voter's signature and physical description  
13 or picture.

14       **Sec. 13.** NRS 293.277 is hereby amended to read as follows:

15       293.277 1. Except as otherwise provided in NRS 293.541, if  
16 a person's name appears in the election board register or if he  
17 provides an affirmation pursuant to NRS 293.525, he is entitled to  
18 vote and must sign his name in the election board register when he  
19 applies to vote.

20       2. *If the name of a person who appears before the election*  
21 *board does not appear on the election board register, the election*  
22 *board shall examine the list of all registered voters in the county in*  
23 *which the precinct or district polling place is located who are*  
24 *eligible to vote in the election. If the name of the person appears*  
25 *on such list, the election board shall notify the person of the*  
26 *location of the precinct at which the voter may cast a ballot.*

27       3. The signature of the person provided pursuant to subsection  
28 1 must be compared by an election board officer with the signature  
29 or a facsimile thereof on his original application to register to vote.

30       ~~[3.]~~ 4. If the election board officer determines that the signature  
31 of the person provided pursuant to subsection 1 does not match the  
32 signature or facsimile thereof on his original application, the person  
33 may use one of the forms of identification listed in subsection ~~[4.]~~ 5  
34 for the purpose of identification.

35       ~~[4.]~~ 5. Except as otherwise provided in NRS 293.2725, the  
36 forms of identification which may be used individually to identify a  
37 voter at the polling place are:

- 38       (a) The card issued to the voter at the time he registered to vote;  
39       (b) A driver's license;  
40       (c) An identification card issued by the Department of Motor  
41 Vehicles;  
42       (d) A military identification card;  
43       (e) An identification card issued by an educational institution; or



(f) Any other form of identification issued by a governmental agency which contains the voter's signature and physical description or picture.

**Sec. 14.** NRS 293.3081 is hereby amended to read as follows:

293.3081 A person at a polling place may cast a provisional ballot in an election ~~{to vote for a candidate for federal office}~~ if the person complies with the applicable provisions of NRS 293.3082 and:

1. Declares that he has registered to vote and is eligible to vote at that election in that jurisdiction, but his name does not appear on a voter registration list as a voter eligible to vote in that election in that jurisdiction or an election official asserts that the person is not eligible to vote in that election in that jurisdiction;

2. Applies by mail, on or after January 1, 2003, to register to vote and has not previously voted in an election for federal office in this State and fails to provide the identification required pursuant to paragraph (a) of subsection 1 of NRS 293.2725 to the election board officer at the polling place; or

3. Declares that he is entitled to vote after the polling place would normally close as a result of a court order or other order extending the time established for the closing of polls pursuant to a law of this State in effect 10 days before the date of the election.

**Sec. 15.** NRS 293.3083 is hereby amended to read as follows:

293.3083 A person may cast a ballot by mail ~~{to vote for a candidate for federal office.}~~ which must be treated as a provisional ballot by the county or city clerk if the person:

1. Applies by mail to register to vote and has not previously voted in an election for federal office in this State;

2. Fails to provide the identification required pursuant to paragraph (b) of subsection 1 of NRS 293.2725 to the county or city clerk at the time that he mails his ballot; and

3. Completes the written affirmation set forth in subsection 1 of NRS 293.3082.

**Sec. 16.** NRS 293.313 is hereby amended to read as follows:

293.313 1. Except as otherwise provided in NRS 293.272 and 293.502, a registered voter who provides sufficient written notice to the county clerk may vote an absent ballot as provided in this chapter.

2. A registered voter ~~{who:~~

~~—(a) Is at least 65 years of age; or~~

~~—(b) Has a physical disability or condition which substantially impairs his ability to go to the polling place;~~

~~—} may request an absent ballot for ~~{all}~~ :~~

*(a) The election immediately following the date on which the county clerk receives the request; or*



1       (b) All elections held ~~{during the year he requests}~~ after he  
2       *submits the request for* an absent ballot.

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

4       (a) Written request for an absent ballot which is signed by the  
5       registered voter and returned to the county clerk in person or by  
6       mail or facsimile machine;

7       (b) Form prescribed by the Secretary of State which is  
8       completed and signed by the registered voter and returned to the  
9       county clerk in person or by mail or facsimile machine; or

10      (c) Form provided by the Federal Government.

11      4. A county clerk shall consider a request from a voter who has  
12      given sufficient written notice on a form provided by the Federal  
13      Government as a request for an absent ballot for the two primary  
14      and general elections immediately following the date on which the  
15      county clerk received the request.

16      5. It is unlawful for a person fraudulently to request an absent  
17      ballot in the name of another person or to induce or coerce another  
18      person fraudulently to request an absent ballot in the name of  
19      another person. A person who violates this subsection is guilty of a  
20      category E felony and shall be punished as provided in  
21      NRS 193.130.

22      **Sec. 17.** NRS 293.315 is hereby amended to read as follows:

23      293.315 1. A registered voter referred to in NRS 293.313  
24      may, at any time before 5 p.m. on the seventh calendar day  
25      preceding any election, make an application to that clerk for an  
26      absent voter's ballot ~~{}~~ *for that election*. The application must be  
27      made available for public inspection.

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

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

37      **Sec. 18.** NRS 293.316 is hereby amended to read as follows:

38      293.316 1. Any registered voter who is unable to go to the  
39      polls:

40      (a) Because of an illness or disability resulting in his  
41      confinement in a hospital, sanatorium, dwelling or nursing home; or

42      (b) Because he is suddenly hospitalized, becomes seriously ill or  
43      is called away from home after the time has elapsed for requesting  
44      an absent ballot as provided in NRS 293.315,





1    ➡ may submit a written request to the county clerk for an absent  
2    ballot. ~~{The}~~

3        2. A written request *made pursuant to subsection 1* may be  
4    submitted at any time before 5 p.m. on the day of the election.

5        ~~{2.}~~ *The request must specify whether the absent ballot is to be:*

6        (a) *Delivered at the office of the county clerk to a person*  
7        *designated in the request to obtain a ballot for the registered voter*  
8        *making the request; or*

9        (b) *Sent by a facsimile machine to the registered voter making*  
10       *the request.*

11       3. If the county clerk determines that a request submitted  
12       pursuant to subsection 1 includes the information required pursuant  
13       to subsection ~~{3.}~~ 4, the county clerk shall, ~~{as}~~ *as set forth in the*  
14       *request made pursuant to subsection 1:*

15       (a) *At the office of the county clerk, deliver an absent ballot to*  
16       *the person designated in the request to obtain the ballot for the*  
17       *registered voter* ~~{.}~~

18       ~~—3.}~~ ; or

19       (b) *Use a facsimile machine to send an absent ballot to the*  
20       *voter.*

21       4. A written request submitted pursuant to subsection 1 must  
22       include:

23       (a) The name, address and signature of the registered voter  
24       requesting the absent ballot;

25       (b) ~~{The}~~ *If the registered voter is designating a person to*  
26       *receive an absent ballot at the office of the county clerk, the* name,  
27       address and signature of the person designated by the registered  
28       voter to obtain, deliver and return the ballot for the registered voter;

29       (c) *If the registered voter is requesting that the absent ballot be*  
30       *delivered by facsimile machine, the number of the facsimile*  
31       *machine at which the voter may receive an absent ballot;*

32       (d) A brief statement of the illness or disability of the registered  
33       voter or of facts sufficient to establish that the registered voter was  
34       called away from home after the time had elapsed for requesting an  
35       absent ballot;

36       ~~{(d)}~~ (e) If the voter is confined in a hospital, sanatorium,  
37       dwelling or nursing home, a statement that he will be confined  
38       therein on the day of the election; and

39       ~~{(e)}~~ (f) Unless the person designated pursuant to ~~{paragraph~~  
40       ~~{b)}~~ *subsection 6* will mark and sign an absent ballot on behalf of  
41       the registered voter pursuant to subsection ~~{5.}~~ 6, a statement signed  
42       under penalty of perjury that only the registered voter will mark and  
43       sign the ballot.

44       ~~{4.}~~ 5. Except as otherwise provided in subsection ~~{5.}~~ 6, after  
45       marking his ballot, the voter ~~{must}~~:



~~—(a) Place~~ may:

(a) *If the voter returning the ballot signs and returns a statement to the county clerk acknowledging that the secrecy of his ballot could be violated, return the absent ballot to the county clerk by facsimile machine; or*

(b) *If the absent ballot was received at the office of the county clerk:*

(1) *Place* it in the identification envelope;

~~[(b)]~~ (2) Affix his signature on the back of the envelope; and

~~[(e)]~~ (3) Return it to the office of the county clerk.

~~[(5)]~~ 6. A person designated in a request submitted pursuant to subsection 1 may, on behalf of and at the direction of the registered voter, mark and sign the absent ballot. If the person marks and signs the ballot, the person shall indicate next to his signature that the ballot has been marked and signed on behalf of the registered voter.

~~[(6)]~~ 7. A request for an absent ballot submitted pursuant to this section must be made, and the ballot delivered to the voter and returned to the county clerk, not later than the time the polls close on election day.

~~[(7)]~~ 8. The procedure authorized by this section is subject to all other provisions of this chapter relating to voting by absent ballot to the extent that those provisions are not inconsistent with the provisions of this section.

**Sec. 19.** NRS 293.3165 is hereby amended to read as follows:

293.3165 1. A registered voter who, because of a physical disability, is unable to mark or sign a ballot or use a voting device without assistance may submit a written statement to the appropriate county clerk requesting that he receive an absent ballot for each election conducted ~~[(during the period specified in subsection 3.)]~~ *after he submits the request for an absent ballot.*

2. A written statement submitted pursuant to subsection 1 must:

(a) Include a statement from a physician licensed in this State certifying that the registered voter is a person with a physical disability and, because of the physical disability, he is unable to mark or sign a ballot or use a voting device without assistance;

(b) Designate the person who will assist the registered voter in marking and signing the absent ballot on behalf of the registered voter; and

(c) Include the name, address and signature of the person designated pursuant to paragraph (b).

3. Upon receipt of a written statement submitted by a registered voter pursuant to subsection 1, the county clerk shall, if the statement includes the information required pursuant to subsection 2, issue an absent ballot to the registered voter for each



1 election that is conducted ~~during the year immediately succeeding~~  
2 *after* the date the written statement is submitted to the county clerk.

3 4. To determine whether a registered voter is entitled to receive  
4 an absent ballot pursuant to this section, the county clerk may, every  
5 year after an absent ballot is issued to a registered voter pursuant to  
6 subsection 3, require the registered voter to submit a statement from  
7 a licensed physician as specified in paragraph (a) of subsection 2. If  
8 a statement from a physician licensed in this State submitted  
9 pursuant to this subsection indicates that the registered voter is no  
10 longer physically disabled, the county clerk shall not issue an absent  
11 ballot to the registered voter pursuant to this section.

12 5. A person designated pursuant to paragraph (b) of subsection  
13 2 may, on behalf of and at the direction of the registered voter, mark  
14 and sign an absent ballot issued to the registered voter pursuant to  
15 the provisions of this section. If the person marks and signs the  
16 ballot, the person shall indicate next to his signature that the ballot  
17 has been marked and signed on behalf of the registered voter.

18 6. The procedure authorized pursuant to this section is subject  
19 to all other provisions of this chapter relating to voting by absent  
20 ballot to the extent that those provisions are not inconsistent with  
21 the provisions of this section.

22 **Sec. 20.** NRS 293.323 is hereby amended to read as follows:

23 293.323 1. Except as otherwise provided in subsection 2, if  
24 the request for an absent ballot is made by mail or facsimile  
25 machine, the county clerk shall, as soon as the official absent ballot  
26 for the precinct or district in which the applicant resides has been  
27 printed, send to the voter by first-class mail if the absent voter is  
28 within the boundaries of the United States, its territories or  
29 possessions or on a military base, or by air mail if the absent voter is  
30 in a foreign country but not on a military base:

31 (a) Except as otherwise provided in paragraph (b):

- 32 (1) An absent ballot;  
33 (2) A return envelope;  
34 (3) Supplies for marking the ballot;  
35 (4) An envelope or similar device into which the ballot is  
36 inserted to ensure its secrecy; and  
37 (5) Instructions.

38 (b) In those counties using a mechanical voting system whereby  
39 a vote is cast by punching a card:

- 40 (1) A card attached to a sheet of foam plastic or similar  
41 backing material;  
42 (2) A return envelope;  
43 (3) A punching instrument;  
44 (4) A sample ballot;



(5) An envelope or similar device into which the card is inserted to ensure its secrecy; and

(6) Instructions.

2. If *by 5 p.m. on the Tuesday preceding an election* the ~~[county clerk]~~ voter fails to ~~[send]~~ *receive* an absent ballot *mailed* pursuant to subsection 1, ~~[to a voter who resides within the continental United States.]~~ the *voter may inform the county clerk that the voter failed to receive the absent ballot. If pursuant to this subsection a voter informs a county clerk that the voter failed to receive an absent ballot, the* county clerk ~~[may]~~ *shall* use a facsimile machine to send an absent ballot and instructions to the voter. The voter ~~[shall mail]~~ *may return* his absent ballot to the county clerk ~~[ ]~~ :

(a) *By mail; or*

(b) *If the voter returning the ballot signs and returns a statement to the city clerk acknowledging that the secrecy of the ballot could be violated, by facsimile machine.*

3. The return envelope sent pursuant to subsection 1 must include postage prepaid by first-class mail if the absent voter is within the boundaries of the United States, its territories or possessions or on a military base.

4. Nothing may be enclosed or sent with an absent ballot except as required by subsection 1 or 2.

5. Before depositing a ballot in the mails or sending a ballot by facsimile machine, the county clerk shall record the date the ballot is issued, the name of the registered voter to whom it is issued, his precinct or district, his political affiliation, if any, the number of the ballot and any remarks he finds appropriate.

6. The Secretary of State shall adopt regulations to carry out the provisions of subsection 2.

**Sec. 21.** NRS 293.3568 is hereby amended to read as follows:

293.3568 1. The period for early voting by personal appearance begins the third Saturday preceding a primary or general election and extends through the Friday before election day . ~~[Sundays and holidays excepted.]~~

~~—2. The county clerk may :~~

~~—(a) Include any Sunday or holiday that falls within the period for early voting by personal appearance.~~

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

~~—3.]~~ 2. A permanent polling place for early voting must remain open ~~[ ]~~ :

~~—(a) On Monday through Friday:~~



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

~~———— (2) During the second week of~~ *every day during the period for early voting* ~~[ ]~~ *by personal appearance*, from 8 a.m. ~~[until 6 p.m. or]~~ until 8 p.m. ~~[if the county clerk so requires.~~

~~———— (b) On any Saturday that falls within the period for early voting, from 10 a. m. until 6 p.m.~~

~~———— (c) If the county clerk includes a Sunday that falls within the period for early voting pursuant to subsection 2, during such hours as he may establish.]~~

**Sec. 22.** NRS 293.3572 is hereby amended to read as follows:

293.3572 1. In addition to permanent polling places for early voting, the county clerk may establish temporary branch polling places for early voting which may include, without limitation, the clerk's office.

2. The provisions of subsection ~~[3]~~ *2* of NRS 293.3568 do not apply to a temporary polling place. Voting at a temporary branch polling place may be conducted on any one or more days and during any hours within the period for early voting by personal appearance, as determined by the county clerk.

3. The schedules for conducting voting are not required to be uniform among the temporary branch polling places.

4. The legal rights and remedies which inure to the owner or lessor of private property are not impaired or otherwise affected by the leasing of the property for use as a temporary branch polling place for early voting, except to the extent necessary to conduct early voting at that location.

**Sec. 23.** NRS 293.443 is hereby amended to read as follows:

293.443 1. ~~[Except as otherwise provided in subsection 3, the]~~ *The* expense of providing all ballots, forms and other supplies to be used at any election regulated by this chapter or chapter 293C of NRS and all expenses necessarily incurred in the preparation for, or the conduct of, any such election is a charge upon the municipality, county, district or State, as the case may be.

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

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

**Sec. 24.** NRS 293.463 is hereby amended to read as follows:

293.463 1. Any registered voter may absent himself from his place of employment at a time to be designated by the employer for a sufficient time to vote, if it is impracticable for him to vote before



1 or after his hours of employment. A sufficient time to vote shall be  
2 determined as follows:

3 (a) If the distance between the place of such voter's employment  
4 and the polling place where such person votes is 2 miles or less, ~~F~~  
5 ~~hour.~~ **2 hours.**

6 (b) If the distance is more than 2 miles but not more than 10  
7 miles, ~~F~~ **3 hours.**

8 (c) If the distance is more than 10 miles, ~~F~~ **4 hours.**

9 2. Such voter may not, because of such absence, be discharged,  
10 disciplined or penalized, nor shall any deduction be made from his  
11 usual salary or wages by reason of such absence.

12 3. Application for leave of absence to vote shall be made to the  
13 employer or person authorized to grant such leave prior to the day of  
14 the election.

15 4. Any employer or person authorized to grant the leave of  
16 absence provided for in subsection 1, who denies any registered  
17 voter any right granted under this section, or who otherwise violates  
18 the provisions of this section, is guilty of a misdemeanor.

19 **Sec. 25.** NRS 293.504 is hereby amended to read as follows:

20 293.504 1. The following offices shall serve as voter  
21 registration agencies:

22 (a) Such offices that provide public assistance as are designated  
23 by the Secretary of State;

24 (b) Each office that receives money from the State of Nevada to  
25 provide services to persons in this State who are disabled;

26 (c) The offices of the Department of Motor Vehicles;

27 (d) The offices of the city and county clerks; ~~and~~

28 (e) ***The administrative office located at each public school;***

29 (f) ***Each public library; and***

30 (g) Such other offices as the Secretary of State deems  
31 appropriate.

32 2. Each voter registration agency shall:

33 (a) ***Post in a conspicuous place that applications to register to***  
34 ***vote are available at the agency;***

35 (b) Post in a conspicuous place, in at least 12-point type,  
36 instructions for registering to vote;

37 ~~F(b)~~ (c) Make applications to register to vote which may be  
38 returned by mail available to each person who applies for or  
39 receives services or assistance from the agency;

40 ~~F(c)~~ (d) Provide the same amount of assistance to an applicant  
41 in completing an application to register to vote as the agency  
42 provides to a person completing any other forms for the agency; and

43 ~~F(d)~~ (e) Accept completed applications to register to vote.

44 3. Except as otherwise provided in this subsection and NRS  
45 293.524, any application to register to vote accepted by a voter



1 registration agency must be transmitted to the county clerk not later  
2 than 10 days after the application is accepted. The applications must  
3 be forwarded daily during the 2 weeks immediately preceding the  
4 fifth Sunday preceding an election. The county clerk shall accept  
5 any application to register to vote which is obtained from a voter  
6 registration agency pursuant to this section and completed by the  
7 fifth Sunday preceding an election if he receives the application not  
8 later than 5 days after that date.

9 4. The Secretary of State shall cooperate with the Secretary of  
10 Defense to develop and carry out procedures to enable persons in  
11 this State to apply to register to vote at recruitment offices of the  
12 United States Armed Forces.

13 **Sec. 26.** NRS 293.505 is hereby amended to read as follows:

14 293.505 1. All justices of the peace, except those located in  
15 county seats, are ex officio field registrars to carry out the  
16 provisions of this chapter.

17 2. The county clerk shall appoint at least one registered voter to  
18 serve as a field registrar of voters who, except as otherwise provided  
19 in NRS 293.5055, shall register voters within the county for which  
20 he is appointed. Except as otherwise provided in subsection 1, a  
21 candidate for any office may not be appointed or serve as a field  
22 registrar. A field registrar serves at the pleasure of the county clerk  
23 and shall perform his duties as the county clerk may direct.

24 3. A field registrar shall demand of any person who applies for  
25 registration all information required by the application to register to  
26 vote and shall administer all oaths required by this chapter.

27 4. When a field registrar has in his possession five or more  
28 completed applications to register to vote, he shall forward them to  
29 the county clerk, but in no case may he hold any number of them for  
30 more than 10 days.

31 5. Each field registrar shall forward to the county clerk all  
32 completed applications in his possession immediately after the fifth  
33 Sunday preceding an election. Within 5 days after the fifth Sunday  
34 preceding any general election or general city election, a field  
35 registrar shall return all unused applications in his possession to the  
36 county clerk. If all of the unused applications are not returned to the  
37 county clerk, the field registrar shall account for the unreturned  
38 applications.

39 6. Each field registrar shall submit to the county clerk a list of  
40 the serial numbers of the completed applications to register to vote  
41 and the names of the electors on those applications. The serial  
42 numbers must be listed in numerical order.

43 7. Each field registrar shall post notices sent to him by the  
44 county clerk for posting in accordance with the election laws of this  
45 State.



1       8. A field registrar, employee of a voter registration agency or  
2 person assisting a voter pursuant to subsection 12 of NRS 293.5235  
3 shall not:

4       (a) Delegate any of his duties to another person; or

5       (b) Refuse to register a person on account of that person's  
6 political party affiliation.

7       9. A person shall not hold himself out to be or attempt to  
8 exercise the duties of a field registrar unless he has been so  
9 appointed.

10      10. A county clerk, field registrar, employee of a voter  
11 registration agency or person assisting a voter pursuant to subsection  
12 12 of NRS 293.5235 shall not:

13      (a) Solicit a vote for or against a particular question or  
14 candidate;

15      (b) Speak to a voter on the subject of marking his ballot for or  
16 against a particular question or candidate; or

17      (c) Distribute any petition or other material concerning a  
18 candidate or question which will be on the ballot for the ensuing  
19 election,

20      ↳ while he is registering an elector.

21      11. When the county clerk receives applications to register to  
22 vote from a field registrar, he shall issue a receipt to the field  
23 registrar. The receipt must include:

24      (a) The number of persons registered; and

25      (b) The political party of the persons registered.

26      12. A county clerk, field registrar, employee of a voter  
27 registration agency or person assisting a voter pursuant to subsection  
28 12 of NRS 293.5235 shall not:

29      (a) Knowingly register a person who is not a qualified elector or  
30 a person who has filed a false or misleading application to register  
31 to vote;

32      (b) ~~{Alter}~~ *Willfully* or *intentionally alter*, deface , *destroy or*  
33 *suppress* an application to register to vote that has been signed by an  
34 elector except to correct information contained in the application  
35 after receiving notice from the elector that a change in or addition to  
36 the information is required; or

37      (c) Register a person who fails to provide satisfactory proof of  
38 identification and the address at which he actually resides.

39      13. If a field registrar violates any of the provisions of this  
40 section, the county clerk shall immediately suspend the field  
41 registrar and notify the district attorney of the county in which the  
42 violation occurred.

43      14. A person who violates any of the provisions of subsection  
44 8, 9, 10 or 12 is guilty of a category E felony and shall be punished  
45 as provided in NRS 193.130.





**Sec. 27.** NRS 293.507 is hereby amended to read as follows:

293.507 1. The Secretary of State shall prescribe:

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

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

2. The county clerks shall provide forms for applications to register to vote to field registrars in the form and number prescribed by the Secretary of State.

3. A form for an application to register to vote must include a duplicate copy or receipt to be retained by the applicant upon completion of the form.

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

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

(1) The number indicated on the voter's current and valid driver's license issued by the Department of Motor Vehicles, if the voter has such a driver's license;

(2) The last four digits of the voter's social security number, if the voter does not have a driver's license issued by the Department of Motor Vehicles and does have a social security number; or

(3) The number issued to the voter pursuant to subsection 5, if the voter does not have a current and valid driver's license issued by the Department of Motor Vehicles or a social security number.

(b) A line on which to enter the address at which the voter actually resides, as set forth in NRS 293.486.

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

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

*(e) A line on which the voter may indicate that the voter submits a request for a permanent absent ballot.*

5. If a voter does not have the identification set forth in subparagraph (1) or (2) of paragraph (a) of subsection 4, the voter shall sign an affidavit stating that he does not have a current and valid driver's license issued by the Department of Motor Vehicles or a social security number. Upon receipt of the affidavit, the county clerk shall issue an identification number to the voter which must be the same number as the unique identifier assigned to the voter for purposes of the statewide voter registration list.

6. The Secretary of State shall adopt regulations to carry out the provisions of subsections 4 and 5.



1     **Sec. 28.** Chapter 293C of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3     **1. The city clerk may appoint a nonresident college student as**  
4 **an election board officer. To qualify for such an appointment, the**  
5 **nonresident college student must be:**

6     **(a) A United States citizen and not eligible to register to vote in**  
7 **this State;**

8     **(b) Enrolled in the University and Community College System**  
9 **of Nevada; and**

10    **(c) At the time of service, at least 16 years of age.**

11    **2. The city clerk may only appoint a nonresident college**  
12 **student as an election board officer pursuant to subsection 1 if:**

13    **(a) The nonresident college student is appointed without party**  
14 **affiliation;**

15    **(b) The city clerk sends the nonresident college student a**  
16 **certificate stating the date and hours that the nonresident college**  
17 **student shall act as an election board officer; and**

18    **(c) The nonresident college student attends the training class**  
19 **required by NRS 293B.260.**

20    **3. Except as otherwise provided in this subsection, the city**  
21 **clerk may assign a nonresident college student such duties as the**  
22 **city clerk deems appropriate. The city clerk shall not assign more**  
23 **than one nonresident college student to serve as an election board**  
24 **officer in any one precinct.**

25    **4. The city clerk may compensate a nonresident college**  
26 **student for his service at the same rate fixed for election board**  
27 **officers generally.**

28    **Sec. 29.** NRS 293C.220 is hereby amended to read as follows:

29    293C.220 1. ~~[The]~~ **Except as otherwise provided in**  
30 **subsection 2, the** city clerk shall appoint and notify registered voters  
31 to act as election board officers for the various precincts and  
32 districts in the city as provided in NRS 293.225, 293.227, 293C.227  
33 to 293C.250, inclusive, and 293C.382 and shall conclude those  
34 duties not later than 31 days before the election. No candidate for  
35 nomination or election or his relative within the second degree of  
36 consanguinity or affinity may be appointed as an election board  
37 officer. Immediately after election board officers are appointed, if  
38 requested by the city clerk, the chief law enforcement officer of the  
39 city shall:

40    **(a) Appoint an officer for each polling place in the city and for**  
41 **the central election board or the absent ballot central counting**  
42 **board; or**

43    **(b) Deputize, as an officer for the election, an election board**  
44 **officer for each polling place and for the central election board or**  
45 **the absent ballot central counting board. The deputized officer may**



1 not receive any additional compensation for the services he provides  
2 as an officer during the election for which he is deputized.

3 ➔ Officers so appointed and deputized shall preserve order during  
4 hours of voting and attend the closing of the polls.

5 2. The city clerk may appoint ~~to~~:

6 (a) A trainee for the position of election board officer as set  
7 forth in NRS 293C.222 ~~to~~; and

8 (b) *A nonresident college student as an election board officer*  
9 *as set forth in section 28 of this act.*

10 **Sec. 30.** NRS 293C.227 is hereby amended to read as follows:

11 293C.227 Upon the selection of persons to act as election  
12 board officers pursuant to NRS 293C.220 *or section 28 of this act*  
13 or as trainees pursuant to NRS 293C.222, the city clerk shall deliver,  
14 by mail or other means, notifications of the appointments to those  
15 persons.

16 **Sec. 31.** NRS 293C.228 is hereby amended to read as follows:

17 293C.228 If any person appointed to serve as an election board  
18 officer pursuant to NRS 293C.220 *or section 28 of this act* or as a  
19 trainee pursuant to NRS 293C.222 is unwilling to serve as  
20 appointed, he shall notify the city clerk within 5 days after receipt of  
21 the notification that he is unwilling to serve, whereupon the city  
22 clerk shall appoint some other registered voter to serve at the  
23 election.

24 **Sec. 32.** NRS 293C.270 is hereby amended to read as follows:

25 293C.270 1. If a person's name appears in the election board  
26 register or if he provides an affirmation pursuant to NRS 293C.525,  
27 he is entitled to vote and must sign his name in the election board  
28 register when he applies to vote. ~~His~~

29 2. *The signature of the person provided pursuant to*  
30 *subsection 1* must be compared by an election board officer with the  
31 signature or a facsimile thereof on his original application to register  
32 to vote. ~~to~~

33 3. *If the election board officer determines that the signature*  
34 *of the person provided pursuant to subsection 1 does not match*  
35 *the signature or facsimile thereof on his original application, the*  
36 *person may use* one of the forms of identification listed in  
37 subsection ~~2~~.

38 ~~2~~ *4 for the purpose of identification.*

39 4. The forms of identification that may be used to identify a  
40 voter at the polling place are:

41 (a) The card issued to the voter at the time he registered to vote;

42 (b) A driver's license;

43 (c) An identification card issued by the Department of Motor  
44 Vehicles;

45 (d) A military identification card; or



(e) *An identification card issued by an educational institution;*  
*or*

(f) Any other form of identification issued by a governmental agency that contains the voter's signature and physical description or picture.

**Sec. 33.** NRS 293C.270 is hereby amended to read as follows:

293C.270 1. If a person's name appears in the election board register or if he provides an affirmation pursuant to NRS 293C.525, he is entitled to vote and must sign his name in the election board register when he applies to vote.

2. *If the name of a person who appears before the election board does not appear on the election board register, the election board shall examine the list of all registered voters in the county in which the precinct or district polling place is located who are eligible to vote in the election. If the name of the person appears on such list, the election board shall notify the person of the location of the precinct at which the voter may cast a ballot.*

3. The signature of the person provided pursuant to subsection 1 must be compared by an election board officer with the signature or a facsimile thereof on his original application to register to vote.

~~[3-]~~ 4. If the election board officer determines that the signature of the person provided pursuant to subsection 1 does not match the signature or facsimile thereof on his original application, the person may use one of the forms of identification listed in subsection ~~[4-]~~ 5 for the purpose of identification.

~~[4-]~~ 5. The forms of identification that may be used to identify a voter at the polling place are:

(a) The card issued to the voter at the time he registered to vote;

(b) A driver's license;

(c) An identification card issued by the Department of Motor Vehicles;

(d) A military identification card;

(e) An identification card issued by an educational institution; or

(f) Any other form of identification issued by a governmental agency that contains the voter's signature and physical description or picture.

**Sec. 34.** NRS 293C.310 is hereby amended to read as follows:

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

2. A registered voter ~~[who:~~

~~—(a) Is at least 65 years of age; or~~



~~(b) Has a physical disability or condition that substantially impairs his ability to go to the polling place;~~

~~→~~ may request an absent ballot for ~~fall~~ :

*(a) The election immediately following the date on which the city clerk receives the request; or*

*(b) All elections held ~~during the year he requests~~ after he submits the request for* an absent ballot.

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

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

(b) Form prescribed by the Secretary of State that is completed and signed by the registered voter and returned to the city clerk in person or by mail or facsimile machine; or

(c) Form provided by the Federal Government.

4. A city clerk shall consider a request from a voter who has given sufficient written notice on a form provided by the Federal Government as:

(a) A request for the primary city election and the general city election unless otherwise specified in the request; and

(b) A request for an absent ballot for the two primary and general elections immediately following the date on which the city clerk received the request.

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

**Sec. 35.** NRS 293C.312 is hereby amended to read as follows:

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

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

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



1     **Sec. 36.** NRS 293C.317 is hereby amended to read as follows:  
2     293C.317 1. Any registered voter who is unable to go to the  
3     polls:

4     (a) Because of an illness or disability resulting in his  
5     confinement in a hospital, sanatorium, dwelling or nursing home; or

6     (b) Because he is suddenly hospitalized, becomes seriously ill or  
7     is called away from home after the time has elapsed for requesting  
8     an absent ballot as provided in NRS 293C.312,

9     ➔ may submit a written request to the city clerk for an absent ballot.  
10    ~~[The]~~

11    2. A written request *made pursuant to subsection 1* may be  
12    submitted at any time before 5 p.m. on the day of the election.

13    ~~[2.]~~ *The request must specify whether the absent ballot is to be:*

14    (a) *Delivered at the office of the city clerk to a person*  
15    *designated in the request to obtain a ballot for the registered voter*  
16    *making the request; or*

17    (b) *Sent by a facsimile machine to the registered voter making*  
18    *the request.*

19    3. If the city clerk determines that a request submitted pursuant  
20    to subsection 1 includes the information required pursuant to  
21    subsection ~~[3.]~~ 4, the city clerk shall, ~~[at]~~ *as set forth in the request*  
22    *made pursuant to subsection 1:*

23    (a) *At the office of the city clerk, deliver an absent ballot to the*  
24    *person designated in the request to obtain the ballot for the*  
25    *registered voter* ~~[~~

26    ~~—3.]~~ ; or

27    (b) *Use a facsimile machine to send an absent ballot to the*  
28    *voter.*

29    4. A written request submitted pursuant to subsection 1 must  
30    include:

31    (a) The name, address and signature of the registered voter  
32    requesting the absent ballot;

33    (b) ~~[The]~~ *If the registered voter is designating a person to*  
34    *receive an absent ballot at the office of the city clerk, the name,*  
35    *address and signature of the person designated by the registered*  
36    *voter to obtain, deliver and return the ballot for the registered voter;*

37    (c) *If the registered voter is requesting that the absent ballot be*  
38    *delivered by facsimile machine, the number of the facsimile*  
39    *machine at which the voter may receive an absent ballot;*

40    (d) A brief statement of the illness or disability of the registered  
41    voter or of facts sufficient to establish that the registered voter was  
42    called away from home after the time had elapsed for requesting an  
43    absent ballot;



~~[(4)]~~ (e) If the voter is confined in a hospital, sanatorium, dwelling or nursing home, a statement that he will be confined therein on the day of the election; and

~~[(e)]~~ (f) Unless the person designated pursuant to ~~paragraph (b)]~~ **subsection 6** will mark and sign an absent ballot on behalf of the registered voter pursuant to subsection ~~[5.]~~ **6**, a statement signed under penalty of perjury that only the registered voter will mark and sign the ballot.

~~[4.]~~ **5.** Except as otherwise provided in subsection ~~[5.]~~ **6**, after marking his ballot the voter ~~[must:~~

~~—(a) Place] may:~~

*(a) If the voter returning the ballot signs and returns a statement to the city clerk acknowledging that the secrecy of the ballot could be violated, return the absent ballot to the city clerk by facsimile machine; or*

*(b) If the absent ballot was received at the office of the city clerk:*

*(1) Place* it in the identification envelope;

~~[(b)]~~ (2) Affix his signature on the back of the envelope; and

~~[(e)]~~ (3) Return it to the office of the city clerk.

~~[5.]~~ **6.** A person designated in a request submitted pursuant to subsection 1 may, on behalf of and at the direction of the registered voter, mark and sign the absent ballot. If the person marks and signs the ballot, the person shall indicate next to his signature that the ballot has been marked and signed on behalf of the registered voter.

~~[6.]~~ **7.** A request for an absent ballot submitted pursuant to this section must be made, and the ballot delivered to the voter and returned to the city clerk, not later than the time the polls close on election day.

~~[7.]~~ **8.** The procedure authorized by this section is subject to all other provisions of this chapter relating to voting by absent ballot to the extent that those provisions are not inconsistent with the provisions of this section.

**Sec. 37.** NRS 293C.318 is hereby amended to read as follows:

293C.318 1. A registered voter who, because of a physical disability, is unable to mark or sign a ballot or use a voting device without assistance may submit a written statement to the appropriate city clerk requesting that he receive an absent ballot for each city election conducted ~~[during the period specified in subsection 3.]~~ *after he submits the request for an absent ballot.*

2. A written statement submitted pursuant to subsection 1 must:

(a) Include a statement from a physician licensed in this State certifying that the registered voter is a person with a physical





1 disability and, because of the physical disability, he is unable to  
2 mark or sign a ballot or use a voting device without assistance;

3 (b) Designate the person who will assist the registered voter in  
4 marking and signing the absent ballot on behalf of the registered  
5 voter; and

6 (c) Include the name, address and signature of the person  
7 designated pursuant to paragraph (b).

8 3. Upon receipt of a written statement submitted by a  
9 registered voter pursuant to subsection 1, the city clerk shall, if the  
10 statement includes the information required pursuant to subsection  
11 2, issue an absent ballot to the registered voter for each city election  
12 that is conducted ~~[during the year immediately succeeding]~~ *after* the  
13 date the written statement is submitted to the city clerk.

14 4. To determine whether a registered voter is entitled to receive  
15 an absent ballot pursuant to this section, the city clerk may, every  
16 year after an absent ballot is issued to a registered voter pursuant to  
17 subsection 3, require the registered voter to submit a statement from  
18 a licensed physician as specified in paragraph (a) of subsection 2. If  
19 a statement from a physician licensed in this State submitted  
20 pursuant to this subsection indicates that the registered voter is no  
21 longer physically disabled, the city clerk shall not issue an absent  
22 ballot to the registered voter pursuant to this section.

23 5. A person designated pursuant to paragraph (b) of subsection  
24 2 may, on behalf of and at the direction of the registered voter, mark  
25 and sign an absent ballot issued to the registered voter pursuant to  
26 the provisions of this section. If the person marks and signs the  
27 ballot, the person shall indicate next to his signature that the ballot  
28 has been marked and signed on behalf of the registered voter.

29 6. The procedure authorized pursuant to this section is subject  
30 to all other provisions of this chapter relating to voting by absent  
31 ballot to the extent that those provisions are not inconsistent with  
32 the provisions of this section.

33 **Sec. 38.** NRS 293C.322 is hereby amended to read as follows:

34 293C.322 1. Except as otherwise provided in subsection 2, if  
35 the request for an absent ballot is made by mail or facsimile  
36 machine, the city clerk shall, as soon as the official absent ballot for  
37 the precinct or district in which the applicant resides has been  
38 printed, send to the voter by first-class mail if the absent voter is  
39 within the boundaries of the United States, its territories or  
40 possessions or on a military base, or by air mail if the absent voter is  
41 in a foreign country but not on a military base:

42 (a) Except as otherwise provided in paragraph (b):

43 (1) An absent ballot;

44 (2) A return envelope;

45 (3) Supplies for marking the ballot;





(4) An envelope or similar device into which the ballot is inserted to ensure its secrecy; and

(5) Instructions.

(b) In those cities using a mechanical voting system whereby a vote is cast by punching a card:

(1) A card attached to a sheet of foam plastic or similar backing material;

(2) A return envelope;

(3) A punching instrument;

(4) A sample ballot;

(5) An envelope or similar device into which the card is inserted to ensure its secrecy; and

(6) Instructions.

2. If *by 5 p.m. on the Tuesday preceding an election* the ~~city clerk~~ voter fails to ~~send~~ *receive* an absent ballot *mailed* pursuant to subsection 1 , ~~[to a voter who resides within the continental United States.]~~ the *voter may inform the city clerk that the voter failed to receive an absent ballot. If pursuant to this subsection a voter informs a city clerk that the voter failed to receive an absent ballot, the* city clerk ~~may~~ *shall* use a facsimile machine to send an absent ballot and instructions to the voter. The voter ~~shall mail~~ *may return* his absent ballot to the city clerk ~~[ ]~~ :

(a) *By mail; or*

(b) *If the voter returning the ballot signs and returns a statement to the city clerk acknowledging that the secrecy of the ballot could be violated, by facsimile machine.*

3. The return envelope sent pursuant to subsection 1 must include postage prepaid by first-class mail if the absent voter is within the boundaries of the United States, its territories or possessions or on a military base.

4. Nothing may be enclosed or sent with an absent ballot except as required by subsection 1 or 2.

5. Before depositing a ballot with the United States Postal Service or sending a ballot by facsimile machine, the city clerk shall record the date the ballot is issued, the name of the registered voter to whom it is issued, his precinct or district, the number of the ballot and any remarks he finds appropriate.

6. The Secretary of State shall adopt regulations to carry out the provisions of subsection 2.

**Sec. 39.** NRS 293C.3568 is hereby amended to read as follows:

293C.3568 1. The period for early voting by personal appearance begins the third Saturday preceding a primary city election or general city election, and extends through the Friday before election day . ~~[Sundays and holidays excepted.]~~



~~2. The city clerk may:~~

~~(a) Include any Sunday or holiday that falls within the period for early voting by personal appearance.~~

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

~~3.] 2. A permanent polling place for early voting must remain open f:~~

~~(a) On Monday through Friday:~~

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

~~(2) During the second week of] every day during the period for early voting [:] by personal appearance, from 8 a.m. [until 6 p.m. or] until 8 p.m. [if the city clerk so requires.~~

~~(b) On any Saturday that falls within the period for early voting, from 10 a.m. until 6 p.m.~~

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

**Sec. 40.** NRS 293C.3572 is hereby amended to read as follows:

293C.3572 1. In addition to permanent polling places for early voting, the city clerk may establish temporary branch polling places for early voting.

2. The provisions of subsection ~~[3]~~ 2 of NRS 293C.3568 do not apply to a temporary polling place. Voting at a temporary branch polling place may be conducted on any one or more days and during any hours within the period for early voting by personal appearance, as determined by the city clerk.

3. The schedules for conducting voting are not required to be uniform among the temporary branch polling places.

4. The legal rights and remedies which inure to the owner or lessor of private property are not impaired or otherwise affected by the leasing of the property for use as a temporary branch polling place for early voting, except to the extent necessary to conduct early voting at that location.

**Sec. 41.** 1. The Legislative Commission shall appoint a committee consisting of six Legislators to conduct an interim study of the procedures relating to the conduct of an election in this State.

2. The Legislative Commission shall appoint to the committee three members of the Senate and three members of the Assembly who are acquainted with the procedures relating to the conduct of an election in this State.

3. The study must include, without limitation, a consideration of:



1 (a) The methods used to ensure that all absent ballots and  
2 provisional ballots cast by voters in an election are counted in a  
3 uniform, fair and consistent manner;

4 (b) The procedures and technology used to ensure the integrity  
5 of the mechanical voting systems used in this State;

6 (c) Revising the deadlines relating to registering to vote;

7 (d) Revising the time frames relating to the casting of an absent  
8 ballot;

9 (e) The methods for ensuring that all voters in this State have  
10 adequate access to a polling place and whether closing public  
11 schools on election day and using those schools as polling places  
12 would ensure that all voters have adequate access to a polling place;

13 (f) Conducting voting on a countywide basis, without regard to  
14 location of polling places, on election day;

15 (g) The methods for regulating groups that seek to register  
16 voters to ensure accountability and to prevent fraudulent activity  
17 including whether each such group should be assigned an  
18 identification number, whether a person representing such a group  
19 who registers a person to vote shall sign the receipt for registration  
20 and whether such groups shall provide training to a person  
21 representing such a group before registering people to vote;

22 (h) Guaranteeing a person who presents a receipt for a  
23 registration to vote at a polling place on election day the right to cast  
24 a ballot if such a person does not appear on the roster of registered  
25 voters;

26 (i) The methods to provide that the Chief Officer of Elections in  
27 this State is elected as a nonpartisan office;

28 (j) The methods to ensure that voter registration agencies,  
29 including, without limitation, the Department of Motor Vehicles,  
30 promptly deliver completed applications to register to vote to the  
31 appropriate county clerk;

32 (k) The methods to ensure that a county clerk has adequate staff  
33 to conduct an election;

34 (l) Whether a sufficient number of permanent polling places for  
35 early voting are available in counties whose populations are 100,000  
36 or more; and

37 (m) Providing for the proportionate election of presidential  
38 electors in this State.

39 4. In conducting the study, the committee shall seek  
40 information and suggestions from experts in the area of conducting  
41 elections.

42 5. Any recommended legislation proposed by the committee  
43 must be approved by a majority of the members of the Senate and a  
44 majority of the members of the Assembly who are appointed to the  
45 committee.



1       6. The Legislative Commission shall submit a report of the  
2 results of the study and any recommendations for legislation to the  
3 74th Session of the Nevada Legislature.

4       **Sec. 42.** The provisions of NRS 354.599 do not apply to any  
5 additional expenses of a local government that are related to the  
6 provisions of this act.

7       **Sec. 43.** 1. This section and sections 1 to 10, inclusive, 12,  
8 14 to 32, inclusive, and 34 to 42, inclusive, of this act become  
9 effective on October 1, 2005.

10      2. Sections 12 and 32 of this act expire by limitation on  
11 December 31, 2007.

12      3. Sections 11, 13 and 33 of this act become effective on  
13 January 1, 2008.

