

## Amendment No. 1231

Senate Amendment to Assembly Bill No. 500 Fourth Reprint	(BDR 24-127)
<b>Proposed by:</b> Committee on Legislative Operations and Elections	
<b>Amendment Box:</b> Replaces Amendment No. 1210.	
<b>Resolves Conflicts with:</b> N/A	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend sec. 3, page 2, by deleting lines 7 through 18 and inserting:

*“Sec. 3. 1. The permanent and temporary polling places for early voting by personal appearance must satisfy the criteria to be used to select permanent and temporary polling places for early voting by personal appearance provided by the county clerk pursuant to subsection 2.”.*

Amend sec. 4, page 2, by deleting lines 26 through 42 and inserting:

*“Sec. 4. 1. The Secretary of State shall maintain a website on the Internet for public information maintained, collected or compiled by the Secretary of State that relates to elections, which must include, without limitation:*

*(a) The Voters’ Bill of Rights required to be posted on his Internet website pursuant to the provisions of NRS 293.2549;*

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JCB/KMG

Date: 6/6/2005

A.B. No. 500—Makes various changes relating to public officers.

*(b) The abstract of votes required to be posted on a website pursuant to the provisions of NRS 293.388; and*

*(c) All reports on campaign contributions and expenditures submitted to the Secretary of State pursuant to the provisions of NRS 294A.120, 294A.125, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280, 294A.360 and 294A.362.*

*2. The abstract of votes required to be maintained on the website pursuant to paragraph (b) of subsection 1 must be maintained in such a format as to permit the searching of the abstract of votes for specific information.*

*3. If the information required to be maintained by the Secretary of State pursuant to subsection 1 may be obtained by the public from a website on the Internet maintained by a county clerk or city clerk, the Secretary of State may provide a hyperlink to that website to comply with the provisions of subsection 1 with regard to that information.”.*

Amend sec. 5, page 3, by deleting lines 1 through 18 and inserting:

*“Sec. 5. 1. If a county clerk maintains a website on the Internet for information related to elections, the website must contain public information maintained, collected or compiled by the county clerk that relates to elections, which must include, without limitation:*

*(a) The locations of polling places for casting a ballot on election day in such a format that a registered voter may search the list to determine the location of the polling place at which the registered voter is required to cast a ballot; and*

*(b) The abstract of votes required pursuant to the provisions of NRS 293.388.*

*2. The abstract of votes required to be maintained on the website pursuant to paragraph (b) of subsection 1 must be maintained in such a format as to permit the searching of the abstract of votes for specific information.*

*3. If the information required to be maintained by a county clerk pursuant to subsection 1 may be obtained by the public from a website on the Internet maintained by the Secretary of State, another county clerk or a city clerk, the county clerk may provide a hyperlink to that website to comply with the provisions of subsection 1 with regard to that information.”.*

Amend sec. 6, pages 5 and 6, by deleting lines 43 through 45 on page 5 and lines 1 through 25 on page 6, and inserting:

“3. The address of a candidate which must be included in the declaration of candidacy or acceptance of candidacy pursuant to subsection 2 must be the street address of the residence where he actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration or acceptance of candidacy must not be accepted for filing if:

(a) The candidate’s address is listed as a post office box unless a street address has not been assigned to his residence; or

(b) The candidate does not present to the filing officer:

(1) A valid driver’s license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate’s *residential* address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including, without limitation, a check, which indicates the candidate’s name and *residential* address.

*4. The filing officer shall retain a copy of the proof of identity and residency provided by the candidate pursuant to paragraph (b) of subsection 3. Such a copy:*

*(a) May not be withheld from the public; and*

*(b) Must not contain the social security number or driver's license or identification card number of the candidate.”.*

Amend sec. 8, page 7, by deleting lines 21 through 29 and inserting:

“293.301 1. The county clerk of each county shall require an election board officer to post an alphabetical listing of all registered voters for each precinct in a public area of each polling place in the county. Except as otherwise provided in NRS 293.558 ~~[,]~~ **and 293.5002**, the alphabetical listing must include the name, address and political affiliation of each voter. Not less than four times during the hours in which the polling place is open, an election board officer shall identify the name of each voter that voted since the last identification.”.

Amend the bill as a whole by deleting sections 9 and 10 and adding:

“**Secs. 9 and 10.** (Deleted by amendment.)”.

Amend sec. 13, page 9, by deleting lines 28 through 36 and inserting:

“2. Except as otherwise provided in NRS 293.558 ~~[,]~~ **and 293.5002**, the copy of the list provided pursuant to this section must indicate the address, date of birth, telephone number and the serial number on each application to register to vote. If the county maintains this information in a computer database, the date of the most recent addition or revision to an entry, if made on or after July 1, 1989, must be included in the database and on any resulting list of the information. The date must be expressed numerically in the order of month, day and year.”.

Amend sec. 16, pages 11 and 12, by deleting lines 35 through 45 on page 11 and lines 1 through 10 on page 12, and inserting:

“**Sec. 16.** NRS 293.558 is hereby amended to read as follows:

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

- (a) In response to an inquiry received by the county clerk; or
- (b) By inclusion *of the identification number of the registered voter* on any list of registered voters made available for public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.

2. *The county clerk shall not disclose the social security number or the driver’s license or identification card number of a registered voter.*

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

- (a) In response to an inquiry received by the county clerk; or
- (b) By inclusion on any list of registered voters made available for public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.

~~{3-}~~ 4. No information other than the address, telephone number, *social security number* and *driver’s license or* identification *card* number of a registered voter may be withheld from the public.”.

Amend sec. 19, page 12, by deleting lines 16 through 34 and inserting:

*“Sec. 19. 1. The permanent and temporary polling places for early voting by personal appearance must satisfy the criteria to be used to select permanent and temporary polling places for early voting by personal appearance provided by the city clerk pursuant to subsection 2.*

*2. The city clerk shall:*

*(a) Provide by rule or regulation for the criteria to be used to select permanent and temporary polling places for early voting by personal appearance; and*

*(b) At a meeting of the city council or other governing body of the city, inform the city council or other governing body of the sites selected as permanent and temporary polling places for early voting by personal appearance.”.*

Amend sec. 20, pages 12 and 13, by deleting lines 35 through 44 on page 12 and lines 1 through 8 on page 13, and inserting:

*“Sec. 20. 1. If a city clerk maintains a website on the Internet for information relating to elections, the website must contain public information maintained, collected or compiled by the city clerk that relates to elections, which must include, without limitation:*

*(a) The locations of polling places for casting a ballot on election day in such a form that a registered voter may search the list to determine the location of the polling place at which the registered voter is required to cast a ballot; and*

*(b) The abstract of votes required to be posted on a website pursuant to the provisions of NRS 293C.387.*

*2. The abstract of votes required to be maintained on the website pursuant to paragraph (b) of subsection 1 must be maintained in such a format as to permit the searching of the abstract of votes for specific information.*

*3. If the information required to be maintained by a city clerk pursuant to subsection 1 may be obtained by the public from a website on the Internet maintained by the Secretary of State, a county clerk or another city clerk, the city clerk may provide a hyperlink to that website to comply with the provisions of subsection 1 with regard to that information.”.*

Amend sec. 21, pages 13 through 15, by deleting lines 9 through 45 on page 13, lines 1 through 44 on page 14 and lines 1 through 36 on page 15, and inserting:

“**Sec. 21.** NRS 293C.185 is hereby amended to read as follows:

293C.185 1. Except as otherwise provided in NRS 293C.115 and 293C.190, a name may not be printed on a ballot to be used at a primary city election, unless the person named has filed a declaration of candidacy or an acceptance of candidacy and has paid the fee established by the governing body of the city not earlier than 70 days before the primary city election and not later than 5 p.m. on the 60th day before the primary city election.

2. A declaration of candidacy required to be filed by this section must be in substantially the following form:

DECLARATION OF CANDIDACY OF ..... FOR THE

OFFICE OF .....

State of Nevada

City of .....

For the purpose of having my name placed on the official ballot as a candidate for the office of ..... I, ....., the undersigned do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at ....., in the City or Town of ....., County of ....., State of Nevada; that my actual, as opposed to constructive, residence in the city, township or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is ....., and the address at which I receive mail, if different than my residence, is .....; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; that if nominated as a candidate at the ensuing election I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; and my name will appear on all ballots as designated in this declaration.

.....

(Designation of name)

.....

(Signature of candidate for office)



Subscribed and sworn to before me

this ..... day of the month of ..... of the year .....

.....

Notary Public or other person

authorized to administer an oath

3. The address of a candidate that must be included in the declaration or acceptance of candidacy pursuant to subsection 2 must be the street address of the residence where he actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration or acceptance of candidacy must not be accepted for filing if:

(a) The candidate's address is listed as a post office box unless a street address has not been assigned to his residence; or

(b) The candidate does not present to the filing officer:

(1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's *residential* address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including, without limitation, a check, which indicates the candidate's name and *residential* address.

4. *The filing officer shall retain a copy of the proof of identity and residency provided by the candidate pursuant to paragraph (b) of subsection 3. Such a copy:*

*(a) May not be withheld from the public; and*

*(b) Must not contain the social security number or driver's license or identification card number of the candidate.*

5. By filing the declaration or acceptance of candidacy, the candidate shall be deemed to have appointed the city clerk as his agent for service of process for the purposes of a proceeding pursuant to NRS 293C.186. Service of such process must first be attempted at the appropriate address as specified by the candidate in the declaration or acceptance of candidacy. If the candidate cannot be served at that address, service must be made by personally delivering to and leaving with the city clerk duplicate copies of the process. The city clerk shall immediately send, by registered or certified mail, one of the copies to the candidate at his specified address, unless the candidate has designated in writing to the city clerk a different address for that purpose, in which case the city clerk shall mail the copy to the last address so designated.

~~{5.}~~ 6. If the city clerk receives credible evidence indicating that a candidate has been convicted of a felony and has not had his civil rights restored by a court of competent jurisdiction, the city clerk:

(a) May conduct an investigation to determine whether the candidate has been convicted of a felony and, if so, whether he has had his civil rights restored by a court of competent jurisdiction; and

(b) Shall transmit the credible evidence and the findings from such investigation to the city attorney.

~~{6.}~~ 7. The receipt of information by the city attorney pursuant to subsection ~~{5}~~ 6 must be treated as a challenge of a candidate pursuant to subsections 4 and 5 of NRS 293C.186. If the ballots are

printed before a court of competent jurisdiction makes a determination that a candidate has been convicted of a felony and has not had his civil rights restored by a court of competent jurisdiction, the city clerk must post a notice at each polling place where the candidate's name will appear on the ballot informing the voters that the candidate is disqualified from entering upon the duties of the office for which the candidate filed the declaration of candidacy or acceptance of candidacy.”.

Amend sec. 22, page 15, by deleting lines 38 through 45 and inserting:

“293C.290 1. The city clerk shall require an election board officer to post an alphabetical listing of all registered voters for each precinct in a public area of each polling place in the city. Except as otherwise provided in NRS 293.558 ~~[and 293.5002]~~ **and 293.5002**, the alphabetical listing must include the name and address of each voter. Not less than four times during the hours in which the polling place is open, an election board officer shall identify the name of each voter who voted since the last identification.”.

Amend the bill as a whole by deleting sec. 28 and adding:

“**Sec. 28.** (Deleted by amendment.)”.

Amend sec. 36, page 25, between lines 32 and 33, by inserting:

***“4. The Secretary of State must obtain the advice and consent of the Legislative Commission before providing a copy of a form designed or revised by the Secretary of State pursuant to this section to a person, committee, political party or group that is required to use the form.”.***

Amend sec. 38, page 26, by deleting lines 22 through 25 and inserting:

***“2. The total amount of loans to a candidate guaranteed by a third party, the total amount of loans made to a candidate that have been forgiven and the total amount of written commitments for contributions received by a candidate.”.***

Amend the bill as a whole by deleting sec. 40 and adding:

“**Sec. 40.** (Deleted by amendment.)”.

Amend sec. 52, page 30, by deleting lines 9 through 18 and inserting:

“Sec. 5.070 Availability of lists of registered voters. If, for any purpose relating to a municipal election or to candidates or issues involved in such an election, any organization, group or person requests a list of registered voters of the City, the department, office or agency which has custody of the official register of voters shall, except as otherwise provided in NRS 293.558 ~~[.]~~ **and 293.5002**, either permit the organization, group or person to copy the voters’ names and addresses from the official register of voters or furnish such a list.”.

Amend sec. 53, page 30, by deleting lines 23 through 32 and inserting:

“Sec. 5.060 Availability of lists of registered voters. If, for any purpose relating to a municipal election or to candidates or issues involved in such an election, any organization, group or person requests a list of registered voters of the City, the department, office or agency which has custody of the official register of voters shall, except as otherwise provided in NRS 293.558 ~~[.]~~ **and 293.5002**, either permit the organization, group or person to copy the voters’ names and addresses from the official register of voters or furnish such a list.”.

Amend sec. 54, pages 30 and 31, by deleting lines 37 through 43 on page 30 and lines 1 through 5 on page 31 and inserting:

“Sec. 5.070 Availability of list of registered voters. If, for any purpose relating to a municipal election or to the candidates or issues involved in that election, any organization, group or person requests a list of the registered voters of Carson City, the department, office or

agency which has custody of the official register of voters shall, except as otherwise provided in NRS 293.558 ~~[,]~~ **and 293.5002**:

1. Permit the organization, group or person to copy the voters' names and addresses from the official register of voters; or
2. Furnish the list upon payment of the fee which is prescribed in chapter 293 of NRS."

Amend sec. 55, page 31, by deleting lines 10 through 19 and inserting:

"Sec. 5.060 Availability of lists of registered voters. If, for any purpose relating to a municipal election or to candidates or issues involved in such an election, any organization, group or person requests a list of registered voters of the City, the department, office or agency which has custody of the official register of voters shall, except as otherwise provided in NRS 293.558 ~~[,]~~ **and 293.5002**, either permit the organization, group or person to copy the voters' names and addresses from the official register of voters or furnish such a list."

Amend sec. 56, page 31, by deleting lines 24 through 34 and inserting:

"Sec. 5.070 Availability of lists of registered voters. If, for any purpose which relates to a municipal election or to the candidates or issues which are involved in that election, any organization, group or person requests a list of the registered voters of the City, the department, office or agency which has custody of the official register of voters shall, except as otherwise provided in NRS 293.558 ~~[,]~~ **and 293.5002**, either permit that organization, group or person to copy the voters' names and addresses from the official register of voters or furnish the list upon payment of the fee which is prescribed in chapter 293 of NRS."

Amend sec. 57, pages 31 and 32, by deleting lines 39 through 45 on page 31 and lines 1 through 3 on page 32 and inserting:

“Sec. 5.070 Availability of lists of registered voters. If, for any purpose relating to an election or to candidates or issues involved in that election, any organization, group or person requests a list of registered voters of the City, the department, office or agency which has custody of the official register of voters shall, except as otherwise provided in NRS 293.558 ~~[-]~~ **and 293.5002**, permit the organization, group or person to copy the voters’ names and addresses from the official register of voters or furnish such a list upon payment of the cost established by state election law.”.

Amend sec. 58, page 32, by deleting lines 8 through 19 and inserting:

“Sec. 5.070 Availability of lists of registered voters. If, for any purpose relating to an election or to candidates or issues involved in an election, any organization, group or person requests a list of registered voters of the City,  
the department, office or agency which has custody of the official register of voters shall, except as otherwise provided in NRS 293.558 ~~[-]~~ **and 293.5002**:

1. Permit the organization, group or person to copy the names and addresses of voters from the official register of voters; or
2. Furnish such a list upon payment of the cost established by state election law.”.

Amend sec. 59, page 32, by deleting lines 24 through 33 and inserting:

“Sec. 5.060 Availability of lists of registered voters. If, for any purpose relating to a municipal election or to candidates or issues involved in such an election, any organization, group or person requests a list of registered voters of the City, the department, office or agency which has custody of the official register of voters shall, except as otherwise provided in NRS

293.558 ~~[,]~~ **and 293.5002**, either permit the organization, group or person to copy the voters' names and addresses from the official register of voters or furnish such a list.”.

Amend sec. 60, page 32, by deleting lines 38 through 45 and inserting:

“Sec. 5.060 Availability of lists of registered voters. If, for any purpose relating to a municipal election or to candidates or issues involved in such an election, any organization, group or person requests a list of registered voters of the City, the department, office or agency which has custody of the official register of voters shall, except as otherwise provided in NRS 293.558 ~~[,]~~ **and 293.5002**, furnish such a list at a fee to be established by the City Council.”.

Amend the title of the bill to read as follows:

“AN ACT relating to public office; revising various provisions relating to polling places; requiring the Secretary of State to maintain certain information on a website on the Internet; requiring that if a county clerk or city clerk maintains a website on the Internet, the county clerk or city clerk shall maintain certain information on the website; revising provisions relating to proof of residence for a person filing a declaration of candidacy; revising the provisions relating to public lists of registered voters; revising the provisions relating to a person convicted of a felony and the right to vote; revising the provisions relating to the filing of campaign finance reports; revising the definition of “public officer” for the purposes of the Nevada Ethics in Government Law; providing a civil penalty; and providing other matters properly relating thereto.”.