

SENATE BILL NO. 386—COMMITTEE ON LEGISLATIVE
OPERATIONS AND ELECTIONS

MARCH 29, 2005

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to public office.
(BDR 24-311)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

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

AN ACT relating to government; eliminating various obsolete provisions governing elections; providing for when a candidate for the office of member of a town advisory board must be declared elected and no election held for the office; revising the requirements relating to voting systems providing a permanent paper record for the purposes of a recount; making various changes to the provisions governing the processing of ballots in preparation of counting; requiring a county clerk to assign a unique identification number to a question placed on a ballot; revising the provisions governing persons who assist a voter in registering to vote or in voting; revising the filing requirements for reports on campaign contributions and expenditures; prohibiting certain public officers from soliciting or accepting monetary contributions for any political purposes during certain times; providing civil penalties for repeated violations of the Open Meeting Law; making attendance by a member of a public body at a meeting of the public body that violates the Open Meeting Law an ethics violation in certain circumstances; increasing the civil penalties for willful violations of the ethics provisions; providing



penalties; and providing other matters properly relating thereto.

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

1 **Secs. 1 and 2.** (Deleted by amendment.)

2 **Sec. 3.** Chapter 293 of NRS is hereby amended by adding
3 thereto a new section to read as follows:

4 ***“Provisional ballot” means a ballot voted by a person pursuant***
5 ***to NRS 293.3081 to 293.3086, inclusive.***

6 **Secs. 4-6.** (Deleted by amendment.)

7 **Sec. 7.** NRS 293.010 is hereby amended to read as follows:

8 293.010 As used in this title, unless the context otherwise
9 requires, the words and terms defined in NRS 293.013 to 293.121,
10 inclusive, ***and section 3 of this act*** have the meanings ascribed to
11 them in those sections.

12 **Sec. 8.** NRS 293.025 is hereby amended to read as follows:

13 293.025 “Ballot” means the record of a voter’s preference of
14 candidates and questions voted upon at an election. The term
15 includes, without limitation, any paper given to a voter upon which
16 he places his vote ~~[, a punch card which records the vote of a voter]~~
17 and electronic storage tapes.

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

19 293.040 “Clerk” means the election board officer designated or
20 assigned to make the record of the election in the ~~[pollbook,]~~ ***roster,***
21 tally list and challenge list in the precinct or district in which such
22 officer is appointed.

23 **Sec. 10.** NRS 293.093 is hereby amended to read as follows:

24 293.093 “Regular votes” means the votes cast by registered
25 voters, except votes cast by absent ***ballot or provisional*** ballot.

26 **Sec. 11.** NRS 293.097 is hereby amended to read as follows:

27 293.097 “Sample ballot” means a document distributed by a
28 county or city clerk upon which is printed a ~~[facsimile of a ballot.]~~
29 ***list of the offices, candidates and ballot questions that will appear***
30 ***on a ballot.*** The term includes any such document which is printed
31 by a computer.

32 **Sec. 12.** NRS 293.113 is hereby amended to read as follows:

33 293.113 “Tally list” ~~[or “tally book”]~~ means the ~~[forms]~~ ***form***
34 furnished election board officers to be used in ~~[tallying or]~~ recording
35 the number of votes cast for each candidate and question on the
36 ballot. ~~[as such votes are called in counting.]~~



1 **Sec. 13.** (Deleted by amendment.)

2 **Sec. 14.** NRS 293.207 is hereby amended to read as follows:

3 293.207 1. Election precincts must be established on the
4 basis of the number of registered voters therein, with a maximum
5 ~~[of 600 registered voters per precinct in those precincts in which~~
6 ~~paper ballots are used, or a maximum]~~ of 1,500 registered voters
7 who are not designated inactive pursuant to NRS 293.530 per
8 precinct in those precincts in which a mechanical voting system is
9 used.

10 2. Except as otherwise provided in subsections 3 and 4, the
11 county clerk may consolidate two or more contiguous election
12 precincts into a single voting district to conduct a particular election
13 as public convenience, necessity and economy may require.

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

19 (a) Posted in the manner prescribed for a regular meeting of the
20 board of county commissioners; and

21 (b) Mailed to each Assemblyman, State Senator, county
22 commissioner and, if applicable, member of the governing body of a
23 city who represents residents of a precinct affected by the
24 consolidation.

25 4. A person may file a written objection to the proposed
26 consolidation with the county clerk. The county clerk shall consider
27 each written objection filed pursuant to this subsection before
28 consolidating the precincts.

29 **Sec. 15.** NRS 293.213 is hereby amended to read as follows:

30 293.213 1. Whenever there were not more than 20 voters
31 registered in a precinct for the last preceding general election, the
32 county clerk may establish that precinct as a mailing precinct. ~~[and~~
33 ~~shall forthwith mail notification to the field registrar for that~~
34 ~~precinct.]~~

35 2. Except as otherwise provided in NRS 293.208, the county
36 clerk in any county where an absent ballot central counting board is
37 appointed may abolish two or more existing mailing precincts and
38 combine those mailing precincts into absent ballot precincts. Those
39 mailing precincts must be designated absent ballot mailing
40 precincts.

41 3. In any county where an absent ballot central counting board
42 is appointed, any established precinct which had less than 200
43 ballots cast at the last preceding general election, or any newly
44 established precinct with less than 200 registered voters, may be
45 designated an absent ballot mailing precinct.



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

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

(b) Mailed to each Assemblyman, State Senator, county commissioner and, if applicable, member of the governing body of a city who represents residents of a precinct affected by the action.

Sec. 16. NRS 293.217 is hereby amended to read as follows:

293.217 1. The county clerk of each county shall appoint and notify registered voters to act as election board officers for the various precincts and districts in the county as provided in NRS 293.220 to ~~293.245.]~~ **293.243**, inclusive, and 293.384 . ~~[-and shall conclude those duties no later than 31 days before the election.]~~ The registered voters appointed as election board officers for any precinct or district must not all be of the same political party. No candidate for nomination or election or his relative within the second degree of consanguinity or affinity may be appointed as an election board officer. Immediately after election board officers are appointed, if requested by the county clerk, the sheriff shall:

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

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

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

2. The county clerk may appoint a trainee for the position of election board officer as set forth in NRS 293.2175.

Sec. 17. NRS 293.227 is hereby amended to read as follows:

293.227 1. Each election board ~~[consists of at least three members, one of whom must be]~~ **must have one member** designated **as the** chairman by the county or city clerk. The **election** boards shall make the records of election required by this chapter.

2. The appointment of a trainee as set forth in NRS 293.2175 and 293C.222 may be used to determine the number 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) A trainee serve as chairman of the election board.



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

10 4. The board of county commissioners of any county or the city
11 council of any city may reimburse the ~~[chairmen or their designees]~~
12 *members of an election board* who attend the school for their travel
13 expenses at a rate not exceeding 10 cents per mile.

14 ~~[5. Each chairman shall instruct his board before election day.]~~

15 **Sec. 18.** NRS 293.230 is hereby amended to read as follows:

16 293.230 ~~[1. In precincts or districts where there are less than~~
17 ~~200 registered voters and paper ballots are used, the election board~~
18 ~~shall perform all duties required from the time of preparing for the~~
19 ~~opening of the polls through delivering the supplies and result of~~
20 ~~votes cast to the county clerk.~~

21 ~~—2. Except as otherwise provided in NRS 293.235, one]~~ *One*
22 election board must be appointed by the county clerk for all mailing
23 precincts within the county and must be designated the central
24 election board. The county clerk shall deliver the mailed ballots to
25 that board in his office, and the board shall count the votes on those
26 ballots in the manner required by law.

27 **Sec. 18.5.** NRS 293.247 is hereby amended to read as follows:

28 293.247 1. The Secretary of State shall adopt regulations, not
29 inconsistent with the election laws of this State, for the conduct of
30 primary, general, special and district elections in all cities and
31 counties. The Secretary of State shall prescribe the forms for a
32 declaration of candidacy, certificate of candidacy, acceptance of
33 candidacy and any petition which is filed pursuant to the general
34 election laws of this State.

35 2. The regulations must prescribe:

- 36 (a) The duties of election boards;
37 (b) The type and amount of election supplies;
38 (c) The manner of printing ballots and the number of ballots to
39 be distributed to precincts and districts;
40 (d) The method to be used in distributing ballots to precincts and
41 districts;
42 (e) The method of inspection and the disposition of ballot boxes;
43 (f) The form and placement of instructions to voters;
44 (g) The recess periods for election boards;
45 (h) The size, lighting and placement of voting booths;



(i) The amount and placement of guardrails and other furniture and equipment at voting places;

(j) The disposition of election returns;

(k) The procedures to be used for canvasses, ties, recounts and contests ~~(j)~~, *including, without limitation, the appropriate use of a paper record created when a voter casts a ballot on a mechanical voting system that directly records the votes electronically;*

(l) The procedures to be used to ensure the security of the ballots from the time they are transferred from the polling place until they are stored pursuant to the provisions of NRS 293.391 or 293C.390;

(m) The procedures to be used to ensure the security and accuracy of computer programs and tapes used for elections;

(n) *The procedures to be used for the testing, use and auditing of a mechanical voting system that directly records the votes electronically and that creates a paper record when a voter casts a ballot on the system;*

(o) The procedures to be used for the disposition of absent ballots in case of an emergency;

~~(e)~~ (p) The forms for applications to register to vote and any other forms necessary for the administration of this title; and

~~(p)~~ (q) Such other matters as determined necessary by the Secretary of State.

3. The Secretary of State may provide interpretations and take other actions necessary for the effective administration of the statutes and regulations governing the conduct of primary, general, special and district elections in this State.

4. The Secretary of State shall prepare and distribute to each county and city clerk copies of:

(a) Laws and regulations concerning elections in this State;

(b) Interpretations issued by the Secretary of State's Office; and

(c) Any Attorney General's opinions or any state or federal court decisions which affect state election laws or regulations whenever any of those opinions or decisions become known to the Secretary of State.

Sec. 19. NRS 293.250 is hereby amended to read as follows:

293.250 1. The Secretary of State shall, in a manner consistent with the election laws of this State, prescribe:

(a) The form of all ballots, absent ballots, diagrams, sample ballots, certificates, notices, declarations, applications to register to vote, lists, applications, ~~(pollbooks.)~~ registers, rosters, statements and abstracts required by the election laws of this State.

(b) The procedure to be followed when a computer is used to register voters and to keep records of registration.

2. The Secretary of State shall prescribe with respect to the matter to be printed on every kind of ballot:



1 (a) The placement and listing of all offices, candidates and
2 measures upon which voting is statewide, which must be uniform
3 throughout the State.

4 (b) The listing of all other candidates required to file with him,
5 and the order of listing all offices, candidates and measures upon
6 which voting is not statewide, from which each county or city clerk
7 shall prepare appropriate ballot forms for use in any election in his
8 county.

9 3. The Secretary of State shall place the condensation of each
10 proposed constitutional amendment or statewide measure near the
11 spaces or devices for indicating the voter's choice.

12 4. The fiscal note for, explanation of, arguments for and
13 against, and rebuttals to such arguments of each proposed
14 constitutional amendment or statewide measure must be included on
15 all sample ballots.

16 5. The condensations and explanations for constitutional
17 amendments and statewide measures proposed by initiative or
18 referendum must be prepared by the Secretary of State, upon
19 consultation with the Attorney General. The arguments and rebuttals
20 for or against constitutional amendments and statewide measures
21 proposed by initiative or referendum must be prepared in the
22 manner set forth in NRS 293.252. The fiscal notes for constitutional
23 amendments and statewide measures proposed by initiative or
24 referendum must be prepared by the Secretary of State, upon
25 consultation with the Fiscal Analysis Division of the Legislative
26 Counsel Bureau. The condensations, explanations, arguments,
27 rebuttals and fiscal notes must be in easily understood language and
28 of reasonable length, and whenever feasible must be completed by
29 August 1 of the year in which the general election is to be held.

30 6. The names of candidates for township and legislative or
31 special district offices must be printed only on the ballots furnished
32 to voters of that township or district.

33 7. A county clerk:

34 (a) May divide paper ballots into two sheets in a manner which
35 provides a clear understanding and grouping of all measures and
36 candidates.

37 (b) Shall prescribe the color or colors of the ballots and voting
38 receipts used in any election which the clerk is required to conduct.

39 **Sec. 20.** NRS 293.260 is hereby amended to read as follows:

40 293.260 1. Where there is no contest of election for
41 nomination to a particular office, neither the title of the office nor
42 the name of the candidate may appear on the ballot.

43 2. If more than one major political party has candidates for a
44 particular office, the persons who receive the highest number of



1 votes at the primary elections must be declared the nominees of
2 those parties for the office.

3 3. If only one major political party has candidates for a
4 particular office and a minor political party has nominated a
5 candidate for the office or an independent candidate has filed for the
6 office, the candidate who receives the highest number of votes in the
7 primary election of the major political party must be declared
8 the nominee of that party and his name must be placed on the
9 general election ballot with the name of the nominee of the minor
10 political party for the office and the name of the independent
11 candidate who has filed for the office.

12 4. If only one major political party has candidates for a
13 particular office and no minor political party has nominated a
14 candidate for the office and no independent candidate has filed for
15 the office:

16 (a) If there are more candidates than twice the number to be
17 elected to the office, the names of the candidates must appear on the
18 ballot for a primary election. Except as otherwise provided in this
19 paragraph, the candidates of that party who receive the highest
20 number of votes in the primary election, not to exceed twice the
21 number to be elected to that office at the general election, must be
22 declared the nominees for the office. If only one candidate is to be
23 elected to the office and a candidate receives a majority of the votes
24 in the primary election for that office, that candidate must be
25 declared the nominee for that office and his name must be placed on
26 the ballot for the general election.

27 (b) If there are no more than twice the number of candidates to
28 be elected to the office, the candidates must, without a primary
29 election, be declared the nominees for the office.

30 5. Where no more than the number of candidates to be elected
31 have filed for nomination for:

32 (a) Any partisan office or the office of justice of the Supreme
33 Court, the names of those candidates must be omitted from all
34 ballots for a primary election and placed on all ballots for a general
35 election; ~~and~~

36 (b) Any nonpartisan office, other than the office of justice of the
37 Supreme Court ~~H~~ *or the office of member of a town advisory*
38 *board*, the names of those candidates must appear on the ballot for a
39 primary election unless the candidates were nominated pursuant to
40 subsection 2 of NRS 293.165. If a candidate receives one or more
41 votes at the primary election, he must be declared elected to the
42 office and his name must not be placed on the ballot for the general
43 election. If a candidate does not receive one or more votes at the
44 primary election, his name must be placed on the ballot for the
45 general election ~~H~~; *and*



1 (c) *The office of member of a town advisory board, the*
2 *candidate must be declared elected to the office and no election*
3 *must be held for that office.*

4 6. If there are more candidates than twice the number to be
5 elected to a nonpartisan office, the names of the candidates must
6 appear on the ballot for a primary election. Those candidates who
7 receive the highest number of votes at that election, not to exceed
8 twice the number to be elected, must be declared nominees for the
9 office.

10 **Sec. 21.** NRS 293.262 is hereby amended to read as follows:

11 293.262 An absent ballot or a ballot voted by a voter who
12 resides in a mailing precinct must be voted:

13 1. On a paper ballot ~~for~~;
14 ~~2. On a ballot which is voted by punching a card; or~~
15 ~~3.] ; or~~

16 2. By any other system authorized by state or federal law.

17 **Sec. 22.** NRS 293.265 is hereby amended to read as follows:

18 293.265 On nonpartisan primary ballots, there must appear at
19 the top of the ballot the designation ~~["Candidates for nonpartisan~~
20 ~~offices."]~~ *"Nonpartisan Offices."* Except as otherwise provided in
21 NRS 293.2565, following this designation must appear the names of
22 candidates grouped alphabetically under the title and length of term
23 of the nonpartisan office for which those candidates filed.

24 **Sec. 23.** NRS 293.2693 is hereby amended to read as follows:

25 293.2693 If a county or city uses paper ballots ~~for punch cards~~
26 in an election, including, without limitation, for absent ballots and
27 ballots voted in a mailing precinct, the county or city clerk shall
28 provide a voter education program specific to the voting system
29 used by the county or city. The voter education program must
30 include, without limitation, information concerning the effect of
31 overvoting and the procedures for correcting a vote on a ballot
32 before it is cast and counted and for obtaining a replacement ballot.

33 **Sec. 24.** NRS 293.2696 is hereby amended to read as follows:

34 293.2696 The Secretary of State and each county and city clerk
35 shall ensure that each voting system used in this State:

36 1. Secures to each voter privacy and independence in the act of
37 voting, including, without limitation, confidentiality of the ballot of
38 the voter;

39 2. Allows each voter to verify privately and independently the
40 votes selected by the voter on the ballot before the ballot is cast and
41 counted;

42 3. Provides each voter with the opportunity, in a private and
43 independent manner, to change the ballot and to correct any error
44 before the ballot is cast and counted, including, without limitation,
45 the opportunity to correct an error through the issuance of a



1 replacement ballot if the voter is otherwise unable to change the
2 ballot or correct the error;

3 4. Provides a permanent paper record with a manual audit
4 capacity ; ~~{which must be available as an official record for a~~
5 ~~recount;}~~ and

6 5. Meets or exceeds the standards for voting systems
7 established by the Federal Election Commission, including, without
8 limitation, the error rate standards.

9 **Sec. 25.** (Deleted by amendment.)

10 **Sec. 26.** NRS 293.285 is hereby amended to read as follows:

11 293.285 ~~{1.}~~ A registered voter applying to vote shall state
12 his name to the election board officer in charge of the election board
13 register , and the officer shall immediately announce the name and
14 take the registered voter's signature. ~~{After a registered voter is~~
15 ~~properly identified at a polling place where paper ballots are used,~~
16 ~~one partisan ballot and, if required, one nonpartisan ballot, correctly~~
17 ~~folded must be given to the voter and the number of the ballot or~~
18 ~~ballots must be written by an election board officer upon the~~
19 ~~pollbook, opposite the name of the registered voter receiving the~~
20 ~~ballot or ballots.~~

21 ~~—2. In pollbooks in which voters' names have been entered,~~
22 ~~election officers may indicate the application to vote without writing~~
23 ~~the name.}~~

24 **Sec. 27.** (Deleted by amendment.)

25 **Sec. 28.** NRS 293.297 is hereby amended to read as follows:

26 293.297 ~~{1. Except as otherwise provided in subsection 2:~~

27 ~~—(a) Any voter who spoils his ballot may return the spoiled ballot~~
28 ~~to the election board and receive another in its place.~~

29 ~~—(b) The election board officers shall indicate in the pollbook that~~
30 ~~the ballot is spoiled and shall enter the number of the ballot issued in~~
31 ~~its place.~~

32 ~~—(c) Each spoiled ballot returned must be cancelled by writing the~~
33 ~~word "Cancelled" across the back of the ballot. A spoiled paper~~
34 ~~ballot must be cancelled without unfolding it.~~

35 ~~—(d) A record must be made of those cancelled ballots at the~~
36 ~~closing of the polls and before counting. The ballots must be placed~~
37 ~~in a separate envelope and returned to the appropriate county clerk~~
38 ~~with the election supplies.~~

39 ~~—2. If ballots which are voted on a} A mechanical recording~~
40 ~~device which directly records {the} votes electronically {are used,}~~
41 ~~must allow the voter {must be able} to change his vote before the~~
42 ~~mechanical recording device permanently records that vote.~~

43 **Sec. 29.** NRS 293.304 is hereby amended to read as follows:

44 293.304 1. If a person is successfully challenged on the
45 ground set forth in paragraph (c) of subsection 2 of NRS 293.303 or



1 if a person refuses to provide an affirmation pursuant to NRS
2 293.525, the election board shall instruct the voter that he may vote
3 only at the special polling place in the manner set forth in this
4 section.

5 2. The county clerk of each county shall maintain a special
6 polling place in his office and at such other locations as he deems
7 necessary during each election. The ballots voted at the special
8 polling place must be kept separate from the ballots of voters who
9 have not been so challenged or who have provided an affirmation
10 pursuant to NRS 293.525 in ~~§~~:

11 ~~—(a) A special ballot box if the ballots are paper ballots or ballots~~
12 ~~which are voted by punching a card; or~~

13 ~~—(b) A~~ a special sealed container if the ballots are ballots which
14 are voted on a mechanical recording device which directly records
15 the votes electronically.

16 3. A person who votes at a special polling place may place his
17 vote only for the following offices and questions:

18 (a) President and Vice President of the United States;

19 (b) United States Senator;

20 (c) All state officers for whom all voters in the State may vote;

21 (d) All officers for whom all voters in the county may vote; and

22 (e) Questions which have been submitted to all voters of the
23 county or State.

24 4. The ballots voted at the special polling place must be
25 counted when other ballots are counted and ~~§~~:

26 ~~—(a) If the ballots are paper ballots or ballots which are voted by~~
27 ~~punching a card, maintained in a separate ballot box; or~~

28 ~~—(b) If~~, if the ballots are ballots which are voted on a mechanical
29 recording device which directly records the votes electronically,
30 maintained in a separate sealed container ~~§~~:

31 ~~—~~ until any contest of election is resolved or the date for filing a
32 contest of election has passed, whichever is later.

33 **Secs. 30-37.** (Deleted by amendment.)

34 **Sec. 38.** NRS 293.323 is hereby amended to read as follows:

35 293.323 1. Except as otherwise provided in subsection 2, if
36 the request for an absent ballot is made by mail or facsimile
37 machine, the county clerk shall, as soon as the official absent ballot
38 for the precinct or district in which the applicant resides has been
39 printed, send to the voter by first-class mail if the absent voter is
40 within the boundaries of the United States, its territories or
41 possessions or on a military base, or by air mail if the absent voter is
42 in a foreign country but not on a military base:

43 (a) ~~Except as otherwise provided in paragraph (b):~~

44 ~~—(1)~~ An absent ballot;

45 ~~—(2)~~ (b) A return envelope;



1 ~~[(3) Supplies for marking the ballot;~~
2 ~~— (4)] (c) An envelope or similar device into which the ballot~~
3 ~~is inserted to ensure its secrecy; and~~
4 ~~[(5) Instructions:~~
5 ~~— (b) In those counties using a mechanical voting system whereby~~
6 ~~a vote is cast by punching a card:~~
7 ~~— (1) A card attached to a sheet of foam plastic or similar~~
8 ~~backing material;~~
9 ~~— (2) A return envelope;~~
10 ~~— (3) A punching instrument;~~
11 ~~— (4) A sample ballot;~~
12 ~~— (5) An envelope or similar device into which the card is~~
13 ~~inserted to ensure its secrecy; and~~
14 ~~— (6)] (d) Instructions.~~

15 2. If the county clerk fails to send an absent ballot pursuant to
16 subsection 1 to a voter who resides within the continental United
17 States, the county clerk may use a facsimile machine to send an
18 absent ballot and instructions to the voter. The voter shall mail his
19 absent ballot to the county clerk.

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

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

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

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

33 **Sec. 39.** NRS 293.325 is hereby amended to read as follows:

34 293.325 1. ~~[(Except as otherwise provided in subsections 2~~
35 ~~and 3, when] When~~ an absent ballot is returned by a registered voter
36 to the county clerk through the mails and record thereof is made in
37 the absent ballot record book, the county clerk shall neatly stack,
38 unopened, the absent ballot with any other absent ballot received
39 that day in a container and deliver, or cause to be delivered, that
40 container to the precinct or district election board.

41 2. ~~[(If the county clerk has appointed an absent ballot central~~
42 ~~counting board, the county clerk shall, upon receipt of each absent~~
43 ~~voter's ballot, make a record of the return and check the signature~~
44 ~~on the return envelope against the original signature of the voter on~~
45 ~~the county clerk's register. If the county clerk determines that the~~



absent voter is entitled to cast his ballot, he shall deposit the ballot in the proper ballot box. At the end of each day before election day, the county clerk may remove the ballots from each ballot box and neatly stack the ballots in a container. Except as otherwise provided in subsection 3, on election day the county clerk shall deliver the ballot box and, if applicable, each container to the absent ballot counting board to be counted.

~~3. If the county uses a mechanical voting system, the~~ *The* county clerk shall, upon receipt of each absent voter's ballot, make a record of the return and check the signature on the return envelope against the original signature of the county clerk's register. If the county clerk determines that the absent voter is entitled to cast his ballot, he shall deposit the ballot in the proper ballot box or place the ballot, unopened, in a container that must be securely locked or under the control of the county clerk at all times. At the end of each day before election day, the county clerk may remove the ballots from each ballot box, neatly stack the ballots in a container and seal the container with a numbered seal. ~~Except as otherwise provided in this subsection, on election day the~~ *The* county clerk shall deliver , ~~the ballot box and each container, if applicable, to the central counting place. If the county uses a mechanical voting system and the county clerk has appointed an absent ballot central counting board, the county clerk may,~~ not earlier than 4 working days before the election, ~~deliver~~ the ballots to the absent ballot central counting board to be processed and prepared for ~~tabulation~~ *counting* pursuant to the procedures established by the Secretary of State ~~to ensure the confidentiality of the prepared ballots until after the polls have closed pursuant to NRS 293.273 or 293.305.~~

Sec. 40. NRS 293.330 is hereby amended to read as follows:

293.330 1. Except as otherwise provided in NRS 293.3157 and subsection 2 of NRS 293.323 and any regulations adopted pursuant thereto, when an absent voter receives his ballot, he must mark and fold it ~~[, if it is a paper ballot, or punch it, if the ballot is voted by punching a card,]~~ in accordance with the instructions, deposit it in the return envelope, seal the envelope, affix his signature on the back of the envelope in the space provided therefor and mail the return envelope.

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

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



(b) A polling place, including, without limitation, a polling place for early voting, he must surrender the absent ballot and provide satisfactory identification before being issued a ballot to vote at the polling place. A person who receives a surrendered absent ballot shall mark it "Cancelled."

3. If an absent voter who has requested a ballot by mail applies to vote in person at the office of the county clerk or a polling place, including, without limitation, a polling place for early voting, and the voter does not have the absent ballot to deliver or surrender, the voter must be issued a ballot to vote if the voter:

(a) Provides satisfactory identification;

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

(c) Signs an affirmation under penalty of perjury on a form prepared by the Secretary of State declaring that the voter has not voted during the election.

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

Sec. 41. NRS 293.333 is hereby amended to read as follows:

293.333 On the day of an election, the precinct or district election boards receiving the absent voters' ballots from the county clerk shall, in the presence of a majority of the election board officers, remove the ballots from the ballot box and the containers in which the ballots were transported pursuant to NRS 293.325 and deposit the ballots in the regular ballot box in the following manner:

1. The name of the voter, as shown on the return envelope, must be called and checked as if the voter were voting in person;

2. The signature on the back of the return envelope must be compared with that on the original application to register to vote;

3. If the board determines that the absent voter is entitled to cast his ballot, the envelope must be opened, the numbers on the ballot and envelope compared, the number strip or stub detached from the ballot ~~[]~~ and, if the numbers are the same, the ballot deposited in the regular ballot box; and

4. The election board officers shall mark in the ~~[pollbook]~~ *roster* opposite the name of the voter the word "Voted."



Sec. 42. NRS 293.350 is hereby amended to read as follows:

293.350 1. The county clerk shall:

(a) Make certain of the names and addresses of all voters registered to vote in mailing precincts and absent ballot mailing precincts;

(b) Enroll the name and address of each voter found eligible to vote in those precincts in the mailing precinct record book;

(c) Mark the number of the ballot on the return envelope; and

(d) Mail the ballot to the registered voter.

2. ~~[[Except as otherwise provided in subsection 3, the]~~ *The* ballot must be accompanied by:

(a) ~~[[Supplies for marking the ballot;~~

~~—(b)]~~ A return envelope;

~~[[e)]~~ (b) An envelope or similar device into which the ballot is inserted to ensure its secrecy;

~~[[d)]~~ (c) A sample ballot; and

~~[[e)]~~ (d) Instructions regarding the manner of marking and returning the ballot.

~~[[3. In those counties using a mechanical voting system whereby a vote is cast by punching a card, the ballot must be accompanied by:~~

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

~~—(b) A punching instrument;~~

~~—(c) A return envelope;~~

~~—(d) An envelope or similar device into which the card is inserted to ensure its secrecy;~~

~~—(e) A sample ballot; and~~

~~—(f) Instructions regarding the manner of punching and returning the card.]~~

Sec. 43. NRS 293.353 is hereby amended to read as follows:

293.353 Upon receipt of a mailing ballot from the county clerk, the registered voter must:

1. ~~[[Except as otherwise provided in subsection 2:~~

~~—(a)]~~ Immediately after opening the envelope, mark and fold the ballot;

~~[[b)]~~ 2. Place the ballot in the return envelope;

~~[[e)]~~ 3. Affix his signature on the back of the envelope; and

~~[[d)]~~ 4. Mail or deliver the envelope to the county clerk.

~~[[2. In those counties using a mechanical voting system whereby a vote is cast by punching a card:~~

~~—(a) Immediately after opening the envelope, punch the card;~~

~~—(b) Place the unfolded card in the return envelope;~~

~~—(c) Affix his signature on the back of the envelope; and~~

~~—(d) Mail or deliver the envelope to the county clerk.]~~



Sec. 44. NRS 293.356 is hereby amended to read as follows:

293.356 If a request is made to vote early by a registered voter in person, the election board shall issue a ballot for early voting to the voter. Such a ballot must be voted on the premises of a polling place for early voting established pursuant to NRS 293.3564 or 293.3572 . ~~[and returned to the election board. If the ballot is a paper ballot, a ballot which is voted by punching a card or a ballot which is voted by any other system authorized by state or federal law, the election board shall follow the same procedure as in the case of absent ballots received by mail.]~~

Sec. 45. 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. 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 early voting, 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]~~ *for at least 4 hours between* 10 a.m. ~~[until]~~ *and* 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. 46. NRS 293.3585 is hereby amended to read as follows:

293.3585 1. Upon the appearance of a person to cast a ballot for early voting, the deputy clerk for early voting shall:

(a) Determine that the person is a registered voter in the county;

(b) Instruct the voter to sign the roster for early voting; and

(c) Verify the signature of the voter against that contained on the original application to register to vote or facsimile thereof, the card issued to the voter at the time of registration or some other piece of official identification.

2. The county clerk shall prescribe a procedure, approved by the Secretary of State, to determine that the voter has not already voted pursuant to this section.



- 1 3. The roster for early voting must contain:
- 2 (a) The voter's name, the address where he is registered to vote,
- 3 his voter identification number and a place for the voter's signature;
- 4 (b) The voter's precinct or voting district number; and
- 5 (c) The date of voting early in person.
- 6 4. When a voter is entitled to cast his ballot and has identified
- 7 himself to the satisfaction of the deputy clerk for early voting, he is
- 8 entitled to receive the appropriate ballot or ballots, but only for his
- 9 own use at the polling place for early voting.
- 10 5. ~~If the ballot is voted by punching a card, the deputy clerk~~
- 11 ~~for early voting shall:~~
- 12 ~~—(a) Ensure that the voter's precinct or voting district and the~~
- 13 ~~form of ballot are indicated on the card;~~
- 14 ~~—(b) Direct the voter to the appropriate mechanical recording~~
- 15 ~~device for his form of ballot; and~~
- 16 ~~—(c) Allow the voter to place his voted ballot in the ballot box.~~
- 17 ~~—6. If the ballot is voted on a mechanical recording device which~~
- 18 ~~directly records the votes electronically, the] The~~ deputy clerk for
- 19 early voting shall:
- 20 (a) Prepare the mechanical recording device for the voter;
- 21 (b) Ensure that the voter's precinct or voting district and the
- 22 form of ballot are indicated on each part of the voting receipt;
- 23 (c) Retain one part of the voting receipt for the election board
- 24 and return the other part of the voting receipt to the voter; and
- 25 (d) Allow the voter to cast his vote.
- 26 ~~[7.]~~ 6. A voter applying to vote early by personal appearance
- 27 may be challenged pursuant to NRS 293.303.
- 28 **Sec. 47.** (Deleted by amendment.)
- 29 **Sec. 48.** NRS 293.3625 is hereby amended to read as follows:
- 30 293.3625 The county clerk shall make a record of the receipt at
- 31 the central counting place of each sealed container used to transport
- 32 official ballots pursuant to NRS 293.304, 293.325, ~~[293.3602,]~~
- 33 293B.330 and 293B.335. The record must include the numbers
- 34 indicated on the container and its seal pursuant to NRS 293.462.
- 35 **Sec. 49.** NRS 293.363 is hereby amended to read as follows:
- 36 293.363 When the polls are closed, the counting board shall
- 37 prepare to count the ballots voted. The counting procedure must be
- 38 public and continue without adjournment until completed. If the
- 39 ballots are paper ballots , ~~[or ballots which are voted by punching a~~
- 40 ~~card.]~~ the counting board shall prepare in the following manner:
- 41 1. ~~[The pollbooks must be compared and errors corrected until~~
- 42 ~~the books agree.~~
- 43 ~~—2.]~~ The container that holds the ballots, or the ballot box , must
- 44 be opened and the ballots contained therein counted by the counting
- 45 board and opened far enough to ascertain whether each ballot is



1 single. If two or more ballots are found folded together to present
2 the appearance of a single ballot, they must be laid aside until the
3 count of the ballots is completed. If ~~[, on comparison of the count~~
4 ~~with the pollbook,]~~ a majority of the inspectors are of the opinion
5 that the ballots folded together were voted by one person, the ballots
6 must be rejected and placed in an envelope, upon which must be
7 written the reason for their rejection. The envelope must be signed
8 by the counting board officers and placed in the container or ballot
9 box after the count is completed.

10 ~~[3.]~~ 2. If the ballots in the container or box are found to exceed
11 in number the number of names *as are indicated* on the ~~[pollbooks,]~~
12 *roster as having voted*, the ballots must be replaced in the container
13 or box, and a counting board officer, with his back turned to the
14 container or box, shall draw out a number of ballots equal to the
15 excess. The excess ballots must be marked on the back thereof with
16 the words "Excess ballots not counted." The ballots when so marked
17 must be immediately sealed in an envelope and returned to the
18 county clerk with the other ballots rejected for any cause.

19 ~~[4.]~~ 3. When it has been ascertained that ~~[the pollbook and]~~ the
20 number of ballots ~~[agree]~~ *agrees* with the number of names of
21 registered voters shown to have voted, the board shall proceed to
22 count. If there is a discrepancy between the number of ballots and
23 the number of voters, a record of the discrepancy must be made.

24 **Sec. 50.** NRS 293.367 is hereby amended to read as follows:

25 293.367 1. The basic factor to be considered by an election
26 board when making a determination of whether a particular ballot
27 must be rejected is whether any identifying mark appears on the
28 ballot which, in the opinion of the election board, constitutes an
29 identifying mark such that there is a reasonable belief entertained in
30 good faith that the ballot has been tampered with and, as a result of
31 the tampering, the outcome of the election would be affected.

32 2. The regulations for counting ballots must include provisions
33 that:

34 (a) An error in marking one or more votes on a ballot does not
35 invalidate any votes properly marked on that ballot.

36 (b) A soiled or defaced ballot may not be rejected if it appears
37 that the soiling or defacing was inadvertent and was not done
38 purposely to identify the ballot.

39 (c) Only devices provided for in this chapter or chapter 293B of
40 NRS may be used in marking ballots.

41 (d) It is unlawful for any election board officer to place any
42 mark upon any ballot other than a spoiled ballot.

43 (e) When an election board officer rejects a ballot for any
44 alleged defect or illegality, the officer shall seal the ballot in an
45 envelope and write upon the envelope a statement that it was



1 rejected and the reason for rejecting it. Each election board officer
2 shall sign the envelope.

3 ~~[(f) In counties where mechanical voting systems are used~~
4 ~~whereby a vote is cast by punching a card, a superfluous punch into~~
5 ~~any card does not constitute grounds for rejection of the ballot~~
6 ~~unless the election board determines that the condition of the ballot~~
7 ~~justifies its exclusion pursuant to subsection 1.]~~

8 **Sec. 51.** NRS 293.3677 is hereby amended to read as follows:

9 293.3677 1. When counting a vote in an election, if more
10 choices than permitted by the instructions for a ballot are marked for
11 any office or question, the vote for that office or question may not
12 be counted.

13 2. ~~[Except as otherwise provided in subsection 1, in an election~~
14 ~~in which a paper ballot is used whereby a vote is cast by placing a~~
15 ~~cross in the designated square on the paper ballot, a vote on the~~
16 ~~ballot must not be counted unless indicated by a cross in the~~
17 ~~designated square.~~

18 ~~—3.— Except as otherwise provided in subsection 1, in an election~~
19 ~~in which a mechanical voting system is used whereby a vote is cast~~
20 ~~by punching a card:~~

21 ~~—(a) A chip on the card must be counted as a vote if:~~

22 ~~—(1) The chip has at least one corner that is detached from the~~
23 ~~card; or~~

24 ~~—(2) The fibers of paper on at least one edge of the chip are~~
25 ~~broken in a way that permits unimpeded light to be seen through the~~
26 ~~card.~~

27 ~~—(b) A writing or other mark on the card, including, without~~
28 ~~limitation, a cross, check, tear or scratch, may not be counted as a~~
29 ~~vote. The remaining votes on such a card must be counted unless the~~
30 ~~ballot is otherwise disqualified.~~

31 ~~—4.]~~ Except as otherwise provided in subsection 1, in an election
32 in which a mechanical voting system is used whereby a vote is cast
33 by darkening a designated space on the ballot:

34 (a) A vote must be counted if the designated space is darkened
35 or there is a writing in the designated space, including, without
36 limitation, a cross or check; and

37 (b) Except as otherwise provided in paragraph (a), a writing or
38 other mark on the ballot, including, without limitation, a cross,
39 check, tear or scratch may not be counted as a vote.

40 ~~[5.]~~ 3. The Secretary of State:

41 (a) May adopt regulations establishing additional uniform,
42 statewide standards, not inconsistent with this section, for counting
43 a vote cast by a method of voting described in subsection 2 ; ~~[, 3 or~~
44 ~~4.]~~ and



(b) Shall adopt regulations establishing uniform, statewide standards for counting a vote cast by each method of voting used in this State that is not described in subsection 2, ~~[3 or 4,]~~ including, without limitation, a vote cast on a mechanical recording device which directly records the votes electronically.

Sec. 52. NRS 293.370 is hereby amended to read as follows:

293.370 1. When all the votes have been ~~[tallied,]~~ *counted*, the counting board officers shall enter on the tally lists by the name of each candidate the number of votes he received. The number must be expressed in words and figures. The vote for and against any question submitted to the electors must be entered in the same manner.

2. The tally lists must show the number of votes, other than absentee votes and votes in a mailing precinct, which each candidate received in each precinct at:

(a) A primary election held in an even-numbered year; or

(b) A general election.

Sec. 53. NRS 293.373 is hereby amended to read as follows:

293.373 If paper ballots ~~[or ballots which are voted by punching a card]~~ are used:

1. After the ~~[tally lists]~~ *ballots* have been ~~[completed,]~~ *counted*, the voted ballots, rejected ballots, tally lists for regular ballots, tally list for rejected ballots, challenge list, stubs of used ballots, spoiled ballots and unused ballots must be sealed under cover by the counting board officers and addressed to the county clerk.

2. The other ~~[pollbooks,]~~ *rosters*, tally lists and election board register must be returned to the county clerk.

Sec. 54. NRS 293.384 is hereby amended to read as follows:

293.384 1. ~~[Beginning at 8 a.m. on the day]~~ *Not earlier than 4 working days* before the ~~[day of an]~~ election, the counting board, if it is responsible for counting absent ballots, or the absent ballot central counting board shall withdraw all the ballots from each ballot box or container that holds absent ballots received before that day and ascertain that each box or container has the required number of ballots according to the county clerk's absent voters' record.

2. The counting board or absent ballot central counting board shall count the number of ballots in the same manner as election boards.

Sec. 55. NRS 293.385 is hereby amended to read as follows:

293.385 1. ~~[After 8 a.m. on election day,]~~ *Not earlier than 4 working days before the election*, the counting board, if it is responsible for counting absent ballots, or the absent ballot central counting board shall withdraw from the appropriate ballot boxes or containers all the ballots received the previous day and ascertain that



1 each box or container has the required number of ballots according
2 to the county clerk's absent voters' ballot record.

3 2. If any absent ballots are received by the county clerk on
4 election day pursuant to NRS 293.316, the county clerk shall deposit
5 the absent ballots in the appropriate ballot boxes or containers.

6 3. ~~[After 8 a.m. on election day,]~~ *Not earlier than 4 working*
7 *days before the election,* the appropriate board shall , ~~[count]~~ in
8 public , *prepare to count* the votes cast on the absent ballots.

9 4. If paper ballots are used, the results of the absent ballot vote
10 in each precinct must be certified and submitted to the county clerk
11 who shall have the results added to the regular votes of the precinct.
12 ~~[If a mechanical voting system is used in which a voter casts his~~
13 ~~ballot by punching a card which is counted by a computer, the~~
14 ~~absent ballots may be counted with the regular votes of the~~
15 ~~precinct.]~~ The returns of absent ballots must be reported separately
16 from the regular votes of the precinct, unless reporting the returns
17 separately would violate the secrecy of a voter's ballot. The county
18 clerks shall develop a procedure to ensure that each ballot is kept
19 secret.

20 5. Any person who disseminates to the public in any way
21 information pertaining to the count of absent ballots before the polls
22 close is guilty of a misdemeanor.

23 **Sec. 56.** NRS 293.391 is hereby amended to read as follows:

24 293.391 1. The *rosters*, voted ballots, rejected ballots, spoiled
25 ballots, challenge lists, voting receipts, records printed on paper of
26 voted ballots collected pursuant to NRS 293B.400, and stubs of the
27 ballots used, enclosed and sealed, must, after canvass of the votes by
28 the board of county commissioners, be deposited in the vaults of the
29 county clerk. The records of voted ballots that are maintained in
30 electronic form must, after canvass of the votes by the board of
31 county commissioners, be sealed and deposited in the vaults of the
32 county clerk. The tally lists ~~[and pollbooks]~~ collected pursuant to
33 NRS 293B.400 must, after canvass of the votes by the board of
34 county commissioners, be deposited in the vaults of the county clerk
35 without being sealed. All materials described by this subsection
36 must be preserved for at least 22 months, and all such sealed
37 materials must be destroyed immediately after the preservation
38 period. A notice of the destruction must be published by the clerk in
39 at least one newspaper of general circulation in the county not less
40 than 2 weeks before the destruction.

41 2. Unused ballots, enclosed and sealed, must, after canvass of
42 the votes by the board of county commissioners, be deposited in the
43 vaults of the county clerk and preserved for at least the period
44 during which the election may be contested and adjudicated, after
45 which the unused ballots may be destroyed.



1 3. The ~~[pollbooks]~~ *rosters* containing the signatures of those
2 persons who voted in the election and the tally lists deposited with
3 the board of county commissioners are subject to the inspection of
4 any elector who may wish to examine them at any time after their
5 deposit with the county clerk.

6 4. A contestant of an election may inspect all of the material
7 regarding that election which is preserved pursuant to subsection 1
8 or 2, except the voted ballots.

9 5. The voted ballots deposited with the county clerk are not
10 subject to the inspection of anyone, except in cases of *a* contested
11 election, and then only by the judge, body or board before whom the
12 election is being contested, or by the parties to the contest, jointly,
13 pursuant to an order of such judge, body or board.

14 **Sec. 57.** NRS 293.440 is hereby amended to read as follows:

15 293.440 1. Any person who desires a copy of any list of the
16 persons who are registered to vote in any precinct, district or county
17 may obtain a copy by applying at the office of the county clerk and
18 paying therefor a sum of money equal to 1 cent per name on the list,
19 except that one copy of each original and supplemental list for each
20 precinct, district or county must be provided *both* to the state ~~[or]~~
21 *central committee of any major political party and to the* county
22 central committee of any major political party ~~[or]~~ , *and* to the
23 executive committee of any minor political party upon request,
24 without charge.

25 2. Except as otherwise provided in NRS 293.558, the copy of
26 the list provided pursuant to this section must indicate the address,
27 date of birth, telephone number and the serial number on each
28 application to register to vote. If the county maintains this
29 information in a computer database, the date of the most recent
30 addition or revision to an entry, if made on or after July 1, 1989,
31 must be included in the database and on any resulting list of the
32 information. The date must be expressed numerically in the order of
33 month, day and year.

34 3. A county may not pay more than 10 cents per folio or more
35 than \$6 per thousand copies for printed lists for a precinct or district.

36 4. A county which has a system of computers capable of
37 recording information on magnetic tape or diskette shall, upon
38 request of the state or county central committee of any major
39 political party or the executive committee of any minor political
40 party which has filed a certificate of existence with the Secretary of
41 State, record for ~~[that]~~ *both the state central committee and the*
42 *county* central committee ~~[or]~~ *of the major political party, if*
43 *requested, and for the* executive committee *of the minor political*
44 *party, if requested,* on magnetic tape or diskette supplied by it:



(a) The list of persons who are registered to vote and the information required in subsection 2; and

(b) Not more than four times per year, as requested by the *state or county* central committee or the executive committee:

(1) A complete list of the persons who are registered to vote with a notation for the most recent entry of the date on which the entry or the latest change in the information was made; or

(2) A list that includes additions and revisions made to the list of persons who are registered to vote after a date specified by the *state or county* central committee or the executive committee.

5. If a political party does not provide its own magnetic tape or diskette, or if a political party requests the list in any other form that does not require printing, the county clerk may charge a fee to cover the actual cost of providing the tape, diskette or list.

6. Any state or county central committee of a major political party, any executive committee of a minor political party or any member or representative of such a central committee or executive committee who receives without charge a list of the persons who are registered to vote in any precinct, district or county pursuant to this section shall not:

(a) Use the list for any purpose that is not related to an election; or

(b) Sell the list for compensation or other valuable consideration.

Sec. 58. NRS 293.443 is hereby amended to read as follows:

293.443 1. Except as otherwise provided in subsection 3, 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 ~~[.]~~ *in any 12-month period*, the clerk may assess a charge, not to exceed the cost of printing the applications ~~[.]~~ *for each application requested in excess of 50.*

Sec. 59. NRS 293.462 is hereby amended to read as follows:

293.462 1. Each container used to transport official ballots pursuant to NRS 293.304, 293.325, ~~[293.3602,]~~ 293B.330 and 293B.335 must:

(a) Be constructed of metal or any other rigid material; and

(b) Contain a seal which is placed on the container to ensure detection of any opening of the container.



1 2. The container and seal must be separately numbered for
2 identification.

3 **Sec. 60.** NRS 293.481 is hereby amended to read as follows:

4 293.481 1. Except as otherwise provided in subsection 2 or
5 NRS 295.121 or 295.217, every governing body of a political
6 subdivision, public or quasi-public corporation, or other local
7 agency authorized by law to submit questions to the qualified
8 electors or registered voters of a designated territory, when the
9 governing body decides to submit a question:

10 (a) At a general election, shall provide to each county clerk
11 within the designated territory on or before the third Monday in July
12 preceding the election:

13 (1) A copy of the question, including an explanation of the
14 question;

15 (2) Arguments for and against the question; and

16 (3) If the question is an advisory question that proposes a
17 bond, tax, fee or expense, a fiscal note prepared by the governing
18 body in accordance with subsection 4 of NRS 293.482.

19 (b) At a primary election, shall provide to each county clerk
20 within the designated territory on or before the second Friday after
21 the first Monday in May preceding the election:

22 (1) A copy of the question, including an explanation of the
23 question;

24 (2) Arguments for and against the question; and

25 (3) If the question is an advisory question that proposes a
26 bond, tax, fee or expense, a fiscal note prepared by the governing
27 body in accordance with subsection 4 of NRS 293.482.

28 (c) At any election other than a primary or general election at
29 which the county clerk gives notice of the election or otherwise
30 performs duties in connection therewith other than the registration
31 of electors and the making of records of registered voters available
32 for the election, shall provide to each county clerk at least 60 days
33 before the election:

34 (1) A copy of the question, including an explanation of the
35 question;

36 (2) Arguments for and against the question; and

37 (3) If the question is an advisory question that proposes a
38 bond, tax, fee or expense, a fiscal note prepared by the governing
39 body in accordance with subsection 4 of NRS 293.482.

40 (d) At any city election at which the city clerk gives notice of
41 the election or otherwise performs duties in connection therewith,
42 shall provide to the city clerk at least 60 days before the election:

43 (1) A copy of the question, including an explanation of the
44 question;

45 (2) Arguments for and against the question; and



(3) If the question is an advisory question that proposes a bond, tax, fee or expense, a fiscal note prepared by the governing body in accordance with subsection 4 of NRS 293.482.

2. A question may be submitted after the dates specified in subsection 1 if the question is expressly privileged or required to be submitted pursuant to the provisions of Article 19 of the Constitution of the State of Nevada, or pursuant to the provisions of chapter 295 of NRS or any other statute except NRS 293.482, 354.59817, 354.5982, 387.3285 or 387.3287 or any statute that authorizes the governing body to issue bonds upon the approval of the voters.

3. A county or city clerk ~~may~~:

(a) Shall assign a unique identification number to a question submitted pursuant to this section; and

(b) May charge any political subdivision, public or quasi-public corporation, or other local agency which submits a question a reasonable fee sufficient to pay for the increased costs incurred in including the question, explanation, arguments and fiscal note on the ballot.

Sec. 61. NRS 293.505 is hereby amended to read as follows:

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

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

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

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

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



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

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

8. A field registrar, employee of a voter registration agency or person assisting a voter pursuant to subsection ~~12~~ 13 of NRS 293.5235 shall not:

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

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

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

10. A county clerk, field registrar, employee of a voter registration agency or person assisting a voter pursuant to subsection ~~12~~ 13 of NRS 293.5235 shall not:

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

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

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

↳ while he is registering an elector.

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

(a) The number of persons registered; and

(b) The political party of the persons registered.

12. A county clerk, field registrar, employee of a voter registration agency or person assisting a voter pursuant to subsection ~~12~~ 13 of NRS 293.5235 shall not:

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

(b) Alter or deface an application to register to vote that has been signed by an elector except to correct information contained in the application after receiving notice from the elector that a change in or addition to the information is required; or

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



1 13. If a field registrar violates any of the provisions of this
2 section, the county clerk shall immediately suspend the field
3 registrar and notify the district attorney of the county in which the
4 violation occurred.

5 14. A person who violates any of the provisions of subsection
6 8, 9, 10 or 12 is guilty of a
7 category E felony and shall be punished as provided in
8 NRS 193.130.

9 **Sec. 62.** NRS 293.5235 is hereby amended to read as follows:

10 293.5235 1. Except as otherwise provided in NRS 293.502, a
11 person may register to vote by mailing an application to register to
12 vote to the county clerk of the county in which he resides. The
13 county clerk shall, upon request, mail an application to register to
14 vote to an applicant. The county clerk shall make the applications
15 available at various public places in the county. An application to
16 register to vote may be used to correct information in the registrar of
17 voters' register.

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

24 3. The applicant must complete the application, including,
25 without limitation, checking the boxes described in paragraphs (b)
26 and (c) of subsection ~~9~~ 10 and signing the application.

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

29 5. If he determines that the application is complete, he shall,
30 within 10 days after he receives the application, mail to the
31 applicant:

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

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

38 ~~↳ [The]~~ *Except as otherwise provided in subsection 7, the*
39 *applicant shall be deemed to be registered or to have corrected the*
40 *information in the register as of the date the application is*
41 *postmarked, if returned by mail, or ~~[personally-delivered.]~~ received*
42 *at the office of the county clerk, if hand-delivered.*

43 6. Except as otherwise provided in subsection 5 of NRS
44 293.518, if the county clerk determines that the application is not
45 complete, he shall, as soon as possible, mail a notice to the applicant



1 informing him that additional information is required to complete
2 the application. If the applicant provides the information requested
3 by the county clerk within 15 days after the county clerk mails the
4 notice, the county clerk shall, within 10 days after he receives the
5 information, mail to the applicant:

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

9 (b) A notice informing him that the registrar of voters' register
10 has been corrected to reflect any changes indicated on the
11 application.

12 ~~↳ [The]~~ *Except as otherwise provided in subsection 7, the*
13 applicant shall be deemed to be registered or to have corrected the
14 information in the register as of the date the application is
15 postmarked, *if returned by mail*, or ~~[personally delivered.]~~ *received*
16 *at the office of the county clerk, if hand-delivered.* If the applicant
17 does not provide the additional information within the prescribed
18 period, the application is void.

19 7. *If an application is returned by mail pursuant to*
20 *subsection 5 or 6, the application must be received by the county*
21 *clerk before the close of registration for the next election in order*
22 *for the applicant to be registered for that election. An application*
23 *received after the close of registration will apply to registration for*
24 *the next election for which registration remains open.*

25 8. If the applicant fails to check the box described in paragraph
26 (b) of subsection ~~[9.]~~ 10, the application shall not be considered
27 invalid and the county clerk shall provide a means for the applicant
28 to correct the omission at the time the applicant appears to vote in
29 person at his assigned polling place.

30 ~~[8.]~~ 9. The Secretary of State shall prescribe the form for an
31 application to register to vote by mail which must be used to register
32 to vote by mail in this State.

33 ~~[9.]~~ 10. The application to register to vote by mail must
34 include:

35 (a) A notice in at least 10-point type which states:

36
37 NOTICE: You are urged to return your application to
38 register to vote to the County Clerk in person or by mail. If
39 you choose to give your completed application to another
40 person to return to the County Clerk on your behalf, and the
41 person fails to deliver the application to the County Clerk,
42 you will not be registered to vote. Please retain the duplicate
43 copy or receipt from your application to register to vote.



(b) The question, "Are you a citizen of the United States?" and boxes for the applicant to check to indicate whether or not the applicant is a citizen of the United States.

(c) The question, "Will you be at least 18 years of age on or before election day?" and boxes for the applicant to check to indicate whether or not the applicant will be at least 18 years of age or older on election day.

(d) A statement instructing the applicant not to complete the application if the applicant checked "no" in response to the question set forth in paragraph (b) or (c).

(e) A statement informing the applicant that if the application is submitted by mail and the applicant is registering to vote for the first time, the applicant must submit the information set forth in paragraph (a) of subsection 2 of NRS 293.2725 to avoid the requirements of subsection 1 of NRS 293.2725 upon voting for the first time.

~~110.1~~ **11.** Except as otherwise provided in subsection 5 of NRS 293.518, the county clerk shall not register a person to vote pursuant to this section unless that person has provided all of the information required by the application.

~~111.1~~ **12.** The county clerk shall mail, by postcard, the notices required pursuant to subsections 5 and 6. If the postcard is returned to the county clerk by the United States Postal Service because the address is fictitious or the person does not live at that address, the county clerk shall attempt to determine whether the person's current residence is other than that indicated on his application to register to vote in the manner set forth in NRS 293.530.

~~112.1~~ **13.** A person who, by mail, registers to vote pursuant to this section may be assisted in completing the application to register to vote by any other person. The application must include the mailing address and signature of the person who assisted the applicant. The failure to provide the information required by this subsection will not result in the application being deemed incomplete.

~~113.1~~ **14.** An application to register to vote must be made available to all persons, regardless of political party affiliation.

~~114.1~~ **15.** An application must not be altered or otherwise defaced after the applicant has completed and signed it. An application must be mailed or delivered in person to the office of the county clerk within 10 days after it is completed.

~~115.1~~ **16.** A person who willfully violates any of the provisions of subsection ~~112, 13 or~~ **13, 14 or 15** is guilty of a category E felony and shall be punished as provided in NRS 193.130.

~~116.1~~ **17.** The Secretary of State shall adopt regulations to carry out the provisions of this section.



1 **Sec. 63.** (Deleted by amendment.)

2 **Sec. 64.** NRS 293B.032 is hereby amended to read as follows:

3 293B.032 "Mechanical recording device" means a device ~~[-~~
4 ~~1. Which]~~ **which** mechanically or electronically compiles a
5 total of the number of votes cast for each candidate and for or
6 against each measure voted on. ~~[-; or~~

7 ~~2. To which a list of offices and candidates and the statements~~
8 ~~of measures to be voted on may be affixed and into which a card~~
9 ~~may be inserted so that the votes cast for each candidate and for or~~
10 ~~against each measure may be indicated by punching the card with~~
11 ~~reference to the list.]~~

12 **Sec. 65.** NRS 293B.033 is hereby amended to read as follows:

13 293B.033 "Mechanical voting system" means a system of
14 voting whereby a voter may cast his vote:

15 1. On a device which mechanically or electronically compiles a
16 total of the number of votes cast for each candidate and for or
17 against each measure voted on; or

18 2. By ~~[-punching a card or]~~ marking a paper ballot which is
19 subsequently counted on an electronic tabulator, counting device or
20 computer.

21 **Sec. 66.** NRS 293B.084 is hereby amended to read as follows:

22 293B.084 1. A mechanical recording device which directly
23 records votes electronically must:

24 (a) Bear a number which identifies that mechanical recording
25 device.

26 (b) Be equipped with a storage device which:

27 (1) Stores the ballots voted on the mechanical recording
28 device;

29 (2) Can be removed from the mechanical recording device
30 for the purpose of transporting the ballots stored therein to a central
31 counting place; and

32 (3) Bears the same number as the mechanical recording
33 device.

34 (c) Be designed in such a manner that voted ballots may be
35 stored within the mechanical recording device and the storage
36 device required pursuant to paragraph (b) at the same time.

37 (d) Be capable of providing a record printed on paper of:

38 (1) Each ballot voted on the mechanical recording device;
39 and

40 (2) The total number of votes recorded on the mechanical
41 recording device for each candidate and for or against each measure.

42 2. The paper record described in paragraph (d) of subsection 1
43 must ~~[-~~

44 ~~-(a) Be]~~ **be** printed and made available for a manual audit, as
45 ~~[-necessary; and~~



~~(b) Be printed and serve as an official record for a recount, as necessary.~~

Sec. 67. NRS 293B.103 is hereby amended to read as follows:

293B.103 ~~[1.—If a mechanical voting system is used whereby votes are cast by punching a card:~~

~~—(a) The cards to be used must have two detachable stubs.~~

~~—(b) Each of the stubs attached to a particular card must bear the number of that card.~~

~~—(c) One of the stubs must be detached and given to the voter when he returns his voted ballot, and the other stub must be retained by the election board.~~

~~—2.]~~ If a mechanical voting system is used whereby votes are directly recorded electronically:

~~[(a)]~~ 1. A voting receipt which has two parts must be used.

~~[(b)]~~ 2. Each part of the voting receipt must bear the same number for identification.

~~[(c)]~~ 3. One part of the voting receipt must be given to the voter when he votes and the other part of the voting receipt must be retained by the election board.

Sec. 68. NRS 293B.155 is hereby amended to read as follows:

293B.155 1. The tests prescribed by NRS 293B.150 and 293B.165 must be conducted by processing a preaudited group of logic and accuracy test ballots so ~~[punched,]~~ voted or marked as to record a predetermined number of valid votes for each candidate and on each measure, and must include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the mechanical recording device or the automatic tabulating equipment and programs to reject those votes.

2. If any error is detected, the cause therefor must be ascertained and corrected and an errorless count must be made before the mechanical recording device or the automatic tabulating equipment and programs are approved.

3. When satisfied with the accuracy of the mechanical recording device or automatic tabulating equipment and computer program, the accuracy certification board and the county or city clerk shall date and sign all reports, and seal the program, if any, and the reports and all test material in an appropriate container. The container must be kept sealed by the clerk.

4. Except as otherwise provided in this subsection, the contents of such a sealed container are not subject to the inspection of anyone except in the case of a contested election, and then only by the judge, body or board before whom the election is being contested, or by the parties to the contest, jointly, pursuant to an order of that judge, body or board. For the period set forth in NRS 293.413 during which a candidate may file a statement of contest, the results



1 of the test must be made available in the clerk's office for public
2 inspection.

3 **Sec. 69.** NRS 293B.305 is hereby amended to read as follows:

4 293B.305 Unless a major political party allows a nonpartisan
5 voter to vote for its candidates:

6 1. In a primary election, a member of the election board for a
7 precinct shall issue each nonpartisan voter a ballot with a distinctive
8 code and printed designation identifying it as a nonpartisan ballot.

9 2. If a mechanical voting system is used in a primary election
10 whereby votes are directly recorded electronically, a member of the
11 election board shall, in addition to the ballot described in subsection
12 1, issue the nonpartisan voter a voting receipt with a printed
13 designation identifying it as a nonpartisan ballot.

14 3. The member of the election board shall:

15 (a) Direct the nonpartisan voter to a mechanical recording
16 device containing a list of offices and candidates setting forth only
17 the nonpartisan ballot; *or*

18 (b) Direct the nonpartisan voter to a mechanical recording
19 device containing a list of offices and candidates arranged for a
20 partisan ballot, instruct the voter to vote only the nonpartisan section
21 of the list and advise the voter that any votes he may cast in the
22 partisan section will not be counted. ~~}; or~~

23 ~~—(c) Issue a nonpartisan ballot attached to a sheet of foam plastic~~
24 ~~or similar backing material, a punching instrument, a sample~~
25 ~~nonpartisan ballot and an instruction sheet to the nonpartisan voter~~
26 ~~and instruct him to punch his ballot by reference to the sample~~
27 ~~ballot.]~~

28 **Sec. 70.** NRS 293B.330 is hereby amended to read as follows:

29 293B.330 1. Upon closing of the polls, the election board
30 shall:

31 (a) Secure all mechanical recording devices against further
32 voting.

33 (b) ~~If a mechanical voting system is used whereby votes are~~
34 ~~cast by punching a card:~~

35 ~~—(1) Count the number of ballots in the ballot boxes.~~

36 ~~—(2) Account for all ballots on the statement of ballots.~~

37 ~~—(3) Place all official ballots, the ballot statement and any~~
38 ~~other records, reports and materials as directed by the county clerk~~
39 ~~into the container provided by him to transport those items to a~~
40 ~~central counting place and seal the container.~~

41 ~~—(c) If a mechanical voting system is used whereby votes are~~
42 ~~directly recorded electronically:~~

43 (1) Ensure that each mechanical recording device:



(I) Provides a record printed on paper of the total number of votes recorded on the device for each candidate and for or against each measure; and

(II) Transfers the ballots voted on that device to the storage device required pursuant to NRS 293B.084.

(2) Count the number of ballots voted at the polling place.

(3) Account for all ballots on the statement of ballots.

(4) Place all records printed on paper provided by the mechanical recording devices, all storage devices which store the ballots voted on the mechanical recording devices, and any other records, reports and materials as directed by the county clerk into the container provided by him to transport those items to a central counting place and seal the container.

~~[(4)]~~ (c) Record the number of voters on a form provided by the county clerk.

2. If a difference exists between the number of voters and the number of ballots voted, the election board shall report the difference and any known reasons for the difference, in writing, to the county clerk.

3. After closing the polls, the election board shall:

(a) Compare the quantity of the supplies furnished by the county clerk with the inventory of those supplies; and

(b) Note any shortages.

4. The county clerk shall allow members of the general public to observe the handling of the ballots pursuant to subsection 1 if those members do not interfere with the handling of the ballots.

Sec. 71. NRS 293B.365 is hereby amended to read as follows:

293B.365 The central ballot inspection board shall:

1. Receive the ballots in sealed containers.

2. Inspect the containers, record the number indicated on each container and its seal pursuant to NRS 293.462 and remove the ballots or storage devices which store the ballots voted on mechanical recording devices which directly record votes electronically.

3. Register the numbers of ballots by precinct.

4. Deliver any damaged ballots to the ballot duplicating board . ~~[- if the ballots were voted by punching a card.]~~

5. Receive duplicates of damaged ballots from the ballot duplicating board and place the duplicates with the voted ballots of the appropriate precinct . ~~[- if the ballots were voted by punching a card.]~~

6. Place each damaged original ballot in a separate envelope and note on the outside of the envelope the appropriate number of the precinct . ~~[- if the ballot was voted by punching a card.]~~



7. Reject any ballot that has been marked in a way that identifies the voter.

8. Place each rejected ballot in a separate envelope and note on the outside of the envelope the appropriate number of the precinct and the reason for the board's rejection of the ballot . ~~[, if the ballot was voted by punching a card.]~~

Sec. 72. NRS 293B.375 is hereby amended to read as follows:

293B.375 ~~[If ballots which are voted by punching a card are used, the]~~ The ballot duplicating board shall:

1. Receive damaged ballots, including ballots which have been torn, bent or mutilated.

2. ~~[Receive cards with incompletely punched chips. —3.]~~ Prepare on a distinctly colored, serially numbered ballot marked "duplicate" an exact copy of each damaged ballot.

~~[4. In the case of a card with an incompletely punched chip:~~

~~—(a) Remove the incompletely punched chip if:~~

~~—(1) The chip has at least one corner that is detached from the card; or~~

~~—(2) The fibers of paper on at least one edge of the chip are broken in a way that permits unimpeded light to be seen through the card; or~~

~~—(b) Duplicate the card without punching the location of the incompletely punched chip if:~~

~~—(1) The chip does not have at least one corner that is detached from the card; and~~

~~—(2) The fibers of paper on no edge of the chip are broken in a way that permits unimpeded light to be seen through the card.~~

~~—5.]~~ 3. Record the serial number of the duplicate ballot on the damaged original ballot and return the damaged and duplicate ballots to the appropriate ballot inspection board.

~~[6.]~~ 4. Hold aside the duplicated ballots for counting after all other ballots are counted if this procedure is directed by the county clerk.

Sec. 73. (Deleted by amendment.)

Sec. 74. NRS 293C.220 is hereby amended to read as follows:

293C.220 1. The city clerk shall appoint and notify registered voters to act as election board officers for the various precincts and districts in the city as provided in NRS 293.225, 293.227, 293C.227 to ~~[293C.250.]~~ 293C.245, inclusive, and 293C.382 . ~~[, and shall conclude those duties not later than 31 days before the election.]~~ No candidate for nomination or election or his relative within the second degree of consanguinity or affinity may be appointed as an election board officer. Immediately after election board officers are appointed, if requested by the city clerk, the chief law enforcement officer of the city shall:



1 (a) Appoint an officer for each polling place in the city and for
2 the central election board or the absent ballot central counting
3 board; or

4 (b) Deputize, as an officer for the election, an election board
5 officer for each polling place and for the central election board or
6 the absent ballot central counting board. The deputized officer may
7 not receive any additional compensation for the services he provides
8 as an officer during the election for which he is deputized.

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

11 2. The city clerk may appoint a trainee for the position of
12 election board officer as set forth in NRS 293C.222.

13 **Sec. 75.** NRS 293C.230 is hereby amended to read as follows:

14 293C.230 ~~[1.—In precincts or districts in a city where there are~~
15 ~~less than 200 registered voters and paper ballots are used, the~~
16 ~~election board shall perform all duties required from the time of~~
17 ~~preparing for the opening of the polls through delivering the~~
18 ~~supplies and result of votes cast to the city clerk.~~

19 ~~—2.—Except as otherwise provided in NRS 293C.240, one]~~ **One**
20 election board must be appointed by the city clerk for all mailing
21 precincts within the city and must be designated the central election
22 board. The city clerk shall deliver the mailed ballots to that board in
23 his office and the board shall count the votes on those ballots in the
24 manner required by law.

25 **Sec. 76.** NRS 293C.256 is hereby amended to read as follows:

26 293C.256 An absent ballot for a city election or a ballot for a
27 city election voted by a voter who resides in a mailing precinct must
28 be voted on a paper ballot . ~~[for a ballot which is voted by punching a~~
29 ~~card.]~~

30 **Sec. 77.** (Deleted by amendment.)

31 **Sec. 78.** NRS 293C.275 is hereby amended to read as follows:

32 293C.275 ~~[1.]~~ A registered voter who applies to vote must
33 state his name to the election board officer in charge of the election
34 board register, and the officer shall immediately announce the name
35 and take the registered voter's signature. ~~[After a registered voter is~~
36 ~~properly identified at a polling place where paper ballots are used,~~
37 ~~one ballot correctly folded, must be given to the voter and the~~
38 ~~number of the ballot must be written by an election board officer~~
39 ~~upon the pollbook, opposite the name of the registered voter~~
40 ~~receiving the ballot.~~

41 ~~—2.—In pollbooks in which the names of the voters have been~~
42 ~~entered, election officers may indicate the application to vote~~
43 ~~without writing the name.]~~



1 **Sec. 79.** (Deleted by amendment.)

2 **Sec. 80.** NRS 293C.285 is hereby amended to read as follows:

3 293C.285 ~~[1.—Except as otherwise provided in subsection 2:~~

4 ~~—(a) Any voter who spoils his ballot may return the spoiled ballot~~
5 ~~to the election board and receive another in its place.~~

6 ~~—(b) The election board officers shall indicate in the pollbook that~~
7 ~~the ballot is spoiled and shall enter the number of the ballot issued in~~
8 ~~its place.~~

9 ~~—(c) Each spoiled ballot returned must be cancelled by writing the~~
10 ~~word “Cancelled” across the back of the ballot. A spoiled paper~~
11 ~~ballot must be cancelled without unfolding it.~~

12 ~~—(d) A record must be made of those cancelled ballots at the~~
13 ~~closing of the polls and before counting. The ballots must be placed~~
14 ~~in a separate envelope and returned to the city clerk with the~~
15 ~~election supplies.~~

16 ~~—2. If ballots that are voted on a] A~~ mechanical recording device
17 which directly records ~~[the]~~ votes electronically ~~[are used,]~~ **must**
18 **allow** the voter ~~[must be able]~~ to change his vote before the
19 mechanical recording device permanently records that vote.

20 **Sec. 81.** NRS 293C.295 is hereby amended to read as follows:

21 293C.295 1. If a person is successfully challenged on the
22 ground set forth in paragraph (a) of subsection 2 of NRS 293C.292
23 or if a person refuses to provide an affirmation pursuant to NRS
24 293C.525, the election board shall instruct the voter that he may
25 vote only at the special polling place in the manner set forth in this
26 section.

27 2. The city clerk shall maintain at least one special polling
28 place at such locations as he deems necessary during each election.
29 The ballots voted at the special polling place must be kept separate
30 from the ballots of voters who have not been so challenged or who
31 have provided an affirmation pursuant to NRS 293C.525 in ~~[-~~

32 ~~—(a) A special ballot box if the ballots are paper ballots or ballots~~
33 ~~that are voted by punching a card; or~~

34 ~~—(b) A] a~~ special sealed container if the ballots are ballots that are
35 voted on a mechanical recording device which directly records the
36 votes electronically.

37 3. A person who votes at a special polling place may place his
38 vote only for the following offices and questions:

39 (a) All officers for whom all voters in the city may vote; and

40 (b) Questions that have been submitted to all voters of the city.

41 4. The ballots voted at the special polling place must be
42 counted when other ballots are counted and ~~[-~~

43 ~~—(a) If the ballots are paper ballots or ballots that are voted by~~
44 ~~punching a card, maintained in a separate ballot box; or~~



1 ~~—(b) If~~, if the ballots are ballots that are voted on a mechanical
2 recording device that directly records the votes electronically,
3 maintained in a separate sealed container ~~};~~
4 ~~—}~~ until any contest of election is resolved or the date for filing a
5 contest of election has passed, whichever is later.

6 **Secs. 82-85.** (Deleted by amendment.)

7 **Sec. 86.** NRS 293C.322 is hereby amended to read as follows:

8 293C.322 1. Except as otherwise provided in subsection 2, if
9 the request for an absent ballot is made by mail or facsimile
10 machine, the city clerk shall, as soon as the official absent ballot for
11 the precinct or district in which the applicant resides has been
12 printed, send to the voter by first-class mail if the absent voter is
13 within the boundaries of the United States, its territories or
14 possessions or on a military base, or by air mail if the absent voter is
15 in a foreign country but not on a military base:

16 (a) ~~{Except as otherwise provided in paragraph (b):~~

17 ~~—(1)} An absent ballot;~~

18 ~~{(2)} (b) A return envelope;~~

19 ~~{(3) Supplies for marking the ballot;~~

20 ~~—(4)} (c) An envelope or similar device into which the ballot~~
21 ~~is inserted to ensure its secrecy; and~~

22 ~~{(5) Instructions.~~

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

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

27 ~~—(2) A return envelope;~~

28 ~~—(3) A punching instrument;~~

29 ~~—(4) A sample ballot;~~

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

32 ~~—(6)} (d) Instructions.~~

33 2. If the city clerk fails to send an absent ballot pursuant to
34 subsection 1 to a voter who resides within the continental United
35 States, the city clerk may use a facsimile machine to send an absent
36 ballot and instructions to the voter. The voter shall mail his absent
37 ballot to the city clerk.

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

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

44 5. Before depositing a ballot with the United States Postal
45 Service or sending a ballot by facsimile machine, the city clerk shall



1 record the date the ballot is issued, the name of the registered voter
2 to whom it is issued, his precinct or district, the number of the ballot
3 and any remarks he finds appropriate.

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

6 **Sec. 87.** NRS 293C.325 is hereby amended to read as follows:

7 293C.325 1. ~~{Except as otherwise provided in subsections 2~~
8 ~~and 3, when}~~ **When** an absent ballot is returned by a registered voter
9 to the city clerk through the mails ~~{,}~~ and record thereof is made in
10 the absent ballot record book, the city clerk shall neatly stack,
11 unopened, the absent ballot with any other absent ballot received
12 that day in a container and deliver, or cause to be delivered, that
13 container to the precinct or district election board.

14 2. ~~{If the city clerk has appointed an absent ballot central~~
15 ~~counting board, the city clerk shall, upon receipt of each absent~~
16 ~~voter's ballot, make a record of the return and check the signature~~
17 ~~on the return envelope against the original signature of the voter on~~
18 ~~the county clerk's register. If the city clerk determines that the~~
19 ~~absent voter is entitled to cast his ballot, he shall deposit the ballot~~
20 ~~in the proper ballot box. At the end of each day before election day,~~
21 ~~the city clerk may remove the ballots from each ballot box and~~
22 ~~neatly stack the ballots in a container. Except as otherwise provided~~
23 ~~in subsection 3, on election day the city clerk shall deliver the ballot~~
24 ~~box and, if applicable, each container to the absent ballot counting~~
25 ~~board to be counted.~~

26 ~~—3. If the city uses a mechanical voting system, the}~~ **The** city
27 clerk shall, upon receipt of each absent voter's ballot, make a record
28 of the return and check the signature on the return envelope against
29 the original signature of the county clerk's register. If the city clerk
30 determines that the absent voter is entitled to cast his ballot, he shall
31 deposit the ballot in the proper ballot box or place the ballot,
32 unopened, in a container that must be securely locked or under the
33 control of the city clerk at all times. At the end of each day before
34 election day, the city clerk may remove the ballots from each ballot
35 box, neatly stack the ballots in a container and seal the container
36 with a numbered seal. ~~{Except as otherwise provided in this~~
37 ~~subsection, on election day the}~~ **The** city clerk shall deliver , ~~{the~~
38 ~~ballot box and each container, if applicable, to the central counting~~
39 ~~place. If the city uses a mechanical voting system and the city clerk~~
40 ~~has appointed an absent ballot central counting board, the city clerk~~
41 ~~may,}~~ not earlier than 4 working days before the election, ~~{deliver}~~
42 the ballots to the absent ballot central counting board to be
43 processed and prepared for ~~{tabulation}~~ **counting** pursuant to the
44 procedures established by the Secretary of State ~~{,}~~ **to ensure the**



confidentiality of the prepared ballots until after the polls have closed pursuant to NRS 293C.267 or 293C.297.

Sec. 88. (Deleted by amendment.)

Sec. 89. NRS 293C.330 is hereby amended to read as follows:

293C.330 1. Except as otherwise provided in NRS 293C.315 and subsection 2 of NRS 293C.322 and any regulations adopted pursuant thereto, when an absent voter receives his ballot, he must mark and fold it ~~[, if it is a paper ballot, or punch it, if the ballot is voted by punching a card,]~~ in accordance with the instructions, deposit it in the return envelope, seal the envelope, affix his signature on the back of the envelope in the space provided therefor and mail the return envelope.

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

(a) The office of the city clerk, he must mark ~~[or punch]~~ the ballot, seal it in the return envelope and affix his signature in the same manner as provided in subsection 1, and deliver the envelope to the city clerk.

(b) A polling place, including, without limitation, a polling place for early voting, he must surrender the absent ballot and provide satisfactory identification before being issued a ballot to vote at the polling place. A person who receives a surrendered absent ballot shall mark it "Cancelled."

3. If an absent voter who has requested a ballot by mail applies to vote in person at the office of the city clerk or a polling place, including, without limitation, a polling place for early voting, and the voter does not have the absent ballot to deliver or surrender, the voter must be issued a ballot to vote if the voter:

(a) Provides satisfactory identification;

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

(c) Signs an affirmation under penalty of perjury on a form prepared by the Secretary of State declaring that the voter has not voted during the election.

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



Sec. 90. NRS 293C.332 is hereby amended to read as follows:

293C.332 On the day of an election, the precinct or district election boards receiving the absent voters' ballots from the city clerk shall, in the presence of a majority of the election board officers, remove the ballots from the ballot box and the containers in which the ballots were transported pursuant to NRS 293C.325 and deposit the ballots in the regular ballot box in the following manner:

1. The name of the voter, as shown on the return envelope, must be called and checked as if the voter were voting in person;

2. The signature on the back of the return envelope must be compared with that on the original application to register to vote;

3. If the board determines that the absent voter is entitled to cast his ballot, the envelope must be opened, the numbers on the ballot and envelope compared, the number strip or stub detached from the ballot and ~~if~~ if , the numbers are the same, the ballot deposited in the regular ballot box; and

4. The election board officers shall mark in the ~~pollbook~~ *roster* opposite the name of the voter the word "Voted."

Sec. 91. NRS 293C.347 is hereby amended to read as follows:

293C.347 1. The city clerk shall:

(a) Make certain of the names and addresses of all voters registered to vote in mailing precincts and absent ballot mailing precincts;

(b) Enroll the name and address of each voter found eligible to vote in those precincts in the mailing precinct record book;

(c) Mark the number of the ballot on the return envelope; and

(d) Mail the ballot to the registered voter.

2. ~~Except as otherwise provided in subsection 3, the~~ *The* ballot must be accompanied by:

(a) ~~Supplies for marking the ballot;~~

~~(b)~~ A return envelope;

~~(e)~~ *(b)* An envelope or similar device into which the ballot is inserted to ensure its secrecy;

~~(d)~~ *(c)* A sample ballot; and

~~(e)~~ *(d)* Instructions regarding the manner of marking and returning the ballot.

~~[3. In those cities using a mechanical voting system whereby a vote is cast by punching a card, the ballot must be accompanied by:~~

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

~~(b) A punching instrument;~~

~~(c) A return envelope;~~

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

~~(e) A sample ballot; and~~



~~(f) Instructions concerning the manner of punching and returning the card.]~~

Sec. 92. NRS 293C.350 is hereby amended to read as follows:
293C.350 Upon receipt of a mailing ballot from the city clerk, the registered voter must:

1. ~~[[Except as otherwise provided in subsection 2: (a)]~~ Immediately after opening the envelope, mark and fold the ballot;

~~[(b)]~~ 2. Place the ballot in the return envelope;

~~[(c)]~~ 3. Affix his signature on the back of the envelope; and

~~[(d)]~~ 4. Mail or deliver the envelope to the city clerk.

~~[2. In those cities using a mechanical voting system whereby a vote is cast by punching a card:~~

~~(a) Immediately after opening the envelope, punch the card;~~

~~(b) Place the unfolded card in the return envelope;~~

~~(c) Affix his signature on the back of the envelope; and~~

~~(d) Mail or deliver the envelope to the city clerk.]~~

Sec. 93. NRS 293C.356 is hereby amended to read as follows:

293C.356 1. If a request is made to vote early by a registered voter in person, the city clerk shall issue a ballot for early voting to the voter. Such a ballot must be voted on the premises of the clerk's office and returned to the clerk. ~~[[If the ballot is a paper ballot or a ballot which is voted by punching a card, the clerk shall follow the same procedure as in the case of absent ballots received by mail.]~~

2. On the dates for early voting prescribed in NRS 293C.3568, each city clerk shall provide a voting booth, with suitable equipment for voting, on the premises of his office for use by registered voters who are issued ballots for early voting in accordance with this section.

Sec. 94. 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. 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 early voting, 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~~ *for at least 4 hours between* 10 a.m. ~~until~~ *and* 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. 95. NRS 293C.3585 is hereby amended to read as follows:

293C.3585 1. Upon the appearance of a person to cast a ballot for early voting, the deputy clerk for early voting shall:

(a) Determine that the person is a registered voter in the county;

(b) Instruct the voter to sign the roster for early voting; and

(c) Verify the signature of the voter against that contained on the original application to register to vote or facsimile thereof, the card issued to the voter at the time of registration or some other piece of official identification.

2. The city clerk shall prescribe a procedure, approved by the Secretary of State, to determine that the voter has not already voted pursuant to this section.

3. The roster for early voting must contain:

(a) The voter's name, the address where he is registered to vote, his voter identification number and a place for the voter's signature;

(b) The voter's precinct or voting district number; and

(c) The date of voting early in person.

4. When a voter is entitled to cast his ballot and has identified himself to the satisfaction of the deputy clerk for early voting, he is entitled to receive the appropriate ballot or ballots, but only for his own use at the polling place for early voting.

~~5. If the ballot is voted by punching a card, the deputy clerk for early voting shall:~~

~~—(a) Ensure that the voter's precinct or voting district and the form of ballot are indicated on the card;~~

~~—(b) Direct the voter to the appropriate mechanical recording device for his form of ballot; and~~

~~—(c) Allow the voter to place his voted ballot in the ballot box.~~

~~6. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the~~ *The* deputy clerk for early voting shall:

(a) Prepare the mechanical recording device for the voter;

(b) Ensure that the voter's precinct or voting district and the form of ballot are indicated on each part of the voting receipt;



(c) Retain one part of the voting receipt for the election board and return the other part of the voting receipt to the voter; and

(d) Allow the voter to cast his vote.

~~[7-] 6.~~ A voter applying to vote early by personal appearance may be challenged pursuant to NRS 293C.292.

Sec. 96. (Deleted by amendment.)

Sec. 97. NRS 293C.3615 is hereby amended to read as follows:

293C.3615 The city clerk shall make a record of the receipt at the central counting place of each sealed container used to transport official ballots pursuant to NRS 293C.295, 293C.325, ~~[293C.3602,]~~ 293C.630 and 293C.635. The record must include the numbers indicated on the container and its seal pursuant to NRS 293C.700.

Sec. 98. NRS 293C.362 is hereby amended to read as follows:

293C.362 When the polls are closed, the counting board shall prepare to count the ballots voted. The counting procedure must be public and continue without adjournment until completed. If the ballots are paper ballots, ~~[or ballots that are voted by punching a card,]~~ the counting board shall prepare in the following manner:

1. ~~[The pollbooks must be compared and errors corrected until the books agree.~~

~~—2.]~~ The container that holds the ballots, or the ballot box, must be opened and the ballots contained therein counted by the counting board and opened far enough to determine whether each ballot is single. If two or more ballots are found folded together to present the appearance of a single ballot, they must be laid aside until the count of the ballots is completed. If ~~[, on comparison of the count with the pollbook,]~~ a majority of the inspectors are of the opinion that the ballots folded together were voted by one person, the ballots must be rejected and placed in an envelope, upon which must be written the reason for their rejection. The envelope must be signed by the counting board officers and placed in the container or ballot box after the count is completed.

~~[3-] 2.~~ If the ballots in the container or box are found to exceed the number of names *as are indicated* on the ~~[pollbooks,]~~ *roster as having voted*, the ballots must be replaced in the container or box and a counting board officer shall, with his back turned to the container or box, draw out a number of ballots equal to the excess. The excess ballots must be marked on the back thereof with the words "Excess ballots not counted." The ballots when so marked must be immediately sealed in an envelope and returned to the city clerk with the other ballots rejected for any cause.

~~[4-] 3.~~ When it has been determined that the ~~[pollbook and the]~~ number of ballots ~~[agree]~~ *agrees* with the number of names of registered voters shown to have voted, the board shall proceed to



count. If there is a discrepancy between the number of ballots and the number of voters, a record of the discrepancy must be made.

Sec. 99. NRS 293C.367 is hereby amended to read as follows:

293C.367 1. The basic factor to be considered by an election board when making a determination of whether a particular ballot must be rejected is whether any identifying mark appears on the ballot which, in the opinion of the election board, constitutes an identifying mark such that there is a reasonable belief entertained in good faith that the ballot has been tampered with and, as a result of the tampering, the outcome of the election would be affected.

2. Regulations for counting ballots must include provisions that:

(a) An error in marking one or more votes on a ballot does not invalidate any votes properly marked on that ballot.

(b) A soiled or defaced ballot may not be rejected if it appears that the soiling or defacing was inadvertent and was not done purposely to identify the ballot.

(c) Only devices provided for in this chapter, chapter 293 or 293B of NRS may be used in marking ballots.

(d) It is unlawful for any election board officer to place any mark upon any ballot other than a spoiled ballot.

(e) When an election board officer rejects a ballot for any alleged defect or illegality, the officer shall seal the ballot in an envelope and write upon the envelope a statement that it was rejected and the reason for rejecting it. Each election board officer shall sign the envelope.

~~[(f) In cities where mechanical voting systems are used whereby a vote is cast by punching a card, a superfluous punch into any card does not constitute grounds for rejection of the ballot unless the election board determines that the condition of the ballot justifies its exclusion pursuant to subsection 1.]~~

Sec. 100. NRS 293C.369 is hereby amended to read as follows:

293C.369 1. When counting a vote in an election, if more choices than permitted by the instructions for a ballot are marked for any office or question, the vote for that office or question may not be counted.

~~2. [Except as otherwise provided in subsection 1, in an election in which a paper ballot is used whereby a vote is cast by placing a cross in the designated square on the paper ballot, a cross in the designated square must be counted as a vote.]~~

~~3. Except as otherwise provided in subsection 1, in an election in which a mechanical voting system is used whereby a vote is cast by punching a card:~~

~~(a) A chip on the card must be counted as a vote if:~~



~~—— (1) The chip has at least one corner that is detached from the card; or~~

~~—— (2) The fibers of paper on at least one edge of the chip are broken in a way that permits unimpeded light to be seen through the card.~~

~~—— (b) A writing or other mark on the card, including, without limitation, a cross, check, tear or scratch, may not be counted as a vote. The remaining votes on such a card must be counted unless the ballot is otherwise disqualified.~~

~~4.]~~ Except as otherwise provided in subsection 1, in an election in which a mechanical voting system is used whereby a vote is cast by darkening a designated space on the ballot:

(a) A vote must be counted if the designated space is darkened or there is a writing in the designated space, including, without limitation, a cross or check; and

(b) Except as otherwise provided in paragraph (a), a writing or other mark on the ballot, including, without limitation, a cross, check, tear or scratch may not be counted as a vote.

~~5.]~~ 3. The Secretary of State:

(a) May adopt regulations establishing additional uniform, statewide standards, not inconsistent with this section, for counting a vote cast by a method of voting described in subsection 2 ; ~~3 or 4.]~~ and

(b) Shall adopt regulations establishing uniform, statewide standards for counting a vote cast by each method of voting used in this State that is not described in subsection 2, ~~3 or 4.]~~ including, without limitation, a vote cast on a mechanical recording device which directly records the votes electronically.

Sec. 101. NRS 293C.372 is hereby amended to read as follows:

293C.372 When all the votes have been ~~tallied,]~~ **counted**, the counting board officers shall enter on the tally lists by the name of each candidate the number of votes he received. The number must be expressed in words and figures. The vote for and against any question submitted to the electors must be entered in the same manner.

Sec. 102. NRS 293C.375 is hereby amended to read as follows:

293C.375 If paper ballots ~~for ballots which are voted by punching a card]~~ are used:

1. After the ~~tally lists]~~ **ballots** have been ~~completed,]~~ **counted**, the voted ballots, rejected ballots, tally lists for regular ballots, tally list for rejected ballots, challenge list, stubs of used ballots, spoiled ballots and unused ballots must be sealed under cover by the counting board officers and addressed to the city clerk.



2. The other ~~[pollbooks,]~~ *rosters*, tally lists and election board register must be returned to the city clerk.

Sec. 103. NRS 293C.382 is hereby amended to read as follows:

293C.382 1. ~~[Beginning at 8 a.m. on the day before the day of an]~~ *Not earlier than 4 working days before the* election, the counting board, if it is responsible for counting absent ballots, or the absent ballot central counting board shall withdraw the ballots from each ballot box or container that holds absent ballots received before that day and determine whether each box or container has the required number of ballots according to the city clerk's absent voters' record.

2. The counting board or absent ballot central counting board shall count the number of ballots in the same manner as election boards.

Sec. 104. NRS 293C.385 is hereby amended to read as follows:

293C.385 1. ~~[After 8 a.m. on election day,]~~ *Not earlier than 4 working days before the election*, the counting board, if it is responsible for counting absent ballots, or the absent ballot central counting board shall withdraw from the appropriate ballot boxes or containers all the ballots received the previous day and determine whether each box or container has the required number of ballots according to the city clerk's absent voters' ballot record.

2. If any absent ballots are received by the city clerk on election day pursuant to NRS 293C.317, the city clerk shall deposit the absent ballots in the appropriate ballot boxes or containers.

3. ~~[After 8 a.m. on election day,]~~ *Not earlier than 4 working days before the election*, the appropriate board shall , ~~[count]~~ in public , *prepare to count* the votes cast on the absent ballots.

4. If paper ballots are used, the results of the absent ballot vote in each precinct must be certified and submitted to the city clerk, who shall have the results added to the regular votes of the precinct. ~~[If a mechanical voting system is used in which a voter casts his ballot by punching a card that is counted by a computer, the absent ballots may be counted with the regular votes of the precinct.]~~ The returns of absent ballots must be reported separately from the regular votes of the precinct, unless reporting the returns separately would violate the secrecy of a voter's ballot. The city clerks shall develop a procedure to ensure that each ballot is kept secret.

5. Any person who disseminates to the public information relating to the count of absent ballots before the polls close is guilty of a misdemeanor.



1 **Sec. 105.** NRS 293C.390 is hereby amended to read as
2 follows:

3 293C.390 1. The *rosters*, voted ballots, rejected ballots,
4 spoiled ballots, challenge lists, voting receipts, records printed on
5 paper of voted ballots collected pursuant to NRS 293B.400, and
6 stubs of the ballots used, enclosed and sealed, must, after canvass of
7 the votes by the governing body of the city, be deposited in the
8 vaults of the city clerk. The records of voted ballots that are
9 maintained in electronic form must, after canvass of the votes by the
10 governing body of the city, be sealed and deposited in the vaults of
11 the city clerk. The tally lists ~~[and pollbooks]~~ collected pursuant to
12 NRS 293B.400 must, after canvass of the votes by the governing
13 body of the city, be deposited in the vaults of the city clerk without
14 being sealed. All materials described by this subsection must be
15 preserved for at least 22 months, and all such sealed materials must
16 be destroyed immediately after that period. A notice of the
17 destruction must be published by the city clerk in at least one
18 newspaper of general circulation in the city, or if no newspaper is of
19 general circulation in that city, in a newspaper of general circulation
20 in the nearest city, not less than 2 weeks before the destruction of
21 the materials.

22 2. Unused ballots, enclosed and sealed, must, after canvass of
23 the votes by the governing body of the city, be deposited in the
24 vaults of the city clerk and preserved for at least the period during
25 which the election may be contested and adjudicated, after which
26 the unused ballots may be destroyed.

27 3. The ~~[pollbooks]~~ *rosters* containing the signatures of those
28 persons who voted in the election and the tally lists deposited with
29 the governing body of the city are subject to the inspection of any
30 elector who may wish to examine them at any time after their
31 deposit with the city clerk.

32 4. A contestant of an election may inspect all of the material
33 relating to that election which is preserved pursuant to subsection 1
34 or 2, except the voted ballots.

35 5. The voted ballots deposited with the city clerk are not
36 subject to the inspection of any person, except in *cases of* a
37 contested election, and only by the judge, body or board before
38 whom the election is being contested, or by the parties to the
39 contest, jointly, pursuant to an order of the judge, body or board.

40 **Sec. 106.** NRS 293C.620 is hereby amended to read as
41 follows:

42 293C.620 1. At each election a member of the election board
43 for a precinct shall issue each voter a ballot.

44 2. If a mechanical voting system is used in a primary city
45 election whereby votes are directly recorded electronically, a



1 member of the election board shall, in addition to the ballot
2 described in subsection 1, issue the voter a voting receipt.

3 3. The member of the election board shall ~~{~~
4 ~~—(a) Direct}~~ **direct** the voter to a mechanical recording device
5 containing a list of offices and candidates. ~~{; or~~

6 ~~—(b) Issue a ballot attached to a sheet of foam plastic or similar~~
7 ~~backing material, a punching instrument, a sample ballot and an~~
8 ~~instruction sheet to the voter and instruct him to punch his ballot by~~
9 ~~reference to the sample ballot.]~~

10 **Sec. 107.** NRS 293C.630 is hereby amended to read as
11 follows:

12 293C.630 1. Upon closing of the polls, the election board
13 shall:

14 (a) Secure all mechanical recording devices against further
15 voting.

16 (b) ~~{If a mechanical voting system is used whereby votes are~~
17 ~~cast by punching a card:~~

18 ~~—(1) Count the number of ballots in the ballot boxes.~~

19 ~~—(2) Account for all ballots on the statement of ballots.~~

20 ~~—(3) Place all official ballots, the ballot statement and any~~
21 ~~other records, reports and materials as directed by the city clerk into~~
22 ~~the container provided by him to transport those items to a central~~
23 ~~counting place and seal the container.~~

24 ~~—(c)}~~ If a mechanical voting system is used whereby votes are
25 directly recorded electronically:

26 (1) Ensure that each mechanical recording device:

27 (I) Provides a record printed on paper of the total number
28 of votes recorded on the device for each candidate and for or against
29 each measure; and

30 (II) Transfers the ballots voted on that device to the
31 storage device required pursuant to NRS 293B.084.

32 (2) Count the number of ballots voted at the polling place.

33 (3) Account for all ballots on the statement of ballots.

34 (4) Place all records printed on paper provided by the
35 mechanical recording devices, all storage devices which store the
36 ballots voted on the mechanical recording devices, and any other
37 records, reports and materials as directed by the city clerk into the
38 container provided by him to transport those items to a central
39 counting place and seal the container.

40 ~~{(d)}~~ **(c)** Record the number of voters on a form provided by the
41 city clerk.

42 2. If a difference exists between the number of voters and the
43 number of ballots voted, the election board shall report the
44 difference and any known reasons for the difference, in writing, to
45 the city clerk.



- 1 3. After closing the polls, the election board shall:
- 2 (a) Compare the quantity of the supplies furnished by the city
- 3 clerk with the inventory of those supplies; and
- 4 (b) Note any shortages.
- 5 4. The city clerk shall allow members of the general public to
- 6 observe the handling of the ballots pursuant to subsection 1 if those
- 7 members do not interfere with the handling of the ballots.
- 8 **Sec. 108.** NRS 293C.645 is hereby amended to read as
- 9 follows:

- 10 293C.645 The central ballot inspection board shall:
- 11 1. Receive the ballots in sealed containers.
- 12 2. Inspect the containers, record the number indicated on each
- 13 container and its seal pursuant to NRS 293.462 and remove the
- 14 ballots or storage devices that store the ballots voted on mechanical
- 15 recording devices that directly record votes electronically.
- 16 3. Register the numbers of ballots by precinct.
- 17 4. Deliver any damaged ballots to the ballot duplicating board .
- 18 ~~[, if the ballots were voted by punching a card.]~~
- 19 5. Receive duplicates of damaged ballots from the ballot
- 20 duplicating board and place the duplicates with the voted ballots of
- 21 the appropriate precinct . ~~[, if the ballots were voted by punching a~~
- 22 ~~card.]~~
- 23 6. Place each damaged original ballot in a separate envelope
- 24 and note on the outside of the envelope the appropriate number of
- 25 the precinct . ~~[, if the ballot was voted by punching a card.]~~
- 26 7. Reject any ballot that has been marked in a way that
- 27 identifies the voter.
- 28 8. Place each rejected ballot in a separate envelope and note on
- 29 the outside of the envelope the appropriate number of the precinct
- 30 and the reason for the board's rejection of the ballot . ~~[, if the ballot~~
- 31 ~~was voted by punching a card.]~~

32 **Sec. 109.** NRS 293C.655 is hereby amended to read as

33 follows:

- 34 293C.655 ~~[If ballots that are voted by punching a card are~~
- 35 ~~used, the]~~ **The** ballot duplicating board shall:
- 36 1. Receive damaged ballots, including ballots that have been
- 37 torn, bent or mutilated.
- 38 2. ~~[Receive cards with incompletely punched chips.~~
- 39 ~~—3.]~~ Prepare on a distinctly colored, serially numbered ballot
- 40 marked "duplicate" an exact copy of each damaged ballot.
- 41 ~~[4. In the case of a card with an incompletely punched chip:~~
- 42 ~~—(a) Remove the incompletely punched chip if:~~
- 43 ~~—(1) The chip has at least one corner that is detached from the~~
- 44 ~~card; or~~



~~— (2) The fibers of paper on at least one edge of the chip are broken in a way that permits unimpeded light to be seen through the card; or~~

~~— (b) Duplicate the card without punching the location of the incompletely punched chip if:~~

~~— (1) The chip does not have at least one corner that is detached from the card; and~~

~~— (2) The fibers of paper on no edge of the chip are broken in a way that permits unimpeded light to be seen through the card.~~

~~— 5.] 3.~~ Record the serial number of the duplicate ballot on the damaged original ballot and return the damaged and duplicate ballots to the appropriate ballot inspection board.

~~[6.] 4.~~ Hold aside the duplicated ballots for counting after all other ballots are counted if this procedure is directed by the city clerk.

Sec. 110. NRS 293C.700 is hereby amended to read as follows:

293C.700 1. Each container used to transport official ballots pursuant to NRS 293C.295, 293C.325, ~~[293C.3602,]~~ 293C.630 and 293C.635 must:

(a) Be constructed of metal or any other rigid material; and

(b) Contain a seal which is placed on the container to ensure detection of any opening of the container.

2. The container and seal must be separately numbered for identification.

Sec. 110.5. Chapter 294A of NRS is hereby amended by adding thereto a new section to read as follows:

1. It is unlawful for a person who is elected to any county, city or township office or other office of a political subdivision of this State to solicit or accept any monetary contribution, or to solicit or accept a commitment to make such a contribution, for any political purpose during the period beginning 45 days after the person has been issued a certificate of election to the public office and ending 180 days before the last day to file as a candidate for that office at the next preceding election for that office pursuant to the provisions of NRS 293.177 or 293C.185.

2. This section does not prohibit the payment of a salary or other compensation or income to a person who is elected to a public office if it is made for services provided as a part of his regular employment or is additional income to which he is entitled.

Sec. 111. NRS 294A.120 is hereby amended to read as follows:

294A.120 1. Every candidate for state, district, county or township office at a primary or general election shall, not later than



1 January 15 of each year, for the period from January 1 of the
2 previous year through December 31 of the previous year, report
3 each campaign contribution in excess of \$100 he received during the
4 period and contributions received during the period from a
5 contributor which cumulatively exceed \$100. The provisions of this
6 subsection apply to the candidate beginning the year of the general
7 election for that office through the year immediately preceding the
8 next general election for that office.

9 2. Every candidate for state, district, county or township office
10 at a primary or general election shall, if the general election for the
11 office for which he is a candidate is held on or after January 1 and
12 before the July 1 immediately following that January 1, not later
13 than:

14 (a) ~~Seven~~ *Fourteen* days before the primary election for that
15 office, for the period from the January 1 immediately preceding the
16 primary election through ~~12~~ *19* days before the primary election;

17 (b) ~~Seven~~ *Fourteen* days before the general election for that
18 office, for the period from ~~11~~ *18* days before the primary election
19 through ~~12~~ *19* days before the general election; and

20 (c) July 15 of the year of the general election for that office, for
21 the period from ~~11~~ *18* days before the general election through
22 June 30 of that year,

23 ➔ report each campaign contribution in excess of \$100 he receives
24 during the period and contributions received during the period from
25 a contributor which cumulatively exceed \$100. The report must be
26 completed on the form designed and provided by the Secretary of
27 State pursuant to NRS 294A.373. Each form must be signed by the
28 candidate under penalty of perjury.

29 3. Every candidate for state, district, county or township office
30 at a primary or general election shall, if the general election for the
31 office for which he is a candidate is held on or after July 1 and
32 before the January 1 immediately following that July 1, not later
33 than:

34 (a) ~~Seven~~ *Fourteen* days before the primary election for that
35 office, for the period from the January 1 immediately preceding the
36 primary election through ~~12~~ *19* days before the primary election;
37 and

38 (b) ~~Seven~~ *Fourteen* days before the general election for that
39 office, for the period from ~~11~~ *18* days before the primary election
40 through ~~12~~ *19* days before the general election,

41 ➔ report each campaign contribution in excess of \$100 he received
42 during the period and contributions received during the period from
43 a contributor which cumulatively exceed \$100. The report must be
44 completed on the form designed and provided by the Secretary of



1 State pursuant to NRS 294A.373. Each form must be signed by the
2 candidate under penalty of perjury.

3 4. Except as otherwise provided in subsection 5, every
4 candidate for a district office at a special election shall, not later
5 than:

6 (a) ~~Seven~~ **Fourteen** days before the special election, for the
7 period from his nomination through ~~12~~ **19** days before the special
8 election; and

9 (b) Thirty days after the special election, for the remaining
10 period through the special election,

11 ↪ report each campaign contribution in excess of \$100 he received
12 during the period and contributions received during the reporting
13 period from a contributor which cumulatively exceed \$100. The
14 report must be completed on the form designed and provided by the
15 Secretary of State pursuant to NRS 294A.373. Each form must be
16 signed by the candidate under penalty of perjury.

17 5. Every candidate for state, district, county, municipal or
18 township office at a special election to determine whether a public
19 officer will be recalled shall list each of the campaign contributions
20 that he receives on the form designed and provided by the Secretary
21 of State pursuant to NRS 294A.373 and signed by the candidate
22 under penalty of perjury, 30 days after:

23 (a) The special election, for the period from the filing of the
24 notice of intent to circulate the petition for recall through the special
25 election; or

26 (b) A district court determines that the petition for recall is
27 legally insufficient pursuant to subsection 5 of NRS 306.040, for the
28 period from the filing of the notice of intent to circulate the petition
29 for recall through the date of the district court's decision.

30 6. Reports of campaign contributions must be filed with the
31 officer with whom the candidate filed the declaration of candidacy
32 or acceptance of candidacy. A candidate may mail or transmit the
33 report to that officer by regular mail, certified mail, facsimile
34 machine or electronic means. A report shall be deemed to be filed
35 with the officer:

36 (a) On the date that it was mailed if it was sent by certified mail;
37 or

38 (b) On the date that it was received by the officer if the report
39 was sent by regular mail, transmitted by facsimile machine or
40 electronic means, or delivered personally.

41 7. Every county clerk who receives from candidates for
42 legislative or judicial office, except the office of justice of the peace
43 or municipal judge, reports of campaign contributions pursuant to
44 this section shall file a copy of each report with the Secretary of
45 State within 10 working days after he receives the report.



8. The name and address of the contributor and the date on which the contribution was received must be included on the report for each contribution in excess of \$100 and contributions which a contributor has made cumulatively in excess of that amount since the beginning of the current reporting period.

Sec. 112. NRS 294A.140 is hereby amended to read as follows:

294A.140 1. Every person who is not under the direction or control of a candidate for office at a primary election, primary city election, general election or general city election, of a group of such candidates or of any person involved in the campaign of that candidate or group who makes an expenditure on behalf of the candidate or group which is not solicited or approved by the candidate or group, and every committee for political action, political party and committee sponsored by a political party which makes an expenditure on behalf of such a candidate or group of candidates shall, not later than January 15 of each year that the provisions of this subsection apply to the person, committee or political party, for the period from January 1 of the previous year through December 31 of the previous year, report each campaign contribution in excess of \$100 he or it received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The provisions of this subsection apply to the person, committee or political party beginning the year of the general election or general city election for that office through the year immediately preceding the next general election or general city election for that office.

2. Every person, committee or political party described in subsection 1 which makes an expenditure on behalf of the candidate for office at a primary election, primary city election, general election or general city election or on behalf of a group of such candidates shall, if the general election or general city election for the office for which the candidate or a candidate in the group of candidates seeks election is held on or after January 1 and before the July 1 immediately following that January 1, not later than:

(a) ~~Seven~~ *Fourteen* days before the primary election or primary city election for that office, for the period from the January 1 immediately preceding the primary election or primary city election through ~~H2~~ *19* days before the primary election or primary city election;

(b) ~~Seven~~ *Fourteen* days before the general election or general city election for that office, for the period from ~~H4~~ *18* days before the primary election or primary city election through ~~H2~~ *19* days before the general election or general city election; and



(c) July 15 of the year of the general election or general city election for that office, for the period from ~~11~~ 18 days before the general election or general city election through June 30 of that year,

➡ report each campaign contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the committee or political party under penalty of perjury.

3. The name and address of the contributor and the date on which the contribution was received must be included on the report for each contribution in excess of \$100 and contributions which a contributor has made cumulatively in excess of \$100 since the beginning of the current reporting period.

4. Every person, committee or political party described in subsection 1 which makes an expenditure on behalf of a candidate for office at a primary election, primary city election, general election or general city election or on behalf of a group of such candidates shall, if the general election or general city election for the office for which the candidate or a candidate in the group of candidates seeks election is held on or after July 1 and before the January 1 immediately following that July 1, not later than:

(a) ~~Seven~~ Fourteen days before the primary election or primary city election for that office, for the period from the January 1 immediately preceding the primary election or primary city election through ~~12~~ 19 days before the primary election or primary city election; and

(b) ~~Seven~~ Fourteen days before the general election or general city election for that office, for the period from ~~11~~ 18 days before the primary election or primary city election through ~~12~~ 19 days before the general election or general city election,

➡ report each campaign contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the committee or political party under penalty of perjury.

5. Except as otherwise provided in subsection 6, every person, committee or political party described in subsection 1 which makes an expenditure on behalf of a candidate for office at a special election or on behalf of a group of such candidates shall, not later than:



(a) ~~Seven~~ **Fourteen** days before the special election for the office for which the candidate or a candidate in the group of candidates seeks election, for the period from the nomination of the candidate through ~~12~~ **19** days before the special election; and

(b) Thirty days after the special election, for the remaining period through the special election,

↳ report each campaign contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the committee or political party under penalty of perjury.

6. Every person, committee or political party described in subsection 1 which makes an expenditure on behalf of a candidate for office at a special election to determine whether a public officer will be recalled or on behalf of a group of candidates for offices at such special elections shall report each contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373 and signed by the person or a representative of the committee or political party under penalty of perjury, 30 days after:

(a) The special election, for the period from the filing of the notice of intent to circulate the petition for recall through the special election; or

(b) If the special election is not held because a district court determines that the petition for recall is legally insufficient pursuant to subsection 5 of NRS 306.040, for the period from the filing of the notice of intent to circulate the petition for recall through the date of the district court's decision.

7. The reports of contributions required pursuant to this section must be filed with:

(a) If the candidate is elected from one county, the county clerk of that county;

(b) If the candidate is elected from one city, the city clerk of that city; or

(c) If the candidate is elected from more than one county or city, the Secretary of State.

8. A person or entity may file the report with the appropriate officer by regular mail, certified mail, facsimile machine or electronic means. A report shall be deemed to be filed with the officer:



1 (a) On the date that it was mailed if it was sent by certified mail;
2 or

3 (b) On the date that it was received by the officer if the report
4 was sent by regular mail, transmitted by facsimile machine or
5 electronic means, or delivered personally.

6 9. Each county clerk or city clerk who receives a report
7 pursuant to this section shall file a copy of the report with the
8 Secretary of State within 10 working days after he receives the
9 report.

10 10. Every person, committee or political party described in
11 subsection 1 shall file a report required by this section even if he or
12 it receives no contributions.

13 **Sec. 113.** NRS 294A.150 is hereby amended to read as
14 follows:

15 294A.150 1. Every person or group of persons organized
16 formally or informally who advocates the passage or defeat of a
17 question or group of questions on the ballot at a primary election,
18 primary city election, general election or general city election shall,
19 not later than January 15 of each year that the provisions of this
20 subsection apply to the person or group of persons, for the period
21 from January 1 of the previous year through December 31 of the
22 previous year, report each campaign contribution in excess of \$100
23 received during that period and contributions received during
24 the period from a contributor which cumulatively exceed \$100. The
25 report must be completed on the form designed and provided by the
26 Secretary of State pursuant to NRS 294A.373. The form must be
27 signed by the person or a representative of the group under penalty
28 of perjury. The provisions of this subsection apply to the person or
29 group of persons:

30 (a) Each year in which an election or city election is held for
31 each question for which the person or group advocates passage or
32 defeat; and

33 (b) The year after each year described in paragraph (a).

34 2. If a question is on the ballot at a primary election or primary
35 city election and the general election or general city election
36 immediately following that primary election or primary city election
37 is held on or after January 1 and before the July 1 immediately
38 following that January 1, every person or group of persons
39 organized formally or informally who advocates the passage or
40 defeat of the question or a group of questions that includes the
41 question shall comply with the requirements of this subsection. If a
42 question is on the ballot at a general election or general city election
43 held on or after January 1 and before the July 1 immediately
44 following that January 1, every person or group of persons
45 organized formally or informally who advocates the passage or



1 defeat of the question or a group of questions that includes the
2 question shall comply with the requirements of this subsection. A
3 person or group of persons described in this subsection shall, not
4 later than:

5 (a) ~~[Seven]~~ *Fourteen* days before the primary election or
6 primary city election, for the period from the January 1 immediately
7 preceding the primary election or primary city election through ~~[+2]~~
8 *19* days before the primary election or primary city election;

9 (b) ~~[Seven]~~ *Fourteen* days before the general election or general
10 city election, for the period from ~~[+1]~~ *18* days before the primary
11 election or primary city election through ~~[+2]~~ *19* days before the
12 general election or general city election; and

13 (c) July 15 of the year of the general election or general city
14 election, for the period from ~~[+1]~~ *18* days before the general election
15 or general city election through June 30 of that year,

16 ➔ report each campaign contribution in excess of \$100 received
17 during the period and contributions received during the period from
18 a contributor which cumulatively exceed \$100. The report must be
19 completed on the form designed and provided by the Secretary of
20 State pursuant to NRS 294A.373 and signed by the person or a
21 representative of the group under penalty of perjury.

22 3. The name and address of the contributor and the date on
23 which the contribution was received must be included on the report
24 for each contribution in excess of \$100 and contributions which a
25 contributor has made cumulatively in excess of that amount since
26 the beginning of the current reporting period.

27 4. If a question is on the ballot at a primary election or primary
28 city election and the general election or general city election
29 immediately following that primary election or primary city election
30 is held on or after July 1 and before the January 1 immediately
31 following that July 1, every person or group of persons organized
32 formally or informally who advocates the passage or defeat of the
33 question or a group of questions that includes the question shall
34 comply with the requirements of this subsection. If a question is on
35 the ballot at a general election or general city election held on or
36 after July 1 and before the January 1 immediately following that
37 July 1, every person or group of persons organized formally or
38 informally who advocates the passage or defeat of the question or a
39 group of questions that includes the question shall comply with the
40 requirements of this subsection. A person or group of persons
41 described in this subsection shall, not later than:

42 (a) ~~[Seven]~~ *Fourteen* days before the primary election or
43 primary city election, for the period from the January 1 immediately
44 preceding the primary election or primary city election through ~~[+2]~~
45 *19* days before the primary election or primary city election; and



(b) ~~Seven~~ *Fourteen* days before the general election or general city election, for the period from ~~14~~ *18* days before the primary election or primary city election through ~~12~~ *19* days before the general election or general city election,

↳ report each campaign contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the group under penalty of perjury.

5. Except as otherwise provided in subsection 6, every person or group of persons organized formally or informally who advocates the passage or defeat of a question or group of questions on the ballot at a special election shall, not later than:

(a) ~~Seven~~ *Fourteen* days before the special election, for the period from the date that the question qualified for the ballot through ~~12~~ *19* days before the special election; and

(b) Thirty days after the special election, for the remaining period through the special election,

↳ report each campaign contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the group under penalty of perjury.

6. Every person or group of persons organized formally or informally who advocates the passage or defeat of a question or group of questions on the ballot at a special election to determine whether a public officer will be recalled shall report each of the contributions received on the form designed and provided by the Secretary of State pursuant to NRS 294A.373 and signed by the person or a representative of the group under penalty of perjury, 30 days after:

(a) The special election, for the period from the filing of the notice of intent to circulate the petition for recall through the special election; or

(b) If the special election is not held because a district court determines that the petition for recall is legally insufficient pursuant to subsection 5 of NRS 306.040, for the period from the filing of the notice of intent to circulate the petition for recall through the date of the district court's decision.

7. The reports required pursuant to this section must be filed with:

(a) If the question is submitted to the voters of one county, the county clerk of that county;



(b) If the question is submitted to the voters of one city, the city clerk of that city; or

(c) If the question is submitted to the voters of more than one county or city, the Secretary of State.

8. A person may mail or transmit his report to the appropriate officer by regular mail, certified mail, facsimile machine or electronic means. A report shall be deemed to be filed with the officer:

(a) On the date that it was mailed if it was sent by certified mail; or

(b) On the date that it was received by the officer if the report was sent by regular mail, transmitted by facsimile machine or electronic means, or delivered personally.

9. If the person or group of persons is advocating passage or defeat of a group of questions, the reports must be itemized by question.

10. Each county clerk or city clerk who receives a report pursuant to this section shall file a copy of the report with the Secretary of State within 10 working days after he receives the report.

Sec. 114. NRS 294A.200 is hereby amended to read as follows:

294A.200 1. Every candidate for state, district, county or township office at a primary or general election shall, not later than January 15 of each year, for the period from January 1 of the previous year through December 31 of the previous year, report each of the campaign expenses in excess of \$100 that he incurs and each amount in excess of \$100 that he disposes of pursuant to NRS 294A.160 during the period on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the candidate under penalty of perjury. The provisions of this subsection apply to the candidate:

(a) Beginning the year of the general election for that office through the year immediately preceding the next general election for that office; and

(b) Each year immediately succeeding a calendar year during which the candidate disposes of contributions pursuant to NRS 294A.160.

2. Every candidate for state, district, county or township office at a primary or general election shall, if the general election for the office for which he is a candidate is held on or after January 1 and before the July 1 immediately following that January 1, not later than:



1 (a) ~~Seven~~ *Fourteen* days before the primary election for that
2 office, for the period from the January 1 immediately preceding the
3 primary election through ~~12~~ *19* days before the primary election;

4 (b) ~~Seven~~ *Fourteen* days before the general election for that
5 office, for the period from ~~11~~ *18* days before the primary election
6 through ~~12~~ *19* days before the general election; and

7 (c) July 15 of the year of the general election for that office, for
8 the period from ~~11~~ *18* days before the general election through
9 June 30 of that year,

10 ➤ report each of the campaign expenses in excess of \$100 that he
11 incurs during the period on the form designed and provided by the
12 Secretary of State pursuant NRS 294A.373. Each form must be
13 signed by the candidate under penalty of perjury.

14 3. Every candidate for state, district, county or township office
15 at a primary or general election shall, if the general election for the
16 office for which he is a candidate is held on or after July 1 and
17 before the January 1 immediately following that July 1, not later
18 than:

19 (a) ~~Seven~~ *Fourteen* days before the primary election for that
20 office, for the period from the January 1 immediately preceding the
21 primary election through ~~12~~ *19* days before the primary election;
22 and

23 (b) ~~Seven~~ *Fourteen* days before the general election for that
24 office, for the period from ~~11~~ *18* days before the primary election
25 through ~~12~~ *19* days before the general election,

26 ➤ report each of the campaign expenses in excess of \$100 that he
27 incurs during the period on the form designed and provided by the
28 Secretary of State pursuant to NRS 294A.373. The form must be
29 signed by the candidate under penalty of perjury.

30 4. Except as otherwise provided in subsection 5, every
31 candidate for a district office at a special election shall, not later
32 than:

33 (a) ~~Seven~~ *Fourteen* days before the special election, for the
34 period from his nomination through ~~12~~ *19* days before the special
35 election; and

36 (b) Thirty days after the special election, for the remaining
37 period through the special election,

38 ➤ report each of the campaign expenses in excess of \$100 that he
39 incurs during the period on the form designed and provided by the
40 Secretary of State pursuant to NRS 294A.373. Each form must be
41 signed by the candidate under penalty of perjury.

42 5. Every candidate for state, district, county, municipal or
43 township office at a special election to determine whether a public
44 officer will be recalled shall report each of the campaign expenses in
45 excess of \$100 that he incurs on the form designed and provided by



1 the Secretary of State pursuant NRS 294A.373 and signed by the
2 candidate under penalty of perjury, 30 days after:

3 (a) The special election, for the period from the filing of the
4 notice of intent to circulate the petition for recall through the special
5 election; or

6 (b) If the special election is not held because a district court
7 determines that the petition for recall is legally insufficient pursuant
8 to subsection 5 of NRS 306.040, for the period from the filing of the
9 notice of intent to circulate the petition for recall through the date of
10 the district court's decision.

11 6. Reports of campaign expenses must be filed with the officer
12 with whom the candidate filed the declaration of candidacy or
13 acceptance of candidacy. A candidate may mail or transmit the
14 report to that officer by regular mail, certified mail, facsimile
15 machine or electronic means. A report shall be deemed to be filed
16 with the officer:

17 (a) On the date that it was mailed if it was sent by certified mail;
18 or

19 (b) On the date that it was received by the officer if the report
20 was sent by regular mail, transmitted by facsimile machine or
21 electronic means, or delivered personally.

22 7. County clerks who receive from candidates for legislative or
23 judicial office, except the office of justice of the peace or municipal
24 judge, reports of campaign expenses pursuant to this section shall
25 file a copy of each report with the Secretary of State within 10
26 working days after he receives the report.

27 **Sec. 115.** NRS 294A.210 is hereby amended to read as
28 follows:

29 294A.210 1. Every person who is not under the direction or
30 control of a candidate for an office at a primary election, primary
31 city election, general election or general city election, of a group of
32 such candidates or of any person involved in the campaign of
33 that candidate or group who makes an expenditure on behalf of the
34 candidate or group which is not solicited or approved by the
35 candidate or group, and every committee for political action,
36 political party or committee sponsored by a political party which
37 makes an expenditure on behalf of such a candidate or group of
38 candidates shall, not later than January 15 of each year that the
39 provisions of this subsection apply to the person, committee or
40 political party, for the period from January 1 of the previous year
41 through December 31 of the previous year, report each expenditure
42 made during the period on behalf of the candidate, the group of
43 candidates or a candidate in the group of candidates in excess of
44 \$100 on the form designed and provided by the Secretary of State
45 pursuant to NRS 294A.373. The form must be signed by the person



1 or a representative of the committee or political party under penalty
2 of perjury. The provisions of this subsection apply to the person,
3 committee or political party beginning the year of the general
4 election or general city election for that office through the year
5 immediately preceding the next general election or general city
6 election for that office.

7 2. Every person, committee or political party described in
8 subsection 1 which makes an expenditure on behalf of a candidate
9 for office at a primary election, primary city election, general
10 election or general city election or a group of such candidates shall,
11 if the general election or general city election for the office for
12 which the candidate or a candidate in the group of candidates seeks
13 election is held on or after January 1 and before the July 1
14 immediately following that January 1, not later than:

15 (a) ~~Seven~~ Fourteen days before the primary election or
16 primary city election for that office, for the period from the
17 January 1 immediately preceding the primary election or primary
18 city election through ~~12~~ 19 days before the primary election or
19 primary city election;

20 (b) ~~Seven~~ Fourteen days before the general election or general
21 city election for that office, for the period from ~~14~~ 18 days before
22 the primary election or primary city election through ~~12~~ 19 days
23 before the general election or general city election; and

24 (c) July 15 of the year of the general election or general city
25 election for that office, for the period from ~~14~~ 18 days before the
26 general election or general city election through the June 30 of that
27 year,

28 ➔ report each expenditure made during the period on behalf of the
29 candidate, the group of candidates or a candidate in the group of
30 candidates in excess of \$100 on the form designed and provided by
31 the Secretary of State pursuant to NRS 294A.373. The form must be
32 signed by the person or a representative of the committee or political
33 party under penalty of perjury.

34 3. Every person, committee or political party described in
35 subsection 1 which makes an expenditure on behalf of a candidate
36 for office at a primary election, primary city election, general
37 election or general city election or on behalf of a group of such
38 candidates shall, if the general election or general city election for
39 the office for which the candidate or a candidate in the group of
40 candidates seeks election is held on or after July 1 and before the
41 January 1 immediately following that July 1, not later than:

42 (a) ~~Seven~~ Fourteen days before the primary election or
43 primary city election for that office, for the period from the
44 January 1 immediately preceding the primary election or primary



city election through ~~12~~ 19 days before the primary election or primary city election; and

(b) ~~Seven~~ Fourteen days before the general election or general city election for that office, for the period from ~~11~~ 18 days before the primary election or primary city election through ~~12~~ 19 days before the general election or general city election,

↳ report each expenditure made during the period on behalf of the candidate, the group of candidates or a candidate in the group of candidates in excess of \$100 on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the committee or political party under penalty of perjury.

4. Except as otherwise provided in subsection 5, every person, committee or political party described in subsection 1 which makes an expenditure on behalf of a candidate for office at a special election or on behalf of a group of such candidates shall, not later than:

(a) ~~Seven~~ Fourteen days before the special election for the office for which the candidate or a candidate in the group of candidates seeks election, for the period from the nomination of the candidate through ~~12~~ 19 days before the special election; and

(b) Thirty days after the special election, for the remaining period through the special election,

↳ report each expenditure made during the period on behalf of the candidate, the group of candidates or a candidate in the group of candidates in excess of \$100 on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the committee or political party under penalty of perjury.

5. Every person, committee or political party described in subsection 1 which makes an expenditure on behalf of a candidate for office at a special election to determine whether a public officer will be recalled or on behalf of a group of such candidates shall list each expenditure made on behalf of the candidate, the group of candidates or a candidate in the group of candidates in excess of \$100 on the form designed and provided by the Secretary of State pursuant to NRS 294A.373 and signed by the person or a representative of the committee or political party under penalty of perjury, 30 days after:

(a) The special election, for the period from the filing of the notice of intent to circulate the petition for recall through the special election; or

(b) If the special election is not held because a district court determines that the petition for recall is legally insufficient pursuant to subsection 5 of NRS 306.040, for the period from the filing of the



1 notice of intent to circulate the petition for recall through the date of
2 the district court's decision.

3 6. Expenditures made within the State or made elsewhere but
4 for use within the State, including expenditures made outside the
5 State for printing, television and radio broadcasting or other
6 production of the media, must be included in the report.

7 7. The reports must be filed with:

8 (a) If the candidate is elected from one county, the county clerk
9 of that county;

10 (b) If the candidate is elected from one city, the city clerk of that
11 city; or

12 (c) If the candidate is elected from more than one county or city,
13 the Secretary of State.

14 8. If an expenditure is made on behalf of a group of candidates,
15 the reports must be itemized by the candidate. A person may mail or
16 transmit his report to the appropriate officer by regular mail,
17 certified mail, facsimile machine or electronic means. A report shall
18 be deemed to be filed with the officer:

19 (a) On the date that it was mailed if it was sent by certified mail;
20 or

21 (b) On the date that it was received by the officer if the report
22 was sent by regular mail, transmitted by facsimile machine or
23 electronic means, or delivered personally.

24 9. Each county clerk or city clerk who receives a report
25 pursuant to this section shall file a copy of the report with the
26 Secretary of State within 10 working days after he receives the
27 report.

28 10. Every person, committee or political party described in
29 subsection 1 shall file a report required by this section even if he or
30 it receives no contributions.

31 **Sec. 116.** NRS 294A.220 is hereby amended to read as
32 follows:

33 294A.220 1. Every person or group of persons organized
34 formally or informally who advocates the passage or defeat of a
35 question or group of questions on the ballot at a primary election,
36 primary city election, general election or general city election shall,
37 not later than January 15 of each year that the provisions of this
38 subsection apply to the person or group of persons, for the period
39 from January 1 of the previous year through December 31 of the
40 previous year, report each expenditure made during the period on
41 behalf of or against the question, the group of questions or a
42 question in the group of questions on the ballot in excess of \$100 on
43 the form designed and provided by the Secretary of State pursuant to
44 NRS 294A.373. The form must be signed by the person or a



1 representative of the group under penalty of perjury. The provisions
2 of this subsection apply to the person or group of persons:

3 (a) Each year in which an election or city election is held for a
4 question for which the person or group advocates passage or defeat;
5 and

6 (b) The year after each year described in paragraph (a).

7 2. If a question is on the ballot at a primary election or primary
8 city election and the general election or general city election
9 immediately following that primary election or primary city election
10 is held on or after January 1 and before the July 1 immediately
11 following that January 1, every person or group of persons
12 organized formally or informally who advocates the passage or
13 defeat of the question or a group of questions that includes the
14 question shall comply with the requirements of this subsection. If a
15 question is on the ballot at a general election or general city election
16 held on or after January 1 and before the July 1 immediately
17 following that January 1, every person or group of persons
18 organized formally or informally who advocates the passage or
19 defeat of the question or a group of questions that includes the
20 question shall comply with the requirements of this subsection. A
21 person or group of persons described in this subsection shall, not
22 later than:

23 (a) ~~Seven~~ *Fourteen* days before the primary election or
24 primary city election, for the period from the January 1 immediately
25 preceding the primary election or primary city election through ~~12~~
26 *19* days before the primary election or primary city election;

27 (b) ~~Seven~~ *Fourteen* days before the general election or general
28 city election, for the period from ~~11~~ *18* days before the primary
29 election or primary city election through ~~12~~ *19* days before the
30 general election or general city election; and

31 (c) July 15 of the year of the general election or general city
32 election, for the period from ~~11~~ *18* days before the general election
33 or general city election through the June 30 immediately preceding
34 that July 15,

35 ➤ report each expenditure made during the period on behalf of or
36 against the question, the group of questions or a question in the
37 group of questions on the ballot in excess of \$100 on the form
38 designed and provided by the Secretary of State pursuant to NRS
39 294A.373 and signed by the person or a representative of the group
40 under penalty of perjury.

41 3. If a question is on the ballot at a primary election or primary
42 city election and the general election or general city election
43 immediately following that primary election or primary city election
44 is held on or after July 1 and before the January 1 immediately
45 following that July 1, every person or group of persons organized



1 formally or informally who advocates the passage or defeat of the
2 question or a group of questions that includes the question shall
3 comply with the requirements of this subsection. If a question is on
4 the ballot at a general election or general city election held on or
5 after July 1 and before the January 1 immediately following that
6 July 1, every person or group of persons organized formally or
7 informally who advocates the passage or defeat of the question or a
8 group of questions that includes the question shall comply with the
9 requirements of this subsection. A person or group of persons
10 described in this subsection shall, not later than:

11 (a) ~~Seven~~ *Fourteen* days before the primary election or
12 primary city election, for the period from the January 1 immediately
13 preceding the primary election or primary city election through ~~12~~
14 *19* days before the primary election or primary city election; and

15 (b) ~~Seven~~ *Fourteen* days before the general election or general
16 city election, for the period from ~~11~~ *18* days before the primary
17 election or primary city election through ~~12~~ *19* days before the
18 general election or general city election,

19 ➤ report each expenditure made during the period on behalf of or
20 against the question, the group of questions or a question in the
21 group of questions on the ballot in excess of \$100 on the form
22 designed and provided by the Secretary of State pursuant to NRS
23 294A.373. The form must be signed by the person or a
24 representative of the group under penalty of perjury.

25 4. Except as otherwise provided in subsection 5, every person
26 or group of persons organized formally or informally who advocates
27 the passage or defeat of a question or group of questions on the
28 ballot at a special election shall, not later than:

29 (a) ~~Seven~~ *Fourteen* days before the special election, for the
30 period from the date the question qualified for the ballot through
31 ~~12~~ *19* days before the special election; and

32 (b) Thirty days after the special election, for the remaining
33 period through the special election,

34 ➤ report each expenditure made during the period on behalf of or
35 against the question, the group of questions or a question in the
36 group of questions on the ballot in excess of \$100 on the form
37 designed and provided by the Secretary of State pursuant to NRS
38 294A.373. The form must be signed by the person or a
39 representative of the group under penalty of perjury.

40 5. Every person or group of persons organized formally or
41 informally who advocates the passage or defeat of a question or
42 group of questions on the ballot at a special election to determine
43 whether a public officer will be recalled shall list each expenditure
44 made during the period on behalf of or against the question, the
45 group of questions or a question in the group of questions on



1 the ballot in excess of \$100 on the form designed and provided by
2 the Secretary of State pursuant to NRS 294A.373 and signed by the
3 person or a representative of the group under penalty of perjury, 30
4 days after:

5 (a) The special election, for the period from the filing of the
6 notice of intent to circulate the petition for recall through the special
7 election; or

8 (b) If the special election is not held because a district court
9 determines that the petition for recall is legally insufficient pursuant
10 to subsection 5 of NRS 306.040, for the period from the filing of the
11 notice of intent to circulate the petition for recall through the date of
12 the district court's decision.

13 6. Expenditures made within the State or made elsewhere but
14 for use within the State, including expenditures made outside the
15 State for printing, television and radio broadcasting or other
16 production of the media, must be included in the report.

17 7. The reports required pursuant to this section must be filed
18 with:

19 (a) If the question is submitted to the voters of one county, the
20 county clerk of that county;

21 (b) If the question is submitted to the voters of one city, the city
22 clerk of that city; or

23 (c) If the question is submitted to the voters of more than one
24 county or city, the Secretary of State.

25 8. If an expenditure is made on behalf of a group of questions,
26 the reports must be itemized by question. A person may mail or
27 transmit his report to the appropriate filing officer by regular mail,
28 certified mail, facsimile machine or electronic means. A report shall
29 be deemed to be filed with the filing officer:

30 (a) On the date that it was mailed if it was sent by certified mail;
31 or

32 (b) On the date that it was received by the filing officer if the
33 report was sent by regular mail, transmitted by facsimile machine or
34 electronic means, or delivered personally.

35 9. Each county clerk or city clerk who receives a report
36 pursuant to this section shall file a copy of the report with the
37 Secretary of State within 10 working days after he receives the
38 report.

39 **Sec. 117.** NRS 294A.270 is hereby amended to read as
40 follows:

41 294A.270 1. Except as otherwise provided in subsection 3,
42 each committee for the recall of a public officer shall, not later than:

43 (a) ~~Seven~~ *Fourteen* days before the special election to recall a
44 public officer, for the period from the filing of the notice of intent to



1 circulate the petition for recall through ~~12~~ 19 days before the
2 special election; and

3 (b) Thirty days after the election, for the remaining period
4 through the election,

5 ➡ report each contribution received or made by the committee in
6 excess of \$100 on the form designed and provided by the Secretary
7 of State pursuant to NRS 294A.373. The form must be signed by a
8 representative of the committee under penalty of perjury.

9 2. If a petition for the purpose of recalling a public officer is
10 not filed before the expiration of the notice of intent, the committee
11 for the recall of a public officer shall, not later than 30 days after the
12 expiration of the notice of intent, report each contribution received
13 by the committee, and each contribution made by the committee in
14 excess of \$100.

15 3. If a court does not order a special election for the recall of
16 the public officer, the committee for the recall of a public officer
17 shall, not later than 30 days after the court determines that an
18 election will not be held, for the period from the filing of the notice
19 of intent to circulate the petition for recall through the day the court
20 determines that an election will not be held, report each contribution
21 received by the committee, and each contribution made by the
22 committee in excess of \$100.

23 4. Each report of contributions must be filed with the Secretary
24 of State. The committee may mail or transmit the report by regular
25 mail, certified mail, facsimile machine or electronic means. A report
26 shall be deemed to be filed with the Secretary of State:

27 (a) On the date that it was mailed if it was sent by certified mail;
28 or

29 (b) On the date that it was received by the Secretary of State if
30 the report was sent by regular mail, transmitted by facsimile
31 machine or electronic means, or delivered personally.

32 5. The name and address of the contributor and the date on
33 which the contribution was received must be included on the report
34 for each contribution, whether from or to a natural person,
35 association or corporation, in excess of \$100 and contributions
36 which a contributor or the committee has made cumulatively in
37 excess of that amount since the beginning of the current reporting
38 period.

39 **Sec. 118.** NRS 294A.280 is hereby amended to read as
40 follows:

41 294A.280 1. Except as otherwise provided in subsection 3,
42 each committee for the recall of a public officer shall, not later than:

43 (a) ~~Seven~~ Fourteen days before the special election to recall a
44 public officer, for the period from the filing of the notice of intent to



1 circulate the petition for recall through ~~12~~ 19 days before the
2 special election; and

3 (b) Thirty days after the election, for the remaining period
4 through the election,

5 ➤ report each expenditure made by the committee in excess of \$100
6 on the form designed and provided by the Secretary of State
7 pursuant to NRS 294A.373. The form must be signed by a
8 representative of the committee under penalty of perjury.

9 2. If a petition for the purpose of recalling a public officer is
10 not filed before the expiration of the notice of intent, the committee
11 for the recall of a public officer shall, not later than 30 days after the
12 expiration of the notice of intent, report each expenditure made by
13 the committee in excess of \$100.

14 3. If a court does not order a special election for the recall of
15 the public officer, the committee for the recall of a public officer
16 shall, not later than 30 days after the court determines that an
17 election will not be held, for the period from the filing of the notice
18 of intent to circulate the petition for recall through the day the court
19 determines that an election will not be held, report each expenditure
20 made by the committee in excess of \$100.

21 4. Each report of expenditures must be filed with the Secretary
22 of State. The committee may mail or transmit the report to the
23 Secretary of State by regular mail, certified mail, facsimile machine
24 or electronic means. A report shall be deemed to be filed with the
25 Secretary of State:

26 (a) On the date that it was mailed if it was sent by certified mail;
27 or

28 (b) On the date that it was received by the Secretary of State if
29 the report was sent by regular mail, transmitted by facsimile
30 machine or electronic means, or delivered personally.

31 **Sec. 119.** NRS 294A.360 is hereby amended to read as
32 follows:

33 294A.360 1. Every candidate for city office at a primary city
34 election or general city election shall file the reports in the manner
35 required by NRS 294A.120 and 294A.200 for other offices not later
36 than January 15 of each year, for the period from January 1 of the
37 previous year through December 31 of the previous year. The
38 provisions of this subsection apply to the candidate:

39 (a) Beginning the year of the general city election for that office
40 through the year immediately preceding the next general city
41 election for that office; and

42 (b) Each year immediately succeeding a calendar year during
43 which the candidate disposes of contributions pursuant to
44 NRS 294A.160.



2. Every candidate for city office at a primary city election or general city election, if the general city election for the office for which he is a candidate is held on or after January 1 and before the July 1 immediately following that January 1, shall file the reports in the manner required by NRS 294A.120 and 294A.200 for other offices not later than:

(a) ~~Seven~~ *Fourteen* days before the primary city election for that office, for the period from the January 1 immediately preceding the primary city election through ~~12~~ *19* days before the primary city election;

(b) ~~Seven~~ *Fourteen* days before the general city election for that office, for the period from ~~11~~ *18* days before the primary city election through ~~12~~ *19* days before the general city election; and

(c) July 15 of the year of the general city election for that office, for the period from ~~11~~ *18* days before the general city election through the June 30 of that year.

3. Every candidate for city office at a primary city election or general city election, if the general city election for the office for which he is a candidate is held on or after July 1 and before the January 1 immediately following that July 1, shall file the reports in the manner required by NRS 294A.120 and 294A.200 for other offices not later than:

(a) ~~Seven~~ *Fourteen* days before the primary city election for that office, for the period from the January 1 immediately preceding the primary city election through ~~12~~ *19* days before the primary city election; and

(b) ~~Seven~~ *Fourteen* days before the general city election for that office, for the period from ~~11~~ *18* days before the primary city election through ~~12~~ *19* days before the general city election.

4. Except as otherwise provided in subsection 5, every candidate for city office at a special election shall so file those reports:

(a) ~~Seven~~ *Fourteen* days before the special election, for the period from his nomination through ~~12~~ *19* days before the special election; and

(b) Thirty days after the special election, for the remaining period through the special election.

5. Every candidate for city office at a special election to determine whether a public officer will be recalled shall so file those reports 30 days after:

(a) The special election, for the period from the filing of the notice of intent to circulate the petition for recall through the special election; or

(b) If the special election is not held because a district court determines that the petition for recall is legally insufficient pursuant



1 to subsection 5 of NRS 306.040, for the period from the filing of the
2 notice of intent to circulate the petition for recall through the date of
3 the district court's decision.

4 **Sec. 119.2.** NRS 241.037 is hereby amended to read as
5 follows:

6 241.037 1. The Attorney General may sue in any court of
7 competent jurisdiction to have an action taken by a public body
8 declared void or for an injunction against any public body or person
9 to require compliance with or prevent violations of the provisions of
10 this chapter. The injunction:

11 (a) May be issued without proof of actual damage or other
12 irreparable harm sustained by any person.

13 (b) Does not relieve any person from criminal prosecution for
14 the same violation.

15 2. Any person denied a right conferred by this chapter may sue
16 in the district court of the district in which the public body
17 ordinarily holds its meetings or in which the plaintiff resides. A suit
18 may seek to have an action taken by the public body declared void,
19 to require compliance with or prevent violations of this chapter or to
20 determine the applicability of this chapter to discussions or
21 decisions of the public body. The court may order payment of
22 reasonable attorney's fees and court costs to a successful plaintiff in
23 a suit brought under this subsection.

24 3. Any suit brought against a public body pursuant to
25 subsection 1 or 2 to require compliance with the provisions of this
26 chapter must be commenced within 120 days after the action
27 objected to was taken by that public body in violation of this
28 chapter. Any such suit brought to have an action declared void must
29 be commenced within 60 days after the action objected to was
30 taken.

31 *4. A public body or person who violates the provisions of this*
32 *chapter two or more times within 5 years is liable, in addition to*
33 *any other penalty or remedy that may be provided by law, for a*
34 *civil penalty of:*

35 *(a) Not more than \$5,000 for the second offense; and*

36 *(b) Not more than \$10,000 for each subsequent offense*
37 *committed within that 5-year period,*

38 *↪ which penalty may be recovered by civil action on complaint of*
39 *the Attorney General. All money collected as civil penalties*
40 *pursuant to this subsection must be deposited in the State General*
41 *Fund.*

42 **Sec. 119.4.** NRS 241.040 is hereby amended to read as
43 follows:

44 241.040 1. Each member of a public body who attends a
45 meeting of that public body where action is taken in violation of any



1 provision of this chapter, with knowledge of the fact that the
2 meeting is in violation thereof, is guilty of a misdemeanor.

3 2. Wrongful exclusion of any person or persons from a meeting
4 is a misdemeanor.

5 3. A member of a public body who attends a meeting of that
6 public body at which action is taken in violation of this chapter is
7 not the accomplice of any other member so attending.

8 4. The Attorney General shall ~~investigate~~ :

9 (a) *Investigate* and prosecute any violation of this chapter ~~H~~ ;
10 and

11 (b) *Report to the Commission on Ethics each member of a*
12 *public body that is convicted of a violation of subsection 1.*

13 **Sec. 119.6.** NRS 281.481 is hereby amended to read as
14 follows:

15 281.481 A code of ethical standards is hereby established to
16 govern the conduct of public officers and employees:

17 1. A public officer or employee shall not seek or accept any
18 gift, service, favor, employment, engagement, emolument or
19 economic opportunity which would tend improperly to influence a
20 reasonable person in his position to depart from the faithful and
21 impartial discharge of his public duties.

22 2. A public officer or employee shall not use his position in
23 government to secure or grant unwarranted privileges, preferences,
24 exemptions or advantages for himself, any business entity in which
25 he has a significant pecuniary interest, or any person to whom he
26 has a commitment in a private capacity to the interests of that
27 person. As used in this subsection:

28 (a) "Commitment in a private capacity to the interests of that
29 person" has the meaning ascribed to "commitment in a private
30 capacity to the interests of others" in subsection 8 of NRS 281.501.

31 (b) "Unwarranted" means without justification or adequate
32 reason.

33 3. A public officer or employee shall not participate as an agent
34 of government in the negotiation or execution of a contract between
35 the government and any private business in which he has a
36 significant pecuniary interest.

37 4. A public officer or employee shall not accept any salary,
38 retainer, augmentation, expense allowance or other compensation
39 from any private source for the performance of his duties as a public
40 officer or employee.

41 5. If a public officer or employee acquires, through his public
42 duties or relationships, any information which by law or practice is
43 not at the time available to people generally, he shall not use the
44 information to further the pecuniary interests of himself or any other
45 person or business entity.



6. A public officer or employee shall not suppress any governmental report or other document because it might tend to affect unfavorably his pecuniary interests.

7. A public officer or employee, other than a member of the Legislature, shall not use governmental time, property, equipment or other facility to benefit his personal or financial interest. This subsection does not prohibit:

(a) A limited use of governmental property, equipment or other facility for personal purposes if:

(1) The public officer who is responsible for and has authority to authorize the use of such property, equipment or other facility has established a policy allowing the use or the use is necessary as a result of emergency circumstances;

(2) The use does not interfere with the performance of his public duties;

(3) The cost or value related to the use is nominal; and

(4) The use does not create the appearance of impropriety;

(b) The use of mailing lists, computer data or other information lawfully obtained from a governmental agency which is available to members of the general public for nongovernmental purposes; or

(c) The use of telephones or other means of communication if there is not a special charge for that use.

➤ If a governmental agency incurs a cost as a result of a use that is authorized pursuant to this subsection or would ordinarily charge a member of the general public for the use, the public officer or employee shall promptly reimburse the cost or pay the charge to the governmental agency.

8. A member of the Legislature shall not:

(a) Use governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of himself or any other person. This paragraph does not prohibit:

(1) A limited use of state property and resources for personal purposes if:

(I) The use does not interfere with the performance of his public duties;

(II) The cost or value related to the use is nominal; and

(III) The use does not create the appearance of impropriety;

(2) The use of mailing lists, computer data or other information lawfully obtained from a governmental agency which is available to members of the general public for nongovernmental purposes; or

(3) The use of telephones or other means of communication if there is not a special charge for that use.



(b) Require or authorize a legislative employee, while on duty, to perform personal services or assist in a private activity, except:

(1) In unusual and infrequent situations where the employee's service is reasonably necessary to permit the Legislator or legislative employee to perform his official duties; or

(2) Where such service has otherwise been established as legislative policy.

9. A public officer or employee shall not attempt to benefit his personal or financial interest through the influence of a subordinate.

10. A public officer or employee shall not seek other employment or contracts through the use of his official position.

11. A public officer or employee who is a member of a public body shall not attend a meeting of that public body where action is taken in violation of any provision of chapter 241 of NRS if the public officer or employee knows or should have known that the meeting is in violation thereof.

Sec. 119.8. NRS 281.551 is hereby amended to read as follows:

281.551 1. In addition to any other penalty provided by law, the Commission may impose on a public officer or employee or former public officer or employee civil penalties:

(a) Not to exceed ~~[\$5,000]~~ **\$10,000** for a first willful violation of this chapter;

(b) Not to exceed ~~[\$10,000]~~ **\$15,000** for a separate act or event that constitutes a second willful violation of this chapter; and

(c) Not to exceed ~~[\$25,000]~~ **\$30,000** for a separate act or event that constitutes a third willful violation of this chapter.

2. In addition to other penalties provided by law, the Commission may impose a civil penalty not to exceed \$5,000 and assess an amount equal to the amount of attorney's fees and costs actually and reasonably incurred by the person about whom an opinion was requested pursuant to NRS 281.511, against a person who prevents, interferes with or attempts to prevent or interfere with the discovery or investigation of a violation of this chapter.

3. If the Commission finds that a violation of a provision of this chapter by a public officer or employee or former public officer or employee has resulted in the realization by another person of a financial benefit, the Commission may, in addition to other penalties provided by law, require the current or former public officer or employee to pay a civil penalty of not more than twice the amount so realized.

4. In addition to any other penalty provided by law, by an affirmative vote of two-thirds of the Commission, the Commission may impose on any person who violates any provision of NRS 294A.345 or 294A.346 a civil penalty not to exceed \$5,000. The



1 Commission shall not impose a civil penalty for a violation of NRS
2 294A.345 unless the Commission has made the specific findings
3 required pursuant to subsection 7 of NRS 281.477.

4 5. If the Commission finds that:

5 (a) A willful violation of this chapter has been committed by a
6 public officer removable from office by impeachment only, the
7 Commission shall file a report with the appropriate person
8 responsible for commencing impeachment proceedings as to its
9 finding. The report must contain a statement of the facts alleged to
10 constitute the violation.

11 (b) A willful violation of this chapter has been committed by a
12 public officer removable from office pursuant to NRS 283.440, the
13 Commission may file a proceeding in the appropriate court for
14 removal of the officer.

15 (c) Three or more willful violations have been committed by a
16 public officer removable from office pursuant to NRS 283.440, the
17 Commission shall file a proceeding in the appropriate court for
18 removal of the officer.

19 6. An action taken by a public officer or employee or former
20 public officer or employee relating to NRS 281.481, 281.491,
21 281.501 or 281.505 is not a willful violation of a provision of those
22 sections if the public officer or employee:

23 (a) Relied in good faith upon the advice of the legal counsel
24 retained by the public body which the public officer represents or by
25 the employer of the public employee or upon the manual published
26 by the Commission pursuant to NRS 281.471;

27 (b) Was unable, through no fault of his own, to obtain an
28 opinion from the Commission before the action was taken; and

29 (c) Took action that was not contrary to a prior published
30 opinion issued by the Commission.

31 7. In addition to other penalties provided by law, a public
32 employee who willfully violates a provision of NRS 281.481,
33 281.491, 281.501 or 281.505 is subject to disciplinary proceedings
34 by his employer and must be referred for action in accordance to the
35 applicable provisions governing his employment.

36 8. NRS 281.481 to 281.541, inclusive, do not abrogate or
37 decrease the effect of the provisions of the Nevada Revised Statutes
38 which define crimes or prescribe punishments with respect to the
39 conduct of public officers or employees. If the Commission finds
40 that a public officer or employee has committed a willful violation
41 of this chapter which it believes may also constitute a criminal
42 offense, the Commission shall refer the matter to the Attorney
43 General or the district attorney, as appropriate, for a determination
44 of whether a crime has been committed that warrants prosecution.



9. The imposition of a civil penalty pursuant to subsections 1 to 4, inclusive, is a final decision for the purposes of judicial review.

10. A finding by the Commission that a public officer or employee has violated any provision of this chapter must be supported by a preponderance of the evidence unless a greater burden is otherwise prescribed by law.

Sec. 120. NRS 353.264 is hereby amended to read as follows:

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

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

(a) The payment of claims which are obligations of the State pursuant to NRS 41.03435, 41.0347, 62I.050, 176.485, 179.310, 212.040, 212.050, 212.070, 281.174, 282.290, 282.315, 288.203, 293.253, 293.405, 353.120, 353.262, 412.154 and 475.235;

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

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

(2) NRS 7.155, 34.750, 176A.640, 179.225 ~~[- 213.153 and 293B.210.]~~ and 213.153,

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

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

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

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



- 1 **Sec. 121.** NRS 539.143 is hereby amended to read as follows:
2 539.143 In all ~~[pollbooks]~~ *rosters* and lists of registered
3 electors prepared for any election under this chapter, the names of
4 electors who have registered or reregistered for such election shall
5 be distinguished from the names of those who voted at the last
6 preceding district election but who have not so registered or
7 reregistered, by the letter “R” enclosed in parentheses placed before
8 each of the names of the former and the omission thereof in
9 connection with the names of the latter.
- 10 **Sec. 122.** NRS 293.075, 293.12756, 293.233, 293.245,
11 293.293, 293.300, 293.359, 293.3598, 293.3602, 293.447,
12 293B.160, 293B.210, 293B.325, 293C.235, 293C.250, 293C.280,
13 293C.287, 293C.359, 293C.3598 and 293C.3602 are hereby
14 repealed.

LEADLINES OF REPEALED SECTIONS

- 293.075 “Pollbook” defined.
293.12756 Informational pamphlet concerning petitions;
fee.
293.233 Appointment and duties of voting board and
counting board in precinct or district where there are 200 or
more registered voters and paper ballots are used.
293.245 Placing of absent ballots in ballot box.
293.293 Procedure for voting by paper ballot; duties of
election board officer upon receipt of voted ballot.
293.300 Return of ballot not voted; cancellation.
293.359 Ballot boxes for paper ballots or ballots voted by
punching card; seals.
293.3598 Ballot board.
293.3602 Custody of paper ballots or ballots voted by
punching card; observation by general public of handling of
ballots.
293.447 Employment of messenger to convey election
returns to Secretary of State; compensation.
293B.160 Test program and card deck to be used for
certain mechanical voting systems at election.
293B.210 Clerk to furnish lists of candidates and measures
to be voted on at election; Secretary of State to provide to or
reimburse county for cards used in elections.
293B.325 Pickup and delivery; processing before polls
close.



293C.235 Appointment and duties of voting board and counting board in precinct or district where 200 or more registered voters and paper ballots used.

293C.250 Absent ballot central counting board or central election board responsible for placing absent ballots in ballot boxes in absent ballot mailing precinct.

293C.280 Procedure for voting by paper ballot; duties of election board officer upon receipt of voted ballot.

293C.287 Return and cancellation of ballot not voted.

293C.359 Ballot boxes for paper ballots or ballots voted by punching card; seals.

293C.3598 Ballot board.

293C.3602 Custody of paper ballots or ballots voted by punching card; observation by general public of handling of ballots.



