

SENATE BILL NO. 385—SENATORS CEGAVSKE,  
BEERS, HECK AND RAGGIO

MARCH 19, 2007

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises certain provisions relating to voter identification. (BDR 24-447)

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

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

AN ACT relating to elections; requiring photographic identification for voting; requiring county clerks to issue voter identification cards under certain circumstances; requiring persons applying for absent ballots to provide certain information to county and city clerks; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Under existing law, if a person’s name appears in the election board register or if he provides an affirmation, he is entitled to vote and must sign his name in the register when he applies to vote at a polling place. His signature must be compared with the signature on his original application to register to vote or on one of the specified forms of identification. (NRS 293.277, 293C.270)

This bill requires a person wishing to vote at a polling place to present current and valid photographic identification. A “current and valid photographic identification” is a driver’s license or identification card issued by the Department of Motor Vehicles, an identification card issued by a branch of the Armed Forces of the United States, a United States passport, an identification card issued by an Indian tribe or a voter identification card issued by a county clerk. A voter identification card must be issued to certain registered voters at no cost.

Under existing law, a registered voter who provides sufficient written notice to a city or county clerk may vote an absent ballot. (NRS 293.313, 293C.310) This bill requires the “sufficient written notice” to include personal identification of the registered voter, a statement that the requester is a registered voter, a statement identifying the election for which the absent ballot is requested, the political affiliation of the registered voter, the address to which the absent ballot should be mailed, and other identifying information or documents of the registered voter.



\* S B 3 8 5 \*

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

**Section 1.** Chapter 293 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

**Sec. 2.** *“Current and valid photographic identification” means one of the following forms of identification if it bears a recognizable photograph of the person presenting it as identification and which is not invalid or expired:*

*1. A driver’s license or identification card issued by the Department of Motor Vehicles.*

*2. An identification card issued by a branch of the Armed Forces of the United States.*

*3. A United States passport.*

*4. An identification card issued by an Indian tribe.*

*5. A voter identification card issued pursuant to section 3 of this act.*

**Sec. 3.** *The Secretary of State shall ensure that each county clerk provides at least one place in the county at which the county clerk accepts applications for and issues voter identification cards to persons who are registered to vote in this State and who do not possess any form of current and valid photographic identification described in subsections 1 to 4, inclusive, of section 2 of this act. A fee must not be charged for a voter identification card.*

**Sec. 4.** *1. An application for a voter identification card must be in the form prescribed by the Secretary of State.*

*2. An applicant for a voter identification card must present to the county clerk:*

*(a) Documentation showing the person’s date of birth;*

*(b) Evidence that the person is registered to vote in this State; and*

*(c) Documentation showing the person’s name and address.*

**Sec. 5.** *A voter identification card issued pursuant to section 3 of this act:*

*1. Must include, without limitation:*

*(a) The person’s name, address, date of birth, sex, height, weight, eye color and photograph.*

*(b) The date that the voter identification card was issued.*

*(c) The name of the county in which the voter identification card was issued.*

*(d) Any other information required by the Secretary of State.*

*2. Is valid so long as the person is registered to vote and resides at the address stated on his voter identification card.*



**Sec. 6. The Secretary of State shall:**

**1. Provide to each county clerk the necessary equipment, forms, supplies and training for the production of voter identification cards.**

**2. Adopt regulations necessary for the issuance of voter identification cards.**

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

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

**Sec. 8.** NRS 293.2725 is hereby amended to read as follows:

293.2725 1. Except as otherwise provided in subsection 2, in NRS 293.3081 and 293.3083 and in federal law, a person who registers by mail to vote in this State and who has not previously voted in an election for federal office in this State:

(a) May vote at a polling place only if the person presents to the election board officer at the polling place ~~the~~:

~~—(1) A] a~~ current and valid ~~[photo]~~ **photographic** identification of the person; ~~for~~

~~—(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including, without limitation, a check, which indicates the name and address of the person;]~~ and

(b) May vote by mail only if the person provides to the county or city clerk ~~the~~:

~~—(1) A] a~~ copy of a current and valid ~~[photo]~~ **photographic** identification of the person. ~~for~~

~~—(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including, without limitation, a check, which indicates the name and address of the person;]~~

2. The provisions of this section do not apply to a person who:

(a) Registers to vote by mail and submits with his application to register to vote ~~the~~:

~~—(1) A] a~~ copy of a current and valid ~~[photo]~~ **photographic** identification; ~~for~~

~~—(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including, without limitation, a check, which indicates the name and address of the person;~~

~~—(b) Registers to vote by mail and submits with his application to register to vote a driver's license number or at least the last four digits of his social security number, if a state or local election official has matched that information with an existing identification~~



1 ~~record bearing the same number, name and date of birth as provided~~  
2 ~~by the person in his application;~~

3 ~~—(e)}~~ (b) Is entitled to vote an absent ballot pursuant to the  
4 Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C.  
5 §§ 1973ff et seq.;

6 ~~[(d)]~~ (c) Is provided the right to vote otherwise than in person  
7 under the Voting Accessibility for the Elderly and Handicapped Act,  
8 42 U.S.C. §§ 1973ee et seq.; or

9 ~~[(e)]~~ (d) Is entitled to vote otherwise than in person under any  
10 other federal law.

11 **Sec. 9.** NRS 293.277 is hereby amended to read as follows:

12 293.277 ~~[(1)]~~ Except as otherwise provided in NRS 293.541,  
13 if a person's name appears in the election board register ~~for it~~ and  
14 he provides ~~[an affirmation pursuant to NRS 293.525.]~~ *current and*  
15 *valid photographic identification*, he is entitled to vote and must  
16 sign his name in the election board register when he applies to vote.  
17 His signature must be compared by an election board officer with  
18 the signature or a facsimile thereof on his original application to  
19 register to vote or ~~[one of the forms of identification listed in~~  
20 ~~subsection 2.~~

21 ~~—2. Except as otherwise provided in NRS 293.2725, the forms of~~  
22 ~~identification which may be used individually to identify a voter at~~  
23 ~~the polling place are:~~

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

25 ~~—(b) A driver's license;~~

26 ~~—(c) An identification card issued by the Department of Motor~~  
27 ~~Vehicles;~~

28 ~~—(d) A military identification card; or~~

29 ~~—(e) Any other form of identification issued by a governmental~~  
30 ~~agency which contains the voter's signature and physical description~~  
31 ~~or picture.]~~ *the person's current and valid photographic*  
32 *identification.*

33 **Sec. 10.** NRS 293.3081 is hereby amended to read as follows:

34 293.3081 A person at a polling place may cast a provisional  
35 ballot in an election to vote for a candidate for federal office if the  
36 person complies with the applicable provisions of NRS 293.3082  
37 and:

38 1. Declares that he has registered to vote and is eligible to vote  
39 at that election in that jurisdiction, but his name does not appear on  
40 a voter registration list as a voter eligible to vote in that election in  
41 that jurisdiction, ~~for~~ an election official asserts that the person is  
42 not eligible to vote in that election in that jurisdiction ~~;~~ *or he has*  
43 *failed to provide the current and valid photographic identification*  
44 *required pursuant to NRS 293.277;*



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

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

**Sec. 11.** NRS 293.3085 is hereby amended to read as follows:

293.3085 1. Following each election, a canvass of the provisional ballots cast in the election must be conducted pursuant to NRS 293.387 and, if appropriate, pursuant to NRS 293C.387.

2. The county and city clerk shall not:

(a) Include any provisional ballot in the unofficial results reported on election night; or

(b) Open any envelope containing a provisional ballot before 8 a.m. on the Wednesday following election day.

3. Except as otherwise provided in subsection 4, a provisional ballot must be counted if:

(a) The county or city clerk determines that the person who cast the provisional ballot was registered to vote in the election, eligible to vote in the election and issued the appropriate ballot for the address at which he resides;

(b) A voter who failed to provide required *current and valid photographic* identification at the polling place or with his mailed ballot provides the required *current and valid photographic* identification to the county or city clerk not later than 5 p.m. on the Friday following election day; or

(c) A court order has not been issued by 5 p.m. on the Friday following election day directing that provisional ballots cast pursuant to subsection 3 of NRS 293.3081 not be counted, and the provisional ballot was cast pursuant to subsection 3 of NRS 293.3081.

4. A provisional ballot must not be counted if the county or city clerk determines that the person who cast the provisional ballot cast the wrong ballot for the address at which he resides.

**Sec. 12.** NRS 293.313 is hereby amended to read as follows:

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

2. A registered voter who:

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



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(b) Has a physical disability or condition which substantially impairs his ability to go to the polling place,  
➔ may request an absent ballot for all elections held during the year he requests an absent ballot.

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

(a) Written request for an absent ballot *which complies with the requirements of subsection 4 and* which is signed by the registered voter and returned to the county clerk in person or by mail or facsimile machine;

(b) Form prescribed by the Secretary of State *which complies with the requirements of subsection 4 and* which is completed and signed by the registered voter and returned to the county clerk in person or by mail or facsimile machine; or

(c) Form provided by the Federal Government.

4. *A written request or a form returned to the county clerk pursuant to paragraph (a) or (b) of subsection 3 must include:*

*(a) The name and address of the registered voter requesting the absent ballot;*

*(b) The date of birth of the registered voter;*

*(c) A statement that the person requesting the absent ballot is a registered voter;*

*(d) A statement identifying the election for which the absent ballot is requested;*

*(e) If the election identified pursuant to paragraph (d) is a primary election, the political affiliation of the registered voter;*

*(f) The address to which the registered voter desires the absent ballot to be mailed, if that address is different than the address provided pursuant to paragraph (a); and*

*(g) One of the following:*

*(1) The driver's license number of the registered voter;*

*(2) The last four digits of the social security number of the registered voter; or*

*(3) One of the following that indicates the name and address of the registered voter:*

*(I) A copy of a current and valid photographic identification;*

*(II) A copy of a current and valid military identification; or*

*(III) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check but other than a voter registration card issued pursuant to subsection 6 of NRS 293.517.*

5. A county clerk shall consider a request from a voter who has given sufficient written notice on a form provided by the Federal Government as a request for an absent ballot for the two primary



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1 and general elections immediately following the date on which the  
2 county clerk received the request.

3 ~~[5-]~~ 6. It is unlawful for a person fraudulently to request an  
4 absent ballot in the name of another person or to induce or coerce  
5 another person fraudulently to request an absent ballot in the name  
6 of another person. A person who violates this subsection is guilty of  
7 a category E felony and shall be punished as provided in  
8 NRS 193.130.

9 **Sec. 13.** NRS 293.330 is hereby amended to read as follows:

10 293.330 1. Except as otherwise provided in NRS 293.3157  
11 and subsection 2 of NRS 293.323 and any regulations adopted  
12 pursuant thereto, when an absent voter receives his ballot, he must  
13 mark and fold it ~~[H]~~ if it is a paper ballot, or punch it ~~[H]~~ if the ballot  
14 is voted by punching a card, in accordance with the instructions,  
15 deposit it in the return envelope, seal the envelope, affix his  
16 signature on the back of the envelope in the space provided therefor  
17 and mail the return envelope.

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

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

25 (b) A polling place, including, without limitation, a polling place  
26 for early voting, he must surrender the absent ballot and provide  
27 ~~[satisfactory]~~ *current and valid photographic* identification before  
28 being issued a ballot to vote at the polling place. A person who  
29 receives a surrendered absent ballot shall mark it "Cancelled."

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

35 (a) Provides ~~[satisfactory]~~ *current and valid photographic*  
36 identification;

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

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

41 4. Except as otherwise provided in NRS 293.316, it is unlawful  
42 for any person to return an absent ballot other than the voter who  
43 requested the absent ballot or, at the request of the voter, a member  
44 of his family. A person who returns an absent ballot and who is a  
45 member of the family of the voter who requested the absent ballot



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1 shall, under penalty of perjury, indicate on a form prescribed by the  
2 county clerk that he is a member of the family of the voter who  
3 requested the absent ballot and that the voter requested that he return  
4 the absent ballot. A person who violates the provisions of this  
5 subsection is guilty of a category E felony and shall be punished as  
6 provided in NRS 193.130.

7 **Sec. 14.** NRS 293.3585 is hereby amended to read as follows:

8 293.3585 1. Upon the appearance of a person to cast a ballot  
9 for early voting, the deputy clerk for early voting shall:

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

11 (b) Instruct the voter to sign the roster for early voting; ~~{and}~~

12 (c) *Verify the person has current and valid photographic*  
13 *identification; and*

14 (d) Verify the signature of the voter against that contained on the  
15 original application to register to vote or *a* facsimile thereof, the  
16 card issued to the voter at the time of registration or ~~{some other~~  
17 ~~piece of official}~~ *the person's current and valid photographic*  
18 *identification.*

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

22 3. The roster for early voting must contain:

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

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

26 (c) The date of voting early in person.

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

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

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

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

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

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

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

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

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



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(d) Allow the voter to cast his vote.

7. A voter applying to vote early by personal appearance may be challenged pursuant to NRS 293.303.

**Sec. 15.** NRS 293.541 is hereby amended to read as follows:

293.541 1. The county clerk shall cancel the registration of a voter ~~if~~ if:

(a) After consultation with the district attorney, the district attorney determines that there is probable cause to believe that information in the registration concerning the identity or residence of the voter is fraudulent;

(b) The county clerk provides a notice as required pursuant to subsection 2 or executes an affidavit of cancellation pursuant to subsection 3; and

(c) The voter fails to present satisfactory proof of his identity and residence pursuant to subsection 2, 4 or 5.

2. Except as otherwise provided in subsection 3, the county clerk shall notify the voter by registered or certified mail, return receipt requested, of a determination made pursuant to subsection 1. The notice must set forth the grounds for cancellation. Unless the voter, within 15 days after the return receipt has been filed in the office of the county clerk, presents satisfactory proof of his identity and residence to the county clerk, the county clerk shall cancel his registration.

3. If insufficient time exists before a pending election to provide the notice required by subsection 2, the county clerk shall execute an affidavit of cancellation and file the affidavit of cancellation with the registrar of voters' register and:

(a) In counties where records of registration are not kept by computer, the county clerk shall attach a copy of the affidavit of cancellation in the election board register.

(b) In counties where records of registration are kept by computer, the county clerk shall have the affidavit of cancellation printed on the computer entry for the registration and add a copy of it to the election board register.

4. If a voter appears to vote at the election next following the date that an affidavit of cancellation was executed for the voter pursuant to this section, the voter must be allowed to vote only if he furnishes ~~f~~:

~~—(a) Official identification which contains a photograph of himself, including, without limitation, a driver's license or other official document; and~~

~~—(b) Satisfactory identification that contains proof of the address at which he actually resides and that address is consistent with the address listed on the election board register.]~~ *current and valid photographic identification.*



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5. If a determination is made pursuant to subsection 1 concerning information in the registration to vote of a voter and an absent ballot or a ballot voted by a voter who resides in a mailing precinct is received from the voter, the ballot must be kept separate from other ballots and must not be counted unless the voter presents satisfactory proof to the county clerk of his identity and residence before such ballots are counted on election day.

**Sec. 16.** NRS 293C.270 is hereby amended to read as follows:

293C.270 ~~[1.]~~ If a person's name appears in the election board register ~~[or if]~~ and he provides ~~[an affirmation pursuant to NRS 293C.525,]~~ *current and valid photographic identification*, he is entitled to vote and must sign his name in the election board register when he applies to vote. His signature must be compared by an election board officer with the signature or a facsimile thereof on his original application to register to vote or ~~[one of the forms of identification listed in subsection 2.]~~

~~2. The forms of identification that may be used to identify a voter at the polling place are:~~

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

~~(b) A driver's license;~~

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

~~(d) A military identification card; or~~

~~(e) Any other form of identification issued by a governmental agency that contains the voter's signature and physical description or picture.]~~ *the person's current and valid photographic identification.*

**Sec. 17.** NRS 293C.310 is hereby amended to read as follows:

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

2. A registered voter who:

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

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

may request an absent ballot for all elections held during the year he requests an absent ballot.

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

(a) Written request for an absent ballot ~~[that]~~ *which complies with the requirements of subsection 4 and which* is signed by the registered voter and returned to the city clerk in person or by mail or facsimile machine;

(b) Form prescribed by the Secretary of State ~~[that]~~ *which complies with the requirements of subsection 4 and which* is



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1 completed and signed by the registered voter and returned to the city  
2 clerk in person or by mail or facsimile machine; or

3 (c) Form provided by the Federal Government.

4 4. *A written request or a form returned to the city clerk*  
5 *pursuant to paragraph (a) or (b) of subsection 3 must include:*

6 (a) *The name and address of the registered voter requesting*  
7 *the absent ballot;*

8 (b) *The date of birth of the registered voter;*

9 (c) *A statement that the person requesting the absent ballot is a*  
10 *registered voter;*

11 (d) *A statement identifying the election for which the absent*  
12 *ballot is requested;*

13 (e) *If the election identified pursuant to paragraph (d) is a*  
14 *primary election, the political affiliation of the registered voter;*

15 (f) *The address to which the registered voter desires the absent*  
16 *ballot to be mailed, if that address is different than the address*  
17 *provided pursuant to paragraph (a); and*

18 (g) *One of the following:*

19 (1) *The driver's license number of the registered voter;*

20 (2) *The last four digits of the social security number of the*  
21 *registered voter; or*

22 (3) *One of the following that indicates the name and*  
23 *address of the registered voter:*

24 (I) *A copy of a current and valid photographic*  
25 *identification;*

26 (II) *A copy of a current and valid military identification;*  
27 *or*

28 (III) *A copy of a current utility bill, bank statement,*  
29 *paycheck, or document issued by a governmental entity, including*  
30 *a check but other than a voter registration card issued pursuant to*  
31 *subsection 6 of NRS 293.517.*

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

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

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

40 ~~5.1~~ 6. It is unlawful for a person fraudulently to request an  
41 absent ballot in the name of another person or to induce or coerce  
42 another person fraudulently to request an absent ballot in the name  
43 of another person. A person who violates any provision of this  
44 subsection is guilty of a category E felony and shall be punished as  
45 provided in NRS 193.130.



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1     **Sec. 18.** NRS 293C.330 is hereby amended to read as follows:

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

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

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

17    (b) A polling place, including, without limitation, a polling place  
18 for early voting, he must surrender the absent ballot and provide  
19 ~~[satisfactory]~~ *current and valid photographic* identification before  
20 being issued a ballot to vote at the polling place. A person who  
21 receives a surrendered absent ballot shall mark it "Cancelled."

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

27    (a) Provides ~~[satisfactory]~~ *current and valid photographic*  
28 identification;

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

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

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



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1     **Sec. 19.** NRS 293C.3585 is hereby amended to read as  
2 follows:

3     293C.3585 1. Upon the appearance of a person to cast a  
4 ballot for early voting, the deputy clerk for early voting shall:

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

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

7     (c) *Verify the person has current and valid photographic*  
8 *identification; and*

9     (d) Verify the signature of the voter against that contained on the  
10 original application to register to vote or *a* facsimile thereof, the  
11 card issued to the voter at the time of registration or ~~some other~~  
12 ~~piece of official~~ *the person's current and valid photographic*  
13 *identification.*

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

17     3. The roster for early voting must contain:

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

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

21     (c) The date of voting early in person.

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

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

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

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

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

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

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

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

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

41     (d) Allow the voter to cast his vote.

42     7. A voter applying to vote early by personal appearance may  
43 be challenged pursuant to NRS 293C.292.



\* S B 3 8 5 \*

- 1     **Sec. 20.** The provisions of this act become effective on:  
2     1. October 1, 2007, for the purpose of adopting regulations and  
3 performing any other preparatory administrative tasks that are  
4 necessary to carry out the provisions of this act; and  
5     2. October 1, 2008, for all other purposes.

