

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 photographic identification. "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.



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.** *“Photographic identification” means one of the following forms of identification if it bears a recognizable photograph of the person presenting it as identification:*

*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 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.*



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**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 ~~for~~:

~~— (1) 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 ~~for~~:

~~— (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 ~~for~~:

~~— (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~~



\* S B 3 8 5 R 1 \*

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 ~~[or if]~~ and  
14 he provides ~~[an affirmation pursuant to NRS 293.525,]~~  
15 *photographic identification*, he is entitled to vote and must sign his  
16 name in the election board register when he applies to vote. His  
17 signature must be compared by an election board officer with the  
18 signature or a facsimile thereof on his original application to register  
19 to vote or ~~[one of the forms of identification listed in subsection 2.~~

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

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

24 ~~—(b) A driver's license;~~

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

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

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

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

32 293.3081 A person at a polling place may cast a provisional  
33 ballot in an election to vote for a candidate for federal office if the  
34 person complies with the applicable provisions of NRS 293.3082  
35 and:

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

43 2. Applies by mail, on or after January 1, 2003, to register to  
44 vote and has not previously voted in an election for federal office in  
45 this State and fails to provide the *photographic* identification



\* S B 3 8 5 R 1 \*

1 required pursuant to paragraph (a) of subsection 1 of NRS 293.2725  
2 to the election board officer at the polling place; or

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

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

8 293.3085 1. Following each election, a canvass of the  
9 provisional ballots cast in the election must be conducted pursuant  
10 to NRS 293.387 and, if appropriate, pursuant to NRS 293C.387.

11 2. The county and city clerk shall not:

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

14 (b) Open any envelope containing a provisional ballot before  
15 8 a.m. on the Wednesday following election day.

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

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

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

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

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

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

35 293.313 1. Except as otherwise provided in NRS 293.272  
36 and 293.502, a registered voter who provides sufficient written  
37 notice to the county clerk may vote an absent ballot as provided in  
38 this chapter.

39 2. A registered voter who:

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

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

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

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



\* S B 3 8 5 R 1 \*

(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:*

(I) *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 photographic identification;*

(II) *A copy of 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 and general elections immediately following the date on which the county clerk received the request.

~~5.1~~ 6. It is unlawful for a person fraudulently to request an absent ballot in the name of another person or to induce or coerce another person fraudulently to request an absent ballot in the name of another person. A person who violates this subsection is guilty of



1 a category E felony and shall be punished as provided in  
2 NRS 193.130.

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

4 293.330 1. Except as otherwise provided in NRS 293.3157  
5 and subsection 2 of NRS 293.323 and any regulations adopted  
6 pursuant thereto, when an absent voter receives his ballot, he must  
7 mark and fold it  if it is a paper ballot, or punch it  if the ballot  
8 is voted by punching a card, in accordance with the instructions,  
9 deposit it in the return envelope, seal the envelope, affix his  
10 signature on the back of the envelope in the space provided therefor  
11 and mail the return envelope.

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

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

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

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

29 (a) Provides ~~[satisfactory]~~ **photographic** identification;

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

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

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



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**Sec. 14.** 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 person has photographic identification; and*

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

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 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. 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



\* S B 3 8 5 R 1 \*



1 information in the registration concerning the identity or residence  
2 of the voter is fraudulent;

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

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

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

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

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

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

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

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

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

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



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

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

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

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

13 ~~— (b) A driver's license;~~

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

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

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

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

21       293C.310 1. Except as otherwise provided in NRS 293.502  
22 and 293C.265, a registered voter who provides sufficient written  
23 notice to the city clerk may vote an absent ballot as provided in this  
24 chapter.

25       2. A registered voter who:

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

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

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

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

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

36       (b) Form prescribed by the Secretary of State ~~[that]~~ *which*  
37 *complies with the requirements of subsection 4 and which* is  
38 completed and signed by the registered voter and returned to the city  
39 clerk in person or by mail or facsimile machine; or

40       (c) Form provided by the Federal Government.

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

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

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



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

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

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

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

10 (g) *One of the following:*

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

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

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

16 (I) *A copy of photographic identification;*

17 (II) *A copy of military identification; or*

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



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

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

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

30 ~~5.1~~ **6.** It is unlawful for a person fraudulently to request an  
31 absent ballot in the name of another person or to induce or coerce  
32 another person fraudulently to request an absent ballot in the name  
33 of another person. A person who violates any provision of this  
34 subsection is guilty of a category E felony and shall be punished as  
35 provided in NRS 193.130.

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

37 293C.330 1. Except as otherwise provided in NRS 293C.315  
38 and subsection 2 of NRS 293C.322 and any regulations adopted  
39 pursuant thereto, when an absent voter receives his ballot, he must  
40 mark and fold it  if it is a paper ballot, or punch it  if the ballot  
41 is voted by punching a card, in accordance with the instructions,  
42 deposit it in the return envelope, seal the envelope, affix his  
43 signature on the back of the envelope in the space provided therefor  
44 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]~~ **photographic** 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]~~ **photographic** 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. 19.** 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 person has photographic identification; and**

(d) Verify the signature of the voter against that contained on the original application to register to vote or **a** facsimile thereof, the card issued to the voter at the time of registration or ~~[some other piece of official]~~ **the person's photographic** identification.



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

**Sec. 20.** The provisions of this act become effective on:

1. October 1, 2007, for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. October 1, 2008, for all other purposes.

