

SENATE BILL NO. 401—SENATORS HORSFORD, TITUS,
CARE, COFFIN AND WOODHOUSE

MARCH 19, 2007

JOINT SPONSORS: ASSEMBLYMEN SEGERBLOM,
ATKINSON, LESLIE AND BOBZIEN

Referred to Committee on Legislative Operations and Elections

SUMMARY—Eliminating the deadline for registering to vote in an election. (BDR 24-248)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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; eliminating the deadline for registering to vote in an election; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that the period for registering to vote at an election ends at 9 p.m. on the third Tuesday preceding an election. For the period beginning on the fifth Sunday preceding an election and ending on the third Tuesday preceding an election, an elector may register to vote only by appearing in person at the office of the county clerk. (NRS 293.560) This bill eliminates the deadline for registering to vote for an election and provides that a person may register to vote at the office of the county or city clerk from the period beginning on the fifth Sunday preceding an election until the polls close on election day.

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

Section 1. NRS 293.273 is hereby amended to read as follows:
293.273 1. Except as otherwise provided in ~~subsection 2~~
~~and~~ NRS 293.305, at all elections held under the provisions of this
title, the polls must open at 7 a.m. and close at 7 p.m.



~~2. [Whenever at any election all the votes of the precinct or district, as shown on the roster, have been cast, the election board officers shall close the polls, and the counting of votes must begin and continue without unnecessary delay until the count is completed.]~~

~~—3.]~~ Upon opening the polls, one of the election board officers shall cause a proclamation to be made that all present may be aware of the fact that applications of registered voters to vote will be received.

~~[4.]~~ 3. No person other than election board officers engaged in receiving, preparing or depositing ballots may be permitted inside the guardrail during the time the polls are open, except by authority of the election board as necessary to keep order and carry out the provisions of this title.

Sec. 2. NRS 293.543 is hereby amended to read as follows:

293.543 1. If the registration of an elector is cancelled pursuant to subsection 2 of NRS 293.540, the county clerk shall reregister the elector upon notice from the clerk of the district court that the elector has been declared sane or mentally competent by the district court.

2. If the registration of an elector is cancelled pursuant to subsection 3 of NRS 293.540, the elector may reregister after he presents satisfactory evidence which demonstrates that:

(a) His conviction has been overturned; or

(b) His civil rights have been restored:

(1) If he was convicted in this State, pursuant to the provisions of NRS 213.090, 213.155 or 213.157.

(2) If he was convicted in another state, pursuant to the laws of the state in which he was convicted.

3. If the registration of an elector is cancelled pursuant to the provisions of subsection 5 of NRS 293.540, the elector may reregister immediately.

~~[4. If the registration of an elector is cancelled pursuant to the provisions of subsection 6 of NRS 293.540, after the close of registration for a primary election, the elector may not reregister until after the primary election.]~~

Sec. 3. NRS 293.557 is hereby amended to read as follows:

293.557 1. The county clerk may cause to be published once in each of the newspapers circulated in different parts of the county or cause to be published once in a newspaper circulated in the county:

(a) An alphabetical listing of all registered voters, including the precinct of each voter:



(1) Within the circulation area of each newspaper if the listing is published in each newspaper circulated in different parts of the county; or

(2) Within the entire county if the listing is published in only one newspaper in the county; or

(b) A statement notifying the public that the county clerk will provide an alphabetical listing of the names of all registered voters in the entire county and the precinct of each voter free of charge to any person upon request.

2. If the county clerk publishes the list of registered voters, he must do so:

(a) Not less than ~~[2]~~ 3 weeks before the ~~[close of registration for any]~~ primary election.

(b) After each primary election and not less than ~~[2]~~ 3 weeks before ~~[the close of registration for]~~ the ensuing general election.

3. The county may not pay more than 10 cents per name for six-point or seven-point type or 15 cents per name for eight-point type or larger to each newspaper publishing the list.

4. The list of registered voters, if published, must not be printed in type smaller than six-point.

Sec. 4. NRS 293.560 is hereby amended to read as follows:

293.560 1. Except as otherwise provided in NRS 293.502, registration must close ~~[at 9 p.m. on the third Tuesday preceding]~~ *for* any primary or general election ~~[and at 9 p.m. on the third Saturday preceding]~~ *or* any recall or special election ~~[, except that if a recall or special election is held on the same day as a primary or general election, registration must close at 9 p.m. on the third Tuesday preceding the day of the elections.]~~ *at the time at which the polls for that election are required to close pursuant to the provisions of NRS 293.273.*

2. The office of the county clerk must be open from 9 a.m. to 5 p.m. and from 7 p.m. to 9 p.m., including Saturdays, during the last days before the close of registration, according to the following schedule:

(a) In a county whose population is less than 100,000, the office of the county clerk must be open during the last day before registration closes.

(b) In all other counties, the office of the county clerk must be open during the last 5 days before registration closes.

3. Except for a special election held pursuant to chapter 306 or 350 of NRS:

(a) The county clerk of each county shall cause a notice signed by him to be published in a newspaper having a general circulation in the county indicating:



(1) The ~~[day that registration will be closed;]~~ *period during which an elector must appear in person at the office of the county clerk to register to vote for an election pursuant to subsection 5;* and

(2) If the county clerk has designated a county facility pursuant to NRS 293.5035, the location of that facility.

↳ If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest county in this State.

(b) The notice must be published once each week for 4 consecutive weeks next preceding the ~~[close of registration]~~ *last day an elector may register to vote without appearing in person* for any election.

4. The offices of the county clerk, a county facility designated pursuant to NRS 293.5035 and other ex officio registrars may remain open on the last Friday in October in each even-numbered year.

5. For the period beginning on the fifth Sunday preceding any primary or general election and ending ~~[on the third Tuesday preceding any primary or general election;]~~ *when the polls close for that election pursuant to the provisions of NRS 293.273*, an elector may register to vote only by appearing in person at the office of the county clerk or, if open, a county facility designated pursuant to NRS 293.5035.

6. A county facility designated pursuant to NRS 293.5035 may be open during the periods described in this section for such hours of operation as the county clerk may determine, as set forth in subsection 3 of NRS 293.5035.

Sec. 5. NRS 293.567 is hereby amended to read as follows:

293.567 After the ~~[close of registration]~~ *last day an elector may register to vote without appearing in person* for each primary election but not later than the second Friday next preceding the primary election and after the ~~[close of registration]~~ *last day an elector may register to vote without appearing in person* for each general election but not later than the second Friday next preceding the general election, the county clerk shall ascertain by precinct and district the number of registered voters in the county and their political affiliation, if any, and shall transmit that information to the Secretary of State.

Sec. 6. NRS 293C.267 is hereby amended to read as follows:

293C.267 1. Except as otherwise provided in ~~[subsection 2 and]~~ NRS 293C.297, at all elections held pursuant to the provisions of this chapter, the polls must open at 7 a.m. and close at 7 p.m.

2. ~~[Whenever at any election all the votes of the precinct or district, as shown on the roster, have been cast, the election board~~



~~officers shall close the polls and the counting of votes must begin and continue without unnecessary delay until the count is completed.~~

~~3.]~~ Upon opening the polls, one of the election board officers shall cause a proclamation to be made so that all present may be aware of the fact that applications of registered voters to vote will be received.

~~[4.]~~ 3. No person other than election board officers engaged in receiving, preparing or depositing ballots may be permitted inside the guardrail during the time the polls are open, except by authority of the election board as necessary to keep order and carry out the provisions of this chapter.

Sec. 7. NRS 293C.527 is hereby amended to read as follows:

293C.527 1. Except as otherwise provided in NRS 293.502, registration must close ~~[at 9 p.m. on the third Tuesday preceding]~~ *for* any primary city election or general city election ~~[and at 9 p.m. on the third Saturday preceding]~~ *or* any recall or special election ~~[;~~ *except that if a recall or special election is held on the same day as a primary city election or general city election, registration must close at 9 p.m. on the third Tuesday preceding the day of the elections.] at the time at which the polls for that election are required to close pursuant to NRS 293C.267.*

2. The office of the city clerk must be open from 9 a.m. to 5 p.m. and from 7 p.m. to 9 p.m., including Saturdays, during the last days before the close of registration before a primary city election or general city election, according to the following schedule:

(a) In a city whose population is less than 25,000, the office of the city clerk must be open during the last 3 days before registration closes.

(b) In a city whose population is 25,000 or more, the office of the city clerk must be open during the last 5 days before registration closes.

3. Except for a special election held pursuant to chapter 306 or 350 of NRS:

(a) The city clerk of each city shall cause a notice signed by him to be published in a newspaper having a general circulation in the city indicating:

(1) The ~~[day that registration will be closed; and]~~ *period during which an elector must appear in person at the office of the city clerk to register to vote for an election pursuant to subsection 4; and*

(2) If the city clerk has designated a municipal facility pursuant to NRS 293C.520, the location of that facility.



1 ➡ If no newspaper is of general circulation in that city, the
2 publication may be made in a newspaper of general circulation in
3 the nearest city in this State.

4 (b) The notice must be published once each week for 4
5 consecutive weeks next preceding the ~~[close of registration]~~ *last day*
6 *an elector may register to vote without appearing in person* for any
7 election.

8 4. For the period beginning on the fifth Sunday preceding any
9 primary city election or general city election and ending ~~[on the~~
10 ~~third Tuesday preceding any primary city election or general city~~
11 ~~election,]~~ *when the polls close for that election pursuant to the*
12 *provisions of NRS 293C.267,* an elector may register to vote only
13 by appearing in person at the office of the city clerk or, if open, a
14 municipal facility designated pursuant to NRS 293C.520.

15 5. A municipal facility designated pursuant to NRS 293C.520
16 may be open during the periods described in this section for such
17 hours of operation as the city clerk may determine, as set forth in
18 subsection 3 of NRS 293C.520.

19 **Sec. 8.** NRS 266.3864 is hereby amended to read as follows:

20 266.3864 1. If the question of the sale or lease of the city-
21 owned electric light and power system is submitted at a city or state
22 primary or general election, no notice of registration of electors is
23 required other than that required by the general election laws for
24 such election. If the question is submitted at a special election, the
25 county clerk shall, at the expense of the city, cause to be published
26 at least once a week for 5 consecutive weeks by five weekly
27 insertions a week apart, the first publication to be not more than 60
28 days nor less than 45 days next preceding the election, in a
29 newspaper published within the county and having a general
30 circulation in the city, a notice signed by him to the effect that
31 registration for the special election will be closed ~~[on a date~~
32 ~~designated therein, as provided in this section,]~~ *at the time at which*
33 *the polls for that election are required to close pursuant to the*
34 *provisions of NRS 293.273.*

35 2. Except as provided in this subsection, the office of the
36 county clerk shall be open for such a special election from 9 a.m. to
37 12 m. and from 1 p.m. to 5 p.m. on Mondays through Fridays, with
38 Saturdays, Sundays and legal holidays excepted, for the registration
39 of any qualified elector. ~~[During the 5 days preceding the close of~~
40 ~~registration before such a special election, the office of the county~~
41 ~~clerk shall be open from 9 a.m. to 5 p.m. and from 7 p.m. to 9 p.m.~~
42 ~~on Monday through Saturday, with Sunday and any legal holidays~~
43 ~~excepted.~~

44 ~~3. The office of the county clerk shall be opened for~~
45 ~~registration of voters for such special election from and including~~



~~the 20th day next preceding such election and up to but excluding the 10th day next preceding such election and during regular office hours.]~~

Sec. 9. NRS 318.09525 is hereby amended to read as follows:

318.09525 1. Any person residing within a district who is otherwise qualified to vote at general elections in this State may register to vote in district elections by appearing before the county clerk or registrar of voters of the county in which the district is located and completing an application to register to vote in accordance with the general election laws of this State. Registration for a district election which is not held simultaneously with a general election must close at ~~[5 p.m. of the fifth Friday preceding the district election]~~ *the time at which the polls for that election are required to close pursuant to the provisions of NRS 293.273*, and registration offices must be open from 9 a.m. to 5 p.m., excluding Saturdays, during the last days before the close of registration. If a person residing within a district is otherwise registered to vote, new registration for district elections is not required.

2. The county clerk or registrar of voters shall, at the expense of the district, prepare and maintain a list of all registered voters residing within the district. The county clerk or registrar of voters is entitled to receive on behalf of the county the sum of 15 cents for each registration placed on the list. All money so received must be deposited to the credit of the general fund of the county.

3. Whenever a district election is required the county clerk or registrar of voters shall submit the current list, showing all persons who are registered to vote in that election, to the election officers who are charged with the duty of conducting the required election.

Sec. 10. NRS 349.017 is hereby amended to read as follows:

349.017 1. If the bond question is submitted at a general election, no notice of registration of electors is required other than that required by the laws for a general election.

2. If the bond question is submitted at a special election, the clerk of each county shall cause to be published, at least once a week for 2 consecutive weeks by two weekly insertions a week apart, the first publication to be not more than 50 days nor less than 42 days next preceding the election, in a newspaper published within the county, if any is so published, and having a general circulation therein, a notice signed by him to the effect that registration for the special election will be closed ~~[on a date designated therein, as provided in this section.]~~ *at the time at which the polls for that election are required to close pursuant to the provisions of NRS 293.273.*

3. Except as otherwise provided in subsection 4, the office of the county clerk in each county of this State must be open for such a



1 special election, from 9 a.m. to 12 m. and 1 p.m. to 5 p.m. on
2 Mondays through Fridays, with Saturdays, Sundays and legal
3 holidays excepted, for the registration of any qualified elector.

4 4. The office of the county clerk must be open from 9 a.m. to
5 5 p.m. and from 7 p.m. to 9 p.m. on Monday through Saturday, with
6 Sundays and any legal holidays excepted, during the last days of
7 registration as provided in subsection 2 of NRS 293.560.

8 5. The office of the county clerk must be open for registration
9 of voters for such a special election up to but excluding the 30th day
10 next preceding that election and during regular office hours.

11 **Sec. 11.** NRS 293.490 and 293.513 are hereby repealed.

TEXT OF REPEALED SECTIONS

293.490 Residence not lost upon removal from county or precinct. Any registered voter removing from one county to another in the State, or from one precinct to another within the same county, after the close of registration for any election shall be deemed to retain his residence in the county or precinct removed from for the purposes of that election.

293.513 Elector may register for other elections despite closing of registration for impending election. If at any time the registrar of voters' register is closed for one election, but open for some other election, any elector must be permitted to register for the other election, but the county clerk shall retain the elector's application to register to vote in a separate file until the registrar of voters' register is again open for filing of applications at which time all applications in the temporary file must be placed in their proper position in the registrar of voters' register.

