

Amendment No. 489

Senate Amendment to Senate Bill No. 385

(BDR 24-447)

Proposed by: Senate Committee on Legislative Operations and Elections**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

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

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

JLW/BJE



Date: 4/18/2007

S.B. No. 385—Revises certain provisions relating to voter identification.
(BDR 24-447)



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]~~ **"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. ~~["Current and valid photographic"]~~ **"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 ~~+~~

~~_____ (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 ~~for~~ ~~_____ (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.}~~

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

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

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

~~_____ (e)} (d) Is entitled to vote otherwise than in person under any other federal law.~~

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

293.277 ~~_____ {1-}~~ Except as otherwise provided in NRS 293.541, if a person's name appears in the election board register ~~for if} and~~ he provides ~~[an affirmation pursuant to NRS 293.525,] [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. Except as otherwise provided in NRS 293.2725, the forms of identification which may be used individually 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 which contains the voter's signature and physical description or picture.} the person's [current and valid] photographic identification.~~

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

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

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

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

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

~~[-5-]~~ 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 a category E felony and shall be punished as provided in NRS 193.130.

Sec. 13. 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] [current and valid] 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 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] [current and valid] 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 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. 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 ~~[current and valid] 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* ~~[current and valid] 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 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 ~~the~~:

~~—(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.**

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 ~~1-1~~ If a person's name appears in the election board register ~~for~~ **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 completed and signed by the registered voter and returned to the city 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 city 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.

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

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

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

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

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

13 293C.330 1. Except as otherwise provided in NRS 293C.315 and subsection
14 2 of NRS 293C.322 and any regulations adopted pursuant thereto, when an absent
15 voter receives his ballot, he must mark and fold it ~~if~~ if it is a paper ballot, or punch
16 it ~~if~~ if the ballot is voted by punching a card, in accordance with the instructions,
17 deposit it in the return envelope, seal the envelope, affix his signature on the back
18 of the envelope in the space provided therefor and mail the return envelope.

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

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

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

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

32 (a) Provides ~~satisfactory~~ ~~current and valid~~ **photographic** identification;

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

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

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

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

46 293C.3585 1. Upon the appearance of a person to cast a ballot for early
47 voting, the deputy clerk for early voting shall:

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

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

50 (c) **Verify the person has** ~~current and valid~~ **photographic identification;**
51 **and**

52 (d) Verify the signature of the voter against that contained on the original
53 application to register to vote or **a** facsimile thereof, the card issued to the voter at

1 the time of registration or ~~[some other piece of official]~~ *the person's [current and*
2 *valid] photographic* identification.

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

5 3. The roster for early voting must contain:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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