

CHAPTER.....

AN ACT relating to elections; enacting the Uniformed Military and Overseas Absentee Voters Act; repealing certain provisions governing the use of absent ballots by Armed Forces of the United States personnel and overseas citizens; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

This bill enacts the Uniformed Military and Overseas Absentee Voters Act, which authorizes members of the Armed Forces of the United States and their spouses and dependents, and certain other electors of this State who reside outside the United States: (1) to request forms for voter registration, absent ballots and the form provided by the Federal Government for simultaneous registration and request of an absent ballot; and (2) to return voted ballots by approved electronic transmission. This bill repeals existing provisions of law governing the use and return of an absent ballot by a registered voter of this State who is a member of the Armed Forces, is an overseas citizen or resides outside the continental United States.

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

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

Section 1. Title 24 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 29, inclusive, of this act.

Sec. 2. *This chapter may be cited as the Uniformed Military and Overseas Absentee Voters Act.*

Sec. 3. *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 4 to 10, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 4. *“Covered voter” means:*

- 1. A uniformed-service voter;*
- 2. An overseas voter; or*
- 3. A spouse or dependent of a uniformed-service voter.*

Sec. 5. *“Local elections official” means a city clerk, county clerk or registrar of voters, as applicable.*

Sec. 6. *“Military-overseas ballot” means:*

- 1. A federal write-in absentee ballot described in section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. § 1973ff-2;*



2. A ballot specifically prepared or distributed for use by a covered voter in accordance with this chapter; or

3. Any other ballot cast by a covered voter in accordance with this chapter.

Sec. 7. “Overseas voter” means a United States citizen who is outside the United States and is eligible to be a covered voter pursuant to section 13 of this act.

Sec. 8. “Residency requirement” means the requirement contained in NRS 293.485 that a person must continuously reside in this State, the county and the precinct for the purposes of qualifying to register to vote in this State.

Sec. 9. “State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States.

Sec. 10. “Uniformed-service voter” means an elector who is:

1. A member of the active or reserve components of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United States who is on active duty;

2. A member of the Merchant Marine, the Commissioned Corps of the Public Health Service or the Commissioned Corps of the National Oceanic and Atmospheric Administration of the United States;

3. A member of the National Guard or state militia unit who is on activated status; or

4. A spouse or dependent of a person described in subsection 1, 2 or 3.

Sec. 11. The voting procedures set forth in this chapter apply to every primary election, general election or special election in which a candidate for federal office appears on the ballot.

Sec. 12. 1. The Secretary of State shall make available to covered voters information regarding voter registration procedures for covered voters and procedures for casting military-overseas ballots.

2. The Secretary of State shall establish a system of approved electronic transmission through which covered voters may apply for and receive documents and other information pursuant to this chapter.

3. The Secretary of State shall develop standardized absentee-voting materials, including, without limitation, privacy and transmission envelopes and their electronic equivalents, authentication materials and voting instructions, to be used with the military-overseas ballot of a covered voter authorized to vote in



any jurisdiction in this State and, to the extent reasonably possible, shall do so in coordination with other states.

4. The Secretary of State shall prescribe the form and content of a declaration for use by a covered voter to swear or affirm specific representations pertaining to the covered voter's identity, eligibility to vote, status as a covered voter and timely and proper completion of a military-overseas ballot. The declaration must be based on the declaration prescribed to accompany a federal write-in absentee ballot under section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. § 1973ff-2, as modified to be consistent with this chapter. The Secretary of State shall ensure that a form for the execution of the declaration, including an indication of the date of execution of the declaration, is a prominent part of all balloting materials for which the declaration is required.

Sec. 13. *An overseas voter is eligible to be a covered voter if:*

1. Before leaving the United States, the overseas voter was eligible to vote in this State and, except for the residency requirement, otherwise satisfies this State's voter eligibility requirements;

2. Before leaving the United States, the overseas voter would have been eligible to vote in this State had the overseas voter then been of voting age and, except for the residency requirement, otherwise satisfies this State's voter eligibility requirements; or

3. Was born outside the United States and, except for the residency requirement, otherwise satisfies the voter eligibility requirements set forth in NRS 293.485, so long as:

(a) The last place where a parent or legal guardian of the overseas voter was, or under this chapter would have been, eligible to vote before leaving the United States is within this State; and

(b) The overseas voter is not registered to vote in any other state.

Sec. 14. *In registering to vote, a covered voter shall use and must be assigned to the precinct of the address of the last place of residence of the covered voter in this State or, in the case of a dependent, the address of the last place of residence in this State of the parent or legal guardian of the covered voter. If the last place of residence in this State has not been assigned a street address, the address at which the covered voter resides for purposes of this section is a description of the location at which the voter actually resides. The description must identify the location with sufficient specificity to allow the county clerk to assign the location to a precinct.*



Sec. 15. 1. *In addition to any other method of registering to vote set forth in chapter 293 of NRS, a covered voter may use a federal postcard application, as prescribed under section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. § 1973ff(b)(2), or the application's electronic equivalent, to apply to register to vote.*

2. A covered voter may use the declaration accompanying the federal write-in absentee ballot, as prescribed under section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. § 1973ff-2, to apply to register to vote simultaneously with the submission of the federal write-in absentee ballot, if the declaration is received by the seventh day before the election. If the declaration is received after the seventh day before the election, it must be treated as an application to register to vote for subsequent elections.

3. The Secretary of State shall ensure that the system of approved electronic transmission described in subsection 2 of section 12 of this act is capable of accepting both a federal postcard application and any other approved electronic registration application sent to the appropriate local elections official. The covered voter may use the system of approved electronic transmission or any other method set forth in chapter 293 of NRS to register to vote.

Sec. 16. 1. *A covered voter who is registered to vote in this State may apply for a military-overseas ballot by submitting a federal postcard application, as prescribed under section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. § 1973ff(b)(2), or the application's electronic equivalent, pursuant to this section.*

2. A covered voter who is not registered to vote in this State may use the federal postcard application or the application's electronic equivalent simultaneously to apply to register to vote pursuant to section 15 of this act and to apply for a military-overseas ballot.

3. The Secretary of State shall ensure that the system of approved electronic transmission described in subsection 2 of section 12 of this act is capable of accepting the submission of both a federal postcard application and any other approved electronic military-overseas ballot application sent to the appropriate local elections official. The covered voter may use approved electronic transmission or any other method approved by the Secretary of State to apply for a military-overseas ballot.

4. A covered voter may use the declaration accompanying the federal write-in absentee ballot, as prescribed under section 103 of



the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. § 1973ff-2, as an application for a military-overseas ballot simultaneously with the submission of the federal write-in absentee ballot, if the declaration is received by the appropriate local elections official by the seventh day before the election.

5. To receive the benefits of this chapter, a covered voter must inform the appropriate local elections official that he or she is a covered voter. Methods of informing the appropriate local elections official that a person is a covered voter include, without limitation:

(a) The use of a federal postcard application or federal write-in absentee ballot;

(b) The use of an overseas address on an approved voting registration application or ballot application; and

(c) The inclusion on an application to register to vote or an application for a military-overseas ballot of other information sufficient to identify that the person is a covered voter.

6. This chapter does not prohibit a covered voter from applying for an absent ballot pursuant to the provisions of NRS 293.315 or voting in person.

Sec. 17. An application for a military-overseas ballot is timely if received by the seventh day before the election. An application for a military-overseas ballot for a primary election, whether or not timely, is effective as an application for a military-overseas ballot for the general election.

Sec. 18. 1. For all covered elections for which this State has not received a waiver pursuant to section 579 of the Military and Overseas Voter Empowerment Act, 42 U.S.C. § 1973ff-1(g)(2), not later than 45 days before the election or, if the 45th day before the election is a weekend or holiday, not later than the business day preceding the 45th day, the local elections official in each jurisdiction charged with distributing military-overseas ballots and balloting materials shall transmit military-overseas ballots and balloting materials to all covered voters who by that date submit a valid application for military-overseas ballots.

2. A covered voter who requests that a military-overseas ballot and balloting materials be sent to the covered voter by approved electronic transmission may choose to receive the military-overseas ballot and balloting materials by facsimile transmission or electronic mail delivery. The local elections official in each jurisdiction shall transmit the military-overseas ballot and balloting materials to the covered voter using the means of approved electronic transmission chosen by the covered voter.



3. *If an application for a military-overseas ballot from a covered voter arrives after the jurisdiction begins transmitting ballots and balloting materials to other voters, the local elections official shall transmit the military-overseas ballot and balloting materials to the covered voter not later than 2 business days after the application arrives.*

Sec. 19. *A military-overseas ballot must be received by the appropriate local elections official not later than the close of the polls.*

Sec. 20. 1. *Except as otherwise provided in subsection 2, a covered voter may use the federal write-in absentee ballot, in accordance with section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. § 1973ff-2, to vote for all offices and ballot measures in an election.*

2. *If the covered voter indicates on the federal write-in absentee ballot that he or she is residing overseas indefinitely, the covered voter may only use the federal write-in absentee ballot to vote for federal offices.*

Sec. 21. (Deleted by amendment.)

Sec. 22. *Each military-overseas ballot must include or be accompanied by a declaration signed by the covered voter declaring that a material misstatement of fact in completing the document may be grounds for a conviction of perjury under the laws of the United States or this State.*

Sec. 23. *The Secretary of State, in coordination with local elections officials, shall establish and maintain an electronic free-access system which uses the telephone, electronic mail or the Internet so that a covered voter may determine whether:*

1. *The covered voter's federal postcard application or other registration or military-overseas ballot application has been received and accepted; and*

2. *The covered voter's military-overseas ballot has been received and the current status of the military-overseas ballot.*

Sec. 24. 1. *The local elections official shall request an electronic-mail address from each covered voter who registers to vote. An electronic-mail address provided by a covered voter is confidential and is not a public book or record within the meaning of NRS 239.010. A local elections official may not release a covered voter's electronic-mail address to a third party. A local elections official may use the address only to communicate with the covered voter about the voting process, including transmitting military-overseas ballots and election materials if the covered voter has requested electronic transmission, and verifying the covered voter's mailing address and physical location, as needed. A*



request for an electronic-mail address under this subsection must describe the purpose for which the electronic-mail address will be used and state that any other use or disclosure is prohibited.

2. A covered voter who provides an electronic-mail address may request that his or her application for a military-overseas ballot be considered a standing request for electronic delivery of a ballot for all elections held through December 31 of the year following the calendar year of the date of the application or another shorter period the covered voter specifies. The local elections official shall provide a military-overseas ballot to a covered voter who makes a request for each election to which the request is applicable. A covered voter who is entitled to receive a military-overseas ballot for a primary election under this subsection is also entitled to receive a military-overseas ballot for the general election.

Sec. 25. A local elections official who establishes and maintains an Internet website shall make updated versions of his or her election notices regularly available on the website.

Sec. 26. If a covered voter's mistake or omission in the completion of a document under this chapter does not prevent determining whether a covered voter is eligible to vote, the mistake or omission does not invalidate the document. Failure to satisfy a nonessential requirement, including, without limitation, using paper or envelopes of a specified size or weight, does not invalidate any document submitted under this chapter. In any write-in ballot authorized by this chapter, if the intention of the covered voter is discernable under this State's uniform definition of what constitutes a vote, as required by the Help America Vote Act of 2002, 42 U.S.C. § 15481(a)(6), an abbreviation, misspelling or other minor variation in the form of the name of a candidate or a political party must be accepted as a valid vote.

Sec. 27. A court may issue an injunction or grant other equitable relief appropriate to ensure substantial compliance with, or enforce, this chapter on application by:

- 1. A covered voter alleging a grievance under this chapter; or*
- 2. The Secretary of State or a local elections official.*

Sec. 28. In applying and construing this chapter, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that have enacted the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. § 1973ff et seq.

Sec. 29. This chapter modifies, limits and supersedes the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. § 7001 et seq., but does not modify, limit or supersede



Section 101(c) of that Act, 15 U.S.C. § 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that Act, 15 U.S.C. § 7003(b).

Sec. 30. NRS 293.250 is hereby amended to read as follows:

293.250 1. ~~[The]~~ *Except as otherwise provided in sections 2 to 29, inclusive, of this act, the* Secretary of State shall, in a manner consistent with the election laws of this State, prescribe:

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

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

2. ~~[The]~~ *Except as otherwise provided in sections 2 to 29, inclusive, of this act, the* Secretary of State shall prescribe with respect to the matter to be printed on every kind of ballot:

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

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

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

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

5. The condensations and explanations for constitutional amendments and statewide measures proposed by initiative or referendum must be prepared by the Secretary of State, upon consultation with the Attorney General. The arguments and rebuttals for or against constitutional amendments and statewide measures proposed by initiative or referendum must be prepared in the manner set forth in NRS 293.252. The fiscal notes for constitutional amendments and statewide measures proposed by initiative or referendum must be prepared by the Secretary of State, upon consultation with the Fiscal Analysis Division of the Legislative Counsel Bureau. The condensations, explanations, arguments, rebuttals and fiscal notes must be in easily understood language and



of reasonable length, and whenever feasible must be completed by August 1 of the year in which the general election is to be held.

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

7. A county clerk:

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

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

Sec. 31. NRS 293.270 is hereby amended to read as follows:

293.270 1. Voting at any election regulated by this title must be on printed ballots or by any other system approved by the Secretary of State or specifically authorized by law.

2. Except as otherwise provided in ~~NRS 293.3155,~~ *sections 2 to 29, inclusive, of this act*, voting must be only upon candidates whose names appear upon the ballot prepared by the election officers, and no person may write in the name of an additional candidate for any office.

Sec. 32. NRS 293.310 is hereby amended to read as follows:

293.310 1. Except as otherwise provided in NRS 293.330 ~~and~~ *and sections 2 to 29, inclusive, of this act*, a registered voter who requests and receives an absent voter's ballot may vote only by absent ballot at the election for which the absent ballot was issued.

2. If a registered voter has requested an absent ballot and the ballot has been mailed or issued, the county clerk shall notify the precinct or district election board that the registered voter has requested an absent ballot.

Sec. 33. (Deleted by amendment.)

Sec. 34. NRS 293.320 is hereby amended to read as follows:

293.320 ~~and~~ The county clerk shall determine before issuing an absent ballot that the person making application is a registered voter in the proper county.

~~[2. — Armed Forces personnel and overseas citizens who are not registered to vote and are applying for absent ballots must complete:~~

~~— (a) The application to register to vote required by NRS 293.517 for registration;~~

~~— (b) The form provided by the Federal Government for registration and request of an absent ballot, pursuant to the provisions of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et seq.; or~~

~~— (c) A special absent ballot used only for purposes of registering the person to vote;~~



~~→ before receiving an absent ballot.~~

~~3. If the county clerk rejects an application submitted pursuant to subsection 2, the county clerk shall inform the applicant of the reason for the rejection.]~~

Sec. 35. NRS 293.323 is hereby amended to read as follows:

293.323 1. Except as otherwise provided in subsection 2 and ~~[NRS 293.3157.]~~ *sections 2 to 29, inclusive, of this act*, if the request for an absent ballot is made by mail or facsimile machine, the county clerk shall, as soon as the official absent ballot for the precinct or district in which the applicant resides has been printed, send to the voter by first-class mail, or by any class of mail if the Official Election Mail logo or an equivalent logo or mark created by the United States Postal Service is properly placed on the official absent ballot:

- (a) An absent ballot;
- (b) A return envelope;
- (c) An envelope or similar device into which the ballot is inserted to ensure its secrecy;
- (d) An identification envelope, if applicable ; ~~[pursuant to NRS 293.3157.]~~ and
- (e) Instructions.

2. If the county clerk fails to send an absent ballot pursuant to subsection 1 to a voter who resides within the continental United States, the county clerk may use a facsimile machine to send an absent ballot and instructions to the voter. The voter may mail the absent ballot to the county clerk or submit the absent ballot by facsimile machine.

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

4. Nothing may be enclosed or sent with an absent ballot except as required by subsection 1 or 2 and ~~[NRS 293.3157.]~~ *sections 2 to 29, inclusive, of this act.*

5. Before depositing a ballot in the mail or sending a ballot by facsimile machine, the county clerk shall record the date the ballot is issued, the name of the registered voter to whom it is issued, the registered voter's precinct or district, and political affiliation, if any, the number of the ballot and any remarks the county clerk finds appropriate.

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



Sec. 36. 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 sections 2 to 29, inclusive, of this act*, and any regulations adopted pursuant thereto, when an absent voter receives an absent ballot, the absent voter must mark and fold it in accordance with the instructions, deposit it in the return envelope, seal the envelope, affix his or her 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, the absent voter must mark the ballot, seal it in the return envelope and affix his or her 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, the absent voter must surrender the absent ballot and provide satisfactory identification before being issued a ballot to vote at the polling place. A person who receives a surrendered absent ballot shall mark it "Cancelled."

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

(a) Provides satisfactory identification;

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

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

4. Except as otherwise provided in NRS 293.316, it is unlawful for any person to return an absent ballot other than the voter who requested the absent ballot or, at the request of the voter, a member of the voter's 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 the person is a member of the family of the voter who requested the absent ballot and that the voter requested that the person 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. 37. NRS 293.517 is hereby amended to read as follows:

293.517 1. Any elector residing within the county may register:

(a) Except as otherwise provided in NRS 293.560 and 293C.527, by appearing before the county clerk, a field registrar or a voter registration agency, completing the application to register to vote, giving true and satisfactory answers to all questions relevant to his or her identity and right to vote, and providing proof of residence and identity;

(b) By completing and mailing or personally delivering to the county clerk an application to register to vote pursuant to the provisions of NRS 293.5235;

(c) Pursuant to the provisions of NRS ~~[293.501 or]~~ 293.524 ~~[;]~~ *or sections 2 to 29, inclusive, of this act;* or

(d) At his or her residence with the assistance of a field registrar pursuant to NRS 293.5237.

↪ The county clerk shall require a person to submit official identification as proof of residence and identity, such as a driver's license or other official document, before registering the person. If the applicant registers to vote pursuant to this subsection and fails to provide proof of residence and identity, the applicant must provide proof of residence and identity before casting a ballot in person or by mail or after casting a provisional ballot pursuant to NRS 293.3081 or 293.3083. For the purposes of this subsection, a voter registration card issued pursuant to subsection 6 does not provide proof of the residence or identity of a person.

2. The application to register to vote must be signed and verified under penalty of perjury by the elector registering.

3. Each elector who is or has been married must be registered under his or her own given or first name, and not under the given or first name or initials of his or her spouse.

4. An elector who is registered and changes his or her name must complete a new application to register to vote. The elector may obtain a new application:

(a) At the office of the county clerk or field registrar;

(b) By submitting an application to register to vote pursuant to the provisions of NRS 293.5235;

(c) By submitting a written statement to the county clerk requesting the county clerk to mail an application to register to vote; or

(d) At any voter registration agency.

↪ If the elector fails to register under his or her new name, the elector may be challenged pursuant to the provisions of



NRS 293.303 or 293C.292 and may be required to furnish proof of identity and subsequent change of name.

5. Except as otherwise provided in subsection 7, an elector who registers to vote pursuant to paragraph (a) of subsection 1 shall be deemed to be registered upon the completion of an application to register to vote.

6. After the county clerk determines that the application to register to vote of a person is complete and that , *except as otherwise provided in section 13 of this act*, the person is eligible to vote pursuant to NRS 293.485, the county clerk shall issue a voter registration card to the voter which contains:

- (a) The name, address, political affiliation and precinct number of the voter;
- (b) The date of issuance; and
- (c) The signature of the county clerk.

7. If an elector submits an application to register to vote or an affidavit described in paragraph (c) of subsection 1 of NRS 293.507 that contains any handwritten additions, erasures or interlineations, the county clerk may object to the application to register to vote if the county clerk believes that because of such handwritten additions, erasures or interlineations, the application to register to vote of the elector is incomplete or that , *except as otherwise provided in section 13 of this act*, the elector is not eligible to vote pursuant to NRS 293.485. If the county clerk objects pursuant to this subsection, he or she shall immediately notify the elector and the district attorney of the county. Not later than 5 business days after the district attorney receives such notification, the district attorney shall advise the county clerk as to whether:

(a) The application to register to vote of the elector is complete and , *except as otherwise provided in section 13 of this act*, the elector is eligible to vote pursuant to NRS 293.485; and

(b) The county clerk should proceed to process the application to register to vote.

➔ If the District Attorney advises the county clerk to process the application to register to vote, the county clerk shall immediately issue a voter registration card to the applicant pursuant to subsection 6.

Sec. 38. NRS 293.5235 is hereby amended to read as follows:

293.5235 1. Except as otherwise provided in NRS 293.502 ~~§~~ *and sections 2 to 29, inclusive, of this act*, a person may register to vote by mailing an application to register to vote to the county clerk of the county in which the person resides. The county clerk shall, upon request, mail an application to register to vote to an applicant. The county clerk shall make the applications available at various



public places in the county. An application to register to vote may be used to correct information in the registrar of voters' register.

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

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

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

5. If the county clerk determines that the application is complete, he or she shall, within 10 days after receiving the application, mail to the applicant:

(a) A notice that the applicant is registered to vote and a voter registration card as required by subsection 6 of NRS 293.517; or

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

6. Except as otherwise provided in subsection 5 of NRS 293.518, if the county clerk determines that the application is not complete, the county clerk shall, as soon as possible, mail a notice to the applicant that additional information is required to complete the application. If the applicant provides the information requested by the county clerk within 15 days after the county clerk mails the notice, the county clerk shall, within 10 days after receiving the information, mail to the applicant:

(a) A notice that the applicant is registered to vote and a voter registration card as required by subsection 6 of NRS 293.517; or

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

➡ If the applicant does not provide the additional information within the prescribed period, the application is void.

7. The applicant shall be deemed to be registered or to have corrected the information in the register on the date the application is postmarked or received by the county clerk, whichever is earlier.

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



9. The Secretary of State shall prescribe the form for an application to register to vote by mail which must be used to register to vote by mail in this State.

10. The application to register to vote by mail must include:

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

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

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

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

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

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

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

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

13. A person who, by mail, registers to vote pursuant to this section may be assisted in completing the application to register to vote by any other person. The application must include the mailing



address and signature of the person who assisted the applicant. The failure to provide the information required by this subsection will not result in the application being deemed incomplete.


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

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

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

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

Sec. 39. NRS 293.560 is hereby amended to read as follows:

293.560 1. Except as otherwise provided in NRS 293.502  *and sections 15 and 16 of this act*, registration must close at 9 p.m. on the third Tuesday preceding any primary or general election and at 9 p.m. on the third Saturday preceding 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.

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 or her to be published in a newspaper having a general circulation in the county indicating:

(1) The day that registration will be closed; 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 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, 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. 40. NRS 293C.265 is hereby amended to read as follows:

293C.265 1. Except as otherwise provided in subsection 2 and in NRS 293.2725 and 293.3083, a person who registered to vote pursuant to the provisions of NRS 293.5235 shall, for the first city election in which the person votes at which that registration is valid, vote in person unless he or she has previously voted in the county in which he or she is registered to vote.

2. The provisions of subsection 1 do not apply to a person who:

(a) Is entitled to vote in the manner prescribed in NRS 293C.342 to 293C.352, inclusive;

(b) Is entitled to vote an absent ballot pursuant to federal law or NRS 293C.317 or 293C.318 ~~[H]~~ *or sections 2 to 29, inclusive, of this act;*

(c) Is disabled;

(d) Submits or has previously submitted a written request for an absent ballot that is signed by the registered voter before a notary public or other person authorized to administer an oath; or

(e) Requests an absent ballot in person at the office of the city clerk.

Sec. 41. NRS 293C.320 is hereby amended to read as follows:

293C.320 ~~[H]~~ The city clerk shall determine before issuing an absent ballot that the person making application is a registered voter in the proper city.

~~[2.—Armed Forces personnel and overseas citizens who are not registered to vote and are applying for absent ballots must complete:~~

~~—(a) The application to register to vote required by NRS 293.517 for registration;~~



~~—(b) The form provided by the Federal Government for registration and request of an absent ballot, pursuant to the provisions of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et seq.; or~~

~~—(c) A special absent ballot used only for purposes of registering the person to vote;~~

~~—before receiving an absent ballot.]~~

Sec. 42. NRS 293C.322 is hereby amended to read as follows:

293C.322 1. Except as otherwise provided in subsection 2 and ~~[NRS 293C.315.]~~ *sections 2 to 29, inclusive, of this act*, if the request for an absent ballot is made by mail or facsimile machine, the city clerk shall, as soon as the official absent ballot for the precinct or district in which the applicant resides has been printed, send to the voter by first-class mail, or by any class of mail if the Official Election Mail logo or an equivalent logo or mark created by the United States Postal Service is properly placed on the official absent ballot:

(a) An absent ballot;

(b) A return envelope;

(c) An envelope or similar device into which the ballot is inserted to ensure its secrecy; *and*

(d) ~~[An identification envelope, if applicable pursuant to NRS 293C.315; and~~

~~—(e)]~~ Instructions.

2. If the city clerk fails to send an absent ballot pursuant to subsection 1 to a voter who resides within the continental United States, the city clerk may use a facsimile machine to send an absent ballot and instructions to the voter. The voter may mail the absent ballot to the city clerk or submit the absent ballot by facsimile machine.

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

4. Nothing may be enclosed or sent with an absent ballot except as required by subsection 1 or 2. ~~[and NRS 293C.315.]~~

5. Before depositing a ballot with the United States Postal Service or sending a ballot by facsimile machine, the city clerk shall record the date the ballot is issued, the name of the registered voter to whom it is issued, the registered voter's precinct or district, the number of the ballot and any remarks the city clerk finds appropriate.

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



Sec. 43. NRS 293C.330 is hereby amended to read as follows:

293C.330 1. Except as otherwise provided in ~~NRS 293C.315~~ and subsection 2 of NRS 293C.322 *and sections 2 to 29, inclusive, of this act*, and any regulations adopted pursuant thereto, when an absent voter receives an absent ballot, the absent voter must mark and fold it in accordance with the instructions, deposit it in the return envelope, seal the envelope, affix his or her signature on the back of the envelope in the space provided therefor and mail the return envelope.

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

(a) The office of the city clerk, the absent voter must mark the ballot, seal it in the return envelope and affix his or her 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, the absent voter must surrender the absent ballot and provide satisfactory identification before being issued a ballot to vote at the polling place. A person who receives a surrendered absent ballot shall mark it "Cancelled."

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

(a) Provides satisfactory identification;

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

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

4. Except as otherwise provided in NRS 293C.317, it is unlawful for any person to return an absent ballot other than the voter who requested the absent ballot or, at the request of the voter, a member of the voter's 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 the person is a member of the family of the voter who requested the absent ballot and that the voter requested that the person 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. 44. NRS 293C.527 is hereby amended to read as follows:

293C.527 1. Except as otherwise provided in NRS 293.502 **and sections 15 and 16 of this act**, registration must close at 9 p.m. on the third Tuesday preceding any primary city election or general city election and at 9 p.m. on the third Saturday preceding 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.

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 or her to be published in a newspaper having a general circulation in the city indicating:

(1) The day that registration will be closed; and

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

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

(b) The notice must be published once each week for 4 consecutive weeks next preceding the close of registration for any election.

4. For the period beginning on the fifth Sunday preceding any primary city election or general city election and ending on the third Tuesday preceding any primary city election or general city election, an elector may register to vote only by appearing in person at the office of the city clerk or, if open, a municipal facility designated pursuant to NRS 293C.520.

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



Sec. 45. NRS 293.106, 293.3155, 293.3157, 293.501 and 293C.315 are hereby repealed.

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