

ASSEMBLY BILL NO. 301—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 17, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing the restoration of civil rights for ex-felons. (BDR 16-687)

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 civil rights; providing for the restoration of the right to vote and the right to serve on a jury in civil matters for any person who has completed a sentence for a felony conviction or been discharged from probation or parole from a felony conviction; revising provisions governing the restoration of the right to hold public office and the right to serve on a jury in criminal matters to persons who have been convicted of a felony; revising provisions governing the registration to vote of a person convicted of a felony; revising provisions governing the cancellation of the registration to vote of a person convicted of a felony; revising provisions governing a challenge to the right to vote of a person convicted of a felony; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a county clerk to cancel the registration to vote of a person who has been convicted of a felony unless the person's right to vote has been restored: (1) under the laws of this State; or (2) if the conviction occurred in another state, under the laws of that state. (NRS 293.540) In addition, existing law provides that a person who has been convicted of a felony is not eligible to serve on a jury unless that right has been restored. (NRS 6.010)

Under existing law, unless a person has been convicted of certain specified felonies, a person who has been convicted of a felony is restored to the right to vote and the right to serve on a jury in a civil matter upon: (1) an honorable discharge from probation; (2) the sealing of his or her records by a court; (3) the granting of a pardon; (4) an honorable discharge from parole; or (5) being released from prison



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because of the expiration of his or her sentence. (NRS 176A.850, 179.285, 213.090, 213.155, 213.157) **Sections 1-12** of this bill provide that a person convicted of any felony in any state is restored to the right to vote and the right to serve on a jury in a civil matter in this State upon: (1) any discharge from probation; (2) the sealing of his or her records by a court; (3) the granting of a pardon; (4) any discharge from parole; and (5) the completion of his or her sentence and release from prison. Under **sections 1-4 and 7-9**, the Director of the Department of Corrections, the Division of Parole and Probation of the Department of Public Safety, the State Board of Parole Commissioners or the court, whichever is applicable to the circumstances, must provide notice to the county clerk where the person resides that the person's right to vote has been restored. Under **sections 2, 4, 5, 7 and 8**, the Director of the Department of Corrections, the Division of Parole and Probation or the State Board of Parole Commissioners, as appropriate, must provide an application to register to vote to the person whose right to vote has been restored.

Under existing law, unless a person has been convicted of certain specified felonies, a person who has been convicted of a felony is restored to the right to hold public office and the right to serve on a jury in a criminal matter upon: (1) the passing of a certain number of years after an honorable discharge from probation; (2) the sealing of his or her records by a court; (3) the granting of a pardon; (4) the passing of a certain number of years after being honorably discharged from parole; and (5) the passing of a certain number of years after being released from prison because of the expiration of his or her sentence. (NRS 176A.850, 179.285, 213.090, 213.155, 213.157) **Sections 4, 5, 7 and 8** of this bill provide that a person convicted of any felony in any state is restored to the right to hold public office and the right to serve on a jury in a criminal matter in this State upon: (1) the passing of a certain number of years after any discharge from probation; (2) the sealing of his or her records by a court; (3) the granting of a pardon; (4) the passing of a certain number of years after any discharge from parole; and (5) the passing of a certain number of years after the completion of his or her sentence and release from prison.

Sections 10-15 of this bill revise provisions relating to voter registration. **Section 10** provides for an appeal to the Secretary of State and the district court if the county clerk cancels the voter registration of, or refuses to register, a person on the ground that the person is ineligible to vote because the person is incarcerated or on probation or parole for a felony conviction. **Section 12** revises the procedures to be followed by a county clerk upon a determination based on specific evidence that a person is ineligible to vote because the person is incarcerated or on probation or parole for a felony conviction. **Section 13** revises the procedure for reregistering a person to vote after a cancellation of the person's right to vote because of a felony conviction. **Section 14** revises the procedures to be followed by a county clerk, district attorney or court upon a receipt of a challenge providing that a person is ineligible to vote because the person is incarcerated or on probation or parole for a felony conviction.

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

Section 1. NRS 209.511 is hereby amended to read as follows:
209.511 1. When an offender is released from prison by expiration of his or her term of sentence, by pardon or by parole, the Director:



(a) May furnish the offender with a sum of money not to exceed \$100, the amount to be based upon the offender's economic need as determined by the Director;

(b) Shall give the offender notice of the provisions of chapter 179C of NRS and NRS 202.357 and 202.360;

(c) Shall require the offender to sign an acknowledgment of the notice required in paragraph (b);

(d) Shall give the offender notice of the provisions of NRS 179.245 and the provisions of NRS 213.090, 213.155 or 213.157, as applicable;

(e) May provide the offender with clothing suitable for reentering society;

(f) May provide the offender with the cost of transportation to his or her place of residence anywhere within the continental United States, or to the place of his or her conviction;

(g) May, but is not required to, release the offender to a facility for transitional living for released offenders that is licensed pursuant to chapter 449 of NRS; and

(h) Shall require the offender to submit to at least one test for exposure to the human immunodeficiency virus.

2. *When an offender is released from prison by expiration of his or her term of sentence, the Director shall provide to the clerk of the county in which the offender will reside a written notice stating:*

(a) *The full name and the address of the residence at which the offender will reside and the date on which the offender's civil right to vote has been restored pursuant to NRS 213.157;*

(b) *That the offender has been released from prison by expiration of his or her term of sentence; and*

(c) *That the offender has been restored to his or her civil right to vote as of the date set forth in paragraph (a).*

3. The costs authorized in paragraphs (a), (e), (f) and (h) of subsection 1 must be paid out of the appropriate account within the State General Fund for the use of the Department as other claims against the State are paid to the extent that the costs have not been paid in accordance with subsection 5 of NRS 209.221 and NRS 209.246.

~~3-1~~ 4. As used in this section, "facility for transitional living for released offenders" has the meaning ascribed to it in NRS 449.0055.

Sec. 2. NRS 213.090 is hereby amended to read as follows:

213.090 1. A person who is granted a full, unconditional pardon by the Board is restored to all civil rights and is relieved of all disabilities incurred upon conviction.



2. A pardon granted by the Board shall be deemed to be a full, unconditional pardon unless the official document issued pursuant to subsection 3 explicitly limits the restoration of the civil rights of the person or does not relieve the person of all disabilities incurred upon conviction.

3. Upon ~~[being granted]~~ *the granting of* a pardon by the Board, ~~[a]~~ *the State Board of Parole Commissioners shall give to the* person so pardoned ~~[must be given an]~~ :

(a) *If the pardon restores the right of the person to vote, an application to register to vote; and*

(b) *An official document which provides that the person has been granted a pardon. If the person has not been granted a full, unconditional pardon, the official document must explicitly state all limitations on the restoration of the civil rights of the person and all disabilities incurred upon conviction from which the person is not relieved.*

4. *Upon the granting of a pardon by the Board which restores the right to vote of the person so pardoned, the State Board of Parole Commissioners shall provide to the clerk of the county in which the person resides a written notice stating:*

(a) *The full name and residential address of the person and the date on which the person's civil right to vote has been restored pursuant to this section;*

(b) *That the State Board of Pardons Commissioners has granted a pardon which restores the person's right to vote; and*

(c) *That the person has been restored to his or her civil right to vote as of the date set forth in paragraph (a).*

5. A person who has been granted a pardon in this State or elsewhere and whose official documentation of his or her pardon is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his or her civil rights pursuant to this section. Upon verification that the person has been granted a pardon and is eligible to be restored to his or her civil rights, the court shall issue an order restoring the person to his or her civil rights. A person must not be required to pay a fee to receive such an order.

~~[5-]~~ 6. A person who has been granted a pardon in this State or elsewhere may present:

(a) Official documentation of his or her pardon; or

(b) A court order restoring his or her civil rights,

➔ as proof that the person has been restored to his or her civil rights. *A county clerk shall not require a person to present a court order, official documentation of his or her pardon or any other documentation issued pursuant to this section as a requirement for registering to vote.*



Sec. 3. NRS 213.154 is hereby amended to read as follows:

213.154 1. The Division shall issue an honorable discharge to a parolee whose term of sentence has expired if the parolee has:

(a) Fulfilled the conditions of his or her parole for the entire period of his or her parole; or

(b) Demonstrated his or her fitness for honorable discharge but because of economic hardship, verified by a parole and probation officer, has been unable to make restitution as ordered by the court.

2. The Division shall issue a dishonorable discharge to a parolee whose term of sentence has expired if:

(a) The whereabouts of the parolee are unknown;

(b) The parolee has failed to make full restitution as ordered by the court, without a verified showing of economic hardship; or

(c) The parolee has otherwise failed to qualify for an honorable discharge pursuant to subsection 1.

3. Any amount of restitution that remains unpaid by a person after the person has been discharged from parole constitutes a civil liability as of the date of discharge.

4. Upon discharging a person from parole pursuant to this section, the Division shall provide to the clerk of the county in which the person resides a written notice stating:

(a) The full name and residential address of the person and the date on which the person's civil right to vote has been restored pursuant to NRS 213.155;

(b) That the Division has discharged the person from parole; and

(c) That the person has been restored to his or her civil right to vote as of the date set forth in paragraph (a).

Sec. 4. NRS 213.155 is hereby amended to read as follows:

213.155 1. ~~{Except as otherwise provided in subsection 2, a}~~ A person who receives ~~{an honorable}~~ a discharge from parole : ~~{pursuant to NRS 213.154.}~~

(a) Is immediately restored to the following civil rights:

(1) The right to vote; and

(2) The right to serve as a juror in a civil action.

(b) Four years after the date of his or her ~~{honorable}~~ discharge from parole, is restored to the right to hold office.

(c) Six years after the date of his or her ~~{honorable}~~ discharge from parole, is restored to the right to serve as a juror in a criminal action.

2. ~~{Except as otherwise provided in this subsection, the civil rights set forth in subsection 1 are not restored to a person who has received an honorable discharge from parole if the person has previously been convicted in this State.}~~



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1 ~~—(a) Of a category A felony.~~

2 ~~—(b) Of an offense that would constitute a category A felony if~~
3 ~~committed as of the date of his or her honorable discharge from~~
4 ~~parole.~~

5 ~~—(c) Of a category B felony involving the use of force or violence~~
6 ~~that resulted in substantial bodily harm to the victim.~~

7 ~~—(d) Of an offense involving the use of force or violence that~~
8 ~~resulted in substantial bodily harm to the victim and that would~~
9 ~~constitute a category B felony if committed as of the date of his or~~
10 ~~her honorable discharge from parole.~~

11 ~~—(e) Two or more times of a felony, unless a felony for which the~~
12 ~~person has been convicted arose out of the same act, transaction or~~
13 ~~occurrence as another felony, in which case the convictions for~~
14 ~~those felonies shall be deemed to constitute a single conviction for~~
15 ~~the purposes of this paragraph.~~

16 ~~➔ A person described in this subsection may petition a court of~~
17 ~~competent jurisdiction for an order granting the restoration of his or~~
18 ~~her civil rights as set forth in subsection 1.~~

19 ~~— 3. Except for a person subject to the limitations set forth in~~
20 ~~subsection 2, upon} Upon his or her [honorable] discharge from~~
21 ~~parole, [a] the Division shall give to the person so discharged [must~~
22 ~~be given an] :~~

23 *(a) An application to register to vote; and*

24 *(b) An official document which provides:*

25 ~~[(a)] (1) That the person has received [an—honorable] a~~
26 ~~discharge from parole;~~

27 ~~[(b)] (2) That the person has been restored to his or her civil~~
28 ~~rights to vote and to serve as a juror in a civil action as of the date of~~
29 ~~his or her [honorable] discharge from parole;~~

30 ~~[(c)] (3) The date on which his or her civil right to hold office~~
31 ~~will be restored to the person pursuant to paragraph (b) of~~
32 ~~subsection 1; and~~

33 ~~[(d)] (4) The date on which his or her civil right to serve as a~~
34 ~~juror in a criminal action will be restored to the person pursuant to~~
35 ~~paragraph (c) of subsection 1.~~

36 ~~[4.—Subject to the limitations set forth in subsection 2, a]~~

37 **3. A person who has been [honorablely] discharged from parole**
38 **in this State or elsewhere and whose official documentation of his or**
39 **her [honorable] discharge from parole is lost, damaged or destroyed**
40 **may file a written request with [a court of competent jurisdiction to**
41 **restore] the district court in and for the county in which the person**
42 **resides for the issuance of an order declaring that his or her civil**
43 **rights have been restored pursuant to this section. Upon verification**
44 **that the person has been [honorablely] discharged from parole , [and**
45 **is eligible to be restored to the civil rights set forth in subsection 1,]**



1 the court shall issue an order restoring the person to the civil rights
2 ~~[set forth in]~~ *to which the person is entitled to be restored pursuant*
3 *to* subsection 1. A person must not be required to pay a fee to
4 receive such an order.

5 ~~[5:]~~ 4. A person who has been ~~[honorably]~~ discharged from
6 parole in this State or elsewhere may present:

7 (a) Official documentation of his or her ~~[honorable]~~ discharge
8 from parole, if it contains the provisions set forth in *paragraph (b)*
9 *of* subsection ~~[3:]~~ 2; or

10 (b) A court order restoring his or her civil rights,
11 ➔ as proof that the person has been restored to the civil rights set
12 forth in subsection 1.

13 ~~[6:]~~ *A county clerk shall not require a person to present a*
14 *court order, official documentation of discharge from parole or*
15 *any other documentation issued pursuant to this section as a*
16 *requirement for registering to vote.*

17 5. The Board may adopt regulations necessary or convenient
18 for the purposes of this section.

19 Sec. 5. NRS 213.157 is hereby amended to read as follows:

20 213.157 1. ~~[Except as otherwise provided in subsection 2, a]~~
21 *A* person convicted of a felony ~~[in the State of Nevada]~~ who has
22 ~~[served]~~ *completed* his or her sentence and has been released from
23 prison:

24 (a) Is immediately restored to the following civil rights:

25 (1) The right to vote; and

26 (2) The right to serve as a juror in a civil action.

27 (b) Four years after the date of his or her release from prison, is
28 restored to the right to hold office.

29 (c) Six years after the date of his or her release from prison, is
30 restored to the right to serve as a juror in a criminal action.

31 2. ~~[Except as otherwise provided in this subsection, the civil~~
32 ~~rights set forth in subsection 1 are not restored to a person who has~~
33 ~~been released from prison if the person has previously been~~
34 ~~convicted in this State:~~

35 ~~—(a) Of a category A felony.~~

36 ~~—(b) Of an offense that would constitute a category A felony if~~
37 ~~committed as of the date of his or her release from prison.~~

38 ~~—(c) Of a category B felony involving the use of force or violence~~
39 ~~that resulted in substantial bodily harm to the victim.~~

40 ~~—(d) Of an offense involving the use of force or violence that~~
41 ~~resulted in substantial bodily harm to the victim and that would~~
42 ~~constitute a category B felony if committed as of the date of his or~~
43 ~~her release from prison.~~



~~—(e) Two or more times of a felony, unless a felony for which the person has been convicted arose out of the same act, transaction or occurrence as another felony, in which case the convictions for those felonies shall be deemed to constitute a single conviction for the purposes of this paragraph.~~

~~➤ A person described in this subsection may petition a court of competent jurisdiction for an order granting the restoration of his or her civil rights as set forth in subsection 1.~~

~~—3. Except for a person subject to the limitations set forth in subsection 2, upon his or her release from prison, a)~~ *When a person is released from prison by expiration of his or her term of sentence, the Director of the Department of Corrections shall give to the person so released* ~~[must be given an]~~ :

(a) An application to register to vote; and

(b) An official document which provides:

~~[(a)]~~ *(1) That the person has been released from prison;*

~~[(b)]~~ *(2) That the person has been restored to his or her civil rights to vote and to serve as a juror in a civil action as of the date of his or her release from prison;*

~~[(c)]~~ *(3) The date on which his or her civil right to hold office will be restored to the person pursuant to paragraph (b) of subsection 1; and*

~~[(d)]~~ *(4) The date on which his or her civil right to serve as a juror in a criminal action will be restored to the person pursuant to paragraph (c) of subsection 1.*

~~[4.—Subject to the limitations set forth in subsection 2, a]~~

3. A person who has completed his or her sentence and has been released from prison in this State or elsewhere and whose official documentation of his or her release from prison is lost, damaged or destroyed may file a written request with ~~[a court of competent jurisdiction to restore]~~ *the district court in and for the county in which the person resides for the issuance of an order declaring that his or her civil rights have been restored pursuant to this section. Upon verification that the person has completed his or her sentence and has been released from prison ,* ~~[and is eligible to be restored to the civil rights set forth in subsection 1.]~~ *the court shall issue an order restoring the person to the civil rights* ~~[set forth in]~~ *to which the person is entitled to be restored pursuant to subsection 1. A person must not be required to pay a fee to receive such an order.*

~~[5.]~~ *4. A person who has completed his or her sentence and has been released from prison in this State or elsewhere may present:*



(a) Official documentation of his or her *completion of sentence and* release from prison, if it contains the provisions set forth in *paragraph (b) of* subsection ~~3.1~~ 2; or

(b) A court order restoring his or her civil rights, ➤ as proof that the person has been restored to the civil rights set forth in subsection 1. *A county clerk shall not require a person to present a court order, official documentation of the completion of his or her sentence and release from prison, or any other documentation issued pursuant to this section as a requirement for registering to vote.*

Sec. 6. NRS 6.010 is hereby amended to read as follows:

6.010 Except as otherwise provided in this section, every qualified elector of the State, whether registered or not, who has sufficient knowledge of the English language, and who has not been convicted of treason, a felony, or other infamous crime, and who is not rendered incapable by reason of physical or mental infirmity, is a qualified juror of the county in which the person resides. A person who has been convicted of a felony is not a qualified juror of the county in which the person resides until the person's civil right to serve as a juror has been restored pursuant to NRS 176A.850, *176A.870*, 179.285, 213.090, 213.155 or 213.157.

Sec. 7. NRS 176A.850 is hereby amended to read as follows:

176A.850 1. A person who:

(a) Has fulfilled the conditions of probation for the entire period thereof;

(b) Is recommended for earlier discharge by the Division; or

(c) Has demonstrated fitness for honorable discharge but because of economic hardship, verified by the Division, has been unable to make restitution as ordered by the court,

➤ may be granted an honorable discharge from probation by order of the court.

2. Any amount of restitution remaining unpaid constitutes a civil liability arising upon the date of discharge.

3. ~~Except as otherwise provided in subsection 4, a~~ A person who has been honorably discharged from probation:

(a) Is free from the terms and conditions of probation.

(b) Is immediately restored to the following civil rights:

(1) The right to vote; and

(2) The right to serve as a juror in a civil action.

(c) Four years after the date of honorable discharge from probation, is restored to the right to hold office.

(d) Six years after the date of honorable discharge from probation, is restored to the right to serve as a juror in a criminal action.



(e) If the person meets the requirements of NRS 179.245, may apply to the court for the sealing of records relating to the conviction.

(f) Must be informed of the provisions of this section and NRS 179.245 in the person's probation papers.

(g) Is exempt from the requirements of chapter 179C of NRS, but is not exempt from the requirements of chapter 179D of NRS.

(h) Shall disclose the conviction to a gaming establishment and to the State and its agencies, departments, boards, commissions and political subdivisions, if required in an application for employment, license or other permit. As used in this paragraph, "establishment" has the meaning ascribed to it in NRS 463.0148.

(i) Except as otherwise provided in paragraph (h), need not disclose the conviction to an employer or prospective employer.

~~4. [Except as otherwise provided in this subsection, the civil rights set forth in subsection 3 are not restored to a person honorably discharged from probation if the person has previously been convicted in this State:~~

~~—(a) Of a category A felony.~~

~~—(b) Of an offense that would constitute a category A felony if committed as of the date of the honorable discharge from probation.~~

~~—(c) Of a category B felony involving the use of force or violence that resulted in substantial bodily harm to the victim.~~

~~—(d) Of an offense involving the use of force or violence that resulted in substantial bodily harm to the victim and that would constitute a category B felony if committed as of the date of honorable discharge from probation.~~

~~—(e) Two or more times of a felony, unless a felony for which the person has been convicted arose out of the same act, transaction or occurrence as another felony, in which case the convictions for those felonies shall be deemed to constitute a single conviction for the purposes of this paragraph.~~

~~→ A person described in this subsection may petition a court of competent jurisdiction for an order granting the restoration of civil rights as set forth in subsection 3.~~

~~—5.]~~ The prior conviction of a person who has been honorably discharged from probation may be used for purposes of impeachment. In any subsequent prosecution of the person, the prior conviction may be pleaded and proved if otherwise admissible.

~~[6. Except for a person subject to the limitations set forth in subsection 4, upon]~~

5. Upon honorable discharge from probation, the **Division shall give to the** person so discharged **[must be given an] :**

(a) An application to register to vote; and

(b) An official document which provides:



~~[(a)]~~ (1) That the person has received an honorable discharge from probation;

~~[(b)]~~ (2) That the person has been restored to his or her civil rights to vote and to serve as a juror in a civil action as of the date of honorable discharge from probation;

~~[(c)]~~ (3) The date on which the person's civil right to hold office will be restored pursuant to paragraph (c) of subsection 3; and

~~[(d)]~~ (4) The date on which the person's civil right to serve as a juror in a criminal action will be restored pursuant to paragraph (d) of subsection 3.

~~[(7. — Subject to the limitations set forth in subsection 4, a)]~~

6. Upon honorably discharging a person from probation pursuant to this section, the Division shall provide to the clerk of the county in which the person resides a written notice stating:

(a) The full name and residential address of the person and the date on which the person's civil right to vote has been restored pursuant to this section;

(b) That the Division has honorably discharged the person from probation; and

(c) That the person has been restored to his or her civil right to vote as of the date set forth in paragraph (a).

7. A person who has been honorably discharged from probation in this State or elsewhere and whose official documentation of honorable discharge from probation is lost, damaged or destroyed may file a written request with ~~[a court of competent jurisdiction to restore the person's]~~ *the district court in and for the county in which the person resides for the issuance of an order declaring that his or her civil rights have been restored* pursuant to this section. Upon verification that the person has been honorably discharged from probation, ~~[and is eligible to be restored to the civil rights set forth in subsection 3,]~~ the court shall issue an order restoring the person to the civil rights ~~[set forth in]~~ *to which the person is entitled to be restored pursuant to* subsection 3. A person must not be required to pay a fee to receive such an order.

8. A person who has been ~~[honorably]~~ discharged from probation in this State or elsewhere may present:

(a) Official documentation of ~~[honorable]~~ discharge from probation, if it contains the provisions set forth in *paragraph (b) of* subsection ~~[6;]~~ 5; or

(b) A court order restoring the person's civil rights,
➤ as proof that the person has been restored to the civil rights set forth in subsection 3. *A county clerk shall not require a person to present a court order, official documentation of discharge from probation or any other documentation issued pursuant to this section as a requirement for registering to vote.*



Sec. 8. NRS 176A.870 is hereby amended to read as follows:

176A.870 **1.** A defendant whose term of probation has expired and:

~~(1)~~ (a) Whose whereabouts are unknown;

~~(2)~~ (b) Who has failed to make restitution in full as ordered by the court, without a verified showing of economic hardship; or

~~(3)~~ (c) Who has otherwise failed to qualify for an honorable discharge as provided in NRS 176A.850,

➔ is not eligible for an honorable discharge and must be given a dishonorable discharge. A dishonorable discharge releases the probationer from any further obligation, except a civil liability arising on the date of discharge for any unpaid restitution, but does not entitle the probationer to any privilege conferred by *paragraph (e) to (i), inclusive, of subsection 3 of* NRS 176A.850.

2. *A person who is discharged from probation pursuant to this section:*

(a) Is free from the terms and conditions of probation.

(b) Is immediately restored to the following civil rights:

(1) The right to vote; and

(2) The right to serve as a juror in a civil action.

(c) Four years after the date of discharge from probation pursuant to this section, is restored to the right to hold office.

(d) Six years after the date of discharge from probation pursuant to this section, is restored to the right to serve as a juror in a criminal action.

3. *Unless the probationer's whereabouts are unknown, upon discharge from probation pursuant to this section, the Division shall give to the person so discharged:*

(a) An application to register to vote; and

(b) An official document which provides:

(1) That the person has received a dishonorable discharge from probation; and

(2) That the person has been restored to his or her civil rights to vote and to serve as a juror in a civil action as of the date of discharge from probation pursuant to this section.

4. *Upon discharging a person from probation pursuant to this section, the Division shall provide to the clerk of the county in which the person resides a written notice stating:*

(a) The full name and residential address of the person and the date on which the person's civil right to vote has been restored pursuant to this section;

(b) That the Division has dishonorably discharged the person from probation; and

(c) That the person has been restored to his or her civil right to vote as of the date set forth in paragraph (a).



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1 5. A person who has been dishonorably discharged from
2 probation in this State or elsewhere and whose official
3 documentation of dishonorable discharge from probation is lost,
4 damaged or destroyed may file a written request with the district
5 court in and for the county in which the person resides for the
6 issuance of an order declaring that his or her civil rights have
7 been restored pursuant to this section. Upon verification that the
8 person has been dishonorably discharged from probation, the
9 court shall issue an order restoring the person to the civil rights to
10 which the person is entitled to be restored pursuant to subsection
11 2. A person must not be required to pay a fee to receive such an
12 order.

13 6. A person who has been dishonorably discharged from
14 probation in this State or elsewhere may present:

15 (a) Official documentation of dishonorable discharge from
16 probation, if it contains the provisions set forth in paragraph (b) of
17 subsection 3; or

18 (b) A court order restoring the person's civil rights,
19 ↪ as proof that the person has been restored to the civil rights set
20 forth in subsection 2. A county clerk shall not require a person to
21 present a court order, official documentation of discharge from
22 probation or any other documentation issued pursuant to this
23 section as a requirement for registering to vote.

24 **Sec. 9.** NRS 179.285 is hereby amended to read as follows:

25 179.285 Except as otherwise provided in NRS 179.301:

26 1. If the court orders a record sealed pursuant to NRS
27 176A.265, 176A.295, 179.245, 179.255, 179.259, 453.3365 or
28 458.330:

29 (a) All proceedings recounted in the record are deemed never to
30 have occurred, and the person to whom the order pertains may
31 properly answer accordingly to any inquiry, including, without
32 limitation, an inquiry relating to an application for employment,
33 concerning the arrest, conviction, dismissal or acquittal and the
34 events and proceedings relating to the arrest, conviction, dismissal
35 or acquittal.

36 (b) The person is immediately restored to the following
37 civil rights if the person's civil rights previously have not been
38 restored:

- 39 (1) The right to vote;
40 (2) The right to hold office; and
41 (3) The right to serve on a jury.

42 2. Upon the sealing of the person's records, a person who is
43 restored to his or her civil rights must be given an official document
44 which demonstrates that the person has been restored to the civil
45 rights set forth in paragraph (b) of subsection 1. *If the sealing of a*



1 *person's records restores the person's right to vote, the court must*
2 *provide to the clerk of the county in which the person resides a*
3 *written notice stating:*

4 *(a) The full name and residential address of the person and*
5 *the date on which the court ordered the sealing of the person's*
6 *records;*

7 *(b) That the court has sealed the person's records and restored*
8 *his or her civil right to vote; and*

9 *(c) That the person has been restored to his or her civil right to*
10 *vote as of the date set forth in paragraph (a).*

11 3. A person who has had his or her records sealed in this State
12 or any other state and whose official documentation of the
13 restoration of civil rights is lost, damaged or destroyed may file a
14 written request with a court of competent jurisdiction to restore his
15 or her civil rights pursuant to this section. Upon verification that the
16 person has had his or her records sealed, the court shall issue an
17 order restoring the person to the civil rights to vote, to hold office
18 and to serve on a jury. A person must not be required to pay a fee to
19 receive such an order.

20 4. A person who has had his or her records sealed in this State
21 or any other state may present official documentation that the person
22 has been restored to his or her civil rights or a court order restoring
23 civil rights as proof that the person has been restored to the right to
24 vote, to hold office and to serve as a juror.

25 **Sec. 10.** Chapter 293 of NRS is hereby amended by adding
26 thereto a new section to read as follows:

27 *1. If a county clerk cancels the registration of a registrant*
28 *pursuant to subsection 3 of NRS 293.540 or refuses to reregister*
29 *an elector for a reason stated in subsection 2 of NRS 293.543, the*
30 *registrant or elector may appeal to the Secretary of State by*
31 *providing to the Secretary of State written notice of the appeal*
32 *and any relevant evidence, which may include, without limitation,*
33 *an affirmation under penalty of perjury that the registrant or*
34 *elector:*

35 *(a) Is a lawful resident of this State;*

36 *(b) Is not incarcerated because of a felony conviction under*
37 *the laws of this State or another State; and*

38 *(c) Is not on probation or parole from a felony conviction*
39 *under the laws of this State or another state.*

40 *2. If the Secretary of State receives relevant evidence*
41 *pursuant to subsection 1 and no other evidence exists to support*
42 *the cancellation of the registration of the appellant or the refusal*
43 *to reregister the appellant, the Secretary of State must issue an*
44 *order that the appellant be registered to vote in the county of*
45 *which the appellant is a resident.*



3. *If:*

(a) *The cancellation of the registration or refusal to reregister occurred more than 60 days before the date of any election and the Secretary of State does not issue an order pursuant to subsection 2 within 60 days after receipt of a notice of appeal and relevant evidence pursuant to subsection 1; or*

(b) *The cancellation of the registration or refusal to reregister occurred 60 days or less before the date of any election and the Secretary of State does not issue an order pursuant to subsection 2 within 40 days after receipt of a notice of appeal and relevant evidence pursuant to subsection 1,*

↳ the registrant or elector who filed the appeal with the Secretary of State may bring a civil action for declaratory or injunctive relief in the district court in and for the county where the registrant or elector resides. The court shall give the civil action priority over other civil matters to which priority is not given by other provisions of NRS.

4. *If, within 30 days before any election, a county clerk cancels the registration of a registrant pursuant to subsection 3 of NRS 293.540 or refuses to reregister an elector for a reason stated in subsection 2 of NRS 293.543, the registrant or elector may, without submitting an appeal to the Secretary of State pursuant to subsection 1, bring a civil action for declaratory or injunctive relief in the district court in and for the county where the registrant or elector resides. The court shall give the civil action priority over other civil matters to which priority is not given by other provisions of NRS.*

Sec. 11. NRS 293.177 is hereby amended to read as follows:

293.177 1. Except as otherwise provided in NRS 293.165, a name may not be printed on a ballot to be used at a primary election unless the person named has filed a declaration of candidacy or an acceptance of candidacy, and has paid the fee required by NRS 293.193 not earlier than:

(a) For a candidate for judicial office, the first Monday in January of the year in which the election is to be held nor later than 5 p.m. on the second Friday after the first Monday in January; and

(b) For all other candidates, the first Monday in March of the year in which the election is to be held nor later than 5 p.m. on the second Friday after the first Monday in March.

2. A declaration of candidacy or an acceptance of candidacy required to be filed by this section must be in substantially the following form:

(a) For partisan office:



* A B 3 0 1 *

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

For the purpose of having my name placed on the official ballot as a candidate for the Party nomination for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am registered as a member of the Party; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored ; ~~[by a court of competent jurisdiction;]~~ that I have not, in violation of the provisions of NRS 293.176, changed the designation of my political party or political party affiliation on an official application to register to vote in any state since December 31 before the closing filing date for this election; that I generally believe in and intend to support the concepts found in the principles and policies of that political party in the coming election; that if nominated as a candidate of the Party at the ensuing election, I will accept that nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)



1 Subscribed and sworn to before me
2 this day of the month of of the year

3
4
5 Notary Public or other person
6 authorized to administer an oath

7
8 (b) For nonpartisan office:

9
10 DECLARATION OF CANDIDACY OF FOR THE
11 OFFICE OF

12
13 State of Nevada

14
15 County of

16
17 For the purpose of having my name placed on the official ballot as a
18 candidate for the office of, I, the undersigned,
19 do swear or affirm under penalty of perjury that I actually, as
20 opposed to constructively, reside at, in the City or Town of
21, County of, State of Nevada; that my actual, as
22 opposed to constructive, residence in the State, district, county,
23 township, city or other area prescribed by law to which the office
24 pertains began on a date at least 30 days immediately preceding the
25 date of the close of filing of declarations of candidacy for this
26 office; that my telephone number is, and the address at
27 which I receive mail, if different than my residence, is; that I
28 am a qualified elector pursuant to Section 1 of Article 2 of the
29 Constitution of the State of Nevada; that if I have ever been
30 convicted of treason or a felony, my civil rights have been restored ;
31 ~~[by a court of competent jurisdiction;]~~ that if nominated as a
32 nonpartisan candidate at the ensuing election, I will accept the
33 nomination and not withdraw; that I will not knowingly violate any
34 election law or any law defining and prohibiting corrupt and
35 fraudulent practices in campaigns and elections in this State; that I
36 will qualify for the office if elected thereto, including, but not
37 limited to, complying with any limitation prescribed by the
38 Constitution and laws of this State concerning the number of years
39 or terms for which a person may hold the office; and my name will
40 appear on all ballots as designated in this declaration.

41
42 (Designation of name)
43



* A B 3 0 1 *

.....
(Signature of candidate for office)

Subscribed and sworn to before me
this day of the month of of the year

.....
Notary Public or other person
authorized to administer an oath

3. The address of a candidate which must be included in the declaration of candidacy or acceptance of candidacy pursuant to subsection 2 must be the street address of the residence where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration or acceptance of candidacy must not be accepted for filing if:

(a) The candidate's address is listed as a post office box unless a street address has not been assigned to his or her residence; or

(b) The candidate does not present to the filing officer:

(1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's residential address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the candidate's name and residential address, but not including a voter registration card issued pursuant to NRS 293.517.

4. The filing officer shall retain a copy of the proof of identity and residency provided by the candidate pursuant to paragraph (b) of subsection 3. Such a copy:

(a) May not be withheld from the public; and

(b) Must not contain the social security number or driver's license or identification card number of the candidate.

5. By filing the declaration or acceptance of candidacy, the candidate shall be deemed to have appointed the filing officer for the office as his or her agent for service of process for the purposes of a proceeding pursuant to NRS 293.182. Service of such process must first be attempted at the appropriate address as specified by the candidate in the declaration or acceptance of candidacy. If the candidate cannot be served at that address, service must be made by personally delivering to and leaving with the filing officer duplicate copies of the process. The filing officer shall immediately send, by registered or certified mail, one of the copies to the candidate at the specified address, unless the candidate has designated in writing to the filing officer a different address for that purpose, in which case



* A B 3 0 1 *

1 the filing officer shall mail the copy to the last address so
2 designated.

3 6. If the filing officer receives credible evidence indicating that
4 a candidate has been convicted of a felony and has not had his or her
5 civil rights restored , ~~[by a court of competent jurisdiction,]~~ the
6 filing officer:

7 (a) May conduct an investigation to determine whether the
8 candidate has been convicted of a felony and, if so, whether the
9 candidate has had his or her civil rights restored ; ~~[by a court of~~
10 ~~competent jurisdiction;]~~ and

11 (b) Shall transmit the credible evidence and the findings from
12 such investigation to the Attorney General, if the filing officer is the
13 Secretary of State, or to the district attorney, if the filing officer is a
14 person other than the Secretary of State.

15 7. The receipt of information by the Attorney General or
16 district attorney pursuant to subsection 6 must be treated as a
17 challenge of a candidate pursuant to subsections 4 and 5 of NRS
18 293.182. If the ballots are printed before a court of competent
19 jurisdiction makes a determination that a candidate has been
20 convicted of a felony and has not had his or her civil rights restored ,
21 ~~[by a court of competent jurisdiction,]~~ the filing officer must post a
22 notice at each polling place where the candidate's name will appear
23 on the ballot informing the voters that the candidate is disqualified
24 from entering upon the duties of the office for which the candidate
25 filed the declaration of candidacy or acceptance of candidacy.

26 **Sec. 12.** NRS 293.540 is hereby amended to read as follows:

27 293.540 The county clerk shall cancel the registration:

28 1. If the county clerk has personal knowledge of the death of
29 the person registered, or if an authenticated certificate of the death
30 of any elector is filed in the county clerk's office.

31 2. If the insanity or mental incompetence of the person
32 registered is legally established.

33 3. Upon ~~[the]~~ a determination *based on specific evidence* that
34 the person registered ~~[has been convicted of a felony unless:]~~ is:

35 (a) ~~[If the person registered was convicted]~~ *Incarcerated*
36 *because of a felony [in] under the laws of this State [, the right to*
37 *vote of the person has been restored pursuant to the provisions of*
38 *NRS 213.090, 213.155 or 213.157.] or another state; or*

39 (b) ~~[If the person registered was convicted of a felony in]~~ *On*
40 *probation or parole from a felony conviction under the laws of this*
41 *State or another state . [, the right to vote of the person has been*
42 *restored pursuant to the laws of the state in which the person was*
43 *convicted.]*

44 *↪ Before cancelling a registration pursuant to this subsection, the*
45 *county clerk shall notify the registrant and provide to the*



1 *registrant an affidavit which allows the registrant to affirm under*
2 *penalty of perjury that he or she is a lawful resident of this State,*
3 *is not incarcerated because of a felony conviction under the laws*
4 *of this State or another state and is not on probation or parole*
5 *from a felony conviction under the laws of this State or another*
6 *state. If the registrant so affirms or presents a court order or*
7 *official documentation indicating that his or her civil right to vote*
8 *has been restored pursuant to NRS 176A.850, 176A.870, 179.285,*
9 *213.090, 213.155 or 213.157 or pursuant to the laws of another*
10 *state, the county clerk may not cancel the registration unless the*
11 *county clerk has specific, documentary evidence that the registrant*
12 *is ineligible to vote in this State. If the registrant fails to respond*
13 *within 30 days after receiving the notice pursuant to this*
14 *subsection, the county clerk may cancel the registration.*

15 4. Upon the production of a certified copy of the judgment of
16 any court directing the cancellation to be made.

17 5. Upon the request of any registered voter to affiliate with any
18 political party or to change affiliation, if that change is made before
19 the end of the last day to register to vote in the election.

20 6. At the request of the person registered.

21 7. If the county clerk has discovered an incorrect registration
22 pursuant to the provisions of NRS 293.5235, 293.530 or 293.535
23 and the elector has failed to respond or appear to vote within the
24 required time.

25 8. As required by NRS 293.541.

26 9. Upon verification that the application to register to vote is a
27 duplicate if the county clerk has the original or another duplicate of
28 the application on file in the county clerk's office.

29 **Sec. 13.** NRS 293.543 is hereby amended to read as follows:

30 293.543 1. If the registration of an elector is cancelled
31 pursuant to subsection 2 of NRS 293.540, the county clerk shall
32 reregister the elector upon notice from the clerk of the district court
33 that the elector has been declared sane or mentally competent by the
34 district court.

35 2. If the registration of an elector is cancelled pursuant to
36 subsection 3 of NRS 293.540, the elector may reregister ~~[after~~
37 ~~presenting satisfactory evidence which demonstrates that the~~
38 ~~elector's:] if:~~

39 (a) ~~[Conviction has been overturned:]~~ *The elector is no longer*
40 *incarcerated because of a felony conviction under the laws of this*
41 *State or another state;* or

42 (b) ~~[Civil rights have been restored:~~

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



~~——— (2) If the elector was convicted in another state, pursuant to the laws of the state in which he or she was convicted.] The elector is not on probation or parole from a felony conviction under the laws of this State or another state.~~

↪ A county clerk shall not require an elector seeking to reregister pursuant to this subsection to present any information or documentation other than the information and documentation required for a person to register to vote pursuant to this chapter, unless the county clerk has specific evidence that the elector is incarcerated because of a felony conviction under the laws of this State or another state or is on probation or parole from a felony conviction under the laws of this State or another state. If the county clerk has or receives such specific evidence, the county clerk must notify the elector of that evidence and provide to the elector an affidavit which allows the elector to affirm under penalty of perjury that he or she is a lawful resident of this State, is not incarcerated because of a felony conviction under the laws of this State or another state and is not on probation or parole from a felony conviction under the laws of this State or another state. If the registrant so affirms or presents a court order or official documentation indicating that his or her civil right to vote has been restored pursuant to NRS 176A.850, 176A.870, 179.285, 213.090, 213.155 or 213.157 or pursuant to the laws of another state, the county clerk must reregister the elector.

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. 14. NRS 293.547 is hereby amended to read as follows:

293.547 1. After the 30th day but not later than the 25th day before any election, a written challenge may be filed with the county clerk.

2. A registered voter may file a written challenge if:

(a) He or she is registered to vote in the same precinct as the person whose right to vote is challenged; and

(b) The challenge is based on the personal knowledge of the registered voter.

3. The challenge must be signed and verified by the registered voter and name the person whose right to vote is challenged and the ground of the challenge.

4. A challenge filed pursuant to this section must not contain the name of more than one person whose right to vote is challenged.



1 The county clerk shall not accept for filing any challenge which
2 contains more than one such name.

3 5. The county clerk shall:

4 (a) File the challenge in the registrar of voters' register and:

5 (1) In counties where records of registration are not kept by
6 computer, he or she shall attach a copy of the challenge to the
7 challenged registration in the election board register.

8 (2) In counties where records of registration are kept by
9 computer, he or she shall have the challenge printed on the
10 computer entry for the challenged registration and add a copy of it
11 to the election board register.

12 (b) Within 5 days after a challenge is filed, mail a notice in the
13 manner set forth in NRS 293.530 to the person whose right to vote
14 has been challenged pursuant to this section informing the person of
15 the challenge. *If the person's right to vote is challenged on the*
16 *grounds that the person is incarcerated for a felony conviction*
17 *under the laws of this State or another state or is on probation or*
18 *parole from a felony conviction under the laws of this State or*
19 *another state, the notice must be accompanied by an affidavit*
20 *which allows the person to affirm under penalty of perjury that he*
21 *or she is a lawful resident of this State, is not incarcerated because*
22 *of a felony conviction under the laws of this State or another state*
23 *and is not on probation or parole from a felony conviction under*
24 *the laws of this State or another state. If the person so affirms or*
25 *presents a court order or official documentation indicating that*
26 *his or her civil right to vote has been restored pursuant to NRS*
27 *176A.850, 176A.870, 179.285, 213.090, 213.155 or 213.157 or*
28 *pursuant to the laws of another state, the county clerk may not*
29 *cancel the registration of the person whose right to vote has been*
30 *challenged unless the county clerk has specific, documentary*
31 *evidence that the person is ineligible to vote in this State.* If the
32 person fails to respond or appear to vote within the required time,
33 the county clerk shall cancel the person's registration. A copy of the
34 challenge and information describing how to reregister properly
35 must accompany the notice.

36 (c) Immediately notify the district attorney. A copy of the
37 challenge must accompany the notice.

38 6. Upon receipt of a notice pursuant to this section, the district
39 attorney shall investigate the challenge within 14 days and, if
40 appropriate, cause proceedings to be instituted and prosecuted in a
41 court of competent jurisdiction without delay. *If the right to vote of*
42 *a person has been challenged on the grounds that the person is*
43 *incarcerated for a felony conviction under the laws of this State or*
44 *another state or is on probation or parole from a felony conviction*
45 *under the laws of this State or another state and if the person*



presents to the district attorney or the court the affidavit signed by the person pursuant to paragraph (b) of subsection 2 or a court order or other documentation indicating that his or her civil right to vote has been restored pursuant to NRS 176A.850, 176A.870, 179.285, 213.090, 213.155 or 213.157 or pursuant to the laws of another state, the district attorney or the court must find that the person is entitled to the civil right to vote in this State unless the district attorney or the court has specific, documentary evidence that the person is ineligible to vote in this State. The court shall give such proceedings priority over other civil matters that are not expressly given priority by law. Upon court order, the county clerk shall cancel the registration of the person whose right to vote has been challenged pursuant to this section.

Sec. 15. NRS 293C.185 is hereby amended to read as follows:

293C.185 1. Except as otherwise provided in NRS 293C.115 and 293C.190, a name may not be printed on a ballot to be used at a primary city election unless the person named has filed a declaration of candidacy or an acceptance of candidacy and has paid the fee established by the governing body of the city not earlier than 70 days before the primary city election and not later than 5 p.m. on the 60th day before the primary city election.

2. A declaration of candidacy required to be filed by this section must be in substantially the following form:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

City of

For the purpose of having my name placed on the official ballot as a candidate for the office of, I,, the undersigned do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the city, township or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored ;



* A B 3 0 1 *

~~{by a court of competent jurisdiction;}~~ that if nominated as a candidate at the ensuing election I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; and my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

Subscribed and sworn to before me
this day of the month of of the year

.....
Notary Public or other person
authorized to administer an oath

3. The address of a candidate that must be included in the declaration or acceptance of candidacy pursuant to subsection 2 must be the street address of the residence where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration or acceptance of candidacy must not be accepted for filing if:

(a) The candidate's address is listed as a post office box unless a street address has not been assigned to the residence; or

(b) The candidate does not present to the filing officer:

(1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's residential address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the candidate's name and residential address, but not including a voter registration card issued pursuant to NRS 293.517.

4. The filing officer shall retain a copy of the proof of identity and residency provided by the candidate pursuant to paragraph (b) of subsection 3. Such a copy:

(a) May not be withheld from the public; and



(b) Must not contain the social security number or driver's license or identification card number of the candidate.

5. By filing the declaration or acceptance of candidacy, the candidate shall be deemed to have appointed the city clerk as his or her agent for service of process for the purposes of a proceeding pursuant to NRS 293C.186. Service of such process must first be attempted at the appropriate address as specified by the candidate in the declaration or acceptance of candidacy. If the candidate cannot be served at that address, service must be made by personally delivering to and leaving with the city clerk duplicate copies of the process. The city clerk shall immediately send, by registered or certified mail, one of the copies to the candidate at the specified address, unless the candidate has designated in writing to the city clerk a different address for that purpose, in which case the city clerk shall mail the copy to the last address so designated.

6. If the city clerk receives credible evidence indicating that a candidate has been convicted of a felony and has not had his or her civil rights restored, ~~by a court of competent jurisdiction,~~ the city clerk:

(a) May conduct an investigation to determine whether the candidate has been convicted of a felony and, if so, whether the candidate has had his or her civil rights restored ; ~~by a court of competent jurisdiction;~~ and

(b) Shall transmit the credible evidence and the findings from such investigation to the city attorney.

7. The receipt of information by the city attorney pursuant to subsection 6 must be treated as a challenge of a candidate pursuant to subsections 4 and 5 of NRS 293C.186. If the ballots are printed before a court of competent jurisdiction makes a determination that a candidate has been convicted of a felony and has not had his or her civil rights restored, ~~by a court of competent jurisdiction,~~ the city clerk must post a notice at each polling place where the candidate's name will appear on the ballot informing the voters that the candidate is disqualified from entering upon the duties of the office for which the candidate filed the declaration of candidacy or acceptance of candidacy.

