

ASSEMBLY BILL NO. 435—ASSEMBLYMAN SHERWOOD

MARCH 21, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Requires certain proof of identity to vote.  
(BDR 24-754)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

AN ACT relating to elections; requiring certain proof of identity for voting; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires that a person provide satisfactory identification to vote in person or cast an absent ballot. (NRS 293.2725, 293.277, 293.303, 293.3081, 293.3082, 293.3083, 293.3085, 293.313, 293.3157, 293.316, 293.330, 293.353, 293.3585, 293.5235, 293.541, 293C.270, 293C.292, 293C.310, 293C.330, 293C.332, 293C.3585) This bill requires that a person provide one of the following forms of identification specified in **section 14** of this bill to vote in person or cast an absent ballot: (1) a Nevada driver's license; (2) an identification card issued by the Department of Motor Vehicles; (3) an identification card issued by a branch of the Armed Forces; (4) an identification card issued by a sheriff to an employee; (5) an identification card issued by an agency of the State or a political subdivision thereof or by the Federal Government; (6) a student identification card; (7) a United States passport; (8) an insurance plan identification card; (9) a tribal identification card; (10) an employee identification card; or (11) any other official article which the county clerk determines is a reliable indication of the true name and identity of the person.

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

**Section 1.** NRS 293.2725 is hereby amended to read as follows:  
293.2725 1. Except as otherwise provided in subsection 2, in NRS 293.3081 and 293.3083 and in federal law, a person who



1 registers by mail to vote in this ~~[State and who has not previously~~  
2 ~~voted in an election for federal office in this]~~ State:

3 (a) May vote at a polling place only if the person presents to the  
4 election board officer at the polling place ~~[-~~:

5 ~~—— (1) A current and valid photo identification of the person; or~~  
6 ~~—— (2) A copy of a current utility bill, bank statement, paycheck,~~  
7 ~~or document issued by a governmental entity, including a check~~  
8 ~~which indicates the name and address of the person, but not~~  
9 ~~including a voter registration card issued pursuant to]~~ *one of the*  
10 *forms of identification listed in subsection 8 of* NRS 293.517; and

11 (b) May vote by mail only if the person provides to the county  
12 or city clerk ~~[-~~:

13 ~~—— (1) A copy of a current and valid photo identification of the~~  
14 ~~person; or~~

15 ~~—— (2) A copy of a current utility bill, bank statement, paycheck,~~  
16 ~~or document issued by a governmental entity, including a check~~  
17 ~~which indicates the name and address of the person, but not~~  
18 ~~including a voter registration card issued pursuant to NRS 293.517.]~~  
19 *a copy of one of the forms of identification listed in subsection 8 of*  
20 *NRS 293.517.*

21 2. The provisions of this section do not apply to a person who:

22 (a) ~~[Registers to vote by mail and submits with an application to~~  
23 ~~register to vote:~~

24 ~~—— (1) A copy of a current and valid photo identification; or~~

25 ~~—— (2) A copy of a current utility bill, bank statement, paycheck,~~  
26 ~~or document issued by a governmental entity, including a check~~  
27 ~~which indicates the name and address of the person, but not~~  
28 ~~including a voter registration card issued pursuant to NRS 293.517;~~

29 ~~—— (b) Registers to vote by mail and submits with an application to~~  
30 ~~register to vote a driver's license number or at least the last four~~  
31 ~~digits of his or her social security number, if a state or local election~~  
32 ~~official has matched that information with an existing identification~~  
33 ~~record bearing the same number, name and date of birth as provided~~  
34 ~~by the person in the application;~~

35 ~~—— (c) Is entitled to vote an absent ballot pursuant to the~~  
36 ~~Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C.~~  
37 ~~§§ 1973ff et seq.;~~

38 ~~—— (d) (b) Is provided the right to vote otherwise than in person~~  
39 ~~under the Voting Accessibility for the Elderly and Handicapped Act,~~  
40 ~~42 U.S.C. §§ 1973ee et seq.; or~~

41 ~~—— (e) (c) Is entitled to vote otherwise than in person under any~~  
42 ~~other federal law.~~

43 **Sec. 2.** NRS 293.277 is hereby amended to read as follows:

44 293.277 ~~[-]~~ Except as otherwise provided in NRS 293.541,  
45 if a person's name appears in the election board register or if the



1 person provides an affirmation pursuant to NRS 293.525, the person  
2 is entitled to vote and must :

3 *1. Present one of the forms of identification listed in*  
4 *subsection 8 of NRS 293.517; and*

5 *2. Except as otherwise provided in NRS 293.283,* sign his or  
6 her name in the election board register when he or she applies to  
7 vote. The signature must be compared by an election board officer  
8 with the signature or a facsimile thereof on the person's original  
9 application to register to vote or ~~one of the forms of identification~~  
10 ~~listed in subsection 2.~~

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

14 ~~— (a) The card issued to the voter at the time he or she registered~~  
15 ~~to vote;~~

16 ~~— (b) A driver's license;~~

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

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

20 ~~— (e) Any other form of identification issued by a governmental~~  
21 ~~agency which contains the voter's signature and physical description~~  
22 ~~or picture.] on the identification presented by the person pursuant~~  
23 ~~to this section.~~

24 **Sec. 3.** NRS 293.303 is hereby amended to read as follows:

25 293.303 1. A person applying to vote may be challenged:

26 (a) Orally by any registered voter of the precinct upon the  
27 ground that he or she is not the person entitled to vote as claimed or  
28 has voted before at the same election. A registered voter who  
29 initiates a challenge pursuant to this paragraph must submit an  
30 affirmation that is signed under penalty of perjury and in the form  
31 prescribed by the Secretary of State stating that the challenge is  
32 based on the personal knowledge of the registered voter.

33 (b) On any ground set forth in a challenge filed with the county  
34 clerk pursuant to the provisions of NRS 293.547.

35 2. If a person is challenged, an election board officer shall  
36 tender the challenged person the following oath or affirmation:

37 (a) If the challenge is on the ground that the challenged person  
38 does not belong to the political party designated upon the register, "I  
39 swear or affirm under penalty of perjury that I belong to the political  
40 party designated upon the register";

41 (b) If the challenge is on the ground that the register does not  
42 show that the challenged person designated the political party to  
43 which he or she claims to belong, "I swear or affirm under penalty  
44 of perjury that I designated on the application to register to vote the  
45 political party to which I claim to belong";



(c) If the challenge is on the ground that the challenged person does not reside at the residence for which the address is listed in the election board register, "I swear or affirm under penalty of perjury that I reside at the residence for which the address is listed in the election board register";

(d) If the challenge is on the ground that the challenged person previously voted a ballot for the election, "I swear or affirm under penalty of perjury that I have not voted for any of the candidates or questions included on this ballot for this election"; or

(e) If the challenge is on the ground that the challenged person is not the person he or she claims to be, "I swear or affirm under penalty of perjury that I am the person whose name is in this election board register."

➔ The oath or affirmation must be set forth on a form prepared by the Secretary of State and signed by the challenged person under penalty of perjury.

3. Except as otherwise provided in subsection 4, if the challenged person refuses to execute the oath or affirmation so tendered, he or she must not be issued a ballot, and the officer in charge of the election board register shall write the words "Challenged ....." opposite his or her name in the election board register.

4. If the challenged person refuses to execute the oath or affirmation set forth in paragraph (a) or (b) of subsection 2, the election board officers shall issue the person a nonpartisan ballot.

5. If the challenged person refuses to execute the oath or affirmation set forth in paragraph (c) of subsection 2, the election board officers shall inform the person that he or she is entitled to vote only in the manner prescribed in NRS 293.304.

6. If the challenged person executes the oath or affirmation and the challenge is not based on the ground set forth in paragraph (e) of subsection 2, the election board officers shall issue the person a partisan ballot.

7. If the challenge is based on the ground set forth in paragraph (c) of subsection 2, and the challenged person executes the oath or affirmation, the election board shall not issue the person a ballot until he or she furnishes satisfactory identification which contains proof of the address at which the person actually resides. For the purposes of this subsection, a voter registration card issued pursuant to NRS 293.517 does not provide proof of the address at which a person resides.

8. If the challenge is based on the ground set forth in paragraph (e) of subsection 2 and the challenged person executes the oath or affirmation, the election board shall not issue the person a ballot unless the person:



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(a) Furnishes ~~[official identification which contains a photograph of the person, such as a driver's license or other official document;]~~ *one of the forms of identification listed in subsection 8 of NRS 293.517;* or

(b) Brings before the election board officers a person who is at least 18 years of age who:

(1) Furnishes ~~[official identification which contains a photograph of that person, such as a driver's license or other official document;]~~ *one of the forms of identification listed in subsection 8 of NRS 293.517;* and

(2) Executes an oath or affirmation under penalty of perjury that the challenged person is who he or she swears to be.

9. The election board officers shall:

(a) Record on the challenge list:

(1) The name of the challenged person;

(2) The name of the registered voter who initiated the challenge; and

(3) The result of the challenge; and

(b) If possible, orally notify the registered voter who initiated the challenge of the result of the challenge.

**Sec. 4.** NRS 293.3081 is hereby amended to read as follows:

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

1. Declares that he or she has registered to vote and is eligible to vote at that election in that jurisdiction, but ~~[his or her]~~ :

(a) *The person's* name does not appear on a voter registration list as a voter eligible to vote in that election in that jurisdiction ; or ~~[an]~~

(b) *An* election official asserts that the person is not eligible to vote in that election in that jurisdiction ~~[:]~~ *for any reason, including, without limitation, that the person failed to present one of the forms of identification listed in subsection 8 of NRS 293.517;*

2. Applies by mail, on or after January 1, 2003, to register to vote and has not previously voted in an election for federal office in this State and fails to provide *one of the forms of* identification ~~[required pursuant to by paragraph (a) of subsection 1 of NRS 293.2725]~~ *listed in subsection 8 of NRS 293.517* to the election board officer at the polling place; or

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



**Sec. 5.** NRS 293.3082 is hereby amended to read as follows:

293.3082 1. Before a person may cast a provisional ballot pursuant to NRS 293.3081, the person must complete a written affirmation on a form provided by an election board officer, as prescribed by the Secretary of State, at the polling place which includes:

(a) The name of the person casting the provisional ballot;

(b) The reason for casting the provisional ballot;

(c) A statement in which the person casting the provisional ballot affirms under penalty of perjury that he or she is a registered voter in the jurisdiction and is eligible to vote in the election;

(d) The date and type of election;

(e) The signature of the person casting the provisional ballot;

(f) The signature of the election board officer;

(g) A unique affirmation identification number assigned to the person casting the provisional ballot;

(h) If the person is casting the provisional ballot pursuant to subsection 1 of NRS 293.3081:

(1) An indication by the person as to whether or not he or she provided *one of the ~~required~~ forms of identification listed in subsection 8 of NRS 293.517* at the time the person applied to register to vote;

(2) The address of the person as listed on the application to register to vote;

(3) Information concerning the place, manner and approximate date on which the person applied to register to vote;

(4) Any other information that the person believes may be useful in verifying that the person has registered to vote; and

(5) A statement informing the voter that if the voter does not provide *one of the forms of identification listed in subsection 8 of NRS 293.517* at the time the voter casts the provisional ballot, ~~the required~~ *such* identification must be provided to the county or city clerk not later than 5 p.m. on the Friday following election day and that failure to do so will result in the provisional ballot not being counted;

(i) If the person is casting the provisional ballot pursuant to subsection 2 of NRS 293.3081:

(1) The address of the person as listed on the application to register to vote;

(2) The voter registration number, if any, issued to the person; and

(3) A statement informing the voter that *one of the ~~required~~ forms of identification listed in subsection 8 of NRS 293.517* must be provided to the county or city clerk not later than 5 p.m. on the



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1 Friday following election day and that failure to do so will result in  
2 the provisional ballot not being counted; and

3 (j) If the person is casting the provisional ballot pursuant to  
4 subsection 3 of NRS 293.3081, the voter registration number, if any,  
5 issued to the person.

6 2. After a person completes a written affirmation pursuant to  
7 subsection 1:

8 (a) The election board officer shall provide the person with a  
9 receipt that includes the unique affirmation identification number  
10 described in subsection 1 and that explains how the person may use  
11 the free access system established pursuant to NRS 293.3086 to  
12 ascertain whether the person's vote was counted, and, if the vote  
13 was not counted, the reason why the vote was not counted;

14 (b) The voter's name and applicable information must be  
15 entered into the roster in a manner which indicates that the voter  
16 cast a provisional ballot; and

17 (c) The election board officer shall issue a provisional ballot to  
18 the person to vote only for candidates for federal offices.

19 **Sec. 6.** NRS 293.3083 is hereby amended to read as follows:

20 293.3083 A person may cast a ballot by mail to vote for a  
21 candidate for federal office, which must be treated as a provisional  
22 ballot by the county or city clerk if the person:

23 1. Applies by mail to register to vote and has not previously  
24 voted in an election for federal office in this State;

25 2. Fails to provide *a copy of one of the forms of* identification  
26 ~~{required pursuant to paragraph (b) of subsection 1 of NRS~~  
27 ~~293.2725}~~ *listed in subsection 8 of NRS 293.517* to the county or  
28 city clerk at the time that the person mails the ballot; and

29 3. Completes the written affirmation set forth in subsection 1  
30 of NRS 293.3082.

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

32 293.3085 1. Following each election, a canvass of the  
33 provisional ballots cast in the election must be conducted pursuant  
34 to NRS 293.387 and, if appropriate, pursuant to NRS 293C.387.

35 2. The county and city clerk shall not:

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

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

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

42 (a) The county or city clerk determines that the person who cast  
43 the provisional ballot was registered to vote in the election, eligible  
44 to vote in the election and issued the appropriate ballot for the  
45 address at which the person resides;



(b) A voter who failed to provide ~~required~~ *one of the forms of identification listed in subsection 8 of NRS 293.517* at the polling place or *a copy of such identification* with his or her mailed ballot provides the required identification to the county or city clerk not later than 5 p.m. on the Friday following election day; or

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

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

**Sec. 8.** NRS 293.3157 is hereby amended to read as follows:

293.3157 1. Any registered voter of this State who resides outside the continental United States may use approved electronic transmission to request an absent ballot. Such a request must be received by the county clerk not later than 5 p.m. on the seventh day before the primary, general or special election. The registered voter shall state on the request whether the registered voter:

(a) Requests the county clerk to send the absent ballot by mail or approved electronic transmission; and

(b) Will return the absent ballot to the county clerk by mail or approved electronic transmission.

2. If the registered voter indicates pursuant to subsection 1 that he or she will submit the absent ballot by mail, the registered voter shall include with the completed absent ballot *a copy of one of the forms of identification listed in subsection 8 of NRS 293.517 and* the identification envelope provided by the county clerk. The identification envelope must be in the form prescribed by the Secretary of State and include, without limitation:

(a) A declaration, under penalty of perjury, stating that the registered voter resides within the precinct in which he or she is voting and is the person whose name appears on the envelope;

(b) The signature of the registered voter;

(c) The address that the registered voter provided on the application for voter registration; and

(d) A statement that the registered voter has not applied and will not apply to any other county clerk for an absent ballot.

3. If the registered voter indicates pursuant to subsection 1 that he or she will submit the absent ballot by approved electronic transmission, the registered voter shall include with the completed absent ballot *a copy of one of the forms of identification listed in subsection 8 of NRS 293.517 and* the following:





OATH OF VOTER

I, \_\_\_\_\_, acknowledge that by returning my voted ballot by approved electronic transmission, I have waived my right to have my ballot kept secret. Nevertheless, I understand that, as with any absent voter, my signature, whether on this oath of voter form or my identification envelope, will be permanently separated from my voted ballot to maintain its secrecy at the outset of the tabulation process and thereafter.

My residential address is

\_\_\_\_\_.  
(Street Address) (City) (ZIP Code)

My current mailing address is

\_\_\_\_\_.

My e-mail address is \_\_\_\_\_.

My facsimile transmission number is (if applicable)

\_\_\_\_\_.

I am a resident of \_\_\_\_\_ County, State of Nevada, and I have not applied, nor do I intend to apply, for an absentee ballot from any other jurisdiction for the same election.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Signed)

\_\_\_\_\_  
Voter (power of attorney cannot be accepted)

YOUR BALLOT CANNOT BE COUNTED UNLESS YOU SIGN THE ABOVE OATH AND INCLUDE IT WITH YOUR BALLOT, ALL OF WHICH ARE RETURNED BY APPROVED ELECTRONIC TRANSMISSION.

4. The county clerk, if so requested pursuant to subsection 1, shall use approved electronic transmission to send an absent ballot and the oath, as required pursuant to subsection 3, to the registered voter.



5. Each county clerk shall, insofar as is practicable, ensure the secrecy of absent ballots that are submitted by approved electronic transmission.

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

**Sec. 9.** NRS 293.316 is hereby amended to read as follows:

293.316 1. Any registered voter who is unable to go to the polls:

(a) Because of an illness or disability resulting in confinement in a hospital, sanatorium, dwelling or nursing home; or

(b) Because the registered voter is suddenly hospitalized, becomes seriously ill or is called away from home after the time has elapsed for requesting an absent ballot as provided in NRS 293.315, may submit a written request to the county clerk for an absent ballot. The request may be submitted at any time before 5 p.m. on the day of the election.

2. If the county clerk determines that a request submitted pursuant to subsection 1 includes the information required pursuant to subsection 3, the county clerk shall, at the office of the county clerk, deliver an absent ballot to the person designated in the request to obtain the ballot for the registered voter.

3. A written request submitted pursuant to subsection 1 must include:

(a) The name, address and signature of the registered voter requesting the absent ballot;

(b) The name, address and signature of the person designated by the registered voter to obtain, deliver and return the ballot for the registered voter;

(c) A brief statement of the illness or disability of the registered voter or of facts sufficient to establish that the registered voter was called away from home after the time had elapsed for requesting an absent ballot;

(d) If the voter is confined in a hospital, sanatorium, dwelling or nursing home, a statement that he or she will be confined therein on the day of the election; and

(e) Unless the person designated pursuant to paragraph (b) will mark and sign an absent ballot on behalf of the registered voter pursuant to subsection 5, a statement signed under penalty of perjury that only the registered voter will mark and sign the ballot.

4. Except as otherwise provided in subsection 5, after marking the ballot, the voter must:

(a) Place ~~it~~ *the ballot and a copy of one of the forms of identification listed in subsection 8 of NRS 293.517* in the identification envelope;

(b) Affix his or her signature on the back of the envelope; and



(c) Return it to the office of the county clerk.

5. A person designated in a request submitted pursuant to subsection 1 may, on behalf of and at the direction of the registered voter, mark and sign the absent ballot. If the person marks and signs the ballot, the person shall indicate next to his or her signature that the ballot has been marked and signed on behalf of the registered voter.

6. A request for an absent ballot submitted pursuant to this section must be made, and the ballot delivered to the voter and returned to the county clerk, not later than the time the polls close on election day.

7. The procedure authorized by this section is subject to all other provisions of this chapter relating to voting by absent ballot to the extent that those provisions are not inconsistent with the provisions of this section.

**Sec. 10.** NRS 293.330 is hereby amended to read as follows:

293.330 1. Except as otherwise provided in NRS 293.3157 and subsection 2 of NRS 293.323 and any regulations adopted pursuant thereto, when an absent voter receives an absent ballot, the absent voter must mark and fold it in accordance with the instructions, deposit ~~it~~ *the ballot and a copy of one of the forms of identification listed in subsection 8 of NRS 293.517* 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~~ *the ballot and a copy of one of the forms of identification listed in subsection 8 of NRS 293.517* 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~~ *one of the forms of identification listed in subsection 8 of NRS 293.517* 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]~~ *one of the forms of* identification ~~[:]~~ *listed in subsection 8 of NRS 293.517;*

(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. 11.** NRS 293.333 is hereby amended to read as follows:

293.333 On the day of an election, the precinct or district election boards receiving the absent voters' ballots from the county clerk shall, in the presence of a majority of the election board officers, remove the ballots from the ballot box and the containers in which the ballots were transported pursuant to NRS 293.325 and deposit the ballots in the regular ballot box in the following manner:

1. The name of the voter, as shown on the return envelope or facsimile, must be called and checked as if the voter were voting in person;

2. The signature on the back of the return envelope or on the facsimile must be compared with that on the original application to register to vote;

3. If the board determines that the absent voter is entitled to cast a ballot, the envelope must be opened, *the identification provided by the voter inspected*, the numbers on the ballot and envelope compared, the number strip or stub detached from the ballot and, if the numbers are the same ~~[:]~~ *and the identification is deemed valid*, the ballot deposited in the regular ballot box; and

4. The election board officers shall mark in the roster opposite the name of the voter the word "Voted."

**Sec. 12.** NRS 293.353 is hereby amended to read as follows:

293.353 1. Except as otherwise provided in subsection 2 or 3, upon receipt of a mailing ballot from the county clerk, the registered voter must, in accordance with the instructions, mark and fold the ballot, deposit and seal the ballot *and a copy of one of the forms of identification listed in subsection 8 of NRS 293.517* in the return



1 envelope, affix his or her signature on the back of the envelope and  
2 mail the envelope to the county clerk.

3 2. Except as otherwise provided in subsection 3, if a registered  
4 voter who has received a mailing ballot applies to vote in person at:

5 (a) The office of the county clerk, the registered voter must  
6 mark the ballot, place and seal ~~the~~ *the ballot and a copy of one of*  
7 *the forms of identification listed in subsection 8 of NRS 293.517* in  
8 the return envelope and affix his or her signature in the same  
9 manner as provided in subsection 1, and deliver the envelope to the  
10 clerk.

11 (b) One of the polling places on election day or a polling place  
12 for early voting in the county designated pursuant to subsection 3 or  
13 4 of NRS 293.343, the registered voter must surrender the mailing  
14 ballot and provide ~~satisfactory~~ *one of the forms of* identification  
15 *listed in subsection 8 of NRS 293.517* before being issued a ballot  
16 to vote at the polling place. A person who receives a surrendered  
17 mailing ballot shall mark it "Cancelled."

18 3. If a registered voter who has received a mailing ballot  
19 wishes to vote in person at the office of the county clerk or at one of  
20 the polling places on election day or a polling place for early voting  
21 in the county designated pursuant to subsection 3 or 4 of NRS  
22 293.343, and the voter does not have the mailing ballot to deliver or  
23 surrender, the voter must be issued a ballot to vote if the voter:

24 (a) Provides ~~satisfactory~~ *one of the forms of* identification ~~;~~  
25 *listed in subsection 8 of NRS 293.517*;

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

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

30 4. It is unlawful for any person to return a mailing ballot other  
31 than the registered voter to whom the ballot was sent or, at the  
32 request of the voter, a member of the family of that voter. A person  
33 who returns a mailing ballot and who is a member of the family of  
34 the voter who received the mailing ballot shall, under penalty of  
35 perjury, indicate on a form prescribed by the county clerk that  
36 the person is a member of the family of the voter who received the  
37 mailing ballot and that the voter requested that he or she return the  
38 mailing ballot. A person who violates the provisions of this  
39 subsection is guilty of a category E felony and shall be punished as  
40 provided in NRS 193.130.

41 **Sec. 13.** NRS 293.3585 is hereby amended to read as follows:

42 293.3585 1. Upon the appearance of a person to cast a ballot  
43 for early voting, the deputy clerk for early voting shall:

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



(b) *Require the voter to present one of the forms of identification listed in subsection 8 of NRS 293.517;*

(c) Instruct the voter to sign the roster for early voting; and  
~~[(e)] (d)~~ Verify the signature of the voter against that contained on the original application to register to vote or a facsimile thereof ~~[-] the card issued to the voter at the time of registration or some other piece of official~~ *or on the identification [-] presented pursuant to paragraph (b).*

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

3. The roster for early voting must contain:

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

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

(c) The date of voting early in person.

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

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

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

(b) Ensure that the voter's precinct or voting district and the form of ballot are indicated on the voting receipt, if the county clerk uses voting receipts; and

(c) Allow the voter to cast a vote.

6. A voter applying to vote early by personal appearance may be challenged pursuant to NRS 293.303.

**Sec. 14.** 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



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(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 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



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1 that contains any handwritten additions, erasures or interlineations,  
2 the county clerk may object to the application to register to vote if  
3 the county clerk believes that because of such handwritten additions,  
4 erasures or interlineations, the application to register to vote of the  
5 elector is incomplete or that the elector is not eligible to vote  
6 pursuant to NRS 293.485. If the county clerk objects pursuant to  
7 this subsection, he shall immediately notify the elector and the  
8 district attorney of the county. Not later than 5 business days after  
9 the district attorney receives such notification, the district attorney  
10 shall advise the county clerk as to whether:

11 (a) The application to register to vote of the elector is complete  
12 and the elector is eligible to vote pursuant to NRS 293.485; and

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

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

19 *8. For purposes of this section, the following articles provide*  
20 *proof of identity:*

21 *(a) A current and valid Nevada driver's license;*

22 *(b) A current and valid identification card issued by the*  
23 *Department of Motor Vehicles;*

24 *(c) A current and valid identification card issued by a branch*  
25 *of the Armed Forces of the United States;*

26 *(d) A current and valid identification card issued by a sheriff*  
27 *of a Nevada county to an employee as a condition of his or her*  
28 *employment by certain business enterprises;*

29 *(e) A current and valid identification card issued by an agency*  
30 *of the State of Nevada or a political subdivision thereof or by the*  
31 *Federal Government, including, without limitation, a public*  
32 *school, college or university;*

33 *(f) A current and valid student identification card from an*  
34 *accredited private school, college or university;*

35 *(g) A current and valid United States passport;*

36 *(h) A current and valid insurance plan identification card*  
37 *which the county clerk determines, in his or her discretion, to be a*  
38 *reliable indication of the true name and identity of the person;*

39 *(i) A current and valid tribal identification card;*

40 *(j) A current and valid employee identification card which the*  
41 *county clerk determines, in his or her discretion, to be a reliable*  
42 *indication of the true name and identity of the person; or*

43 *(k) Any other official article which the county clerk*  
44 *determines, in his or her discretion, to be a reliable indication of*  
45 *the true name and identity of the person, including, without*





*limitation, an expired article listed in paragraphs (a) to (j), inclusive, if that article has been expired for 30 calendar days or less and is otherwise valid.*

**Sec. 15.** NRS 293.5235 is hereby amended to read as follows:

293.5235 1. Except as otherwise provided in NRS 293.502, 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.



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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 4}~~ *comply with the provisions* 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



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1 address is fictitious or the person does not live at that address, the  
2 county clerk shall attempt to determine whether the person's current  
3 residence is other than that indicated on the application to register to  
4 vote in the manner set forth in NRS 293.530.

5 13. A person who, by mail, registers to vote pursuant to this  
6 section may be assisted in completing the application to register to  
7 vote by any other person. The application must include the mailing  
8 address and signature of the person who assisted the applicant. The  
9 failure to provide the information required by this subsection will  
10 not result in the application being deemed incomplete.

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

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

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

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

22 **Sec. 16.** NRS 293.541 is hereby amended to read as follows:

23 293.541 1. The county clerk shall cancel the registration of a  
24 voter if:

25 (a) After consultation with the district attorney, the district  
26 attorney determines that there is probable cause to believe that  
27 information in the registration concerning the identity or residence  
28 of the voter is fraudulent;

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

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

34 2. Except as otherwise provided in subsection 3, the county  
35 clerk shall notify the voter by registered or certified mail, return  
36 receipt requested, of a determination made pursuant to subsection 1.  
37 The notice must set forth the grounds for cancellation. Unless the  
38 voter, within 15 days after the return receipt has been filed in the  
39 office of the county clerk, presents satisfactory proof of identity and  
40 residence to the county clerk, the county clerk shall cancel the  
41 voter's registration.

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



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

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

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

(a) ~~[Official identification which contains a photograph of the voter, including, without limitation, a driver's license or other official document;]~~ *One of the forms of identification listed in subsection 8 of NRS 293.517;* and

(b) Satisfactory ~~[identification that contains]~~ proof of the address at which the voter actually resides and that address is consistent with the address listed on the election board register.

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

6. For the purposes of this section, a voter registration card issued pursuant to NRS 293.517 does not provide proof of the:

(a) Address at which a person actually resides; or

(b) Residence ~~[or identity]~~ of a person.

**Sec. 17.** NRS 293C.270 is hereby amended to read as follows:

293C.270 ~~[H:]~~ If a person's name appears in the election board register or if the person provides an affirmation pursuant to NRS 293C.525, the person is entitled to vote and must :

*1. Present one of the forms of identification listed in subsection 8 of NRS 293.517; and*

*2. Except as otherwise provided in NRS 293C.272, sign his or her name in the election board register when he or she applies to vote. The signature must be compared by an election board officer with the signature or a facsimile thereof on the person's original application to register to vote or ~~[one of the forms of identification listed in subsection 2.~~*

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

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



~~(b) A driver's license;~~  
~~(c) An identification card issued by the Department of Motor Vehicles;~~  
~~(d) A military identification card; or~~  
~~(e) Any other form of identification issued by a governmental agency that contains the voter's signature and physical description or picture.]~~ *on the identification presented by the person pursuant to this section.*

**Sec. 18.** NRS 293C.292 is hereby amended to read as follows:  
293C.292 1. A person applying to vote may be challenged:

(a) Orally by any registered voter of the precinct or district upon the ground that he or she is not the person entitled to vote as claimed or has voted before at the same election; or

(b) On any ground set forth in a challenge filed with the county clerk pursuant to the provisions of NRS 293.547.

2. If a person is challenged, an election board officer shall tender the challenged person the following oath or affirmation:

(a) If the challenge is on the ground that the challenged person does not reside at the residence for which the address is listed in the election board register, "I swear or affirm under penalty of perjury that I reside at the residence for which the address is listed in the election board register";

(b) If the challenge is on the ground that the challenged person previously voted a ballot for the election, "I swear or affirm under penalty of perjury that I have not voted for any of the candidates or questions included on this ballot for this election"; or

(c) If the challenge is on the ground that the challenged person is not the person he or she claims to be, "I swear or affirm under penalty of perjury that I am the person whose name is in this election board register."

➤ The oath or affirmation must be set forth on a form prepared by the Secretary of State and signed by the challenged person under penalty of perjury.

3. If the challenged person refuses to execute the oath or affirmation so tendered, he or she must not be issued a ballot, and the officer in charge of the election board register shall write the words "Challenged ....." opposite his or her name in the election board register.

4. If the challenged person refuses to execute the oath or affirmation set forth in paragraph (a) of subsection 2, the election board officers shall inform the person that he or she is entitled to vote only in the manner prescribed in NRS 293C.295.

5. If the challenged person executes the oath or affirmation and the challenge is not based on the ground set forth in paragraph (c) of



subsection 2, the election board officers shall issue him or her a ballot.

6. If the challenge is based on the ground set forth in paragraph (a) of subsection 2, and the challenged person executes the oath or affirmation, the election board shall not issue the person a ballot until he or she furnishes satisfactory identification that contains proof of the address at which the person actually resides. For the purposes of this subsection, a voter registration card issued pursuant to NRS 293.517 does not provide proof of the address at which a person resides.

7. If the challenge is based on the ground set forth in paragraph (c) of subsection 2 and the challenged person executes the oath or affirmation, the election board shall not issue the person a ballot unless the person:

(a) Furnishes ~~{official identification which contains a photograph of the person, such as a driver's license or other official document;}~~ *one of the forms of identification listed in subsection 8 of NRS 293.517;* or

(b) Brings before the election board officers a person who is at least 18 years of age who:

(1) Furnishes ~~{official identification which contains a photograph of the person, such as a driver's license or other official document;}~~ *one of the forms of identification listed in subsection 8 of NRS 293.517;* and

(2) Executes an oath or affirmation under penalty of perjury that the challenged person is who he or she swears to be.

8. The election board officers shall:

(a) Record on the challenge list:

(1) The name of the challenged person;

(2) The name of the registered voter who initiated the challenge; and

(3) The result of the challenge; and

(b) If possible, orally notify the registered voter who initiated the challenge of the result of the challenge.

**Sec. 19.** NRS 293C.315 is hereby amended to read as follows:

293C.315 1. Any registered voter of this State who resides outside the continental United States may use approved electronic transmission to request an absent ballot. Such a request must be received by the city clerk not later than 5 p.m. on the seventh day before the primary, general or special election. The registered voter shall state on the request whether the voter:

(a) Requests the city clerk to send the absent ballot by mail or approved electronic transmission; and

(b) Will return the absent ballot to the city clerk by mail or approved electronic transmission.



2. If the registered voter indicates pursuant to subsection 1 that he or she will submit the absent ballot by mail, the voter shall include with the completed absent ballot *a copy of one of the forms of identification listed in subsection 8 of NRS 293.517* and the identification envelope provided by the city clerk. The identification envelope must be in the form prescribed by the Secretary of State and include, without limitation:

(a) A declaration, under penalty of perjury, stating that the registered voter resides within the precinct or district in which he or she is voting and is the person whose name appears on the envelope;

(b) The signature of the registered voter;

(c) The address that the registered voter provided on the application for voter registration; and

(d) A statement that the voter has not applied and will not apply to any other city clerk for an absent ballot.

3. If the registered voter indicates pursuant to subsection 1 that he or she will submit the absent ballot by approved electronic transmission, the voter shall include with the completed absent ballot *a copy of one of the forms of identification listed in subsection 8 of NRS 293.517* and the following:

#### OATH OF VOTER

I, \_\_\_\_\_, acknowledge that by returning my voted ballot by approved electronic transmission, I have waived my right to have my ballot kept secret. Nevertheless, I understand that, as with any absent voter, my signature, whether on this oath of voter form or my identification envelope, will be permanently separated from my voted ballot to maintain its secrecy at the outset of the tabulation process and thereafter.

My residential address is \_\_\_\_\_.

(Street Address) (City) (ZIP Code)

My current mailing address is \_\_\_\_\_.

My e-mail address is \_\_\_\_\_.

My facsimile transmission number is (if applicable) \_\_\_\_\_.



1 I am a resident of \_\_\_\_\_ County, State of Nevada, and I  
2 have not applied, nor do I intend to apply, for an absentee  
3 ballot from any other jurisdiction for the same election.  
4

5 I declare under penalty of perjury under the laws of the State  
6 of Nevada that the foregoing is true and correct.  
7

8 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
9

10 (Signed)  
11

12 \_\_\_\_\_  
13 voter (power of attorney cannot be accepted)  
14

15 YOUR BALLOT CANNOT BE COUNTED UNLESS YOU  
16 SIGN THE ABOVE OATH AND INCLUDE IT WITH  
17 YOUR BALLOT, ALL OF WHICH ARE RETURNED BY  
18 APPROVED ELECTRONIC TRANSMISSION.

19 4. The city clerk, if so requested pursuant to subsection 1, shall  
20 use approved electronic transmission to send an absent ballot and  
21 the oath, as required pursuant to subsection 3, to the registered  
22 voter.

23 5. Each city clerk shall, insofar as is practicable, ensure the  
24 secrecy of absent ballots that are submitted by approved electronic  
25 transmission.

26 6. The Secretary of State shall adopt regulations to carry out  
27 the provisions of this section.

28 **Sec. 20.** NRS 293C.317 is hereby amended to read as follows:

29 293C.317 1. Any registered voter who is unable to go to the  
30 polls:

31 (a) Because of an illness or disability resulting in confinement in  
32 a hospital, sanatorium, dwelling or nursing home; or

33 (b) Because the registered voter is suddenly hospitalized,  
34 becomes seriously ill or is called away from home after the time  
35 has elapsed for requesting an absent ballot as provided in  
36 NRS 293C.312,

37 ➡ may submit a written request to the city clerk for an absent ballot.  
38 The request may be submitted at any time before 5 p.m. on the day  
39 of the election.

40 2. If the city clerk determines that a request submitted pursuant  
41 to subsection 1 includes the information required pursuant to  
42 subsection 3, the city clerk shall, at the office of the city clerk,  
43 deliver an absent ballot to the person designated in the request to  
44 obtain the ballot for the registered voter.



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1 3. A written request submitted pursuant to subsection 1 must  
2 include:

3 (a) The name, address and signature of the registered voter  
4 requesting the absent ballot;

5 (b) The name, address and signature of the person designated by  
6 the registered voter to obtain, deliver and return the ballot for the  
7 registered voter;

8 (c) A brief statement of the illness or disability of the registered  
9 voter or of facts sufficient to establish that the registered voter was  
10 called away from home after the time had elapsed for requesting an  
11 absent ballot;

12 (d) If the voter is confined in a hospital, sanatorium, dwelling or  
13 nursing home, a statement that he or she will be confined therein on  
14 the day of the election; and

15 (e) Unless the person designated pursuant to paragraph (b) will  
16 mark and sign an absent ballot on behalf of the registered voter  
17 pursuant to subsection 5, a statement signed under penalty of perjury  
18 that only the registered voter will mark and sign the ballot.

19 4. Except as otherwise provided in subsection 5, after marking  
20 the ballot the voter must:

21 (a) Place ~~it~~ *the ballot and a copy of one of the forms of*  
22 *identification listed in subsection 8 of NRS 293.517* in the  
23 identification envelope;

24 (b) Affix his or her signature on the back of the envelope; and

25 (c) Return it to the office of the city clerk.

26 5. A person designated in a request submitted pursuant to  
27 subsection 1 may, on behalf of and at the direction of the registered  
28 voter, mark and sign the absent ballot. If the person marks and signs  
29 the ballot, the person shall indicate next to his or her signature that  
30 the ballot has been marked and signed on behalf of the registered  
31 voter.

32 6. A request for an absent ballot submitted pursuant to this  
33 section must be made, and the ballot delivered to the voter and  
34 returned to the city clerk, not later than the time the polls close on  
35 election day.

36 7. The procedure authorized by this section is subject to all  
37 other provisions of this chapter relating to voting by absent ballot to  
38 the extent that those provisions are not inconsistent with the  
39 provisions of this section.

40 **Sec. 21.** NRS 293C.330 is hereby amended to read as follows:

41 293C.330 1. Except as otherwise provided in NRS 293C.315  
42 and subsection 2 of NRS 293C.322 and any regulations adopted  
43 pursuant thereto, when an absent voter receives an absent ballot, the  
44 absent voter must mark and fold it in accordance with the  
45 instructions, deposit ~~it~~ *the ballot and a copy of one of the forms of*



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1 *identification listed in subsection 8 of NRS 293.517* in the return  
2 envelope, seal the envelope, affix his or her signature on the back of  
3 the envelope in the space provided therefor and mail the return  
4 envelope.

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

8 (a) The office of the city clerk, the absent voter must mark the  
9 ballot, seal ~~the~~ *the ballot and a copy of one of the forms of*  
10 *identification listed in subsection 8 of NRS 293.517* in the return  
11 envelope and affix his or her signature in the same manner as  
12 provided in subsection 1, and deliver the envelope to the city clerk.

13 (b) A polling place, including, without limitation, a polling place  
14 for early voting, the absent voter must surrender the absent ballot  
15 and provide ~~satisfactory~~ *one of the forms of* identification *listed in*  
16 *subsection 8 of NRS 293.517* before being issued a ballot to vote at  
17 the polling place. A person who receives a surrendered absent ballot  
18 shall mark it "Cancelled."

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

24 (a) Provides ~~satisfactory~~ *one of the forms of* identification ~~the~~  
25 *listed in subsection 8 of NRS 293.517;*

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

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

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

41 **Sec. 22.** NRS 293C.332 is hereby amended to read as follows:

42 293C.332 On the day of an election, the precinct or district  
43 election boards receiving the absent voters' ballots from the city  
44 clerk shall, in the presence of a majority of the election board  
45 officers, remove the ballots from the ballot box and the containers in



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1 which the ballots were transported pursuant to NRS 293C.325 and  
2 deposit the ballots in the regular ballot box in the following manner:

3 1. The name of the voter, as shown on the return envelope or  
4 facsimile, must be called and checked as if the voter were voting in  
5 person;

6 2. The signature on the back of the return envelope or on the  
7 facsimile must be compared with that on the original application to  
8 register to vote;

9 3. If the board determines that the absent voter is entitled to  
10 cast a ballot, the envelope must be opened, *the identification*  
11 *provided by the voter inspected*, the numbers on the ballot and  
12 envelope compared, the number strip or stub detached from the  
13 ballot and, if the numbers are the same ~~[-]~~ *and the identification is*  
14 *deemed valid*, the ballot deposited in the regular ballot box; and

15 4. The election board officers shall mark in the roster opposite  
16 the name of the voter the word "Voted."

17 **Sec. 23.** NRS 293C.3585 is hereby amended to read as  
18 follows:

19 293C.3585 1. Upon the appearance of a person to cast a  
20 ballot for early voting, the deputy clerk for early voting shall:

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

22 (b) *Require the voter to present one of the forms of*  
23 *identification listed in subsection 8 of NRS 293.517;*

24 (c) Instruct the voter to sign the roster for early voting; and

25 ~~[-]~~ (d) Verify the signature of the voter against that contained  
26 on the original application to register to vote or a facsimile thereof ~~[-]~~  
27 ~~the card issued to the voter at the time of registration or some other~~  
28 ~~piece of official~~ *or on the* identification ~~[-]~~ *presented pursuant to*  
29 *paragraph (b).*

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

33 3. The roster for early voting must contain:

34 (a) The voter's name, the address where he or she is registered  
35 to vote, his or her voter identification number and a place for the  
36 voter's signature;

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

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

39 4. When a voter is entitled to cast a ballot and has identified  
40 himself or herself to the satisfaction of the deputy clerk for early  
41 voting, the voter is entitled to receive the appropriate ballot or  
42 ballots, but only for his or her own use at the polling place for early  
43 voting.



- 1        5. If the ballot is voted on a mechanical recording device which
- 2 directly records the votes electronically, the deputy clerk for early
- 3 voting shall:
- 4        (a) Prepare the mechanical recording device for the voter;
- 5        (b) Ensure that the voter's precinct or voting district and the
- 6 form of ballot are indicated on the voting receipt, if the city clerk
- 7 uses voting receipts; and
- 8        (c) Allow the voter to cast a vote.
- 9        6. A voter applying to vote early by personal appearance may
- 10 be challenged pursuant to NRS 293C.292.

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\* A B 4 3 5 \*