# Amendment No. 496

Assembly Amendment to Assembly Bill No. 440	(BDR 24-987)
<b>Proposed by:</b> Assembly Committee on Legislative	Operations and Elections
Amends: Summary: No Title: Yes Preamble: No Join	nt Sponsorship: No Digest: Yes

ASSEMBLY	ACTI	ON	Initial and Date	SENATE ACTIO	ON Initial and Date
Adopted		Lost		Adopted	Lost
Concurred In		Not		Concurred In	Not
Receded		Not		Receded	Not

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

SJA/HAC Date: 4/19/2013

A.B. No. 440—Revises provisions relating to voter registration. (BDR 24-987)



## ASSEMBLY BILL No. 440-COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS

# MARCH 25, 2013

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to voter registration. (BDR 24-987)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.

Effect on the State: Yes.

EXPLANATION - Matter in bolded italics is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to elections; fauthorizing an elector to register to vote on the day of certain elections and setting forth requirements for such registration; extending the period during which an elector can register to vote in person or by computer; and providing other matters properly relating thereto.

### Legislative Counsel's Digest:

Under existing law, registration for any primary, primary city, general or general city election closes on the third Tuesday before the election. Unless otherwise specified, registration for a recall or special election closes on the third Saturday before the election.

registration for a recall or special election closes on the third Saturday before the election. After the fifth Sunday before a primary, primary city, general or general city election, a person may register to vote only by appearing in person at the office of the county or city clerk, as applicable, or other designated site for registering to vote. (NRS 293.560, 293C.527)

[Sections 5 and 12 of this] This bill [extend] extends the period in which a person may register to vote for primary, primary city, general and general city elections until the last day of early voting for those elections, which is the Friday before the election. [Sections 5 and 12] This bill also [allow] allows a person to register to vote by computer after the fifth Sunday before the election. Additionally, [sections 5 and 12 extend] this bill extends the period in which a person may register to vote for all elections except otherwise specified recall and special elections until the fourth day before the election. These changes take effect on January special elections until the fourth day before the election. These changes take effect on January

general or general city election on the day of the election. Under sections 1 and 8, the county

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

<del>section</del>	to read as follows:
<del>1.</del>	Each county clerk shall, with the approval of the board of
<del>commi</del>	ssioners, designate one or more polling places in the county as a sit
elector	of the county to register to vote on the day of a primary election or
electio:	
	An elector who is not registered to vote by the close of registrati
registe	to vote on the day of the primary election or general election
pouing	place designated pursuant to subsection 1 by the county elerk
<del>county</del> 2	where the elector resides.  To register to vote on the day of the primary election or general e
un cice	tor must:
subsac	Appear at a polling place designated by the county clerk pursion I as a site for registering to vote on the day of the election bej
alosa o	ton I as a sue joi registering to rote on the day of the election bef film nolls:
(L)	f the polls; Complete the application to register to yeter and
(0)	Complete the application to register to vote; and Provides proof of his or her residence and identity as deser
cubcae	tions 4 and 5.
	The following forms of identification may be used to identify an
annluis	g to register to vote pursuant to this section:
	A driver's licenses
	An identification eard issued by the Department of Motor Vehicles
	A military identification card; or
	Any other form of identification issued by a governmental agency
	is the signature and physical description or picture of the elector.
	The following documents may be used to establish residency
011111011	t residential address of the elector, as indicated on the applied
	to vote, is displayed on the document:
	Any form of identification set forth in subsection 4;
	A utility bill, including, without limitation, a bill for electricity,
	sewer, septie, telephone, cellular telephone or cable television;
	A bank or credit union statement;
1.5.	A paycheck;
1.6	An income tax return;
(6)	A statement concerning the mortgage, rental or lease of a residence
(0)	A motor vehicle registration;
	A property tax statement;
	Any other document issued by a governmental agency; or
	Any other official document which the county elerk, field regin
	verson designated by the county clerk to accept applications to reg
	result to this section determines, in his or her discretion, to be a
	ion of the true residential address of the elector.
	An elector who registers pursuant to this section shall be deeme
	red to vote upon the completion of an application to register to vote
	tion of the elector's identity and residency.
	An elector who registers to vote pursuant to this section:

9 10

29

40

53

— (b) If he or she applies to vote at the polling place at which he or she registers to vote, must sign his or her name in an election board register designated for electors who register to vote pursuant to this section. [ Deleted by amendment.)

Sec. 2. NRS 293.273 is hereby amended to read as follows:

- 293.273 1. Except as otherwise provided in [subsection 2 and] NRS 293.305, at all elections held under the provisions of this title, the pells must open at 7 a.m. and close at 7 p.m.
- 2. [Whenever at any election all the votes of the precinct or district, as shown on the roster, have been east, the election board officers shall close the pells, and the counting of votes must begin and continue without unnecessary delay until the count is completed.
- 3.] Upon opening the polls, one of the election board officers shall cause a proclamation to be made that all present may be aware of the fact that applications of registered voters to vote will be received.
- [4.] 3. No person other than election board officers engaged in receiving, preparing or depositing ballots may be permitted inside the guardrail during the time the polls are open, except by authority of the election board as necessary to keep order and earry out the provisions of this title.] (Deleted by amendment.)

NRS 293.356 is hereby amended to read as follows:

- If a request is made *in person* to vote early by a registered voter <del>in</del> person, , including, without limitation, a registered voter who registered to vote after the beginning of the period for early voting by personal appearance, the election board shall issue a ballot for early voting to the voter. Such a ballot must be voted on the premises of a polling place for early voting established pursuant to NRS 293.3564 or 293.3572.
  - **Sec. 4.** NRS 293.557 is hereby amended to read as follows:
- 293.557 1. The county clerk may cause to be published once in each of the newspapers circulated in different parts of the county or cause to be published once in a newspaper circulated in the county:
- (a) An alphabetical listing of all registered voters, including the precinct of each voter:
- (1) Within the circulation area of each newspaper if the listing is published in each newspaper circulated in different parts of the county; or
- (2) Within the entire county if the listing is published in only one newspaper in the county; or
- (b) A statement notifying the public that the county clerk will provide an alphabetical listing of the names of all registered voters in the entire county and the precinct of each voter free of charge to any person upon request.
- 2. If the county clerk publishes the list of registered voters, the county clerk must do so:
- (a) Not less than 2 weeks before the **close of registration for any** primary election.
- (b) After each primary election and not less than 2 weeks before the <del>[close of</del> registration for the ensuing general election.
- 3. The county may not pay more than 10 cents per name for six-point or seven-point type or 15 cents per name for eight-point type or larger to each newspaper publishing the list.
- The list of registered voters, if published, must not be printed in type smaller than six-point.
  - **Sec. 5.** NRS 293.560 is hereby amended to read as follows:
- 293.560 1. Except as otherwise provided in NRS 293.502, 293D.230 and 293D.300, registration must close at 5 p.m. on the [third Tuesday] Friday

 preceding any primary or general election and, except as otherwise provided by specific law, at 5 p.m. on the [third Saturday] fourth day preceding any recall or special election. [, except that if a recall or special election is held on the same day as a primary or general election, registration must close on the third Tuesday preceding the day of the elections.]

2. For a primary or special election, the office of the county clerk must be appropriately a produced as the proof to leave the proof of the county clerk must be appropriately as the proof to leave the proof of the county clerk must be appropriately as the proof of the county clerk must be appropriately as the proof of the county clerk must be appropriately as the proof of the county clerk must be appropriately as the proof of the county clerk must be approximatel

- 2. For a primary or special election, the office of the county clerk must be open until 7 p.m. [during] on the next to last [2 days] day on which registration is open [-] and 5 p.m. on the last day on which registration is open. In a county whose population is less than 100,000, the office of the county clerk may close at 5 p.m. [during] on the next to last [2 days] day before registration closes if approved by the board of county commissioners.
  - 3. For a general election:
- (a) In a county whose population is less than 100,000, the office of the county clerk must be open until 7 p.m. [during] on the next to last [2 days] day on which registration is open [1] and 5 p.m. on the last day on which registration is open. The office of the county clerk may close at 5 p.m. on the next to last day on which registration is open if approved by the board of county commissioners.
- (b) In a county whose population is 100,000 or more, the office of the county clerk must be open during the last 4 days on which registration is open, according to the following schedule:
- (1) On weekdays a day other than the last day on which registration is open, until 9 p.m.; fand
- (2) A minimum of 8 hours on Saturdays, Sundays and legal holidays [ ; and
  - (3) On the last day on which registration is open, until 5 p.m.
  - 4. Except for a special election held pursuant to chapter 306 or 350 of NRS:
- (a) The county clerk of each county shall cause a notice signed by him or her to be published in a newspaper having a general circulation in the county indicating:
  - (1) The day and time that registration will be closed; and
- (2) If the county clerk has designated a county facility pursuant to NRS 293.5035, the location of that facility.
- → If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest county in this State.
- (b) The notice must be published once each week for 4 consecutive weeks next preceding the close of registration for any election.
- 5. The offices of the county clerk, a county facility designated pursuant to NRS 293.5035 and other ex officio registrars may remain open on the last Friday in October in each even-numbered year.
- 6. For the period beginning on the fifth Sunday preceding any primary or general election and ending on the [third Tuesday] *Friday* preceding any primary or general election, an elector may register to vote only by [appearing]:
  - (a) Appearing in person at the office of the county clerk [or, if];
- (b) If open, appearing in person at a county facility designated pursuant to NRS 293.5035 ; or
- (c) If the county clerk has established a system to allow electors to register to vote by computer pursuant to NRS 293.506, registering by computer.
- 7. A county facility designated pursuant to NRS 293.5035 may be open during the periods described in this section for such hours of operation as the county clerk may determine, as set forth in subsection 3 of NRS 293.5035.

Sec. 6. [NRS 293.560 is hereby amended to read as follows:

293.560 1. Except as otherwise provided in NRS 293.502, 293D.230 and 293D.300 registration must close at 5 p.m. on the Friday preceding any primary or general election and, except as otherwise provided by specific law, at 5 p.m. on the

15 16

17

18

19

20

21

22

23

24

25

26 27

28

29

30

31

32 33

34

35 36 37

38

39

40 41

42

43

44

45 46

47 48 49

50 51

52

fourth day preceding any recall or special election. Except as otherwise provided in section I of this act, after the close of registration for an election, no person may register to vote for the election. 2. For a primary or special election, the office of the county clerk must be

- open until 7 p.m. on the next to last day on which registration is open and 5 p.m. on the last day on which registration is open. In a county whose population is less than 100,000, the office of the county clerk may close at 5 p.m. on the next to last day before registration closes if approved by the board of county commissioners.
  - For a general election:
- (a) In a county whose population is less than 100,000, the office of the county elerk must be open until 7 p.m. on the next to last day on which registration is open and 5 p.m. on the last day on which registration is open. The office of the county clerk may close at 5 p.m. on the next to last day on which registration is open if approved by the board of county commissioners.
- (b) In a county whose population is 100,000 or more, the office of the county elerk must be open during the last 4 days on which registration is open, according to the following schedule:
- (1) On a day other than the last day on which registration is open, until 9 <del>p.m.;</del>
  - (2) A minimum of 8 hours on Saturdays, Sundays and legal holidays; and
    - (3) On the last day on which registration is open, until 5 p.m.
- Except for a special election held pursuant to chapter 306 or 350 of NRS:
- (a) The county clerk of each county shall cause a notice signed by him or her to be published in a newspaper having a general circulation in the county indicating:
- (1) The day and time that registration will be closed; and
- (2) If the county clerk has designated a county facility pursuant to NRS 293.5035, the location of that facility.
- → If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest county in this State.
- (b) The notice must be published once each week for 4 consecutive weeks next preceding the close of registration for any election.
- The offices of the county clerk, a county facility designated pursuant to NRS 203.5035 and other ex officio registrars may remain open on the last Friday in October in each even numbered year.
- 6. For the period beginning on the fifth Sunday preceding any primary general election and ending on the Friday preceding any primary or gen election, an elector may register to vote only by:
  - (a) Appearing in person at the office of the county clerk;
- (b) If open, appearing in person at a county facility designated pursuant to NRS
- (e) If the county clerk has established a system to allow electors to register vote by computer pursuant to NRS 293.506, registering by computer.
- 7. A county facility designated pursuant to NRS 293.5035 during the periods described in this section for such hours of operation county clerk may determine, as set forth in subsection 3 of NRS 293.5035.] (Deleted by amendment.)
- Sec. 7. NRS 293.567 is hereby amended to read as follows: 293.567 After the close of registration for each primary election but not later than [the Friday preceding] the opening of the polls for the primary election and after the close of registration for each general election but not later than the Friday preceding the opening of the polls for the general election, the county clerk shall ascertain by precinct and district the number of registered voters in the county and

polling place at which the elector registers to vote; and

(b) If he or she applies to vote at the polling place at which he or she

registers to vote, must sign his or her name in an election board register

designated for electors who register to vote pursuant to this section.] (Deleted by

49

50 51

52

53

amendment.)

1 23456789 east by mail if: (a) The election is a special election; or ballot includes only: voters of only one ward; or 10 (2) One office or ballot question. 11 12 13 14 15 16 election conducted pursuant to this section. 17 18 19 20 21 22 23 24 must open at 7 a.m. and close at 7 p.m. 25 26 27 count is completed. 28 29 applications of registered voters to vote will be received. 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 voting in accordance with this section. 45 46

Sec. 9. [NRS 293C.112 is hereby amended to read as follows: 203C.112 1. [The] Except as otherwise provided in subsection governing body of a city may conduct a city election in which all ballots must be (b) The election is a primary city election or general city election in which the (1) Offices and ballot questions that may be voted on by If an elector registers to vote on the day of a primary city election or general city election pursuant to section & of this act, the elector must be allowed to vote in person at the polling place where he or she registered to vote.

3. The provisions of NRS 293C.265 to 293C.302, inclusive, 293C.305 203C.340, inclusive, and 203C.355 to 203C.361, inclusive, do not apply to [3.] 4. For the purposes of an election conducted pursuant to this section, each precinct in the city shall be deemed to have been designated a mailing precinct pursuant to NRS 293C.342.] (Deleted by amendment.) Sec. 10. [NRS 293C.267 is hereby amended to read as follows: 293C.267 1. Except as otherwise provided in [subsection 2] and NRS 293C,297, at all elections held pursuant to the provisions of this chapter, the polls 2. [Whenever at any election all the votes of the precinct or district, as shown on the roster, have been east, the election board officers shall close the polls and the counting of votes must begin and continue without unnecessary delay until the 3.] Upon opening the polls, one of the election board officers shall cause a proclamation to be made so that all present may be aware of the fact that [4.] 3. No person other than election board officers engaged in receiving, preparing or depositing ballots may be permitted inside the guardrail during the time the polls are open, except by authority of the election board as necessary to keep order and carry out the provisions of this chapter.] (Deleted by amendment.) Sec. 11. NRS 293C.356 is hereby amended to read as follows: 293C.356 1. If a request is made *in person* to vote early by a registered voter [in person,], including, without limitation, a registered voter who registered to vote after the beginning of the period for early voting by personal appearance, the city clerk shall issue a ballot for early voting to the voter. Such a ballot must be

voted on the premises of the clerk's office and returned to the clerk.

On the dates for early voting prescribed in NRS 293C.3568, each city clerk shall provide a voting booth, with suitable equipment for voting, on the premises of the city clerk's office for use by registered voters who are issued ballots for early

47 48 49

50

51 52 Sec. 12. NRS 293C.527 is hereby amended to read as follows: 293C.527 1. Except as otherwise provided in NRS 293.502, 293D.230 and 293D.300, registration must close at 5 p.m. on the [third Tuesday] Friday preceding any primary city election or general city election and , except as otherwise provided by specific law, at 5 p.m. on the [third Saturday] fourth day preceding any recall or special election. Lexcept that if a recall or special election is held on the same day as a primary eity election or general eity election, registration must close on the third Tuesday preceding the day of the elections.]

and

- 2. For a primary city election or special city election, the office of the city clerk must be open until 7 p.m. [during] on the next to last [2 days] day on which registration is open [-] and 5 p.m. on the last day on which registration is open. In a city whose population is less than 25,000, the office of the city clerk may close at 5 p.m. on the next to last day before registration closes if approved by the governing body of the city.
  - 3. For a general *city* election:
- (a) In a city whose population is less than 25,000, the office of the city clerk must be open until 7 p.m. [during] on the next to last [2 days] day on which registration is open [1] and 5 p.m. on the last day on which registration is open. The office of the city clerk may close at 5 p.m. on the next to last day on which registration is open if approved by the governing body of the city.
- (b) In a city whose population is 25,000 or more, the office of the city clerk must be open during the last 4 days on which registration is open, according to the following schedule:
- (1) On [weekdays] a day other than the last day on which registration is open, until 9 p.m.; [and]
  - (2) A minimum of 8 hours on Saturdays, Sundays and legal holidays 📑 ;
  - (3) On the last day on which registration is open, until 5 p.m.
  - 4. Except for a special election held pursuant to chapter 306 or 350 of NRS:
- (a) The city clerk of each city shall cause a notice signed by him or her to be published in a newspaper having a general circulation in the city indicating:
  - (1) The day and time that registration will be closed; and
- (2) If the city clerk has designated a municipal facility pursuant to NRS 293C.520, the location of that facility.
- → If no newspaper is of general circulation in that city, the publication may be made in a newspaper of general circulation in the nearest city in this State.
- (b) The notice must be published once each week for 4 consecutive weeks next preceding the close of registration for any election.
- 5. For the period beginning on the fifth Sunday preceding any primary city election or general city election and ending on the [third Tuesday] Friday preceding any primary city election or general city election, an elector may register to vote only by [appearing]:
  - (a) Appearing in person at the office of the city clerk [or, if];
- (b) If open, appearing in person at a municipal facility designated pursuant to NRS 293C.520 H; or
- (c) If the county clerk of the county in which the city is located has established a system to allow electors to register to vote by computer pursuant to NRS 293.506, registering by computer.
- 6. A municipal facility designated pursuant to NRS 293C.520 may be open during the periods described in this section for such hours of operation as the city clerk may determine, as set forth in subsection 3 of NRS 293C.520.
  - Sec. 13. [NRS 293C.527 is hereby amended to read as follows:
- 293C.527 1. Except as otherwise provided in NRS 293.502, 293D.230 and 293D.300, registration must close at 5 p.m. on the Friday preceding any primary city election or general city election and, except as otherwise provided by specific law, at 5 p.m. on the fourth day preceding any recall or special election. Except as otherwise provided in section 8 of this act, after the close of registration for an election, no person may register to vote for the election.
- 2. For a primary city election or special city election, the office of the city clerk must be open until 7 p.m. on the next to last day on which registration is open and 5 p.m. on the last day on which registration is open. In a city whose population