

Amendment No. 443

Senate Amendment to Senate Bill No. 433	(BDR 24-1145)
<b>Proposed by:</b> Senate Committee on Legislative Operations and Elections	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

KCP



Date: 4/17/2015

S.B. No. 433—Revises provisions relating to elections. (BDR 24-1145)



SENATE BILL NO. 433—COMMITTEE ON  
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 23, 2015

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections. (BDR 24-1145)

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

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

AN ACT relating to elections; requiring ~~the~~ ***each*** county ~~clerk~~ and city clerk to publish the voter turnout for each day of early voting ~~by~~ ***before*** midnight ~~at the following end of the~~ day; prohibiting an election board officer from displaying a political preference or party allegiance while ~~serving~~ ***performing his or her official duties; revising provisions governing early voting;*** requiring ~~the~~ ***each*** county ~~clerk~~ and city clerk to use certain criteria in determining polling places for early voting; revising the hours and days for early voting; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires each county ~~clerk or~~ ***and*** city clerk to appoint registered voters to act as election board officers. (NRS 293.217, 293C.220) ***Sections 2 and 9*** of this bill prohibit such ***election board*** officers from displaying any political preference or party allegiance while ~~serving~~ ***performing their official duties*** as election board officers.

Existing law ~~requires~~ ***regulates the process of how*** each county ~~clerk~~ and city clerk ~~to provide criteria to be used to select~~ ***selects and operates*** permanent and temporary polling places for early voting by personal appearance. (NRS ~~293.3561, 293C.3561~~) ***Sections 2 and 11*** of this bill require the criteria to ensure that to the extent possible: (1) each polling places are located near residential areas; and (2) a permanent or temporary polling place is located in every geographic region of the county or city, as applicable. Section 2 also requires that the number of permanent or temporary polling places for early voting by personal appearance in a county with multiple assembly districts must be equally divided among those assembly districts. ***293.356-293.361, 293C.355-293C.361*** ***Sections 1.2-5.8 and 6.2-17 of this bill make various changes to that process.***

***Sections 1 and 6 of this bill require 1.8 and 6.8 provide that*** each county ~~clerk~~ and city clerk ~~to publish~~ ***is required*** before midnight ~~at the following end of each day of early voting to: (1) publish~~ the number of persons who voted in the county or city, as applicable, during ~~each~~ ***that*** day of early voting ~~;~~ ***and (2) if the county or city clerk maintains an Internet website, post that information regarding voter turnout on the Internet website.***

***Sections 1.4, 1.6, 2.5, 3, 6.4, 6.6, 10.5 and 11*** require each county and city clerk to ***establish a plan for early voting which specifies the number and location of the sites selected as permanent and temporary polling places for early voting and the days and hours of operation for those sites. Sections 3 and 11 further provide that the criteria used***

by each county and city clerk to select the number and location of the polling places must give all voters an equal opportunity to vote for the candidates of their choice and must take into consideration certain factors in determining equal opportunity. Sections 3 and 11 also allow the Secretary of State to intervene at any time and make modifications to the plan for early voting established by the county or city clerk if the Secretary of State receives credible evidence that the plan does not give all voters an equal opportunity to vote for the candidates of their choice. (NRS 293.3561, 293C.3561)

Existing law ~~requires that~~ establishes various days and hours of operation for a permanent polling place for early voting. ~~but~~ (NRS 293.3568, 293C.3568) In particular, a permanent polling place must remain open from 8 a.m. to 6 p.m. on Monday through Friday ~~and~~ during the first week of early voting, but during the second week of early voting, the hours of operation on those weekdays may be extended until 8 p.m. if the county or city clerk so requires. Additionally, if a federal holiday falls on one of those weekdays, the county or city clerk may require a permanent polling place to remain open on that federal holiday.

Existing law provides that on Saturdays during the period of early voting, a permanent polling place must remain open for at least 4 hours between 10 a.m. and 6 p.m. ~~on Saturday. A~~, but the hours of operation on Saturdays may be extended until 8 p.m. if the county or city clerk so requires. Existing law also provides that the county ~~clerk~~ or city clerk ~~is authorized to provide for~~ may additionally require a permanent polling place to remain open ~~until 8 p.m. on a Saturday or open~~ on a Sunday ~~for~~ during the period of early voting ~~for~~ (NRS 293.3568, 293C.3568), with such hours of operation as the county or city clerk may establish.

Sections 4 and 12 eliminate these existing provisions and provide that a permanent polling place for early voting must remain open on each day that falls within the period for early voting, including all Saturdays, Sundays and federal holidays, and must have the same hours of operation on each day from 7 a.m. until 8 p.m. which may not be extended beyond those times.

Existing law ~~also specifies~~ provides that a temporary polling place may be open during ~~any hours or days during~~ the period of early voting ~~on the days and during the hours~~ determined by the county ~~clerk~~ or city clerk. (NRS 293.3572, 293C.3572) Sections ~~4, 5, 12, 5 and 13~~ ~~of this bill~~ provide that ~~no permanent or~~ a temporary polling place may ~~not be~~ open before 7 a.m. ~~or~~ remain open after ~~7~~ 8 p.m. ~~for open on Sundays~~ during the period of early voting.

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

Section 1. Chapter 293 of NRS is hereby amended by adding thereto ~~a new~~ section to read as follows:

~~The county clerk shall publish before~~ the provisions set forth as sections 1.2 to 1.8, inclusive, of this act.

Sec. 1.2. *As used in NRS 293.356 to 293.361, inclusive, and sections 1.2 to 1.8, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 1.4 and 1.6 of this act have the meanings ascribed to them in those sections.*

Sec. 1.4. *“Early voting” means early voting by personal appearance pursuant to NRS 293.356 to 293.361, inclusive, and sections 1.2 to 1.8, inclusive, of this act.*

Sec. 1.6. *“Plan for early voting” means:*

1. *The number and location of the sites selected as permanent and temporary polling places for early voting; and*

2. *The days and hours of operation for those sites.*

Sec. 1.8. *Before midnight ~~at~~ at the ~~following~~ end of each day of early voting, the county clerk shall:*

1. Publish the number of persons who voted in the county during ~~each~~ that day of early voting ~~†~~ ; and

2. If the county clerk maintains an Internet website, ~~the county clerk shall~~ post the ~~voter turnout~~ information regarding the number of persons who voted in the county during that day of early voting on the Internet website.

Sec. 2. NRS 293.217 is hereby amended to read as follows:

293.217 1. The county clerk of each county shall appoint and notify registered voters to act as election board officers for the various precincts and districts in the county as provided in NRS 293.220 to 293.243, inclusive, and 293.384. The registered voters appointed as election board officers for any precinct or district must not all be of the same political party. An election board officer shall not display a political preference or party allegiance while ~~serving~~ performing his or her official duties as an election board officer ~~†~~ , including, without limitation, while the election board officer is inside or outside any polling place in the county or any other location where the election board officer performs his or her official duties. No candidate for nomination or election or a relative of the candidate within the second degree of consanguinity or affinity may be appointed as an election board officer. Immediately after election board officers are appointed, if requested by the county clerk, the sheriff shall:

(a) Appoint a deputy sheriff for each polling place in the county and for the central election board or the absent ballot central counting board; or

(b) Deputize as a deputy sheriff for the election an election board officer of each polling place in the county and for the central election board or the absent ballot central counting board. The deputized officer shall receive no additional compensation for services rendered as a deputy sheriff during the election for which the officer is deputized.

Deputy sheriffs so appointed and deputized shall preserve order during hours of voting and attend closing of the polls.

2. The county clerk may appoint a trainee for the position of election board officer as set forth in NRS 293.2175.

Sec. 2.5. NRS 293.356 is hereby amended to read as follows:

293.356 1. If a request is made to vote early by a registered voter in person ~~†~~ at a polling place for early voting established in the plan for early voting pursuant to NRS 293.356 to 293.361, inclusive, and sections 1.2 to 1.8, inclusive, of this act, the election board shall issue a ballot for early voting to the voter. ~~Such~~ ~~†~~

2. Except as otherwise provided in NRS 293.304, the voter may vote the ballot ~~must be voted~~ for early voting only on the premises of ~~†~~ the polling place for early voting ~~established pursuant to NRS 293.3564 or 293.3572.~~ where the ballot is issued to the voter.

Sec. 3. NRS 293.3561 is hereby amended to read as follows:

293.3561 1. The county clerk shall establish a plan for early voting which is subject to any modifications made by the Secretary of State pursuant to subsection 5. The number and location of the sites selected as permanent and temporary polling places in the plan for early voting ~~by personal appearance~~ must satisfy the criteria ~~to be~~ used to select permanent and temporary polling places for early voting ~~by personal appearance provided~~ established by the county clerk pursuant to ~~subsection 2.~~ this section.

2. The county clerk shall ~~†~~

~~(a) Provide~~ establish by rule or regulation ~~for~~ the criteria ~~to be~~ used to select the number and location of the permanent and temporary polling places in the plan for early voting. ~~by personal appearance . ; and~~ The criteria used to

1 select the number and location of the permanent and temporary polling places in  
2 the plan for early voting ~~by personal appearance must, without limitation:~~

3 ~~— (1) Ensure that permanent and temporary polling places are located near~~  
4 ~~residential areas of the county, to the extent possible.~~

5 ~~— (2) Ensure that a permanent or temporary polling place is located in~~  
6 ~~every geographic area of the county, to the extent possible.~~

7 ~~— (b) must give all voters an equal opportunity to vote for the candidates of~~  
8 their choice and must take into consideration all the following factors in  
9 determining equal opportunity:

10 (a) The geographical diversity of the county which also must take into  
11 consideration the location of each state assembly district that is wholly or  
12 partially within the county.

13 (b) The density of registered voter populations within each of those assembly  
14 districts.

15 (c) The days and hours that each permanent and temporary polling place is  
16 open.

17 (d) The proximity of each permanent and temporary polling place to places  
18 of employment, public transportation and established community centers.

19 (e) Any other factors that the county clerk determines will promote the public  
20 purpose of:

21 (1) Improving voter access to permanent and temporary polling places  
22 for early voting; and

23 (2) Increasing voter participation and turnout in early voting.

24 3. The aggregate number of sites selected as permanent and temporary  
25 polling places in the plan for early voting must give all voters an equal  
26 opportunity to vote for the candidates of their choice.

27 4. At a meeting of the board of county commissioners, the county clerk shall  
28 inform the board of the plan for early voting and the number and location of the  
29 sites selected as permanent and temporary polling places in the plan for early  
30 voting. ~~by personal appearance.~~

31 ~~3. The number of permanent and temporary polling places for early voting~~  
32 ~~by personal appearance in a county with multiple assembly districts must be~~  
33 ~~divided equally among the assembly districts.~~

34 5. The Secretary of State may intervene at any time and make modifications  
35 to the plan for early voting established by the county clerk if the Secretary of  
36 State receives credible evidence that the plan for early voting does not give all  
37 voters an equal opportunity to vote for the candidates of their choice.

38 Sec. 3.5. NRS 293.3564 is hereby amended to read as follows:

39 293.3564 1. The county clerk ~~may~~ shall establish permanent polling  
40 places for early voting ~~by personal appearance in the county~~ at the locations  
41 selected as permanent polling places in the plan for early voting pursuant to NRS  
42 293.3561.

43 2. Except as otherwise provided in subsection 3 ~~+~~ and NRS 293.304, any  
44 person entitled to vote early by personal appearance may do so at any polling place  
45 for early voting.

46 3. If it is impractical for the county clerk to provide at each polling place for  
47 early voting a ballot in every form required in the county, the county clerk may:

48 (a) Provide appropriate forms of ballots for all offices within a township, city,  
49 town or county commissioner election district, as determined by the county clerk;  
50 and

51 (b) Limit voting at that polling place to registered voters in that township, city,  
52 town or county commissioner election district.

Sec. 4. NRS 293.3568 is hereby amended to read as follows:

293.3568 1. The period for early voting ~~by personal appearance~~ begins the third Saturday preceding a primary or general election and extends through the Friday before election day, and the period for early voting must include all Saturdays, Sundays and federal holidays ~~excepted.~~

~~2. The county clerk may:~~

~~(a) Include include any Sunday or federal holiday that falls that fall within the period for early voting. by personal appearance.~~

~~(b) Require a permanent polling place for early voting to remain open until 8 p.m. on any Saturday that falls within the period for early voting.~~

~~3. A:~~

2. During the period for early voting, each permanent polling place for early voting ~~must~~ :

(a) Must remain be open ~~+~~

~~(a) (1) On Monday through Friday, :~~

~~(1) During the first week of early voting, on each day that falls within the period for early voting, including all Saturdays, Sundays and federal holidays; and~~

(b) Must have the same hours of operation on each day from 7 a.m. until 8 p.m.

~~(2) During the second week of early voting, from 8 a.m. until 6 p.m., or until 8 p.m. if the county clerk so requires.~~

~~(b) (2) On any Saturday that falls within the period for early voting, for at least 4 hours between 10 7 a.m. and 6 7 p.m.~~

~~(c) If the county clerk includes a Sunday that falls within the period for early voting pursuant to subsection 2, during such hours as the county clerk may establish.~~

~~(b) May remain open on Monday through Friday, from 7 a.m. until 7 p.m.~~

~~(c) May not open before 7 a.m. or remain open after 7 p.m. which may not be extended beyond those times.~~

Sec. 5. NRS 293.3572 is hereby amended to read as follows:

293.3572 1. In addition to the permanent polling places established in the plan for early voting, the county clerk may establish temporary ~~branch~~ polling places in the plan for early voting which may include, without limitation, the clerk's office pursuant to NRS 293.3561.

2. The provisions of subsection ~~2~~ 2 of NRS 293.3568 do not apply to a temporary polling place. Voting at a temporary ~~branch~~ polling place may be conducted on any one or more days and during any hours within the period for early voting ~~by personal appearance~~ as determined by the county clerk ~~+~~, except that a temporary polling place may not ~~+~~

~~(a) Open open before 7 a.m.~~

~~(b) Remain open after 7 p.m.~~

~~(c) Open on any Sunday that falls within the period for early voting, or remain open after 8 p.m.~~

3. The schedules for conducting voting are not required to be uniform among the temporary ~~branch~~ polling places.

4. The legal rights and remedies which inure to the owner or lessor of private property are not impaired or otherwise affected by the leasing of the property for use as a temporary ~~branch~~ polling place for early voting, except to the extent necessary to conduct early voting at that location.

Sec. 5.2. NRS 293.3576 is hereby amended to read as follows:

293.3576 1. The county clerk shall publish during the week before the period for early voting and at least once each week during the period for early voting in a newspaper of general circulation a schedule stating:

(a) The location of each permanent and temporary polling place for early voting and the election precincts served by each location.

(b) The dates and hours that early voting will be conducted at each location.

2. The county clerk shall post a copy of the schedule on the bulletin board used for posting notice of meetings of the board of county commissioners. The schedule must be posted continuously for a period beginning not later than the fifth day before the first day of the period for early voting ~~(by personal appearance)~~ and ending on the last day of that period.

3. The county clerk shall make copies of the schedule available to the public in reasonable quantities without charge during the period of posting.

4. ~~No~~ Except as otherwise provided in subsection 5 of NRS 293.3561, no additional polling places for early voting may be established after the schedule is published pursuant to this section.

Sec. 5.4. NRS 293.3583 is hereby amended to read as follows:

293.3583 If ballots which are voted on a mechanical recording device which directly records the votes electronically are used during the period for early voting, ~~(by personal appearance)~~ the election board shall, before the polls open on each day during that period:

1. Prepare each mechanical recording device for voting.

2. Ensure that each mechanical recording device will not register any ballots which were previously voted on the mechanical recording device as having been voted on that day.

Sec. 5.6. NRS 293.3585 is hereby amended to read as follows:

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

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

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

(c) Verify the 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 identification.

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

3. The roster for early voting must contain:

(a) The voter's name, the address where he 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~~ person applying to vote at a polling place for early ~~(by personal appearance)~~ voting may be challenged pursuant to NRS 293.303.

Sec. 5.8. NRS 293.3604 is hereby amended to read as follows:



293.3604 If ballots which are voted on a mechanical recording device which directly records the votes electronically are used during the period for early voting ~~by personal appearance~~ in an election other than a presidential preference primary election:

1. At the close of each voting day, the election board shall:

(a) Prepare and sign a statement for the polling place. The statement must include:

(1) The title of the election;

(2) The number of the precinct or voting district;

(3) The number which identifies the mechanical recording device and the storage device required pursuant to NRS 293B.084;

(4) The number of ballots voted on the mechanical recording device for that day; and

(5) The number of signatures in the roster for early voting for that day.

(b) Secure:

(1) The ballots pursuant to the plan for security required by NRS 293.3594; and

(2) Each mechanical voting device in the manner prescribed by the Secretary of State pursuant to NRS 293.3594.

2. At the close of the last voting day, the county clerk shall deliver to the ballot board for early voting:

(a) The statements for all polling places for early voting;

(b) The voting rosters used for early voting;

(c) The storage device required pursuant to NRS 293B.084 from each mechanical recording device used during the period for early voting; and

(d) Any other items as determined by the county clerk.

3. Upon receipt of the items set forth in subsection 2 at the close of the last voting day, the ballot board for early voting shall:

(a) Sort the items by precinct or voting district;

(b) Count the number of ballots voted by precinct or voting district;

(c) Account for all ballots on an official statement of ballots; and

(d) Place the items in the container provided to transport those items to the central counting place and seal the container with a numbered seal. The official statement of ballots must accompany the items to the central counting place.

**Sec. 6.** Chapter 293C of NRS is hereby amended by adding thereto ~~a new section to read as follows:~~

~~The city clerk shall publish before~~ the provisions set forth as sections 6.2 to 6.8, inclusive, of this act.

Sec. 6.2. As used in NRS 293C.355 to 293C.361, inclusive, and sections 6.2 to 6.8, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 6.4 and 6.6 of this act have the meanings ascribed to them in those sections.

Sec. 6.4. "Early voting" means early voting by personal appearance pursuant to NRS 293C.355 to 293C.361, inclusive, and sections 6.2 to 6.8, inclusive, of this act.

Sec. 6.6. "Plan for early voting" means:

1. The number and location of the sites selected as permanent and temporary polling places for early voting; and

2. The days and hours of operation for those sites.

Sec. 6.8. Before midnight ~~on~~ at the ~~following~~ end of each day of early voting, the city clerk shall:

1. Publish the number of persons who voted in the city during ~~each~~ that day of early voting ~~on~~; and



2. If the city clerk maintains an Internet website, ~~the city clerk shall post the information regarding the number of persons who voted in the city during that day of early voting on the Internet website.~~

Sec. 7. NRS 293C.110 is hereby amended to read as follows:

293C.110 1. Except as otherwise provided in subsection 2, conduct of any city election is under the control of the governing body of the city, and it shall, by ordinance, provide for the holding of the election, appoint the necessary election officers and election boards and do all other things required to carry the election into effect.

2. Except as otherwise provided in NRS 293C.112, the governing body of the city shall provide for:

(a) Absent ballots to be voted in a city election pursuant to NRS 293C.305 to 293C.325, inclusive, and 293C.330 to 293C.340, inclusive; and

(b) The conduct of:

(1) Early voting by personal appearance in a city election pursuant to NRS 293C.355 to 293C.361, inclusive ~~†~~, and ~~section 6†~~ sections 6.2 to 6.8, inclusive, of this act;

(2) Voting by absent ballot in person in a city election pursuant to NRS 293C.327; or

(3) Both early voting by personal appearance as described in subparagraph (1) and voting by absent ballot in person as described in subparagraph (2).

Sec. 8. NRS 293C.112 is hereby amended to read as follows:

293C.112 1. The governing body of a city may conduct a city election in which all ballots must be cast by mail if:

(a) The election is a special election; or

(b) The election is a primary city election or general city election in which the ballot includes only:

(1) Offices and ballot questions that may be voted on by the registered voters of only one ward; or

(2) One office or ballot question.

2. The provisions of NRS 293C.265 to 293C.302, inclusive, 293C.305 to 293C.340, inclusive, and 293C.355 to 293C.361, inclusive, and ~~section 6†~~ sections 6.2 to 6.8, inclusive, of this act do not apply to an election conducted pursuant to this section.

3. 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.

Sec. 9. NRS 293C.220 is hereby amended to read as follows:

293C.220 1. The city clerk shall appoint and notify registered voters to act as election board officers for the various precincts and districts in the city as provided in NRS 293.225, 293.227, 293C.227 to 293C.245, inclusive, and 293C.382. An election board officer shall not display a political preference or party allegiance while ~~serving†~~ performing his or her official duties as an election board officer ~~†~~, including, without limitation, while the election board officer is inside or outside any polling place in the city or any other location where the election board officer performs his or her official duties. No candidate for nomination or election or a relative of the candidate within the second degree of consanguinity or affinity may be appointed as an election board officer. Immediately after election board officers are appointed, if requested by the city clerk, the chief law enforcement officer of the city shall:

(a) Appoint an officer for each polling place in the city and for the central election board or the absent ballot central counting board; or

(b) Deputize, as an officer for the election, an election board officer for each polling place and for the central election board or the absent ballot central counting board. The deputized officer may not receive any additional compensation for the services he or she provides as an officer during the election for which the officer is deputized.

➤ Officers so appointed and deputized shall preserve order during hours of voting and attend the closing of the polls.

2. The city clerk may appoint a trainee for the position of election board officer as set forth in NRS 293C.222.

**Sec. 10.** NRS 293C.355 is hereby amended to read as follows:

293C.355 The provisions of NRS 293C.355 to 293C.361, inclusive, ~~and section 6.1~~ sections 6.2 to 6.8, inclusive, of this act apply to a city only if the governing body of the city has provided for early voting ~~by personal appearance~~ pursuant to paragraph (b) of subsection 2 of NRS 293C.110.

**Sec. 10.5.** NRS 293C.356 is hereby amended to read as follows:

293C.356 1. If a request is made to vote early by a registered voter in person, ~~at a polling place for early voting established in the plan for early voting pursuant to NRS 293C.355 to 293C.361, inclusive, and sections 6.2 to 6.8, inclusive, of this act,~~ the city clerk shall issue a ballot for early voting to the voter.

~~Such a~~ 2. Except as otherwise provided in NRS 293C.295, the voter may vote the ballot ~~must be voted~~ only on the premises of the ~~clerk's office and returned to the clerk.~~

~~2. On~~ polling place for early voting where the ballot is issued to the voter.

3. In addition to the polling places for early voting established in the plan for early voting pursuant to NRS 293C.355 to 293C.361, inclusive, and sections 6.2 to 6.8, inclusive, of this act, on all the dates for early voting prescribed in NRS 293C.3568, ~~each~~ the 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 voting in accordance with this section.

**Sec. 11.** NRS 293C.3561 is hereby amended to read as follows:

293C.3561 1. The city clerk shall establish a plan for early voting which is subject to any modifications made by the Secretary of State pursuant to subsection 5. The number and location of the sites selected as permanent and temporary polling places for early voting ~~by personal appearance~~ must satisfy the criteria ~~to be~~ used to select permanent and temporary polling places for early voting ~~by personal appearance provided~~ established by the city clerk pursuant to ~~subsection 2.~~ this section.

2. The city clerk shall ~~provide~~ establish by rule or regulation ~~for~~ the criteria ~~to be~~ used to select the number and location of the permanent and temporary polling places in the plan for early voting. ~~by personal appearance. ; and~~ The criteria used to select the number and location of the permanent and temporary polling places in the plan for early voting by personal appearance must, without limitation:

~~(1) Ensure that permanent and temporary polling places are located near residential areas of the city, to the extent possible.~~

~~(2) Ensure that a permanent or temporary polling place is located in every geographic area of the city, to the extent possible.~~

~~(b)~~ must give all voters an equal opportunity to vote for the candidates of their choice and must take into consideration all the following factors in determining equal opportunity:

(a) The geographical diversity of the city which also must take into consideration the location of each state assembly district that is wholly or partially within the city.

(b) The density of registered voter populations within each of those assembly districts.

(c) The days and hours that each permanent and temporary polling place is open.

(d) The proximity of each permanent and temporary polling place to places of employment, public transportation and established community centers.

(e) Any other factors that the city clerk determines will promote the public purpose of:

(1) Improving voter access to permanent and temporary polling places for early voting; and

(2) Increasing voter participation and turnout in early voting.

3. The aggregate number of sites selected as permanent and temporary polling places in the plan for early voting must give all voters an equal opportunity to vote for the candidates of their choice.

4. At a meeting of the city council or other governing body of the city, the city clerk shall inform the city council or other governing body of the plan for early voting and the number and location of the sites selected as permanent and temporary polling places in the plan for early voting. ~~by personal appearance.~~

~~3. The number of permanent and temporary polling places for early voting by personal appearance in a city with multiple assembly districts must be divided equally among the assembly districts.~~

5. The Secretary of State may intervene at any time and make modifications to the plan for early voting established by the city clerk if the Secretary of State receives credible evidence that the plan for early voting does not give all voters an equal opportunity to vote for the candidates of their choice.

Sec. 11.5. NRS 293C.3564 is hereby amended to read as follows:

293C.3564 1. The city clerk ~~may~~ shall establish permanent polling places for early voting ~~by personal appearance in the city~~ at the locations selected as permanent polling places in the plan for early voting pursuant to NRS 293C.3561.

2. ~~Any~~ Except as otherwise provided in NRS 293C.295, any person entitled to vote early by personal appearance may do so at any polling place for early voting.

Sec. 12. NRS 293C.3568 is hereby amended to read as follows:

293C.3568 1. The period for early voting ~~by personal appearance~~ begins the third Saturday preceding a primary city election or general city election ~~+~~ and extends through the Friday before election day, and the period for early voting must include all Saturdays, Sundays and federal holidays ~~excepted~~.

~~2. The city clerk may:~~

~~(a) Include include any Sunday or federal holiday that falls that fall within the period for early voting.~~ ~~by personal appearance.~~

~~(b) Require a permanent polling place for early voting to remain open until 8 p.m. on any Saturday that falls within the period for early voting.~~

~~3. A:~~

2. During the period for early voting, each permanent polling place for early voting ~~must~~ :

(a) Must remain be open +

~~(a) (1) On Monday through Friday, :~~

~~(1) During the first week of early voting, on each day that falls within the period for early voting, including all Saturdays, Sundays and federal holidays; and~~

(b) Must have the same hours of operation on each day from ~~7~~ 7 a.m. until ~~8~~ 8 p.m.

~~(2) During the second week of early voting, from 8 a.m. until 6 p.m., or until 8 p.m. if the city clerk so requires.~~

~~(b) (2) On any Saturday that falls within the period for early voting, for at least 4 hours between 10 7 a.m. and 6 7 p.m.~~

~~(c) If the city clerk includes a Sunday that falls within the period for early voting pursuant to subsection 2, during such hours as the city clerk may establish.~~

~~(b) May remain open on Monday through Friday, from 7 a.m. until 7 p.m.~~

~~(c) May not open before 7 a.m. or remain open after 7 p.m. which may not be extended beyond those times.~~

**Sec. 13.** NRS 293C.3572 is hereby amended to read as follows:

293C.3572 1. In addition to the permanent polling places established in the plan for early voting, the city clerk may establish temporary ~~branch~~ polling places in the plan for early voting pursuant to NRS 293C.3561.

2. The provisions of subsection ~~1~~ 2 of NRS 293C.3568 do not apply to a temporary polling place. Voting at a temporary ~~branch~~ polling place may be conducted on any one or more days and during any hours within the period for early voting ~~by personal appearance,~~ as determined by the city clerk ~~that a temporary polling place may not~~ except

~~(a) Open open before 7 a.m.~~

~~(b) Remain open after 7 p.m.~~

~~(c) Open on any Sunday during the period for early voting, or remain open after 8 p.m.~~

3. The schedules for conducting voting are not required to be uniform among the temporary ~~branch~~ polling places.

4. The legal rights and remedies which inure to the owner or lessor of private property are not impaired or otherwise affected by the leasing of the property for use as a temporary ~~branch~~ polling place for early voting, except to the extent necessary to conduct early voting at that location.

**Sec. 14.** NRS 293C.3576 is hereby amended to read as follows:

293C.3576 1. The city clerk shall publish during the week before the period for early voting and at least once each week during the period for early voting in a newspaper of general circulation a schedule stating:

(a) The location of each permanent and temporary polling place for early voting and the election precincts served by each location.

(b) The dates and hours that early voting will be conducted at each location.

2. The city clerk shall post a copy of the schedule on the bulletin board used for posting notice of the meetings of the city council ~~or other governing body of the city.~~ The schedule must be posted continuously for a period beginning not later than the fifth day before the first day of the period for early voting ~~by personal appearance~~ and ending on the last day of that period.

3. The city clerk shall make copies of the schedule available to the public in reasonable quantities without charge during the period of posting.

4. ~~No~~ Except as otherwise provided in subsection 5 of NRS 293C.3561, no additional polling places for early voting may be established after the schedule is published pursuant to this section.

**Sec. 15.** NRS 293C.3583 is hereby amended to read as follows:

293C.3583 If ballots which are voted on a mechanical recording device which directly records the votes electronically are used during the period for early voting, ~~by personal appearance,~~ the election board shall, before the polls open on each day during that period:

1. Prepare each mechanical recording device for voting.

2. Ensure that each mechanical recording device will not register any ballots which were previously voted on the mechanical recording device as having been voted on that day.

**Sec. 16. NRS 293C.3585 is hereby amended to read as follows:**

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

- (a) Determine that the person is a registered voter in the county;
- (b) Instruct the voter to sign the roster for early voting; and
- (c) Verify the 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 identification.

2. The city 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 city clerk uses voting receipts; and
- (c) Allow the voter to cast a vote.

6. A  ~~voter~~ person applying to vote at a polling place for early ~~by personal appearance~~ voting may be challenged pursuant to NRS 293C.292.

**Sec. 17. NRS 293C.3604 is hereby amended to read as follows:**

293C.3604 If ballots which are voted on a mechanical recording device which directly records the votes electronically are used during the period for early voting ~~by personal appearance~~ in an election other than a presidential preference primary election:

1. At the close of each voting day, the election board shall:

(a) Prepare and sign a statement for the polling place. The statement must include:

- (1) The title of the election;
- (2) The number of the precinct or voting district;
- (3) The number which identifies the mechanical recording device and the storage device required pursuant to NRS 293B.084;
- (4) The number of ballots voted on the mechanical recording device for that day; and
- (5) The number of signatures in the roster for early voting for that day.

(b) Secure:

- (1) The ballots pursuant to the plan for security required by NRS 293C.3594; and
- (2) Each mechanical voting device in the manner prescribed by the Secretary of State pursuant to NRS 293C.3594.

2. At the close of the last voting day, the city clerk shall deliver to the ballot board for early voting:

- (a) The statements for all polling places for early voting;

- 1 (b) The voting rosters used for early voting;  
2 (c) The storage device required pursuant to NRS 293B.084 from each  
3 mechanical recording device used during the period for early voting; and  
4 (d) Any other items as determined by the city clerk.

5 3. Upon receipt of the items set forth in subsection 2 at the close of the last  
6 voting day, the ballot board for early voting shall:

- 7 (a) Sort the items by precinct or voting district;  
8 (b) Count the number of ballots voted by precinct or voting district;  
9 (c) Account for all ballots on an official statement of ballots; and  
10 (d) Place the items in the container provided to transport those items to the  
11 central counting place and seal the container with a number seal. The official  
12 statement of ballots must accompany the items to the central counting place.

13 **Sec. 18. This act becomes effective upon passage and approval for the**  
14 **purpose of adopting any regulations and performing any other preparatory**  
15 **administrative tasks necessary to carry out the provisions of this act, and on**  
16 **July 1, 2015, for all other purposes.**