

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 each county and city clerk to publish the voter turnout for each day of early voting before midnight at the end of the day; prohibiting an election board officer from displaying a political preference or party allegiance while performing his or her official duties; revising provisions governing early voting; requiring each county 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 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 performing their official duties as election board officers.

Existing law regulates the process of how each county and city clerk selects and operates permanent and temporary polling places for early voting by personal appearance. (NRS 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 1.8 and 6.8 provide that each county and city clerk is required before midnight at the end of each day of early voting to: (1) publish the number of persons who voted in the county or city, as applicable, during 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 establishes various days and hours of operation for a permanent polling place for early voting. (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 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., 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 or city clerk may additionally require a permanent polling place to remain open on a Sunday during the period of early voting, 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 provides that a temporary polling place may be open during the period of early voting on the days and during the hours determined by the county or city clerk. (NRS 293.3572, 293C.3572) **Sections 5 and 13** provide that a temporary polling place may not be open before 7 a.m. or remain open after 8 p.m. 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 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 **1. The number and location of the sites selected as permanent**
2 **and temporary polling places for early voting; and**

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

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

6 **1. Publish the number of persons who voted in the county**
7 **during that day of early voting; and**

8 **2. If the county clerk maintains an Internet website, post the**
9 **information regarding the number of persons who voted in the**
10 **county during that day of early voting on the Internet website.**

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

12 293.217 1. The county clerk of each county shall appoint and
13 notify registered voters to act as election board officers for the
14 various precincts and districts in the county as provided in NRS
15 293.220 to 293.243, inclusive, and 293.384. The registered voters
16 appointed as election board officers for any precinct or district must
17 not all be of the same political party. **An election board officer shall**
18 **not display a political preference or party allegiance while**
19 **performing his or her official duties as an election board officer,**
20 **including, without limitation, while the election board officer is**
21 **inside or outside any polling place in the county or any other**
22 **location where the election board officer performs his or her**
23 **official duties.** No candidate for nomination or election or a relative
24 of the candidate within the second degree of consanguinity or
25 affinity may be appointed as an election board officer. Immediately
26 after election board officers are appointed, if requested by the
27 county clerk, the sheriff shall:

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

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

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

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

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

42 293.356 **1.** If a request is made to vote early by a registered
43 voter in person **H** **at a polling place for early voting established in**
44 **the plan for early voting pursuant to NRS 293.356 to 293.361,**



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1 *inclusive, and sections 1.2 to 1.8, inclusive, of this act*, the election
2 board shall issue a ballot for early voting to the voter. ~~{Such a}~~

3 2. *Except as otherwise provided in NRS 293.304, the voter*
4 *may vote the* ballot ~~{must be voted}~~ *for early voting only* on the
5 premises of ~~{a}~~ *the* polling place for early voting ~~{established~~
6 ~~pursuant to NRS 293.3564 or 293.3572.}~~ *where the ballot is issued*
7 *to the voter.*

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

9 293.3561 1. The *county clerk shall establish a plan for early*
10 *voting which is subject to any modifications made by the Secretary*
11 *of State pursuant to subsection 5. The number and location of the*
12 *sites selected as* permanent and temporary polling places *in the plan*
13 for early voting ~~{by personal appearance}~~ must satisfy the criteria ~~{to~~
14 ~~be}~~ used to select permanent and temporary polling places for early
15 voting ~~{by personal appearance provided}~~ *established* by the county
16 clerk pursuant to ~~{subsection 2.}~~ *this section.*

17 2. The county clerk shall ~~{~~

18 ~~—(a) Provide}~~ *establish* by rule or regulation ~~{for}~~ the criteria ~~{to~~
19 ~~be}~~ used to select *the number and location of the* permanent and
20 temporary polling places *in the plan* for early voting . ~~{by personal~~
21 ~~appearance; and~~

22 ~~—(b)}~~ *The criteria used to select the number and location of the*
23 *permanent and temporary polling places in the plan for early*
24 *voting must give all voters an equal opportunity to vote for the*
25 *candidates of their choice and must take into consideration all the*
26 *following factors in determining equal opportunity:*

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

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

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

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

37 (e) *Any other factors that the county clerk determines will*
38 *promote the public purpose of:*

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

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

43 3. *The aggregate number of sites selected as permanent and*
44 *temporary polling places in the plan for early voting must give all*



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1 voters an equal opportunity to vote for the candidates of their
2 choice.

3 4. At a meeting of the board of county commissioners, *the*
4 *county clerk shall* inform the board of the *plan for early voting and*
5 *the number and location of the* sites selected as permanent and
6 temporary polling places *in the plan* for early voting . ~~by personal~~
7 ~~appearance.~~

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

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

14 293.3564 1. The county clerk ~~may~~ *shall* establish
15 permanent polling places for early voting ~~by personal appearance in~~
16 ~~the county~~ at the locations selected *as permanent polling places in*
17 *the plan for early voting* pursuant to NRS 293.3561.

18 2. Except as otherwise provided in subsection 3 ~~+~~ *and NRS*
19 *293.304*, any person entitled to vote early by personal appearance
20 may do so at any polling place for early voting.

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

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

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

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

30 293.3568 1. The period for early voting ~~by personal~~
31 ~~appearance~~ begins the third Saturday preceding a primary or
32 general election and extends through the Friday before election day,
33 *and the period for early voting must include all Saturdays,*
34 *Sundays and federal holidays* ~~excepted.~~

35 ~~2. The county clerk may:~~

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

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

41 ~~3. A~~

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

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

45 ~~(a) On Monday through Friday:~~



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~~— (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) On any Saturday that falls within the period for early voting, for at least 4 hours between 10 a.m. and 6 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, 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 ~~3~~ 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 ~~1~~, *except that a temporary polling place may not open before 7 a.m. 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



1 for a period beginning not later than the fifth day before the first day
2 of the period for early voting ~~{by personal appearance}~~ and ending
3 on the last day of that period.

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

7 4. ~~{No}~~ *Except as otherwise provided in subsection 5 of NRS*
8 *293.3561, no* additional polling places for early voting may be
9 established after the schedule is published pursuant to this section.

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

11 293.3583 If ballots which are voted on a mechanical recording
12 device which directly records the votes electronically are used
13 during the period for early voting, ~~{by personal appearance,}~~ the
14 election board shall, before the polls open on each day during that
15 period:

16 1. Prepare each mechanical recording device for voting.

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

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

21 293.3585 1. Upon the appearance of a person to cast a ballot
22 for early voting, the deputy clerk for early voting shall:

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

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

25 (c) Verify the signature of the voter against that contained on the
26 original application to register to vote or a facsimile thereof, the
27 card issued to the voter at the time of registration or some other
28 piece of official identification.

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

32 3. The roster for early voting must contain:

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

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

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

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

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



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(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 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 at the end of each day of early voting, the city clerk shall:*

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

2. If the city clerk maintains an Internet website, 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 ~~to~~, *and 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



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(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 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 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 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 ~~{}~~
~~—(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}~~
~~—(b)}~~ *The criteria used to select the number and location of the permanent and temporary polling places in the plan for early*



1 *voting must give all voters an equal opportunity to vote for the*
2 *candidates of their choice and must take into consideration all the*
3 *following factors in determining equal opportunity:*

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

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

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

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

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

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

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

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

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

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

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

36 293C.3564 1. The city clerk ~~*may*~~ *shall* establish permanent
37 polling places for early voting ~~*by personal appearance in the city*~~
38 at the locations selected *as permanent polling places in the plan for*
39 *early voting* pursuant to NRS 293C.3561.

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



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

3 293C.3568 1. The period for early voting ~~by personal~~
4 ~~appearance~~ begins the third Saturday preceding a primary city
5 election or general city election ~~and~~ and extends through the Friday
6 before election day, *and the period for early voting must include*
7 *all Saturdays*, Sundays and federal holidays ~~excepted~~.

8 ~~2. The city clerk may:~~

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

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

14 ~~3. A~~

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

17 (a) *Must* ~~remain~~ *be* open ~~:~~

18 ~~(a) On Monday through Friday:~~

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

22 (b) *Must have the same hours of operation on each day* from
23 ~~8~~ 7 a.m. until ~~6~~ 8 p.m.

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

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

28 ~~(c) If the city clerk includes a Sunday that falls within the period~~
29 ~~for early voting pursuant to subsection 2, during such hours as the~~
30 ~~city clerk may establish.~~ *which may not be extended beyond those*
31 *times.*

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

34 293C.3572 1. In addition to *the* permanent polling places
35 *established in the plan* for early voting, the city clerk may establish
36 temporary ~~branch~~ polling places *in the plan* for early voting
37 pursuant to NRS 293C.3561.

38 2. The provisions of subsection ~~3~~ 2 of NRS 293C.3568 do not
39 apply to a temporary polling place. Voting at a temporary ~~branch~~
40 polling place may be conducted on any one or more days and during
41 any hours within the period for early voting ~~by personal~~
42 ~~appearance,~~ as determined by the city clerk ~~and~~ , *except that a*
43 *temporary polling place may not open before 7 a.m. or remain*
44 *open after 8 p.m.*



* S B 4 3 3 R 1 *

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;



- 1 (b) Instruct the voter to sign the roster for early voting; and
- 2 (c) Verify the signature of the voter against that contained on the
- 3 original application to register to vote or a facsimile thereof, the
- 4 card issued to the voter at the time of registration or some other
- 5 piece of official identification.

6 2. The city clerk shall prescribe a procedure, approved by the

7 Secretary of State, to determine that the voter has not already voted

8 pursuant to this section.

9 3. The roster for early voting must contain:

- 10 (a) The voter's name, the address where he or she is registered
- 11 to vote, his or her voter identification number and a place for the
- 12 voter's signature;
- 13 (b) The voter's precinct or voting district number; and
- 14 (c) The date of voting early in person.

15 4. When a voter is entitled to cast a ballot and has identified

16 himself or herself to the satisfaction of the deputy clerk for early

17 voting, the voter is entitled to receive the appropriate ballot or

18 ballots, but only for his or her own use at the polling place for early

19 voting.

20 5. If the ballot is voted on a mechanical recording device which

21 directly records the votes electronically, the deputy clerk for early

22 voting shall:

- 23 (a) Prepare the mechanical recording device for the voter;
- 24 (b) Ensure that the voter's precinct or voting district and the
- 25 form of ballot are indicated on the voting receipt, if the city clerk
- 26 uses voting receipts; and
- 27 (c) Allow the voter to cast a vote.

28 6. A ~~voter~~ *person* applying to vote *at a polling place for*

29 *early* ~~by personal appearance~~ *voting* may be challenged pursuant

30 to NRS 293C.292.

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

32 follows:

33 293C.3604 If ballots which are voted on a mechanical

34 recording device which directly records the votes electronically are

35 used during the period for early voting ~~by personal appearance~~ in

36 an election other than a presidential preference primary election:

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

38 (a) Prepare and sign a statement for the polling place. The

39 statement must include:

- 40 (1) The title of the election;
- 41 (2) The number of the precinct or voting district;
- 42 (3) The number which identifies the mechanical recording
- 43 device and the storage device required pursuant to NRS 293B.084;
- 44 (4) The number of ballots voted on the mechanical recording
- 45 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;

(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 city 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 number seal. The official statement of ballots must accompany the items to the central counting place.

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

