

SENATE BILL NO. 435—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 23, 2015

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-1151)

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

CONTAINS UNFUNDED MANDATE (§§ 2, 17, 18, 21, 24, 35)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 a county or city clerk to establish polling places where any registered voter of the county or city, respectively, may vote in person on the day of certain elections; requiring the preparation and use of electronic election board registers; requiring an election board register to be prepared in an electronic format; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a county clerk to establish the boundaries of election precincts and authorizes election precincts to be combined into election districts. (NRS 293.205-293.207) Existing law prohibits a person from applying for or receiving a ballot at any election precinct or district other than the one at which the person is entitled to vote. (NRS 293.730)

Section 2 of this bill requires a county clerk to establish, with the approval of the board of county commissioners, one or more polling places in the county where any person entitled to vote in the county by personal appearance may do so on the day of a primary or general election. **Section 3** of this bill requires: (1) each board of county commissioners to provide criteria to be used for selecting such a polling place; and (2) that each such polling place be approved by the board of county commissioners. **Section 4** of this bill requires the county clerk to publicize the location of any such polling place. **Section 5** of this bill requires the county clerk to prepare an election board register for any such polling place. **Section 6** of this bill sets forth the procedure for a person to vote in person at any such polling place.



* S B 4 3 5 *

Sections 24-28 of this bill set forth corresponding provisions requiring city clerks to establish polling places where any person who is entitled to vote in the city by personal appearance may do so on the day of a primary city or general city election.

Existing law requires: (1) the preparation of an election board register for each precinct or district that contains certain information from applications to register to vote; and (2) a voter to sign an election board register when he or she applies to vote at a polling place. (NRS 293.053, 293.275, 293.277, 293.285, 293.287, 293.510) **Sections 7, 11-15, 17-21 and 30-35** of this bill make various changes to provide that an election board register must be prepared in an electronic format and a person who applies to vote in person must sign the register electronically.

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 2 to 6, inclusive, of this act.

Sec. 2. 1. *A county clerk shall establish one or more polling places in the county where any person entitled to vote in the county by personal appearance may do so on the day of the primary election or general election. Any such polling place must be at a location selected pursuant to section 3 of this act.*

2. *Any person entitled to vote in the county by personal appearance may do so at any polling place established pursuant to subsection 1.*

Sec. 3. 1. *Each board of county commissioners shall provide by ordinance for the criteria to be used to select a polling place described in section 2 of this act.*

2. *A polling place established pursuant to section 2 of this act must:*

(a) Satisfy the criteria provided by the board of county commissioners pursuant to subsection 1; and

(b) Be approved by the board of county commissioners at a public meeting.

Sec. 4. 1. *The county clerk shall publish during the week before the election in a newspaper of general circulation a notice of the location of each polling place established pursuant to section 2 of this act.*

2. *The county clerk shall post a list of the locations established pursuant to section 2 of this act on any bulletin board used for posting notice of meetings of the board of county commissioners. The list must be posted continuously for a period beginning not later than the fifth business day before the election and ending at 7 p.m. on the day of the election. The county clerk*



1 shall make copies of the list available to the public during the
2 period of posting in reasonable quantities without charge.

3 3. No additional polling place may be established pursuant to
4 section 2 of this act after the publication pursuant to this section.

5 **Sec. 5.** For each polling place established pursuant to section
6 2 of this act, the county clerk shall prepare an election board
7 register that contains, for every registered voter in the county, the
8 voter's name, the address where he or she is registered to vote, his
9 or her voter identification number, the voter's precinct or district
10 number and a place for the voter's electronic signature.

11 **Sec. 6.** 1. Upon the appearance of a person to cast a ballot
12 at a polling place established pursuant to section 2 of this act, the
13 election board officer shall:

14 (a) Determine that the person is a registered voter in the
15 county and has not already voted in the election;

16 (b) Instruct the voter to sign electronically the election board
17 register; and

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

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

25 3. When a voter is entitled to cast a ballot and has identified
26 himself or herself to the satisfaction of the election board officer,
27 the voter is entitled to receive the appropriate ballot or ballots, but
28 only for his or her own use at the polling place where he or she
29 applies to vote.

30 4. If the ballot is voted on a mechanical recording device
31 which directly records the votes electronically, the election board
32 officer shall:

33 (a) Prepare the mechanical voting device for the voter;

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

37 (c) Allow the voter to cast a vote.

38 5. A voter applying to vote at a polling place established
39 pursuant to section 2 of this act may be challenged pursuant to
40 NRS 293.303.

41 **Sec. 7.** NRS 293.053 is hereby amended to read as follows:

42 293.053 "Election board register" means the **electronic** record
43 of registered voters provided to election boards.



1 **Sec. 8.** NRS 293.2546 is hereby amended to read as follows:
2 293.2546 The Legislature hereby declares that each voter has
3 the right:

4 1. To receive and cast a ballot that:

5 (a) Is written in a format that allows the clear identification of
6 candidates; and

7 (b) Accurately records the voter's preference in the selection of
8 candidates.

9 2. To have questions concerning voting procedures answered
10 and to have an explanation of the procedures for voting posted in a
11 conspicuous place at the polling place.

12 3. To vote without being intimidated, threatened or coerced.

13 4. To vote on election day if the voter is waiting in line *before*
14 *7 p.m.* at ~~his or her~~ a polling place *at which he or she is entitled* to
15 vote ~~before 7 p.m.~~ and the voter has not already cast a vote in that
16 election.

17 5. To return a spoiled ballot and is entitled to receive another
18 ballot in its place.

19 6. To request assistance in voting, if necessary.

20 7. To a sample ballot which is accurate, informative and
21 delivered in a timely manner.

22 8. To receive instruction in the use of the equipment for voting
23 during early voting or on election day.

24 9. To have nondiscriminatory equal access to the elections
25 system, including, without limitation, a voter who is elderly,
26 disabled, a member of a minority group, employed by the military or
27 a citizen who is overseas.

28 10. To have a uniform, statewide standard for counting and
29 recounting all votes accurately.

30 11. To have complaints about elections and election contests
31 resolved fairly, accurately and efficiently.

32 **Sec. 9.** NRS 293.273 is hereby amended to read as follows:

33 293.273 1. Except as otherwise provided in ~~subsection 2~~
34 ~~and~~ NRS 293.305, at all elections held under the provisions of this
35 title, the polls must open at 7 a.m. and close at 7 p.m.

36 2. ~~Whenever at any election all the votes of the precinct or~~
37 ~~district, as shown on the roster, have been cast, the election board~~
38 ~~officers shall close the polls, and the counting of votes must begin~~
39 ~~and continue without unnecessary delay until the count is~~
40 ~~completed.~~

41 ~~—3.~~ Upon opening the polls, one of the election board officers
42 shall cause a proclamation to be made that all present may be aware
43 of the fact that applications of registered voters to vote will be
44 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 carry out the provisions of this title.

Sec. 10. NRS 293.275 is hereby amended to read as follows:
293.275 ~~[No]~~

1. *Except as otherwise provided in subsection 2, an* election board may *not* perform its duty in serving registered voters at any precinct or district polling place in any election provided for in this title, unless it has before it the election board register for its precinct or district.

2. *For a polling place established pursuant to section 2 or 24 of this act, the election board may perform its duty in serving registered voters at the polling place in an election if the election board has before it the election board register for the county or city, as applicable.*

Sec. 11. NRS 293.277 is hereby amended to read as follows:
293.277

1. Except as otherwise provided in NRS 293.541, if a person's name appears in the election board register or if the person provides an affirmation pursuant to NRS 293.525, the person is entitled to vote and must sign *electronically* his or her name in the election board register when he or she applies to vote. The signature must be compared by an election board officer with the signature or a facsimile thereof on the person's original application to register to vote or one of the forms of identification listed in subsection 2.

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

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

(b) A driver's license;

(c) An identification card issued by the Department of Motor Vehicles;

(d) A military identification card; or

(e) Any other form of identification issued by a governmental agency which contains the voter's signature and physical description or picture.

3. *The county clerk shall prescribe a procedure, approved by the Secretary of State, to determine that the voter has not already voted in the election.*

Sec. 12. NRS 293.283 is hereby amended to read as follows:

293.283 Any registered voter who is unable to sign his or her name must be identified by answering questions covering the personal data which is reported on the original application to



1 register to vote. The officer in charge of the roster shall ~~stamp,~~
2 ~~write or print~~ indicate "Identified as" next to ~~the left of~~ the
3 voter's name.

4 **Sec. 13.** NRS 293.285 is hereby amended to read as follows:

5 293.285 A registered voter applying to vote shall state his or
6 her name to the election board officer in charge of the election board
7 register, and the officer shall immediately announce the name and
8 take the registered voter's *electronic* signature ~~and~~ *after confirming*
9 *pursuant to the procedure prescribed pursuant to subsection 3 of*
10 *NRS 293.277 that the registered voter has not already voted in the*
11 *election.*

12 **Sec. 14.** NRS 293.303 is hereby amended to read as follows:

13 293.303 1. A person applying to vote may be challenged:

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

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

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

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

29 (b) If the challenge is on the ground that the register does not
30 show that the challenged person designated the political party to
31 which he or she claims to belong, "I swear or affirm under penalty
32 of perjury that I designated on the application to register to vote the
33 political party to which I claim to belong";

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

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

43 (e) If the challenge is on the ground that the challenged person is
44 not the person he or she claims to be, "I swear or affirm under



1 penalty of perjury that I am the person whose name is in this
2 election board register.”

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

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

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

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

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

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

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

35 (a) Furnishes official identification which contains a photograph
36 of the person, such as a driver’s license or other official document;
37 or

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

40 (1) Furnishes official identification which contains a
41 photograph of that person, such as a driver’s license or other official
42 document; and

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

45 9. The election board officers shall:



- 1 (a) Record on the challenge list:
2 (1) The name of the challenged person;
3 (2) The name of the registered voter who initiated the
4 challenge; and

5 (3) The result of the challenge; and

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

8 **Sec. 15.** NRS 293.3585 is hereby amended to read as follows:

9 293.3585 1. Upon the appearance of a person to cast a ballot
10 for early voting, the deputy clerk for early voting shall:

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

12 (b) Instruct the voter to sign **electronically** the roster for early
13 voting; and

14 (c) Verify the signature of the voter against that contained on the
15 ~~original application to register to vote or a facsimile thereof,~~ **roster**
16 **for early voting**, the card issued to the voter at the time of
17 registration or some other piece of official identification.

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

21 3. The roster for early voting must contain:

22 (a) The voter's name, the address where he or she is registered
23 to vote, his or her voter identification number , **a facsimile of the**
24 **signature of the voter that is from the original application to**
25 **register to vote** and a place for the voter's **electronic** signature;

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

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

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

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

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

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

40 (c) Allow the voter to cast a vote.

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

43 **Sec. 16.** NRS 293.4689 is hereby amended to read as follows:

44 293.4689 1. If a county clerk maintains a website on the
45 Internet for information related to elections, the website must



1 contain public information maintained, collected or compiled by the
2 county clerk that relates to elections, which must include, without
3 limitation:

4 (a) The locations of polling places for casting a ballot on
5 election day in such a format that a registered voter may search the
6 list to determine the location of the polling place *or places* at which
7 the registered voter is ~~required~~ *entitled* to cast a ballot; and

8 (b) The abstract of votes required pursuant to the provisions of
9 NRS 293.388.

10 2. The abstract of votes required to be maintained on the
11 website pursuant to paragraph (b) of subsection 1 must be
12 maintained in such a format as to permit the searching of the
13 abstract of votes for specific information.

14 3. If the information required to be maintained by a county
15 clerk pursuant to subsection 1 may be obtained by the public from a
16 website on the Internet maintained by the Secretary of State, another
17 county clerk or a city clerk, the county clerk may provide a
18 hyperlink to that website to comply with the provisions of
19 subsection 1 with regard to that information.

20 **Sec. 17.** NRS 293.510 is hereby amended to read as follows:

21 293.510 1. ~~In counties where computers are not used to~~
22 ~~register voters, the~~ *Each* county clerk shall ~~:~~

23 ~~—(a) Segregate~~ *segregate* original applications to register to vote
24 *in a computer file* according to the precinct in which the registered
25 voters reside and arrange the applications in each precinct or district
26 in alphabetical order.

27 2. The applications for each precinct or district must be kept in
28 a ~~separate binder which is marked with the number of the~~
29 *computer file for each* precinct or district. ~~[This binder constitutes]~~
30 *For each precinct and district, the county clerk shall create a*
31 *computer listing which contains the information included in the*
32 *applications to register to vote. This computer listing is* the election
33 board register.

34 ~~[(b) Arrange]~~

35 3. *The county clerk shall arrange* the duplicate applications of
36 registration in alphabetical order for the entire county and keep them
37 in ~~[binders or a suitable]~~ *a computer* file which constitutes the
38 registrar of voters' register.

39 ~~[2.]~~ 4. In any county where a computer is used to register
40 voters, the county clerk shall:

41 (a) Arrange the original applications to register to vote for the
42 entire county in a manner in which an original application may be
43 quickly located. These original applications constitute the registrar
44 of voters' register.



(b) Segregate the applications to register to vote in a computer file according to the precinct or district in which the registered voters reside, and for each precinct or district have printed a computer listing which contains the applications to register to vote in alphabetical order. These listings of applications to register to vote must be placed in separate ~~{binders}~~ **computer files** which are ~~{marked with}~~ **identified by** the number of the precinct or district. These ~~{binders}~~ **files** constitute the election board registers.

Sec. 18. NRS 293.511 is hereby amended to read as follows:

293.511 ~~{If a}~~ **A** registrar of voters' register or an election board register ~~{is}~~ **must be** kept by computer ~~{, the register must}~~ **file and** include all the information contained in the original applications to register to vote.

Sec. 19. NRS 293.541 is hereby amended to read as follows:

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

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

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

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

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

3. If insufficient time exists before a pending election to provide the notice required by subsection 2, the county clerk shall execute an affidavit of cancellation and ~~{file}~~ **:**

(a) File the affidavit ~~{of cancellation}~~ with the registrar of voters' register ~~{and}~~ **:**

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

~~—(b) In counties where records of registration are kept by computer, the county clerk shall have;~~

(b) Have the affidavit ~~{of cancellation}~~ printed on the computer entry for the registration ; and ~~{add}~~



(c) Add a copy of ~~the~~ the affidavit to the election board register.

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

(a) Official identification which contains a photograph of the voter, including, without limitation, a driver's license or other official document; and

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

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

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

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

(b) Residence or identity of a person.

Sec. 20. NRS 293.547 is hereby amended to read as follows:

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

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

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

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

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

4. A challenge filed pursuant to this section must not contain the name of more than one person whose right to vote is challenged. The county clerk shall not accept for filing any challenge which contains more than one such name.

5. The county clerk shall:

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

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

~~— (2) In counties where records of registration are kept by computer, he or she shall~~ have the challenge printed on the



1 computer entry for the challenged registration and add a copy of it
2 to the election board register.

3 (b) Within 5 days after a challenge is filed, mail a notice in the
4 manner set forth in NRS 293.530 to the person whose right to vote
5 has been challenged pursuant to this section informing the person of
6 the challenge. If the person fails to respond or appear to vote within
7 the required time, the county clerk shall cancel the person's
8 registration. A copy of the challenge and information describing
9 how to reregister properly must accompany the notice.

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

12 6. Upon receipt of a notice pursuant to this section, the district
13 attorney shall investigate the challenge within 14 days and, if
14 appropriate, cause proceedings to be instituted and prosecuted in a
15 court of competent jurisdiction without delay. The court shall give
16 such proceedings priority over other civil matters that are not
17 expressly given priority by law. Upon court order, the county clerk
18 shall cancel the registration of the person whose right to vote has
19 been challenged pursuant to this section.

20 **Sec. 21.** NRS 293.563 is hereby amended to read as follows:

21 293.563 ~~1. During the interval between the closing of~~
22 ~~registration and the election, the county clerk shall:~~

23 ~~—(a) In counties where records of registration are not kept by~~
24 ~~computer, prepare for each precinct or district a binder containing in~~
25 ~~alphabetical order the original applications to register to vote of the~~
26 ~~electors in the precinct or district. The binder constitutes the election~~
27 ~~board register.~~

28 ~~—(b) In counties where records of registration are kept by~~
29 ~~computer, have printed and placed in a binder for each precinct or~~
30 ~~district a computer listing in alphabetical order of the applications to~~
31 ~~register to vote of the electors in the precinct or district. The binder~~
32 ~~constitutes the election board register.~~

33 ~~—2.1~~ Each election board register must be delivered
34 **electronically** or caused to be delivered **electronically** by the county
35 or city clerk to an election officer of the proper precinct or district
36 before the opening of the polls.

37 **Sec. 22.** NRS 293.790 is hereby amended to read as follows:

38 293.790 If any person whose vote has been rejected offers to
39 vote at the same election, at any polling place other than ~~the~~ one in
40 which the person is ~~registered~~ **authorized** to vote, such person is
41 guilty of a gross misdemeanor.



1 **Sec. 23.** Chapter 293C of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 24 to 28, inclusive, of this
3 act.

4 **Sec. 24. 1.** *A city clerk shall establish one or more polling*
5 *places in the city where any person entitled to vote in the city by*
6 *personal appearance may do so on the day of a primary city*
7 *election or general city election. Any such polling place must be at*
8 *a location selected pursuant to section 25 of this act.*

9 2. *Any person entitled to vote in the city by personal*
10 *appearance may do so at any polling place established pursuant to*
11 *subsection 1.*

12 **Sec. 25. 1.** *Each governing body of a city shall provide by*
13 *ordinance for the criteria to be used to select a polling place*
14 *described in section 24 of this act.*

15 2. *A polling place established pursuant to section 24 of this*
16 *act must:*

17 (a) *Satisfy the criteria provided by the governing body of the*
18 *city pursuant to subsection 1; and*

19 (b) *Be approved by the governing body of the city at a public*
20 *meeting.*

21 **Sec. 26. 1.** *The city clerk shall publish during the week*
22 *before the election in a newspaper of general circulation a notice*
23 *of the location of each polling place established pursuant to*
24 *section 24 of this act.*

25 2. *The city clerk shall post a list of the locations established*
26 *pursuant to section 24 of this act on any bulletin board used for*
27 *posting notice of meetings of the governing body of the city. The*
28 *list must be posted continuously for a period beginning not later*
29 *than the fifth business day before the election and ending at 7 p.m.*
30 *on the day of the election. The city clerk shall make copies of the*
31 *list available to the public during the period of posting in*
32 *reasonable quantities without charge.*

33 3. *No additional polling place may be established pursuant to*
34 *section 24 of this act after the publication pursuant to this section.*

35 **Sec. 27.** *For each polling place established pursuant to*
36 *section 24 of this act, the city clerk shall prepare an election board*
37 *register that contains, for every registered voter in the city, the*
38 *voter's name, the address where he or she is registered to vote, his*
39 *or her voter identification number, the voter's precinct or district*
40 *number and a place for the voter's electronic signature.*

41 **Sec. 28. 1.** *Upon the appearance of a person to cast a ballot*
42 *at a polling place established pursuant to section 24 of this act, the*
43 *election board officer shall:*

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



(b) Instruct the voter to sign electronically the election board register; 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. When a voter is entitled to cast a ballot and has identified himself or herself to the satisfaction of the election board officer, the voter is entitled to receive the appropriate ballot, but only for his or her own use at the polling place where he or she applies to vote.

4. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the election board officer 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.

5. A voter applying to vote at a polling place established pursuant to section 24 of this act may be challenged pursuant to NRS 293C.292.

Sec. 29. 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 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 cast, the election board officers shall close the polls 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 so 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 carry out the provisions of this chapter.



Sec. 30. NRS 293C.270 is hereby amended to read as follows:
293C.270 1. If a person's name appears in the election board register or if the person provides an affirmation pursuant to NRS 293C.525, the person is entitled to vote and must sign *electronically* his or her name in the election board register when he or she applies to vote. The signature must be compared by an election board officer with the signature or a facsimile thereof on the person's original application to register to vote or one of the forms of identification listed in subsection 2.

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

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

(b) A driver's license;

(c) An identification card issued by the Department of Motor Vehicles;

(d) A military identification card; or

(e) Any other form of identification issued by a governmental agency that contains the voter's signature and physical description or picture.

3. *The city clerk shall prescribe a procedure, approved by the Secretary of State, to determine that the voter has not already voted in the election.*

Sec. 31. NRS 293C.272 is hereby amended to read as follows:

293C.272 Any registered voter who is unable to sign his or her name must be identified by answering questions covering the personal data that is reported on the original application to register to vote. The officer in charge of the roster shall ~~stamp, write or print~~ *indicate* "Identified as" *next* to ~~the left of~~ the voter's name.

Sec. 32. NRS 293C.275 is hereby amended to read as follows:

293C.275 A registered voter who applies to vote must state his or her name to the election board officer in charge of the election board register, and the officer shall immediately announce the name and take the registered voter's *electronic* signature ~~H~~ *after confirming pursuant to the procedure prescribed pursuant to subsection 3 of NRS 293.270 that the registered voter has not already voted in the election.*

Sec. 33. NRS 293C.292 is hereby amended to read as follows:

293C.292 1. A person applying to vote may be challenged:

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

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



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

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

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

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

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

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

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

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

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

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



(a) Furnishes official identification which contains a photograph of the person, such as a driver's license or other official document; or

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

(1) Furnishes official identification which contains a photograph of the person, such as a driver's license or other official document; and

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

8. The election board officers shall:

(a) Record on the challenge list:

(1) The name of the challenged person;

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

(3) The result of the challenge; and

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

Sec. 34. 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 *electronically* 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,~~ *roster for early voting*, 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, *a facsimile of the signature of the voter that is from the original application to register to vote* and a place for the voter's *electronic* 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 applying to vote early by personal appearance may be challenged pursuant to NRS 293C.292.

Sec. 35. NRS 293C.535 is hereby amended to read as follows:

293C.535 1. Except as otherwise provided by special charter, registration of electors in incorporated cities must be accomplished in the manner provided in this chapter.

2. The county clerk shall use the ~~{statewide voter registration list}~~ *election board register created by the county clerk pursuant to NRS 293.510* to prepare for the city clerk of each incorporated city within the county ~~{the}~~ *an electronic* election board register of all electors eligible to vote at a regular or special city election. *The entries in the election board register must be arranged alphabetically with the surnames first.*

3. The official register must be prepared in ~~{suitable books,}~~ *electronic files*, one for each ward or other voting district within each incorporated city. ~~{The entries in the election board register must be arranged alphabetically with the surnames first.}~~

4. The county clerk shall keep duplicate ~~{originals or copies}~~ *electronic files* of the applications to register to vote contained in the official register in the county clerk's office.

Sec. 36. NRS 293C.715 is hereby amended to read as follows:

293C.715 1. If a city clerk maintains a website on the Internet for information relating to elections, the website must contain public information maintained, collected or compiled by the city clerk that relates to elections, which must include, without limitation:

(a) The locations of polling places for casting a ballot on election day in such a form that a registered voter may search the list to determine the location of the polling place *or places* at which the registered voter is ~~{required}~~ *entitled* to cast a ballot; and

(b) The abstract of votes required to be posted on a website pursuant to the provisions of NRS 293C.387.

2. The abstract of votes required to be maintained on the website pursuant to paragraph (b) of subsection 1 must be maintained in such a format as to permit the searching of the abstract of votes for specific information.



3. If the information required to be maintained by a city clerk pursuant to subsection 1 may be obtained by the public from a website on the Internet maintained by the Secretary of State, a county clerk or another city clerk, the city clerk may provide a hyperlink to that website to comply with the provisions of subsection 1 with regard to that information.

Sec. 37. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 38. This act becomes effective:

1. Upon passage and approval for the purposes of adopting regulations and performing any other preparatory tasks necessary to carry out the provisions of this act; and

2. On January 1, 2016, for all other purposes.

