

SENATE BILL NO. 436—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 23, 2015

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to elections.
(BDR 24-1146)

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; providing that an inactive voter must provide proof of residence or a written affirmation before voting; providing that certain absent ballots received after the day of an election must be counted; extending the deadline for counties and cities to canvass election returns; requiring certain persons conducting a voter registration drive to register with the Secretary of State; increasing the penalty for certain crimes related to a person who registers to vote; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires that an absent ballot, including a military-overseas ballot, must be received by the county clerk or city clerk by the close of the polls on the day of the election to be valid. (NRS 293.316, 293.317, 293D.400) **Sections 3, 4 and 19** of this bill provide that an absent ballot received after the day of election will be counted if the absent ballot is (1) returned by mail; (2) postmarked on or before the day of the election; and (3) received by the county clerk or city clerk not later than 7 days after the election. **Sections 5-8 and 15-17** of this bill revise the procedures for counting such ballots and make conforming changes.

Section 9 of this bill requires that any person who intends to conduct a voter registration drive and register more than 50 people during a calendar year must register with the Secretary of State. **Section 9** also requires the Secretary of State to prescribe methods for such registration that include registration online and by mail.

Existing law provides that a registered voter who has changed residence and failed to return or did not receive a postcard from the county clerk and been designated as inactive must provide an oral or written affirmation before voting. (NRS 293.525) **Sections 10, 11 and 18** of this bill provide that such a voter must



provide proof of residence or a written affirmation before the voter may vote.
Sections 1, 2, 13 and 14 of this bill make conforming changes.

Existing law provides that a person is guilty of a category E felony if that person: (1) provides or encourages another person to provide false information in connection with an application to register to vote; or (2) registers to vote or aids another person in registering to vote knowing that he or she will not be a qualified elector at the next election. (NRS 293.800) **Section 12** of this bill increases the penalty for such crimes to a category D felony.

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

Section 1. 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}~~ *proof of residence or a written* affirmation pursuant to NRS 293.525, the person is entitled to vote and must sign his or her name in the election board register when he or she applies to vote. The signature must be compared by an election board officer with the signature or a facsimile thereof on the person's original application to register to vote or one of the forms of identification listed in subsection 2.

2. 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.

Sec. 2. NRS 293.304 is hereby amended to read as follows:

293.304 1. If a person is successfully challenged on the ground set forth in paragraph (c) of subsection 2 of NRS 293.303 or if a person refuses to provide ~~{an}~~ *proof of residence or a written* affirmation pursuant to NRS 293.525, the election board shall instruct the voter that he or she may vote only at the special polling place in the manner set forth in this section.

2. The county clerk of each county shall maintain a special polling place in the county clerk's office and at such other locations as he or she deems necessary during each election. The ballots voted at the special polling place must be kept separate from the ballots of voters who have not been so challenged or who have provided ~~{an}~~



proof of residence or a written affirmation pursuant to NRS 293.525 in a special sealed container if the ballots are ballots which are voted on a mechanical recording device which directly records the votes electronically.

3. A person who votes at a special polling place may vote only for the following offices and questions:

- (a) President and Vice President of the United States;
- (b) United States Senator;
- (c) All state officers for whom all voters in the State may vote;
- (d) All officers for whom all voters in the county may vote; and
- (e) Questions which have been submitted to all voters of the county or State.

4. The ballots voted at the special polling place must be counted when other ballots are counted and, if the ballots are ballots which are voted on a mechanical recording device which directly records the votes electronically, maintained in a separate sealed container until any contest of election is resolved or the date for filing a contest of election has passed, whichever is later.

Sec. 3. NRS 293.316 is hereby amended to read as follows:

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

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

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

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

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

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

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

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



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

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

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

(a) Place it in the identification envelope;

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

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

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

6. A request for an absent ballot submitted pursuant to this section must be made, and the ballot delivered to the voter and returned to the county clerk ~~[-, not]~~ :

(a) *Not later than the time the polls close on election day ~~[-]~~, if the ballot is hand delivered to the county clerk; or*

(b) *Not later than 7 days after the election, if the ballot is:*

(1) *Returned by mail; and*

(2) *Postmarked on or before election day.*

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

Sec. 4. NRS 293.317 is hereby amended to read as follows:

293.317 ~~[-Absent]~~

1. Except as otherwise provided in subsection 2, absent ballots, including special absent ballots, received by the county or city clerk after the polls are closed on the day of election are invalid.

2. An absent ballot, including a special absent ballot, that is received after the polls close on the day of election must be counted if the absent ballot is:

(a) *Returned by mail;*

(b) *Postmarked on or before the day of the election; and*

(c) *Received by the county or city clerk not later than 7 days after the day of the election.*

Sec. 5. NRS 293.325 is hereby amended to read as follows:

293.325 1. Except as otherwise provided in subsection 2 and NRS 293D.200, when an absent ballot is returned by a registered



1 voter to the county clerk through the mail, by facsimile machine or
2 other approved electronic transmission or in person, and record
3 thereof is made in the absent ballot record book, the county clerk
4 shall neatly stack, unopened, the absent ballot with any other absent
5 ballot received that day in a container and deliver, or cause to be
6 delivered, that container to the precinct or district election board.

7 2. Except as otherwise provided in NRS 293D.200, if an absent
8 ballot central counting board has been appointed, when an absent
9 ballot is returned by a registered voter to the county clerk through
10 the mail, by facsimile machine or other approved electronic
11 transmission or in person, the county clerk shall check the signature
12 on the return envelope, facsimile or other approved electronic
13 transmission against the original signature of the voter on the county
14 clerk's register. If the county clerk determines that the absent voter
15 is entitled to cast a ballot, the county clerk shall deposit the ballot in
16 the proper ballot box or place the ballot, unopened, in a container
17 that must be securely locked or under the control of the county clerk
18 at all times. At the end of each day before election day, the county
19 clerk may remove the ballots from each ballot box, neatly stack the
20 ballots in a container and seal the container with a numbered seal.
21 Not earlier than 4 working days before the election, the county clerk
22 shall deliver the ballots to the absent ballot central counting board to
23 be processed and prepared for counting pursuant to the procedures
24 established by the Secretary of State to ensure the confidentiality of
25 the prepared ballots until after the polls have closed pursuant to
26 NRS 293.273 or 293.305.

27 *3. For any absent ballot delivered in accordance with*
28 *subsection 2 of NRS 293.317, if the county clerk determines that*
29 *the absent voter is entitled to cast a ballot, the county clerk shall*
30 *neatly stack, unopened, the absent ballot with any other absent*
31 *ballots received that day in a container and deliver, or cause to be*
32 *delivered, that container to the appropriate board pursuant to the*
33 *procedures prescribed by the Secretary of State for counting such*
34 *ballots.*

35 **Sec. 6.** NRS 293.385 is hereby amended to read as follows:

36 293.385 1. Each day after the initial withdrawal of the ballots
37 pursuant to NRS 293.384 and before the day of the election, the
38 counting board, if it is responsible for counting absent ballots,
39 or the absent ballot central counting board shall withdraw from the
40 appropriate ballot boxes or containers all the ballots received
41 the previous day and ascertain that each box or container has the
42 required number of ballots according to the county clerk's absent
43 voters' ballot record.



2. If any absent ballots are received by the county clerk on election day pursuant to NRS 293.316, the county clerk shall deposit the absent ballots in the appropriate ballot boxes or containers.

3. Not earlier than 4 working days before the election, the appropriate board shall, in public, count the votes cast on the absent ballots.

4. If paper ballots are used, the results of the absent ballot vote in each precinct must be certified and submitted to the county clerk who shall have the results added to the regular votes of the precinct. The returns of absent ballots must be reported separately from the regular votes of the precinct, unless reporting the returns separately would violate the secrecy of a voter's ballot. The county clerks shall develop a procedure to ensure that each ballot is kept secret.

5. Any person who disseminates to the public in any way information pertaining to the count of absent ballots before the polls close is guilty of a misdemeanor.

6. On the eighth day after the election, the appropriate board shall, in public, count the votes cast on the absent ballots properly received in accordance with subsection 2 of NRS 293.317.

Sec. 7. NRS 293.387 is hereby amended to read as follows:

293.387 1. As soon as the returns from all the precincts and districts in any county have been received by the board of county commissioners, the board shall meet and canvass the returns. The canvass must be completed on or before the ~~sixth~~ 10th working day following the election.

2. In making its canvass, the board shall:

(a) Note separately any clerical errors discovered; and

(b) Take account of the changes resulting from the discovery, so that the result declared represents the true vote cast.

3. The county clerk shall, as soon as the result is declared, enter upon the records of the board an abstract of the result, which must contain the number of votes cast for each candidate. The board, after making the abstract, shall cause the county clerk to certify the abstract and, by an order made and entered in the minutes of its proceedings, to make:

(a) A copy of the certified abstract; and

(b) A mechanized report of the abstract in compliance with regulations adopted by the Secretary of State,

➡ and transmit them to the Secretary of State not more than ~~7~~ 11 working days after the election.

4. The Secretary of State shall, immediately after any primary election, compile the returns for all candidates voted for in more than one county. The Secretary of State shall make out and file in his or her office an abstract thereof, and shall certify to the county



1 clerk of each county the name of each person nominated, and the
2 name of the office for which the person is nominated.

3 **Sec. 8.** NRS 293.393 is hereby amended to read as follows:

4 293.393 1. On or before the ~~sixth~~ *10th* working day after
5 any general election or any other election at which votes are cast for
6 any United States Senator, Representative in Congress, member of
7 the Legislature or any state officer who is elected statewide, the
8 board of county commissioners shall open the returns of votes cast
9 and make abstracts of the votes.

10 2. Abstracts of votes must be prepared in the manner
11 prescribed by the Secretary of State by regulation.

12 3. The county clerk shall make out a certificate of election to
13 each of the persons having the highest number of votes for the
14 district, county and township offices.

15 4. Each certificate must be delivered to the person elected upon
16 application at the office of the county clerk.

17 **Sec. 9.** NRS 293.509 is hereby amended to read as follows:

18 293.509 1. A county clerk may provide the form for the
19 application to register to vote prescribed by the Secretary of State
20 pursuant to NRS 293.507 to a candidate, major political party, minor
21 political party or any other person submitting a request pursuant to
22 subsection 2.

23 2. A candidate, major political party, minor political party or
24 other person shall:

25 (a) Submit a request for forms for the application to register to
26 vote to the county clerk in person, by telephone, in writing or by
27 facsimile machine; and

28 (b) State the number of forms for the application to register to
29 vote that the candidate, major political party, minor political party or
30 other person is requesting.

31 3. The county clerk may record the control numbers assigned
32 to the forms by the Secretary of State pursuant to NRS 293.507 of
33 the forms he or she provided in response to the request. The county
34 clerk shall maintain a request for multiple applications with the
35 county clerk's records.

36 4. *Any person who intends to conduct one or more voter*
37 *registration drives and register more than 50 people during a*
38 *calendar year must register with the Secretary of State, in a*
39 *method prescribed by regulation of the Secretary of State. The*
40 *regulations must, without limitation, prescribe a method to register*
41 *online and by mail.*

42 **Sec. 10.** NRS 293.525 is hereby amended to read as follows:

43 293.525 1. Any elector who is presently registered and has
44 changed residence after the last preceding general election and who



1 fails to return or never receives a postcard mailed pursuant to NRS
2 293.5235, 293.530 or 293.535 who moved:

3 (a) From one precinct to another or from one congressional
4 district to another within the same county must be allowed to vote in
5 the precinct where the elector previously resided after providing ~~{an~~
6 ~~oral}~~ *proof of residence* or *a* written affirmation before an election
7 board officer attesting to his or her new address.

8 (b) Within the same precinct must be allowed to vote after
9 providing *proof of residence* ~~{an-oral}~~ or *a* written affirmation
10 before an election board officer attesting to his or her new address.

11 2. If an elector alleges that the records in the registrar of voters'
12 register or the election board register incorrectly indicate that the
13 elector has changed residence, the elector must be permitted to vote
14 after providing ~~{an-oral}~~ *proof of residence* or *a* written affirmation
15 before an election board officer attesting that he or she continues to
16 reside at the same address.

17 3. If an elector refuses to provide ~~{an-oral}~~ *proof of residence*
18 or *a* written affirmation attesting to his or her address as required by
19 this section, the elector may only vote at the special polling place in
20 the county in the manner set forth in NRS 293.304.

21 4. The county clerk shall use any information regarding the
22 current address of an elector obtained pursuant to this section to
23 correct information in the registrar of voters' register and the
24 election board register.

25 **Sec. 11.** NRS 293.530 is hereby amended to read as follows:

26 293.530 Except as otherwise provided in NRS 293.541:

27 1. County clerks may use any reliable and reasonable means
28 available to correct the portions of the statewide voter registration
29 list which are relevant to the county clerks and to determine whether
30 a registered voter's current residence is other than that indicated on
31 the voter's application to register to vote.

32 2. A county clerk may, with the consent of the board of county
33 commissioners, make investigations of registration in the county by
34 census, by house-to-house canvass or by any other method.

35 3. A county clerk shall cancel the registration of a voter
36 pursuant to this section if:

37 (a) The county clerk mails a written notice to the voter which
38 the United States Postal Service is required to forward;

39 (b) The county clerk mails a return postcard with the notice
40 which has a place for the voter to write his or her new address, is
41 addressed to the county clerk and has postage guaranteed;

42 (c) The voter does not respond; and

43 (d) The voter does not appear to vote in an election before the
44 polls have closed in the second general election following the date
45 of the notice.



4. For the purposes of this section, the date of the notice is deemed to be 3 days after it is mailed.

5. The county clerk shall maintain records of:

(a) Any notice mailed pursuant to subsection 3;

(b) Any response to such notice; and

(c) Whether a person to whom a notice is mailed appears to vote in an election,

↳ for not less than 2 years after creation.

6. The county clerk shall use any postcards which are returned to correct the portions of the statewide voter registration list which are relevant to the county clerk.

7. If a voter fails to return the postcard mailed pursuant to subsection 3 within 30 days, the county clerk shall designate the voter as inactive on the voter's application to register to vote. *A voter designated as inactive who appears to vote on election day must provide proof of residence or a written affirmation before casting a ballot.*

8. The Secretary of State shall adopt regulations to prescribe the method for maintaining a list of voters who have been designated as inactive pursuant to subsection 7.

Sec. 12. NRS 293.800 is hereby amended to read as follows:

293.800 1. A person who, for himself, herself or another person, willfully gives a false answer or answers to questions propounded to the person by the registrar or field registrar of voters relating to the information called for by the application to register to vote, or who willfully falsifies the application in any particular, or who violates any of the provisions of the election laws of this State or knowingly encourages another person to violate those laws is guilty of a category ~~E~~ *D* felony and shall be punished as provided in NRS 193.130.

2. A public officer or other person, upon whom any duty is imposed by this title, who willfully neglects his or her duty or willfully performs it in such a way as to hinder the objects and purposes of the election laws of this State, except where another penalty is provided, is guilty of a category E felony and shall be punished as provided in NRS 193.130.

3. If the person is a public officer, his or her office is forfeited upon conviction of any offense provided for in subsection 2.

4. A person who causes or endeavors to cause his or her name to be registered, knowing that he or she is not an elector or will not be an elector on or before the day of the next ensuing election in the precinct or district in which he or she causes or endeavors to cause the registration to be made, and any other person who induces, aids or abets the person in the commission of either of the acts is guilty



1 of a category ~~FE~~ D felony and shall be punished as provided in
2 NRS 193.130.

3 5. A field registrar or other person who provides to an elector
4 an application to register to vote and who:

5 (a) Knowingly falsifies the application or knowingly causes an
6 application to be falsified;

7 (b) Knowingly provides money or other compensation to
8 another for a falsified application; or

9 (c) Intentionally fails to submit to the county clerk a completed
10 application,

11 ➤ is guilty of a category ~~FE~~ D felony and shall be punished as
12 provided in NRS 193.130.

13 **Sec. 13.** NRS 293C.270 is hereby amended to read as follows:

14 293C.270 1. If a person's name appears in the election board
15 register or if the person provides ~~an~~ *proof of residence or a*
16 *written* affirmation pursuant to NRS 293C.525, the person is
17 entitled to vote and must sign his or her name in the election board
18 register when he or she applies to vote. The signature must be
19 compared by an election board officer with the signature or a
20 facsimile thereof on the person's original application to register to
21 vote or one of the forms of identification listed in subsection 2.

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

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

26 (b) A driver's license;

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

29 (d) A military identification card; or

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

33 **Sec. 14.** NRS 293C.295 is hereby amended to read as follows:

34 293C.295 1. If a person is successfully challenged on the
35 ground set forth in paragraph (a) of subsection 2 of NRS 293C.292
36 or if a person refuses to provide ~~an~~ *proof of residence or a written*
37 affirmation pursuant to NRS 293C.525, the election board shall
38 instruct the voter that he or she may vote only at the special polling
39 place in the manner set forth in this section.

40 2. The city clerk shall maintain at least one special polling
41 place at such locations as the city clerk deems necessary during each
42 election. The ballots voted at the special polling place must be kept
43 separate from the ballots of voters who have not been so challenged
44 or who have provided ~~an~~ *proof of residence or a written*
45 affirmation pursuant to NRS 293C.525 in a special sealed container



1 if the ballots are ballots that are voted on a mechanical recording
2 device which directly records the votes electronically.

3 3. A person who votes at a special polling place may vote only
4 for the following offices and questions:

5 (a) All officers for whom all voters in the city may vote; and

6 (b) Questions that have been submitted to all voters of the city.

7 4. The ballots voted at the special polling place must be
8 counted when other ballots are counted and, if the ballots are ballots
9 that are voted on a mechanical recording device that directly records
10 the votes electronically, maintained in a separate sealed container
11 until any contest of election is resolved or the date for filing a
12 contest of election has passed, whichever is later.

13 **Sec. 15.** NRS 293C.325 is hereby amended to read as follows:

14 293C.325 1. Except as otherwise provided in subsection 2
15 and NRS 293D.200, when an absent ballot is returned by a
16 registered voter to the city clerk through the mail, by facsimile
17 machine or other approved electronic transmission or in person, and
18 record thereof is made in the absent ballot record book, the city
19 clerk shall neatly stack, unopened, the absent ballot with any other
20 absent ballot received that day in a container and deliver, or cause to
21 be delivered, that container to the precinct or district election board.

22 2. Except as otherwise provided in NRS 293D.200, if an absent
23 ballot central counting board has been appointed, when an absent
24 ballot is returned by a registered voter to the ~~county~~ city clerk
25 through the mail, by facsimile machine or other approved electronic
26 transmission or in person, the ~~county~~ city clerk shall check the
27 signature on the return envelope, facsimile or other approved
28 electronic transmission against the original signature of the voter on
29 the ~~county~~ city clerk's register. If the city clerk determines that the
30 absent voter is entitled to cast a ballot, the city clerk shall deposit
31 the ballot in the proper ballot box or place the ballot, unopened, in a
32 container that must be securely locked or under the control of the
33 city clerk at all times. At the end of each day before election day,
34 the city clerk may remove the ballots from each ballot box, neatly
35 stack the ballots in a container and seal the container with a
36 numbered seal. Not earlier than 4 working days before the election,
37 the ~~county~~ city clerk shall deliver the ballots to the absent ballot
38 central counting board to be processed and prepared for counting
39 pursuant to the procedures established by the Secretary of State to
40 ensure the confidentiality of the prepared ballots until after the polls
41 have closed pursuant to NRS 293C.267 or 293C.297.

42 3. *For any absent ballot delivered in accordance with*
43 *subsection 2 of NRS 293.317, if the city clerk determines that the*
44 *absent voter is entitled to cast a ballot, the city clerk shall neatly*
45 *stack, unopened, the absent ballot with any other absent ballots*



received that day in a container and deliver, or cause to be delivered, that container to the appropriate board pursuant to the procedures prescribed by the Secretary of State for counting such ballots.

Sec. 16. NRS 293C.385 is hereby amended to read as follows:

293C.385 1. Each day after the initial withdrawal of the ballots pursuant to NRS 293C.382 and before the day of the election, the counting board, if it is responsible for counting absent ballots, or the absent ballot central counting board shall withdraw from the appropriate ballot boxes or containers all the ballots received the previous day and determine whether each box or container has the required number of ballots according to the city clerk's absent voters' ballot record.

2. If any absent ballots are received by the city clerk on election day pursuant to NRS 293C.317, the city clerk shall deposit the absent ballots in the appropriate ballot boxes or containers.

3. Not earlier than 4 working days before the election, the appropriate board shall, in public, count the votes cast on the absent ballots.

4. If paper ballots are used, the results of the absent ballot vote in each precinct must be certified and submitted to the city clerk, who shall have the results added to the regular votes of the precinct. The returns of absent ballots must be reported separately from the regular votes of the precinct, unless reporting the returns separately would violate the secrecy of a voter's ballot. The city clerks shall develop a procedure to ensure that each ballot is kept secret.

5. Any person who disseminates to the public information relating to the count of absent ballots before the polls close is guilty of a misdemeanor.

6. On the eighth day after the election, the appropriate board shall, in public, count the votes cast on the absent ballots properly received in accordance with subsection 2 of NRS 293.317.

Sec. 17. NRS 293C.387 is hereby amended to read as follows:

293C.387 1. The election returns from a special election, primary city election or general city election must be filed with the city clerk, who shall immediately place the returns in a safe or vault designated by the city clerk. No person may handle, inspect or in any manner interfere with the returns until they are canvassed by the mayor and the governing body of the city.

2. After the governing body of a city receives the returns from all the precincts and districts in the city, it shall meet with the mayor to canvass the returns. The canvass must be completed on or before the ~~sixth~~ 10th working day following the election.

3. In completing the canvass of the returns, the governing body of the city and the mayor shall:



1 (a) Note separately any clerical errors discovered; and
2 (b) Take account of the changes resulting from the discovery, so
3 that the result declared represents the true vote cast.

4 4. After the canvass is completed, the governing body of the
5 city and mayor shall declare the result of the canvass.

6 5. The city clerk shall enter upon the records of the governing
7 body of the city an abstract of the result. The abstract must be
8 prepared in the manner prescribed by regulations adopted by the
9 Secretary of State and must contain the number of votes cast for
10 each candidate.

11 6. After the abstract is entered, the:

12 (a) City clerk shall seal the election returns, maintain them in a
13 vault for at least 22 months and give no person access to them
14 during that period, unless access is ordered by a court of competent
15 jurisdiction or by the governing body of the city.

16 (b) Governing body of the city shall, by an order made and
17 entered in the minutes of its proceedings, cause the city clerk to:

18 (1) Certify the abstract;

19 (2) Make a copy of the certified abstract;

20 (3) Make a mechanized report of the abstract in compliance
21 with regulations adopted by the Secretary of State;

22 (4) Transmit a copy of the certified abstract and the
23 mechanized report of the abstract to the Secretary of State within ~~7~~
24 **11** working days after the election; and

25 (5) Transmit on paper or by electronic means to each public
26 library in the city, or post on a website maintained by the city or the
27 city clerk on the Internet or its successor, if any, a copy of the
28 certified abstract within 30 days after the election.

29 7. After the abstract of the results from a:

30 (a) Primary city election has been certified, the city clerk shall
31 certify the name of each person nominated and the name of the
32 office for which the person is nominated.

33 (b) General city election has been certified, the city clerk shall:

34 (1) Issue under his or her hand and official seal to each
35 person elected a certificate of election; and

36 (2) Deliver the certificate to the persons elected upon their
37 application at the office of the city clerk.

38 8. The officers elected to the governing body of the city qualify
39 and enter upon the discharge of their respective duties on the first
40 regular meeting of that body next succeeding that in which the
41 canvass of returns was made pursuant to subsection 2.

42 **Sec. 18.** NRS 293C.525 is hereby amended to read as follows:

43 293C.525 1. Any elector who is registered to vote and has
44 changed residence after the last preceding general city election and



1 who fails to return or never receives a postcard mailed pursuant to
2 NRS 293.5235, 293.530 or 293.535 who moved:

3 (a) From one precinct to another within the same city must be
4 allowed to vote in the precinct where the elector previously resided
5 after providing ~~{an-oral}~~ *proof of residence* or *a* written affirmation
6 before an election board officer attesting to his or her new address.

7 (b) Within the same precinct must be allowed to vote after
8 providing ~~{an-oral}~~ *proof of residence* or *a* written affirmation
9 before an election board officer attesting to his or her new address.

10 2. If an elector alleges that the records in the registrar of voters'
11 register or the election board register incorrectly indicate that the
12 elector has changed residence, the elector must be allowed to vote
13 after providing ~~{an-oral}~~ *proof of residence* or *a* written affirmation
14 before an election board officer attesting that he or she continues to
15 reside at the same address.

16 3. If an elector refuses to provide ~~{an-oral}~~ *proof of residence*
17 or *a* written affirmation attesting to his or her address as required by
18 this section, the elector may only vote at the special polling place in
19 the city in the manner set forth in NRS 293C.295.

20 **Sec. 19.** NRS 293D.400 is hereby amended to read as follows:

21 293D.400 ~~{A}~~

22 *1. Except as otherwise provided in subsection 2, a* military-
23 overseas ballot must be received by the appropriate local elections
24 official not later than the close of the polls.

25 *2. A military-overseas ballot that is received after the polls*
26 *close on the day of the election must be counted if the military-*
27 *overseas ballot is:*

28 *(a) Returned by mail;*

29 *(b) Postmarked on or before the day of the election; and*

30 *(c) Received by the appropriate local elections official not later*
31 *than 7 days after the day of the election.*

32 **Sec. 20.** This act becomes effective:

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

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

