

ASSEMBLY BILL NO. 269—ASSEMBLYMEN ASSEFA, WATTS;
BENITEZ-THOMPSON, DALY, DURAN, FUMO, GORELOW,
MARTINEZ, MUNK AND THOMPSON

MARCH 15, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing elections.
(BDR 24-834)

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

CONTAINS UNFUNDED MANDATE (§§ 3, 4, 11, 12)
(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 the Secretary of State to establish a system for voters to obtain sample ballots electronically and by text message; authorizing a registered voter to return an absent ballot at a polling place during the period for early voting; authorizing an applicant to elect to receive sample ballots by text message on an application to register to vote; revising provisions relating to a system for distributing sample ballots by electronic means; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes each county and city clerk to establish a system for distributing sample ballots by electronic means. (NRS 293.565, 293C.530) **Section 2** of this bill requires the Secretary of State to establish a system to enable a registered voter to electronically access a sample ballot on the Internet website of the Secretary of State. **Section 2** also requires the Secretary of State to establish a system to enable a registered voter to receive his or her sample ballot by text message. Lastly, **section 2** of this bill authorizes the Secretary of State to establish a system to allow a registered voter to complete a sample ballot electronically, which may then be scanned electronically at a polling place in order to populate the voter's selections automatically into the voter's ballot.

Sections 8 and 9 of this bill require the Secretary of State to include on an application to register to vote: (1) a line for a person's mobile telephone number if he or she would like to receive sample ballots by text message; and (2) an option



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for a person to elect to receive a sample ballot by text message. **Sections 10 and 16** of this bill provide that a system for distributing sample ballots by electronic means established by a county or city clerk may include text messages. **Sections 10 and 16** require a county or city clerk who has established a system for distributing sample ballots which uses electronic mail to also allow a registered voter to elect to receive his or her sample ballot by text message.

Existing law requires, with limited exception, a voter who receives an absent ballot to return the absent ballot by mail. (NRS 293.330, 293C.330) **Sections 5 and 13** of this bill authorize a voter who receives an absent ballot to return the absent ballot at a polling place for early voting during the period for early voting. **Sections 3 and 11** of this bill require each permanent and temporary polling place for early voting that is established by a county or city clerk to accept completed absent ballots. **Sections 4 and 12** of this bill require absent ballots that are received at a polling place for early voting to be delivered to the appropriate election board or absent ballot central counting board. **Sections 7 and 15** of this bill require a plan for the security of the ballots for early voting to include a plan for the security of absent ballots received at a polling place for early voting. **Sections 6 and 14** of this bill make conforming changes.

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 and 3 of this act.

Sec. 2. 1. *The Secretary of State shall establish a system on the Internet website of the Office of the Secretary of State to enable a registered voter to obtain a sample ballot electronically on the website. Such a system must not require the registered voter to provide any personal information except his or her address.*

2. *The Secretary of State shall establish a system to distribute sample ballots by text message. If a registered voter elects to receive his or her sample ballot by text message on his or her application to register to vote and provides a mobile telephone number pursuant to NRS 293.507 and 293.508, the Secretary of State shall distribute a sample ballot to the registered voter by text message.*

3. *The Secretary of State may develop a system for sample ballots which:*

(a) *Enables a registered voter to mark his or her sample ballot electronically;*

(b) *Allows the registered voter to have that sample ballot scanned electronically at a polling place; and*

(c) *Populates the ballot of the registered voter automatically using the votes selected by the voter on the sample ballot.*

↪ *Such a system must comply with the requirements of NRS 293.2696.*



1 **Sec. 3. *Each polling place for early voting established***
2 ***pursuant to NRS 293.3564 or 293.3572 must accept completed***
3 ***absent ballots from a registered voter of the county who has been***
4 ***issued an absent ballot.***

5 **Sec. 4.** NRS 293.325 is hereby amended to read as follows:

6 293.325 1. Except as otherwise provided in subsection 2 and
7 NRS 293D.200, when an absent ballot is returned by a registered
8 voter to the county clerk through the mail, by facsimile machine or
9 other approved electronic transmission or in person, and record
10 thereof is made in the absent ballot record book, the county clerk
11 shall neatly stack, unopened, the absent ballot with any other absent
12 ballot received that day in a container and deliver, or cause to be
13 delivered, that container to the appropriate election board.

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

34 **3. *When an absent ballot is returned by a registered voter at a***
35 ***polling place for early voting, the absent ballot must be deposited,***
36 ***unopened, by the election board officer in a ballot box or***
37 ***container with any other absent ballots received that day. The***
38 ***county clerk shall deliver or cause to be delivered the absent***
39 ***ballots in that ballot box or container to the appropriate election***
40 ***board or absent ballot central counting board, if one has been***
41 ***appointed. The county clerk shall develop a procedure to ensure a***
42 ***record is made of each absent ballot that is returned at a polling***
43 ***place for early voting.***



Sec. 5. NRS 293.330 is hereby amended to read as follows:

293.330 1. Except as otherwise provided in subsection 2 of NRS 293.323 and chapter 293D of NRS, and any regulations adopted pursuant thereto, when an absent voter receives an absent ballot, the absent voter must mark and fold it in accordance with the instructions, deposit it in the return envelope, seal the envelope, affix his or her signature on the back of the envelope in the space provided therefor and ~~{mail}~~ :

(a) *Mail* the return envelope ~~{ }~~ ; or

(b) *Deliver the return envelope to an election board officer at a polling place for early voting during the period for early voting.*

2. Except as otherwise provided in subsection 3, if an absent voter who has requested a ballot by mail applies to vote the ballot in person at:

(a) The office of the county clerk, the absent voter must mark the ballot, seal it in the return envelope and affix his or her signature in the same manner as provided in subsection 1, and deliver the envelope to the clerk.

(b) *A permanent or temporary polling place for early voting during the period for early voting, the absent voter may:*

(1) *Deliver the return envelope, in the same manner as provided in subsection 1, to an election board officer; or*

(2) *Surrender the absent ballot and provide satisfactory identification before being issued a ballot to vote at the polling place. An election board officer who receives a surrendered absent ballot shall mark it "Cancelled."*

(c) A polling place ~~{, including, without limitation, a polling place for early voting,}~~ *on election day*, the absent voter must surrender the absent ballot and provide satisfactory identification before being issued a ballot to vote at the polling place. ~~{A person}~~ *An election board officer* who receives a surrendered absent ballot shall mark it "Cancelled."

3. If an absent voter who has requested a ballot by mail applies to vote in person at the office of the county clerk or a polling place, including, without limitation, a polling place for early voting, and the voter does not have the absent ballot to deliver or surrender, the voter must be issued a ballot to vote if the voter:

(a) Provides satisfactory identification;

(b) Is a registered voter who is otherwise entitled to vote; and

(c) Signs an affirmation under penalty of perjury on a form prepared by the Secretary of State declaring that the voter has not voted during the election.

4. Except as otherwise provided in NRS 293.316 and 293.3165, it is unlawful for any person to return an absent ballot other than the voter who requested the absent ballot or, at the



request of the voter, a member of the voter's family. A person who returns an absent ballot and who is a member of the family of the voter who requested the absent ballot shall, under penalty of perjury, indicate on a form prescribed by the county clerk that the person is a member of the family of the voter who requested the absent ballot and that the voter requested that the person return the absent ballot. A person who violates the provisions of this subsection is guilty of a category E felony and shall be punished as provided in NRS 193.130.

Sec. 6. NRS 293.340 is hereby amended to read as follows:

293.340 1. In counties in which an absent ballot central counting board is appointed the county clerk shall provide a ballot box in the county clerk's office for each different ballot listing in the county.

2. On each such box there must appear a statement indicating the precincts and district for which such box has been designated.

3. Except as otherwise provided in NRS *293.325 and 293D.200*, each absent ballot voted must be deposited in a ballot box according to the precinct or district of the absent voter voting such ballot.

Sec. 7. NRS 293.3594 is hereby amended to read as follows:

293.3594 1. A plan for the security of ballots for early voting must be submitted to the Secretary of State for approval no later than 90 days before the election at which early voting is to be conducted. *The plan must include, without limitation, a plan for the security of absent ballots delivered to a polling place for early voting.*

2. At the close of early voting each day, the deputy clerk for early voting shall secure each voting machine used for early voting in a manner prescribed by the Secretary of State so that its unauthorized operation is prevented.

3. All materials for early voting must be delivered to the county clerk's office at the close of voting on the last day for voting at the polling place for early voting.

Sec. 8. NRS 293.507 is hereby amended to read as follows:

293.507 1. The Secretary of State shall prescribe:

(a) Standard forms for applications to preregister or register to vote;

(b) Special forms for preregistration and registration to be used in a county where registrations are performed and records of registration are kept by computer; and

(c) A standard form for the affidavit described in subsection 5.

2. The county clerks shall provide forms for applications to preregister or register to vote to field registrars in the form and number prescribed by the Secretary of State.



3. Each form for an application to preregister or register to vote must include a:

(a) Unique control number assigned by the Secretary of State; and

(b) Receipt which:

(1) Includes a space for a person assisting an applicant in completing the form to enter the person's name; and

(2) May be retained by the applicant upon completion of the form.

4. The form for an application to preregister or register to vote must include:

(a) A line for use by the applicant to enter:

(1) The number indicated on the applicant's current and valid driver's license issued by the Department of Motor Vehicles, if the applicant has such a driver's license;

(2) The last four digits of the applicant's social security number, if the applicant does not have a driver's license issued by the Department of Motor Vehicles and does have a social security number; or

(3) The number issued to the applicant pursuant to subsection 5, if the applicant does not have a current and valid driver's license issued by the Department of Motor Vehicles or a social security number.

(b) A line on which to enter the address at which the applicant actually resides, as set forth in NRS 293.486.

(c) A notice that the applicant may not list a business as the address required pursuant to paragraph (b) unless the applicant actually resides there.

(d) A line on which to enter an address at which the applicant may receive mail, including, without limitation, a post office box or general delivery.

(e) A line on which to enter a mobile telephone number at which the applicant may receive text messages, if he or she would like to receive a sample ballot by text message and the county has established a system to distribute sample ballots by text message.

5. If an applicant does not have the identification set forth in subparagraph (1) or (2) of paragraph (a) of subsection 4, the applicant shall sign an affidavit stating that he or she does not have a current and valid driver's license issued by the Department of Motor Vehicles or a social security number. Upon receipt of the affidavit, the county clerk shall issue an identification number to the applicant which must be the same number as the unique identifier assigned to the applicant for purposes of the statewide voter registration list.

6. The Secretary of State shall adopt regulations to carry out the provisions of subsections 3, 4 and 5.



Sec. 9. NRS 293.508 is hereby amended to read as follows:
293.508 The Secretary of State shall include on all forms for an application to preregister or register to vote prescribed by the Secretary of State the following ~~[option.]~~ *options*, printed in a separate box created by bold lines, in at least 14-point bold type:

[] CHECK THIS BOX TO RECEIVE A SAMPLE
BALLOT IN LARGER TYPE

*[] CHECK THIS BOX TO RECEIVE A SAMPLE
BALLOT BY TEXT MESSAGE*

Sec. 10. NRS 293.565 is hereby amended to read as follows:
293.565 1. Except as otherwise provided in subsection 3, sample ballots must include:

(a) If applicable, the statement required by NRS 293.267;
(b) The fiscal note or description of anticipated financial effect, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015, 295.095 or 295.230 for each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

(c) An explanation, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.121 or 295.230, of each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

(d) Arguments for and against each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question, and rebuttals to each argument, as provided pursuant to NRS 218D.810, 293.250, 293.252 or 295.121; and

(e) The full text of each proposed constitutional amendment.
2. If, pursuant to the provisions of NRS 293.2565, the word "Incumbent" must appear on the ballot next to the name of the candidate who is the incumbent, the word "Incumbent" must appear on the sample ballot next to the name of the candidate who is the incumbent.

3. Sample ballots that are mailed to registered voters may be printed without the full text of each proposed constitutional amendment if:

(a) The cost of printing the sample ballots would be significantly reduced if the full text of each proposed constitutional amendment were not included;

(b) The county clerk ensures that a sample ballot that includes the full text of each proposed constitutional amendment is provided



1 at no charge to each registered voter who requests such a sample
2 ballot; and

3 (c) The sample ballots provided to each polling place include the
4 full text of each proposed constitutional amendment.

5 4. A county clerk may establish a system for distributing
6 sample ballots by electronic means to each registered voter who
7 elects to receive a sample ballot by electronic means. Such a system
8 may include, without limitation, electronic mail , ~~for~~ electronic
9 access through an Internet website ~~or~~ *or text message*. If a county
10 clerk establishes such a system and ~~it~~ :

11 (a) *A registered voter elects to receive a sample ballot by*
12 *electronic means, the county clerk shall distribute the sample ballot*
13 *to the registered voter by electronic means . ~~[pursuant to the~~*
14 *~~procedures and requirements set forth by regulations adopted by the~~*
15 *~~Secretary of State.]~~*

16 (b) *The system uses electronic mail to distribute sample ballots,*
17 *the system must allow a registered voter to elect to receive a*
18 *sample ballot by text message. If a registered voter elects to receive*
19 *a sample ballot by text message and has provided a mobile*
20 *telephone number capable of receiving text messages, the county*
21 *clerk shall distribute the sample ballot to the registered voter by*
22 *text message.*

23 5. If a registered voter does not elect to receive a sample ballot
24 by electronic means pursuant to subsection 4, the county clerk shall
25 distribute the sample ballot to the registered voter by mail.

26 6. Except as otherwise provided in subsection 7, before the
27 period for early voting for any election begins, the county clerk shall
28 distribute to each registered voter in the county by mail or electronic
29 means, as applicable, the sample ballot for his or her precinct, with a
30 notice informing the voter of the location of his or her polling place.
31 If the location of the polling place has changed since the last
32 election:

33 (a) The county clerk shall mail a notice of the change to each
34 registered voter in the county not sooner than 10 days before
35 distributing the sample ballots; or

36 (b) The sample ballot must also include a notice in bold type
37 immediately above the location which states:

38
39 **NOTICE: THE LOCATION OF YOUR POLLING PLACE**
40 **HAS CHANGED SINCE THE LAST ELECTION**
41

42 7. If a person registers to vote less than 20 days before the date
43 of an election, the county clerk is not required to distribute to the
44 person the sample ballot for that election by mail or electronic
45 means.



8. Except as otherwise provided in subsection 9, a sample ballot required to be distributed pursuant to this section must:

- (a) Be prepared in at least 12-point type; and
- (b) Include on the front page, in a separate box created by bold lines, a notice prepared in at least 20-point bold type that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN
LARGE TYPE, CALL (Insert appropriate telephone number)

9. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

10. The sample ballot distributed to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be prepared in at least 14-point type, or larger when practicable.

11. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots distributed to that person from the county are in large type.

12. The county clerk shall include in each sample ballot a statement indicating that the county clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his or her polling place and provide reasonable assistance to the voter in casting his or her vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the county clerk has provided pursuant to subsection 4 of NRS 293.2955 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly or disabled, the county clerk shall include in the sample ballot a statement indicating:

- (a) The addresses of such centralized voting locations;
- (b) The types of specially equipped voting devices available at such centralized voting locations; and
- (c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at his or her regularly designated polling place.

13. The cost of distributing sample ballots for any election other than a primary or general election must be borne by the political subdivision holding the election.

Sec. 11. Chapter 293C of NRS is hereby amended by adding thereto a new section to read as follows:

Each polling place for early voting established pursuant to NRS 293C.3564 or 293C.3572 must accept completed absent



ballots from a registered voter of the city who has been issued an absent ballot.

Sec. 12. NRS 293C.325 is hereby amended to read as follows:
293C.325 1. Except as otherwise provided in subsection 2 and NRS 293D.200, when an absent ballot is returned by a registered voter to the city clerk through the mail, by facsimile machine or other approved electronic transmission or in person, and record thereof is made in the absent ballot record book, the city clerk shall neatly stack, unopened, the absent ballot with any other absent ballot received that day in a container and deliver, or cause to be delivered, that container to the appropriate election board.

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

3. When an absent ballot is returned by a registered voter at a polling place for early voting, the absent ballot must be deposited, unopened, in a ballot box or container by the election board officer with any other absent ballots received that day. The city clerk shall deliver or cause to be delivered the absent ballots in that ballot box or container to the appropriate election board or absent ballot central counting board, if one has been appointed. The city clerk shall develop a procedure to ensure a record is made of each absent ballot that is returned at a polling place for early voting.

Sec. 13. NRS 293C.330 is hereby amended to read as follows:
293C.330 1. Except as otherwise provided in subsection 2 of NRS 293C.322 and chapter 293D of NRS, and any regulations adopted pursuant thereto, when an absent voter receives an absent



1 ballot, the absent voter must mark and fold it in accordance with the
2 instructions, deposit it in the return envelope, seal the envelope,
3 affix his or her signature on the back of the envelope in the space
4 provided therefor and ~~mail~~ :

5 (a) *Mail* the return envelope ~~[-]~~ ; or

6 (b) *Deliver the return envelope to an election board officer at a*
7 *polling place for early voting during the period for early voting.*

8 2. Except as otherwise provided in subsection 3, if an absent
9 voter who has requested a ballot by mail applies to vote the ballot in
10 person at:

11 (a) The office of the city clerk, the absent voter must mark the
12 ballot, seal it in the return envelope and affix his or her signature in
13 the same manner as provided in subsection 1, and deliver the
14 envelope to the city clerk.

15 (b) *A permanent or temporary polling place for early voting*
16 *during the period for early voting, the absent voter may:*

17 (1) *Deliver the return envelope, in the same manner as*
18 *provided in subsection 1, to an election board officer; or*

19 (2) *Surrender the absent ballot and provide satisfactory*
20 *identification before being issued a ballot to vote at the polling*
21 *place. An election board officer who receives a surrendered absent*
22 *ballot shall mark it "Cancelled."*

23 (c) A polling place ~~[-, including, without limitation, a polling~~
24 ~~place for early voting,]~~ *on election day*, the absent voter must
25 surrender the absent ballot and provide satisfactory identification
26 before being issued a ballot to vote at the polling place. ~~[A person]~~
27 *An election board officer* who receives a surrendered absent ballot
28 shall mark it "Cancelled."

29 3. If an absent voter who has requested a ballot by mail applies
30 to vote in person at the office of the city clerk or a polling place,
31 including, without limitation, a polling place for early voting, and
32 the voter does not have the absent ballot to deliver or surrender, the
33 voter must be issued a ballot to vote if the voter:

34 (a) Provides satisfactory identification;

35 (b) Is a registered voter who is otherwise entitled to vote; and

36 (c) Signs an affirmation under penalty of perjury on a form
37 prepared by the Secretary of State declaring that the voter has not
38 voted during the election.

39 4. Except as otherwise provided in NRS 293C.317 and
40 293C.318, it is unlawful for any person to return an absent ballot
41 other than the voter who requested the absent ballot or, at the
42 request of the voter, a member of the voter's family. A person who
43 returns an absent ballot and who is a member of the family of the
44 voter who requested the absent ballot shall, under penalty of perjury,
45 indicate on a form prescribed by the city clerk that the person is a



1 member of the family of the voter who requested the absent ballot
2 and that the voter requested that the person return the absent ballot.
3 A person who violates the provisions of this subsection is guilty of a
4 category E felony and shall be punished as provided in
5 NRS 193.130.

6 **Sec. 14.** NRS 293C.340 is hereby amended to read as follows:

7 293C.340 1. In cities in which an absent ballot central
8 counting board is appointed, the city clerk shall provide a ballot box
9 in the city clerk's office for each different ballot listing in the city.

10 2. On each box there must appear a statement indicating the
11 precincts and district for which the box has been designated.

12 3. Except as otherwise provided in NRS *293C.325 and*
13 *293D.200*, each absent ballot voted must be deposited in a ballot
14 box according to the precinct or district of the absent voter voting
15 that ballot.

16 **Sec. 15.** NRS 293C.3594 is hereby amended to read as
17 follows:

18 293C.3594 1. A plan for the security of ballots for early
19 voting must be submitted to the Secretary of State for approval no
20 later than 90 days before the election at which early voting is to be
21 conducted. *The plan must include, without limitation, a plan for*
22 *the security of absent ballots delivered to a polling place for early*
23 *voting.*

24 2. At the close of early voting each day, the deputy clerk for
25 early voting shall secure each voting machine used for early voting
26 in a manner prescribed by the Secretary of State so that its
27 unauthorized operation is prevented.

28 3. All materials for early voting must be delivered to the city
29 clerk's office at the close of voting on the last day for voting at the
30 polling place for early voting.

31 **Sec. 16.** NRS 293C.530 is hereby amended to read as follows:

32 293C.530 1. A city clerk may establish a system for
33 distributing sample ballots by electronic means to each registered
34 voter who elects to receive a sample ballot by electronic means.
35 Such a system may include, without limitation, electronic mail, ~~[or]~~
36 electronic access through an Internet website ~~[or]~~ *or text message*. If
37 a city clerk establishes such a system and ~~[a]~~ :

38 *(a) A* registered voter elects to receive a sample ballot by
39 electronic means, the city clerk shall distribute the sample ballot to
40 the registered voter by electronic means . ~~[pursuant to the~~
41 ~~procedures and requirements set forth by regulations adopted by the~~
42 ~~Secretary of State.]~~

43 *(b) The system uses electronic mail to distribute sample ballots,*
44 *the system must allow a registered voter to elect to receive a*
45 *sample ballot by text message. If a registered voter elects to receive*



a sample ballot by text message and has provided a mobile telephone number capable of receiving text messages, the county clerk shall distribute the sample ballot to the registered voter by text message.

2. If a registered voter does not elect to receive a sample ballot by electronic means pursuant to subsection 1, the city clerk shall distribute the sample ballot to the registered voter by mail.

3. Except as otherwise provided in subsection 4, before the period for early voting for any election begins, the city clerk shall distribute to each registered voter in the city by mail or electronic means, as applicable, the sample ballot for his or her precinct, with a notice informing the voter of the location of his or her polling place. If the location of the polling place has changed since the last election:

(a) The city clerk shall mail a notice of the change to each registered voter in the city not sooner than 10 days before distributing the sample ballots; or

(b) The sample ballot must also include a notice in bold type immediately above the location which states:

**NOTICE: THE LOCATION OF YOUR POLLING PLACE
HAS CHANGED SINCE THE LAST ELECTION**

4. If a person registers to vote less than 20 days before the date of an election, the city clerk is not required to distribute to the person the sample ballot for that election by mail or electronic means.

5. Except as otherwise provided in subsection 7, a sample ballot required to be distributed pursuant to this section must:

(a) Be prepared in at least 12-point type;

(b) Include the description of the anticipated financial effect and explanation of each citywide measure and advisory question, including arguments for and against the measure or question, as required pursuant to NRS 295.205 or 295.217; and

(c) Include on the front page, in a separate box created by bold lines, a notice prepared in at least 20-point bold type that states:

**NOTICE: TO RECEIVE A SAMPLE BALLOT IN
LARGE TYPE, CALL (Insert appropriate telephone number)**

6. The word "Incumbent" must appear on the sample ballot next to the name of the candidate who is the incumbent, if required pursuant to NRS 293.2565.

7. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-



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1 point type to the extent necessary to make the facsimile fit on the
2 pages of the sample ballot.

3 8. The sample ballot distributed to a person who requests a
4 sample ballot in large type by exercising the option provided
5 pursuant to NRS 293.508, or in any other manner, must be prepared
6 in at least 14-point type, or larger when practicable.

7 9. If a person requests a sample ballot in large type, the city
8 clerk shall ensure that all future sample ballots distributed to that
9 person from the city are in large type.

10 10. The city clerk shall include in each sample ballot a
11 statement indicating that the city clerk will, upon request of a voter
12 who is elderly or disabled, make reasonable accommodations to
13 allow the voter to vote at his or her polling place and provide
14 reasonable assistance to the voter in casting his or her vote,
15 including, without limitation, providing appropriate materials to
16 assist the voter. In addition, if the city clerk has provided pursuant to
17 subsection 4 of NRS 293C.281 for the placement at centralized
18 voting locations of specially equipped voting devices for use by
19 voters who are elderly or disabled, the city clerk shall include in the
20 sample ballot a statement indicating:

21 (a) The addresses of such centralized voting locations;

22 (b) The types of specially equipped voting devices available at
23 such centralized voting locations; and

24 (c) That a voter who is elderly or disabled may cast his or her
25 ballot at such a centralized voting location rather than at the voter's
26 regularly designated polling place.

27 11. The cost of distributing sample ballots for a city election
28 must be borne by the city holding the election.

29 **Sec. 17.** The provisions of NRS 354.599 do not apply to any
30 additional expenses of a local government that are related to the
31 provisions of this act.

32 **Sec. 18.** 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 that are necessary to carry out the provisions of this act; and

36 2. On January 1, 2020, for all other purposes.

