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SECOND REPRINT

A.B. 126

ASSEMBLY BILL NO. 126—ASSEMBLYMEN FRIERSON,
BENITEZ-THOMPSON AND BRITTNEY MILLER

FEBRUARY 15, 2021

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-99)

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 for a presidential preference primary election; setting forth requirements and procedures for holding a presidential preference primary election; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill establishes requirements and procedures for conducting a presidential preference primary election, which is an election held in a presidential election year to determine the preferences of the registered voters of a major political party regarding the party's nominee for President of the United States.

Section 43 of this bill requires, with certain exceptions, that a presidential preference primary election be held for each major political party on the first Tuesday in February of each presidential election year.

Section 44 of this bill sets forth the process for a qualified candidate to file a declaration of candidacy for a presidential preference primary election. **Section 41** of this bill defines the term "qualified candidate."

Section 45 of this bill requires the county clerk to publish certain information regarding the presidential preference primary election.

Section 46 of this bill provides that a registered voter may cast a ballot at a presidential preference primary election for a major political party only if the registered voter designated on his or her application to register to vote an affiliation with the party. **Section 47** of this bill provides that such a registered voter may cast a ballot at the presidential preference primary election at any polling place in the county. **Section 11** of this bill makes a conforming change to require a county clerk to establish at least one vote center in the county for the day of the presidential preference primary election.

Section 47 of this bill sets forth various duties of a county clerk related to the presidential preference primary election, including distributing sample ballots, establishing polling places, distributing absent ballots and, if applicable,



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distributing mail ballots or mailing ballots. **Sections 12-16** of this bill make conforming changes to existing provisions relating to absent ballots and mailing ballots.

Section 48 of this bill requires a period for early voting for a presidential preference primary election that begins 10 calendar days before the election and extends through the Friday before the election. **Section 17** of this bill makes a conforming change related to the general process for early voting.

Section 50 of this bill requires the Secretary of State to compile the returns of the presidential preference primary election for each qualified candidate of the major political party, prepare an abstract of the returns and certify the number of votes received by each qualified candidate.

Sections 49 and 51 of this bill provide that the cost of a presidential preference primary election is a charge against the State and must be paid from the Reserve for Statutory Contingency Account. **Section 23** of this bill makes a conforming change related to the cost of distributing sample ballots.

Sections 2-5 of this bill make conforming changes related to the precinct meetings and party conventions of major political parties to account for holding a presidential preference primary election.

Section 6 of this bill clarifies that the minor political parties do not participate in the presidential preference primary election.

Section 7 of this bill requires, with certain exceptions, the Secretary of State to adopt regulations relating to a presidential preference primary election.

Sections 8 and 18 of this bill authorize an Indian tribe to request the establishment of a polling place within the boundaries of an Indian reservation or Indian colony for a presidential preference primary election.

Section 9 of this bill sets forth the procedure for a registered voter to apply to vote at a presidential preference primary election.

Section 10 of this bill requires the county clerk to post certain notices if a candidate whose name appears on the ballot at a presidential preference primary election dies before the closing of the polls.

Section 19 of this bill requires the county clerk to collect and submit to the Secretary of State certain information regarding each presidential preference primary election consistent with the requirements to collect and submit to the Secretary of State information for a primary or general election.

Sections 20-22 and 25 of this bill amend existing provisions relating to voter registration to account for presidential preference primary elections.

Section 24 of this bill requires the county clerk to ascertain by precinct and district the number of registered voters in the county and their political affiliation before the presidential preference primary election consistent with the existing requirements for a primary or general election.

Section 26 of this bill amends the definition of "election" so that provisions that allow certain voter registration after the close of registration and same day voter registration apply to the presidential preference primary election.

Sections 27-32 of this bill make various changes to specify that provisions relating to elections affected by certain emergencies or disasters also apply to presidential preference primary elections.

Sections 33-35 of this bill specify that provisions relating to mechanical voting systems and machines also apply to presidential preference primary elections.



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

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

“Presidential preference primary election” means an election held in a presidential election year pursuant to sections 37 to 50, inclusive, of this act to determine the preferences of the registered voters of a major political party regarding the party’s nominee for President of the United States.

Sec. 2. NRS 293.010 is hereby amended to read as follows:

293.010 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 293.013 to 293.121, inclusive, ***and section 1 of this act*** have the meanings ascribed to them in those sections.

Sec. 3. NRS 293.135 is hereby amended to read as follows:

293.135 1. The county central committee of each major political party in each county shall have a precinct meeting of the registered voters of the party residing in each voting precinct entitled to delegates in the county convention called and held on the dates set for the precinct meeting by the respective state central committees in each year in which a general election is held. ***In any year in which a presidential preference primary election is held for the major political party, the precinct meeting must not be held until after the results of the presidential preference primary election are certified by the Secretary of State.***

2. The meeting must be held in one of the following places in the following order of preference:

(a) Any public building within the precinct if the meeting is for a single precinct, or any public building which is in reasonable proximity to the precincts and will accommodate a meeting of two or more precincts; or

(b) Any private building within the precinct or one of the precincts.

3. The county central committee shall give notice of the meeting by:

(a) Posting in a conspicuous place outside the building where the meeting is to be held; and

(b) Publishing in one or more newspapers of general circulation in the precinct, published in the county, if any are so published,

➤ on the date set for giving notice of the meeting by the respective state central committees.

4. The notice must be printed in conspicuous display advertising format of not less than 10 column inches, and must include the following language, or words of similar import:



Notice to All Voters Registered
IN THE (STATE NAME OF MAJOR POLITICAL PARTY)

Nevada state law requires each major political party, in every year during which a general election is held, to have a precinct meeting held for each precinct. All persons registered in the party and residing in the precinct are entitled to attend the precinct meeting. Delegates to your party's county convention will be elected at the meeting by those in attendance. Set forth below are the time and place at which your precinct meeting will be held, together with the number of delegates to be elected from each precinct. If you wish to participate in the organization of your party for the coming 2 years, attend your precinct meeting.

5. The notice must specify:

(a) The date, time and place of the meeting; and

(b) The number of delegates to the county convention to be chosen at the meeting.

Sec. 4. NRS 293.137 is hereby amended to read as follows:

293.137 1. Promptly at the time and place appointed therefor, the mass meeting must be convened and organized for each precinct. If access to the premises appointed for any such meeting is not available, the meeting may be convened at an accessible place immediately adjacent thereto. The meeting must be conducted openly and publicly and in such a manner that it is freely accessible to any registered voter of the party calling the meeting who resides in the precinct and is desirous of attending the meeting, until the meeting is adjourned. At the meeting, the delegates to which the members of the party residing in the precinct are entitled in the party's county convention must be elected pursuant to the rules of the state central committee of that party. ~~In presidential election years, the election of delegates may be a part of expressing preferences for candidates for the party's nomination for President of the United States if the rules of the party permit such conduct.~~ The result of the election *of delegates* must be certified to the county convention of the party by the chair and the secretary of the meeting upon the forms specified in subsection 3.

2. At the precinct meetings, the delegates and alternates to the party's convention must be elected. If a meeting is not held for a particular precinct at the location specified, that precinct must be without representation at the county convention unless the meeting was scheduled, with proper notice, and no registered voter of the party appeared. In that case, the meeting shall be deemed to have been held and the position of delegate is vacant. If a position of



delegate is vacant, it must be filled by the designated alternate, if any. If there is no designated alternate, the vacancy must be filled pursuant to the rules of the party, if the rules of the party so provide, or, if the rules of the party do not so provide, the county central committee shall appoint a delegate from among the qualified members of the party residing in the precinct in which the vacancy occurred, and the secretary of the county central committee shall certify the appointed delegate to the county convention.

3. The county central committee shall prepare and number serially a number of certificate forms equal to the total number of delegates to be elected throughout the county, and deliver the appropriate number to each precinct meeting. Each certificate must be in duplicate. The original must be given to the elected delegate, and the duplicate transmitted to the county central committee.

4. All duplicates must be delivered to the chair of the preliminary credentials committee of the county convention. Every delegate who presents a certificate matching one of the duplicates must be seated without dispute.

5. Each state central committee shall adopt written rules governing, but not limited to, the following procedures:

(a) The selection, rights and duties of committees of a convention;

(b) Challenges to credentials of delegates; and

(c) Majority and minority reports of committees.

Sec. 5. NRS 293.163 is hereby amended to read as follows:

293.163 1. In presidential election years, on the call of a national party convention, but one set of party conventions and but one state convention shall be held on such respective dates and at such places as the state central committee of the party shall designate. If no earlier dates are fixed, the state convention shall be held 30 days before the date set for the national convention and the county conventions shall be held 60 days before the date set for the national convention.

2. Delegates to such conventions shall be selected in the same manner as prescribed in NRS 293.130 to 293.160, inclusive, and each convention shall have and exercise all of the power granted it under NRS 293.130 to 293.160, inclusive. In addition to such powers granted it, the state convention shall select the necessary delegates and alternates to the national convention of the party and, if consistent with the rules and regulations of the party, shall select the national committeeman and committeewoman of the party from the State of Nevada.

3. Any rules or regulations of the party governing the election of delegates and alternates to the national convention of the party, or directing the votes of delegates at the national convention must



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reasonably reflect the results of the presidential preference primary election, if one has been held for the party.

Sec. 6. NRS 293.1715 is hereby amended to read as follows:

293.1715 1. The names of the candidates for partisan office of a minor political party must not appear on the ballot for a primary election ~~H~~ *or presidential preference primary election.*

2. The names of the candidates for partisan office of a minor political party must be placed on the ballot for the general election if the minor political party is qualified. To qualify as a minor political party, the minor political party must have filed a certificate of existence and be organized pursuant to NRS 293.171, must have filed a list of its candidates for partisan office pursuant to the provisions of NRS 293.1725 with the Secretary of State and:

(a) At the last preceding general election, the minor political party must have polled for any of its candidates for partisan office a number of votes equal to or more than 1 percent of the total number of votes cast for the offices of Representative in Congress;

(b) On January 1 preceding a primary election, the minor political party must have been designated as the political party on the applications to register to vote of at least 1 percent of the total number of registered voters in this State; or

(c) Not later than the third Friday in June preceding the general election, must file a petition with the Secretary of State which is signed by a number of registered voters equal to at least 1 percent of the total number of votes cast at the last preceding general election for the offices of Representative in Congress.

3. The name of only one candidate of each minor political party for each partisan office may appear on the ballot for a general election.

4. A minor political party must file a copy of the petition required by paragraph (c) of subsection 2 with the Secretary of State before the petition may be circulated for signatures.

Sec. 6.2. (Deleted by amendment.)

Sec. 6.5. (Deleted by amendment.)

Sec. 6.7. (Deleted by amendment.)

Sec. 7. NRS 293.247 is hereby amended to read as follows:

293.247 1. The Secretary of State shall adopt regulations, not inconsistent with the election laws of this State, for the conduct of primary, *presidential preference primary*, general, special and district elections in all cities and counties. Permanent regulations of the Secretary of State that regulate the conduct of a primary, general, special or district election and are effective on or before the last business day of February immediately preceding a primary, general, special or district election govern the conduct of that election. *Permanent regulations of the Secretary of State that*



regulate the conduct of a presidential preference primary election and are effective on or before the last business day of September immediately preceding a presidential preference primary election govern the conduct of that election.

2. The Secretary of State shall prescribe the forms for a declaration of candidacy and any petition which is filed pursuant to the election laws of this State.

3. The regulations must prescribe:

(a) The manner of printing ballots and the number of ballots to be distributed to precincts and districts;

(b) The form and placement of instructions to voters;

(c) The disposition of election returns;

(d) The procedures to be used for canvasses, ties, recounts and contests, including, without limitation, the appropriate use of a paper record created when a voter casts a ballot on a mechanical voting system that directly records the votes electronically;

(e) The procedures to be used to ensure the security of the ballots from the time they are transferred from the polling place until they are stored pursuant to the provisions of NRS 293.391 or 293C.390;

(f) The procedures to be used to ensure the security and accuracy of computer programs and tapes used for elections;

(g) The procedures to be used for the testing, use and auditing of a mechanical voting system which directly records the votes electronically and which creates a paper record when a voter casts a ballot on the system;

(h) The acceptable standards for the sending and receiving of applications, forms and ballots, by approved electronic transmission, by the county clerks and the electors, registered voters or other persons who are authorized to use approved electronic transmission pursuant to the provisions of this title;

(i) The forms for applications to preregister and register to vote and any other forms necessary for the administration of this title; and

(j) Such other matters as determined necessary by the Secretary of State.

4. The Secretary of State may provide interpretations and take other actions necessary for the effective administration of the statutes and regulations governing the conduct of primary, *presidential preference primary*, general, special and district elections in this State.

5. The Secretary of State shall prepare and distribute to each county and city clerk copies of:

(a) Laws and regulations concerning elections in this State;

(b) Interpretations issued by the Secretary of State's Office; and



(c) Any Attorney General's opinions or any state or federal court decisions which affect state election laws or regulations whenever any of those opinions or decisions become known to the Secretary of State.

Sec. 8. NRS 293.2733 is hereby amended to read as follows:

293.2733 1. If an Indian reservation or Indian colony is located in whole or in part within a county, the Indian tribe may submit a request to the county clerk for the establishment of a polling place within the boundaries of the Indian reservation or Indian colony for the day of a primary election , *presidential preference primary election* or general election.

2. A request for the establishment of a polling place within the boundaries of an Indian reservation or Indian colony for the day of a primary election , *presidential preference primary election* or general election:

(a) Must be submitted to the county clerk by the Indian tribe on or before:

(1) If the request is for a primary election, the first Friday in January of the year in which the primary election is to be held.

(2) *If the request is for a presidential preference primary election, the first Friday in November of the year immediately preceding the year of the presidential preference primary election.*

(3) If the request is for a general election, the first Friday in July of the year in which the general election is to be held.

(b) May include one or more proposed locations within the boundaries of the Indian reservation or Indian colony for the polling place. Any proposed location must satisfy the criteria the county clerk uses for the establishment of any other polling place.

3. Except as otherwise provided in this subsection, if the county clerk receives a request that satisfies the requirements set forth in subsection 2, the county clerk must establish at least one polling place within the boundaries of the Indian reservation or Indian colony at a location or locations, as applicable, approved by the Indian tribe for the day of a primary election , *presidential preference primary election* or general election. The county clerk is not required to establish a polling place within the boundaries of an Indian reservation or Indian colony for the day of a primary election , *presidential preference primary election* or general election if the county clerk established a temporary branch polling place for early voting pursuant to NRS 293.3572 within the boundaries of the Indian reservation or Indian colony for the same election.

4. If the county clerk establishes one or more polling places within the boundaries of an Indian reservation or Indian colony pursuant to subsection 3 for the day of a primary election, *presidential preference primary election* or general election, the



1 county clerk must continue to establish one or more polling places
2 within the boundaries of the Indian reservation or Indian colony at a
3 location or locations approved by the Indian tribe for the day of any
4 future primary election, *presidential preference primary election* or
5 general election unless otherwise requested by the Indian tribe.

6 **Sec. 9.** NRS 293.287 is hereby amended to read as follows:

7 293.287 1. A registered voter applying to vote at any primary
8 election *or presidential preference primary election* shall give his
9 or her name and political affiliation, if any, to the election board
10 officer in charge of the roster, and the officer shall immediately
11 announce the name and political affiliation.

12 2. Any person's right to vote may be challenged by any
13 registered voter upon:

14 (a) Any of the grounds allowed for a challenge in NRS 293.303;

15 (b) The ground that the person applying does not belong to the
16 political party designated upon the roster; or

17 (c) The ground that the roster does not show that the person
18 designated the political party to which he or she claims to belong.

19 3. Any such challenge must be disposed of in the manner
20 provided by NRS 293.303.

21 4. A registered voter who has designated on his or her
22 application to register to vote an affiliation with a minor political
23 party may vote a nonpartisan ballot at the primary election.

24 **Sec. 10.** NRS 293.302 is hereby amended to read as follows:

25 293.302 If a candidate whose name appears on the ballot at a
26 primary election , *presidential preference primary election* or
27 general election dies after the applicable dates set forth in NRS
28 293.368 but before the time of the closing of the polls on the day of
29 the election, the county clerk shall post a notice of the candidate's
30 death at each polling place where the candidate's name will appear
31 on the ballot for the primary election , *presidential preference*
32 *primary election* or general election.

33 **Sec. 11.** NRS 293.3072 is hereby amended to read as follows:

34 293.3072 1. A county clerk ~~may~~ :

35 (a) *May* establish one or more polling places in the county
36 where any person entitled to vote in the county by personal
37 appearance may do so on the day of the primary election or general
38 election.

39 (b) *Must establish one or more polling places in the county*
40 *where any person entitled to vote in the county by personal*
41 *appearance may do so on the day of the presidential preference*
42 *primary election.*

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



Sec. 12. NRS 293.309 is hereby amended to read as follows:

293.309 1. The county clerk of each county shall prepare an absent ballot for the use of registered voters who have requested absent ballots. The county clerk shall make reasonable accommodations for the use of the absent ballot by a person who is elderly or disabled, including, without limitation, by providing, upon request, the absent ballot in 12-point type to a person who is elderly or disabled.

2. The ballot must be prepared and ready for distribution to:

(a) Each registered voter who:

(1) Resides within the State, not later than 20 days before the election in which it is to be used; and

(2) Except as otherwise provided in paragraph (b), resides outside the State, not later than 40 days before a primary **election, presidential preference primary election** or general election, if possible.

(b) Each covered voter who is entitled to have a military-overseas ballot transmitted pursuant to the provisions of chapter 293D of NRS or the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq., not later than the time required by those provisions.

3. Any untimely legal action which would prevent the ballot from being distributed to any voter pursuant to subsection 2 is moot and of no effect.

Sec. 13. NRS 293.313 is hereby amended to read as follows:

293.313 1. Except as otherwise provided in NRS 293.272, 293.316, 293.3165 and 293.502, a registered voter may request an absent ballot if, before 5 p.m. on the 14th calendar day preceding the election, the registered voter:

(a) Provides sufficient written notice to the county clerk; and

(b) Has identified himself or herself to the satisfaction of the county clerk.

2. A registered voter may request an absent ballot for all elections held during the year he or she requests an absent ballot.

3. A county clerk shall consider a request from a voter who has given sufficient written notice on a form provided by the Federal Government as a request for an absent ballot for the primary **election, presidential preference primary election** and general ~~elections~~ **election** immediately following the date on which the county clerk received the request.

4. It is unlawful for a person fraudulently to request an absent ballot in the name of another person or to induce or coerce another person fraudulently to request an absent ballot in the name of another person. A person who violates this subsection is guilty of a



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category E felony and shall be punished as provided in NRS 193.130.

Sec. 14. NRS 293.3165 is hereby amended to read as follows:

293.3165 1. Except as otherwise provided in this section, a registered voter who provides sufficient written notice to the county clerk may request that the registered voter receive an absent ballot for all elections at which the registered voter is eligible to vote. The written notice is effective for all elections that are conducted after the registered voter provides the written notice to the county clerk, except that the written notice is not effective for the next ensuing election unless the written notice is provided to the county clerk before the time has elapsed for requesting an absent ballot for the election pursuant to subsection 1 of NRS 293.313.

2. Except as otherwise provided in this section or for an affected election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive, upon receipt of the written notice provided by the registered voter pursuant to subsection 1, the county clerk shall:

(a) Issue an absent ballot to the registered voter for each primary election, *presidential preference primary election*, general election and special election, other than a special city election, that is conducted after the written notice is effective pursuant to subsection 1.

(b) Inform the applicable city clerk of receipt of the written notice provided by the registered voter. Upon being informed of the written notice by the county clerk, the city clerk shall issue an absent ballot for each primary city election, *presidential preference primary election*, general city election and special city election that is conducted after the written notice is effective pursuant to subsection 1.

3. The county clerk must not mail an absent ballot requested by a registered voter pursuant to subsection 1 if, after the request is submitted:

(a) The registered voter is designated inactive pursuant to NRS 293.530;

(b) The county clerk cancels the registration of the person pursuant to NRS 293.527, 293.530, 293.535 or 293.540; or

(c) An absent ballot is returned to the county clerk as undeliverable, unless the registered voter has submitted a new request pursuant to subsection 1.

4. The procedure authorized pursuant to 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.



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Sec. 15. NRS 293.343 is hereby amended to read as follows:

293.343 1. Except as otherwise provided for an affected election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive, a registered voter who resides in an election precinct in which there were not more than 200 voters registered for the last preceding general election, or in a precinct in which it appears to the satisfaction of the county clerk and Secretary of State that there are not more than 200 registered voters, may vote at any election regulated by this chapter *or chapter 298 of NRS* in the manner provided in NRS 293.343 to 293.355, inclusive.

2. Except as otherwise provided for an affected election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive, whenever the county clerk has designated a precinct as a mailing precinct, registered voters residing in that precinct may vote at any election regulated by this chapter *or chapter 298 of NRS* in the manner provided in NRS 293.343 to 293.355, inclusive.

3. In a county whose population is 100,000 or more, whenever a registered voter is entitled to vote in a mailing precinct or an absent ballot mailing precinct, the county clerk:

(a) Shall designate at least one polling place in the county as the polling place where such a voter may vote in person, pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353, on election day; and

(b) May designate certain polling places for early voting as the polling places where such a voter may vote in person, pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353, during the period for early voting, if it is impractical for the county clerk to provide at each polling place for early voting a ballot in every form required in the county.

4. In a county whose population is less than 100,000, whenever a registered voter is entitled to vote in a mailing precinct or an absent ballot mailing precinct, the county clerk:

(a) May designate one or more polling places in the county as the polling place where such a voter may vote in person, pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353, on election day; and

(b) May designate certain polling places for early voting as the polling places where such a voter may vote in person, pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353, during the period for early voting, if it is impractical for the county clerk to provide at each polling place for early voting a ballot in every form required in the county.

5. Polling places designated pursuant to subsection 3 or 4 may include, without limitation, polling places located as closely as practicable to the mailing precincts.



Sec. 16. NRS 293.345 is hereby amended to read as follows:

293.345 1. Except as otherwise provided for an affected election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive, before 5 p.m. on the last business day preceding the first day of the period for early voting for any primary election, *presidential preference primary election* or general election, the county clerk shall cause to be mailed to each registered voter in each mailing precinct and in each absent ballot mailing precinct a mailing ballot, and accompanying supplies, as specified in NRS 293.350.

2. If the county clerk has designated, pursuant to subsection 3 or 4 of NRS 293.343, one or more polling places where a voter may vote in person, the mailing ballot and the sample ballot must include a notice in bold type informing the voter of the location of the designated polling place or polling places on election day and the polling places during the period for early voting where the voter may vote in person pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353.

3. Any untimely legal action which would prevent the mailing ballot from being distributed to any voter pursuant to this section is moot and of no effect.

Sec. 17. NRS 293.356 is hereby amended to read as follows:

293.356 If a request is made to vote early by a registered voter in person, the election board shall issue a ballot for early voting to the voter. Such a ballot must be voted on the premises of a polling place for early voting established pursuant to NRS 293.3564 or 293.3572 ~~or~~ *or section 47 of this act.*

Sec. 18. NRS 293.3572 is hereby amended to read as follows:

293.3572 1. In addition to permanent polling places for early voting, except as otherwise provided in subsection 4, the county clerk may establish temporary branch polling places for early voting which may include, without limitation, the clerk's office pursuant to NRS 293.3561.

2. If an Indian reservation or Indian colony is located in whole or in part within a county, the Indian tribe may submit a request to the county clerk for the establishment of a temporary branch polling place for early voting within the boundaries of the Indian reservation or Indian colony.

3. A request for the establishment of a temporary branch polling place for early voting within the boundaries of the Indian reservation or Indian colony:

(a) Must be submitted to the county clerk by the Indian tribe on or before:

(1) If the request is for a primary election, the first Friday in January of the year in which the general election is to be held.



(2) *If the request is for a presidential preference primary election, the first Friday in November of the year immediately preceding the year of the presidential preference primary election.*

(3) If the request is for a general election, the first Friday in July of the year in which the general election is to be held.

(b) May include one or more proposed locations within the boundaries of the Indian reservation or Indian colony for the temporary branch polling place and proposed hours of operation thereof. Any proposed location must satisfy the criteria established by the county clerk for the selection of temporary branch polling places pursuant to NRS 293.3561.

4. Except as otherwise provided in this subsection, if the county clerk receives a request that satisfies the requirements set forth in subsection 3, the county clerk must establish at least one temporary branch polling place for early voting within the boundaries of the Indian reservation or Indian colony. The location and hours of operation of such a temporary branch polling place for early voting must be approved by the Indian tribe. The county clerk is not required to establish a temporary branch polling place within the boundaries of the Indian reservation or Indian colony if the county clerk determines that it is not logistically feasible to establish a temporary branch polling place within the boundaries of the Indian reservation or Indian colony.

5. If the county clerk establishes one or more temporary branch polling places within the boundaries of an Indian reservation or Indian colony pursuant to subsection 4 for early voting, the county clerk must continue to establish one or more temporary branch polling places within the boundaries of the Indian reservation or Indian colony at a location or locations approved by the Indian tribe for early voting in future elections unless otherwise requested by the Indian tribe.

6. The provisions of subsection 3 of NRS 293.3568 do not apply to a temporary branch polling place. Voting at a temporary branch polling place may be conducted on any one or more days and during any hours within the period for early voting by personal appearance, as determined by the county clerk.

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

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



Sec. 19. NRS 293.4695 is hereby amended to read as follows:

293.4695 1. Each county clerk shall collect the following information regarding each primary *election, presidential preference primary election* and general election, on a form provided by the Secretary of State and made available at each polling place in the county, each polling place for early voting in the county, the office of the county clerk and any other location deemed appropriate by the Secretary of State:

(a) The number of ballots that have been discarded or for any reason not included in the final canvass of votes, along with an explanation for the exclusion of each such ballot from the final canvass of votes.

(b) A report on each malfunction of any mechanical voting system, including, without limitation:

(1) Any known reason for the malfunction;

(2) The length of time during which the mechanical voting system could not be used;

(3) Any remedy for the malfunction which was used at the time of the malfunction; and

(4) Any effect the malfunction had on the election process.

(c) A list of each polling place not open during the time prescribed pursuant to NRS 293.273 and an account explaining why each such polling place was not open during the time prescribed pursuant to NRS 293.273.

(d) A description of each challenge made to the eligibility of a voter pursuant to NRS 293.303 and the result of each such challenge.

(e) A description of each complaint regarding a ballot cast by mail or facsimile filed with the county clerk and the resolution, if any, of the complaint.

(f) The results of any audit of election procedures and practices conducted pursuant to regulations adopted by the Secretary of State pursuant to this chapter.

(g) The number of provisional ballots cast pursuant to NRS 293.3078 to 293.3086, inclusive, and the reason for the casting of each such provisional ballot.

(h) The number of provisional ballots cast pursuant to NRS 293.5772 to 293.5887, inclusive.

2. Each county clerk shall submit to the Secretary of State, on a form provided by the Secretary of State, the information collected pursuant to subsection 1 not more than 60 days after each primary *election, presidential preference primary election* and general election.



3. The Secretary of State may contact any political party and request information to assist in the investigation of any allegation of voter intimidation.

4. The Secretary of State shall establish and maintain an Internet website pursuant to which the Secretary of State shall solicit and collect voter comments regarding election processes.

5. The Secretary of State shall compile the information and comments collected pursuant to this section into a report and shall submit the report to the Director of the Legislative Counsel Bureau for transmission to the Legislature not sooner than 30 days before and not later than 30 days after the first day of each regular session of the Legislature.

6. The Secretary of State may make the report required pursuant to subsection 5 available on an Internet website established and maintained by the Secretary of State.

Sec. 20. NRS 293.485 is hereby amended to read as follows:

293.485 1. Every citizen of the United States, 18 years of age or over, who has continuously resided in this State and in the county 30 days and in the precinct 10 days next preceding the day of the next succeeding:

- (a) Primary election;
- (b) Primary city election;
- (c) *Presidential preference primary election;*
- (d) General election; or
- ~~(d)~~ (e) General city election,

➔ and who has registered in the manner provided in this chapter, is entitled to vote at that election.

2. This section does not exclude the registration of eligible persons whose 18th birthday or the date of whose completion of the required residence occurs on or before the next succeeding:

- (a) Primary election;
- (b) Primary city election;
- (c) *Presidential preference primary election;*
- (d) General election;
- ~~(d)~~ (e) General city election; or
- ~~(e)~~ (f) Any other election.

Sec. 21. NRS 293.5057 is hereby amended to read as follows:

293.5057 A person who does not maintain a residence in this State may preregister or register to vote for the office of President and Vice President of the United States *at the general election* if the person files a sworn statement with the county clerk or field registrar of voters that the person is not preregistered or registered to vote in any other state and provides evidence:

1. Of his or her domicile in this State in accordance with the provisions of NRS 41.191;



2. That he or she maintains an account at a financial institution located in this State; or

3. That his or her motor vehicle is registered in this State.

Sec. 22. NRS 293.560 is hereby amended to read as follows:

293.560 1. Except as otherwise provided in NRS 293.502, 293.5772 to 293.5887, inclusive, 293D.230 and 293D.300:

(a) For a primary *election, presidential preference primary election* or general election, or a recall or special election that is held on the same day as a primary *election, presidential preference primary election* or general election, the last day to register to vote:

(1) By mail is the fourth Tuesday preceding the primary *election, presidential preference primary election* or general election.

(2) By appearing in person at the office of the county clerk or, if open, a county facility designated pursuant to NRS 293.5035, is the fourth Tuesday preceding the primary *election, presidential preference primary election* or general election.

(3) By computer, if the county clerk has established a system pursuant to NRS 293.506 for using a computer to register voters, is the Thursday preceding the primary *election, presidential preference primary election* or general election, unless the system is used to register voters for the election pursuant to NRS 293.5842 or 293.5847.

(4) By computer using the system established by the Secretary of State pursuant to NRS 293.671, is the Thursday preceding the primary *election, presidential preference primary election* or general election, unless the system is used to register voters for the election pursuant to NRS 293.5842 or 293.5847.

(b) If a recall or special election is not held on the same day as a primary *election, presidential preference primary election* or general election, the last day to register to vote for the recall or special election by any method of registration is the third Saturday preceding the recall or special election.

2. Except as otherwise provided in NRS 293.5772 to 293.5887, inclusive, after the deadlines for the close of registration for a primary *election, presidential preference primary election* or general election set forth in subsection 1, no person may register to vote for the election.

3. Except for a recall or special election held pursuant to chapter 306 or 350 of NRS:

(a) The county clerk of each county shall cause a notice signed by him or her to be published in a newspaper having a general circulation in the county indicating:

(1) The day and time that each method of registration for the election, as set forth in subsection 1, will be closed; and



(2) If the county clerk has designated a county facility pursuant to NRS 293.5035, the location of that facility.

➔ If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest county in this State.

(b) The notice must be published once each week for 4 consecutive weeks next preceding the day that the last method of registration for the election, as set forth in subsection 1, will be closed.

4. The offices of the county clerk, a county facility designated pursuant to NRS 293.5035 and other ex officio registrars may remain open on the last Friday in October in each even-numbered year.

5. A county facility designated pursuant to NRS 293.5035 may be open during the periods described in this section for such hours of operation as the county clerk may determine, as set forth in subsection 3 of NRS 293.5035.

Sec. 23. 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:



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

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

4. A county clerk may establish a system for distributing sample ballots by electronic means to each registered voter who elects to receive a sample ballot by electronic means. Such a system may include, without limitation, electronic mail or electronic access through an Internet website. If a county clerk establishes such a system and a registered voter elects to receive a sample ballot by electronic means, the county clerk shall distribute the sample ballot to the registered voter by electronic means pursuant to the procedures and requirements set forth by regulations adopted by the Secretary of State.

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

6. Except as otherwise provided in subsection 7, before the period for early voting for any election begins, the county clerk shall distribute to each registered voter in the county 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 or places. If the location of the polling place or places has changed since the last election:

(a) The county clerk shall mail a notice of the change to each registered voter in the county 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 OR
PLACES HAS CHANGED SINCE THE LAST ELECTION**

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

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

Sec. 24. NRS 293.567 is hereby amended to read as follows:

293.567 After the close of registration for each primary election but not later than the Friday preceding the primary election, *after the close of registration for each presidential preference primary election but not later than the Friday preceding the presidential preference primary election* and after the close of registration for each general election but not later than the Friday



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preceding the general election, the county clerk shall ascertain by precinct and district the number of registered voters in the county and their political affiliation, if any, and shall transmit that information to the Secretary of State.

Sec. 25. NRS 293.5737 is hereby amended to read as follows:

293.5737 1. The Department of Motor Vehicles shall follow the procedures described in this section and NRS 293.5742 and 293.5747 if a person applies to the Department for the issuance or renewal of or change of address for any type of driver's license or identification card issued by the Department.

2. Before concluding the person's transaction with the Department, the Department shall notify each person described in subsection 1:

(a) Of the qualifications to vote in this State, as provided by NRS 293.485;

(b) That, unless the person affirmatively declines in writing to apply to register to vote or have his or her voter registration information updated, as applicable:

(1) The person is deemed to have consented to the transmission of information to the Secretary of State and the county clerks for the purpose of registering the person to vote or updating the voter registration information of the person for the purpose of correcting the statewide voter registration list pursuant to NRS 293.530; and

(2) The Department will transmit to the county clerk of the county in which the person resides all information required to register the person to vote pursuant to this chapter or to update the voter registration information of the person for the purpose of correcting the statewide voter registration list pursuant to NRS 293.530;

(c) That:

(1) Indicating a political party affiliation or indicating that the person is not affiliated with a political party is voluntary;

(2) The person may indicate a political party affiliation on a paper or electronic form provided by the Department; and

(3) The person will not be able to vote at a primary election, **presidential preference primary election** or primary city election for candidates for partisan offices of a major political party unless the person updates his or her voter registration information to indicate a major political party affiliation; and

(d) Of the provisions of subsections 2 and 3 of NRS 293.5757.

3. The failure or refusal of the person to acknowledge that he or she has received the notice required by subsection 2:

(a) Is not a declination by the person to apply to register to vote or have his or her voter registration information updated; and



(b) Shall not be deemed to affect any duty of the Department, the Secretary of State or any county clerk:

(1) Relating to the application of the person to register to vote; or

(2) To update the voter registration information of the person.

4. The Department:

(a) Shall prescribe by regulation the form of the notice required by subsection 2 and the procedure for providing it; and

(b) Shall not require the person to acknowledge that he or she has received the notice required by subsection 2.

Sec. 26. NRS 293.5777 is hereby amended to read as follows:

293.5777 “Election” means:

1. A primary election;

2. *A presidential preference primary election;*

3. A general election;

~~3.1~~ 4. A primary city election; or

~~4.1~~ 5. A general city election.

Sec. 27. NRS 293.8811 is hereby amended to read as follows:

293.8811 “Affected election” or “election” means a primary election, primary city election, *presidential preference primary election*, general election, general city election or special election which, in accordance with the provisions of NRS 293.8821, is deemed to be an affected election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive.

Sec. 28. NRS 293.8821 is hereby amended to read as follows:

293.8821 1. Except as otherwise provided in this section, if a state of emergency or declaration of disaster is proclaimed by the Governor or by resolution of the Legislature pursuant to NRS 414.070 for the entire State of Nevada, the following elections are deemed to be affected elections that are subject to the provisions of NRS 293.8801 to 293.8887, inclusive:

(a) A primary election, if on the March 1 preceding the primary election, the state of emergency or declaration of disaster is in effect for the entire State of Nevada.

(b) *A presidential preference primary election, if on the October 1 preceding the presidential preference primary election, the state of emergency or declaration of disaster is in effect for the entire State of Nevada.*

(c) A primary city election:

(1) Held on the date of the primary election set forth in NRS 293.175, if on the March 1 preceding the primary city election, the state of emergency or declaration of disaster is in effect for the entire State of Nevada.



(2) Held on a date other than the date of the primary election set forth in NRS 293.175, if on the date that is 90 days preceding the date of the primary city election, the state of emergency or declaration of disaster is in effect for the entire State of Nevada.

~~(d)~~ (d) A general election, if on the July 1 preceding the general election, the state of emergency or declaration of disaster is in effect for the entire State of Nevada.

~~(d)~~ (e) A general city election:

(1) Held on the date of the general election set forth in NRS 293.12755, if on the July 1 preceding the general city election, the state of emergency or declaration of disaster is in effect for the entire State of Nevada.

(2) Held on a date other than the date of the general election set forth in NRS 293.12755, if on the date that is 90 days preceding the date of the general city election, the state of emergency or declaration of disaster is in effect for the entire State of Nevada.

~~(f)~~ (f) A special election, if:

(1) On the date that the call for the special election is issued, the state of emergency or declaration of disaster is in effect for the entire State of Nevada; or

(2) The special election is held on the same day as a primary election, primary city election, general election or general city election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive.

2. If a state of emergency or declaration of disaster is proclaimed by the Governor or by resolution of the Legislature pursuant to NRS 414.070 for the entire State of Nevada after the applicable date set forth in subsection 1 for an election, the Governor may order that the election is deemed to be an affected election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive, if the Governor finds that:

(a) The health, safety and welfare of voters and elections personnel or the security and integrity of the election may be adversely affected by the emergency or disaster; and

(b) Elections officials have sufficient time to comply with the requirements set forth in NRS 293.8801 to 293.8887, inclusive, and any applicable requirements set forth in federal law for the election.

3. If a state of emergency or declaration of disaster is proclaimed by the Governor or by resolution of the Legislature pursuant to NRS 414.070 for one or more specific areas of the State of Nevada affected by the emergency or disaster but not for the entire State of Nevada as provided in subsection 1 or 2, the Governor may order that an election in one or more of those specific areas is deemed to be an affected election that is subject to the



provisions of NRS 293.8801 to 293.8887, inclusive, if the Governor finds that:

(a) The health, safety and welfare of voters and elections personnel or the security and integrity of the election may be adversely affected by the emergency or disaster; and

(b) Elections officials have sufficient time to comply with the requirements set forth in NRS 293.8801 to 293.8887, inclusive, and any applicable requirements set forth in federal law for the election.

Sec. 29. NRS 293.8831 is hereby amended to read as follows:

293.8831 1. Except as otherwise provided in this section, if any affected election is:

(a) A primary election or general election, the provisions of NRS 293.356 to 293.361, inclusive, governing early voting by personal appearance apply to the election.

(b) *A presidential preference primary election, the provisions of section 47 of this act, governing early voting by personal appearance apply to the election.*

(c) A primary city election or general city election, the provisions of NRS 293C.355 to 293C.361, inclusive, governing early voting by personal appearance apply to the election if the city has provided for early voting by personal appearance pursuant to NRS 293C.110.

2. If the affected election is a primary election , *presidential preference primary election* or general election, the county clerk must establish:

(a) In a county whose population is 700,000 or more, at least 35 polling places for early voting by personal appearance, which may be any combination of temporary or permanent polling places for early voting.

(b) In a county whose population is 100,000 or more but less than 700,000, at least 15 polling places for early voting by personal appearance, which may be any combination of temporary or permanent polling places for early voting.

(c) In a county whose population is less than 100,000, at least 1 permanent polling place for early voting by personal appearance.

3. In addition to the polling places for early voting established pursuant to subsection 2, the county clerk must establish a temporary polling place for early voting by personal appearance within the boundaries of an Indian reservation or Indian colony that is located in whole or in part within the county if:

(a) The Indian tribe submits a request to the county clerk for the establishment of such a temporary polling place for early voting; and

(b) The request described in paragraph (a) is submitted to the county clerk:



(1) For a primary election, not later than the April 1 preceding the primary election; ~~for~~

(2) *For a presidential preference primary election, not later than the December 1 preceding the presidential preference primary election; or*

(3) For a general election, not later than the September 1 preceding the general election.

4. If the affected election is a primary city election or a general city election and the city has provided for early voting by personal appearance pursuant to NRS 293C.110, the city clerk must establish at least one permanent polling place for early voting by personal appearance in the city.

5. In addition to the polling place for early voting established pursuant to subsection 4, the city clerk must establish a temporary polling place for early voting by personal appearance within the boundaries of an Indian reservation or Indian colony that is located in whole or in part within the city if:

(a) The Indian tribe submits a request to the city clerk for the establishment of such a temporary polling place for early voting; and

(b) The request described in paragraph (a) is submitted to the city clerk:

(1) For a primary city election:

(I) Held on the date of the primary election set forth in NRS 293.175, not later than the April 1 preceding the primary city election.

(II) Held on a date other than the date of the primary election set forth in NRS 293.175, not later than 45 days before the date of the primary city election.

(2) For a general city election:

(I) Held on the date of the general election set forth in NRS 293.12755, not later than the September 1 preceding the general city election.

(II) Held on a date other than the date of the general election set forth in NRS 293.12755, not later than 45 days before the date of the general city election.

Sec. 30. NRS 293.8834 is hereby amended to read as follows:

293.8834 1. Except as otherwise provided in this section, for any affected election, the county or city clerk, as applicable, may establish one or more polling places as vote centers for the day of the election.

2. If the affected election is a primary election, *presidential preference primary election* or general election, the county clerk:

(a) In a county whose population is 700,000 or more, must establish at least 100 vote centers for the day of the election.



(b) In a county whose population is 100,000 or more but less than 700,000, must establish at least 25 vote centers for the day of the election.

(c) In a county whose population is less than 100,000, may establish one or more vote centers for the day of the election.

Sec. 31. NRS 293.8837 is hereby amended to read as follows:

293.8837 1. If any affected election is a primary election, *presidential preference primary election*, primary city election, general election or general city election, the provisions of NRS 293.5772 to 293.5887, inclusive, apply to the election.

2. Except as otherwise provided in subsection 3, the county or city clerk, as applicable, may establish polling places for the election precincts in the county or city, as applicable, where:

(a) A voter may vote in person on the day of the election in his or her election precinct; and

(b) A person may register to vote pursuant to NRS 293.5772 to 293.5887, inclusive, and vote in person on the day of the election in his or her election precinct.

3. If, for a primary election or general election, the county clerk in a county whose population is less than 100,000 does not establish at least one vote center for the day of the election pursuant to NRS 293.8834, the county clerk must establish polling places for the election precincts in the county for the day of the election where:

(a) A voter may vote in person on the day of the election in his or her election precinct; and

(b) A person may register to vote pursuant to NRS 293.5772 to 293.5887, inclusive, and vote in person on the day of the election in his or her election precinct.

4. If, for a primary city election or general city election, the city clerk does not establish at least one vote center for the day of the election pursuant to NRS 293.8834, the city clerk must establish polling places for the election precincts in the city for the day of the election where:

(a) A voter may vote in person on the day of the election in his or her election precinct; and

(b) A person may register to vote pursuant to NRS 293.5772 to 293.5887, inclusive, and vote in person on the day of the election in his or her election precinct.

Sec. 32. NRS 293.8841 is hereby amended to read as follows:

293.8841 1. Except as otherwise provided in this section, if any affected election is:

(a) A primary election , *presidential preference primary election* or general election, the provisions of NRS 293.2733 and 293.2735 apply to a request for the establishment of a polling place for the election.



(b) A primary city election or general city election, the provisions of NRS 293C.2675 and 293C.268 apply to a request for the establishment of a polling place for the election.

2. The request for the establishment of:

(a) A polling place pursuant to NRS 293.2733 or 293.2735 must be submitted to the county clerk not later than the April 1 before the primary election, **the December 1 before the presidential preference primary election** or the September 1 before the general election, as applicable.

(b) A polling place pursuant to NRS 293C.2675 or 293C.268 must be submitted to the city clerk:

(1) For a primary city election:

(I) Held on the date of the primary election set forth in NRS 293.175, not later than the April 1 preceding the primary city election.

(II) Held on a date other than the date of the primary election set forth in NRS 293.175, not later than 45 days before the date of the primary city election.

(2) For a general city election:

(I) Held on the date of the general election set forth in NRS 293.12755, not later than September 1 preceding the general city election.

(II) Held on a date other than the date of the general election set forth in NRS 293.12755, not later than 45 days before the date of the general city election.

Sec. 33. NRS 293B.130 is hereby amended to read as follows:

293B.130 1. Before any election where a mechanical voting system is to be used, the county clerk shall prepare or cause to be prepared a computer program on cards, tape or other material suitable for use with the computer or counting device to be employed for counting the votes cast. The program must cause the computer or counting device to operate in the following manner:

(a) All lawful votes cast by each voter must be counted.

(b) All unlawful votes, including, but not limited to, overvotes or, in a primary election ~~H~~ **or presidential preference primary election**, votes cast for a candidate of a major political party other than the party, if any, of the registration of the voter must not be counted.

(c) If the election is:

(1) A primary election held in an even-numbered year; ~~for~~

(2) **A presidential preference primary election; or**

(3) A general election,

↪ the total votes, other than absentee votes and votes in a mailing precinct, must be accumulated by precinct.



(d) The computer or counting device must halt or indicate by appropriate signal if a ballot is encountered which lacks a code identifying the precinct in which it was voted and, in a primary election **H or presidential preference primary election**, identifying the major political party of the voter.

2. The program must be prepared under the supervision of the accuracy certification board appointed pursuant to the provisions of NRS 293B.140.

3. The county clerk shall take such measures as he or she deems necessary to protect the program from being altered or damaged.

Sec. 34. NRS 293B.190 is hereby amended to read as follows:

293B.190 When used in primary elections **H or presidential preference primary elections**, the list of offices and candidates and the statements of measures to be voted on for each mechanical recording device, except those devices intended solely for nonpartisan voters, must be so arranged that it contains a page or pages setting forth the ballot of one major political party only. **H For a primary election, the page or pages setting forth the ballot of one major political party must be** followed by a page or pages setting forth the nonpartisan ballot and so that the voter may cast partisan and nonpartisan votes on a single ballot but may not cast partisan votes for a candidate of another major political party.

Sec. 35. NRS 293B.300 is hereby amended to read as follows:

293B.300 1. In a primary election **H or presidential preference primary election**, a member of the election board for a precinct shall issue each partisan voter a ballot which contains a distinctive code associated with the major political party of the voter and on which is clearly printed the name of the party.

2. If a mechanical voting system is used in a primary election **or presidential preference primary election** whereby votes are directly recorded electronically, a member of the election board shall, if the clerk uses voting receipts, in addition to the ballot described in subsection 1, issue each partisan voter a voting receipt on which is clearly printed the name of the major political party of the voter.

3. The member of the election board shall direct the partisan voter to a mechanical recording device containing the list of offices and candidates arranged for the voter's major political party in the manner provided in NRS 293B.190.

Sec. 35.3. (Deleted by amendment.)

Sec. 35.6. (Deleted by amendment.)



Sec. 36. Chapter 298 of NRS is hereby amended by adding thereto the provisions set forth as sections 37 to 50, inclusive, of this act.

Sec. 37. *As used in sections 37 to 50, inclusive, of this act, the words and terms defined in sections 38 to 41, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 38. *“Mail ballot” has the meaning ascribed to it in NRS 293.8814.*

Sec. 39. *“Mailing ballot” means a mailing ballot distributed to a voter in a mailing precinct or an absent ballot mailing precinct pursuant to NRS 293.343 to 293.355, inclusive.*

Sec. 40. *“Military-overseas ballot” has the meaning ascribed to it in NRS 293D.050.*

Sec. 41. *“Qualified candidate” means a person who is qualified to be the nominee of a party for President of the United States pursuant to the Constitution and laws of the United States and the rules of the major political party.*

Sec. 42. *1. The provisions of chapters 293 and 293B of NRS apply to a presidential preference primary election to the extent that such provisions do not conflict with this chapter.*

2. If there is a conflict between the provisions of this chapter and chapters 293 and 293B of NRS, the provisions of this chapter control.

Sec. 43. *1. Except as otherwise provided in subsection 2, a presidential preference primary election must be held for all major political parties on the first Tuesday in February of each presidential election year.*

2. A presidential preference primary election must not be held for a major political party if only one qualified candidate or no qualified candidate of the major political party files a declaration of candidacy pursuant to section 44 of this act. If only one qualified candidate of the major political party files a declaration of candidacy, the Secretary of State must certify the name of the qualified candidate to the state central committee and the national committee of the major political party.

Sec. 44. *If a person who is a qualified candidate to be a major political party's nominee for President of the United States wants to appear on the ballot for a presidential preference primary election that is held for the party, the person must, not earlier than October 1 and not later than 5 p.m. on October 15 of the year immediately preceding the presidential preference primary election, file with the Secretary of State a declaration of candidacy in the form prescribed by the Secretary of State.*

Sec. 45. *1. The Secretary of State shall forward to each county clerk the name, party affiliation and mailing address of*



each qualified candidate whose name must appear on the ballot for the presidential preference primary election.

2. Immediately upon receipt by the county clerk of the list of qualified candidates, the county clerk shall publish a notice of the presidential preference primary election in a newspaper of general circulation in the county once a week for 2 successive weeks. If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest Nevada county. The notice must contain:

(a) The date of the presidential preference primary election;

(b) The major political parties that have qualified candidates who will be on the ballot at the presidential preference primary election;

(c) The location of the polling places in the county, including, without limitation, polling places for early voting by personal appearance; and

(d) The hours during which the polling places in the county will be open for voting during the period for early voting and the day of the presidential preference primary election.

Sec. 46. 1. There must be a separate presidential preference primary ballot for each major political party that has qualified candidates. The name of the major political party must appear at the top of the ballot. Following this designation must appear the names of qualified candidates of the major political party, grouped alphabetically under the title.

2. A registered voter may cast a ballot at a presidential preference primary election for a major political party only if the registered voter designated on his or her application to register to vote an affiliation with the party. Such a registered voter may vote for only one qualified candidate on the ballot as the voter's preference for the nominee for President of the United States for the party.

3. The provisions of NRS 293.5772 to 293.5887, inclusive, apply to a presidential preference primary election.

Sec. 47. 1. In conducting a presidential preference primary election, the county clerk shall:

(a) Distribute sample ballots for the presidential preference primary election;

(b) Establish polling places for early voting by personal appearance;

(c) Permit voting by registered voters of the major political party by absent ballot, military-overseas ballot and, if applicable, by mail ballot or mailing ballot, in the manner and within the time required by chapters 293 and 293D of NRS; and



(d) Establish polling places for the day of the presidential preference primary election. The provisions of NRS 293.273 apply to the presidential preference primary election.

2. A registered voter who is entitled to cast a ballot at the presidential preference primary election may do so at any polling place in the county.

Sec. 48. 1. Except as otherwise provided in this section, the provisions of NRS 293.356 to 293.361, inclusive, apply to a presidential preference primary election.

2. The period for early voting for a presidential preference primary election begins 10 calendar days before the date of the presidential preference primary election and extends through the Friday before the day of the presidential preference primary election.

3. The county clerk may:

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

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

4. A permanent polling place for early voting must remain open:

(a) On Monday through Friday during the period for early voting, for at least 8 hours during such hours as the county clerk may establish.

(b) On any Saturday that falls within the period for early voting, for at least 4 hours during such hours as the county clerk may establish.

(c) If the county clerk includes a Sunday that falls within the period for early voting pursuant to subsection 3, during such hours as the county clerk may establish.

Sec. 49. The cost of a presidential preference primary election is a charge against the State and must be paid from the Reserve for Statutory Contingency Account upon recommendation by the Secretary of State and approval by the State Board of Examiners.

Sec. 50. 1. Immediately after each county has canvassed the returns of a presidential preference primary election pursuant to NRS 293.387, the Secretary of State shall compile the returns for each qualified candidate of the major political party whose name appears on the ballot for the major political party.

2. The Secretary of State shall make out and file in his or her office an abstract of the returns and shall certify the number of votes received by each qualified candidate of the major political



party to the party's state central committee and the national committee of the major political party.

Sec. 51. NRS 353.264 is hereby amended to read as follows:

353.264 1. The Reserve for Statutory Contingency Account is hereby created in the State General Fund.

2. The State Board of Examiners shall administer the Reserve for Statutory Contingency Account. The money in the Account must be expended only for:

(a) The payment of claims which are obligations of the State pursuant to NRS 41.03435, 41.0347, 621.025, 176.485, 179.310, 212.040, 212.050, 212.070, 281.174, 282.290, 282.315, 288.203, 293.253, 293.405, 353.120, 353.262, 412.154 and 475.235 ~~and~~ *and section 49 of this act;*

(b) The payment of claims which are obligations of the State pursuant to:

(1) Chapter 472 of NRS arising from operations of the Division of Forestry of the State Department of Conservation and Natural Resources directly involving the protection of life and property; and

(2) NRS 7.155, 34.750, 176A.640, 179.225 and 213.153,
 ➤ except that claims may be approved for the respective purposes listed in this paragraph only when the money otherwise appropriated for those purposes has been exhausted;

(c) The payment of claims which are obligations of the State pursuant to NRS 41.0349 and 41.037, but only to the extent that the money in the Fund for Insurance Premiums is insufficient to pay the claims;

(d) The payment of claims which are obligations of the State pursuant to NRS 41.950; and

(e) The payment of claims which are obligations of the State pursuant to NRS 535.030 arising from remedial actions taken by the State Engineer when the condition of a dam becomes dangerous to the safety of life or property.

3. The State Board of Examiners may authorize its Clerk or a person designated by the Clerk, under such circumstances as it deems appropriate, to approve, on behalf of the Board, the payment of claims from the Reserve for Statutory Contingency Account. For the purpose of exercising any authority granted to the Clerk of the State Board of Examiners or to the person designated by the Clerk pursuant to this subsection, any statutory reference to the State Board of Examiners relating to such a claim shall be deemed to refer to the Clerk of the Board or the person designated by the Clerk.

Sec. 52. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.



1 **Sec. 53.** 1. This section becomes effective upon passage and
2 approval.

3 2. Sections 1 to 52, inclusive, of this act become effective:

4 (a) Upon passage and approval for the purpose of adopting any
5 regulations and performing any other preparatory administrative
6 tasks that are necessary to carry out the provisions of this act; and

7 (b) On January 1, 2022, for all other purposes.

