

ASSEMBLY BILL NO. 137—ASSEMBLYMEN ELLISON,
WHEELER AND DICKMAN

FEBRUARY 15, 2021

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-649)

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

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets **[omitted material]** is material to be omitted.

AN ACT relating to elections; requiring, with certain exceptions, proof of identity for voting in person; requiring the Department of Motor Vehicles, under certain circumstances, to issue voter identification cards at no cost; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires, under certain circumstances, that a person provide certain information to vote in person which may include, depending on the circumstances, proof of residence and identity, answering questions covering the voter's personal data or providing additional personal data. (NRS 293.2725, 293.277, 293.303, 293.3081, 293.3082, 293.3085, 293.330, 293.353, 293.3585, 293.541, 293C.270, 293C.292, 293C.330, 293C.3585) **Sections 9-13, 16, 20, 21, 23, 26, 33-35 and 37-40** of this bill require, with certain exceptions, that a person provide one of the forms of proof of identity specified in **section 2** of this bill to vote in person. **Section 2** sets forth the acceptable forms of proof of identity which are: (1) certain government-issued documents or identity cards that show a recognizable photograph of the person to whom the document or card is issued; (2) a voter identification card; or (3) certain documentation from an administrator of certain health care facilities that are licensed by the State. **Sections 8, 14, 22, 24, 25 and 27-32** of this bill make conforming changes to existing provisions to reflect the requirement to provide proof of identity to vote in person.

Sections 3-6 of this bill: (1) require the Department of Motor Vehicles to issue a voter identification card, free of charge, to a person who does not possess one of the forms of required photographic identification; (2) set forth requirements for the issuance and content of voter identification cards; and (3) require that the Secretary of State adopt regulations to carry out the provisions of those sections.



Sections 15 and 36 of this bill provide that a person applying to vote whose identity has been challenged must furnish proof of identity in response to such a challenge.

Section 17 of this bill authorizes, under certain circumstances, a person who fails to provide proof of identity when voting in person to cast a provisional ballot.

Section 18 of this bill makes conforming changes to the information that must be provided to a person who casts a provisional ballot. **Section 19** of this bill provides that the provisional ballot of such a voter must be counted if the person provides to the county or city clerk, not later than 5 p.m. on the Friday following the election: (1) proof of identity; or (2) an affidavit stating that the voter cannot provide proof of identity because he or she is indigent or has a religious objection to being photographed.

The provisions of this bill which require that a person present, with certain exceptions, one of the forms of identity to vote in person are similar to the provisions of an Indiana law which the United States Supreme Court has determined does not unconstitutionally burden a person's right to vote, in part because a person can obtain one of the forms of required proof of identity free of charge and the requirements to provide proof of identity do not apply to persons who vote by absent ballots. (*Crawford v. Marion County Election Bd.*, 553 U.S. 181 (2008))

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

Section 1. Chapter 293 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

Sec. 2. 1. "Proof of identity" means:

(a) A document or identity card that:

(1) Is issued by the State, the United States or a federally recognized Indian tribe;

(2) Shows a recognizable photograph of the person to whom the document or identity card is issued;

(3) Shows the name and signature of the person to whom the document or identity card is issued; and

(4) If the document or identity card is issued by the State, bears an expiration date that is not earlier than 4 years before the date of the election for which the document or identity card is offered as proof of identity;

(b) A voter identification card issued pursuant to section 3 of this act; or

(c) A document provided by the administrator of a licensed medical facility or licensed facility for the dependent to a resident of the facility attesting to the person's identity and that he or she is a resident of the facility.

2. As used in this section:

(a) "Facility for the dependent" has the meaning ascribed to it in NRS 449.0045.



(b) "Medical facility" has the meaning ascribed to it in NRS 449.0151.

Sec. 3. 1. The Department of Motor Vehicles shall:

(a) Issue a voter identification card to a person who:

(1) Is a registered voter of this State;

(2) Does not possess a form of proof of identity described in subsection 1 of section 2 of this act; and

(3) Complies with the provisions of section 4 of this act.

(b) Provide at least one place in each county at which the Department accepts applications for and issues voter identification cards.

2. The Department shall not charge a fee for the issuance of a voter identification card.

Sec. 4. A person who wishes to obtain a voter identification card must submit to the Department of Motor Vehicles:

1. An application in the form prescribed by the Secretary of State;

2. Proof of the date of birth of the applicant; and

3. A copy of a current utility bill, bank statement, paycheck or check or other document issued by a governmental entity which indicates the name and address of the applicant, but not including a voter registration card issued pursuant to NRS 293.517.

Sec. 5. A voter identification card issued pursuant to section 3 of this act:

1. Must include, without limitation:

(a) The name, address, date of birth, sex, height, weight, eye color, photograph and signature of the person to whom the card is issued;

(b) The date of issuance of the card; and

(c) The name of the county in which the card was issued.

2. Is valid for as long as the person is registered to vote and resides at the address stated on the card.

Sec. 6. The Secretary of State shall adopt regulations to carry out the provisions of sections 3 to 6, inclusive, of this act. In adopting such regulations, the Secretary of State shall consult with the Department of Motor Vehicles.

Sec. 7. 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 2 of this act** have the meanings ascribed to them in those sections.

Sec. 8. NRS 293.177 is hereby amended to read as follows:

293.177 1. Except as otherwise provided in NRS 293.165 and 293.166, a name may not be printed on a ballot to be used at a primary election unless the person named has filed a declaration of



candidacy with the appropriate filing officer and paid the filing fee required by NRS 293.193 not earlier than:

(a) For a candidate for judicial office, the first Monday in January of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in January; and

(b) For all other candidates, the first Monday in March of the year in which the election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.

2. A declaration of candidacy required to be filed pursuant to this chapter must be in substantially the following form:

(a) For partisan office:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

For the purpose of having my name placed on the official ballot as a candidate for the Party nomination for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am registered as a member of the Party; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored; that I have not, in violation of the provisions of NRS 293.176, changed the designation of my political party or political party affiliation on an official application to register to vote in any state since December 31 before the closing filing date for this election; that I generally believe in and intend to support the concepts found in the principles and policies of that political party in the coming election; that if nominated as a candidate of the Party at the ensuing election, I will accept



that nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

Subscribed and sworn to before me
this day of the month of of the year

.....
Notary Public or other person
authorized to administer an oath

(b) For nonpartisan office:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

For the purpose of having my name placed on the official ballot as a candidate for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a



date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored; that if nominated as a nonpartisan candidate at the ensuing election, I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

Subscribed and sworn to before me
this day of the month of of the year

.....
Notary Public or other person
authorized to administer an oath

3. The address of a candidate which must be included in the declaration of candidacy pursuant to subsection 2 must be the street address of the residence where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration of candidacy must not be accepted for filing if the candidate fails to comply with the following provisions of this subsection or, if applicable, the provisions of subsection 4:



(a) The candidate shall not list the candidate's address as a post office box unless a street address has not been assigned to his or her residence; and

(b) Except as otherwise provided in subsection 4, the candidate shall present to the filing officer:

(1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's residential address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the candidate's name and residential address, but not including a voter registration card.

4. If the candidate executes an oath or affirmation under penalty of perjury stating that the candidate is unable to present to the filing officer the proof of residency required by subsection 3 because a street address has not been assigned to the candidate's residence or because the rural or remote location of the candidate's residence makes it impracticable to present the proof of residency required by subsection 3, the candidate shall present to the filing officer:

(a) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate; and

(b) Alternative proof of the candidate's residential address that the filing officer determines is sufficient to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050. The Secretary of State may adopt regulations establishing the forms of alternative proof of the candidate's residential address that the filing officer may accept to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050.

5. The filing officer shall retain a copy of the **documents and** proof of ~~identity and~~ residency provided by the candidate pursuant to subsection 3 or 4. Such a copy:

(a) May not be withheld from the public; and

(b) Must not contain the social security number, driver's license or identification card number or account number of the candidate.

6. By filing the declaration of candidacy, the candidate shall be deemed to have appointed the filing officer for the office as his or her agent for service of process for the purposes of a proceeding pursuant to NRS 293.182. Service of such process must first be attempted at the appropriate address as specified by the candidate in the declaration of candidacy. If the candidate cannot be served at that address, service must be made by personally delivering to and leaving with the filing officer duplicate copies of the process. The



filing officer shall immediately send, by registered or certified mail, one of the copies to the candidate at the specified address, unless the candidate has designated in writing to the filing officer a different address for that purpose, in which case the filing officer shall mail the copy to the last address so designated.

7. If the filing officer receives credible evidence indicating that a candidate has been convicted of a felony and has not had his or her civil rights restored, the filing officer:

(a) May conduct an investigation to determine whether the candidate has been convicted of a felony and, if so, whether the candidate has had his or her civil rights restored; and

(b) Shall transmit the credible evidence and the findings from such investigation to the Attorney General, if the filing officer is the Secretary of State, or to the district attorney, if the filing officer is a person other than the Secretary of State.

8. The receipt of information by the Attorney General or district attorney pursuant to subsection 7 must be treated as a challenge of a candidate pursuant to subsections 4 and 5 of NRS 293.182 to which the provisions of NRS 293.2045 apply.

9. Any person who knowingly and willfully files a declaration of candidacy which contains a false statement in violation of this section is guilty of a gross misdemeanor.

Sec. 9. NRS 293.2725 is hereby amended to read as follows:

293.2725 1. Except as otherwise provided in subsection 2, in NRS 293.3081, 293.3083 and 293.5772 to 293.5887, inclusive, and in federal law, a person who registers to vote by mail or computer or registers to vote pursuant to NRS 293.5742, or a person who preregisters to vote by mail or computer and is subsequently deemed to be registered to vote, and who has not previously voted in an election for federal office in this State:

(a) May vote at a polling place only if the person presents **proof of identity** to the election board officer at the polling place ; ~~;~~

~~— (1) A current and valid photo identification of the person, which shows his or her physical address; or~~

~~— (2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card;]~~ and

(b) May vote by mail only if the person provides to the county or city clerk:

(1) A copy of ~~[a current and valid photo identification]~~ **the proof of identity** of the person, which shows his or her physical address; or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check



1 which indicates the name and address of the person, but not
2 including a voter registration card.

3 ➡ If there is a question as to the physical address of the person, the
4 election board officer or clerk may request additional information.

5 2. The provisions of subsection 1 do not apply to a person who:

6 (a) Registers to vote by mail or computer, or preregisters to vote
7 by mail or computer and is subsequently deemed to be registered to
8 vote, and submits **a copy of his or her proof of identity** with an
9 application to preregister or register to vote ; ~~f~~

10 ~~— (1) A copy of a current and valid photo identification; or~~

11 ~~— (2) A copy of a current utility bill, bank statement, paycheck,~~
12 ~~or document issued by a governmental entity, including a check~~
13 ~~which indicates the name and address of the person, but not~~
14 ~~including a voter registration card; }~~

15 (b) Except as otherwise provided in subsection 3, registers to
16 vote by mail or computer and submits with an application to register
17 to vote a driver's license number or at least the last four digits of his
18 or her social security number, if a state or local election official has
19 matched that information with an existing identification record
20 bearing the same number, name and date of birth as provided by the
21 person in the application;

22 (c) Registers to vote pursuant to NRS 293.5742, and at that time
23 presents to the Department of Motor Vehicles:

24 (1) ~~1~~ **A copy of a current and valid photo identification;**

25 ~~— (2) A copy of a current utility bill, bank statement, paycheck~~
26 ~~or document issued by a governmental entity, including a check~~
27 ~~which indicates the name and address of the person, but not~~
28 ~~including a voter registration card; or~~

29 ~~— (3) 1~~ **Proof of identity; or**

30 (2) A driver's license number or at least the last four digits of
31 his or her social security number, if a state or local election official
32 has matched that information with an existing identification record
33 bearing the same number, name and date of birth as provided by the
34 person in the application;

35 (d) Is entitled to vote an absent ballot pursuant to the Uniformed
36 and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et
37 seq.;

38 (e) Is provided the right to vote otherwise than in person under
39 the Voting Accessibility for the Elderly and Handicapped Act, 52
40 U.S.C. §§ 20101 et seq.; or

41 (f) Is entitled to vote otherwise than in person under any other
42 federal law.

43 3. The provisions of subsection 1 apply to a person described
44 in paragraph (b) of subsection 2 if the voter registration card issued



1 to the person is mailed by the county clerk to the person and
2 returned to the county clerk by the United States Postal Service.

3 **Sec. 10.** NRS 293.277 is hereby amended to read as follows:

4 293.277 1. Except as otherwise provided in NRS 293.283,
5 293.541 and 293.5772 to 293.5887, inclusive, if a person's name
6 appears in the roster or if the person provides an affirmation
7 pursuant to NRS 293.525, the person is entitled to vote and must
8 ~~sign~~ :

9 *(a) Present proof of identity; and*

10 *(b) Sign* his or her name in the roster or on a signature card
11 when he or she applies to vote. The signature must be compared by
12 an election board officer with the signature or a facsimile thereof on
13 the person's application to register to vote or ~~one of the forms of~~
14 ~~identification listed in subsection 2.~~ *on his or her proof of identity.*

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

18 ~~—(a) The voter registration card issued to the voter;~~

19 ~~—(b) A driver's license;~~

20 ~~—(c) An identification card issued by the Department of Motor~~
21 ~~Vehicles;~~

22 ~~—(d) A military identification card; or~~

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

26 ~~—3.]~~ The county clerk shall prescribe a procedure, approved by
27 the Secretary of State, to verify that the voter has not already voted
28 in that county in the current election.

29 **Sec. 11.** NRS 293.283 is hereby amended to read as follows:

30 293.283 1. If, because of physical limitations, a registered
31 voter is unable to sign his or her name in the roster or on a signature
32 card as required by NRS 293.277, the voter must ~~be identified by:~~

33 ~~—(a) Answering questions from the election board officer~~
34 ~~covering the personal data which is reported on the application to~~
35 ~~register to vote;~~

36 ~~—(b) Providing the election board officer, orally or in writing,~~
37 ~~with other personal data which verifies the identity of the voter; or~~

38 ~~—(c) Providing]~~ *present* the election board officer with *his or her*
39 proof of ~~identification as described in NRS 293.277 other than the~~
40 ~~voter registration card issued to the voter.]~~ *identity.*

41 2. If the identity of the voter is verified, the election board
42 officer shall indicate in the roster "Identified" by the voter's name.

43 **Sec. 12.** NRS 293.285 is hereby amended to read as follows:

44 293.285 ~~1.]~~ Except as otherwise provided in NRS 293.283
45 and 293.5772 to 293.5887, inclusive:



~~1~~ ~~1.~~ A registered voter applying to vote shall state his or
2 her name to the election board officer in charge of the roster; and

~~3~~ ~~2.~~ The election board officer shall:

~~4~~ ~~(1)~~ (a) Announce the name of the registered voter;

~~5~~ ~~(2)~~ (b) Instruct the registered voter to sign the roster or
6 signature card;

~~7~~ ~~(3) Verify the signature of the registered voter in the manner~~
8 ~~set forth in NRS 293.277;~~

~~9~~ ~~(c) Require that the registered voter present proof of identity;~~
10 and

~~11~~ ~~(4)~~ (d) Verify that the registered voter has not already
12 voted in that county in the current election.

~~13~~ ~~{2. If the signature does not match, the voter must be identified~~
14 ~~by:~~

~~15~~ ~~—(a) Answering questions from the election board officer~~
16 ~~covering the personal data which is reported on the application to~~
17 ~~register to vote;~~

~~18~~ ~~—(b) Providing the election board officer, orally or in writing,~~
19 ~~with other personal data which verifies the identity of the voter; or~~

~~20~~ ~~—(c) Providing the election board officer with proof of~~
21 ~~identification as described in NRS 293.277 other than the voter~~
22 ~~registration card issued to the voter.~~

~~23~~ ~~—3. If the signature of the voter has changed in comparison to~~
24 ~~the signature on the application to preregister or register to vote, the~~
25 ~~voter must update his or her signature on a form prescribed by the~~
26 ~~Secretary of State.]~~

~~27~~ **Sec. 13.** NRS 293.287 is hereby amended to read as follows:

~~28~~ 293.287 1. A registered voter applying to vote at any primary
29 election shall give his or her name and political affiliation, if any, to
30 the election board officer in charge of the roster, and the officer
31 shall immediately announce the name and political affiliation ~~13~~ **and**
32 **require that the registered voter present proof of identity.**

~~33~~ 2. Any person's right to vote may be challenged by any
34 registered voter upon:

~~35~~ (a) Any of the grounds allowed for a challenge in NRS 293.303;

~~36~~ (b) The ground that the person applying does not belong to the
37 political party designated upon the roster; or

~~38~~ (c) The ground that the roster does not show that the person
39 designated the political party to which he or she claims to belong.

~~40~~ 3. Any such challenge must be disposed of in the manner
41 provided by NRS 293.303.

~~42~~ 4. A registered voter who has designated on his or her
43 application to register to vote an affiliation with a minor political
44 party may vote a nonpartisan ballot at the primary election.



Sec. 14. NRS 293.3025 is hereby amended to read as follows:
293.3025 The Secretary of State and each county and city clerk shall ensure that a copy of each of the following is posted in a conspicuous place at each polling place on election day:

1. A sample ballot;
2. Information concerning the date and hours of operation of the polling place;

3. Instructions for voting and casting a ballot, including a provisional ballot pursuant to NRS 293.3078 to 293.3086, inclusive, or a provisional ballot pursuant to NRS 293.5772 to 293.5887, inclusive;

4. Instructions concerning the ~~identification~~ **proof of identity** required for persons who registered by mail or computer and are first-time voters for federal office in this State;

5. Information concerning the accessibility of polling places to persons with disabilities;

6. General information concerning federal and state laws which prohibit acts of fraud and misrepresentation; and

7. Information concerning the eligibility of a candidate, a ballot question or any other matter appearing on the ballot as a result of a judicial determination or by operation of law, if any.

Sec. 15. NRS 293.303 is hereby amended to read as follows:

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

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

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

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

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

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

(c) If the challenge is on the ground that the challenged person does not reside at the residence for which the address is listed in the



1 roster, “I swear or affirm under penalty of perjury that I reside at the
2 residence for which the address is listed in the roster”;

3 (d) If the challenge is on the ground that the challenged person
4 previously voted a ballot for the election, “I swear or affirm under
5 penalty of perjury that I have not voted for any of the candidates or
6 questions included on this ballot for this election”; or

7 (e) If the challenge is on the ground that the challenged person is
8 not the person he or she claims to be, “I swear or affirm under
9 penalty of perjury that I am the person whose name is in this roster.”

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

13 3. Except as otherwise provided in subsection 4, if the
14 challenged person refuses to execute the oath or affirmation so
15 tendered, the person must not be issued a ballot, and the election
16 board officer shall indicate in the roster “Challenged” by the
17 person’s name.

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

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

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

29 7. If the challenge is based on the ground set forth in paragraph
30 (c) of subsection 2, and the challenged person executes the oath or
31 affirmation, the election board shall not issue the person a ballot
32 until he or she furnishes satisfactory identification which contains
33 proof of the address at which the person actually resides. For the
34 purposes of this subsection, a voter registration card does not
35 provide proof of the address at which a person resides.

36 8. If the challenge is based on the ground set forth in paragraph
37 (e) of subsection 2 and the challenged person executes the oath or
38 affirmation, the election board shall not issue the person a ballot
39 unless the person ~~f~~:

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

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



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

~~— (2) Executes an oath or affirmation under penalty of perjury that the challenged person is who he or she swears to be.]~~ **furnishes proof of identity.**

9. The election board officers shall:

(a) Record on the challenge list:

(1) The name of the challenged person;

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

(3) The result of the challenge; and

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

Sec. 16. NRS 293.3075 is hereby amended to read as follows:

293.3075 1. Except as otherwise provided in NRS 293.283 and 293.5772 to 293.5887, inclusive, upon the appearance of a person to cast a ballot at a polling place established pursuant to NRS 293.3072, the election board officer shall:

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

(b) Instruct the **registered** voter to sign the roster or a signature card; and

~~(c) [Verify the signature of the voter in the manner set forth in NRS 293.277.~~

~~— 2. If the signature of the voter does not match, the voter must be identified by:~~

~~— (a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;~~

~~— (b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or~~

~~— (c) Providing the election board officer with proof of identification as described in NRS 293.277 other than the voter registration card issued to the voter.~~

~~— 3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.~~

~~— 4.]~~ **Require that the voter present proof of identity.**

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

~~[5.]~~ **3.** When a voter is entitled to cast a ballot and has identified himself or herself to the satisfaction of the election board



officer, the voter is entitled to receive the appropriate ballot or ballots, but only for his or her own use at the polling place where he or she applies to vote.

~~16-1~~ 4. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the election board officer shall:

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

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

(c) Allow the voter to cast a vote.

~~17-1~~ 5. A voter applying to vote at a polling place established pursuant to NRS 293.3072 may be challenged pursuant to NRS 293.303.

Sec. 17. NRS 293.3081 is hereby amended to read as follows:

293.3081 A person at a polling place may cast a provisional ballot in an election pursuant to NRS 293.3078 to 293.3086, inclusive, if the person complies with the applicable provisions of NRS 293.3082 and:

1. Declares that he or she has registered to vote and is eligible to vote at that election in that jurisdiction, but ~~his or her~~ :

(a) *The name of the person* does not appear on a voter registration list as a voter eligible to vote in that election in that jurisdiction ~~or an~~ ;

(b) *An* election official asserts that the person is not eligible to vote in that election in that jurisdiction; *or*

(c) *The person fails to provide proof of identity;*

2. Applies by mail or computer, on or after January 1, 2003, to register to vote and has not previously voted in an election for federal office in this State and fails to provide ~~the identification required pursuant to paragraph (a) of subsection 1 of NRS 293.2725~~ *proof of identity* to the election board officer at the polling place; or

3. Declares that he or she is entitled to vote after the polling place would normally close as a result of a court order or other order extending the time established for the closing of polls pursuant to a law of this State in effect 10 days before the date of the election.

Sec. 18. NRS 293.3082 is hereby amended to read as follows:

293.3082 1. Before a person may cast a provisional ballot pursuant to NRS 293.3081, the person must complete a written affirmation on a form provided by an election board officer, as prescribed by the Secretary of State, at the polling place which includes:

(a) The name of the person casting the provisional ballot;

(b) The reason for casting the provisional ballot;



(c) A statement in which the person casting the provisional ballot affirms under penalty of perjury that he or she is a registered voter in the jurisdiction and is eligible to vote in the election;

(d) The date and type of election;

(e) The signature of the person casting the provisional ballot;

(f) The signature of the election board officer;

(g) A unique affirmation identification number assigned to the person casting the provisional ballot;

(h) If the person is casting the provisional ballot pursuant to subsection 1 of NRS 293.3081:

(1) An indication by the person as to whether or not he or she provided the required identification at the time the person applied to register to vote;

(2) The address of the person as listed on the application to register to vote;

(3) Information concerning the place, manner and approximate date on which the person applied to register to vote;

(4) Any other information that the person believes may be useful in verifying that the person has registered to vote; and

(5) A statement informing the voter that if the voter does not provide ~~identification~~ *proof of identity* at the time the voter casts the provisional ballot, the required ~~identification~~ *proof of identity or an affidavit stating that the voter is unable to provide proof of identity because he or she is indigent or has a religious objection to being photographed* must be provided to the county or city clerk not later than 5 p.m. on the Friday following election day and that failure to do so will result in the provisional ballot not being counted;

(i) If the person is casting the provisional ballot pursuant to subsection 2 of NRS 293.3081:

(1) The address of the person as listed on the application to register to vote;

(2) The voter registration number, if any, issued to the person; and

(3) A statement informing the voter that the required ~~identification~~ *proof of identity or an affidavit stating that the voter is unable to provide proof of identity because he or she is indigent or had a religious objection to being photographed* must be provided to the county or city clerk not later than 5 p.m. on the Friday following election day and that failure to do so will result in the provisional ballot not being counted; and

(j) If the person is casting the provisional ballot pursuant to subsection 3 of NRS 293.3081, the voter registration number, if any, issued to the person.



2. After a person completes a written affirmation pursuant to subsection 1:

(a) The election board officer shall provide the person with a receipt that includes the unique affirmation identification number described in subsection 1 and that explains how the person may use the free access system established pursuant to NRS 293.3086 to ascertain whether the person's vote was counted, and, if the vote was not counted, the reason why the vote was not counted;

(b) The voter's name and applicable information must be entered into the roster in a manner which indicates that the voter cast a provisional ballot; and

(c) The election board officer shall issue a provisional ballot to the person to vote.

Sec. 19. NRS 293.3085 is hereby amended to read as follows:

293.3085 1. Following each election, a canvass of the provisional ballots cast in the election must be conducted pursuant to NRS 293.387 and, if appropriate, pursuant to NRS 293C.387.

2. The county and city clerk shall not:

(a) Include any provisional ballot in the unofficial results reported on election night; or

(b) Open any envelope containing a provisional ballot before 8 a.m. on the Wednesday following election day.

3. Except as otherwise provided in subsection 4, a provisional ballot must be counted if:

(a) The county or city clerk determines that the person who cast the provisional ballot was registered to vote in the election, eligible to vote in the election and issued the appropriate ballot for the address at which the person resides;

(b) A voter who failed to provide required identification at the polling place or with his or her mailed ballot provides the required identification to the county or city clerk not later than 5 p.m. on the Friday following election day ~~or~~ **, including, if applicable, his or her proof of identity or an affidavit stating that the voter cannot provide proof of identity because he or she is indigent or has a religious objection to being photographed;** or

(c) A court order has not been issued by 5 p.m. on the Friday following election day directing that provisional ballots cast pursuant to subsection 3 of NRS 293.3081 not be counted, and the provisional ballot was cast pursuant to subsection 3 of NRS 293.3081.

4. A provisional ballot must not be counted if the county or city clerk determines that the person who cast the provisional ballot cast the wrong ballot for the address at which the person resides.



Sec. 20. NRS 293.330 is hereby amended to read as follows:

293.330 1. Except as otherwise provided in this section, subsection 2 of NRS 293.323, NRS 293.329 and chapter 293D of NRS, in order to vote an absent ballot, the absent voter must, in accordance with the instructions:

(a) Mark and fold the absent ballot;

(b) Deposit the absent ballot in the return envelope and seal the return envelope;

(c) Affix his or her signature on the return envelope in the space provided for the signature; and

(d) Mail or deliver the return envelope in a manner authorized by law.

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

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

(b) A polling place, including, without limitation, a polling place for early voting, the voter must surrender the absent ballot and provide satisfactory ~~identification~~ **proof of identity** before being issued a ballot to vote at the polling place. A person who receives a surrendered absent ballot shall mark it “Cancelled.”

3. If a voter who has requested an absent 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;~~ **proof of identity;**

(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 subsection 5, at the request of a voter whose absent ballot has been prepared by or on behalf of the voter for an election, a person authorized by the voter may return the absent ballot on behalf of the voter by mail or personal delivery to the county clerk.

5. Except for an election board officer in the course of the election board officer’s official duties, a person shall not willfully:

(a) Impede, obstruct, prevent or interfere with the return of a voter’s absent ballot;

(b) Deny a voter the right to return the voter’s absent ballot; or



(c) If the person receives the voter's absent ballot and authorization to return the absent ballot on behalf of the voter by mail or personal delivery, fail to return the absent ballot, unless otherwise authorized by the voter, by mail or personal delivery:

(1) Before the end of the third day after the day of receipt, if the person receives the absent ballot from the voter four or more days before the day of the election; or

(2) Before the deadline established by the United States Postal Service for the absent ballot to be postmarked on the day of the election or before the polls close on the day of the election, as applicable to the type of delivery, if the person receives the absent ballot from the voter three or fewer days before the day of the election.

6. A person who violates any provision of subsection 5 is guilty of a category E felony and shall be punished as provided in NRS 193.130.

Sec. 21. NRS 293.353 is hereby amended to read as follows:

293.353 1. Except as otherwise provided in this section, NRS 293.352 and chapter 293D of NRS, in order to vote a mailing ballot, the registered voter must, in accordance with the instructions:

(a) Mark and fold the mailing ballot;

(b) Deposit the mailing ballot in the return envelope and seal the return envelope;

(c) Affix his or her signature on the return envelope in the space provided for the signature; and

(d) Mail or deliver the return envelope in a manner authorized by law.

2. Except as otherwise provided in subsection 3, if a registered voter who has received a mailing ballot applies to vote in person at:

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

(b) One of the polling places on election day or a polling place for early voting in the county designated pursuant to subsection 3 or 4 of NRS 293.343, the registered voter must surrender the mailing ballot and provide satisfactory ~~identification~~ **proof of identity** before being issued a ballot to vote at the polling place. A person who receives a surrendered mailing ballot shall mark it "Cancelled."

3. If a registered voter who has received a mailing ballot wishes to vote in person at the office of the county clerk or at one of the polling places on election day or a polling place for early voting in the county designated pursuant to subsection 3 or 4 of NRS 293.343, and the voter does not have the mailing ballot to



1 deliver or surrender, the voter must be issued a ballot to vote if the
2 voter:

- 3 (a) Provides satisfactory ~~identification;~~ *proof of identity*;
4 (b) Is a registered voter who is otherwise entitled to vote; and
5 (c) Signs an affirmation under penalty of perjury on a form
6 prepared by the Secretary of State declaring that the voter has not
7 voted during the election.

8 4. Except as otherwise provided in subsection 5, at the request
9 of a voter whose mailing ballot has been prepared by or on behalf of
10 the voter for an election, a person authorized by the voter may return
11 the mailing ballot on behalf of the voter by mail or personal delivery
12 to the county clerk.

13 5. Except for an election board officer in the course of the
14 election board officer's official duties, a person shall not willfully:

15 (a) Impede, obstruct, prevent or interfere with the return of a
16 voter's mailing ballot;

17 (b) Deny a voter the right to return the voter's mailing ballot; or

18 (c) If the person receives the voter's mailing ballot and
19 authorization to return the mailing ballot on behalf of the voter by
20 mail or personal delivery, fail to return the mailing ballot, unless
21 otherwise authorized by the voter, by mail or personal delivery:

22 (1) Before the end of the third day after the day of receipt, if
23 the person receives the mailing ballot from the voter four or more
24 days before the day of the election; or

25 (2) Before the deadline established by the United States
26 Postal Service for the mailing ballot to be postmarked on the day of
27 the election or before the polls close on the day of the election, as
28 applicable to the type of delivery, if the person receives the mailing
29 ballot from the voter three or fewer days before the day of the
30 election.

31 6. A person who violates any provision of subsection 5 is
32 guilty of a category E felony and shall be punished as provided in
33 NRS 193.130.

34 **Sec. 22.** NRS 293.356 is hereby amended to read as follows:

35 293.356 If a request is made to vote early by a registered voter
36 in person, the election board shall , *except as otherwise provided in*
37 *NRS 293.3585*, issue a ballot for early voting to the voter. Such a
38 ballot must be voted on the premises of a polling place for early
39 voting established pursuant to NRS 293.3564 or 293.3572.

40 **Sec. 23.** NRS 293.3585 is hereby amended to read as follows:

41 293.3585 1. Except as otherwise provided in NRS 293.283
42 and 293.5772 to 293.5887, inclusive, upon the appearance of a
43 person to cast a ballot for early voting, an election board officer
44 shall:



(a) Determine ~~[that]~~ *whether* the person is a registered voter in the county.

(b) Instruct the *registered* voter to sign the roster for early voting or a signature card.

~~(c) [Verify the signature of the voter in the manner set forth in NRS 293.277.]~~ *Require the registered voter to present proof of identity.*

(d) Verify that the *registered* voter has not already voted in that county in the current election.

2. ~~[If the signature of the voter does not match, the voter must be identified by:~~

~~—(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;~~

~~—(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or~~

~~—(c) Providing the election board officer with proof of identification as described in NRS 293.277 other than the voter registration card issued to the voter.~~

~~3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.~~

~~4.]~~ The county clerk shall prescribe a procedure, approved by the Secretary of State, to verify that the voter has not already voted in that county in the current election.

~~[5.]~~ 3. The roster for early voting or a signature card, as applicable, must contain:

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

(b) The voter's precinct or voting district number, if that information is available; and

(c) The date of voting early in person.

~~[6.]~~ 4. When a voter is entitled to cast a ballot and has identified himself or herself to the satisfaction of the election board officer, the voter is entitled to receive the appropriate ballot or ballots, but only for his or her own use at the polling place for early voting.

~~[7.]~~ 5. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the election board officer shall:

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



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

(c) Allow the voter to cast a vote.

~~18.1~~ 6. A voter applying to vote early by personal appearance may be challenged pursuant to NRS 293.303.

Sec. 24. NRS 293.517 is hereby amended to read as follows:

293.517 1. Any person who meets the qualifications set forth in NRS 293.4855 residing within the county may preregister to vote and any elector residing within the county may register to vote:

(a) Except as otherwise provided in NRS 293.560 and 293C.527, by appearing before the county clerk, a field registrar or a voter registration agency, completing the application to preregister or register to vote, giving true and satisfactory answers to all questions relevant to his or her identity and right to preregister or register to vote, and providing ~~proof~~ evidence of his or her residence and identity ~~as~~ in accordance with this subsection;

(b) By completing and mailing or personally delivering to the county clerk an application to preregister or register to vote pursuant to the provisions of NRS 293.5235;

(c) Pursuant to the provisions of NRS 293.5727 or 293.5742 or chapter 293D of NRS;

(d) At his or her residence with the assistance of a field registrar pursuant to NRS 293.5237;

(e) By submitting an application to preregister or register to vote by computer using the system:

(1) Established by the Secretary of State pursuant to NRS 293.671; or

(2) Established by the county clerk, if the county clerk has established a system pursuant to NRS 293.506 for using a computer to register voters; or

(f) By any other method authorized by the provisions of this title.

➤ The county clerk shall require a person to submit official identification as ~~proof~~ evidence of residence and identity ~~as~~ in accordance with this subsection, such as a driver's license or other official document, before preregistering or registering the person. If the applicant preregisters or registers to vote pursuant to this subsection and fails to provide ~~proof~~ evidence of residence and identity, the applicant must provide ~~proof~~ evidence of residence and identity before casting a ballot in person or by mail or after casting a provisional ballot pursuant to NRS 293.3078 to 293.3086, inclusive. For the purposes of this subsection, a voter registration card does not provide ~~proof~~ evidence of the residence or identity of a person.



2. In addition to the methods for registering to vote described in subsection 1, an elector may register to vote pursuant to NRS 293.5772 to 293.5887, inclusive.

3. Except as otherwise provided in NRS 293.5732 to 293.5757, inclusive, the application to preregister or register to vote must be signed and verified under penalty of perjury by the person preregistering or the elector registering.

4. Each person or elector who is or has been married must be preregistered or registered under his or her own given or first name, and not under the given or first name or initials of his or her spouse.

5. A person or an elector who is preregistered or registered and changes his or her name must complete a new application to preregister or register to vote, as applicable. The person or elector may obtain a new application:

(a) At the office of the county clerk or field registrar;

(b) By submitting an application to preregister or register to vote pursuant to the provisions of NRS 293.5235;

(c) By submitting a written statement to the county clerk requesting the county clerk to mail an application to preregister or register to vote;

(d) At any voter registration agency; or

(e) By submitting an application to preregister or register to vote by computer using the system:

(1) Established by the Secretary of State pursuant to NRS 293.671; or

(2) Established by the county clerk, if the county clerk has established a system pursuant to NRS 293.506 for using a computer to register voters.

➤ If the elector fails to register under his or her new name, the elector may be challenged pursuant to the provisions of NRS 293.303 or 293C.292 and may be required to furnish proof of identity and subsequent change of name.

6. Except as otherwise provided in subsection 8 and NRS 293.5742 to 293.5757, inclusive, 293.5767 and 293.5772 to 293.5887, inclusive, an elector who registers to vote pursuant to paragraph (a) of subsection 1 shall be deemed to be registered upon the completion of an application to register to vote.

7. After the county clerk determines that the application to register to vote of a person is complete and that, except as otherwise provided in NRS 293D.210, the person is eligible to vote pursuant to NRS 293.485, the county clerk shall issue a voter registration card to the voter.

8. If a person or an elector submits an application to preregister or register to vote or an affidavit described in paragraph (c) of subsection 1 of NRS 293.507 that contains any handwritten



1 additions, erasures or interlineations, the county clerk may object to
2 the application if the county clerk believes that because of such
3 handwritten additions, erasures or interlineations, the application is
4 incomplete or that, except as otherwise provided in NRS 293D.210,
5 the person is not eligible to preregister pursuant to NRS 293.4855 or
6 the elector is not eligible to vote pursuant to NRS 293.485, as
7 applicable. If the county clerk objects pursuant to this subsection, he
8 or she shall immediately notify the person or elector, as applicable,
9 and the district attorney of the county. Not later than 5 business days
10 after the district attorney receives such notification, the district
11 attorney shall advise the county clerk as to whether:

12 (a) The application is complete and, except as otherwise
13 provided in NRS 293D.210, the person is eligible to preregister
14 pursuant to NRS 293.4855 or the elector is eligible to vote pursuant
15 to NRS 293.485; and

16 (b) The county clerk should proceed to process the application.

17 9. If the district attorney advises the county clerk to process the
18 application pursuant to subsection 8, the county clerk shall
19 immediately issue a voter registration card to the applicant, unless
20 the applicant is preregistered to vote and does not currently meet the
21 requirements to be issued a voter registration card pursuant to
22 NRS 293.4855.

23 **Sec. 25.** NRS 293.5235 is hereby amended to read as follows:

24 293.5235 1. Except as otherwise provided in NRS 293.502
25 and chapter 293D of NRS, a person may preregister or register to
26 vote by:

27 (a) Mailing an application to preregister or register to vote to the
28 county clerk of the county in which the person resides.

29 (b) A computer using:

30 (1) The system established by the Secretary of State pursuant
31 to NRS 293.671; or

32 (2) A system established by the county clerk, if the county
33 clerk has established a system pursuant to NRS 293.506 for using a
34 computer to preregister or register to vote.

35 (c) Any other method authorized by the provisions of this title.

36 2. The county clerk shall, upon request, mail an application to
37 preregister or register to vote to an applicant. The county clerk shall
38 make the applications available at various public places in the
39 county.

40 3. Except as otherwise provided in NRS 293.5772 to 293.5887,
41 inclusive:

42 (a) An application to preregister to vote may be used to correct
43 information in a previous application.

44 (b) An application to register to vote may be used to correct
45 information in the registrar of voters' register.



4. An application to preregister or register to vote which is mailed to an applicant by the county clerk or made available to the public at various locations or voter registration agencies in the county may be returned to the county clerk by mail or in person. For the purposes of this section, an application which is personally delivered to the county clerk shall be deemed to have been returned by mail.

5. The applicant must complete the application, including, without limitation, checking the boxes described in paragraphs (b) and (c) of subsection 12 and signing the application.

6. The county clerk shall, upon receipt of an application, determine whether the application is complete.

7. If the county clerk determines that the application is complete, he or she shall, within 10 days after receiving the application, mail to the applicant:

(a) A notice that the applicant is preregistered or registered to vote, as applicable. If the applicant is registered to vote, the county clerk must also mail to the applicant a voter registration card; or

(b) A notice that the person's application to preregister to vote or the registrar of voters' register has been corrected to reflect any changes indicated on the application.

8. Except as otherwise provided in subsections 5 and 6 of NRS 293.518 and NRS 293.5767, if the county clerk determines that the application is not complete, the county clerk shall, as soon as possible, mail a notice to the applicant that additional information is required to complete the application. If the applicant provides the information requested by the county clerk within 15 days after the county clerk mails the notice, the county clerk shall, within 10 days after receiving the information, mail to the applicant:

(a) A notice that the applicant is:

(1) Preregistered to vote; or

(2) Registered to vote and a voter registration card; or

(b) A notice that the person's application to preregister to vote or the registrar of voters' register has been corrected to reflect any changes indicated on the application.

➤ If the applicant does not provide the additional information within the prescribed period, the application is void.

9. The applicant shall be deemed to be preregistered or registered or to have corrected the information in the application to preregister to vote or the registrar of voters' register on the date the application is postmarked or received by the county clerk, whichever is earlier.

10. If the applicant fails to check the box described in paragraph (b) of subsection 12, the application shall not be considered invalid, and the county clerk shall provide a means for



the applicant to correct the omission at the time the applicant appears to vote in person at the assigned polling place.

11. The Secretary of State shall prescribe the form for applications to preregister or register to vote by:

(a) Mail, which must be used to preregister or register to vote by mail in this State.

(b) Computer, which must be used to preregister or register to vote by computer using:

(1) The system established by the Secretary of State pursuant to NRS 293.671; or

(2) A system established by the county clerk, if the county clerk has established a system pursuant to NRS 293.506 for using a computer to preregister or register to vote.

12. The application to preregister or register to vote by mail must include:

(a) A notice in at least 10-point type which states:

NOTICE: You are urged to return your application to the County Clerk in person or by mail. If you choose to give your completed application to another person to return to the County Clerk on your behalf, and the person fails to deliver the application to the County Clerk, you will not be preregistered or registered to vote, as applicable. Please retain the duplicate copy or receipt from your application to preregister or register to vote.

(b) The question, “Are you a citizen of the United States?” and boxes for the applicant to check to indicate whether or not the applicant is a citizen of the United States.

(c) If the application is to:

(1) Preregister to vote, the question, “Are you at least 17 years of age and not more than 18 years of age?” and boxes to indicate whether or not the applicant is at least 17 years of age and not more than 18 years of age.

(2) Register to vote, the question, “Will you be at least 18 years of age on or before election day?” and boxes for the applicant to check to indicate whether or not the applicant will be at least 18 years of age or older on election day.

(d) A statement instructing the applicant not to complete the application if the applicant checked “no” in response to the question set forth in:

(1) If the application is to preregister to vote, paragraph (b) or subparagraph (1) of paragraph (c).

(2) If the application is to register to vote, paragraph (b) or subparagraph (2) of paragraph (c).



(e) A statement informing the applicant that if the application is submitted by mail and the applicant is preregistering or registering to vote for the first time, the applicant must ~~submit~~ **comply with** the ~~information set forth in paragraph (a))~~ **provisions** of ~~subsection 2 of~~ NRS 293.2725 . ~~[to avoid the requirements of subsection 1 of NRS 293.2725 upon voting for the first time.]~~

13. Except as otherwise provided in subsections 5 and 6 of NRS 293.518, the county clerk shall not preregister or register a person to vote pursuant to this section unless that person has provided all of the information required by the application.

14. The county clerk shall mail, by postcard, the notices required pursuant to subsections 7 and 8. If the postcard is returned to the county clerk by the United States Postal Service because the address is fictitious or the person does not live at that address, the county clerk shall attempt to determine whether the person's current residence is other than that indicated on the application to preregister or register to vote in the manner set forth in NRS 293.530.

15. A person who, by mail, preregisters or registers to vote pursuant to this section may be assisted in completing the application to preregister or register to vote by any other person. The application must include the mailing address and signature of the person who assisted the applicant. The failure to provide the information required by this subsection will not result in the application being deemed incomplete.

16. An application to preregister or register to vote must be made available to all persons, regardless of political party affiliation.

17. An application must not be altered or otherwise defaced after the applicant has completed and signed it. An application must be mailed or delivered in person to the office of the county clerk within 10 days after it is completed.

18. A person who willfully violates any of the provisions of subsection 15, 16 or 17 is guilty of a category E felony and shall be punished as provided in NRS 193.130.

19. The Secretary of State shall adopt regulations to carry out the provisions of this section.

Sec. 26. NRS 293.541 is hereby amended to read as follows:

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

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



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

(c) The person or voter fails to present satisfactory ~~{proof}~~ **evidence of his or her** identity and residence pursuant to subsection 2, 4 or 5.

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

3. If insufficient time exists before a pending election to provide the notice required by subsection 2 to a registered voter, the county clerk shall execute an affidavit of cancellation and file the affidavit of cancellation with the registrar of voters' register and:

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

(b) In counties where records of registration are kept by computer, the county clerk shall have the affidavit of cancellation printed on the computer entry for the registration and add a copy of it to the roster.

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

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

(b) Satisfactory ~~{identification that contains}~~ proof of the address at which the voter actually resides and that address is consistent with the address listed on the roster.

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



6. For the purposes of this section, a voter registration card does not provide proof of the:

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

(b) Residence ~~for identity~~ of a person.

Sec. 27. NRS 293.5837 is hereby amended to read as follows:

293.5837 1. Through the Thursday preceding the day of the election, an elector may register to vote in the county or city, as applicable, in which the elector is eligible to vote by submitting an application to register to vote by computer using the system established by the Secretary of State pursuant to NRS 293.671 before the elector appears at a polling place described in subsection 2 to vote in person.

2. If an elector submits an application to register to vote pursuant to this section, the elector may vote only in person:

(a) During the period for early voting, at any polling place for early voting by personal appearance in the county or city, as applicable, in which the elector is eligible to vote; or

(b) On the day of the election, at:

(1) A polling place established pursuant to NRS 293.3072, 293.8834 or 293C.3032 in the county or city, as applicable, in which the elector is eligible to vote; or

(2) The polling place for his or her election precinct.

3. To vote in person, an elector who submits an application to register to vote pursuant to this section must:

(a) Appear before the close of polls at a polling place described in subsection 2;

(b) Inform an election board officer that, before appearing at the polling place, the elector submitted an application to register to vote by computer using the system established by the Secretary of State pursuant to NRS 293.671; and

(c) Except as otherwise provided in subsection 4, provide his or her current and valid driver's license or identification card issued by the Department of Motor Vehicles which shows his or her physical address as ~~proof~~ **evidence** of the elector's identity and residency.

4. If the driver's license or identification card issued by the Department of Motor Vehicles to the elector does not have the elector's current residential address, the following documents may be used to establish the residency of the elector if the current residential address of the elector, as indicated on his or her application to register to vote, is displayed on the document:

(a) A military identification card;

(b) A utility bill, including, without limitation, a bill for electric, gas, oil, water, sewer, septic, telephone, cellular telephone or cable television service;



- (c) A bank or credit union statement;
- (d) A paycheck;
- (e) An income tax return;
- (f) A statement concerning the mortgage, rental or lease of a residence;
- (g) A motor vehicle registration;
- (h) A property tax statement; or
- (i) Any other document issued by a governmental agency.

5. Subject to final verification, if an elector submits an application to register to vote and appears at a polling place to vote in person pursuant to this section:

(a) The elector shall be deemed to be conditionally registered to vote at the polling place upon:

(1) The determination that the elector submitted the application to register to vote by computer using the system established by the Secretary of State pursuant to NRS 293.671 and that the application to register to vote is complete; and

(2) The verification of the elector's identity and residency pursuant to this section.

(b) After the elector is deemed to be conditionally registered to vote at the polling place pursuant to paragraph (a), the elector:

(1) May vote in the election only at that polling place;

(2) Must vote as soon as practicable and before leaving that polling place; and

(3) Must vote by casting a provisional ballot, unless it is verified, at that time, that the elector is qualified to register to vote and to cast a regular ballot in the election at that polling place.

Sec. 28. NRS 293.5842 is hereby amended to read as follows:

293.5842 1. Notwithstanding the close of any method of registration for an election pursuant to NRS 293.560 or 293C.527, an elector may register to vote in person at any polling place for early voting by personal appearance in the county or city, as applicable, in which the elector is eligible to vote.

2. To register to vote in person during the period for early voting, an elector must:

(a) Appear before the close of polls at a polling place for early voting by personal appearance in the county or city, as applicable, in which the elector is eligible to vote.

(b) Complete the application to register to vote by a method authorized by the county or city clerk pursuant to this paragraph. The county or city clerk shall authorize one or more of the following methods for a person to register to vote pursuant to this paragraph:

(1) A paper application;



(2) A system established pursuant to NRS 293.506 for using a computer to register voters; or

(3) The system established by the Secretary of State pursuant to NRS 293.671.

➤ If the county or city clerk authorizes the use of more than one method, the county or city clerk may limit the use of a particular method to circumstances when another method is not reasonably available.

(c) Except as otherwise provided in subsection 3, provide his or her current and valid driver's license or identification card issued by the Department of Motor Vehicles which shows his or her physical address as ~~proof~~ evidence of the elector's identity and residency.

3. If the driver's license or identification card issued by the Department of Motor Vehicles to the elector does not have the elector's current residential address, the following documents may be used to establish the residency of the elector if the current residential address of the elector, as indicated on his or her application to register to vote, is displayed on the document:

(a) A military identification card;

(b) A utility bill, including, without limitation, a bill for electric, gas, oil, water, sewer, septic, telephone, cellular telephone or cable television service;

(c) A bank or credit union statement;

(d) A paycheck;

(e) An income tax return;

(f) A statement concerning the mortgage, rental or lease of a residence;

(g) A motor vehicle registration;

(h) A property tax statement; or

(i) Any other document issued by a governmental agency.

4. Subject to final verification, if an elector registers to vote in person at a polling place pursuant to this section:

(a) The elector shall be deemed to be conditionally registered to vote at the polling place upon:

(1) The determination that the application to register to vote is complete; and

(2) The verification of the elector's identity and residency pursuant to this section.

(b) After the elector is deemed to be conditionally registered to vote at the polling place pursuant to paragraph (a), the elector:

(1) May vote in the election only at that polling place;

(2) Must vote as soon as practicable and before leaving that polling place; and



(3) Must vote by casting a provisional ballot, unless it is verified, at that time, that the elector is qualified to register to vote and to cast a regular ballot in the election at that polling place.

Sec. 29. NRS 293.5847 is hereby amended to read as follows:

293.5847 1. Notwithstanding the close of any method of registration for an election pursuant to NRS 293.560 or 293C.527, an elector may register to vote in person on the day of the election at any polling place in the county or city, as applicable, in which the elector is eligible to vote.

2. To register to vote on the day of the election, an elector must:

(a) Appear before the close of polls at a polling place in the county or city, as applicable, in which the elector is eligible to vote.

(b) Complete the application to register to vote by a method authorized by the county or city clerk pursuant to this paragraph. The county or city clerk shall authorize one or more of the following methods for a person to register to vote pursuant to this paragraph:

(1) A paper application;

(2) A system established pursuant to NRS 293.506 for using a computer to register voters; or

(3) The system established by the Secretary of State pursuant to NRS 293.671.

➤ If the county or city clerk authorizes the use of more than one method, the county or city clerk may limit the use of a particular method to circumstances when another method is not reasonably available.

(c) Except as otherwise provided in subsection 3, provide his or her current and valid driver's license or identification card issued by the Department of Motor Vehicles which shows his or her physical address as ~~proof~~ **evidence** of the elector's identity and residency.

3. If the driver's license or identification card issued by the Department of Motor Vehicles to the elector does not have the elector's current residential address, the following documents may be used to establish the residency of the elector if the current residential address of the elector, as indicated on his or her application to register to vote, is displayed on the document:

(a) A military identification card;

(b) A utility bill, including, without limitation, a bill for electric, gas, oil, water, sewer, septic, telephone, cellular telephone or cable television service;

(c) A bank or credit union statement;

(d) A paycheck;

(e) An income tax return;

(f) A statement concerning the mortgage, rental or lease of a residence;



- (g) A motor vehicle registration;
- (h) A property tax statement; or
- (i) Any other document issued by a governmental agency.

4. Subject to final verification, if an elector registers to vote in person at a polling place pursuant to this section:

(a) The elector shall be deemed to be conditionally registered to vote at the polling place upon:

(1) The determination that the application to register to vote is complete; and

(2) The verification of the elector's identity and residency pursuant to this section.

(b) After the elector is deemed to be conditionally registered to vote at the polling place pursuant to paragraph (a), the elector:

(1) May vote in the election only at that polling place;

(2) Must vote as soon as practicable and before leaving that polling place; and

(3) Must vote by casting a provisional ballot.

Sec. 30. NRS 293.8851 is hereby amended to read as follows:

293.8851 1. Except as otherwise provided in subsection 2, for any affected election, if a person applied by mail or computer to register to vote, or preregistered to vote by mail or computer and is subsequently deemed to be registered to vote, and the person has not previously voted in any election for federal office in this State, the county or city clerk, as applicable, must inform the person that he or she must include a copy of the information required in paragraph (b) of subsection 1 of NRS 293.2725 in the return envelope with the mail ballot.

2. The provisions of subsection 1 do not apply to a person who:

(a) Registers to vote by mail or computer, or preregisters to vote by mail or computer and is subsequently deemed to be registered to vote, and submits with his or her application to preregister or register to vote ~~the~~:

~~(1) A copy of a current and valid photo identification; or~~
~~(2) A copy of a current utility bill, bank statement, paycheck or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card;~~ **his or her proof of identity;**

(b) Registers to vote by mail or computer and submits with his or her application to register to vote a driver's license number or at least the last four digits of his or her social security number, if a state or local election official has matched that information with an existing identification record bearing the same number, name and date of birth as provided by the person in the application;



(c) Registers to vote pursuant to NRS 293.5732 to 293.5757, inclusive, and at that time presents to the Department of Motor Vehicles:

(1) A copy of a current and valid photo identification;

(2) ~~["A copy of a current utility bill, bank statement, paycheck or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card;"]~~ **His or her proof of identity;** or

(3) A driver's license number or at least the last four digits of his or her social security number, if a state or local election official has matched that information with an existing identification record bearing the same number, name and date of birth as provided by the person in the application;

(d) Is entitled to vote 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.;

(e) Is provided the right to vote otherwise than in person pursuant to the provisions of the Voting Accessibility for the Elderly and Handicapped Act, 52 U.S.C. §§ 20101 et seq.; or

(f) Is entitled to vote otherwise than in person pursuant to the provisions of any other federal law.

3. If a person fails to provide the ~~identification~~ **proof of identity** required pursuant to paragraph (b) of subsection 1 of NRS 293.2725 with his or her mail ballot:

(a) The mail ballot must be treated as a provisional ballot; and

(b) The county or city clerk must:

(1) Contact the person;

(2) Allow the person to provide the ~~identification~~ **proof of identity** required before 5 p.m. on the third day following the election; and

(3) If the ~~identification~~ **proof of identity** required pursuant to paragraph (b) of subsection 1 of NRS 293.2725 is provided, ensure the mail ballot is delivered to the appropriate mail ballot central counting board.

Sec. 31. NRS 293C.185 is hereby amended to read as follows:

293C.185 1. Except as otherwise provided in NRS 293C.190, a name may not be printed on a ballot to be used at a primary or general city election unless the person named has, in accordance with NRS 293C.145 or 293C.175, as applicable, timely filed a declaration of candidacy with the appropriate filing officer and paid the filing fee established by the governing body of the city.

2. A declaration of candidacy required to be filed pursuant to this chapter must be in substantially the following form:



DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

City of.....

For the purpose of having my name placed on the official ballot as a candidate for the office of, I,, the undersigned do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the city, township or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored; that if nominated as a candidate at the ensuing election I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)



Subscribed and sworn to before me
this day of the month of of the year

.....

Notary Public or other person
authorized to administer an oath

3. The address of a candidate that must be included in the declaration of candidacy pursuant to subsection 2 must be the street address of the residence where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration of candidacy must not be accepted for filing if the candidate fails to comply with the following provisions of this subsection or, if applicable, the provisions of subsection 4:

(a) The candidate shall not list the candidate's address as a post office box unless a street address has not been assigned to the residence; and

(b) Except as otherwise provided in subsection 4, the candidate shall present to the filing officer:

(1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's residential address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the candidate's name and residential address, but not including a voter registration card.

4. If the candidate executes an oath or affirmation under penalty of perjury stating that the candidate is unable to present to the filing officer the proof of residency required by subsection 3 because a street address has not been assigned to the candidate's residence or because the rural or remote location of the candidate's residence makes it impracticable to present the proof of residency required by subsection 3, the candidate shall present to the filing officer:

(a) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate; and

(b) Alternative proof of the candidate's residential address that the filing officer determines is sufficient to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050. The Secretary of State may adopt regulations establishing the forms of alternative proof of the candidate's residential address that the filing officer may accept to



1 verify where the candidate actually, as opposed to constructively,
2 resides in accordance with NRS 281.050.

3 5. The filing officer shall retain a copy of the **documents and**
4 proof of ~~identity and~~ residency provided by the candidate pursuant
5 to subsection 3 or 4. Such a copy:

6 (a) May not be withheld from the public; and

7 (b) Must not contain the social security number, driver's license
8 or identification card number or account number of the candidate.

9 6. By filing the declaration of candidacy, the candidate shall be
10 deemed to have appointed the city clerk as his or her agent for
11 service of process for the purposes of a proceeding pursuant to NRS
12 293C.186. Service of such process must first be attempted at the
13 appropriate address as specified by the candidate in the declaration
14 of candidacy. If the candidate cannot be served at that address,
15 service must be made by personally delivering to and leaving with
16 the city clerk duplicate copies of the process. The city clerk shall
17 immediately send, by registered or certified mail, one of the copies
18 to the candidate at the specified address, unless the candidate has
19 designated in writing to the city clerk a different address for that
20 purpose, in which case the city clerk shall mail the copy to the last
21 address so designated.

22 7. If the city clerk receives credible evidence indicating that a
23 candidate has been convicted of a felony and has not had his or her
24 civil rights restored, the city clerk:

25 (a) May conduct an investigation to determine whether the
26 candidate has been convicted of a felony and, if so, whether the
27 candidate has had his or her civil rights restored; and

28 (b) Shall transmit the credible evidence and the findings from
29 such investigation to the city attorney.

30 8. The receipt of information by the city attorney pursuant to
31 subsection 7 must be treated as a challenge of a candidate pursuant
32 to subsections 4 and 5 of NRS 293C.186 to which the provisions of
33 NRS 293.2045 apply.

34 9. Any person who knowingly and willfully files a declaration
35 of candidacy which contains a false statement in violation of this
36 section is guilty of a gross misdemeanor.

37 **Sec. 32.** NRS 293C.270 is hereby amended to read as follows:

38 293C.270 1. Except as otherwise provided in NRS 293.5772
39 to 293.5887, inclusive, and 293C.272, if a person's name appears in
40 the roster or if the person provides an affirmation pursuant to NRS
41 293C.525, the person is entitled to vote and must ~~sign~~ :

42 (a) **Present proof of identity; and**

43 (b) **Sign** his or her name in the roster or on a signature card
44 when he or she applies to vote. The signature must be compared by
45 an election board officer with the signature or a facsimile thereof on



the person's application to register to vote or ~~one of the forms of identification listed in subsection 2.~~

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

~~(a) The voter registration card issued to the voter;~~

~~(b) A driver's license;~~

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

~~(d) A military identification card; or~~

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

~~3.} on his or her proof of identity.~~

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

Sec. 33. NRS 293C.272 is hereby amended to read as follows:

293C.272 1. If, because of physical limitations, a registered voter is unable to sign his or her name in the roster or on a signature card as required by NRS 293C.270, the voter must ~~be identified by:~~

~~(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;~~

~~(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or~~

~~(c) Providing} provide the election board officer with proof of identification as described in NRS 293C.270 other than the voter registration card issued to the voter.} identity.~~

2. If the identity of the voter is verified, the election board officer shall indicate in the roster "Identified" by the voter's name.

Sec. 34. NRS 293C.275 is hereby amended to read as follows:

293C.275 ~~{1.}~~ Except as otherwise provided in NRS 293.5772 to 293.5887, inclusive, and 293C.272:

~~{a)} 1.~~ A registered voter who applies to vote must state his or her name to the election board officer in charge of the roster; and

~~{b)} 2.~~ The election board officer shall:

~~{(1)} (a)~~ Announce the name of the registered voter;

~~{(2)} (b)~~ Instruct the registered voter to sign the roster or signature card;

~~{(3) Verify the signature of the registered voter in the manner set forth in NRS 293C.270;}~~

~~(c) Require that the registered voter present proof of identity;~~

and

~~{(4)} (d)~~ Verify that the registered voter has not already voted in that city in the current election.



~~12. If the signature does not match, the voter must be identified by:~~

~~—(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;~~

~~—(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or~~

~~—(c) Providing the election board officer with proof of identification as described in NRS 293C.270 other than the voter registration card issued to the voter.~~

~~3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.]~~

Sec. 35. NRS 293C.277 is hereby amended to read as follows:

293C.277 1. A registered voter who applies to vote at an election must give his or her name to the election board officer in charge of the roster, and the officer shall immediately announce the name of the voter **and require that the registered voter present proof of identity.**

2. Any person's right to vote may be challenged by a registered voter upon any of the grounds allowed for a challenge in NRS 293C.292. Any such challenge must be disposed of in the manner provided in NRS 293C.292.

Sec. 36. NRS 293C.292 is hereby amended to read as follows:

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

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

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

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

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

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

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



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

4 3. If the challenged person refuses to execute the oath or
5 affirmation so tendered, the person must not be issued a ballot, and
6 the election board officer shall indicate in the roster “Challenged”
7 by the person’s name.

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

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

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

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

27 ~~— (a) Furnishes official identification which contains a photograph~~
28 ~~of the person, such as a driver’s license or other official document;~~
29 ~~or~~

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

32 ~~— (1) Furnishes official identification which contains a~~
33 ~~photograph of the person, such as a driver’s license or other official~~
34 ~~document; and~~

35 ~~— (2) Executes an oath or affirmation under penalty of perjury~~
36 ~~that the challenged person is who he or she swears to be.]~~ **furnishes**
37 **proof of identity.**

38 8. The election board officers shall:

39 (a) Record on the challenge list:

40 (1) The name of the challenged person;

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

43 (3) The result of the challenge; and

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



Sec. 37. NRS 293C.3035 is hereby amended to read as follows:

293C.3035 1. Except as otherwise provided in NRS 293.5772 to 293.5887, inclusive, and 293C.272, upon the appearance of a person to cast a ballot at a polling place established pursuant to NRS 293C.3032, if any, the election board officer shall:

(a) Determine that the person is a registered voter in the city and has not already voted in that city in the current election;

(b) Instruct the *registered* voter to sign the roster or a signature card; and

~~(c) [Verify the signature of the voter in the manner set forth in NRS 293C.270.~~

~~—2.— If the signature of the voter does not match, the voter must be identified by:~~

~~—(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;~~

~~—(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or~~

~~—(c) Providing the election board officer with proof of identification as described in NRS 293C.270 other than the voter registration card issued to the voter.~~

~~—3.— If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.~~

~~—4.]~~ *Require that the registered voter present proof of identity.*

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

~~[5.]~~ 3. When a voter is entitled to cast a ballot and has identified himself or herself to the satisfaction of the election board officer, the voter is entitled to receive the appropriate ballot or ballots, but only for his or her own use at the polling place where he or she applies to vote.

~~[6.]~~ 4. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the election board officer shall:

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

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

(c) Allow the voter to cast a vote.



~~17.1~~ 5. A voter applying to vote at a polling place established pursuant to NRS 293C.3032, if any, may be challenged pursuant to NRS 293C.292.

Sec. 38. NRS 293C.330 is hereby amended to read as follows:

293C.330 1. Except as otherwise provided in this section, subsection 2 of NRS 293C.322, NRS 293C.329 and chapter 293D of NRS, in order to vote an absent ballot, the absent voter must, in accordance with the instructions:

(a) Mark and fold the absent ballot;

(b) Deposit the absent ballot in the return envelope and seal the return envelope;

(c) Affix his or her signature on the return envelope in the space provided for the signature; and

(d) Mail or deliver the return envelope in a manner authorized by law.

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

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

(b) A polling place, including, without limitation, a polling place for early voting, the voter must surrender the absent ballot and provide satisfactory ~~identification~~ **proof of identity** before being issued a ballot to vote at the polling place. A person who receives a surrendered absent ballot shall mark it “Cancelled.”

3. If a voter who has requested an absent ballot by mail applies to vote in person at the office of the city 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;~~ **proof of identity;**

(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 subsection 5, at the request of a voter whose absent ballot has been prepared by or on behalf of the voter for an election, a person authorized by the voter may return the absent ballot on behalf of the voter by mail or personal delivery to the city clerk.

5. Except for an election board officer in the course of the election board officer’s official duties, a person shall not willfully:



(a) Impede, obstruct, prevent or interfere with the return of a voter's absent ballot;

(b) Deny a voter the right to return the voter's absent ballot; or

(c) If the person receives the voter's absent ballot and authorization to return the absent ballot on behalf of the voter by mail or personal delivery, fail to return the absent ballot, unless otherwise authorized by the voter, by mail or personal delivery;

(1) Before the end of the third day after the day of receipt, if the person receives the absent ballot from the voter four or more days before the day of the election; or

(2) Before the deadline established by the United States Postal Service for the absent ballot to be postmarked on the day of the election or before the polls close on the day of the election, as applicable to the type of delivery, if the person receives the absent ballot from the voter three or fewer days before the day of the election.

6. A person who violates any provision of subsection 5 is guilty of a category E felony and shall be punished as provided in NRS 193.130.

Sec. 39. NRS 293C.356 is hereby amended to read as follows:

293C.356 1. If a request is made to vote early by a registered voter in person, the city clerk shall, *except as otherwise provided in NRS 293C.3585*, issue a ballot for early voting to the voter. Such a ballot must be voted on the premises of the clerk's office and returned to the clerk.

2. On the dates for early voting prescribed in NRS 293C.3568, each city clerk shall provide a voting booth, with suitable equipment for voting, on the premises of the city clerk's office for use by registered voters who are issued ballots for early voting in accordance with this section.

Sec. 40. NRS 293C.3585 is hereby amended to read as follows:

293C.3585 1. Except as otherwise provided in NRS 293.5772 to 293.5887, inclusive, and 293C.272, upon the appearance of a person to cast a ballot for early voting, an election board officer shall:

(a) Determine ~~that~~ *whether* the person is a registered voter in the county.

(b) Instruct the *registered* voter to sign the roster for early voting or a signature card.

(c) ~~Verify the signature of the voter in the manner set forth in NRS 293C.270.~~ *Require the registered voter to present proof of identity.*

(d) Verify that the *registered* voter has not already voted in that city in the current election.



2. ~~If the signature does not match, the voter must be identified by:~~

~~—(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;~~

~~—(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or~~

~~—(c) Providing the election board officer with proof of identification as described in NRS 293C.270 other than the voter registration card issued to the voter.~~

~~3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.~~

~~4.]~~ The city clerk shall prescribe a procedure, approved by the Secretary of State, to verify that the voter has not already voted in that city in the current election.

~~[5.]~~ 3. The roster for early voting or signature card, as applicable, must contain:

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

(b) The voter's precinct or voting district number, if that information is available; and

(c) The date of voting early in person.

~~[6.]~~ 4. When a voter is entitled to cast a ballot and has identified himself or herself to the satisfaction of the election board officer, the voter is entitled to receive the appropriate ballot or ballots, but only for his or her own use at the polling place for early voting.

~~[7.]~~ 5. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the election board officer shall:

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

(b) Ensure that the voter's precinct or voting district, if that information is available, and the form of ballot are indicated on the voting receipt, if the city clerk uses voting receipts; and

(c) Allow the voter to cast a vote.

~~[8.]~~ 6. A voter applying to vote early by personal appearance may be challenged pursuant to NRS 293C.292.

Sec. 41. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 40, inclusive, of this act become effective:



- 1 (a) Upon passage and approval for the purpose of adopting
- 2 regulations and performing other preparatory administrative tasks
- 3 that are necessary to carry out the provisions of this act; and
- 4 (b) On January 1, 2022, for all other purposes.

