

ASSEMBLY BILL NO. 432—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 26, 2021

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-1039)

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

CONTAINS UNFUNDED MANDATE (§§ 3, 4, 6, 21, 25)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to elections; providing that certain agencies of the Executive Department of the State Government are automatic voter registration agencies; authorizing the Governor to designate additional state agencies and certain tribal agencies as automatic voter registration agencies; setting forth the requirements for an automatic voter registration agency to transmit certain voter registration information to the Secretary of State and county clerks; making various changes to the existing automatic voter registration process; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

At the 2018 general election, the voters approved Ballot Question No. 5, also known as the Automatic Voter Registration Initiative, which requires the Department of Motor Vehicles to: (1) establish a system for the secure electronic storage and transmission of voter registration information obtained from a person who applies for the issuance or renewal of or a change of address on any driver's license or identification card; (2) collect certain voter registration information from the person, unless he or she affirmatively declines to apply to register to vote; and (3) transmit that information to the county clerk of the county in which the person resides to register that person to vote or update his or her voter registration information. (2018 Ballot Question No. 5, Automatic Voter Registration Initiative) This bill makes various changes to the Automatic Voter Registration Initiative.

Section 3 of this bill expands the agencies which provide automatic voter registration services and provides that automatic voter registration agencies are the



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Department of Motor Vehicles, the Department of Health and Human Services, agencies designated by the Department of Health and Human Services to receive applications for Medicaid, the Silver State Health Insurance Exchange and any other state agency or tribal agency that meets certain requirements and is approved by the Governor to act as an automatic voter registration agency. **Section 2** of this bill defines "automatic voter registration agency."

Sections 4 and 5 of this bill authorize the Governor to designate certain agencies of the Executive Department of the State Government and tribal agencies as an automatic voter registration agency.

Sections 3, 6 and 21-25 and 31 of this bill make various changes to the current process for automatic voter registration.

Section 21 of this bill requires the Secretary of State, county clerks and each automatic voter registration agency to cooperatively establish a system by which voter registration information is transmitted electronically to the Secretary of State and the appropriate county clerk. **Section 3** of this bill prohibits an agency from transmitting information using this system if the person did not provide the automatic voter registration agency in the normal course of business sufficient information that demonstrates the person is qualified to vote, including proof of identity, citizenship, residence and date of birth. **Section 24** of this bill provides that a person who is not eligible to have their voter registration transmitted to the county clerk using the system may still apply to register to vote at the automatic voter registration agency.

Section 22 of this bill sets forth the information about a person that an automatic voter registration agency is required to transmit to the Secretary of State and county clerk.

Section 23 of this bill provides that if a county clerk determines that the information submitted is not a complete application to register to vote, the county clerk must contact the person for additional information.

Section 25 of this bill provides that if the clerk determines that the person is eligible to vote, the person shall be deemed a registered voter and the clerk must send a notice to the person that includes certain information, including an explanation of how the person may opt-out of voter registration or select an affiliation with a political party.

Section 6 of this bill prohibits a county clerk from rejecting an application to register to vote if the information received from an automatic voter registration agency does not contain an electronic facsimile of the a person's signature and sets forth certain procedures for obtaining the person's signature.

Section 7 of this bill requires the Secretary of State to adopt regulations necessary to carry out the automatic voter registration process, as amended by this bill.

Section 31 of this bill repeals certain procedures related to the current automatic voter registration process that are inconsistent with the provisions of this bill.

Sections 9-14, 16-20 and 26-32 of this bill make conforming changes related to the new automatic voter registration procedures.

The federal National Voter Registration Act, 52 U.S.C. §§ 20501 et seq., requires the Department of Motor Vehicles and other voter registration agencies to follow certain procedures related to voter registration when a person applies to the Department or other voter registration agency for certain services or assistance. **Section 15** of this bill requires each automatic voter registration agency to comply with the National Voter Registration Act notwithstanding the new procedures for automatic voter registration set forth in this bill.



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 7, inclusive, of this act.

Sec. 2. *“Automatic voter registration agency” means a voter registration agency described in section 3 of this act.*

Sec. 3. 1. *The following agencies are automatic voter registration agencies:*

(a) The Department of Motor Vehicles;

(b) The Department of Health and Human Services;

(c) Any agency designated by the Director of the Department of Health and Human Services to receive applications for Medicaid;

(d) The Silver State Health Insurance Exchange created by NRS 695I.200;

(e) Any agency that has been designated by the Governor as an automatic voter registration agency pursuant to section 4 of this act; and

(f) Any agency of an Indian tribe that has been designated by the Governor to be an automatic voter registration agency pursuant to section 5 of this act.

2. *If, in the normal course of business, an automatic voter registration agency collects sufficient information that demonstrates a person is qualified to vote pursuant to NRS 293.485, including, without limitation, proof of identity, citizenship, residence and date of birth, the provisions of NRS 293.5732 to 293.5767, inclusive, and sections 3 to 7, inclusive, of this act, apply to the automatic voter registration agency when a person submits any of the following:*

(a) An application for the issuance or renewal of or change of address for any type of driver’s license or identification card issued by the Department of Motor Vehicles;

(b) An application for Medicaid through the system established by the Department of Health and Human Services pursuant to NRS 422.2703;

(c) An application for health insurance through the Silver State Health Insurance Exchange; and

(d) An application for any service or assistance from an automatic voter registration agency described in paragraph (e) or (f) of subsection 1.

3. *An automatic voter registration agency shall not:*



1 (a) Request any additional information for purposes of voter
2 registration that is not required in the normal course of business;
3 and

4 (b) Transmit any information about a person using the system
5 established pursuant to NRS 293.5732 if the person did not
6 provide the agency in the normal course of business sufficient
7 information that demonstrates the person is qualified to vote
8 pursuant to NRS 293.485, including, without limitation, proof of
9 identity, citizenship, residence and date of birth.

10 Sec. 4. 1. The Governor may designate any agency in the
11 Executive Department of the State Government not described in
12 paragraphs (a) to (d), inclusive, of subsection 1 of section 3 of this
13 act as an automatic voter registration agency if the agency collects
14 in the regular course of business from a person applying to the
15 agency to receive any service or assistance sufficient information
16 that demonstrates a person is qualified to vote pursuant to NRS
17 293.485, including, without limitation, proof of identity,
18 citizenship, residence and date of birth.

19 2. Upon the designation of an agency as an automatic voter
20 registration agency pursuant to subsection 1:

21 (a) The Governor shall notify the Secretary of State; and

22 (b) The Secretary of State, the automatic voter registration
23 agency and each county clerk shall comply with the provisions of
24 NRS 293.5732.

25 Sec. 5. 1. If an Indian reservation or Indian colony is
26 located in whole or in part within a county, the Indian tribe may
27 submit a request to the Governor for approval to allow an agency
28 of the tribe to become an automatic voter registration agency tribe
29 in order to submit voter registration information of tribal members
30 to the Secretary of State and the appropriate county clerk for the
31 purpose of registering tribal members to vote or updating the voter
32 registration information of tribal members for the purpose of
33 correcting the statewide voter registration list pursuant to NRS
34 293.530.

35 2. If the Governor finds that the tribal agency collects in the
36 regular course of business from a person applying to the agency to
37 receive any service or assistance sufficient information that
38 demonstrates the person is qualified to vote pursuant to NRS
39 293.485, including, without limitation, proof of identity,
40 citizenship, residence and date of birth:

41 (a) The Governor must designate the tribal agency as an
42 automatic voter registration agency; and

43 (b) The Secretary of State, the Indian tribe and each county
44 clerk of a county in which the Indian reservation or Indian colony



1 is located in whole or in part, shall comply with the provisions of
2 NRS 293.5732.

3 **Sec. 6.** 1. A county clerk shall not reject as an application
4 to register to vote the information received from an automatic
5 voter registration agency solely on the basis that the information
6 does not contain an electronic facsimile of the signature of a
7 person who is applying to vote or update his or her voter
8 registration information on the statewide voter registration list.

9 2. If the county clerk does not receive an electronic facsimile
10 of the signature of the person from the automatic voter
11 registration agency, the county clerk must obtain the person's
12 signature or an electronic facsimile of the person's signature
13 through one of the following methods:

14 (a) If the notice provided by the county clerk to the person
15 pursuant to NRS 293.5767 is returned to the county clerk by the
16 person and the returned notice includes the person's signature;

17 (b) Requesting an electronic facsimile of the person's
18 signature from the Department of Motor Vehicles or other state
19 agency;

20 (c) Requesting the person submit an electronic facsimile of the
21 person's signature through a method approved by the Secretary of
22 State;

23 (d) Requesting the person sign a paper or electronic form the
24 first time the person applies to vote in person at a polling place,
25 including, without limitation, a polling place for early voting by
26 personal appearance. A signature provided by the voter pursuant
27 to this paragraph must be compared to one of the forms of
28 identification which may be used individually to identify a voter at
29 the polling place set forth in NRS 293.277 before the person is
30 allowed to vote in person.

31 3. In addition to the requirements of this section and NRS
32 293.2725, a person who is registered to vote pursuant to NRS
33 293.5732 to 293.5767, inclusive, and sections 3 to 7, inclusive, of
34 this act must provide an affirmation signed under penalty of
35 perjury that the person is eligible to vote the first time a person
36 votes in person or by absent ballot if the person has not already
37 provided such an affirmation to the county clerk.

38 **Sec. 7.** The Secretary of State shall adopt any regulations
39 necessary to carry out the provisions of NRS 293.5732 to
40 293.5767, inclusive, and sections 3 to 7, inclusive, of this act.

41 **Sec. 8.** NRS 293.010 is hereby amended to read as follows:

42 293.010 As used in this title, unless the context otherwise
43 requires, the words and terms defined in NRS 293.013 to 293.121,
44 inclusive, and section 2 of this act, have the meanings ascribed to
45 them in those sections.



Sec. 9. NRS 293.1277 is hereby amended to read as follows:

293.1277 1. If the Secretary of State finds that the total number of signatures submitted to all the county clerks is 100 percent or more of the number of registered voters needed to declare the petition sufficient, the Secretary of State shall immediately so notify the county clerks. After the notification, each of the county clerks shall determine the number of registered voters who have signed the documents submitted in the county clerk's county and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, shall tally the number of signatures for each petition district contained or fully contained within the county clerk's county. This determination must be completed within 9 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 293.128, 295.056, 298.109 or 306.110, within 20 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 306.035, and within 3 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 293.172 or 293.200. For the purpose of verification pursuant to this section, the county clerk shall not include in his or her tally of total signatures any signature included in the incorrect petition district.

2. Except as otherwise provided in subsections 3 and 4, if more than 500 names have been signed on the documents submitted to a county clerk, the county clerk shall examine the signatures by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the county clerk is given an equal opportunity to be included in the sample. The sample must include an examination of:

(a) Except as otherwise provided in paragraph (b), at least 500 or 5 percent of the signatures, whichever is greater.

(b) If the petition is for the recall of a public officer who holds a statewide office, at least 25 percent of the signatures.

➡ If documents were submitted to the county clerk for more than one petition district wholly contained within that county, a separate random sample must be performed for each petition district.

3. If a petition district comprises more than one county and the petition is for an initiative or referendum proposing a constitutional amendment or a statewide measure, and if more than 500 names have been signed on the documents submitted for that petition



1 district, the appropriate county clerks shall examine the signatures
2 by sampling them at random for verification. The random sample of
3 signatures to be verified must be drawn in such a manner that every
4 signature which has been submitted to the county clerks within the
5 petition district is given an equal opportunity to be included in the
6 sample. The sample must include an examination of at least 500 or 5
7 percent of the signatures presented in the petition district, whichever
8 is greater. The Secretary of State shall determine the number of
9 signatures that must be verified by each county clerk within the
10 petition district.

11 4. If a petition is for the recall of a public officer who does not
12 hold a statewide office, each county clerk:

13 (a) Shall not examine the signatures by sampling them at
14 random for verification;

15 (b) Shall examine for verification every signature on the
16 documents submitted to the county clerk; and

17 (c) When determining the total number of valid signatures on
18 the documents, shall remove each name of a registered voter who
19 submitted a request to have his or her name removed from the
20 petition pursuant to NRS 306.015.

21 5. In determining from the records of registration the number
22 of registered voters who signed the documents, the county clerk may
23 use the signatures contained in the file of applications to register to
24 vote. If the county clerk uses that file, the county clerk shall ensure
25 that every application in the file is examined, including any
26 application in his or her possession which may not yet be entered
27 into the county clerk's records. Except as otherwise provided in
28 subsection 6, the county clerk shall rely only on the appearance of
29 the signature and the address and date included with each signature
30 in making his or her determination.

31 6. If:

32 (a) Pursuant to NRS 293.506, a county clerk establishes a
33 system to allow persons to register to vote by computer;

34 (b) A person registers to vote using the system established by
35 the Secretary of State pursuant to NRS 293.671;

36 (c) A person registers to vote pursuant to NRS 293D.230 and
37 signs his or her application to register to vote using a digital
38 signature or an electronic signature; or

39 (d) A person ~~registers~~ **is registered** to vote ~~pursuant to NRS~~
40 **293.5742, by an automatic voter registration agency,**

41 ➔ the county clerk may rely on such other indicia as prescribed by
42 the Secretary of State in making his or her determination.

43 7. In the case of a petition for initiative or referendum
44 proposing a constitutional amendment or statewide measure, when
45 the county clerk is determining the number of registered voters who



signed the documents from each petition district contained fully or partially within the county clerk's county, he or she must use the statewide voter registration list available pursuant to NRS 293.675.

8. Except as otherwise provided in subsection 10, upon completing the examination, the county clerk shall immediately attach to the documents a certificate properly dated, showing the result of the examination, including the tally of signatures by petition district, if required, and transmit the documents with the certificate to the Secretary of State. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, if a petition district comprises more than one county, the appropriate county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the certificate. A copy of this certificate must be filed in the clerk's office. When the county clerk transmits the certificate to the Secretary of State, the county clerk shall notify the Secretary of State of the number of requests to remove a name received by the county clerk pursuant to NRS 295.055 or pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable.

9. A person who submits a petition to the county clerk which is required to be verified pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110 must be allowed to witness the verification of the signatures. A public officer who is the subject of a recall petition must also be allowed to witness the verification of the signatures on the petition.

10. For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not transmit to the Secretary of State the documents containing the signatures of the registered voters.

11. The Secretary of State shall by regulation establish further procedures for carrying out the provisions of this section.

Sec. 10. 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~~ *is registered* to vote ~~pursuant to NRS 293.5742,~~ *by an automatic voter registration agency*, 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 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 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.

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

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 an application to preregister or register to vote:

(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;

(b) Except as otherwise provided in subsection 3, registers to vote by mail or computer and submits with an 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 ~~[293.5742,]~~ **293.5732 to 293.5767, inclusive, and sections 3 to 7, inclusive, of this act** and at that time presents to the ~~[Department of Motor Vehicles,]~~ **automatic voter registration agency:**

(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; 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 an absent ballot pursuant to 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 under 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 under any other federal law.

3. The provisions of subsection 1 apply to a person described in paragraph (b) of subsection 2 if the voter registration card issued to the person is mailed by the county clerk to the person and returned to the county clerk by the United States Postal Service.

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

293.277 1. Except as otherwise provided in NRS 293.283, 293.541 and 293.5772 to 293.5887, inclusive, *and section 6 of this act*, if a person's name appears in the roster or if the person provides an affirmation pursuant to NRS 293.525, the person is entitled to vote and must sign his or her name in the roster or on a signature card when he or she applies to vote. The signature must be compared by an election board officer with the signature or a facsimile thereof on the person's application to register to vote or one of the forms of identification listed in subsection 2.

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

(a) The 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 which contains the voter's signature and physical description or picture.

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

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

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

(a) A registered voter applying to vote shall state his or her name to the election board officer in charge of the roster; and

(b) The election board officer shall:

(1) Announce the name of the registered voter;



(2) 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 293.277; and

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

2. ~~HH~~ *Except as otherwise provided in section 6 of this act, 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 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 preregister or register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.

Sec. 13. 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 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. ~~HH~~ *Except as otherwise provided in section 6 of this act, 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. 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. 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.

7. A voter applying to vote at a polling place established pursuant to NRS 293.3072 may be challenged pursuant to NRS 293.303.

Sec. 14. NRS 293.3585 is hereby amended to read as follows:

293.3585 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 for early voting, an election board officer shall:

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

(b) Instruct the 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.

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

2. ~~¶¶~~ *Except as otherwise provided in section 6 of this act, 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



1 update his or her signature on a form prescribed by the Secretary of
2 State.

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

6 5. The roster for early voting or a signature card, as applicable,
7 must contain:

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

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

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

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

18 7. If the ballot is voted on a mechanical recording device which
19 directly records the votes electronically, the election board officer
20 shall:

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

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

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

26 8. A voter applying to vote early by personal appearance may
27 be challenged pursuant to NRS 293.303.

28 **Sec. 15.** NRS 293.504 is hereby amended to read as follows:

29 293.504 1. The following offices shall serve as voter
30 registration agencies:

31 (a) Such offices that provide public assistance as are designated
32 by the Secretary of State;

33 (b) Each office that receives money from the State of Nevada to
34 provide services to persons with disabilities in this State;

35 (c) The offices of the Department of Motor Vehicles;

36 (d) The offices of the city and county clerks;

37 (e) Such other county and municipal facilities as a county clerk
38 or city clerk may designate pursuant to NRS 293.5035 or 293C.520,
39 as applicable;

40 (f) Recruitment offices of the United States Armed Forces; ~~and~~

41 (g) *Each office of an automatic voter registration agency; and*

42 (h) Such other offices as the Secretary of State deems
43 appropriate.

44 2. Each voter registration agency shall:



(a) Post in a conspicuous place, in at least 12-point type, instructions for preregistering and registering to vote;

(b) Except as otherwise provided in subsection 3 , ~~and NRS 293.5732 to 293.5757, inclusive,~~ distribute applications to preregister or register to vote which may be returned by mail with any application for services or assistance from the agency or submitted for any other purpose and with each application for recertification, renewal or change of address submitted to the agency that relates to such services, assistance or other purpose;

(c) Provide the same amount of assistance to an applicant in completing an application to preregister or register to vote as the agency provides to a person completing any other forms for the agency; and

(d) Accept completed applications to preregister or register to vote.

3. A voter registration agency is not required to provide an application to preregister or register to vote pursuant to paragraph (b) of subsection 2 to a person who applies for or receives services or assistance from the agency or submits an application for any other purpose if the person affirmatively declines to preregister or register to vote and submits to the agency a written form that meets the requirements of 52 U.S.C. § 20506(a)(6). Information related to the declination to preregister or register to vote may not be used for any purpose other than voter registration.

4. Except as otherwise provided in this subsection and NRS 293.5727 and 293.5747, any application to preregister or register to vote accepted by a voter registration agency must be transmitted to the county clerk not later than 10 days after the application is accepted. The applications must be forwarded daily during the 2 weeks immediately preceding the last day to register to vote by mail pursuant to NRS 293.560 or 293C.527, as applicable. The county clerk shall accept any application which is obtained from a voter registration agency pursuant to this section and completed by the last day to register to vote by mail pursuant to NRS 293.560 or 293C.527, as applicable, if the county clerk receives the application not later than 5 days after that date.

5. The Secretary of State shall cooperate with the Secretary of Defense to develop and carry out procedures to enable persons in this State to apply to preregister or register to vote at recruitment offices of the United States Armed Forces.

6. Notwithstanding the provisions of NRS 293.5732 to 293.5767, inclusive, and sections 3 to 7, inclusive, of this act, each automatic voter registration agency must comply with the provisions of the National Voter Registration Act, 52 U.S.C. §§ 20501 et seq.



1 **Sec. 16.** NRS 293.510 is hereby amended to read as follows:
2 293.510 1. Except as otherwise provided in subsection 3, in
3 counties where computers are not used to register voters, the county
4 clerk shall:

5 (a) Segregate original applications to register to vote according
6 to the precinct in which the registered voters reside and arrange the
7 applications in each precinct or district in alphabetical order. The
8 applications for each precinct or district must be kept separately for
9 each precinct or district. These applications must be used to prepare
10 the rosters.

11 (b) Arrange the duplicate applications of registration in
12 alphabetical order for the entire county and keep them in binders or
13 a suitable file which constitutes the registrar of voters' register.

14 2. Except as otherwise provided in subsection 3, in any county
15 where a computer is used to register voters, the county clerk shall:

16 (a) Arrange the original applications to register to vote for the
17 entire county in a manner in which an original application may be
18 quickly located. These original applications constitute the registrar
19 of voters' register.

20 (b) Segregate the applications to register to vote in a computer
21 file according to the precinct or district in which the registered
22 voters reside, and for each precinct or district have printed a
23 computer listing which contains the applications to register to vote
24 in alphabetical order. These listings of applications to register to
25 vote must be used to prepare the rosters.

26 3. From the applications to register to vote received by each
27 county clerk, the county clerk shall:

28 (a) Segregate the applications electronically transmitted by ~~the~~
29 ~~Department of Motor Vehicles pursuant to subsection 1 of NRS~~
30 ~~293.5747] an automatic voter registration agency~~ in a computer
31 file according to the precinct or district in which the registered
32 voters reside; and

33 (b) Arrange the applications in each precinct or district in
34 alphabetical order.

35 4. Each county clerk shall keep the applications to preregister
36 to vote separate from the applications to register to vote until such
37 applications are deemed to be applications to register to vote
38 pursuant to subsection 2 of NRS 293.4855.

39 **Sec. 17.** NRS 293.517 is hereby amended to read as follows:

40 293.517 1. Any person who meets the qualifications set forth
41 in NRS 293.4855 residing within the county may preregister to vote
42 and any elector residing within the county may register to vote:

43 (a) Except as otherwise provided in NRS 293.560 and
44 293C.527, by appearing before the county clerk, a field registrar or a
45 voter registration agency, completing the application to preregister



1 or register to vote, giving true and satisfactory answers to all
2 questions relevant to his or her identity and right to preregister or
3 register to vote, and providing proof of residence and identity;

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

7 (c) Pursuant to the provisions of NRS 293.5727 ~~for 293.5742~~,
8 **293.5732 to 293.5767, inclusive, and sections 3 to 7, inclusive, of**
9 **this act** or chapter 293D of NRS;

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

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

14 (1) Established by the Secretary of State pursuant to NRS
15 293.671; or

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

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

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

31 2. In addition to the methods for registering to vote described
32 in subsection 1, an elector may register to vote pursuant to NRS
33 293.5772 to 293.5887, inclusive.

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

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

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

45 (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, **293.5732 to 293.5767 , inclusive, and sections 3 to 7, inclusive, of this act** 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 additions, erasures or interlineations, the county clerk may object to the application if the county clerk believes that because of such handwritten additions, erasures or interlineations, the application is incomplete or that, except as otherwise provided in NRS 293D.210, the person is not eligible to preregister pursuant to NRS 293.4855 or the elector is not eligible to vote pursuant to NRS 293.485, as applicable. If the county clerk objects pursuant to this subsection, he or she shall immediately notify the person or elector, as applicable, and the district attorney of the county. Not later than 5 business days after the district attorney receives such notification, the district attorney shall advise the county clerk as to whether:

(a) The application is complete and, except as otherwise provided in NRS 293D.210, the person is eligible to preregister



pursuant to NRS 293.4855 or the elector is eligible to vote pursuant to NRS 293.485; and

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

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

Sec. 18. NRS 293.518 is hereby amended to read as follows:

293.518 1. Except as otherwise provided in NRS ~~{293.5737, and 293.5742,}~~ **293.5732 to 293.5767, and sections 3 to 7, inclusive, of this act**, at the time a person preregisters or an elector registers to vote, the person or elector must indicate:

(a) A political party affiliation; or

(b) That he or she is not affiliated with a political party.

➔ A person or an elector who indicates that he or she is “independent” shall be deemed not affiliated with a political party.

2. If a person or an elector indicates that he or she is not affiliated with a political party, or is independent, the county clerk or field registrar of voters shall list the person’s or elector’s political party as nonpartisan.

3. If a person or an elector indicates an affiliation with a major political party or a minor political party that has filed a certificate of existence with the Secretary of State, the county clerk or field registrar of voters shall list the person’s or elector’s political party as indicated by the person or elector.

4. If a person or an elector indicates an affiliation with a minor political party that has not filed a certificate of existence with the Secretary of State, the county clerk or field registrar of voters shall:

(a) List the person’s or elector’s political party as the party indicated in the application to preregister or register to vote, as applicable.

(b) When compiling data related to preregistration and voter registration for the county, report the person’s or elector’s political party as “other party.”

5. Except as otherwise provided in subsection 6, if a person or an elector does not make any of the indications described in subsection 1, the county clerk or field registrar of voters shall:

(a) List the person’s or elector’s political party as nonpartisan; and

(b) Mail to the person or elector a notice setting forth that the person has been preregistered or the elector has been registered to vote, as applicable, as a nonpartisan because he or she did not make any of the indications described in subsection 1.



6. Except as otherwise provided in subsection 7, if a person who is preregistered or registered to vote:

(a) Submits a new paper application to preregister or register to vote in the same county in which the person is preregistered or registered to vote; and

(b) Does not make any of the indications described in subsection 1 on the new paper application,

↳ the county clerk or field registrar of voters shall not change the person's existing political party affiliation that was established by his or her prior application pursuant to this section and is listed in the current records of the county clerk.

7. The provisions of subsection 6 do not apply to a voter who registers to vote using the National Mail Voter Registration Application promulgated by the United States Election Assistance Commission pursuant to the National Voter Registration Act, 52 U.S.C. §§ 20501 et seq., as amended.

Sec. 19. NRS 293.530 is hereby amended to read as follows:

293.530 1. Except as otherwise provided in NRS 293.541:

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

(b) A county clerk may, with the consent of the board of county commissioners, make investigations of registration in the county by census, by house-to-house canvass or by any other method.

(c) A county clerk shall cancel the registration of a voter pursuant to this subsection if:

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

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

(3) The voter does not respond; ~~and~~

(4) *The voter's registration information has not been updated by an automatic voter registration agency pursuant to NRS 293.5732 to 293.5767, inclusive, and sections 3 to 7, inclusive, of this act; and*

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

(d) For the purposes of this subsection, the date of the notice is deemed to be 3 days after it is mailed.

(e) The county clerk shall maintain records of:

(1) Any notice mailed pursuant to paragraph (c);



1 (2) Any response to such notice; and
2 (3) Whether a person to whom a notice is mailed appears to
3 vote in an election,

4 ➔ for not less than 2 years after creation.

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

8 (g) If a voter fails to return the postcard mailed pursuant to
9 paragraph (c) within 30 days, the county clerk shall designate the
10 voter as inactive on the voter's application to register to vote.

11 (h) The Secretary of State shall adopt regulations to prescribe
12 the method for maintaining a list of voters who have been
13 designated as inactive pursuant to paragraph (g).

14 (i) If:

15 (1) The name of a voter is added to the statewide voter
16 registration list pursuant to NRS 293.5752; or

17 (2) The voter registration information of a voter whose name
18 is on the statewide voter registration list is updated pursuant to
19 NRS 293.5752,

20 ➔ the county clerk shall provide written notice of the addition or
21 change to the voter not later than 5 working days after the addition
22 or change is made. Except as otherwise provided in this paragraph,
23 the notice must be mailed to the current residence of the voter. The
24 county clerk may send the notice by electronic mail if the voter
25 confirms the validity of the electronic main address to which the
26 notice will be sent by responding to a confirmation inquiry sent to
27 that electronic mail address. Such a confirmation inquiry must be
28 sent for each notice sent pursuant to this paragraph. *The notice*
29 *required pursuant to this paragraph may be provided as part of the*
30 *notice mailed pursuant to NRS 293.5767.*

31 2. A county clerk is not required to take any action pursuant to
32 this section in relation to a person who preregisters to vote until the
33 person is deemed to be registered to vote pursuant to subsection 2 of
34 NRS 293.4855.

35 **Sec. 20.** NRS 293.5727 is hereby amended to read as follows:

36 293.5727 1. Except as otherwise provided in this section, the
37 Department of Motor Vehicles shall provide ~~{a-paper}~~ **an**
38 application to preregister or register to vote to each person who ~~{~~

39 ~~—(a) Applies~~ **applies** for the issuance or renewal of any type of
40 driver's license or identification card issued by the Department . ~~{~~
41 **and**

42 ~~—(b) Does not apply to register to vote pursuant to~~
43 ~~NRS 293.5742.}~~

44 2. The county clerk shall use the ~~{paper}~~ applications to
45 preregister or register to vote which are signed and completed



pursuant to subsection 1 to preregister or register applicants to vote or to correct information in a person's previous application to preregister or the registrar of voters' register. ~~{A-paper}~~ An application that is not signed must not be used to preregister or register or correct the preregistration or registration of the applicant.

3. For the purposes of this section, each employee specifically authorized to do so by the Director of the Department may oversee the completion of ~~{a-paper}~~ an application. The authorized employee shall check the ~~{paper}~~ application for completeness and verify the information required by the ~~{paper}~~ application. Each ~~{paper}~~ application must include a duplicate copy or receipt to be retained by the applicant upon completion of the form. The Department shall, except as otherwise provided in this subsection, forward each ~~{paper}~~ application on a weekly basis to the county clerk or, if applicable, to the registrar of voters of the county in which the applicant resides. The paper applications must be forwarded daily during the 2 weeks immediately preceding the last day to register to vote by mail pursuant to NRS 293.560 or 293C.527, as applicable.

4. The Department is not required to provide ~~{a-paper}~~ an application to register to vote pursuant to subsection 1 to a person who declines to apply to register to vote pursuant to this section and submits to the Department a written form that meets the requirements of 52 U.S.C. § 20506(a)(6). Information related to the declination to apply to register to vote must not be used for any purpose other than voter registration.

5. The county clerk shall accept any ~~{paper}~~ application to:

(a) Preregister to vote at any time.

(b) Register to vote which is obtained from the Department of Motor Vehicles pursuant to this section and completed by the last day to register to vote by mail pursuant to NRS 293.560 or 293C.527, as applicable, if the county clerk receives the ~~{paper}~~ application not later than 5 days after that date.

6. Upon receipt of ~~{a-paper}~~ an application, the county clerk or field registrar of voters shall determine whether the ~~{paper}~~ application is complete. If the county clerk or field registrar of voters determines that the ~~{paper}~~ application is complete, he or she shall notify the applicant and the applicant shall be deemed to be preregistered or registered as of the date of the submission of the ~~{paper}~~ application. If the county clerk or field registrar of voters determines that the ~~{paper}~~ application is not complete, he or she shall notify the applicant of the additional information required. The applicant shall be deemed to be preregistered or registered as of the date of the initial submission of the ~~{paper}~~ application if the additional information is provided within 15 days after the notice for



1 the additional information is mailed. If the applicant has not
2 provided the additional information within 15 days after the notice
3 for the additional information is mailed, the incomplete ~~{paper}~~
4 application is void. Any notification required by this subsection
5 must be given by mail at the mailing address on the paper
6 application not more than 7 working days after the determination is
7 made concerning whether the ~~{paper}~~ application is complete.

8 7. The county clerk shall use any form submitted to the
9 Department to correct information on a driver's license or
10 identification card to correct information on a previous application
11 to preregister or in the registrar of voters' register, unless the person
12 indicates on the form that the correction is not to be used for the
13 purposes of preregistration or voter registration. The Department
14 shall forward each such form to the county clerk or, if applicable, to
15 the registrar of voters of the county in which the person resides in
16 the same manner provided by subsection 3 for ~~{paper}~~ applications
17 to preregister or register to vote.

18 8. Upon receipt of a form to correct information, the county
19 clerk shall compare the information to that contained in the
20 application to preregister to vote or the registrar of voters' register,
21 as applicable. The county clerk shall correct the information to
22 reflect any changes indicated on the form. After making any
23 changes, the county clerk shall notify the person by mail that the
24 records have been corrected.

25 9. The Secretary of State shall, with the approval of the
26 Director, adopt regulations to:

27 (a) Establish any procedure necessary to provide a person who
28 applies to preregister to vote or an elector who applies to register to
29 vote pursuant to this section the opportunity to do so;

30 (b) Prescribe the contents of any forms or ~~{paper}~~ applications
31 which the Department is required to distribute pursuant to this
32 section; and

33 (c) Provide for the transfer of the completed ~~{paper}~~ applications
34 of preregistration or registration from the Department to the
35 appropriate county clerk.

36 **Sec. 21.** NRS 293.5732 is hereby amended to read as follows:

37 293.5732 1. The Secretary of State, ~~{the Department of~~
38 ~~Motor Vehicles}~~ **each automatic voter registration agency** and each
39 county clerk shall cooperatively establish a system by which voter
40 registration information that is collected ~~{pursuant to NRS 293.5742~~
41 ~~by the Department from a person who submits an application for the~~
42 ~~issuance or renewal of or change of address for any type of driver's~~
43 ~~license, or identification card issued by the Department}~~ **by an**
44 **automatic voter registration agency** must be transmitted
45 electronically to the Secretary of State and the **appropriate** county



~~{clerks}~~ clerk for the purpose of registering ~~{the}~~ a person to vote or updating the voter registration information of ~~{the}~~ a person for the purpose of correcting the statewide voter registration list pursuant to NRS 293.530.

2. ~~{The}~~ A system established pursuant to subsection 1 must:

(a) Ensure the secure electronic storage of *voter registration* information collected ~~{pursuant to NRS 293.5742,}~~ *by the automatic voter registration agency*, the secure transmission of such information to the Secretary of State and county ~~{clerks}~~ clerk and the secure electronic storage of such information by the Secretary of State and county ~~{clerks;}~~ clerk; and

(b) ~~{Provide for the destruction of records by the Department as required by subsection 2 of NRS 293.5747; and}~~

~~—(c)}~~ Enable the county ~~{clerks}~~ clerk to receive, view and collate the information into individual electronic documents pursuant to ~~{paragraph (c) of subsection 1 of NRS 293.5742.}~~ *NRS 293.5752.*

Sec. 22. NRS 293.5747 is hereby amended to read as follows:

293.5747 1. *An automatic voter registration agency is required to electronically transmit the following information of a person to the Secretary of State and county clerk using the system established pursuant to NRS 293.5732:*

(a) *An electronic facsimile of the signature of the person, if the automatic voter registration agency is capable of recording, storing and transmitting to the county clerk an electronic facsimile of the signature of the person;*

(b) *The first or given name and the surname of the person;*

(c) *The address at which the person actually resides as set forth in NRS 293.486 and, if different, the address at which the person may receive mail, including, without limitation, a post office box or general delivery;*

(d) *The date of birth of the person;*

(e) *At least one of the following:*

(1) *The number indicated on the person's current and valid driver's license or identification card issued by the Department of Motor Vehicles; or*

(2) *The last four digits of the person's social security number; and*

(f) *A description of the documentation presented to the automatic voter registration agency that indicates the person is a citizen of the United States.*

2. Except as otherwise provided in ~~{this subsection, the Department of Motor Vehicles}~~ *section 3 of this act, the automatic voter registration agency* shall electronically transmit to the Secretary of State and the appropriate county clerk the information



~~1 [and any electronic documents collected from a person pursuant to~~
~~2 NRS 293.5742;]~~ **described in subsection 1:**

3 (a) Except as otherwise provided in paragraph (b), not later than
4 5 working days after collecting the information; and

5 (b) During the 2 weeks immediately preceding the fifth Sunday
6 preceding an election, not later than 1 working day after collecting
7 the information.

8 ~~{2. The Department shall destroy any record containing~~
9 ~~information collected pursuant to NRS 293.5742 that is not~~
10 ~~otherwise collected by the Department in the normal course of~~
11 ~~business immediately after transmitting the information to the~~
12 ~~Secretary of State and county clerk pursuant to subsection 1.~~

13 ~~— 3. The Department shall forward the following paper~~
14 ~~documents on a weekly basis to the appropriate county clerk, or~~
15 ~~daily during the 2 weeks immediately preceding the fifth Sunday~~
16 ~~preceding an election:~~

17 ~~— (a) Each signed affirmation collected pursuant to paragraph (a)~~
18 ~~of subsection 1 of NRS 293.5742;~~

19 ~~— (b) Any completed form indicating a political party affiliation~~
20 ~~collected pursuant to paragraph (d) of subsection 1 of NRS~~
21 ~~293.5742; and~~

22 ~~— (c) Any affidavit signed pursuant to subsection 2 of~~
23 ~~NRS 293.5742.]~~

24 **Sec. 23.** NRS 293.5752 is hereby amended to read as follows:

25 293.5752 ~~{1. Unless the person affirmatively declines in~~
26 ~~writing to apply to register to vote or have his or her voter~~
27 ~~registration information updated, as applicable, if a person applies to~~
28 ~~the Department of Motor Vehicles for the issuance or renewal of or~~
29 ~~change of address for any type of driver's license or identification~~
30 ~~card issued by the Department:~~

31 ~~— (a) The person shall be deemed an applicant to register to vote.~~

32 ~~— (b) Any action taken by the person pursuant to NRS 293.5742~~
33 ~~shall be deemed an act of applying to register to vote.~~

34 ~~— (c) Upon receipt of the information collected from the person~~
35 ~~and transmitted to a county clerk by the Department of Motor~~
36 ~~Vehicles, the county clerk shall collate the information into an~~
37 ~~individual electronic document, which shall be deemed an~~
38 ~~application to register to vote~~

39 ~~— (d) Unless the [applicant] person is already registered to vote,~~
40 ~~the date on which the person applies [to register to vote pursuant to~~
41 ~~NRS 293.5742] to an automatic voter registration agency for~~
42 ~~service or assistance shall be deemed the date on which the~~
43 ~~[applicant] person registered to vote.~~

44 ~~{2.}~~ If the county clerk determines **pursuant to NRS 293.5767**
45 that the application is complete and that the ~~[applicant] person~~ is



1 eligible to vote pursuant to NRS 293.485, the name of the
2 ~~{applicant}~~ **person** must appear on the statewide voter registration
3 list and the appropriate roster, and the person must be provided all
4 sample ballots and any other voter information provided to
5 registered voters. If the county clerk determines that the
6 application is not complete, he or she shall notify the applicant that
7 additional information is required . ~~{in accordance with the~~
8 ~~provisions of NRS 293.5727.~~

9 ~~—3.— For each applicant who applies to register to vote pursuant to~~
10 ~~NRS 293.5742:~~

11 ~~—(a) The electronic facsimile of the signature of the applicant~~
12 ~~shall be deemed to be the facsimile of the signature on the person's~~
13 ~~application to register to vote to be used for the comparison~~
14 ~~purposes of NRS 293.277 if:~~

15 ~~—(1) An electronic facsimile of the signature has been~~
16 ~~collected and transmitted to the county clerk of the county in which~~
17 ~~the applicant resides pursuant to NRS 293.5742 and 293.5747,~~
18 ~~respectively; and~~

19 ~~—(2) The county clerk is capable of receiving, storing and~~
20 ~~using the facsimile of the signature for that purpose; or~~

21 ~~—(b) If the conditions described in paragraph (a) are not met, the~~
22 ~~signature of the applicant on the affirmation signed pursuant to~~
23 ~~paragraph (a) of subsection 1 of NRS 293.5742 shall be deemed to~~
24 ~~be the signature on the person's application to register to vote for~~
25 ~~the purpose of making a facsimile thereof to be used for the~~
26 ~~comparison purposes of NRS 293.277.~~

27 ~~—4.} If an applicant is already registered to vote, the county clerk~~
28 ~~shall use the voter registration information of the applicant~~
29 ~~transmitted by the {Department of Motor Vehicles} **automatic voter**~~
30 ~~**registration agency** to correct the statewide voter registration list~~
31 ~~pursuant to NRS 293.530, if necessary.~~

32 **Sec. 24.** NRS 293.5757 is hereby amended to read as follows:

33 293.5757 1. A person who ~~{affirmatively declines in writing~~
34 ~~to apply to register to vote or have his or her voter registration~~
35 ~~information updated, as applicable, pursuant to NRS 293.5742} **is**~~
36 ~~**not eligible to have their voter registration information transmitted**~~
37 ~~**by an automatic voter registration agency to the county clerk** may~~
38 ~~**still** apply to register to vote at the {Department of Motor Vehicles~~
39 ~~**pursuant to NRS 293.5727.} **automatic voter registration agency.****~~

40 2. Whether a person ~~{applies to register to vote or have his or~~
41 ~~her voter registration information updated, as applicable, pursuant to~~
42 ~~NRS 293.5742} **is eligible to have their voter registration**~~
43 ~~**information transmitted by the automatic voter registration agency**~~
44 ~~**to the county clerk or otherwise registers to vote** must not affect the~~
45 ~~provision of services or assistance to the person by the~~



~~{Department,}~~ *automatic voter registration agency*, and ~~{the fact of a person applying to register to vote or have his or her voter registration information updated, as applicable, pursuant to NRS 293.5742 or declining to do so}~~ *whether voter registration information is transferred by the automatic voter registration agency* must not be disclosed to the public.

3. Any information ~~{collected}~~ *transferred* pursuant to NRS 293.5732 to ~~{293.5757,}~~ *293.5767*, inclusive, *and sections 3 to 7, inclusive, of this act* must not be used for any purpose other than voter registration.

~~{4. Except as otherwise provided in this subsection, the Secretary of State shall adopt regulations necessary to carry out the provisions of NRS 293.5732 to 293.5757, inclusive. The Secretary of State shall not require a person to provide any documentation in order to apply to register to vote or have his or her voter registration information updated, as applicable, pursuant to NRS 293.5742 that is not required by NRS 293.5742 or federal law, including, without limitation, documentation to prove the person's identity, citizenship or residence.}~~

Sec. 25. NRS 293.5767 is hereby amended to read as follows:

293.5767 1. ~~{Each}~~ *Upon receipt of the information transmitted to a county clerk by an automatic voter registration agency, the county clerk shall collate the information into an individual electronic document, which shall be deemed an application to register to vote. The* county clerk shall review the voter registration information transmitted by the ~~{Department of Motor Vehicles pursuant to NRS 293.5747 and 293.5762}~~ *automatic voter registration agency* to determine whether the person is eligible to register to vote in this State.

2. *Except as otherwise provided in subsection 3, if the county clerk determines that a person is eligible to vote, the person shall be deemed a registered voter. The person's name must appear on the statewide voter registration list and the appropriate roster and the person must be provided all sample ballots and other voter information provide to registered voters.*

3. *In addition to the requirements of subsection 2, the county clerk shall immediately mail a notice to the current residence of the person. The notice must be in the form prescribed by the Secretary of State and include, without limitation:*

(a) *A space for the person to indicate a political party affiliation;*

(b) *A space for the person to affirmatively decline to apply to register to vote or have his or her voter registration updated, as applicable;*

(c) *A preaddressed return envelope with postage prepaid;*



(d) A statement setting forth the qualifications to vote in this State as provided by NRS 293.485 and that if the person does not meet the qualifications to vote in this State, the person should return the notice and affirmatively decline in writing to register to vote;

(e) A statement explaining that unless the person affirmatively declines in writing to apply to register to vote or have his or her voter registration information updated, as applicable, the person is deemed to have consented to the transmission of information to the Secretary of State and the county clerk by the automatic voter registration agency for the purpose of registering the person to vote or updating the voter registration information on the statewide voter registration list;

(f) A statement explaining that if the person affirmatively declines in writing to apply to register to vote or to have his or her voter registration information updated, as applicable, the county clerk will remove the person from the statewide voter registration list or revert the person's information on the statewide voter registration list to the information that was on the statewide voter registration list before the automatic voter registration agency transmitted the information to the county clerk, and the person shall be deemed to not have registered to vote or updated his or her voter registration information, as applicable;

(g) A statement setting forth the penalties for submitting a false application to register to vote; and

(h) A statement that:

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

(2) The person may indicate a political party affiliation on the form provided by the county clerk in the notice; and

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

3. The county clerk may send the notice required pursuant to subsection 2 by electronic mail if the person confirms the validity of the electronic mail address to which the notice will be sent by responding a confirmation inquiry sent to that electronic mail address.

4. The failure or refusal of the person to acknowledge that he or she has received the notice required by subsection 2 is not a declination by the person to apply to register to vote or have his or her voter registration information updated.



5. If the county clerk determines that a person is not eligible to register to vote ~~[pursuant to subsection 1:]~~ *or if the voter affirmatively declines in writing to be registered to vote or have his or her voter registration updated:*

(a) It shall be deemed that the transmittal *from the voter registration agency* is not a completed voter registration application;

(b) It shall be deemed that the person did not apply to register to vote; ~~[and]~~

(c) *It shall be deemed that the transmission of the person's information by the automatic voter registration system was an official authorized act;*

(d) *It shall be deemed that the person did not falsely claim citizenship in order to register to vote unless the person affirmatively claimed to be a citizen to the automatic voter registration agency; and*

(e) The county clerk must ~~[reject the application and may not register that person to vote.]~~ *remove the person's registration from the statewide voter registration list or revert the person's information on the statewide voter registration to the information that was on the statewide voter registration list before the automatic voter registration agency transmitted the information to the county clerk, as applicable.*

Sec. 26. 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:

(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;

(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



1 least the last four digits of his or her social security number, if a
2 state or local election official has matched that information with an
3 existing identification record bearing the same number, name and
4 date of birth as provided by the person in the application;

5 (c) ~~{Registers}~~ *Is registered* to vote pursuant to NRS ~~{293.5732~~
6 ~~to 293.5757,}~~ *293.5732 to 293.5767, inclusive, and sections 3 to 7,*
7 *inclusive, of this act* and at that time presents to the ~~{Department of~~
8 ~~Motor Vehicles:}~~ *automatic voter registration agency:*

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

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

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

19 (d) Is entitled to vote pursuant to the provisions of chapter 293D
20 of NRS or the Uniformed and Overseas Citizens Absentee Voting
21 Act, 52 U.S.C. §§ 20301 et seq.;

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

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

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

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

31 (b) The county or city clerk must:

32 (1) Contact the person;

33 (2) Allow the person to provide the identification required
34 before 5 p.m. on the third day following the election; and

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

38 **Sec. 27.** NRS 293C.270 is hereby amended to read as follows:

39 293C.270 1. Except as otherwise provided in NRS 293.5772
40 to 293.5887, inclusive, and 293C.272, if a person's name appears in
41 the roster or if the person provides an affirmation pursuant to NRS
42 293C.525, the person is entitled to vote and must sign his or her
43 name in the roster or on a signature card when he or she applies to
44 vote. ~~{The}~~ *Except as otherwise provided in section 6 of this act,*
45 *the* signature must be compared by an election board officer with



1 the signature or a facsimile thereof on the person's application to
2 register to vote or one of the forms of identification listed in
3 subsection 2.

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

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

7 (b) A driver's license;

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

10 (d) A military identification card; or

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

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

17 **Sec. 28.** NRS 293C.275 is hereby amended to read as follows:

18 293C.275 1. Except as otherwise provided in NRS 293.5772
19 to 293.5887, inclusive, and 293C.272:

20 (a) A registered voter who applies to vote must state his or her
21 name to the election board officer in charge of the roster; and

22 (b) The election board officer shall:

23 (1) Announce the name of the registered voter;

24 (2) Instruct the registered voter to sign the roster or signature
25 card;

26 (3) Verify the signature of the registered voter in the manner
27 set forth in NRS 293C.270; and

28 (4) Verify that the registered voter has not already voted in
29 that city in the current election.

30 2. ~~HH~~ *Except as otherwise provided in section 6 of this act, if*
31 the signature does not match, the voter must be identified by:

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

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

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

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



1 **Sec. 29.** NRS 293C.3035 is hereby amended to read as
2 follows:

3 293C.3035 1. Except as otherwise provided in NRS 293.5772
4 to 293.5887, inclusive, and 293C.272, upon the appearance of a
5 person to cast a ballot at a polling place established pursuant to NRS
6 293C.3032, if any, the election board officer shall:

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

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

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

12 2. ~~HH~~ *Except as otherwise provided in section 6 of this act, if*
13 the signature of the voter does not match, the voter must be
14 identified 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 293C.270 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 register to vote, the voter must
25 update his or her signature on a form prescribed by the Secretary of
26 State.

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

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

35 6. If the ballot is voted on a mechanical recording device which
36 directly records the votes electronically, the election board officer
37 shall:

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

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

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

43 7. A voter applying to vote at a polling place established
44 pursuant to NRS 293C.3032, if any, may be challenged pursuant to
45 NRS 293C.292.



Sec. 30. 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 the person is a registered voter in the county.

(b) Instruct the 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.

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

2. ~~HH~~ *Except as otherwise provided in section 6 of this act, 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. 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. 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. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the election board officer shall:



- 1 (a) Prepare the mechanical recording device for the voter;
- 2 (b) Ensure that the voter's precinct or voting district, if that
- 3 information is available, and the form of ballot are indicated on the
- 4 voting receipt, if the city clerk uses voting receipts; and

- 5 (c) Allow the voter to cast a vote.

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

8 **Sec. 31.** NRS 483.290 is hereby amended to read as follows:

9 483.290 1. An application for an instruction permit or for a
10 driver's license must:

11 (a) Be made upon a form furnished by the Department.

12 (b) Be verified by the applicant before a person authorized to
13 administer oaths. Officers and employees of the Department may
14 administer those oaths without charge.

15 (c) Be accompanied by the required fee.

16 (d) State the full legal name, date of birth, sex, address of
17 principal residence and mailing address, if different from the
18 address of principal residence, of the applicant and briefly describe
19 the applicant.

20 (e) State whether the applicant has theretofore been licensed as a
21 driver, and, if so, when and by what state or country, and whether
22 any such license has ever been suspended or revoked, or whether an
23 application has ever been refused, and, if so, the date of and reason
24 for the suspension, revocation or refusal.

25 (f) Include such other information as the Department may
26 require to determine the competency and eligibility of the applicant.

27 2. Every applicant must furnish proof of his or her full legal
28 name and age by displaying:

29 (a) An original or certified copy of the required documents as
30 prescribed by regulation; or

31 (b) A photo identification card issued by the Department of
32 Corrections pursuant to NRS 209.511 which indicates that the
33 Director of the Department of Corrections has verified the full legal
34 name and age of the applicant pursuant to subsection 4 of that
35 section.

36 3. The Department shall adopt regulations prescribing the
37 documents an applicant may use to furnish proof of his or her full
38 legal name and age to the Department pursuant to paragraph (a) of
39 subsection 2, including, without limitation, a document issued by
40 the Department pursuant to NRS 483.375 or 483.8605.

41 4. At the time of applying for a driver's license, an applicant
42 may, if eligible, preregister or register to vote . ~~pursuant to NRS~~
43 ~~293.5727 or 293.5742.~~



5. Every applicant who has been assigned a social security number must furnish proof of his or her social security number by displaying:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department, including, without limitation, records of employment or federal income tax returns.

6. The Department may refuse to accept a driver's license issued by another state if the Department determines that the other state has less stringent standards than the State of Nevada for the issuance of a driver's license.

7. With respect to any document presented by a person who was born outside of the United States, the Commonwealth of Puerto Rico, American Samoa, Guam, the Northern Mariana Islands or the United States Virgin Islands to prove his or her full legal name and age, the Department:

(a) May, if the document has expired, refuse to accept the document or refuse to issue a driver's license to the person presenting the document, or both; and

(b) Shall issue to the person presenting the document a driver's license that is valid only during the time the applicant is authorized to stay in the United States, or if there is no definite end to the time the applicant is authorized to stay, the driver's license is valid for 1 year beginning on the date of issuance.

8. The Administrator shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license in accordance with this section to a person who is a citizen of any state or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue a driver's license to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States.

9. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an instruction permit or for a driver's license. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006.

Sec. 32. NRS 483.850 is hereby amended to read as follows:

483.850 1. Every application for an identification card must be made upon a form provided by the Department and include, without limitation:

(a) The applicant's:

(1) Full legal name.

(2) Date of birth.



(3) State of legal residence.

(4) Current address of principal residence and mailing address, if different from his or her address of principal residence, in this State, unless the applicant is on active duty in the military service of the United States.

(b) A statement from:

(1) A resident stating that he or she does not hold a valid driver's license or identification card from any state or jurisdiction; or

(2) A seasonal resident stating that he or she does not hold a valid Nevada driver's license.

2. When the form is completed, the applicant must sign the form and verify the contents before a person authorized to administer oaths.

3. An applicant who has been issued a social security number must provide to the Department for inspection:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department bearing the social security number of the applicant, including, without limitation, records of employment or federal income tax returns.

4. At the time of applying for an identification card, an applicant may, if eligible, preregister or register to vote . ~~[pursuant to NRS 293.5727 or 293.5742.]~~

5. A person who possesses a driver's license or identification card issued by another state or jurisdiction who wishes to apply for an identification card pursuant to this section shall surrender to the Department the driver's license or identification card issued by the other state or jurisdiction at the time the person applies for an identification card pursuant to this section.

Sec. 33. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 34. Notwithstanding the provisions of NRS 218D.430 and 218D.435, a committee, other than the Assembly Standing Committee on Ways and Means and the Senate Standing Committee on Finance, may vote on this act before the expiration of the period prescribed for the return of a fiscal note in NRS 218D.475. This section applies retroactively from and after March 22, 2021.

Sec. 35. NRS 293.5737, 293.5742 and 293.5762 is hereby repealed.

Sec. 36. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 32, inclusive, of this act become effective:



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

TEXT OF REPEALED SECTIONS

293.5737 Procedures for notifying persons regarding transmission of information; required disclosures; regulations.

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

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

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

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

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

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

(c) That:

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

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

(3) The person will not be able to vote at a primary election or primary city election for candidates for partisan offices of a major



political party unless the person updates his or her voter registration information to indicate a major political party affiliation; and

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

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

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

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

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

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

4. The Department:

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

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

293.5742 Procedures for collecting information; use of certain affidavits; issuance of certain identification numbers.

1. Unless the person affirmatively declines in writing to apply to register to vote or have his or her voter registration information updated, as applicable, if a person applies to the Department of Motor Vehicles for the issuance or renewal of or change of address for a driver's license or identification card issued by the Department, the Department shall collect from the person:

(a) A paper or electronic affirmation signed under penalty of perjury that the person is eligible to vote;

(b) An electronic facsimile of the signature of the person, if the Department is capable of recording, storing and transmitting to the county clerk an electronic facsimile of the signature of the person;

(c) Any personal information which the person has not already provided to the Department and which is required for the person to register to vote or to update the voter registration information of the person, including:

(1) The first or given name and the surname of the person;

(2) The address at which the voter actually resides as set forth in NRS 293.486 and, if different, the address at which the person may receive mail, including, without limitation, a post office box or general delivery;

(3) The date of birth of the person;

(4) Except as otherwise provided in subsection 2, one of the following:

(I) The number indicated on the person's current and valid driver's license or identification card issued by the



Department, if the person has such a driver's license or identification card; or

(II) The last four digits of the person's social security number, if the person does not have a driver's license or identification card issued by the Department and has a social security number; and

(5) The political party affiliation, if any, indicated by the person; and

(d) The paper or electronic form, if any, completed by the person and indicating his or her political party affiliation.

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

293.5762 Duties of Department in administering electronic transmission of voter registration information; use of paper forms and secured containers; collection and transmission of information to county clerks; regulations.

1. At the time the Department of Motor Vehicles notifies a person of the qualifications to vote in this State pursuant to NRS 293.5737, the Department shall provide the person with a paper form on which the person may:

(a) Affirmatively decline to be registered to vote or have his or her voter registration updated; and

(b) Elect to indicate a political party affiliation.

2. The form provided by the Department pursuant to subsection 1:

(a) Must include a notice informing the person of the information required pursuant to paragraphs (b) and (c) of subsection 2 of NRS 293.5737, and that the person may:

(1) Return the completed form at the end of his or her transaction with the Department by depositing the form in the secured container provided by the Department pursuant to subsection 3; or

(2) Use the system established by the Secretary of State pursuant to NRS 293.671 to update his or her voter registration information, including, without limitation, the person's name, address and party affiliation.

(b) May include any other information that the Department determines is necessary to carry out the provisions of this section.



3. The Department shall provide a secured container within the Department designated for the return of any form provided to a person pursuant to this section.

4. For the purposes of NRS 293.5742 and 293.5747:

(a) If a person deposits the completed form in the secured container at the end of his or her transaction with the Department and has not affirmatively declined in the form to be registered to vote or have his or her voter registration updated:

(1) The Department shall be deemed to have collected the information contained in the form from the person during his or her transaction with the Department; and

(2) The person shall be deemed to have consented to the transmission of that information and the other information and documents collected during his or her transaction with the Department to the Secretary of State and the appropriate county clerks for the purpose of registering the person to vote or updating the person's existing voter registration information in order to correct the statewide voter registration list pursuant to NRS 293.530, if necessary.

(b) If a person does not deposit the form in the secured container at the end of his or her transaction with the Department:

(1) The person shall be deemed to have consented to the transmission of the information and documents collected during his or her transaction with the Department to the Secretary of State and the appropriate county clerks for the purpose of registering the person to vote or updating the person's existing voter registration information in order to correct the statewide voter registration list pursuant to NRS 293.530, if necessary.

(2) The appropriate county clerk shall list the person's political party as nonpartisan, unless the person is already a registered voter listed as affiliated with a political party in the person's existing voter registration information.

5. The Department may adopt regulations to carry out the provisions of this section.

