

Amendment No. 278

Assembly Amendment to Assembly Bill No. 126	(BDR 24-99)
Proposed by: Assembly Committee on Legislative Operations and Elections	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

ERS/HAC



Date: 4/15/2021

A.B. No. 126—Provides for presidential preference primary election. (BDR 24-99)



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

FEBRUARY 15, 2021

Referred to Committee on Legislative Operations and Elections

SUMMARY—~~[Provides for presidential preference primary election.]~~ Revises provisions relating to elections. (BDR 24-99)

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

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

AN ACT relating to elections; revising the deadline for a candidate to file a declaration of candidacy; providing for a presidential preference primary election; setting forth requirements and procedures for holding a presidential preference primary election; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that the period for filing a declaration of candidacy: (1) for judicial candidates begins the first Monday in January of the year of the election and ends the second Friday after the first Monday in January; and (2) for all nonjudicial candidates begins the first Monday in March of the year of the election and ends the second Friday after the first Monday in March. (NRS 293.177) Section 6.5 of this bill instead provides that the period for filing a declaration of candidacy for all candidates other than candidates for a presidential preference primary election begins the last Monday in February of the year of the election and ends the third Friday after the last Monday in February. Sections 6.2, 6.7, 35.3 and 35.6 of this bill make conforming changes relating to candidates of a minor political party, independent candidates and candidates in a city election.

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

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

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

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

Section 46 of this bill provides that a registered voter may cast a ballot at a presidential preference primary election for a major political party only if the registered voter designated on his or her application to register to vote an affiliation with the party. Section 47 of this bill provides that such a registered voter may cast a ballot at the presidential preference primary

election at any polling place in the county. **Section 11** of this bill makes a conforming change to require a county clerk to establish at least one vote center in the county for the day of the presidential preference primary election.

Section 47 of this bill sets forth various duties of a county clerk related to the presidential preference primary election, including distributing sample ballots, establishing polling places, distributing absent ballots and, if applicable, distributing mail ballots or mailing ballots. **Sections 12-16** of this bill make conforming changes to existing provisions relating to absent ballots and mailing ballots.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5. The notice must specify:

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

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

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

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

2. At the precinct meetings, the delegates and alternates to the party's convention must be elected. If a meeting is not held for a particular precinct at the location specified, that precinct must be without representation at the county convention unless the meeting was scheduled, with proper notice, and no registered voter of the party appeared. In that case, the meeting shall be deemed to have been held and the position of delegate is vacant. If a position of delegate is vacant, it must be filled by the designated alternate, if any. If there is no designated alternate, the vacancy must be filled pursuant to the rules of the party, if the rules of the party so provide, or, if the rules of the party do not so provide, the county central committee shall appoint a delegate from among the qualified members of the party residing in the precinct in which the vacancy occurred, and the secretary of the county central committee shall certify the appointed delegate to the county convention.

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

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

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

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

(b) Challenges to credentials of delegates; and

(c) Majority and minority reports of committees.

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

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

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

3. Any rules or regulations of the party governing the election of delegates and alternates to the national convention of the party, or directing the votes of delegates at the national convention must reasonably reflect the results of the presidential preference primary election, if one has been held for the party.

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

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

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

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

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

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

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

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

Sec. 6.2. *NRS 293.1725 is hereby amended to read as follows:*

293.1725 1. Except as otherwise provided in subsection 4, a minor political party that wishes to place its candidates for partisan office on the ballot for a general election and:

(a) Is entitled to do so pursuant to paragraph (a) or (b) of subsection 2 of NRS 293.1715; or

(b) Files or will file a petition pursuant to paragraph (c) of subsection 2 of NRS 293.1715,

must file with the Secretary of State a list of its candidates for partisan office not earlier than the ~~first~~ *last* Monday in ~~March~~ *February* preceding the election and not later than 5 p.m. on the ~~second~~ *third* Friday after the ~~first~~ *last* Monday in ~~March~~ *February*. The list must be signed by the person so authorized in the certificate of existence of the minor political party before a notary public or other person authorized to take acknowledgments. The list may be amended not later than 5 p.m. on the ~~second~~ *third* Friday after the ~~first~~ *last* Monday in ~~March~~ *February*.

2. The Secretary of State shall immediately forward a certified copy of the list of candidates for partisan office of each minor political party to the filing officer with whom each candidate must file his or her declaration of candidacy.

3. Each candidate on the list must file his or her declaration of candidacy with the appropriate filing officer and pay the filing fee required by NRS 293.193 not earlier than the date on which the list of candidates for partisan office of the minor political party is filed with the Secretary of State and not later than 5 p.m. on the ~~second~~ third Friday after the ~~first~~ last Monday in ~~March~~ February.

4. A minor political party that wishes to place candidates for the offices of President and Vice President of the United States on the ballot and has qualified to place the names of its candidates for partisan office on the ballot for the general election pursuant to subsection 2 of NRS 293.1715 must file with the Secretary of State a certificate of nomination for these offices not later than the last Tuesday in August.

Sec. 6.5. NRS 293.177 is hereby amended to read as follows:

293.177 1. Except as otherwise provided in NRS 293.165 and 293.166, a name may not be printed on a ballot to be used at a primary election unless the person named has filed a declaration of candidacy with the appropriate filing officer and paid the filing fee required by NRS 293.193 not earlier than ~~the~~

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

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

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

(a) For partisan office:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

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

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

.....
(Designation of name)

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

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

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

(b) For nonpartisan office:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

For the purpose of having my name placed on the official ballot as a candidate for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored; that if nominated as a nonpartisan candidate at the ensuing election, I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any

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

11
12 (Designation of name)

13
14 (Signature of candidate for office)

15
16
17
18 Subscribed and sworn to before me
19 this day of the month of of the year
20

21
22 Notary Public or other person
23 authorized to administer an oath
24

25
26 3. The address of a candidate which must be included in the declaration of
27 candidacy pursuant to subsection 2 must be the street address of the residence
28 where the candidate actually, as opposed to constructively, resides in accordance
29 with NRS 281.050, if one has been assigned. The declaration of candidacy must not
30 be accepted for filing if the candidate fails to comply with the following provisions
31 of this subsection or, if applicable, the provisions of subsection 4:

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

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

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

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

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

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

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

1 residential address that the filing officer may accept to verify where the candidate
2 actually, as opposed to constructively, resides in accordance with NRS 281.050.

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

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

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

8 6. By filing the declaration of candidacy, the candidate shall be deemed to
9 have appointed the filing officer for the office as his or her agent for service of
10 process for the purposes of a proceeding pursuant to NRS 293.182. Service of such
11 process must first be attempted at the appropriate address as specified by the
12 candidate in the declaration of candidacy. If the candidate cannot be served at that
13 address, service must be made by personally delivering to and leaving with the
14 filing officer duplicate copies of the process. The filing officer shall immediately
15 send, by registered or certified mail, one of the copies to the candidate at the
16 specified address, unless the candidate has designated in writing to the filing officer
17 a different address for that purpose, in which case the filing officer shall mail the
18 copy to the last address so designated.

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

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

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

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

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

36 **Sec. 6.7. NRS 293.200 is hereby amended to read as follows:**

37 293.200 1. An independent candidate for partisan office must file with the
38 appropriate filing officer as set forth in NRS 293.185:

39 (a) A copy of the petition of candidacy that he or she intends to subsequently
40 circulate for signatures. The copy must be filed not earlier than the January 2
41 preceding the date of the election and not later than 10 working days before the last
42 day to file the petition pursuant to subsection 4. The copy of the petition must be
43 filed with the appropriate filing officer before the petition may be circulated for
44 signatures.

45 (b) Either of the following:

46 (1) A petition of candidacy signed by a number of registered voters equal
47 to at least 1 percent of the total number of ballots cast in:

48 (I) This State for that office at the last preceding general election in
49 which a person was elected to that office, if the office is a statewide office;

50 (II) The county for that office at the last preceding general election in
51 which a person was elected to that office, if the office is a county office; or

52 (III) The district for that office at the last preceding general election in
53 which a person was elected to that office, if the office is a district office.

1 (2) A petition of candidacy signed by 250 registered voters if the candidate
2 is a candidate for statewide office, or signed by 100 registered voters if the
3 candidate is a candidate for any office other than a statewide office.

4 2. The petition may consist of more than one document. Each document must
5 bear the name of the county in which it was circulated, and only registered voters of
6 that county may sign the document. If the office is not a statewide office, only the
7 registered voters of the county, district or municipality in question may sign the
8 document. The documents that are circulated for signature in a county must be
9 submitted to that county clerk for verification in the manner prescribed in NRS
10 293.1276 to 293.1279, inclusive, not later than 10 working days before the last day
11 to file the petition pursuant to subsection 4. Each person who signs the petition
12 shall add to his or her signature the address of the place at which the person actually
13 resides, the date that he or she signs the petition and the name of the county where
14 he or she is registered to vote. The person who circulates each document of the
15 petition shall sign an affidavit attesting that the signatures on the document are
16 genuine to the best of his or her knowledge and belief and were signed in his or her
17 presence by persons registered to vote in that county.

18 3. The petition of candidacy may state the principle, if any, which the person
19 qualified represents.

20 4. Petitions of candidacy must be filed not earlier than the ~~first~~ **last** Monday
21 in ~~March~~ **February** preceding the general election and not later than 5 p.m. on the
22 third Friday in June.

23 5. No petition of candidacy may contain the name of more than one candidate
24 for each office to be filled.

25 6. A person may not file as an independent candidate if he or she is proposing
26 to run as the candidate of a political party.

27 7. The names of independent candidates must be placed on the general
28 election ballot and must not appear on the primary election ballot.

29 8. If the sufficiency of the petition of the candidacy of any person seeking to
30 qualify pursuant to this section is challenged, all affidavits and documents in
31 support of the challenge must be filed not later than 5 p.m. on the fourth Friday in
32 June. Any judicial proceeding resulting from the challenge must be set for hearing
33 not more than 5 days after the fourth Friday in June.

34 9. Any challenge pursuant to subsection 8 must be filed with:

35 (a) The First Judicial District Court if the petition of candidacy was filed with
36 the Secretary of State.

37 (b) The district court for the county where the petition of candidacy was filed if
38 the petition was filed with a county clerk.

39 10. The district court in which the challenge is filed shall give priority to such
40 proceedings over all other matters pending with the court, except for criminal
41 proceedings.

42 11. An independent candidate for partisan office must file a declaration of
43 candidacy with the appropriate filing officer and pay the filing fee required by NRS
44 293.193 not earlier than the ~~first~~ **last** Monday in ~~March~~ **February** of the year in
45 which the election is held and not later than 5 p.m. on the ~~second~~ **third** Friday
46 after the ~~first~~ **last** Monday in ~~March~~ **February**.

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

48 293.247 1. The Secretary of State shall adopt regulations, not inconsistent
49 with the election laws of this State, for the conduct of primary, **presidential**
50 **preference primary**, general, special and district elections in all cities and counties.
51 Permanent regulations of the Secretary of State that regulate the conduct of a
52 primary, general, special or district election and are effective on or before the last
53 business day of February immediately preceding a primary, general, special or

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

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

3. The regulations must prescribe:

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

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

(c) The disposition of election returns;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 4. If the county clerk establishes one or more polling places within the
24 boundaries of an Indian reservation or Indian colony pursuant to subsection 3 for
25 the day of a primary election , *presidential preference primary election* or general
26 election, the county clerk must continue to establish one or more polling places
27 within the boundaries of the Indian reservation or Indian colony at a location or
28 locations approved by the Indian tribe for the day of any future primary election ,
29 *presidential preference primary election* or general election unless otherwise
30 requested by the Indian tribe.

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

32 293.287 1. A registered voter applying to vote at any primary election *or*
33 *presidential preference primary election* shall give his or her name and political
34 affiliation, if any, to the election board officer in charge of the roster, and the
35 officer shall immediately announce the name and political affiliation.

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

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

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

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

42 3. Any such challenge must be disposed of in the manner provided by NRS
43 293.303.

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

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

48 293.302 If a candidate whose name appears on the ballot at a primary election
49 , *presidential preference primary election* or general election dies after the
50 applicable dates set forth in NRS 293.368 but before the time of the closing of the
51 polls on the day of the election, the county clerk shall post a notice of the
52 candidate's death at each polling place where the candidate's name will appear on

1 the ballot for the primary election , *presidential preference primary election* or
2 general election.

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

4 293.3072 1. A county clerk ~~may~~ :

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

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

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

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

14 293.309 1. The county clerk of each county shall prepare an absent ballot
15 for the use of registered voters who have requested absent ballots. The county clerk
16 shall make reasonable accommodations for the use of the absent ballot by a person
17 who is elderly or disabled, including, without limitation, by providing, upon
18 request, the absent ballot in 12-point type to a person who is elderly or disabled.

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

20 (a) Each registered voter who:

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

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

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

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

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

33 293.313 1. Except as otherwise provided in NRS 293.272, 293.316,
34 293.3165 and 293.502, a registered voter may request an absent ballot if, before 5
35 p.m. on the 14th calendar day preceding the election, the registered voter:

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

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

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

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

45 4. It is unlawful for a person fraudulently to request an absent ballot in the
46 name of another person or to induce or coerce another person fraudulently to
47 request an absent ballot in the name of another person. A person who violates this
48 subsection is guilty of a category E felony and shall be punished as provided in
49 NRS 193.130.

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

51 293.3165 1. Except as otherwise provided in this section, a registered voter
52 who provides sufficient written notice to the county clerk may request that the
53 registered voter receive an absent ballot for all elections at which the registered

1 voter is eligible to vote. The written notice is effective for all elections that are
2 conducted after the registered voter provides the written notice to the county clerk,
3 except that the written notice is not effective for the next ensuing election unless the
4 written notice is provided to the county clerk before the time has elapsed for
5 requesting an absent ballot for the election pursuant to subsection 1 of NRS
6 293.313.

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

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

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

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

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

23 (b) The county clerk cancels the registration of the person pursuant to NRS
24 293.527, 293.530, 293.535 or 293.540; or

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

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

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

31 293.343 1. Except as otherwise provided for an affected election that is
32 subject to the provisions of NRS 293.8801 to 293.8887, inclusive, a registered voter
33 who resides in an election precinct in which there were not more than 200 voters
34 registered for the last preceding general election, or in a precinct in which it appears
35 to the satisfaction of the county clerk and Secretary of State that there are not more
36 than 200 registered voters, may vote at any election regulated by this chapter *or*
37 *chapter 298 of NRS* in the manner provided in NRS 293.343 to 293.355, inclusive.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Any known reason for the malfunction;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Primary election;

(b) Primary city election;

(c) **Presidential preference primary election;**

(d) General election; or

~~[(d)]~~ (e) General city election,

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

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

(a) Primary election;

(b) Primary city election;

(c) **Presidential preference primary election;**

(d) General election;

~~[(d)]~~ (e) General city election; or

~~[(e)]~~ (f) Any other election.

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

293.5057 A person who does not maintain a residence in this State may preregister or register to vote for the office of President and Vice President of the

1 United States *at the general election* if the person files a sworn statement with the
2 county clerk or field registrar of voters that the person is not preregistered or
3 registered to vote in any other state and provides evidence:

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

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

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

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

10 293.560 1. Except as otherwise provided in NRS 293.502, 293.5772 to
11 293.5887, inclusive, 293D.230 and 293D.300:

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

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

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

22 (3) By computer, if the county clerk has established a system pursuant to
23 NRS 293.506 for using a computer to register voters, is the Thursday preceding the
24 primary *election, presidential preference primary election* or general election,
25 unless the system is used to register voters for the election pursuant to NRS
26 293.5842 or 293.5847.

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

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

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

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

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

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

45 (2) If the county clerk has designated a county facility pursuant to NRS
46 293.5035, the location of that facility.

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

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

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

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

7 **Sec. 23.** NRS 293.565 is hereby amended to read as follows:

8 293.565 1. Except as otherwise provided in subsection 3, sample ballots
9 must include:

10 (a) If applicable, the statement required by NRS 293.267;

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

15 (c) An explanation, as provided pursuant to NRS 218D.810, 293.250, 293.481,
16 295.121 or 295.230, of each proposed constitutional amendment, statewide
17 measure, measure to be voted upon only by a special district or political subdivision
18 and advisory question;

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

23 (e) The full text of each proposed constitutional amendment.

24 2. If, pursuant to the provisions of NRS 293.2565, the word "Incumbent"
25 must appear on the ballot next to the name of the candidate who is the incumbent,
26 the word "Incumbent" must appear on the sample ballot next to the name of the
27 candidate who is the incumbent.

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

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

32 (b) The county clerk ensures that a sample ballot that includes the full text of
33 each proposed constitutional amendment is provided at no charge to each registered
34 voter who requests such a sample ballot; and

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

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

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

48 6. Except as otherwise provided in subsection 7, before the period for early
49 voting for any election begins, the county clerk shall distribute to each registered
50 voter in the county by mail or electronic means, as applicable, the sample ballot for
51 his or her precinct, with a notice informing the voter of the location of his or her
52 polling place or places. If the location of the polling place or places has changed
53 since the last election:

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

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

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

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

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

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

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

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

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

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

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

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

(a) The addresses of such centralized voting locations;

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

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

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

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

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

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

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

5 293.5737 1. The Department of Motor Vehicles shall follow the procedures
6 described in this section and NRS 293.5742 and 293.5747 if a person applies to the
7 Department for the issuance or renewal of or change of address for any type of
8 driver's license or identification card issued by the Department.

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

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

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

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

19 (2) The Department will transmit to the county clerk of the county in
20 which the person resides all information required to register the person to vote
21 pursuant to this chapter or to update the voter registration information of the person
22 for the purpose of correcting the statewide voter registration list pursuant to NRS
23 293.530;

24 (c) That:

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

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

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

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

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

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

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

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

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

42 4. The Department:

43 (a) Shall prescribe by regulation the form of the notice required by subsection
44 2 and the procedure for providing it; and

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

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

48 293.5777 "Election" means:

49 1. A primary election;

50 2. **A presidential preference primary election;**

51 3. A general election;

52 ~~13.~~ 4. A primary city election; or

53 ~~14.~~ 5. A general city election.

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

2 293.8811 “Affected election” or “election” means a primary election, primary
3 city election, **presidential preference primary election**, general election, general
4 city election or special election which, in accordance with the provisions of NRS
5 293.8821, is deemed to be an affected election that is subject to the provisions of
6 NRS 293.8801 to 293.8887, inclusive.

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

8 293.8821 1. Except as otherwise provided in this section, if a state of
9 emergency or declaration of disaster is proclaimed by the Governor or by resolution
10 of the Legislature pursuant to NRS 414.070 for the entire State of Nevada, the
11 following elections are deemed to be affected elections that are subject to the
12 provisions of NRS 293.8801 to 293.8887, inclusive:

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

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

19 (c) A primary city election:

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

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

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

30 ~~(c)~~ (e) A general city election:

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

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

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

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

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

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

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

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

3. If a state of emergency or declaration of disaster is proclaimed by the Governor or by resolution of the Legislature pursuant to NRS 414.070 for one or more specific areas of the State of Nevada affected by the emergency or disaster but not for the entire State of Nevada as provided in subsection 1 or 2, the Governor may order that an election in one or more of those specific areas is deemed to be an affected election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive, if the Governor finds that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. If the affected election is a primary city election or a general city election and the city has provided for early voting by personal appearance pursuant to NRS

293C.110, the city clerk must establish at least one permanent polling place for early voting by personal appearance in the city.

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

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

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

(1) For a primary city election:

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

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

(2) For a general city election:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. The request for the establishment of:

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

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

(1) For a primary city election:

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

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

(2) For a general city election:

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

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

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

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

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

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

(c) If the election is:

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

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

(3) A general election, ➤ the total votes, other than absentee votes and votes in a mailing precinct, must be accumulated by precinct.

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

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

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

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

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

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

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

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

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

Sec. 35.3. NRS 293C.145 is hereby amended to read as follows:

293C.145 1. A general city election must be held in each city of population category three on the first Tuesday after the first Monday in November of the first even-numbered year after incorporation, and at each successive interval of 2 years.

2. There must be one mayor and three or five council members, as the city council shall provide by ordinance, for each city of population category three. The terms of office of the mayor and the council members are 4 years, which terms must be staggered. The mayor and council members elected to office immediately after incorporation shall decide, by lot, among themselves which two of their offices expire at the next general city election, and thereafter the terms of office must be 4 years. If a city council thereafter increases the number of council members, it shall, by lot, stagger the initial terms of the additional members.

3. A candidate for an office to be voted for at the general city election must file a declaration of candidacy with the city clerk not earlier than ~~the~~

~~(a) For the office of judge of a municipal court, the first~~ **the last** Monday in ~~January~~ **February** of the year in which the applicable election is to be held and not later than 5 p.m. on the ~~second~~ **third** Friday after the ~~first~~ **last** Monday in ~~January~~.

~~1 (b) For any other office, the first Monday in March of the year in which the~~
~~2 applicable election is to be held and not later than 5 p.m. on the second Friday after~~
~~3 the first Monday in March.] February.~~

4 At the time that a candidate files a declaration of candidacy, the city clerk
5 shall charge and collect from the candidate, and the candidate must pay to the city
6 clerk, a filing fee in an amount fixed by the city council by ordinance or resolution.

7 5. Candidates for mayor must be voted upon by the electors of the city at
8 large. Candidates for the city council must be voted upon by the electors of their
9 respective wards to represent the wards in which they reside or by the electors of
10 the city at large in accordance with the provisions of chapter 266 of NRS.

11 **Sec. 35.6. NRS 293C.175 is hereby amended to read as follows:**

12 293C.175 1. A primary city election must be held in each city of population
13 category one, and in each city of population category two that has so provided by
14 ordinance, on the second Tuesday in June of each even-numbered year, at which
15 time there must be nominated candidates for offices to be voted for at the next
16 general city election.

17 2. A candidate for an office to be voted for at the primary or general city
18 election must file a declaration of candidacy with the city clerk not earlier than ~~1~~

~~19 (a) For the office of judge of a municipal court, the first] the last Monday in~~
~~20 [January] February of the year in which the applicable election is to be held and~~
~~21 not later than 5 p.m. on the [second] third Friday after the [first] last Monday in~~
~~22 [January.~~

~~23 (b) For any other office, the first Monday in March of the year in which the~~
~~24 applicable election is to be held and not later than 5 p.m. on the second Friday after~~
~~25 the first Monday in March.] February.~~

26 3. At the time that a candidate files a declaration of candidacy, the city clerk
27 shall charge and collect from the candidate, and the candidate must pay to the city
28 clerk, a filing fee in an amount fixed by the governing body of the city by ordinance
29 or resolution. The filing fees collected by the city clerk must be deposited to the
30 credit of the general fund of the city.

31 4. All candidates, except as otherwise provided in NRS 266.220, must be
32 voted upon by the electors of the city at large.

33 5. If, in a primary city election held in a city of population category one or
34 two, one candidate receives a majority of votes cast in that election for the office
35 for which he or she is a candidate, the candidate must be declared elected to the
36 office and the candidate's name must not be placed on the ballot for the general city
37 election. If, in the primary city election, no candidate receives a majority of votes
38 cast in that election for the office for which he or she is a candidate, the names of
39 the two candidates receiving the highest number of votes must be placed on the
40 ballot for the general city election.

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

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

46 **Sec. 38.** *"Mail ballot" has the meaning ascribed to it in NRS 293.8814.*

47 **Sec. 39.** *"Mailing ballot" means a mailing ballot distributed to a voter in a*
48 *mailing precinct or an absent ballot mailing precinct pursuant to NRS 293.343 to*
49 *293.355, inclusive.*

50 **Sec. 40.** *"Military-overseas ballot" has the meaning ascribed to it in NRS*
51 *293D.050.*

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

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

7 2. *If there is a conflict between the provisions of this chapter and chapters*
8 *293 and 293B of NRS, the provisions of this chapter control.*

9 Sec. 43. 1. *Except as otherwise provided in ~~this section,~~ subsection 2, a*
10 *presidential preference primary election must be held for all major political*
11 *parties on the first Tuesday ~~(immediately preceding the last Tuesday in January)~~*
12 *in February of each presidential election year. ~~If any other state in the Western~~*
13 *~~United States schedules a presidential preference primary election or caucus to~~*
14 *~~be held in that state earlier than the Tuesday immediately preceding the last~~*
15 *~~Tuesday in January, the Secretary of State must, as soon as practicable and with~~*
16 *~~the approval of the Legislative Commission, select a date for the presidential~~*
17 *~~preference primary election which is not earlier than January 2 of the year of the~~*
18 *~~presidential preference primary election and is not a Saturday, Sunday or legal~~*
19 *~~holiday.~~*

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

27 ~~3. As used in this section, “any other state in the Western United States”~~
28 ~~means the state of Alaska, Arizona, California, Colorado, Hawaii, Idaho,~~
29 ~~Montana, New Mexico, Oregon, Utah, Washington or Wyoming.~~

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

37 Sec. 45. 1. *The Secretary of State shall forward to each county clerk the*
38 *name, party affiliation and mailing address of each qualified candidate whose*
39 *name must appear on the ballot for the presidential preference primary election.*

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

- 46 (a) *The date of the presidential preference primary election;*
47 (b) *The major political parties that have qualified candidates who will be on*
48 *the ballot at the presidential preference primary election;*
49 (c) *The location of the polling places in the county, including, without*
50 *limitation, polling places for early voting by personal appearance; and*
51 (d) *The hours during which the polling places in the county will be open for*
52 *voting during the period for early voting and the day of the presidential*
53 *preference primary election.*

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

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

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

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

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

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

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

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

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

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

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

33 3. *The county clerk may:*

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

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

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

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

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

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

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

50 **Sec. 50. 1.** *Immediately after each county has canvassed the returns of a*
51 *presidential preference primary election ~~it~~ pursuant to NRS 293.387, the*
52 *Secretary of State shall compile the returns for each qualified candidate of the*

1 *major political party whose name appears on the ballot for the major political*
2 *party.*

3 *2. The Secretary of State shall make out and file in his or her office an*
4 *abstract of the returns and shall certify the number of votes received by each*
5 *qualified candidate of the major political party to the party's state central*
6 *committee and the national committee of the major political party.*

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

8 353.264 1. The Reserve for Statutory Contingency Account is hereby
9 created in the State General Fund.

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

12 (a) The payment of claims which are obligations of the State pursuant to NRS
13 41.03435, 41.0347, 621.025, 176.485, 179.310, 212.040, 212.050, 212.070,
14 281.174, 282.290, 282.315, 288.203, 293.253, 293.405, 353.120, 353.262, 412.154
15 and 475.235 ~~(H)~~ *and section 49 of this act;*

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

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

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

24 (c) The payment of claims which are obligations of the State pursuant to NRS
25 41.0349 and 41.037, but only to the extent that the money in the Fund for Insurance
26 Premiums is insufficient to pay the claims;

27 (d) The payment of claims which are obligations of the State pursuant to NRS
28 41.950; and

29 (e) The payment of claims which are obligations of the State pursuant to NRS
30 535.030 arising from remedial actions taken by the State Engineer when the
31 condition of a dam becomes dangerous to the safety of life or property.

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

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

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

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

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

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