

Senate Bill No. 443—Committee on
Legislative Operations and Elections

CHAPTER.....

AN ACT relating to elections; revising provisions relating to voter registration during certain periods preceding an election; requiring the Department of Motor Vehicles to have extended hours of operation in certain counties during certain periods preceding the deadline to register to vote by mail for certain elections and following the day of certain elections; prohibiting, in certain counties, the Department from requiring an appointment to obtain a driver's license or identification card during certain periods; making an appropriation to the Department of Motor Vehicles for certain security costs relating to extended hours of operation required during certain periods; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth certain deadlines for registering to vote by mail, computer or appearing in person at the office of the county or city clerk. (NRS 293.560, 293C.527) Existing law also authorizes an elector to register to vote after such deadlines: (1) through the Thursday preceding the election, by computer using the online registration system provided on the Internet website of the Office of the Secretary of State; and (2) after such online registration, by appearing in person during the period for early voting or on election day. To register to vote during such periods, an elector must provide his or her driver's license or identification card issued by the Department of Motor Vehicles and, if the license or identification card does not include his or her current residential address, certain documents establishing proof of residency. (NRS 293.5837-293.5847) **Sections 1.6 and 2** of this bill instead provide that to register to vote in person during the period for early voting or on election day, an elector must, with certain exceptions, provide a current and valid driver's license or identification card issued by this State, another state, the District of Columbia or a territory of the United States or provide a tribal identification card as proof of identity. If the elector's driver's license or identification card was issued by the Department of Motor Vehicles and shows the elector's current residential address, the driver's license or identification card is also proof of the elector's residency. If the elector's tribal identification card shows the elector's current residential address, the tribal identification card is also proof of the elector's residency.

If the elector's driver's license or identification card was not issued by the Department of Motor Vehicles, the elector may cast a provisional ballot if he or she completes a written affirmation. Any such elector who casts a provisional ballot must provide a current and valid driver's license or identification card issued by the Department of Motor Vehicles, an interim document issued by the Department of Motor Vehicles or a tribal identification card demonstrating proof of residency by 5 p.m. on the Friday immediately following election day.

Sections 1.6 and 2 also provide that if an elector's driver's license or identification card issued by the Department of Motor Vehicles does not have the elector's current residential address, the elector may present an original, electronic



or certified copy of a document as proof of residency and that, for certain documents, such document must be dated not more than 60 days before the date the elector is registering to vote.

Sections 1.6 and 2 further provide that if an elector does not have a driver's license or identification card issued by this State or another state, the District of Columbia or any territory of the United States or a tribal identification card, the elector may cast a provisional ballot if he or she completes a written affirmation. Any such elector who casts a provisional ballot must provide a current and valid driver's license, identification card or interim document issued by the Department of Motor Vehicles or a tribal identification card demonstrating proof of identity and residency in this State by 5 p.m. on the Friday immediately following election day.

Existing law authorizes the Director of the Department of Motor Vehicles to arrange for extended hours of operation for offices of the Department in a county whose population is 100,000 or more (currently Clark County and Washoe County). (NRS 481.057) **Section 3** of this bill provides that, in a county whose population is 100,000 or more, the Director is required to arrange for the offices of the Department to remain open on Saturdays and Sundays and at hours other than 8 a.m. to 5 p.m. for a person to only apply for the issuance or renewal of any type of driver's license or identification card issued by the Department: (1) during the 2 weeks immediately preceding the last day to register to vote by mail for a primary election, presidential preference primary election or general election; and (2) during the 6 calendar days immediately following the day of a primary election, presidential preference primary election or general election. **Section 3** further prohibits the Department from requiring, in a county whose population is 100,000 or more, a person to have an appointment to apply for the issuance or renewal of any type of driver's license or identification card issued by the Department: (1) during the 2 weeks immediately preceding the last day to register to vote by mail for a primary election, presidential preference primary election or general election; and (2) during the 6 calendar days immediately following the day of a primary election, presidential preference primary election or general election.

Section 3.5 of this bill makes an appropriation from the State Highway Fund to the Department of Motor Vehicles for the costs of additional security services for the extended hours of operation required by **section 3**.

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

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

Sections 1 and 1.3. (Deleted by amendment.)

Sec. 1.6. NRS 293.5842 is hereby amended to read as follows:

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

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



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

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

(1) A paper application; or

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

➤ If the county or city clerk authorizes the use of both methods, the county or city clerk may limit the use of one method to circumstances when the other method is not reasonably available.

(c) Except as otherwise provided in ~~subsection 3,~~ **this section**, provide his or her ~~current~~ :

(1) Current and valid driver's license or identification card issued by ~~the Department of Motor Vehicles which shows his or her physical address~~ **this State or another state, the District of Columbia or any territory of the United States** as proof of the elector's identity and **, if the driver's license or identification card was issued by the Department of Motor Vehicles and shows the elector's current residential address, as proof of the elector's identity and** residency ~~;~~ **;** or

(2) Tribal identification card as proof of the elector's identity and, if the tribal identification card shows the elector's current residential address, as proof of the elector's identity and residency.

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

(a) A military identification card;

(b) A utility bill, including, without limitation, a bill for electric, gas, oil, water, sewer, septic, telephone, cellular telephone or cable television service ~~;~~ **, that is dated not more than 60 days before the date on which the elector is registering to vote;**

(c) A bank or credit union statement ~~;~~ **that is dated not more than 60 days before the date on which the elector is registering to vote;**



(d) A paycheck ~~that~~ *that is dated not more than 60 days before the date on which the elector is registering to vote;*

(e) An income tax return;

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

(g) A motor vehicle registration;

(h) A property tax statement; or

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

4. ~~Subject~~ *Except as otherwise provided in subsection 5 or 6, subject* to final verification, if an elector registers to vote in person at a polling place pursuant to this section:

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

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

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

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

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

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

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

5. If an elector who appears to vote provides as proof of identity a driver's license or identification card that was not issued by the Department of Motor Vehicles or provides a tribal identification card that does not have the elector's current residential address, the elector may cast a provisional ballot pursuant to subsection 4 if the elector completes a written affirmation on a form provided by an election officer which includes:

(a) A statement in which the person affirms under penalty of perjury that he or she is a qualified elector; and

(b) A statement informing the voter that a current and valid driver's license, identification card or interim document issued by the Department of Motor Vehicles or a tribal identification card that demonstrates residency must be provided to the county or city clerk not later than 5 p.m. on the Friday immediately following election day and that failure to do so will result in the provisional ballot not being counted.



6. *If an elector who appears to vote does not have a driver's license or identification card issued by this State or another state, the District of Columbia or any territory of the United States or a tribal identification card, the elector may cast a provisional ballot pursuant to subsection 4 if the elector completes a written affirmation on a form provided by an election officer which includes:*

(a) A statement in which the person affirms under penalty of perjury that he or she is a qualified elector but has not been issued a driver's license or identification card by this State or another state, the District of Columbia or any territory of the United States or a tribal identification card; and

(b) A statement informing the voter that a current and valid driver's license, identification card or interim document issued by the Department of Motor Vehicles or a tribal identification card that demonstrates proof of identity and residency must be provided to the county or city clerk not later than 5 p.m. on the Friday immediately following election day and failure to do so will result in the provisional ballot not being counted.

7. *Nothing in this section shall be construed to authorize an elector's provisional ballot that is cast pursuant to this section to be counted unless the elector provides proof of identity and residency as required pursuant to this section.*

Sec. 2. NRS 293.5847 is hereby amended to read as follows:

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

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

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

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

(1) A paper application; or

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

➔ If the county or city clerk authorizes the use of both methods, the county or city clerk may limit the use of one method to circumstances when the other method is not reasonably available.



(c) Except as otherwise provided in ~~[subsection 3,]~~ *this section*, provide his or her ~~[current]~~ :

(1) *Current* and valid driver's license or identification card issued by ~~[the Department of Motor Vehicles which shows his or her physical address]~~ *this State or another state, the District of Columbia or any territory of the United States* as proof of the elector's identity , *and if the driver's license or identification card was issued by the Department of Motor Vehicles and shows the elector's current residential address, as proof of the elector's identity* and residency ~~[]~~ ; or

(2) *Tribal identification card as proof of the elector's identity and, if the tribal identification card shows the elector's current residential address, as proof of the elector's identity and residency.*

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

(a) A military identification card;

(b) A utility bill, including, without limitation, a bill for electric, gas, oil, water, sewer, septic, telephone, cellular telephone or cable television service ~~[]~~ , *that is dated not more than 60 days before the elector is registering to vote;*

(c) A bank or credit union statement ~~[]~~ *that is dated not more than 60 days before the elector is registering to vote;*

(d) A paycheck ~~[]~~ *that is dated not more than 60 days before the elector is registering to vote;*

(e) An income tax return;

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

(g) A motor vehicle registration;

(h) A property tax statement; or

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

4. ~~[Subject]~~ *Except as otherwise provided in subsection 5 or 6, subject* to final verification, if an elector registers to vote in person at a polling place pursuant to this section:

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

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



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

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

- (1) May vote in the election only at that polling place;
- (2) Must vote as soon as practicable and before leaving that polling place; and
- (3) Must vote by casting a provisional ballot.

5. If an elector who appears to vote provides as proof of identity a driver's license or identification card that was not issued by the Department of Motor Vehicles or provides a tribal identification card that does not have the elector's current residential address, the elector may cast a provisional ballot pursuant to subsection 4 if the elector completes a written affirmation on a form provided by an election officer which includes:

(a) A statement in which the person affirms under penalty of perjury that he or she is a qualified elector; and

(b) A statement informing the voter that a current and valid driver's license, identification card or interim document issued by the Department of Motor Vehicles or a tribal identification card that demonstrates residency must be provided to the county or city clerk not later than 5 p.m. on the Friday immediately following election day and that failure to do so will result in the provisional ballot not being counted.

6. If an elector who appears to vote does not have a driver's license or identification card issued by this State or another state, the District of Columbia or any territory of the United States or a tribal identification card, the elector may cast a provisional ballot pursuant to subsection 4 if the elector completes a written affirmation on a form provided by an election officer which includes:

(a) A statement in which the person affirms under penalty of perjury that he or she is a qualified elector but has not been issued a driver's license or identification card by this State or another state, the District of Columbia or any territory of the United States or a tribal identification card; and

(b) A statement informing the voter that a current and valid driver's license, identification card or interim document issued by the Department of Motor Vehicles or a tribal identification card that demonstrates proof of identity and residency must be provided to the county or city clerk not later than 5 p.m. on the Friday



immediately following election day and failure to do so will result in the provisional ballot not being counted.

7. Nothing in this section shall be construed to authorize an elector's provisional ballot that is cast pursuant to this section to be counted unless the elector provides proof of identity and residency as required pursuant to this section.

Sec. 3. NRS 481.057 is hereby amended to read as follows:
481.057 ~~[[a]]~~

1. Except as otherwise provided in subsection 2, in a county whose population is 100,000 or more, the Director may arrange for offices of the Department to remain open on Saturdays and Sundays and at hours other than 8 a.m. to 5 p.m.

2. In county whose population is 100,000 or more, the Director shall arrange for the offices of the Department to remain open on Saturdays and Sundays and at hours other than 8 a.m. to 5 p.m. for a person to apply only for the issuance or renewal of any type of driver's license or identification card issued by the Department:

(a) During the 2 weeks immediately preceding the last day to register to vote by mail pursuant to NRS 293.560 for a primary election, presidential preference primary election or general election; and

(b) During the 6 calendar days immediately following the day of a primary election, presidential preference primary election or general election.

3. In a county whose population is 100,000 or more, the Department shall not require a person to have an appointment for the issuance or renewal of any type of driver's license or identification card issued by the Department:

(a) During the 2 weeks immediately preceding the last day to register to vote by mail pursuant to NRS 293.560 for a primary election, presidential preference primary election or general election; and

(b) During the 6 calendar days immediately following the day of a primary election, presidential preference primary election or general election.

4. As used in this section:

(a) "General election" has the meaning ascribed to it in NRS 293.060.

(b) "Presidential preference primary election" has the meaning ascribed to it in NRS 293.0771.

(c) "Primary election" has the meaning ascribed to it in NRS 293.080.



Sec. 3.5. 1. There is hereby appropriated from the State Highway Fund to the Department of Motor Vehicles the sum of \$15,449 for the costs of additional security services for the extended hours of operation required by NRS 481.057, as amended by section 3 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State Highway Fund on or before September 19, 2025.

Sec. 4. 1. This section becomes effective upon passage and approval.

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

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

(b) On May 1, 2024, for all other purposes.

3. Section 3.5 of this act becomes effective on July 1, 2024.

