

SENATE BILL NO. 54—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE SECRETARY OF STATE)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-409)

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

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

AN ACT relating to elections; requiring the Secretary of State to prepare, maintain and publish an elections procedures manual; requiring county and city clerks to comply with the most recent version of such a manual; requiring the Secretary of State to provide training to certain elections officials related to election procedures; providing for the attendance of certain election officials at such training; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that the Secretary of State is the Chief Officer of Elections for this State and is responsible for the execution and enforcement of the provisions of state and federal law relating to elections in this State. (NRS 293.124)

Section 2 of this bill requires: (1) the Secretary of State to, at least once every 2 years, prepare, maintain and publish an elections procedures manual to ensure correctness, impartiality, uniformity and efficiency in elections procedures; and (2) county and city clerks to comply with the procedures set forth in the most current version of the elections procedures manual. **Section 2** further requires the Secretary of State to submit the most recent version of the elections procedures manual to the Legislative Commission for approval not less frequently than every 4 years and prohibits the inclusion in the election procedures manual of any provision that conflicts with any provision of state or federal law or regulation.

Section 3 of this bill requires the Secretary of State to develop and provide a training course related to elections procedures to each county and city clerk.

Section 3: (1) requires each county and city clerk to attend the training course; and (2) authorizes a county or city clerk to require any deputy or employee of the



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clerk's office whose duties relate to elections to attend the training course. Under **section 3**, the Secretary of State: (1) is required to reimburse each county and city for the per diem allowance and travel expenses of a county or city clerk who attends the training course and any such reimbursement must be paid from the Reserve for Statutory Contingency Account upon the recommendation of the Secretary of State and the approval of the State Board of Examiners; and (2) is authorized to reimburse a county or city for the per diem allowance and travel expenses of a deputy or employee of the clerk's office who attends the training course, and any such reimbursement must be paid from the Reserve for Statutory Contingency Account upon the recommendation of the Secretary of State and the approval of the State Board of Examiners. **Section 4.5** of this bill makes a conforming change to provide for these reimbursements from the Reserve for Statutory Contingency Account.

Section 4.7 of this bill makes an appropriation to the Secretary of State for the costs of preparing, maintaining and publishing an elections procedural manual.

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

Section 1. Chapter 293 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. *At least once every 2 years, the Secretary of State shall prepare, maintain and publish an elections procedures manual to ensure correctness, impartiality, uniformity and efficiency in the elections procedures of this State. Each county clerk and city clerk is required to comply with the procedures set forth in the most current version of the elections procedures manual.*

2. *The elections procedures manual required pursuant to subsection 1 must include, without limitation, guidance and standards for administering an election that are consistent with the provisions of this title and any regulations adopted by the Secretary of State pursuant thereto.*

3. *The most recent version of the elections procedures manual prepared pursuant to subsection 1 must be submitted by the Secretary of State to the Legislative Commission for approval not less frequently than every 4 years. The Secretary of State may make any change to the elections procedures manual that is not substantively related to administering an election without the approval of the Legislative Commission.*

4. *Nothing in this section authorizes the Secretary of State to include any provision in the elections procedures manual that amends or conflicts with any provision of state or federal law or regulations.*

Sec. 3. 1. *The Secretary of State shall develop and provide a training course to each county clerk and city clerk related to elections procedures, including, without limitation, the procedures*



1 *set forth in the elections procedures manual required pursuant to*
2 *section 2 of this act.*

3 *2. Each county clerk and city clerk shall attend the training*
4 *course provided by the Secretary of State.*

5 *3. A county clerk or city clerk may require any deputy or*
6 *employee of the office of the county or city clerk whose duties*
7 *relate to elections to attend a training course provided by the*
8 *Secretary of State pursuant to this section.*

9 *4. The Secretary of State:*

10 *(a) Shall provide to or reimburse the county or city, as*
11 *applicable, for the cost of the per diem allowance and travel*
12 *expenses of the county clerk or city clerk for attending the training*
13 *course required pursuant to this section. Any reimbursement must*
14 *be paid from the Reserve for Statutory Contingency Account upon*
15 *recommendation by the Secretary of State and approval by the*
16 *State Board of Examiners.*

17 *(b) May provide to or reimburse the county or city, as*
18 *applicable, for the cost of the per diem allowance and travel*
19 *expenses of any deputy or employee of the office of the county or*
20 *city clerk for attending the training course required pursuant to*
21 *this section. Any reimbursement must be paid from the Reserve for*
22 *Statutory Contingency Account upon recommendation by the*
23 *Secretary of State and approval by the State Board of Examiners.*

24 **Sec. 4.** (Deleted by amendment.)

25 **Sec. 4.5.** NRS 353.264 is hereby amended to read as follows:

26 353.264 1. The Reserve for Statutory Contingency Account
27 is hereby created in the State General Fund.

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

31 (a) The payment of claims which are obligations of the State
32 pursuant to NRS 41.03435, 41.0347, 62I.025, 176.485, 179.310,
33 212.040, 212.050, 212.070, 281.174, 282.290, 282.315, 293.253,
34 293.405, 298.710, 304.230, 353.120, 353.262, 412.154 and 475.235
35 **and section 3 of this act;**

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

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

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



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

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

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

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

Sec. 4.7. 1. There is hereby appropriated from the State General Fund to the Secretary of State for the costs of preparing, maintaining and publishing an elections procedural manual the following sums:

For the Fiscal Year 2023-2024..... \$8,104

For the Fiscal Year 2024-2025..... \$3,242

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years 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 20, 2024, and September 19, 2025, respectively, 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 General Fund on or before September 20, 2024, and September 19, 2025, respectively.

Sec. 5. 1. This section and sections 1 to 4.5, inclusive, of this act become effective upon passage and approval.

2. Section 4.7 of this act becomes effective on July 1, 2023.

