
ASSEMBLY BILL NO. 451—ASSEMBLYMEN COBB, BEERS,
CHRISTENSEN, GANSERT, GOEDHART, GOICOECHEA,
GRADY, SETTELMAYER AND STEWART

MARCH 19, 2007

JOINT SPONSORS: SENATORS CEGAVSKE AND HECK

Referred to Committee on Judiciary

SUMMARY—Makes various changes concerning foreign nationals.
(BDR 3-839)

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 foreign nationals; prohibiting an award of punitive damages to a person who is not a citizen of the United States; prohibiting the use of threats relating to the immigration status of a person to compel a person to perform certain acts; requiring a person to submit proof of citizenship to register to vote; prohibiting a person from voting when that person knows that he is not entitled to vote; providing that a person is not eligible for a Governor Guinn Millennium Scholarship if the person is not a citizen of the United States; providing that a person is not eligible to receive certain state benefits if the person is not a citizen of the United States; providing that a person applying for a driver's license must submit proof that the person is lawfully present in the United States; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 **Section 1** of this bill prohibits a court from awarding punitive damages to a
- 2 person who is not a citizen of the United States.
- 3 Existing law provides that a person commits a category B felony if the person
- 4 uses certain threats to obtain property from another person. (NRS 205.320) **Section**
- 5 **2** of this bill provides that a person commits a category B felony if the person



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6 causes a person to give property by threatening to report to law enforcement the
7 immigration status of the person.

8 Existing law provides that a person commits a category B felony if the person
9 engages in certain acts with the intent to compel another person to do an act or
10 abstain from doing an act. (NRS 207.190) **Section 3** of this bill provides that a
11 person commits a category B felony if the person compels another person to do an
12 act or abstain from doing an act by threatening to report to law enforcement the
13 immigration status of the person.

14 Existing law provides that a person is eligible to vote only if the person is a
15 citizen of the United States and registered to vote. (NRS 293.485) To register to
16 vote, a person must submit certain information to a county clerk, including, without
17 limitation, proof of identification and residence. (NRS 293.517) **Sections 5 and 7-**
18 **11** of this bill provide that to register to vote, a person must submit proof that the
19 person is a citizen of the United States. **Section 5** provides for the documents a
20 person may submit to prove that the person is a citizen of the United States. **Section**
21 **6** of this bill provides that a person commits a category E felony if he votes in an
22 election knowing that he is not entitled to vote in that election.

23 Existing law provides that a person may apply for a Governor Guinn
24 Millennium Scholarship if the person meets certain criteria. (NRS 396.930) **Section**
25 **12** of this bill provides that a person is not eligible to receive a Millennium
26 Scholarship if the person is not a citizen of the United States.

27 Existing law provides that a person is not eligible to receive certain state or
28 local public benefits if the person is not lawfully present in the United States. (NRS
29 422.065, 422A.085) **Sections 13 and 14** of this bill provide that a person who is not
30 a citizen of the United States is not eligible for certain state public benefits,
31 including, without limitation, grants, loans, professional licenses, commercial
32 licenses and assistance for disability, housing, postsecondary education, food or
33 unemployment.

34 Under existing law, the Department of Motor Vehicles may not issue a driver's
35 license to certain persons. (NRS 483.250) In addition, a person must provide proof
36 of his name and age by displaying certain documents. (NRS 483.290) **Section 15** of
37 this bill prohibits the Department from issuing a driver's license to a person who is
38 not lawfully present in the United States. **Section 16** of this bill requires a person to
39 submit with an application for a driver's license proof that he is lawfully present in
40 the United States.

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

1 **Section 1.** Chapter 42 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *Notwithstanding any other provision of law, where a court, by*
4 *law, may award the recovery of damages for the sake of example*
5 *or by way of punishing the defendant, a court shall not award the*
6 *recovery of such damages to a person who is not a citizen of the*
7 *United States.*

8 **Sec. 2.** NRS 205.320 is hereby amended to read as follows:

9 205.320 A person who, with the intent to extort or gain any
10 money or other property or to compel or induce another to make,
11 subscribe, execute, alter or destroy any valuable security or
12 instrument or writing affecting or intended to affect any cause of



1 action or defense, or any property, or to influence the action of any
2 public officer, or to do or abet or procure any illegal or wrongful act,
3 whether or not the purpose is accomplished, threatens directly or
4 indirectly:

- 5 1. To accuse any person of a crime;
- 6 2. To injure a person or property;
- 7 3. To publish or connive at publishing any libel;
- 8 4. To expose or impute to any person any deformity or
9 disgrace; ~~or~~

10 5. To expose any secret ~~or~~; *or*
11 **6. To report to law enforcement officials the immigration**
12 **status of a person,**

13 *↪* is guilty of a category B felony and shall be punished by
14 imprisonment in the state prison for a minimum term of not less
15 than 1 year and a maximum term of not more than 10 years, or by a
16 fine of not more than \$10,000, or by both fine and imprisonment. In
17 addition to any other penalty, the court shall order the person to pay
18 restitution.

19 **Sec. 3.** NRS 207.190 is hereby amended to read as follows:

20 207.190 1. It is unlawful for a person, with the intent to
21 compel another to do or abstain from doing an act which the other
22 person has a right to do or abstain from doing, to:

23 (a) Use violence or inflict injury upon the other person or any of
24 his family, or upon his property, or threaten such violence or injury;

25 (b) Deprive the person of any tool, implement or clothing, or
26 hinder him in the use thereof; ~~or~~

27 (c) Attempt to intimidate the person by threats or force ~~or~~; *or*

28 **(d) Threaten to report to law enforcement officials the**
29 **immigration status of the person.**

30 2. A person who violates the provisions of subsection 1 shall
31 be punished:

32 (a) Where physical force, ~~or~~ the immediate threat of physical
33 force **or a threat described in paragraph (d) of subsection 1** is
34 used, for a category B felony by imprisonment in the state prison for
35 a minimum term of not less than 1 year and a maximum term of not
36 more than 6 years, and may be further punished by a fine of not
37 more than \$5,000.

38 (b) Where no physical force or immediate threat of physical
39 force is used, for a misdemeanor.

40 **Sec. 4.** Chapter 293 of NRS is hereby amended by adding
41 thereto the provisions set forth as sections 5 and 6 of this act.

42 **Sec. 5. 1. Except as otherwise provided in subsection 3, a**
43 **county clerk, field registrar or employee of a voter registration**
44 **agency shall not register to vote a person unless the person**
45 **submits proof of citizenship to the county clerk.**



1 2. *Proof of citizenship may be established by any of the*
2 *following:*

3 (a) *A valid United States passport, or a legible photocopy of the*
4 *pertinent pages thereof, identifying the person and showing the*
5 *passport number.*

6 (b) *A birth certificate or a legible photocopy thereof.*

7 (c) *United States naturalization documentation, or a legible*
8 *photocopy thereof, or the number on a certificate of*
9 *naturalization. If a person provides the number on a certificate of*
10 *naturalization to prove citizenship, the person must not be*
11 *registered to vote until the county clerk verifies the number with*
12 *the United States Citizenship and Immigration Services.*

13 (d) *Any document or method of proof of citizenship established*
14 *by federal law.*

15 (e) *A driver's license bearing an indication that the person*
16 *holding the license is a citizen of the United States.*

17 3. *A person who is registered to vote on or before October 1,*
18 *2007, is deemed to have provided proof of citizenship and is not*
19 *required to submit proof of citizenship pursuant to this section.*

20 **Sec. 6.** *A person who votes in any election knowing that he is*
21 *not entitled to vote at that election pursuant to subsection 1 of*
22 *NRS 293.485 is guilty of a category E felony and shall be*
23 *punished as provided in NRS 193.130.*

24 **Sec. 7.** NRS 293.505 is hereby amended to read as follows:

25 293.505 1. All justices of the peace, except those located in
26 county seats, are ex officio field registrars to carry out the
27 provisions of this chapter.

28 2. The county clerk shall appoint at least one registered voter to
29 serve as a field registrar of voters who, except as otherwise provided
30 in NRS 293.5055, shall register voters within the county for which
31 he is appointed. Except as otherwise provided in subsection 1, a
32 candidate for any office may not be appointed or serve as a field
33 registrar. A field registrar serves at the pleasure of the county clerk
34 and shall perform his duties as the county clerk may direct.

35 3. A field registrar shall demand of any person who applies for
36 registration all information required by the application to register to
37 vote and shall administer all oaths required by this chapter.

38 4. When a field registrar has in his possession five or more
39 completed applications to register to vote, he shall forward them to
40 the county clerk, but in no case may he hold any number of them for
41 more than 10 days.

42 5. Each field registrar shall forward to the county clerk all
43 completed applications in his possession immediately after the fifth
44 Sunday preceding an election. Within 5 days after the fifth Sunday
45 preceding any general election or general city election, a field



1 registrar shall return all unused applications in his possession to the
2 county clerk. If all of the unused applications are not returned to the
3 county clerk, the field registrar shall account for the unreturned
4 applications.

5 6. Each field registrar shall submit to the county clerk a list of
6 the serial numbers of the completed applications to register to vote
7 and the names of the electors on those applications. The serial
8 numbers must be listed in numerical order.

9 7. Each field registrar shall post notices sent to him by the
10 county clerk for posting in accordance with the election laws of this
11 State.

12 8. A field registrar, employee of a voter registration agency or
13 person assisting a voter pursuant to subsection 13 of NRS 293.5235
14 shall not:

15 (a) Delegate any of his duties to another person; or

16 (b) Refuse to register a person on account of that person's
17 political party affiliation.

18 9. A person shall not hold himself out to be or attempt to
19 exercise the duties of a field registrar unless he has been so
20 appointed.

21 10. A county clerk, field registrar, employee of a voter
22 registration agency or person assisting a voter pursuant to subsection
23 13 of NRS 293.5235 shall not:

24 (a) Solicit a vote for or against a particular question or
25 candidate;

26 (b) Speak to a voter on the subject of marking his ballot for or
27 against a particular question or candidate; or

28 (c) Distribute any petition or other material concerning a
29 candidate or question which will be on the ballot for the ensuing
30 election,

31 ↪ while he is registering an elector.

32 11. When the county clerk receives applications to register to
33 vote from a field registrar, he shall issue a receipt to the field
34 registrar. The receipt must include:

35 (a) The number of persons registered; and

36 (b) The political party of the persons registered.

37 12. A county clerk, field registrar, employee of a voter
38 registration agency or person assisting a voter pursuant to subsection
39 13 of NRS 293.5235 shall not:

40 (a) Knowingly register a person who is not a qualified elector or
41 a person who has filed a false or misleading application to register
42 to vote; or

43 (b) Register a person who fails to provide satisfactory proof of
44 *citizenship pursuant to section 5 of this act*, identification and the
45 address at which he actually resides.



1 13. A county clerk, field registrar, employee of a voter
2 registration agency, person assisting a voter pursuant to subsection
3 13 of NRS 293.5235 or any other person providing a form for the
4 application to register to vote to an elector for the purpose of
5 registering to vote:

6 (a) If the person who assists an elector with completing the form
7 for the application to register to vote retains the form, shall enter his
8 name on the duplicate copy or receipt retained by the voter upon
9 completion of the form; and

10 (b) Shall not alter, deface or destroy an application to register to
11 vote that has been signed by an elector except to correct information
12 contained in the application after receiving notice from the elector
13 that a change in or addition to the information is required.

14 14. If a field registrar violates any of the provisions of this
15 section, the county clerk shall immediately suspend the field
16 registrar and notify the district attorney of the county in which the
17 violation occurred.

18 15. A person who violates any of the provisions of subsection
19 8, 9, 10, 12 or 13 is guilty of a category E felony and shall be
20 punished as provided in NRS 193.130.

21 **Sec. 8.** NRS 293.5057 is hereby amended to read as follows:

22 293.5057 A person who does not maintain a residence in this
23 State may register to vote for the office of President and Vice
24 President of the United States if he files a sworn statement with the
25 county clerk or field registrar of voters that he is not registered to
26 vote in any other state and provides evidence:

27 1. Of his domicile in this State in accordance with the
28 provisions of NRS 41.191;

29 2. That he maintains an account at a financial institution
30 located in this State; ~~or~~

31 3. That his motor vehicle is registered in this State ~~or~~; *or*

32 *4. Pursuant to section 5 of this act, that he is a citizen of the*
33 *United States.*

34 **Sec. 9.** NRS 293.517 is hereby amended to read as follows:

35 293.517 1. Any elector residing within the county may
36 register:

37 (a) Except as otherwise provided in NRS 293.560 and
38 293C.527, by appearing before the county clerk, a field registrar or a
39 voter registration agency, completing the application to register to
40 vote, giving true and satisfactory answers to all questions relevant to
41 his identity and right to vote, and providing proof of his *citizenship*
42 *pursuant to section 5 of this act*, residence and identity;

43 (b) By completing and mailing or personally delivering to the
44 county clerk an application to register to vote pursuant to the



1 provisions of NRS 293.5235 ~~§~~ *along with proof of citizenship*
2 *pursuant to section 5 of this act;*

3 (c) Pursuant to the provisions of NRS 293.501 or 293.524; or

4 (d) At his residence with the assistance of a field registrar
5 pursuant to NRS 293.5237.

6 ➤ The county clerk shall require a person to submit official
7 identification as proof of residence and identity, such as a driver's
8 license or other official document, before registering him. If the
9 applicant registers to vote pursuant to this subsection and fails to
10 provide proof of his residence and identity, the applicant must
11 provide proof of his residence and identity before casting a ballot in
12 person or by mail or after casting a provisional ballot pursuant to
13 NRS 293.3081 or 293.3083.

14 2. The application to register to vote must be signed and
15 verified under penalty of perjury by the elector registering.

16 3. Each elector who is or has been married must be registered
17 under his own given or first name, and not under the given or first
18 name or initials of his spouse.

19 4. An elector who is registered and changes his name must
20 complete a new application to register to vote. He may obtain a new
21 application:

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

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

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

28 (d) At any voter registration agency.

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

33 5. An elector who registers to vote pursuant to paragraph (a) of
34 subsection 1 shall be deemed to be registered upon the completion
35 of his application to register to vote.

36 6. After the county clerk determines that the application to
37 register to vote of a person is complete and that the person is eligible
38 to vote, he shall issue a voter registration card to the voter which
39 contains:

40 (a) The name, address, political affiliation and precinct number
41 of the voter;

42 (b) The date of issuance; and

43 (c) The signature of the county clerk.



1 **Sec. 10.** NRS 293.5235 is hereby amended to read as follows:
2 293.5235 1. Except as otherwise provided in NRS 293.502, a
3 person may register to vote by mailing an application to register to
4 vote *and proof of citizenship pursuant to section 5 of this act* to the
5 county clerk of the county in which he resides. The county clerk
6 shall, upon request, mail an application to register to vote to an
7 applicant. The county clerk shall make the applications available at
8 various public places in the county. An application to register to
9 vote may be used to correct information in the registrar of voters'
10 register.

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

17 3. The applicant must complete the application, including,
18 without limitation, checking the boxes described in paragraphs (b)
19 and (c) of subsection 10 and signing the application *and must*
20 *submit with the application proof of citizenship pursuant to*
21 *section 5 of this act.*

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

24 5. If he determines that the application is complete, he shall,
25 within 10 days after he receives the application, mail to the
26 applicant:

27 (a) A notice informing him that he is registered to vote and a
28 voter registration card as required by subsection 6 of NRS 293.517;
29 or

30 (b) A notice informing him that the registrar of voters' register
31 has been corrected to reflect any changes indicated on the
32 application.

33 6. Except as otherwise provided in subsection 5 of NRS
34 293.518, if the county clerk determines that the application is not
35 complete, he shall, as soon as possible, mail a notice to the applicant
36 informing him that additional information is required to complete
37 the application. If the applicant provides the information requested
38 by the county clerk within 15 days after the county clerk mails the
39 notice, the county clerk shall, within 10 days after he receives the
40 information, mail to the applicant:

41 (a) A notice informing him that he is registered to vote and a
42 voter registration card as required by subsection 6 of NRS 293.517;
43 or



1 (b) A notice informing him that the registrar of voters' register
2 has been corrected to reflect any changes indicated on the
3 application.

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

6 7. The applicant shall be deemed to be registered or to have
7 corrected the information in the register:

8 (a) If the application is received by the county clerk or
9 postmarked not more than 3 working days after the applicant
10 completed the application, on the date the applicant completed the
11 application; or

12 (b) If the application is received by the county clerk or
13 postmarked more than 3 working days after the applicant completed
14 the application, on the date the application is received by the county
15 clerk.

16 8. If the applicant fails to check the box described in paragraph
17 (b) of subsection 10, the application shall not be considered invalid
18 and the county clerk shall provide a means for the applicant to
19 correct the omission at the time the applicant appears to vote in
20 person at his assigned polling place.

21 9. The Secretary of State shall prescribe the form for an
22 application to register to vote by mail which must be used to register
23 to vote by mail in this State.

24 10. The application to register to vote by mail must include:

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

26
27 NOTICE: You are urged to return your application to
28 register to vote to the County Clerk in person or by mail. If
29 you choose to give your completed application to another
30 person to return to the County Clerk on your behalf, and the
31 person fails to deliver the application to the County Clerk,
32 you will not be registered to vote. Please retain the duplicate
33 copy or receipt from your application to register to vote.
34

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

38 (c) The question, "Will you be at least 18 years of age on or
39 before election day?" and boxes for the applicant to check to
40 indicate whether or not the applicant will be at least 18 years of age
41 or older on election day.

42 (d) A statement instructing the applicant not to complete the
43 application if the applicant checked "no" in response to the question
44 set forth in paragraph (b) or (c).



1 (e) A statement informing the applicant that if the application is
2 submitted by mail and the applicant is registering to vote for the first
3 time, the applicant must submit the information set forth in
4 paragraph (a) of subsection 2 of NRS 293.2725 to avoid the
5 requirements of subsection 1 of NRS 293.2725 upon voting for the
6 first time.

7 11. Except as otherwise provided in subsection 5 of NRS
8 293.518, the county clerk shall not register a person to vote pursuant
9 to this section unless that person has provided all of the information
10 required by the application.

11 12. The county clerk shall mail, by postcard, the notices
12 required pursuant to subsections 5 and 6. If the postcard is returned
13 to the county clerk by the United States Postal Service because the
14 address is fictitious or the person does not live at that address, the
15 county clerk shall attempt to determine whether the person's current
16 residence is other than that indicated on his application to register to
17 vote in the manner set forth in NRS 293.530.

18 13. A person who, by mail, registers to vote pursuant to this
19 section may be assisted in completing the application to register to
20 vote by any other person. The application must include the mailing
21 address and signature of the person who assisted the applicant. The
22 failure to provide the information required by this subsection will
23 not result in the application being deemed incomplete.

24 14. An application to register to vote must be made available to
25 all persons, regardless of political party affiliation.

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

30 16. A person who willfully violates any of the provisions of
31 subsection 13, 14 or 15 is guilty of a category E felony and shall be
32 punished as provided in NRS 193.130.

33 17. The Secretary of State shall adopt regulations to carry out
34 the provisions of this section.

35 **Sec. 11.** NRS 293.524 is hereby amended to read as follows:

36 293.524 1. The Department of Motor Vehicles shall provide
37 an application to register to vote to each person who applies for the
38 issuance or renewal of any type of driver's license or identification
39 card issued by the Department.

40 2. The county clerk shall use the applications to register to vote
41 which are signed and completed pursuant to subsection 1 to register
42 applicants to vote or to correct information in the registrar of voters'
43 register. An application that is not signed must not be used to
44 register or correct the registration of the applicant. *An application*



1 *that does not include proof of citizenship pursuant to section 5 of*
2 *this act must not be used to register the applicant.*

3 3. For the purposes of this section, each employee specifically
4 authorized to do so by the Director of the Department may oversee
5 the completion of an application. The authorized employee shall
6 check the application for completeness and verify the information
7 required by the application. Each application must include a
8 duplicate copy or receipt to be retained by the applicant upon
9 completion of the form. The Department shall, except as otherwise
10 provided in this subsection, forward each application on a weekly
11 basis to the county clerk or, if applicable, to the registrar of voters of
12 the county in which the applicant resides. The applications must be
13 forwarded daily during the 2 weeks immediately preceding the fifth
14 Sunday preceding an election.

15 4. The county clerk shall accept any application to register to
16 vote which is obtained from the Department of Motor Vehicles
17 pursuant to this section and completed by the fifth Sunday preceding
18 an election if he receives the application not later than 5 days after
19 that date. Upon receipt of an application, the county clerk or field
20 registrar of voters shall determine whether the application is
21 complete. If he determines that the application is complete, he shall
22 notify the applicant and the applicant shall be deemed to be
23 registered as of the date of the submission of the application. If he
24 determines that the application is not complete, he shall notify the
25 applicant of the additional information required. The applicant shall
26 be deemed to be registered as of the date of the initial submission of
27 the application if the additional information is provided within 15
28 days after the notice for the additional information is mailed. If the
29 applicant has not provided the additional information within 15 days
30 after the notice for the additional information is mailed, the
31 incomplete application is void. Any notification required by this
32 subsection must be given by mail at the mailing address on the
33 application not more than 7 working days after the determination is
34 made concerning whether the application is complete.

35 5. The county clerk shall use any form submitted to the
36 Department to correct information on a driver's license or
37 identification card to correct information in the registrar of voters'
38 register, unless the person indicates on the form that the correction
39 is not to be used for the purposes of voter registration. The
40 Department shall forward each such form to the county clerk or, if
41 applicable, to the registrar of voters of the county in which the
42 person resides in the same manner provided by subsection 3 for
43 applications to register to vote.

44 6. Upon receipt of a form to correct information, the county
45 clerk shall compare the information to that contained in the registrar



1 of voters' register. If the person is a registered voter, the county
2 clerk shall correct the information to reflect any changes indicated
3 on the form. After making any changes, the county clerk shall notify
4 the person by mail that his records have been corrected.

5 7. The Secretary of State shall, with the approval of the
6 Director, adopt regulations to:

7 (a) Establish any procedure necessary to provide an elector who
8 applies to register to vote pursuant to this section the opportunity to
9 do so;

10 (b) Prescribe the contents of any forms or applications which the
11 Department is required to distribute pursuant to this section; and

12 (c) Provide for the transfer of the completed applications of
13 registration from the Department to the appropriate county clerk for
14 inclusion in the election board registers and registrar of voters'
15 register.

16 **Sec. 12.** NRS 396.930 is hereby amended to read as follows:

17 396.930 1. Except as otherwise provided in subsections 2 and
18 3, a student may apply to the Board of Regents for a millennium
19 scholarship if he:

20 (a) Has been a resident of this State for at least 2 years before he
21 applies for the scholarship ~~and~~ *and is a citizen of the United States;*

22 (b) Except as otherwise provided in paragraph (c), graduated
23 from a public or private high school in this State:

24 (1) After May 1, 2000, but not later than May 1, 2003; or

25 (2) After May 1, 2003, and, except as otherwise provided in
26 paragraph (c) of subsection 2, not more than 6 years before he
27 applies for the scholarship;

28 (c) Does not satisfy the requirements of paragraph (b) and:

29 (1) Was enrolled as a pupil in a public or private high school
30 in this State with a class of pupils who were regularly scheduled to
31 graduate after May 1, 2000;

32 (2) Received his high school diploma within 4 years after he
33 was regularly scheduled to graduate; and

34 (3) Applies for the scholarship not more than 6 years after he
35 was regularly scheduled to graduate from high school;

36 (d) Maintained in high school in the courses designated by the
37 Board of Regents pursuant to paragraph (b) of subsection 2, at least:

38 (1) A 3.00 grade point average on a 4.0 grading scale, if he
39 was a member of the graduating class of 2003 or 2004;

40 (2) A 3.10 grade point average on a 4.0 grading scale, if he
41 was a member of the graduating class of 2005 or 2006; or

42 (3) A 3.25 grade point average on a 4.0 grading scale, if he
43 was a member of the graduating class of 2007 or a later graduating
44 class; and

45 (e) Is enrolled in at least:



1 (1) Six semester credit hours in a community college within
2 the System; or

3 (2) Twelve semester credit hours in another eligible
4 institution.

5 2. The Board of Regents:

6 (a) Shall define the core curriculum that a student must complete
7 in high school to be eligible for a millennium scholarship.

8 (b) Shall designate the courses in which a student must earn the
9 minimum grade point averages set forth in paragraph (d) of
10 subsection 1.

11 (c) May establish criteria with respect to students who have been
12 on active duty serving in the Armed Forces of the United States to
13 exempt such students from the 6-year limitation on applications that
14 is set forth in subparagraph (2) of paragraph (b) of subsection 1.

15 (d) Shall establish criteria with respect to students who have a
16 documented physical or mental disability or who were previously
17 subject to an individualized education program under the
18 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et
19 seq., or a plan under Title V of the Rehabilitation Act of 1973, 29
20 U.S.C. §§ 791 et seq. The criteria must provide an exemption for
21 those students from:

22 (1) The 6-year limitation on applications that is set forth in
23 subparagraph (2) of paragraph (b) of subsection 1 and subparagraph
24 (3) of paragraph (c) of subsection 1 and any limitation applicable to
25 students who are eligible pursuant to subparagraph (1) of paragraph
26 (b) of subsection 1.

27 (2) The minimum number of credits prescribed in paragraph
28 (e) of subsection 1.

29 3. Except as otherwise provided in paragraph (c) of subsection
30 1, for students who did not graduate from a public or private high
31 school in this State and who have been residents of this State for at
32 least 2 years, the Board of Regents shall establish:

33 (a) The minimum score on a standardized test that such students
34 must receive; or

35 (b) Other criteria that students must meet,
36 ➔ to be eligible for millennium scholarships.

37 4. In awarding scholarships, the Board of Regents shall
38 enhance its outreach to students who:

39 (a) Are pursuing a career in education or health care;

40 (b) Come from families who lack sufficient financial resources
41 to pay for the costs of sending their children to an eligible
42 institution; or

43 (c) Substantially participated in an antismoking, antidrug or
44 antialcohol program during high school.



1 **Sec. 13.** NRS 422.065 is hereby amended to read as follows:

2 422.065 1. Notwithstanding any other provision of state or
3 local law, a person or governmental entity that provides a ~~[state or]~~
4 local public benefit:

5 (a) Shall comply with the provisions of 8 U.S.C. § 1621
6 regarding the eligibility of an alien for such a benefit.

7 (b) Is not required to pay any costs or other expenses relating to
8 the provision of such a benefit after July 1, 1997, to an alien who,
9 pursuant to 8 U.S.C. § 1621, is not eligible for the benefit.

10 2. *Notwithstanding any other provision of law and except as*
11 *otherwise provided in subsections 3 and 4, a person or*
12 *governmental entity that provides a state public benefit shall not*
13 *provide a state public benefit to a person who is not a citizen of the*
14 *United States.*

15 3. *Subsection 2 does not apply:*

16 (a) *To a person who is eligible for a state public benefit*
17 *pursuant to 8 U.S.C. § 1622(b); and*

18 (b) *With respect to a state public benefit listed in 8 U.S.C. §*
19 *1621(b).*

20 4. *A person or governmental entity that issues business or*
21 *professional licenses may provide a business or professional*
22 *license to a person who is not a citizen of the United States, but*
23 *shall not provide a business or professional license to a person*
24 *who is not lawfully present in the United States.*

25 5. Compliance with the provisions ~~[of 8 U.S.C. § 1621]~~ *this*
26 *section* must not be construed to constitute any form of
27 discrimination, distinction or restriction made, or any other action
28 taken, on the basis of national origin.

29 ~~[3-]~~ 6. As used in this section ~~[, “state or local public benefit”~~
30 ~~has the meaning ascribed to it]~~ :

31 (a) *“Local public benefit” means a benefit listed in 8 U.S.C. §*
32 ~~[1621-]~~ *1621(c) which is provided by an agency of a local*
33 *government or by appropriated funds of a local government.*

34 (b) *“State public benefit” means a benefit listed in 8 U.S.C. §*
35 *1621(c) which is provided by an agency of this State or by*
36 *appropriated funds of this State.*

37 **Sec. 14.** NRS 422A.085 is hereby amended to read as follows:

38 422A.085 1. Notwithstanding any other provision of state or
39 local law, a person or governmental entity that provides a ~~[state or]~~
40 local public benefit:

41 (a) Shall comply with the provisions of 8 U.S.C. § 1621
42 regarding the eligibility of an alien for such a benefit.

43 (b) Is not required to pay any costs or other expenses relating to
44 the provision of such a benefit after July 1, 1997, to an alien who,
45 pursuant to 8 U.S.C. § 1621, is not eligible for the benefit.



1 2. *Notwithstanding any other provision of law and except as*
2 *otherwise provided in subsections 3 and 4, a person or*
3 *governmental entity that provides a state public benefit shall not*
4 *provide a state public benefit to a person who is not a citizen of the*
5 *United States.*

6 3. *Subsection 2 does not apply:*

7 (a) *To a person who is eligible for a state public benefit*
8 *pursuant to 8 U.S.C. § 1622(b); and*

9 (b) *With respect to a state public benefit listed in 8 U.S.C. §*
10 *1621(b).*

11 4. *A person or governmental entity that issues business or*
12 *professional licenses may provide a business or professional*
13 *license to a person who is not a citizen of the United States, but*
14 *shall not provide a business or professional license to a person*
15 *who is not lawfully present in the United States.*

16 5. Compliance with the provisions of ~~[8 U.S.C. § 1621]~~ *this*
17 *section* must not be construed to constitute any form of
18 discrimination, distinction or restriction made, or any other action
19 taken, on the basis of national origin.

20 ~~[3-] 6. As used in this section [,"state or local public benefit"~~
21 ~~has the meaning ascribed to it] :~~

22 (a) *"Local public benefit" means a benefit listed in 8 U.S.C. §*
23 ~~[1621.]~~ *1621(c) which is provided by an agency of a local*
24 *government or by appropriated funds of a local government.*

25 (b) *"State public benefit" means a benefit listed in 8 U.S.C. §*
26 *1621(c) which is provided by an agency of this State or by*
27 *appropriated funds of this State.*

28 **Sec. 15.** NRS 483.250 is hereby amended to read as follows:

29 483.250 The Department shall not issue any license pursuant to
30 the provisions of NRS 483.010 to 483.630, inclusive:

31 1. To any person who is under the age of 18 years, except that
32 the Department may issue:

33 (a) A restricted license to a person between the ages of 14 and
34 18 years pursuant to the provisions of NRS 483.267 and 483.270.

35 (b) An instruction permit to a person who is at least 15 1/2 years
36 of age pursuant to the provisions of subsection 1 of NRS 483.280.

37 (c) A restricted instruction permit to a person under the age of
38 18 years pursuant to the provisions of subsection 3 of NRS 483.280.

39 (d) A driver's license to a person who is 16 or 17 years of age
40 pursuant to NRS 483.2521.

41 2. To any person whose license has been revoked until the
42 expiration of the period during which he is not eligible for a license.

43 3. To any person whose license has been suspended, but upon
44 good cause shown to the Administrator, the Department may issue a
45 restricted license to him or shorten any period of suspension.



1 4. To any person who has previously been adjudged to be
2 afflicted with or suffering from any mental disability or disease and
3 who has not at the time of application been restored to legal
4 capacity.

5 5. To any person who is required by NRS 483.010 to 483.630,
6 inclusive, to take an examination, unless he has successfully passed
7 the examination.

8 6. To any person when the Administrator has good cause to
9 believe that by reason of physical or mental disability that person
10 would not be able to operate a motor vehicle safely.

11 7. To any person who is not a resident of this State.

12 8. To any child who is the subject of a court order issued
13 pursuant to title 5 of NRS which delays his privilege to drive.

14 9. To any person who is the subject of a court order issued
15 pursuant to NRS 206.330 which suspends or delays his privilege to
16 drive until the expiration of the period of suspension or delay.

17 10. To any person who is not eligible for the issuance of a
18 license pursuant to NRS 483.283.

19 ***11. To any person who is not lawfully present in the United***
20 ***States.***

21 **Sec. 16.** NRS 483.290 is hereby amended to read as follows:

22 483.290 1. Every application for an instruction permit or for
23 a driver's license must:

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

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

28 (c) Be accompanied by the required fee.

29 (d) State the name, date of birth, sex and residence address of
30 the applicant and briefly describe the applicant.

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

36 (f) ***Include such information as the Department may require to***
37 ***determine that the applicant is lawfully present in the United***
38 ***States.***

39 (g) Include such other information as the Department may
40 require to determine the competency and eligibility of the applicant.

41 2. Except as otherwise provided in subsections 5, 6 and 7,
42 every applicant must furnish proof of his name and age by
43 displaying an original or certified copy of at least one of the
44 following documents:



1 (a) If the applicant was born in the United States, including,
2 without limitation, the District of Columbia or any territory of the
3 United States:

4 (1) A birth certificate issued by a state, a political subdivision
5 of a state, the District of Columbia or any territory of the United
6 States;

7 (2) A driver's license issued by another state, the District of
8 Columbia or any territory of the United States;

9 (3) A passport issued by the United States Government;

10 (4) A military identification card or military dependent
11 identification card issued by any branch of the Armed Forces of the
12 United States;

13 (5) For persons who served in any branch of the Armed
14 Forces of the United States, a report of separation;

15 (6) A Certificate of Degree of Indian Blood issued by the
16 United States Government; or

17 (7) Such other documentation as specified by the Department
18 by regulation; or

19 (b) If the applicant was born outside the United States:

20 (1) A Certificate of Citizenship, Certificate of Naturalization,
21 Permanent Resident Card or Temporary Resident Card issued by the
22 Bureau of Citizenship and Immigration Services;

23 (2) A Consular Report of Birth Abroad issued by the
24 Department of State;

25 (3) A driver's license issued by another state, the District of
26 Columbia or any territory of the United States;

27 (4) A passport issued by the United States Government; or

28 (5) Any other proof acceptable to the Department other than
29 a passport issued by a foreign government.

30 3. At the time of applying for a driver's license, an applicant
31 may, if eligible, register to vote pursuant to NRS 293.524.

32 4. Every applicant who has been assigned a social security
33 number must furnish proof of his social security number by
34 displaying:

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

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

40 5. The Department may refuse to accept a driver's license
41 issued by another state, the District of Columbia or any territory of
42 the United States if the Department determines that the other state,
43 the District of Columbia or the territory of the United States has less
44 stringent standards than the State of Nevada for the issuance of a
45 driver's license.



1 6. With respect to any document described in paragraph (b) of
2 subsection 2, the Department may:

3 (a) If the document has expired, refuse to accept the document
4 or refuse to issue a driver's license to the person presenting the
5 document, or both; and

6 (b) If the document specifies a date by which the person
7 presenting the document must depart from the United States, issue
8 to the person presenting the document a driver's license that expires
9 on the date on which the person is required to depart from the
10 United States.

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

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

21 **Sec. 17.** NRS 293.523 is hereby repealed.

TEXT OF REPEALED SECTION

293.523 Registration of naturalized citizen. A naturalized
citizen need not produce his certificate of naturalization in order to
qualify to be registered.

