

ASSEMBLY BILL NO. 82—COMMITTEE ON ELECTIONS,  
PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS

(ON BEHALF OF THE SECRETARY OF STATE)

PREFILED DECEMBER 15, 2008

Referred to Committee on Elections, Procedures, Ethics,  
and Constitutional Amendments

SUMMARY—Makes various changes relating to elections.  
(BDR 24-417)

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; making various changes relating to  
the administration and conduct of elections; providing  
penalties; and providing other matters properly relating  
thereto.

**Legislative Counsel’s Digest:**

- 1 Under existing law, most candidates for public office are required to file a
- 2 declaration of candidacy or an acceptance of candidacy not earlier than the first
- 3 Monday in May of the year in which the election is to be held or later than 5 p.m.
- 4 on the second Friday after the first Monday in May. (NRS 293.1715, 293.1725,
- 5 293.177, 293.200) **Sections 2-4 and 6** of this bill provide that all declarations or
- 6 acceptances of candidacy and related documents must be filed not earlier than the
- 7 first Monday in January of the year in which the election is to be held and not later
- 8 than 5 p.m. on the second Friday after that first Monday in January.
- 9 **Section 5** of this bill increases the deadline for filing written challenges of
- 10 candidacy from 5 days to 15 days after the last day a person may withdraw his
- 11 candidacy. (NRS 293.182)
- 12 Existing law provides that election precincts may contain a maximum of 1,500
- 13 active and registered voters. **Section 7** of this bill provides that in a county whose
- 14 population is 400,000 or more (currently Clark County), election precincts may
- 15 contain a maximum of 3,000 active and registered voters. (NRS 293.207)
- 16 **Sections 8 and 15** of this bill provide that the creation of mailing precincts
- 17 must be approved by the Secretary of State. (NRS 293.213, 293.343)
- 18 **Sections 1, 9, 11, 12, 14, 20 and 22** of this bill authorize the Secretary of State
- 19 to establish a system for electors in the State to register to vote electronically. (NRS
- 20 293.1277, 293.250, 293.272, 293.2725, 293.506 and 293.517)



21 **Section 10** of this bill provides that if two or more candidates in an election  
22 have the same given name and surname and one candidate is an incumbent, the  
23 word "Incumbent" must be written on the ballot next to name of the candidate who  
24 is the incumbent. (NRS 293.2565)

25 **Section 16** of this bill authorizes the Secretary of State to assess a charge, not  
26 to exceed the cost of printing the applications, against a political party or  
27 other entity that requests more than 50 applications to register to vote by mail.  
28 (NRS 293.443)

29 **Section 18** of this bill prohibits a voter registration agency from employing a  
30 person whose duties will include the registration of voters if the person has been  
31 convicted of a felony involving theft, fraud or dishonesty. (NRS 293.5045)

32 **Section 19** of this bill prohibits a county clerk from appointing to be a field  
33 registrar any person who has been convicted of a felony involving theft, fraud or  
34 dishonesty. (NRS 293.505)

35 **Section 23** of this bill amends the deadlines for the county clerk to transmit the  
36 number of registered voters in the county to the Secretary of State for the primary  
37 and general elections. (NRS 293.567)

38 **Section 24** of this bill increases the penalty for intimidating voters from a gross  
39 misdemeanor to a category E felony. (NRS 293.710)

40 **Section 25** of this bill increases the penalty for interfering with the conduct of  
41 an election from a gross misdemeanor to a category C felony. (NRS 293.730)

42 **Section 26** of this bill increases the penalty for the removal or destruction of  
43 certain voting supplies and equipment from a gross misdemeanor to a category B  
44 felony. (NRS 293.750)

45 **Section 27** of this bill provides that if a person tampers or interferes with, or  
46 attempts to tamper or interfere with, a mechanical voting system, mechanical voting  
47 device or any computer program used to count ballots, such an act is punishable as:  
48 (1) a category B felony, punishable by imprisonment in the state prison for a  
49 minimum term of not less than 2 years or more than 10 years, if the act was  
50 committed with the intent to prevent the proper operation of that system, device or  
51 program; and (2) a category A felony, punishable by imprisonment in the state  
52 prison for a fixed term of 40 years, with eligibility for parole beginning when a  
53 minimum of 15 years has been served, if the act was committed with the intent to  
54 influence the outcome of an election. (NRS 293.755)

55 **Section 28** of this bill makes certain unlawful acts relating to the registration of  
56 voters a category C felony rather than a category E felony. (NRS 293.800)

57 **Section 30** of this bill amends the definition of "committee for political action"  
58 to include a person or group of persons organized formally or informally, including  
59 a business entity, who advocates the passage or defeat of a question or group of  
60 questions on the ballot at an election. (NRS 294A.0055)

61 **Sections 33 and 35** of this bill provide the acceptable methods for disposing of  
62 unspent campaign contributions or unspent money in a legal defense fund. (NRS  
63 294A.200, 294A.286)

64 **Section 34** of this bill requires committees for political action to file with the  
65 Secretary of State an updated form of registration at least every 180 days.  
66 (NRS 294A.230)

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

1       **Section 1.** NRS 293.1277 is hereby amended to read as  
2 follows:

3       293.1277 1. If the Secretary of State finds that the total  
4 number of signatures submitted to all the county clerks is 100  
5 percent or more of the number of registered voters needed to declare  
6 the petition sufficient, he shall immediately so notify the county  
7 clerks. Within 9 days, excluding Saturdays, Sundays and holidays,  
8 after notification, each of the county clerks shall determine the  
9 number of registered voters who have signed the documents  
10 submitted in his county.

11       2. If more than 500 names have been signed on the documents  
12 submitted to him, a county clerk shall examine the signatures by  
13 sampling them at random for verification. The random sample of  
14 signatures to be verified must be drawn in such a manner that every  
15 signature which has been submitted to the county clerk is given an  
16 equal opportunity to be included in the sample. The sample must  
17 include an examination of at least 500 or 5 percent of the signatures,  
18 whichever is greater.

19       3. In determining from the records of registration the number  
20 of registered voters who signed the documents, the county clerk may  
21 use the signatures contained in the file of applications to register to  
22 vote. If the county clerk uses that file, he shall ensure that every  
23 application in the file is examined, including any application in his  
24 possession which may not yet be entered into his records. ~~[The]~~  
25 *Except as otherwise provided in this subsection, the* county clerk  
26 shall rely only on the appearance of the signature and the address  
27 and date included with each signature *in the file of applications to*  
28 *register to vote* in making his determination. *If the Secretary of*  
29 *State establishes pursuant to NRS 293.506 a system to allow*  
30 *persons to register electronically to vote in this State, the county*  
31 *clerk may rely on such other indicia as prescribed by the Secretary*  
32 *of State in making his determination.*

33       4. Except as otherwise provided in subsection 6, upon  
34 completing the examination, the county clerk shall immediately  
35 attach to the documents a certificate properly dated, showing the  
36 result of his examination and transmit the documents with the  
37 certificate to the Secretary of State. A copy of this certificate must  
38 be filed in the clerk's office. When the county clerk transmits the  
39 certificate to the Secretary of State, the county clerk shall notify the  
40 Secretary of State of the number of requests to remove a name  
41 received by the county clerk pursuant to NRS 295.055 or 306.015.



1 5. A person who submits a petition to the county clerk which is  
2 required to be verified pursuant to NRS 293.128, 293.165, 293.172,  
3 293.200, 295.056, 298.109, 306.035 or 306.110 must be allowed to  
4 witness the verification of the signatures. A public officer who is the  
5 subject of a recall petition must also be allowed to witness the  
6 verification of the signatures on the petition.

7 6. For any petition containing signatures which are required to  
8 be verified pursuant to the provisions of NRS 293.165, 293.200,  
9 306.035 or 306.110 for any county, district or municipal office  
10 within one county, the county clerk shall not transmit to the  
11 Secretary of State the documents containing the signatures of the  
12 registered voters.

13 7. The Secretary of State may by regulation establish further  
14 procedures for carrying out the provisions of this section.

15 **Sec. 2.** NRS 293.1715 is hereby amended to read as follows:

16 293.1715 1. The names of the candidates for partisan office  
17 of a minor political party must not appear on the ballot for a primary  
18 election.

19 2. The names of the candidates for partisan office of a minor  
20 political party must be placed on the ballot for the general election if  
21 the party has filed a certificate of existence and a list of its  
22 candidates for partisan office pursuant to the provisions of NRS  
23 293.1725 with the Secretary of State and:

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

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

32 (c) Not later than the second Friday in August preceding the  
33 general election, files a petition with the Secretary of State which is  
34 signed by a number of registered voters equal to at least 1 percent of  
35 the total number of votes cast at the last preceding general election  
36 for the offices of Representative in Congress.

37 3. The name of a candidate for partisan office for a minor  
38 political party other than a candidate for the office of President or  
39 Vice President of the United States must be placed on the ballot for  
40 the general election if the party has filed:

41 (a) A certificate of existence;

42 (b) A list of candidates for partisan office containing the name  
43 of the candidate pursuant to the provisions of NRS 293.1725 with  
44 the Secretary of State; and



1 (c) Not earlier than the first Monday in ~~May preceding~~  
2 *January of the year in which* the general election *is to be held* and  
3 not later than 5 p.m. on the second Friday after the first Monday in  
4 ~~May.] January~~, a petition on behalf of the candidate with the  
5 Secretary of State containing not less than:

6 (1) Two hundred fifty signatures of registered voters if the  
7 candidate is to be nominated for a statewide office; or

8 (2) One hundred signatures of registered voters if the  
9 candidate is to be nominated for any office except a statewide  
10 office.

11 ➤ A minor political party that places names of one or more  
12 candidates for partisan office on the ballot pursuant to this  
13 subsection may also place the names of one or more candidates for  
14 partisan office on the ballot pursuant to subsection 2.

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

18 5. A minor political party must file a copy of the petition  
19 required by paragraph (c) of subsection 2 or paragraph (c) of  
20 subsection 3 with the Secretary of State before the petition may be  
21 circulated for signatures.

22 **Sec. 3.** NRS 293.1725 is hereby amended to read as follows:

23 293.1725 1. Except as otherwise provided in subsection 4, a  
24 minor political party that wishes to place its candidates for partisan  
25 office on the ballot for a general election and:

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

28 (b) Files a petition pursuant to paragraph (c) of subsection 2 of  
29 NRS 293.1715; or

30 (c) Whose candidates are entitled to appear on the ballot  
31 pursuant to subsection 3 of NRS 293.1715,

32 ➤ must file with the Secretary of State a list of its candidates for  
33 partisan office not earlier than the first Monday in ~~May preceding~~  
34 *January of the year in which* the election ~~is to be held or~~ later  
35 than 5 p.m. on the second Friday after the first Monday in ~~May.]~~  
36 *January*. The list must be signed by the person so authorized in the  
37 certificate of existence of the minor political party before a notary  
38 public or other person authorized to take acknowledgments. The  
39 Secretary of State shall strike from the list each candidate who is not  
40 entitled to appear on the ballot pursuant to subsection 3 of NRS  
41 293.1715 if the minor political party is not entitled to place  
42 candidates on the ballot pursuant to subsection 2 of NRS 293.1715.  
43 The list may be amended not later than 5 p.m. on the second Friday  
44 after the first Monday in ~~May.] January~~.



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

5 3. Each candidate on the list must file his declaration of  
6 candidacy with the appropriate filing officer and pay the fee  
7 required by NRS 293.193 not earlier than the date on which the list  
8 of candidates for partisan office of his minor political party is filed  
9 with the Secretary of State ~~nor~~ or later than 5 p.m. on the second  
10 Friday after the first Monday in ~~May~~ January.

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

18 **Sec. 4.** NRS 293.177 is hereby amended to read as follows:

19 293.177 1. Except as otherwise provided in NRS 293.165, a  
20 name may not be printed on a ballot to be used at a primary election  
21 unless the person named has filed a declaration of candidacy or an  
22 acceptance of candidacy ~~and~~ and has paid the fee required by NRS  
23 293.193 not earlier than ~~and~~:

24 ~~—(a) For a candidate for judicial office,~~ the first Monday in  
25 January of the year in which the election is to be held ~~nor~~ or later  
26 than 5 p.m. on the second Friday after the first Monday in January .  
27 ~~and~~

28 ~~—(b) For all other candidates, the first Monday in May of the year~~  
29 ~~in which the election is to be held nor later than 5 p.m. on the~~  
30 ~~second Friday after the first Monday in May.]~~

31 2. A declaration of candidacy or an acceptance of candidacy  
32 required to be filed by this section must be in substantially the  
33 following form:

34 (a) For partisan office:

35  
36 DECLARATION OF CANDIDACY OF ..... FOR THE  
37 OFFICE OF .....

38  
39 State of Nevada

40  
41 County of .....

42  
43 For the purpose of having my name placed on the official ballot as a  
44 candidate for the ..... Party nomination for the office of  
45 ....., I, the undersigned ....., do swear or affirm under penalty



1 of perjury that I actually, as opposed to constructively, reside at  
 2 ....., in the City or Town of ....., County of ....., State of  
 3 Nevada; that my actual, as opposed to constructive, residence in the  
 4 State, district, county, township, city or other area prescribed by law  
 5 to which the office pertains began on a date at least 30 days  
 6 immediately preceding the date of the close of filing of declarations  
 7 of candidacy for this office; that my telephone number is .....,  
 8 and the address at which I receive mail, if different than my  
 9 residence, is .....; that I am registered as a member of the  
 10 ..... Party; that I am a qualified elector pursuant to Section 1  
 11 of Article 2 of the Constitution of the State of Nevada; that if I have  
 12 ever been convicted of treason or a felony, my civil rights have been  
 13 restored by a court of competent jurisdiction; that I have not, in  
 14 violation of the provisions of NRS 293.176, changed the designation  
 15 of my political party or political party affiliation on an official  
 16 application to register to vote in any state since September 1 before  
 17 the closing filing date for this election; that I generally believe in  
 18 and intend to support the concepts found in the principles and  
 19 policies of that political party in the coming election; that if  
 20 nominated as a candidate of the ..... Party at the ensuing  
 21 election, I will accept that nomination and not withdraw; that I will  
 22 not knowingly violate any election law or any law defining and  
 23 prohibiting corrupt and fraudulent practices in campaigns and  
 24 elections in this State; that I will qualify for the office if elected  
 25 thereto, including, but not limited to, complying with any limitation  
 26 prescribed by the Constitution and laws of this State concerning the  
 27 number of years or terms for which a person may hold the office;  
 28 and that I understand that my name will appear on all ballots as  
 29 designated in this declaration.

30  
 31 .....  
 32 (Designation of name)

33  
 34 .....  
 35 (Signature of candidate for office)

36  
 37 Subscribed and sworn to before me  
 38 this ..... day of the month of ..... of the year .....

39 .....  
 40 .....  
 41 Notary Public or other person  
 42 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 by a court of competent jurisdiction; 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 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; and 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 .....



1 .....  
2

Notary Public or other person  
authorized to administer an oath


3  
4

5 3. The address of a candidate which must be included in the  
6 declaration of candidacy or acceptance of candidacy pursuant to  
7 subsection 2 must be the street address of the residence where he  
8 actually, as opposed to constructively, resides in accordance with  
9 NRS 281.050, if one has been assigned. The declaration or  
10 acceptance of candidacy must not be accepted for filing if:

11 (a) The candidate's address is listed as a post office box unless a  
12 street address has not been assigned to his residence; or

13 (b) The candidate does not present to the filing officer:

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

17 (2) A current utility bill, bank statement, paycheck  or  
18 document issued by a governmental entity, including a check which  
19 indicates the candidate's name and residential address, but not  
20 including a voter registration card issued pursuant to NRS 293.517.

21 4. The filing officer shall retain a copy of the proof of identity  
22 and residency provided by the candidate pursuant to paragraph (b)  
23 of subsection 3. Such a copy:

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

25 (b) Must not contain the social security number or driver's  
26 license or identification card number of the candidate.

27 5. By filing the declaration or acceptance of candidacy, the  
28 candidate shall be deemed to have appointed the filing officer for  
29 the office as his agent for service of process for the purposes of a  
30 proceeding pursuant to NRS 293.182. Service of such process must  
31 first be attempted at the appropriate address as specified by the  
32 candidate in the declaration or acceptance of candidacy. If the  
33 candidate cannot be served at that address, service must be made by  
34 personally delivering to and leaving with the filing officer duplicate  
35 copies of the process. The filing officer shall immediately send, by  
36 registered or certified mail, one of the copies to the candidate at his  
37 specified address, unless the candidate has designated in writing to  
38 the filing officer a different address for that purpose, in which case  
39 the filing officer shall mail the copy to the last address so  
40 designated.

41 6. If the filing officer receives credible evidence indicating that  
42 a candidate has been convicted of a felony and has not had his civil  
43 rights restored by a court of competent jurisdiction, the filing  
44 officer:



1 (a) May conduct an investigation to determine whether the  
2 candidate has been convicted of a felony and, if so, whether he has  
3 had his civil rights restored by a court of competent jurisdiction; and

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

8 7. The receipt of information by the Attorney General or  
9 district attorney pursuant to subsection 6 must be treated as a  
10 challenge of a candidate pursuant to subsections 4 and 5 of NRS  
11 293.182. If the ballots are printed before a court of competent  
12 jurisdiction makes a determination that a candidate has been  
13 convicted of a felony and has not had his civil rights restored by a  
14 court of competent jurisdiction, the filing officer must post a notice  
15 at each polling place where the candidate's name will appear on the  
16 ballot informing the voters that the candidate is disqualified from  
17 entering upon the duties of the office for which the candidate filed  
18 the declaration of candidacy or acceptance of candidacy.

19 **Sec. 5.** NRS 293.182 is hereby amended to read as follows:

20 293.182 1. After a person files a declaration of candidacy or  
21 an acceptance of candidacy to be a candidate for an office, and not  
22 later than ~~5~~ 15 days after the last day the person may withdraw his  
23 candidacy pursuant to NRS 293.202, an elector may file with the  
24 filing officer for the office a written challenge of the person on the  
25 grounds that the person fails to meet any qualification required for  
26 the office pursuant to the Constitution or a statute of this State,  
27 including, without limitation, a requirement concerning age or  
28 residency. Before accepting the challenge from the elector, the filing  
29 officer shall notify the elector that if the challenge is found by a  
30 court to be frivolous, the elector may be required to pay the  
31 reasonable attorney's fees and court costs of the challenged person.

32 2. A challenge filed pursuant to subsection 1 must:

33 (a) Indicate each qualification the person fails to meet;

34 (b) Have attached all documentation and evidence supporting  
35 the challenge; and

36 (c) Be in the form of an affidavit, signed by the elector under  
37 penalty of perjury.

38 3. Upon receipt of a challenge pursuant to subsection 1:

39 (a) The Secretary of State shall immediately transmit the  
40 challenge to the Attorney General.

41 (b) A filing officer other than the Secretary of State shall  
42 immediately transmit the challenge to the district attorney.

43 4. If the Attorney General or district attorney determines that  
44 probable cause exists to support the challenge, the Attorney General  
45 or district attorney shall, not later than 5 working days after



1 receiving the challenge, petition a court of competent jurisdiction to  
2 order the person to appear before the court. Upon receipt of such a  
3 petition, the court shall enter an order directing the person to appear  
4 before the court at a hearing, at a time and place to be fixed by the  
5 court in the order, to show cause why the challenge is not valid. A  
6 certified copy of the order must be served upon the person. The  
7 court shall give priority to such proceedings over all other matters  
8 pending with the court, except for criminal proceedings.

9 5. If, at the hearing, the court determines by a preponderance of  
10 the evidence that the challenge is valid or that the person otherwise  
11 fails to meet any qualification required for the office pursuant to the  
12 Constitution or a statute of this State, or if the person fails to appear  
13 at the hearing:

14 (a) The name of the person must not appear on any ballot for the  
15 election for the office for which he filed the declaration of  
16 candidacy or acceptance of candidacy; and

17 (b) The person is disqualified from entering upon the duties of  
18 the office for which he filed the declaration of candidacy or  
19 acceptance of candidacy.

20 6. If, at the hearing, the court determines that the challenge is  
21 frivolous, the court may order the elector who filed the challenge to  
22 pay the reasonable attorney's fees and court costs of the challenged  
23 person.

24 **Sec. 6.** NRS 293.200 is hereby amended to read as follows:

25 293.200 1. An independent candidate for partisan office must  
26 file with the appropriate filing officer:

27 (a) A copy of the petition of candidacy that he intends to  
28 subsequently circulate for signatures. The copy must be filed not  
29 ~~earlier than the January 2 preceeding the date of the election and~~  
30 ~~not~~ later than 25 working days before the last day to file the petition  
31 pursuant to subsection 4.

32 (b) Either of the following:

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

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

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

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



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

5 2. The petition may consist of more than one document. Each  
6 document must bear the name of the county in which it was  
7 circulated, and only registered voters of that county may sign the  
8 document. If the office is not a statewide office, only the registered  
9 voters of the county, district or municipality in question may sign  
10 the document. The documents that are circulated for signature in a  
11 county must be submitted to that county clerk for verification in the  
12 manner prescribed in NRS 293.1276 to 293.1279, inclusive, not  
13 later than 25 working days before the last day to file the petition  
14 pursuant to subsection 4. Each person who signs the petition shall  
15 add to his signature the address of the place at which he actually  
16 resides, the date that he signs the petition and the name of the  
17 county ~~{where}~~ *in which* he is registered to vote. The person who  
18 circulates each document of the petition shall sign an affidavit  
19 attesting that the signatures on the document are genuine to the best  
20 of his knowledge and belief and were signed in his presence by  
21 persons registered to vote in that county.

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

24 4. Petitions of candidacy must be filed not earlier than the first  
25 Monday in ~~{May}~~ *January* preceding the general election and not  
26 later than 5 p.m. on the second Friday after the first Monday in  
27 ~~{May}~~ *January*.

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

30 6. A person may not file as an independent candidate if he is  
31 proposing to run as the candidate of a political party.

32 7. The names of independent candidates must be placed on the  
33 general election ballot and must not appear on the primary election  
34 ballot.

35 8. If the candidacy of any person seeking to qualify pursuant to  
36 this section is challenged, all affidavits and documents in support of  
37 the challenge must be filed not later than 5 p.m. on the fourth  
38 Monday in ~~{May}~~ *January*. Any judicial proceeding resulting from  
39 the challenge must be set for hearing not more than 5 days after the  
40 fourth Monday in ~~{May}~~ *January*.

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

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



1 (b) The district court for the county ~~[where]~~ *in which* the  
2 petition of candidacy was filed if the petition was filed with a  
3 county clerk.

4 10. An independent candidate for partisan office must file a  
5 declaration of candidacy with the appropriate filing officer and pay  
6 the fee required by NRS 293.193 not earlier than the first Monday in  
7 ~~[May]~~ *January* of the year in which the election is held ~~[not]~~ *or*  
8 later than 5 p.m. on the second Friday after the first Monday in  
9 ~~[May.]~~ *January.*

10 **Sec. 7.** NRS 293.207 is hereby amended to read as follows:

11 293.207 1. Election precincts must be established on the  
12 basis of the number of registered voters therein, with a maximum  
13 of :

14 (a) *In a county whose population is 400,000 or more, 3,000*  
15 *registered voters who are not designated inactive pursuant to NRS*  
16 *293.530 per precinct in those precincts in which a mechanical*  
17 *voting system is used.*

18 (b) *In a county whose population is less than 400,000, 1,500*  
19 *registered voters who are not designated inactive pursuant to NRS*  
20 *293.530 per precinct in those precincts in which a mechanical voting*  
21 *system is used.*

22 2. Except as otherwise provided in subsections 3 and 4, the  
23 county clerk may consolidate two or more contiguous election  
24 precincts into a single voting district to conduct a particular election  
25 as public convenience, necessity and economy may require.

26 3. If a county clerk proposes to consolidate two or more  
27 contiguous election precincts, in whole or in part, pursuant to  
28 subsection 2, the county clerk shall, at least 14 days before  
29 consolidating the precincts, cause notice of the proposed  
30 consolidation to be:

31 (a) Posted in the manner prescribed for a regular meeting of the  
32 board of county commissioners; and

33 (b) Mailed to each Assemblyman, State Senator, county  
34 commissioner and, if applicable, member of the governing body of a  
35 city who represents residents of a precinct affected by the  
36 consolidation.

37 4. A person may file a written objection to the proposed  
38 consolidation with the county clerk. The county clerk shall consider  
39 each written objection filed pursuant to this subsection before  
40 consolidating the precincts.

41 **Sec. 8.** NRS 293.213 is hereby amended to read as follows:

42 293.213 1. Whenever there were not more than 20 voters  
43 registered in a precinct for the last preceding general election, the  
44 county clerk may , *with the approval of the Secretary of State,*  
45 establish that precinct as a mailing precinct.



1 2. Except as otherwise provided in NRS 293.208, the county  
2 clerk in any county ~~[where]~~ *in which* an absent ballot central  
3 counting board is appointed may , *with the approval of the*  
4 *Secretary of State*, abolish two or more existing mailing precincts  
5 and combine those mailing precincts into absent ballot precincts.  
6 Those mailing precincts must be designated absent ballot mailing  
7 precincts.

8 3. In any county ~~[where]~~ *in which* an absent ballot central  
9 counting board is appointed, any established precinct which had less  
10 than 200 ballots cast at the last preceding general election, or any  
11 newly established precinct with less than 200 registered voters, may  
12 be designated an absent ballot mailing precinct.

13 4. The county clerk shall, at least 14 days before establishing  
14 or designating a precinct as a mailing precinct or absent ballot  
15 mailing precinct or before abolishing a mailing precinct pursuant to  
16 this section, cause notice of such action to be:

17 (a) Posted in the manner prescribed for a regular meeting of the  
18 board of county commissioners; and

19 (b) Mailed to each Assemblyman, State Senator, county  
20 commissioner and, if applicable, member of the governing body of a  
21 city who represents residents of a precinct affected by the action.

22 **Sec. 9.** NRS 293.250 is hereby amended to read as follows:

23 293.250 1. The Secretary of State shall, in a manner  
24 consistent with the election laws of this State, prescribe:

25 (a) The form of all ballots, absent ballots, diagrams, sample  
26 ballots, certificates, notices, declarations, applications to register to  
27 vote, lists, applications, registers, rosters, statements and abstracts  
28 required by the election laws of this State.

29 (b) The procedure to be followed ~~[when]~~ :

30 (1) *If the Secretary of State establishes pursuant to NRS*  
31 *293.506 a system to allow persons to register electronically to vote*  
32 *in this State.*

33 (2) *When* a computer is used to ~~[register voters and to]~~ keep  
34 records of registration.

35 2. The Secretary of State shall prescribe with respect to the  
36 matter to be printed on every kind of ballot:

37 (a) The placement and listing of all offices, candidates and  
38 measures upon which voting is statewide, which must be uniform  
39 throughout the State.

40 (b) The listing of all other candidates required to file with him,  
41 and the order of listing all offices, candidates and measures upon  
42 which voting is not statewide, from which each county or city clerk  
43 shall prepare appropriate ballot forms for use in any election in his  
44 county.



1 3. The Secretary of State shall place the condensation of each  
2 proposed constitutional amendment or statewide measure near the  
3 spaces or devices for indicating the voter's choice.

4 4. The fiscal note for, explanation of, arguments for and  
5 against  and rebuttals to such arguments of each proposed  
6 constitutional amendment or statewide measure must be included on  
7 all sample ballots.

8 5. The condensations and explanations for constitutional  
9 amendments and statewide measures proposed by initiative or  
10 referendum must be prepared by the Secretary of State, upon  
11 consultation with the Attorney General. The arguments and rebuttals  
12 for or against constitutional amendments and statewide measures  
13 proposed by initiative or referendum must be prepared in the  
14 manner set forth in NRS 293.252. The fiscal notes for constitutional  
15 amendments and statewide measures proposed by initiative or  
16 referendum must be prepared by the Secretary of State, upon  
17 consultation with the Fiscal Analysis Division of the Legislative  
18 Counsel Bureau. The condensations, explanations, arguments,  
19 rebuttals and fiscal notes must be in easily understood language and  
20 of reasonable length, and whenever feasible must be completed by  
21 August 1 of the year in which the general election is to be held.

22 6. The names of candidates for township and legislative or  
23 special district offices must be printed only on the ballots furnished  
24 to voters of that township or district.

25 7. A county clerk:

26 (a) May divide paper ballots into two sheets in a manner which  
27 provides a clear understanding and grouping of all measures and  
28 candidates.

29 (b) Shall prescribe the color or colors of the ballots and voting  
30 receipts used in any election which the clerk is required to conduct.

31 **Sec. 10.** NRS 293.2565 is hereby amended to read as follows:

32 293.2565 1. Except as otherwise provided in subsection 2, in  
33 any election regulated by this chapter, the name of a candidate  
34 printed on a ballot may be the given name and surname of the  
35 candidate or a contraction or familiar form of his given name  
36 followed by his surname. A nickname of not more than 10 letters  
37 may be incorporated into the name of a candidate. The nickname  
38 must be in quotation marks and appear immediately before the  
39 surname of the candidate. A nickname must not indicate any  
40 political, economic, social or religious view or affiliation and must  
41 not be the name of any person, living or dead, whose reputation is  
42 known on a statewide, nationwide or worldwide basis  or in any  
43 other manner deceive a voter regarding the person or principles for  
44 which he is voting.



1 2. ~~[Except as otherwise provided in subsection 3, in]~~ **In** any  
2 election regulated by this chapter, if two or more candidates have  
3 the same **given name and** surname ~~[for surnames so similar as to be~~  
4 ~~likely to cause confusion]~~ and:

5 (a) None of the candidates is an incumbent, the middle names or  
6 middle initials, if any, of the candidates must be included in the  
7 names of the candidates ; ~~[as printed on the ballot;]~~ or

8 (b) One of the candidates is an incumbent, the name of the  
9 incumbent must be listed first and ~~[must be printed in bold type.~~

10 ~~—3.—Where a system of voting other than by paper ballot is used~~  
11 ~~and the provisions of paragraph (b) of subsection 2 are applicable,~~  
12 ~~the Secretary of State may distinguish a candidate who is an~~  
13 ~~incumbent in a manner other than printing the name of the~~  
14 ~~incumbent in bold type provided that the manner used clearly~~  
15 ~~emphasizes the name of the incumbent in a manner similar to~~  
16 ~~printing his name in bold type.]~~ **the word “Incumbent” must be**  
17 **written next to the name of the candidate who is the incumbent.**

18 **Sec. 11.** NRS 293.272 is hereby amended to read as follows:

19 293.272 1. Except as otherwise provided in subsection 2 and  
20 in NRS 293.2725 and 293.3083, a person who registered  
21 **electronically or by mail** to vote ~~[pursuant to the provisions of NRS~~  
22 ~~293.5235]~~ shall, for the first election in which he votes at which that  
23 registration is valid, vote in person unless he has previously voted in  
24 the county in which he is registered to vote.

25 2. The provisions of subsection 1 do not apply to a person who:

26 (a) Is entitled to vote in the manner prescribed in NRS 293.343  
27 to 293.355, inclusive;

28 (b) Is entitled to vote an absent ballot pursuant to federal law or  
29 NRS 293.316 or 293.3165;

30 (c) Is disabled;

31 (d) Submits or has previously submitted a written request for an  
32 absent ballot that is signed by the registered voter before a notary  
33 public or other person authorized to administer an oath; or

34 (e) Requests an absent ballot in person at the office of the  
35 county clerk.

36 **Sec. 12.** NRS 293.2725 is hereby amended to read as follows:

37 293.2725 1. Except as otherwise provided in subsection 2, in  
38 NRS 293.3081 and 293.3083 and in federal law, a person who  
39 registers **electronically or** by mail to vote in this State and who has  
40 not previously voted in an election for federal office in this State:

41 (a) May vote at a polling place only if the person presents to the  
42 election board officer at the polling place:

43 (1) A current and valid photo identification of the person; or

44 (2) A copy of a current utility bill, bank statement, paycheck


45 **†** or document issued by a governmental entity, including a check



1 which indicates the name and address of the person, but not  
2 including a voter registration card issued pursuant to NRS 293.517;  
3 and

4 (b) May vote by mail only if the person provides to the county  
5 or city clerk:


6 (1) A copy of a current and valid photo identification of the  
7 person; or

8 (2) A copy of a current utility bill, bank statement, paycheck  
9  or document issued by a governmental entity, including a check  
10 which indicates the name and address of the person, but not  
11 including a voter registration card issued pursuant to NRS 293.517.

12 2. The provisions of this section do not apply to a person who:

13 (a) Registers to vote by mail and submits with his application to  
14 register to vote:

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

16 (2) A copy of a current utility bill, bank statement, paycheck  
17  or document issued by a governmental entity, including a check  
18 which indicates the name and address of the person, but not  
19 including a voter registration card issued pursuant to NRS 293.517;

20 (b) Registers to vote by mail and submits with his application to  
21 register to vote a driver's license number or at least the last four  
22 digits of his social security number, if a state or local election  
23 official has matched that information with an existing identification  
24 record bearing the same number, name and date of birth as provided  
25 by the person in his application;

26 (c) Is entitled to vote an absent ballot pursuant to the Uniformed  
27 and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et  
28 seq.;

29 (d) Is provided the right to vote otherwise than in person under  
30 the Voting Accessibility for the Elderly and Handicapped Act, 42  
31 U.S.C. §§ 1973ee et seq.; or

32 (e) Is entitled to vote otherwise than in person under any other  
33 federal law.

34 **Sec. 13.** NRS 293.3025 is hereby amended to read as follows:

35 293.3025 The Secretary of State and each county and city clerk  
36 shall ensure that a copy of each of the following is posted in a  
37 conspicuous place at each polling place on election day:

38 1. A sample ballot;

39 2. Information concerning the date and hours of operation of  
40 the polling place;

41 3. Instructions for voting and casting a ballot, including a  
42 provisional ballot;

43 4. Instructions concerning the identification required for  
44 persons who registered by mail and are first-time voters for federal  
45 office in this State;



1 5. Information concerning the accessibility of polling places to  
2 persons with disabilities; ~~and~~

3 6. General information concerning federal and state laws which  
4 prohibit acts of fraud and misrepresentation ~~[ ]~~; and

5 *7. Information concerning the eligibility of a candidate, a*  
6 *ballot question or any other matter appearing on the ballot as a*  
7 *result of judicial determination or by operation of law, if any.*

8 **Sec. 14.** NRS 293.3083 is hereby amended to read as follows:

9 293.3083 A person may cast a ballot by mail to vote for a  
10 candidate for federal office, which must be treated as a provisional  
11 ballot by the county or city clerk if the person:

12 1. Applies *electronically or* by mail to register to vote and has  
13 not previously voted in an election for federal office in this State;

14 2. Fails to provide the identification required pursuant to  
15 paragraph (b) of subsection 1 of NRS 293.2725 to the county or city  
16 clerk at the time that he mails his ballot; and

17 3. Completes the written affirmation set forth in subsection 1  
18 of NRS 293.3082.

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

20 293.343 1. A registered voter who resides in an election  
21 precinct in which there were not more than 200 voters registered for  
22 the last preceding general election, or in a precinct in which it  
23 appears to the satisfaction of the county clerk *and Secretary of State*  
24 that there are not more than 200 registered voters, may vote at any  
25 election regulated by this chapter in the manner provided in NRS  
26 293.345 to 293.355, inclusive.

27 2. Whenever the county clerk *, with the approval of the*  
28 *Secretary of State*, has designated a precinct as a mailing precinct,  
29 registered voters residing in that precinct may vote at any election  
30 regulated by this chapter in the manner provided in NRS 293.345 to  
31 293.355, inclusive.

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

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

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



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

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

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

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

17 **Sec. 16.** NRS 293.443 is hereby amended to read as follows:

18 293.443 1. Except as otherwise provided in subsection 3, the  
19 expense of providing all ballots, forms and other supplies to be used  
20 at any election regulated by this chapter or chapter 293C of NRS  
21 and all expenses necessarily incurred in the preparation for, or the  
22 conduct of, any such election is a charge upon the municipality,  
23 county, district or State, as the case may be.

24 2. The county or city clerk may submit the printing of ballots  
25 for competitive bidding.

26 3. If a political party or other entity requests more than 50  
27 applications to register to vote by mail in any 12-month period, the  
28 clerk *or the Secretary of State* may assess a charge, not to exceed  
29 the cost of printing the applications.

30 **Sec. 17.** NRS 293.4687 is hereby amended to read as follows:

31 293.4687 1. The Secretary of State shall maintain a website  
32 on the Internet for public information maintained, collected or  
33 compiled by the Secretary of State that relates to elections, which  
34 must include, without limitation:

35 (a) The Voters' Bill of Rights required to be posted on his  
36 Internet website pursuant to the provisions of NRS 293.2549;

37 (b) The abstract of votes required to be posted on a website  
38 pursuant to the provisions of NRS 293.388; and

39 (c) All reports on campaign contributions and expenditures  
40 submitted to the Secretary of State pursuant to the provisions of  
41 NRS 294A.120, 294A.125, 294A.140, ~~294A.150,~~ 294A.200,  
42 294A.210, ~~294A.220,~~ 294A.270, 294A.280, ~~294A.283,~~  
43 294A.360 and 294A.362 and all reports on contributions received by  
44 and expenditures made from a legal defense fund submitted to the  
45 Secretary of State pursuant to NRS 294A.286.



1 2. The abstract of votes required to be maintained on the  
2 website pursuant to paragraph (b) of subsection 1 must be  
3 maintained in such a format as to permit the searching of the  
4 abstract of votes for specific information.

5 3. If the information required to be maintained by the Secretary  
6 of State pursuant to subsection 1 may be obtained by the public  
7 from a website on the Internet maintained by a county clerk or city  
8 clerk, the Secretary of State may provide a hyperlink to that website  
9 to comply with the provisions of subsection 1 with regard to that  
10 information.

11 **Sec. 18.** NRS 293.5045 is hereby amended to read as follows:

12 293.5045 1. A person who works in a voter registration  
13 agency shall not:

14 (a) Seek to influence an applicant's political preference or party  
15 registration;

16 (b) Display a political preference or party allegiance in a place  
17 where it can be seen by an applicant;

18 (c) Make any statement or take any action to discourage an  
19 applicant from registering to vote; or

20 (d) Make any statement or take any action which would lead the  
21 applicant to believe that a decision to register to vote has any effect  
22 on the availability of any services or benefits provided by the State  
23 or Federal Government.

24 2. A person who violates any of the provisions of ~~[this section]~~  
25 *subsection 1* is guilty of a category E felony and shall be punished  
26 as provided in NRS 193.130.

27 *3. A voter registration agency shall not, either knowingly or*  
28 *unknowingly, employ a person whose duties will include the*  
29 *registration of voters if the person has been convicted of a felony*  
30 *involving theft, fraud or dishonesty. The Secretary of State may*  
31 *impose against a voter registration agency a fine of not more than*  
32 *\$5,000 per person who is employed by the voter registration*  
33 *agency in violation of this subsection.*

34 **Sec. 19.** NRS 293.505 is hereby amended to read as follows:

35 293.505 1. All justices of the peace, except those located in  
36 county seats, are ex officio field registrars to carry out the  
37 provisions of this chapter.

38 2. The county clerk shall appoint at least one registered voter to  
39 serve as a field registrar of voters who, except as otherwise provided  
40 in NRS 293.5055, shall register voters within the county for which  
41 he is appointed. Except as otherwise provided in subsection 1, a  
42 candidate for any office may not be appointed or serve as a field  
43 registrar. A field registrar serves at the pleasure of the county clerk  
44 and shall perform his duties as the county clerk may direct. *The*  
45 *county clerk shall not, either knowingly or unknowingly, appoint*



1 *any person to be a field registrar who has been convicted of a*  
2 *felony involving theft, fraud or dishonesty.*

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

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

10 5. Each field registrar shall forward to the county clerk all  
11 completed applications in his possession immediately after the fifth  
12 Sunday preceding an election. Within 5 days after the fifth Sunday  
13 preceding any general election or general city election, a field  
14 registrar shall return all unused applications in his possession to the  
15 county clerk. If all of the unused applications are not returned to the  
16 county clerk, the field registrar shall account for the unreturned  
17 applications.

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

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

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

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

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

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

34 10. A county clerk, field registrar, employee of a voter  
35 registration agency or person assisting a voter pursuant to subsection  
36 13 of NRS 293.5235 shall not:

37 (a) Solicit a vote for or against a particular question or  
38 candidate;

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

41 (c) Distribute any petition or other material concerning a  
42 candidate or question which will be on the ballot for the ensuing  
43 election,

44 ↪ while he is registering an elector.



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

- 4 (a) The number of persons registered; and  
5 (b) The political party of the persons registered.

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

9 (a) Knowingly register a person who is not a qualified elector or  
10 a person who has filed a false or misleading application to register  
11 to vote; or

12 (b) Register a person who fails to provide satisfactory proof of  
13 identification and the address at which he actually resides.

14 13. A county clerk, field registrar, employee of a voter  
15 registration agency, person assisting a voter pursuant to subsection  
16 13 of NRS 293.5235 or any other person providing a form for the  
17 application to register to vote to an elector for the purpose of  
18 registering to vote:

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

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

27 14. If a field registrar violates any of the provisions of this  
28 section, the county clerk shall immediately suspend the field  
29 registrar and notify the district attorney of the county in which the  
30 violation occurred.

31 15. A person who violates any of the provisions of subsection  
32 8, 9, 10, 12 or 13 is guilty of a category E felony and shall be  
33 punished as provided in NRS 193.130.

34 **Sec. 20.** NRS 293.506 is hereby amended to read as follows:

35 293.506 *1.* A county clerk may, with approval of the board of  
36 county commissioners, establish a system for using a computer to  
37 ~~[register voters and to]~~ keep records of registration. ~~[The county~~  
38 ~~clerk may, for that purpose, issue to a voter a card, bearing the~~  
39 ~~signature of the voter, attesting to his registration.]~~

40 *2.* **The Secretary of State may establish a system to allow**  
41 **persons to submit applications electronically to register to vote and**  
42 **adopt any regulations necessary to carry out the provisions of this**  
43 **subsection.**



1 **Sec. 21.** NRS 293.510 is hereby amended to read as follows:

2 293.510 1. In counties ~~{where}~~ *in which* computers are not  
3 used to register voters, ~~{the}~~ *a* county clerk shall:

4 (a) Segregate original applications to register to vote according  
5 to the precinct in which the registered voters reside and arrange the  
6 applications in each precinct or district in alphabetical order. The  
7 applications for each precinct or district must be kept in a separate  
8 binder which is marked with the number of the precinct or district.  
9 This binder constitutes the election board register.

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

13 2. In any county ~~{where}~~ *in which* a computer is used to  
14 register voters, ~~{the}~~ *a* county clerk shall:

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

19 (b) Segregate the applications to register to vote in a computer  
20 file according to the precinct or district in which the registered  
21 voters reside ~~{}~~ and for each precinct or district , have printed a  
22 computer listing which contains the applications to register to vote  
23 in alphabetical order. These listings of applications to register to  
24 vote must be placed in separate binders which are marked with the  
25 number of the precinct or district. These binders constitute the  
26 election board registers.

27 **Sec. 22.** NRS 293.517 is hereby amended to read as follows:

28 293.517 1. Any elector residing within the county may  
29 register ~~{}~~ *to vote*:

30 (a) Except as otherwise provided in NRS 293.560 and  
31 293C.527, by appearing before the county clerk, a field registrar or a  
32 voter registration agency, completing the application to register to  
33 vote, giving true and satisfactory answers to all questions relevant to  
34 his identity and right to vote ~~{}~~ and providing proof of his residence  
35 and identity;

36 (b) By completing and mailing or personally delivering to the  
37 county clerk an application to register to vote pursuant to the  
38 provisions of NRS 293.5235;

39 (c) Pursuant to the provisions of NRS 293.501 or 293.524; ~~{or}~~

40 (d) At his residence with the assistance of a field registrar  
41 pursuant to NRS 293.5237 ~~{}~~; *or*

42 (e) *By submitting an application electronically to register to*  
43 *vote, if the Secretary of State has established a system pursuant to*  
44 *NRS 293.506 to allow persons to submit applications electronically*  
45 *to register to vote.*



1   ↳ The county clerk shall require a person to submit official  
2 identification as proof of residence and identity, such as a driver's  
3 license or other official document, before registering him. If the  
4 applicant registers to vote pursuant to this subsection and fails to  
5 provide proof of his residence and identity, the applicant must  
6 provide proof of his residence and identity before casting a ballot in  
7 person or by mail or after casting a provisional ballot pursuant to  
8 NRS 293.3081 or 293.3083. For the purposes of this subsection, a  
9 voter registration card issued pursuant to subsection 6 does not  
10 provide proof of the residence or identity of a person.

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

13   3. Each elector who is or has been married must be registered  
14 under his own given or first name ~~and~~ and not under the given or first  
15 name or initials of his spouse.

16   4. An elector who is registered and changes his name must  
17 complete a new application to register to vote. He may obtain a new  
18 application:

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

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

22   (c) By submitting a written statement to the county clerk  
23 requesting the county clerk to mail an application to register to vote;  
24 ~~or~~

25   (d) At any voter registration agency ~~and~~; *or*

26   (e) *By submitting an application electronically to register to*  
27 *vote, if the Secretary of State has established a system pursuant to*  
28 *NRS 293.506 to allow persons to submit applications electronically*  
29 *to register to vote.*

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

34   5. Except as otherwise provided in subsection 7, an elector who  
35 registers to vote pursuant to paragraph (a) of subsection 1 shall be  
36 deemed to be registered upon the completion of his application to  
37 register to vote.

38   6. After the county clerk determines that the application to  
39 register to vote of a person is complete and that the person is eligible  
40 to vote pursuant to NRS 293.485, he shall issue a voter registration  
41 card to the voter which contains:

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

44   (b) The date of issuance; and

45   (c) The signature of the county clerk.



1 7. If an elector submits an application to register to vote or an  
2 affidavit described in paragraph (c) of subsection 1 of NRS 293.507  
3 that contains any handwritten additions, erasures or interlineations,  
4 the county clerk may object to the application to register to vote if  
5 he believes that because of such handwritten additions, erasures or  
6 interlineations, the application to register to vote of the elector is  
7 incomplete or that the elector is not eligible to vote pursuant to NRS  
8 293.485. If the county clerk objects pursuant to this subsection, he  
9 shall immediately notify the elector and the district attorney of the  
10 county. Not later than 5 business days after the district attorney  
11 receives such notification, the district attorney shall advise the  
12 county clerk as to whether:

13 (a) The application to register to vote of the elector is complete  
14 and the elector is eligible to vote pursuant to NRS 293.485; and

15 (b) The county clerk should proceed to process the application  
16 to register to vote.

17 ➔ If the district attorney advises the county clerk to process the  
18 application to register to vote, the county clerk shall immediately  
19 issue a voter registration card to the applicant pursuant to  
20 subsection 6.

21 **Sec. 23.** NRS 293.567 is hereby amended to read as follows:

22 293.567 After the close of registration for each primary  
23 election but not later than the ~~[second Friday next]~~ *Friday* preceding  
24 the primary election and after the close of registration for each  
25 general election but not later than the ~~[second Friday next]~~ *Friday*  
26 preceding the general election, the county clerk shall ascertain by  
27 precinct and district the number of registered voters in the county  
28 and their political affiliation, if any, and shall transmit that  
29 information to the Secretary of State.

30 **Sec. 24.** NRS 293.710 is hereby amended to read as follows:

31 293.710 1. It is unlawful for any person, in connection with  
32 any election or petition ~~[§]~~ *or the registration of voters*, whether  
33 acting himself or through another person in his behalf, to:

34 (a) Use or threaten to use any force, *intimidation*, coercion,  
35 violence, restraint or undue influence;

36 (b) Inflict or threaten to inflict any physical or mental injury,  
37 damage, harm or loss upon the person or property of another;

38 (c) Expose or publish or threaten to expose or publish any fact  
39 concerning another in order to induce or compel such other to vote  
40 or refrain from voting for any candidate or any question;

41 (d) Impede or prevent, by abduction, duress or fraudulent  
42 contrivance, the free exercise of the franchise by any voter, or  
43 thereby to compel, induce or prevail upon any elector to give or  
44 refrain from giving his vote; or



1 (e) Discharge or change the place of employment of any  
2 employee with the intent to impede or prevent the free exercise of  
3 the franchise by such employee.

4 2. ~~Unless a greater penalty is provided by law, any violation~~  
5 *A person who violates a provision of this section is ~~a gross~~*  
6 *~~misdemeanor.~~ guilty of a category E felony and shall be punished*  
7 *as provided in NRS 193.130.*

8 **Sec. 25.** NRS 293.730 is hereby amended to read as follows:  
9 293.730 1. A person shall not:

10 (a) Remain in or outside of any polling place so as to interfere  
11 with the conduct of the election.

12 (b) Except an election board officer, receive from any voter a  
13 ballot prepared by the voter.

14 (c) Remove a ballot from any polling place before the closing of  
15 the polls.

16 (d) Apply for or receive a ballot at any election precinct or  
17 district other than the one at which he is entitled to vote.

18 (e) Show his ballot to any person, after voting, so as to reveal  
19 any of the names voted for.

20 (f) Inside a polling place, ask another person for whom he  
21 intends to vote.

22 (g) Except an election board officer, deliver a ballot to a voter.

23 (h) Except an election board officer in the course of his official  
24 duties, inside a polling place, ask another person his name, address  
25 or political affiliation.

26 2. A voter shall not:

27 (a) Receive a ballot from any person other than an election  
28 board officer.

29 (b) Deliver to an election board or to any member thereof any  
30 ballot other than the one received.

31 (c) Place any mark upon his ballot by which it may afterward be  
32 identified as the one voted by him.

33 3. Any person who violates any provision of this section is  
34 guilty of a ~~gross misdemeanor.~~ *category C felony and shall be*  
35 *punished as provided in NRS 193.130.*

36 **Sec. 26.** NRS 293.750 is hereby amended to read as follows:

37 293.750 Any person who, during an election, removes or  
38 destroys any of the supplies or equipment placed in the booths or  
39 compartments ~~and~~ or removes or defaces the cards of instruction  
40 posted as prescribed by this chapter, is guilty of a ~~gross~~  
41 ~~misdemeanor.~~ *category B felony and shall be punished by*  
42 *imprisonment in the state prison for a minimum term of not less*  
43 *than 2 years and a maximum term of not more than 10 years.*



1     **Sec. 27.** NRS 293.755 is hereby amended to read as follows:

2     293.755 1. A person who tampers or interferes with, or  
3 attempts to tamper or interfere with , a mechanical voting system,  
4 mechanical voting device or any computer program used to count  
5 ballots with the intent to prevent the proper operation of that device,  
6 system or program is guilty of a category ~~[D]~~ B felony and shall be  
7 punished ~~[as provided in NRS 193.130.]~~ *by imprisonment in the*  
8 *state prison for a minimum term of not less than 2 years and a*  
9 *maximum term of not more than 10 years.*

10    2. *A person who tampers or interferes with, or attempts to*  
11 *tamper or interfere with, a mechanical voting system, mechanical*  
12 *voting device or any computer program used to count ballots with*  
13 *the intent to influence the outcome of an election is guilty of a*  
14 *category A felony and shall be punished by imprisonment in the*  
15 *state prison for a definite term of 40 years, with eligibility for*  
16 *parole beginning when a minimum of 15 years has been served.*

17    3. The county or city clerk shall report any alleged violation of  
18 this section to the district attorney who shall cause appropriate  
19 proceedings to be instituted and prosecuted in a court of competent  
20 jurisdiction without delay.

21     **Sec. 28.** NRS 293.800 is hereby amended to read as follows:

22     293.800 1. A person who, for himself or another person,  
23 willfully gives a false answer or answers to questions propounded to  
24 him by the registrar or field registrar of voters relating to the  
25 information called for by the application to register to vote, or who  
26 willfully falsifies his application in any particular, or who violates  
27 any of the provisions of the election laws of this State ~~[A]~~ or  
28 knowingly encourages another person to violate those laws is guilty  
29 of a category E felony and shall be punished as provided in  
30 NRS 193.130.

31    2. A public officer or other person, upon whom any duty is  
32 imposed by this title, who willfully neglects his duty ~~[A]~~ or willfully  
33 performs it in such a way as to hinder the objects and purposes of  
34 the election laws of this State, except where another penalty is  
35 provided, is guilty of a category E felony and shall be punished as  
36 provided in NRS 193.130.

37    3. If the person is a public officer, his office is forfeited upon  
38 conviction of any offense provided for in subsection 2.

39    4. A person who causes or endeavors to cause his name to be  
40 registered, knowing that he is not an elector or will not be an elector  
41 on or before the day of the next ensuing election in the precinct or  
42 district in which he causes or endeavors to cause the registration to  
43 be made, and any other person who induces, aids or abets the person  
44 in the commission of either of the acts is guilty of a category E  
45 felony and shall be punished as provided in NRS 193.130.



1 5. A field registrar or other person who ~~[ ]~~ *provides to an*  
2 *elector an application to register to vote and:*

3 (a) Knowingly falsifies an application ~~[to register to vote]~~ or  
4 knowingly causes an application to be falsified; ~~[or]~~

5 (b) Knowingly provides money or other compensation to  
6 another for a falsified application ~~[to register to vote, ]~~; or

7 (c) *Intentionally fails to submit to the county clerk a completed*  
8 *application on account of the elector's political party affiliation,*

9 → is guilty of a category ~~[ ]~~ C felony and shall be punished as  
10 provided in NRS 193.130.

11 **Sec. 29.** NRS 293C.715 is hereby amended to read as follows:

12 293C.715 1. If a city clerk maintains a website on the  
13 Internet for information relating to *candidates and* elections, the  
14 website must contain public information maintained, collected or  
15 compiled by the city clerk that relates to elections, which must  
16 include, without limitation:

17 (a) The locations of polling places for casting a ballot on  
18 election day in such a form that a registered voter may search the list  
19 to determine the location of the polling place at which the registered  
20 voter is required to cast a ballot; ~~[and]~~

21 (b) The abstract of votes required to be posted on a website  
22 pursuant to the provisions of NRS 293C.387 ~~[ ]~~; and

23 (c) *The reports that the city clerk receives pursuant to chapter*  
24 *294A of NRS from candidates for city office.*

25 2. The abstract of votes required to be maintained on the  
26 website pursuant to paragraph (b) of subsection 1 must be  
27 maintained in such a format as to permit the searching of the  
28 abstract of votes for specific information.

29 3. If the information required to be maintained by a city clerk  
30 pursuant to subsection 1 may be obtained by the public from a  
31 website on the Internet maintained by the Secretary of State,  
32 a county clerk or another city clerk, the city clerk may provide a  
33 hyperlink to that website to comply with the provisions of  
34 subsection 1 with regard to that information.

35 **Sec. 30.** NRS 294A.0055 is hereby amended to read as  
36 follows:

37 294A.0055 1. "Committee for political action" means any  
38 *individual natural person or* group of natural persons or entities  
39 that solicits or receives contributions from any other person, group  
40 or entity and:

41 (a) Makes or intends to make contributions to candidates or  
42 other persons; or

43 (b) Makes or intends to make expenditures,  
44 → designed to affect the outcome of any primary, general or special  
45 election or question on the ballot.



1 2. "Committee for political action" ~~does~~ :

2 (a) *Includes, without limitation, a person or group of persons*  
3 *organized formally or informally, including a business entity, who*  
4 *advocates the passage or defeat of a question or group of*  
5 *questions on the ballot.*

6 (b) Does not include:

7 ~~(a)~~ (1) An organization made up of legislative members of a  
8 political party whose primary purpose is to provide support for their  
9 political efforts.

10 ~~(b)~~ (2) An entity solely because it provides goods or services  
11 to a candidate or committee in the regular course of its business at  
12 the same price that would be provided to the general public.

13 ~~(c) An individual natural person.~~

14 ~~(d)~~ (3) An individual corporation or other business  
15 organization who has filed articles of incorporation or other  
16 documentation of organization with the Secretary of State pursuant  
17 to title 7 of NRS.

18 ~~(e)~~ (4) A labor union.

19 ~~(f)~~ (5) A personal campaign committee or the personal  
20 representative of a candidate who receives contributions or makes  
21 expenditures that are reported as campaign contributions or  
22 expenditures by the candidate.

23 ~~(g)~~ (6) A committee for the recall of a public officer.

24 **Sec. 31.** NRS 294A.007 is hereby amended to read as follows:

25 294A.007 1. "Contribution" means a gift, loan, conveyance,  
26 deposit, payment, transfer or distribution of money or of anything of  
27 value other than the services of a volunteer, and includes:

28 (a) The payment by any person, other than a candidate, of  
29 compensation for the personal services of another person which are  
30 rendered to a:

31 (1) Candidate;

32 (2) Person who is not under the direction or control of a  
33 candidate or group of candidates or of any person involved in the  
34 campaign of the candidate or group who makes an expenditure on  
35 behalf of the candidate or group which is not solicited or approved  
36 by the candidate or group; *or*

37 (3) Committee for political action, political party, committee  
38 sponsored by a political party or business entity which makes an  
39 expenditure on behalf of a candidate or group of candidates, ~~or~~

40 ~~(4) Person or group of persons organized formally or~~  
41 ~~informally, including a business entity, who advocates the passage~~  
42 ~~or defeat of a question or group of questions on the ballot.]~~

43 ~~↳~~ without charge to the candidate, person, committee or political  
44 party.



1 (b) The value of services provided in kind for which money  
2 would have otherwise been paid, such as paid polling and resulting  
3 data, paid direct mail, paid solicitation by telephone, any paid  
4 paraphernalia that was printed or otherwise produced to promote a  
5 campaign and the use of paid personnel to assist in a campaign.

6 2. As used in this section, "volunteer" means a person who  
7 does not receive compensation of any kind, directly or indirectly, for  
8 the services he provides to a campaign.

9 **Sec. 32.** NRS 294A.100 is hereby amended to read as follows:

10 294A.100 1. A person shall not make a contribution or  
11 contributions to a candidate for any office, except a federal office, in  
12 an amount which exceeds \$5,000 for the primary election or primary  
13 city election, regardless of the number of candidates for the office,  
14 and \$5,000 for the general election or general city election,  
15 regardless of the number of candidates for the office . ~~[during the~~  
16 ~~period:~~

17 ~~—(a) Beginning from 30 days before the regular session of the~~  
18 ~~Legislature immediately following the last election for the office~~  
19 ~~and ending 30 days before the regular session of the Legislature~~  
20 ~~immediately following the next election for the office, if that office~~  
21 ~~is a state, district, county or township office; or~~

22 ~~—(b) Beginning from 30 days after the last election for the office~~  
23 ~~and ending 30 days before the next general city election for the~~  
24 ~~office, if that office is a city office.]~~

25 2. A candidate shall not accept a contribution made in violation  
26 of subsection 1.

27 3. A person who willfully violates any provision of this section  
28 is guilty of a category E felony and shall be punished as provided in  
29 NRS 193.130.

30 **Sec. 33.** NRS 294A.200 is hereby amended to read as follows:

31 294A.200 1. Every candidate for state, district, county or  
32 township office at a primary or general election shall, not later than  
33 January 15 of each year, for the period from January 1 of the  
34 previous year through December 31 of the previous year, report  
35 each of the campaign expenses in excess of \$100 that he incurs and  
36 each amount in excess of \$100 that he disposes of pursuant to NRS  
37 294A.160 *or subsection 4 of NRS 294A.286* during the period on  
38 the form designed and provided by the Secretary of State pursuant to  
39 NRS 294A.373. The form must be signed by the candidate under  
40 penalty of perjury. The provisions of this subsection apply to the  
41 candidate:

42 (a) Beginning the year of the general election for that office  
43 through the year immediately preceding the next general election for  
44 that office; and



1 (b) Each year immediately succeeding a calendar year during  
2 which the candidate disposes of contributions pursuant to NRS  
3 294A.160 ~~§~~ or 294A.286.

4 2. Every candidate for state, district, county or township office  
5 at a primary or general election shall, if the general election for the  
6 office for which he is a candidate is held on or after January 1 and  
7 before the July 1 immediately following that January 1, not later  
8 than:

9 (a) Seven days before the primary election for that office, for the  
10 period from the January 1 immediately preceding the primary  
11 election through 12 days before the primary election;

12 (b) Seven days before the general election for that office, for the  
13 period from 11 days before the primary election through 12 days  
14 before the general election; and

15 (c) July 15 of the year of the general election for that office, for  
16 the period from 11 days before the general election through June 30  
17 of that year,

18 ➤ report each of the campaign expenses in excess of \$100 that he  
19 incurs during the period on the form designed and provided by the  
20 Secretary of State pursuant NRS 294A.373. Each form must be  
21 signed by the candidate under penalty of perjury.

22 3. Every candidate for state, district, county or township office  
23 at a primary or general election shall, if the general election for the  
24 office for which he is a candidate is held on or after July 1 and  
25 before the January 1 immediately following that July 1, not later  
26 than:

27 (a) Seven days before the primary election for that office, for the  
28 period from the January 1 immediately preceding the primary  
29 election through 12 days before the primary election; and

30 (b) Seven days before the general election for that office, for the  
31 period from 11 days before the primary election through 12 days  
32 before the general election,

33 ➤ report each of the campaign expenses in excess of \$100 that he  
34 incurs during the period on the form designed and provided by the  
35 Secretary of State pursuant to NRS 294A.373. The form must be  
36 signed by the candidate under penalty of perjury.

37 4. Except as otherwise provided in subsection 5, every  
38 candidate for a district office at a special election shall, not later  
39 than:

40 (a) Seven days before the special election, for the period from  
41 his nomination through 12 days before the special election; and

42 (b) Thirty days after the special election, for the remaining  
43 period through the special election,

44 ➤ report each of the campaign expenses in excess of \$100 that he  
45 incurs during the period on the form designed and provided by the



1 Secretary of State pursuant to NRS 294A.373. Each form must be  
2 signed by the candidate under penalty of perjury.

3 5. Every candidate for state, district, county, municipal or  
4 township office at a special election to determine whether a public  
5 officer will be recalled shall report each of the campaign expenses in  
6 excess of \$100 that he incurs on the form designed and provided by  
7 the Secretary of State pursuant NRS 294A.373 and signed by the  
8 candidate under penalty of perjury, 30 days after:

9 (a) The special election, for the period from the filing of the  
10 notice of intent to circulate the petition for recall through the special  
11 election; or

12 (b) If the special election is not held because a district court  
13 determines that the petition for recall is legally insufficient pursuant  
14 to subsection 5 of NRS 306.040, for the period from the filing of the  
15 notice of intent to circulate the petition for recall through the date of  
16 the district court's decision.

17 6. Reports of campaign expenses must be filed with the officer  
18 with whom the candidate filed the declaration of candidacy or  
19 acceptance of candidacy. A candidate may mail or transmit the  
20 report to that officer by regular mail, certified mail, facsimile  
21 machine or electronic means. A report shall be deemed to be filed  
22 with the officer:

23 (a) On the date that it was mailed if it was sent by certified mail;  
24 or

25 (b) On the date that it was received by the officer if the report  
26 was sent by regular mail, transmitted by facsimile machine or  
27 electronic means ~~or~~ or delivered personally.

28 7. County clerks who receive from candidates for legislative or  
29 judicial office, including, without limitation, the office of justice of  
30 the peace or municipal judge, reports of campaign expenses  
31 pursuant to this section shall file a copy of each report with the  
32 Secretary of State within 10 working days after ~~he receives~~ *receipt*  
33 *of* the report.

34 **Sec. 34.** NRS 294A.230 is hereby amended to read as follows:

35 294A.230 1. Each committee for political action shall, before  
36 it engages in any activity in this State, register with the Secretary of  
37 State on forms supplied by him.

38 2. The form must require:

39 (a) The name of the committee;

40 (b) The purpose for which it was organized;

41 (c) The names, addresses and telephone numbers of its officers;

42 (d) If the committee for political action is affiliated with any  
43 other organizations, the name, address and telephone number of  
44 each organization;



1 (e) The name, address and telephone number of its registered  
2 agent; and

3 (f) Any other information deemed necessary by the Secretary of  
4 State.

5 3. A committee for political action shall file with the Secretary  
6 of State ~~[an]~~ :

7 (a) *An* amended form for registration within 30 days after any  
8 change in the information contained in the form for registration.

9 (b) *A form for registration at least every 180 days regardless of  
10 whether there is a change in the information contained in the  
11 most recent form for registration filed by the committee for  
12 political action with the Secretary of State.*

13 4. The Secretary of State shall include on his Internet website  
14 the information required pursuant to subsection 2.

15 **Sec. 35.** NRS 294A.286 is hereby amended to read as follows:

16 294A.286 1. A person who administers a legal defense fund  
17 shall:

18 (a) Within 5 days after the creation of the legal defense fund,  
19 notify the Secretary of State of the creation of the fund on a form  
20 provided by the Secretary of State; and

21 (b) For the same period covered by the report filed pursuant to  
22 NRS 294A.120, 294A.200 or 294A.360, report any contribution  
23 received by or expenditure made from the legal defense fund.

24 2. The reports required by paragraph (b) of subsection 1 must  
25 be submitted on the form designed and provided by the Secretary of  
26 State pursuant to NRS 294A.373. Each form must be signed by the  
27 administrator of the legal defense fund under penalty of perjury.

28 3. The reports required by paragraph (b) of subsection 1 must  
29 be filed in the same manner and at the same time as the report filed  
30 pursuant to NRS 294A.120, 294A.200 or 294A.360.

31 *4. Not later than the 15th day of the second month after the  
32 conclusion of all civil, criminal or administrative claims or  
33 proceedings for which a candidate or public officer established a  
34 legal defense fund, the candidate or public officer shall:*

35 (a) *Return the unspent money to contributors;*

36 (b) *Contribute the money to:*

37 (1) *The campaigns of other candidates for public office or  
38 the payment of debts related to their campaigns;*

39 (2) *A political party;*

40 (3) *A person or group of persons advocating the passage or  
41 defeat of a question or group of questions on the ballot; or*

42 (4) *Any combination of persons or groups set forth in  
43 subparagraphs (1), (2) and (3);*

44 (c) *Donate the money to any tax-exempt nonprofit entity; or*



1 *(d) Dispose of the money in any combination of the methods*  
2 *provided in paragraphs (a), (b) and (c).*

3 **Sec. 36.** NRS 294A.287 is hereby amended to read as follows:

4 294A.287 1. A person shall not make a contribution or  
5 contributions to the legal defense fund of a candidate or public  
6 officer in an amount which exceeds \$10,000. ~~[during the applicable~~  
7 ~~period prescribed in NRS 294A.100 pertaining to the office the~~  
8 ~~candidate is seeking or that the public officer holds.]~~

9 2. A candidate or public officer shall not accept a contribution  
10 to his legal defense fund that is made in violation of subsection 1.

11 3. A person who willfully violates any provision of this section  
12 is guilty of a category E felony and shall be punished as provided in  
13 NRS 193.130.

14 **Sec. 37.** NRS 294A.347 is hereby amended to read as follows:

15 294A.347 1. A statement which:

16 (a) Is published within 60 days before a general election, general  
17 city election or special election or 30 days before a primary election  
18 or primary city election;

19 (b) Expressly advocates the election or defeat of a clearly  
20 identified candidate for a state or local office; and

21 (c) Is published by a person who receives compensation from  
22 the candidate, an opponent of the candidate ~~[.]~~ or a ~~[person, party,~~  
23 ~~committee or business entity required to report expenditures~~  
24 ~~pursuant to NRS 294A.210.]~~ *committee for political action,*

25 *↪ must contain a disclosure of the fact that the person receives*  
26 *compensation pursuant to paragraph (c) and the name of the person*  
27 *[, party, committee or business entity] or committee for political*  
28 *action* providing that compensation.

29 2. A statement which:

30 (a) Is published by a candidate within 60 days before a general  
31 election, general city election or special election or 30 days before a  
32 primary election or primary city election; and

33 (b) Contains the name of the candidate,

34 *↪ shall be deemed to comply with the provisions of this section.*

35 3. As used in this section, "publish" means the act of:

36 (a) Printing, posting, broadcasting, mailing or otherwise  
37 disseminating; or

38 (b) Causing to be printed, posted, broadcasted, mailed or  
39 otherwise disseminated.

40 **Sec. 38.** NRS 294A.360 is hereby amended to read as follows:

41 294A.360 1. Every candidate for city office at a primary city  
42 election or general city election shall file the reports in the manner  
43 required by NRS 294A.120, 294A.128 and 294A.200 for other  
44 offices not later than January 15 of each year, for the period from



1 January 1 of the previous year through December 31 of the previous  
2 year. The provisions of this subsection apply to the candidate:

3 (a) Beginning the year of the general city election for that office  
4 through the year immediately preceding the next general city  
5 election for that office; and

6 (b) Each year immediately succeeding a calendar year during  
7 which the candidate disposes of contributions pursuant to NRS  
8 294A.160 ~~§~~ *or subsection 4 of NRS 294A.286.*

9 2. Every candidate for city office at a primary city election or  
10 general city election, if the general city election for the office for  
11 which he is a candidate is held on or after January 1 and before the  
12 July 1 immediately following that January 1, shall file the reports in  
13 the manner required by NRS 294A.120, 294A.128 and 294A.200  
14 for other offices not later than:

15 (a) Seven days before the primary city election for that office,  
16 for the period from the January 1 immediately preceding the  
17 primary city election through 12 days before the primary city  
18 election;

19 (b) Seven days before the general city election for that office,  
20 for the period from 11 days before the primary city election through  
21 12 days before the general city election; and

22 (c) July 15 of the year of the general city election for that office,  
23 for the period from 11 days before the general city election through  
24 the June 30 of that year.

25 3. Every candidate for city office at a primary city election or  
26 general city election, if the general city election for the office for  
27 which he is a candidate is held on or after July 1 and before the  
28 January 1 immediately following that July 1, shall file the reports in  
29 the manner required by NRS 294A.120, 294A.128 and 294A.200  
30 for other offices not later than:

31 (a) Seven days before the primary city election for that office,  
32 for the period from the January 1 immediately preceding the  
33 primary city election through 12 days before the primary city  
34 election; and

35 (b) Seven days before the general city election for that office,  
36 for the period from 11 days before the primary city election through  
37 12 days before the general city election.

38 4. Except as otherwise provided in subsection 5, every  
39 candidate for city office at a special election shall so file those  
40 reports:

41 (a) Seven days before the special election, for the period from  
42 his nomination through 12 days before the special election; and

43 (b) Thirty days after the special election, for the remaining  
44 period through the special election.



1 5. Every candidate for city office at a special election to  
2 determine whether a public officer will be recalled shall so file those  
3 reports 30 days after:

4 (a) The special election, for the period from the filing of the  
5 notice of intent to circulate the petition for recall through the special  
6 election; or

7 (b) If the special election is not held because a district court  
8 determines that the petition for recall is legally insufficient pursuant  
9 to subsection 5 of NRS 306.040, for the period from the filing of the  
10 notice of intent to circulate the petition for recall through the date of  
11 the district court's decision.

12 **Sec. 39.** NRS 294A.365 is hereby amended to read as follows:

13 294A.365 1. Each report of expenditures required pursuant to  
14 NRS 294A.210 ~~[294A.220]~~ and 294A.280 ~~[and 294A.283]~~ must  
15 consist of a list of each expenditure in excess of \$100 or \$1,000, as  
16 is appropriate, that was made during the periods for reporting. Each  
17 report of expenses required pursuant to NRS 294A.125 and  
18 294A.200 must consist of a list of each expense in excess of \$100  
19 that was incurred during the periods for reporting. The list in each  
20 report must state the category and amount of the expense or  
21 expenditure and the date on which the expense was incurred or the  
22 expenditure was made.

23 2. The categories of expense or expenditure for use on the  
24 report of expenses or expenditures are:

- 25 (a) Office expenses;  
26 (b) Expenses related to volunteers;  
27 (c) Expenses related to travel;  
28 (d) Expenses related to advertising;  
29 (e) Expenses related to paid staff;  
30 (f) Expenses related to consultants;  
31 (g) Expenses related to polling;  
32 (h) Expenses related to special events;

33 (i) Except as otherwise provided in NRS 294A.362, goods and  
34 services provided in kind for which money would otherwise have  
35 been paid; and

36 (j) Other miscellaneous expenses.

37 3. Each report of expenses or expenditures described in  
38 subsection 1 must list the disposition of any unspent campaign  
39 contributions using the categories set forth in subsection 2 of NRS  
40 294A.160 ~~[294A.160]~~ or *subsection 4 of NRS 294A.286.*

41 **Sec. 40.** NRS 294A.373 is hereby amended to read as follows:

42 294A.373 1. The Secretary of State shall design a single form  
43 to be used for all reports of campaign contributions and expenses or  
44 expenditures that are required to be filed pursuant to NRS  
45 294A.120, 294A.125, 294A.128, 294A.140, ~~[294A.150]~~ 294A.200,



1 294A.210, ~~294A.220,~~ 294A.270, 294A.280, ~~294A.283,~~  
2 294A.360 and 294A.362 and reports of contributions received by  
3 and expenditures made from a legal defense fund that are required to  
4 be filed pursuant to NRS 294A.286.

5 2. The form designed by the Secretary of State pursuant to this  
6 section must only request information specifically required by  
7 statute.

8 3. Upon request, the Secretary of State shall provide a copy of  
9 the form designed pursuant to this section to each person ~~or~~ **or**  
10 committee ~~political party, group and business entity~~ that is  
11 required to file a report described in subsection 1.

12 4. The Secretary of State must obtain the advice and consent of  
13 the Legislative Commission before providing a copy of a form  
14 designed or revised by the Secretary of State pursuant to this section  
15 to a person ~~or~~ **or** committee ~~political party, group or business~~  
16 ~~entity~~ that is required to use the form.

17 **Sec. 41.** NRS 294A.390 is hereby amended to read as follows:

18 294A.390 The officer from whom a candidate or entity  
19 requests a form for:

- 20 1. A declaration of candidacy;
- 21 2. An acceptance of candidacy;
- 22 3. The registration of a committee for political action pursuant  
23 to NRS 294A.230, a committee for the recall of a public officer  
24 pursuant to NRS 294A.250 or a business entity that wishes to  
25 engage in certain political activity pursuant to NRS 294A.377;
- 26 4. The reporting of the creation of a legal defense fund  
27 pursuant to NRS 294A.286; or

28 5. The reporting of campaign contributions, expenses or  
29 expenditures pursuant to NRS 294A.120, 294A.128, 294A.140,  
30 ~~294A.150,~~ 294A.200, 294A.210, ~~294A.220,~~ 294A.270,  
31 294A.280 ~~294A.283~~ or 294A.360 and the reporting of  
32 contributions received by and expenditures made from a legal  
33 defense fund pursuant to NRS 294A.286,

34 ➤ shall furnish the candidate with the necessary forms for reporting  
35 and copies of the regulations adopted by the Secretary of State  
36 pursuant to this chapter. An explanation of the applicable provisions  
37 of NRS 294A.100, 294A.120, 294A.128, 294A.140, ~~294A.150,~~  
38 294A.200, 294A.210, ~~294A.220,~~ 294A.270, 294A.280 ~~294A.283~~  
39 or 294A.360 relating to the making, accepting or  
40 reporting of campaign contributions, expenses or expenditures and  
41 the penalties for a violation of those provisions as set forth in NRS  
42 294A.100 or 294A.420, and an explanation of NRS 294A.286 and  
43 294A.287 relating to the accepting or reporting of contributions  
44 received by and expenditures made from a legal defense fund and  
45 the penalties for a violation of those provisions as set forth in



1 NRS 294A.287 and 294A.420, must be developed by the Secretary  
2 of State and provided upon request. The candidate or entity shall  
3 acknowledge receipt of the material.

4 **Sec. 42.** NRS 294A.400 is hereby amended to read as follows:

5 294A.400 The Secretary of State shall, within 30 days after  
6 receipt of the reports required by NRS 294A.120, 294A.125,  
7 294A.128, 294A.140, ~~294A.150,~~ 294A.200, 294A.210,  
8 ~~294A.220,~~ 294A.270, 294A.280 ~~294A.283~~ and 294A.286,  
9 prepare and make available for public inspection a compilation of:

10 1. The total campaign contributions, the contributions which  
11 are in excess of \$100 and the total campaign expenses of each of the  
12 candidates from whom reports of those contributions and expenses  
13 are required.

14 2. The total amount of loans to a candidate guaranteed by a  
15 third party, the total amount of loans made to a candidate that have  
16 been forgiven and the total amount of written commitments for  
17 contributions received by a candidate.

18 3. The contributions made to a committee for the recall of a  
19 public officer in excess of \$100.

20 4. The expenditures exceeding \$100 made by a:

21 (a) Person on behalf of a candidate other than himself.

22 (b) Group of persons or business entity advocating the election  
23 or defeat of a candidate.

24 (c) Committee for the recall of a public officer.

25 5. The contributions in excess of \$100 made to:

26 (a) A person who is not under the direction or control of a  
27 candidate or group of candidates or of any person involved in the  
28 campaign of the candidate or group who makes an expenditure on  
29 behalf of the candidate or group which is not solicited or approved  
30 by the candidate or group.

31 (b) A committee for political action, political party, committee  
32 sponsored by a political party or business entity which makes an  
33 expenditure on behalf of a candidate or group of candidates.

34 6. ~~The contributions in excess of \$1,000 made to and the~~  
35 ~~expenditures exceeding \$1,000 made by a:~~

36 ~~—(a) Person or group of persons organized formally or informally,~~  
37 ~~including a business entity who advocates the passage or defeat of a~~  
38 ~~question or group of questions on the ballot and who receives or~~  
39 ~~expends money in an amount in excess of \$10,000 for such~~  
40 ~~advocacy, except as otherwise provided in paragraph (b).~~

41 ~~—(b) Person or group of persons organized formally or informally,~~  
42 ~~including a business entity, who advocates the passage or defeat of a~~  
43 ~~constitutional amendment or statewide measure proposed by an~~  
44 ~~initiative or referendum, including, without limitation, the initiation~~



1 ~~or circulation thereof, and who receives or expends money in an~~  
2 ~~amount in excess of \$10,000 for such advocacy.~~

3 ~~—7.]~~ The total contributions received by and expenditures made  
4 from a legal defense fund.

5 **Sec. 43.** NRS 294A.420 is hereby amended to read as follows:

6 294A.420 1. If the Secretary of State receives information  
7 that a person or entity that is subject to the provisions of NRS  
8 294A.120, 294A.128, 294A.140, ~~[294A.150.]~~ 294A.200, 294A.210,  
9 ~~[294A.220.]~~ 294A.230, **294A.250,** 294A.270, 294A.280,  
10 ~~[294A.283.]~~ 294A.286, **294A.350,** 294A.360 or 294A.377 has not  
11 filed a report or form for registration pursuant to the applicable  
12 provisions of those sections, the Secretary of State may, after giving  
13 notice to that person or entity, cause the appropriate proceedings to  
14 be instituted in the First Judicial District Court.

15 2. Except as otherwise provided in this section, a person or  
16 entity that violates an applicable provision of NRS 294A.112,  
17 294A.120, 294A.128, 294A.130, 294A.140, ~~[294A.150.]~~ 294A.160,  
18 294A.200, 294A.210, ~~[294A.220.]~~ 294A.230, **294A.250,** 294A.270,  
19 294A.280, ~~[294A.283.]~~ 294A.286, 294A.300, 294A.310, **294A.350,**  
20 294A.360 or 294A.377 is subject to a civil penalty of not more than  
21 \$5,000 for each violation and payment of court costs and attorney's  
22 fees. The civil penalty must be recovered in a civil action brought in  
23 the name of the State of Nevada by the Secretary of State in the First  
24 Judicial District Court and deposited by the Secretary of State for  
25 credit to the State General Fund in the bank designated by the State  
26 Treasurer.

27 3. If a civil penalty is imposed because a person or entity has  
28 reported its contributions, expenses or expenditures after the date  
29 the report is due, except as otherwise provided in this subsection, the  
30 amount of the civil penalty is:

31 (a) If the report is not more than 7 days late, \$25 for each day  
32 the report is late.

33 (b) If the report is more than 7 days late but not more than 15  
34 days late, \$50 for each day the report is late.

35 (c) If the report is more than 15 days late, \$100 for each day the  
36 report is late.

37 ➤ A civil penalty imposed pursuant to this subsection against a  
38 public officer who by law is not entitled to receive compensation for  
39 his office or a candidate for such an office must not exceed a total of  
40 \$100 if the public officer or candidate received no contributions and  
41 made no expenditures during the relevant reporting periods.

42 4. For good cause shown, the Secretary of State may waive a  
43 civil penalty that would otherwise be imposed pursuant to this  
44 section. If the Secretary of State waives a civil penalty pursuant to  
45 this subsection, the Secretary of State shall:



1 (a) Create a record which sets forth that the civil penalty has  
2 been waived and describes the circumstances that constitute the  
3 good cause shown; and

4 (b) Ensure that the record created pursuant to paragraph (a) is  
5 available for review by the general public.

6 **Sec. 44.** NRS 306.040 is hereby amended to read as follows:

7 306.040 1. Upon determining that the number of signatures  
8 on a petition to recall is sufficient pursuant to NRS 293.1276 to  
9 293.1279, inclusive, the Secretary of State shall notify the county  
10 clerk, the officer with whom the petition is to be filed pursuant to  
11 subsection 4 of NRS 306.015 and the public officer who is the  
12 subject of the petition.

13 2. After the verification of signatures is complete ~~and~~ but not  
14 later than the date a complaint is filed pursuant to subsection 5 or  
15 the date the call for a special election is issued, whichever is earlier,  
16 a person who signs a petition to recall may request the Secretary of  
17 State to strike his name from the petition. If the person demonstrates  
18 good cause therefor and the number of such requests received by  
19 the Secretary of State could affect the sufficiency of the petition, the  
20 Secretary of State shall strike the name of the person from the  
21 petition.

22 3. Not sooner than 10 days ~~nor~~ *or* more than 20 days after the  
23 Secretary of State completes the notification required by subsection  
24 1, if a complaint is not filed pursuant to subsection 5, the officer  
25 with whom the petition is filed shall issue a call for a special  
26 election in the jurisdiction in which the public officer who is the  
27 subject of the petition was elected to determine whether the people  
28 will recall him.

29 4. The call for a special election pursuant to subsection 3 or 6  
30 must include, without limitation:

31 (a) The last day on which a person may register to vote to  
32 qualify to vote in the special election; ~~and~~

33 (b) The last day on which a petition to nominate other  
34 candidates for the office may be filed ~~and~~; *and*

35 *(c) Whether any person is entitled to vote in the special*  
36 *election pursuant to 293.343 to 293.355, inclusive.*

37 5. The legal sufficiency of the petition may be challenged by  
38 filing a complaint in district court not later than 5 days, Saturdays,  
39 Sundays and holidays excluded, after the Secretary of State  
40 completes the notification required by subsection 1. All affidavits  
41 and documents in support of the challenge must be filed with the  
42 complaint. The court shall set the matter for hearing not later than  
43 30 days after the complaint is filed and shall give priority to such a  
44 complaint over all other matters pending with the court, except for  
45 criminal proceedings.



1 6. Upon the conclusion of the hearing, if the court determines  
2 that the petition is sufficient, it shall order the officer with whom  
3 the petition is filed to issue a call for a special election in the  
4 jurisdiction in which the public officer who is the subject of the  
5 petition was elected to determine whether the people will recall him.  
6 If the court determines that the petition is not sufficient, it shall  
7 order the officer with whom the petition is filed to cease any further  
8 proceedings regarding the petition.

9 **Sec. 45.** NRS 281A.610 is hereby amended to read as follows:

10 281A.610 1. Except as otherwise provided in subsection 2,  
11 each candidate for public office who will be entitled to receive  
12 annual compensation of \$6,000 or more for serving in the office that  
13 he is seeking and, except as otherwise provided in subsection 3,  
14 each public officer who was elected to the office for which he is  
15 serving shall file with the Secretary of State a statement of financial  
16 disclosure, as follows:

17 (a) A candidate for nomination, election or reelection to public  
18 office shall file a statement of financial disclosure no later than the  
19 10th day after the last day to qualify as a candidate for the office.  
20 The statement must disclose the required information for the full  
21 calendar year immediately preceding the date of filing and for the  
22 period between January 1 of the year in which the election for  
23 the office will be held and the last day to qualify as a candidate for  
24 the office. The filing of a statement of financial disclosure for a  
25 portion of a calendar year pursuant to this paragraph does not relieve  
26 the candidate of the requirement of filing a statement of financial  
27 disclosure for the full calendar year pursuant to paragraph (b) in the  
28 immediately succeeding year, if he is elected to the office.

29 (b) Each public officer shall file a statement of financial  
30 disclosure on or before January 15 of each year of the term,  
31 including the year the term expires. The statement must disclose the  
32 required information for the full calendar year immediately  
33 preceding the date of filing.

34 2. Except as otherwise provided in this subsection, if a  
35 candidate for public office is serving in a public office for which he  
36 is required to file a statement pursuant to paragraph (b) of  
37 subsection 1 or subsection 1 of NRS 281A.600, he need not file the  
38 statement required by subsection 1 for the full calendar year for  
39 which he previously filed a statement. The provisions of this  
40 subsection do not relieve the candidate of the requirement pursuant  
41 to paragraph (a) of subsection 1 to file a statement of financial  
42 disclosure for the period between January 1 of the year in which the  
43 election for the office will be held and the last day to qualify as a  
44 candidate for the office.



1 3. A person elected pursuant to NRS 548.285 to the office of  
2 supervisor of a conservation district is not required to file a  
3 statement of financial disclosure relative to that office pursuant to  
4 subsection 1.

5 4. A candidate for judicial office or a judicial officer shall file a  
6 statement of financial disclosure pursuant to the requirements of  
7 Canon 4I of the Nevada Code of Judicial Conduct. Such a statement  
8 of financial disclosure must include, without limitation, all  
9 information required to be included in a statement of financial  
10 disclosure pursuant to NRS 281A.620.

11 5. A statement of financial disclosure shall be deemed to be  
12 filed with the Secretary of State:

13 (a) On the date that it was mailed if it was sent by certified mail;  
14 or

15 (b) On the date that it was received by the Secretary of State if  
16 the statement was sent by regular mail, transmitted by facsimile  
17 machine or electronic means, or delivered personally.

18 6. The statement of financial disclosure filed pursuant to this  
19 section must be filed on the form prescribed by the Commission  
20 pursuant to NRS 281A.290.

21 ~~[7. The Secretary of State shall prescribe, by regulation,  
22 procedures for the submission of statements of financial disclosure  
23 filed pursuant to this section, maintain files of such statements and  
24 make the statements available for public inspection.]~~

25 **Sec. 46.** NRS 294A.150, 294A.220, 294A.281, 294A.282,  
26 294A.283 and 294A.284 are hereby repealed.

27 **Sec. 47.** This act becomes effective on July 1, 2009.

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### LEADLINES OF REPEALED SECTIONS

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**294A.150** Person or group of persons, including business entities, advocating passage or defeat of question on ballot who receives or expends money in excess of \$10,000 to report contributions received; period covered; form; filing.

**294A.220** Person or group of persons, including business entities, advocating passage or defeat of question on ballot who receives or expends money in excess of \$10,000 to report expenditures; deadline; period covered; form; filing.

**294A.281** Registration.

**294A.282** Registered agent.

**294A.283** Reporting of contributions and expenditures; period covered; deadline; form; filing.



**294A.284 Reporting of certain information concerning compensation of persons to circulate petitions.**

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