

**PROPOSED REGULATION OF
THE SECRETARY OF STATE**

LCB File No. R104-21

December 20, 2021

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

AUTHORITY: § 1, NRS 293.124 and 293.675, as amended by section 44 of Assembly Bill No. 321, chapter 248, Statutes of Nevada 2021, at page 1239.

A REGULATION relating to elections; requiring the Secretary of State to annually determine whether county clerks have cancelled the registrations of voters who are indicated as deceased in vital statistics records; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Secretary of State to: (1) establish and maintain the statewide voter registration list; and (2) enter into a cooperative agreement with the State Registrar of Vital Statistics concerning the death of residents of the State to maintain the statewide voter registration list. (NRS 293.675, as amended by section 44 of Assembly Bill No. 321, chapter 248, Statutes of Nevada 2021, at page 1239)

Existing regulations provide that on each business day the Secretary of State will compare the statewide voter registration list to the vital statistics records maintained by the State Registrar of Vital Statistics. If the Secretary of State determines that a registered voter is indicated as deceased in the vital statistics records: (1) the Secretary of State will notify the county clerk; and (2) if the county clerk determines that the voter is deceased, the county clerk must cancel the registration of the voter in the county's computerized database of voters and the statewide voter registration list. (NAC 293.464)

This regulation provides that the Secretary of State will determine on or before February 1 of each year whether each county clerk has indicated in the county's computerized database of voters and the statewide voter registration list that the registrations of the voters in the county that are indicated as deceased in the vital statistics records have been cancelled.

Section 1. NAC 293.464 is hereby amended to read as follows:

293.464 1. On each business day, the Secretary of State will compare the statewide voter registration list to the vital statistics records maintained by the State Registrar of Vital Statistics.

2. If the Secretary of State determines from the comparison made pursuant to subsection 1 that a registered voter is indicated as deceased in the vital statistics records:

(a) The Secretary of State will notify the county clerk of the county in which the voter is registered to vote.

(b) Upon receipt of the notification described in paragraph (a), the county clerk shall determine whether the registered voter is deceased and, if so, indicate that the registration of the voter is cancelled in the computerized database established pursuant to NAC 293.454 and in the statewide voter registration list.

3. On or before February 1 of each year, the Secretary of State will determine whether each county clerk has indicated in the computerized database established pursuant to NAC 293.454 and in the statewide voter registration list that the registration of each voter in the county that is indicated as deceased in the vital statistics records is cancelled. If the Secretary of State determines that a county clerk has not done so:

(a) The Secretary of State will notify the county clerk.

(b) Upon receipt of the notification described in paragraph (a), the county clerk shall determine whether the registered voter is deceased and, if so, indicate that the registration of the voter is cancelled in the computerized database established pursuant to NAC 293.454 and in the statewide voter registration list.