

Informational Statement

The information required by NRS 233B.066 is provided below:

1. A clear and concise explanation of the need for the adopted regulation.

NRS 293.124 provides the Secretary of State, as the Chief Officer of Elections for the State of Nevada, the authority to adopt such regulations as are necessary to carry out the provisions of title 24 of NRS. The need for this regulation arises from the requirement to ensure consistent, uniform, and transparent standards for determining the postmark date on mail ballot return envelopes when a postmark is missing, illegible, or otherwise cannot be determined. The adopted regulation codifies procedures to guide election officials in determining whether a mail ballot was timely mailed and eligible to be counted, thereby promoting uniform administration of election laws.

2. A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary.

The Office of the Secretary of State solicited comment on the proposed amendment by posting a notice with links to the full text of the proposed amendment to the LCB Administrative Regulation Notices website, Secretary of State's website, and Nevada Public Notice website as well as posting notices and agendas in numerous public locations pursuant to NRS 233B.

All 17 county clerks and registrars were given a copy of all notices and proposed text along with the guidance to distribute to anyone who may be interested.

A workshop was held regarding this regulation on January 7, 2026 and the adoption hearing was held on January 21, 2026. The notices, proposed text, and link to the video of the workshop and adoption hearing are posted at the following website:

<https://www.nvsos.gov/sos/elections/election-resources/elections-regulations-2026/>

Written comments received prior to each adoption hearing are available upon request.

There was limited public response about this regulation. Comments received generally called for clearer guidance on the use and meaning of postmarks and barcodes on mail ballot return envelopes, emphasizing that acceptance of ballots without a verifiable mailing date is unfair and that the State should align with federal standards in determining the validity of ballot receipt dates.

3. The number of persons who: (1) Attended each hearing; (2) Testified at each hearing; and (3) Submitted to the agency written statements.

Workshop date: January 7, 2026

(a) Number in attendance: 6

(b) Number testifying: 1

(c) Written statements submitted: 5

Adoption Hearing date: January 21, 2026

(a) Number in attendance: 4

(b) Number testifying: 0

(c) Written statements submitted: 0

- 4. For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information if provided to the agency conducting the hearing: (1) Name; (2) Telephone number; (3) Business address; (4) Business telephone number; (5) Electronic mail address; and (6) Name of entity or organization represented.**

Please see the attached spreadsheet for details.

- 5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

Written comments were not solicited from businesses as the proposed regulation does not affect businesses.

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

Comments generally called for clearer guidance on the use and meaning of postmarks and barcodes on mail ballot return envelopes. The regulation codifies existing statutory requirements and provides clarity in response to USPS operational changes. The regulation will be amended to align with a Nevada Supreme Court decision by clarifying that a ballot received within the statutory timeframe will not be rejected solely due to an illegible, missing, incomplete, or omitted postmark.

- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include: (1) Both adverse and beneficial effects; and (2) Both immediate and long-term effects.**

These regulations do not create an economic effect on either Nevada businesses or the public. These regulations relate to the conduct of Nevada elections and, as such, do not create an adverse or beneficial economic impact in either the immediate or long-term.

- 8. The estimated cost to the agency for enforcement of the proposed regulation.**

There is no anticipated cost related to the enforcement of the proposed regulation.

- 9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

The proposed regulation does not overlap or duplicate any other regulations of another state or government agency.

- 10. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

This regulation does not include provisions which are more stringent than a federal regulation which regulates the same activity.

- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

This regulation does not provide a new fee or increase an existing fee.

Workshop - January 7, 2026	Adoption Hearing - January 21, 2026
Mark Wlaschin - SOS (Host)	Mark Wlaschin - SOS (Host)
Emily Espinosa - OAG	Emily Espinosa - OAG
Kaylah Maese - ACLU 4362 W. Cheyenne Ave. Las, Vegas, NV 89032 kmaese@aclunv.org	Katrine Ivanoff https://mrsfixit.us/
Oscar Williams 1540 Whisper Rock Way Reno, NV 89523 oscard@oscardeywilliams.com (775) 240-3456	Ellen Gifford
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Cynthia Perine 7090 Windstar Drive Reno, NV 89523 perinecynthia@gmail.com	
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Lisa Mayo-DeRiso President/CEO Mayo & Associates OnPoint Campaigns 702-403-7779	
NO FURTHER ENTRIES	