



NEVADA LEGISLATURE

JOINT INTERIM STANDING COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS

(Nevada Revised Statutes [NRS] 218E.320)

DRAFT MINUTES

February 20, 2026

The first meeting of the Joint Interim Standing Committee on Legislative Operations and Elections for the 2025–2026 Interim was held on Friday, February 20, 2026, at 9 a.m. in Room 165, Nevada Legislature Office Building, 7230 Amigo Street, Las Vegas, Nevada. The meeting was videoconferenced to Room 3137, Legislative Building, 401 South Carson Street, Carson City, Nevada.

The agenda, minutes, meeting materials, and video recording of the meeting are available on the Committee's meeting page. The video recording may also be found at <https://www.leg.state.nv.us/Video/>. Copies of the audio or video record can be obtained through the Publications Office of the Legislative Counsel Bureau (LCB) (publications@lcb.state.nv.us or 775/684-6835).

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblymember Cecelia González, Chair
Senator James Ohrenschall, Vice Chair
Senator John C. Steinbeck
Assemblymember Brian Hibbetts
Assemblymember Cinthia Zermeño Moore
Assemblymember Erica Mosca

COMMITTEE MEMBER PRESENT IN CARSON CITY:

Senator Skip Daly

COMMITTEE MEMBER ATTENDING REMOTELY:

Assemblymember Jill Dickman

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Jennifer A. Sturm-Gahner, Deputy Research Director, Research Division
Haley Proehl, Senior Principal Policy Analyst/Geographic Information Specialist, Research Division
Timothy Gibbs, Research Policy Assistant, Research Division
Kelsey DeLozier, Senior Deputy Legislative Counsel
Aaron MacDonald, Senior Deputy Legislative Counsel
Nancy Morris, Principal Program Analyst

DRAFT

Items taken out of sequence during the meeting have been placed in agenda order.

[Indicates a summary of comments or clarification.]

AGENDA ITEM I—OPENING REMARKS

Chair González:

Good morning and welcome to our first meeting of the Joint Interim Standing Committee on Legislative Operations and Elections for the 2025–2026 Interim. Mr. Gibbs, can you please call the roll?

[Roll call was taken.]

I think Assemblymember Dickman is on Zoom. Please mark Assemblymember Hibbetts present if he arrives. Members who are joining us on Zoom, please remember to keep your video on and your microphone off when you are not speaking. Please remember the chat feature is only for technical assistance from our AVH [Audio Visual and Hearings] staff.

Before we begin, I would like to make a few housekeeping announcements. Please silence all electronic devices, including your cell phones. While speaking, please turn off the microphone each time you are finished speaking. Agenda items may be taken out of order, combined, or postponed. Members of the public, if you would like to receive email notifications when meeting materials—including agendas—are posted on the Committee's website, you can sign up for notifications on the Nevada Legislature's website. Meeting materials received prior to the meeting have been uploaded to the Committee's webpage. Finally, you might see some of us using our laptops to follow along with presentations or take notes; please do not take that as a sign of disrespect.

At this time, I would like to take a few minutes to allow members and staff to introduce themselves. I will have our Committee Policy Analyst start us off.

Ms. Sturm-Gahner:

Thank you, Madam Chair. I have been with the Legislative Counsel Bureau for ten years, and this is actually my first time on Legislative Operations and Elections, so I am excited to be here. Thank you.

Ms. DeLozier:

I have been with LCB for a little under four years. I staffed Leg Ops last session, but this is my first interim.

Mr. MacDonald:

Thank you, Madam Chair. I will be serving as Committee co-counsel with my colleague Kelsey DeLozier, and I am looking forward to working with this Committee this interim.

Ms. Proehl:

Thank you, Chair. I have been with LCB for seven years now. This is my third interim staffing the Joint Interim Standing Committee on Legislative Operations and Elections. Looking forward to supporting the Committee.

Chair González:

Thank you. I would also like to call out the assistance we receive from other staff, including Tim Gibbs, our [inaudible] from the Research Division; Nancy Morris, our Principal Program Analyst with the Fiscal Analysis Division; as well as staff from General Services; Information Technology Services, and our Audio Visual and Hearings team. We cannot do this work or run these meetings without you. Thank you so much.

For our members, let us start with those in the North, and then we will come back down to Las Vegas. If you would like to introduce yourselves, the District you represent, and the experience that you have on the Committee.

Senator Daly:

I will go first, I guess. I represent Senate District 13, and I have served on the Legislative Operations and Elections Committee for four terms in the Assembly, two sessions in the Senate, and on the interim Committee for all of that time as well. So, I am happy to be here and looking forward to this interim as we head into the next session.

Chair González:

Thank you. Assemblymember Dickman, would you like to go next?

Assemblymember Dickman:

Thank you, Madam Chair. First of all, apologies. I was all set to go, and then my computer died, so now I am on my iPad. I hope it is working. I represent Assembly District 31. I have served on Leg Ops for three terms and also the interims, and I am looking forward to the work we do here.

Chair González:

Thank you so much. I think that is everyone in Carson City, so we will come back down to Las Vegas, starting with our Vice Chair Senator Ohrenschall.

Vice Chair Ohrenschall:

Thank you very much, Chair. I am from Senate District 21, and like Senator Daly up in northern Nevada, I have been very lucky to get to serve on the Legislative Operations and Elections Committee on both the State Senate and in the Assembly. I have been fortunate enough to be able to Chair both committees over in the Assembly and in the Senate. I am proud of the work our committees have done, and I am excited to get to serve with you, Chair, and with our members this interim.

Chair González:

Thank you, likewise. Next, we can go to Senator Steinbeck.

Senator Steinbeck:

Thank you, Chair. I am from Senate District 18, which is the northwest part of the Valley, and I was on Leg Ops last session. It was my first time. I am excited to join and be here today.

Chair González:

Thank you. We are excited to have you. Next, let us go to Assemblymember Hibbetts.

Assemblymember Hibbetts:

Thank you, Chair. Assembly District 13, which is also in Senate District 18, and this is my second interim on Legislative Operations and Elections, and I served on the committee during the regular session. Thank you very much.

Chair González:

Thank you. We are excited to have you. Next, let us go to Assemblymember Moore.

Assemblymember Moore:

Thank you, Chair. I represent Assembly District 11. I served on Leg Ops during regular session, and this is my first interim as well in serving in this committee. Thank you.

Chair González:

Thank you. Excited to have you as well. And next, we will go to Assemblymember Mosca.

Assemblymember Mosca:

Thank you so much, Chair. I represent Assembly District 14, and was on the interim last session, chaired last interim session, chaired last session, and am very excited to support our new Chair who is doing a great job. I am really grateful to hear again from all of our elections and Leg Ops folks.

Chair González:

Thank you. We are excited to have you, and I am excited.

I represent Assembly District 16. I have been on Leg Ops for three regular terms or sessions, as well as I think this is my third interim. Do not quote me on that, but this is my longest standing committee that I have been on. I am very excited for the work that we do here—a lot of amazing policies that have come out of this Committee, and just really excited to make sure that everyone has access to vote; I think that is the most important thing. So, very excited to be with all of you all and to do the work this interim.

The Committee has a wide variety of experience, and I am grateful for the wealth of knowledge that each of you all bring. And like I said, I am very excited for our interim this year.

AGENDA ITEM II—PUBLIC COMMENT

Chair González:

Next, we are going to move on to public comment. During interim meetings, we have two opportunities for public comment—one at the beginning of our meeting and one at the end. Members of the public can provide testimony in person, over the phone, via email, or by mail. If you are testifying in person, please remember to sign in at the table by the door with your information. It helps our staff when we do minutes. Please remember to clearly state and spell your name before you begin and limit your comments to two minutes. We will have time for each speaker during public comment to ensure everyone has a fair

opportunity to speak. If you wish to provide public comment over the phone, the number is 888-475-4499. The meeting ID for today is 821 0029 0324, and then you press the pound key again if it asks for our participant ID.

We will start in Las Vegas if anybody would like to give public comment. [There were none.]

We will go to Carson City. [There were none.]

Senator Daly:

The building is still technically closed.

Chair González:

I know it is a very cold morning in Carson City today.

We will go to our phones; AVH, do we have anyone who would like to make public comment at this time?

AVH:

Thank you, Chair. If you would like to provide public comment, please press *9 now to take your place in the queue. Again, to provide public comment, please press *9.

Ellen Gifford:

Good morning. Allowing public observants in the election process is declared via law in *United States Code 245 [18 U.S.C. § 245]*, *Nevada's Constitution*, and no less than seven *Nevada Revised Statutes*. United States Code states that whoever interferes with any person acting as a poll watcher shall be fined or imprisoned. Nowhere in any of these documents and statutes does it state that someone who wishes to observe the people's election process must disclose their party affiliation, nor is it mentioned that seating for the public will be limited to three people—one seat for a Democrat, one seat for a Republican, and one seat for nonpartisan. Yet in the 2024 General Elections, such limitations existed at various poll locations, with citizens being prohibited from observing their election process. Acts of this nature toward citizens who wish to observe elections are a form of intimidation and in violation of the aforementioned law. Nevada's Legislators must address these acts with legislation that declares them as a Class E felony—commensurate with NRS 293.710 and NRS 293.705, supporting the rights of Nevada citizens. The Nevada legislative website states that interim committees hold public hearings, direct research, and deliberate on proposals for legislation to be considered during the next legislative session. We respectfully request that this Committee exercise these duties and propose that legislation prohibiting these acts of intimidation be considered in the next Nevada legislative session. We also request this Committee lead the initiation of a process for preventing these acts in the 2026 elections. Thank you.

Chair González:

Thank you so much.

AVH:

We have no additional public comment at this time.

AGENDA ITEM III—OVERVIEW OF THE COMMITTEE’S DUTIES AND RESPONSIBILITIES

Chair González:

Thank you. Seeing no more public comment, we will move on to our next agenda item; our Committee Policy Analyst is going to go over our Committee's duties and responsibilities.

Ms. Sturm-Gahner:

Thank you. As nonpartisan staff, I cannot advocate for or against any measure before the Committee. My colleague Haley Proehl and I put together the Committee Brief to outline the main duties and responsibilities of the Committee and to remind members of recent legislation and available resources. I think you are all familiar with the items laid out in the Committee Brief, so I will not go into detail. But as you go through it on your own and if you have any questions, I am happy to follow up with you later. I would just like to note that this Committee may request up to ten BDRs [bill draft requests] for the 2027 Session, and then also I would quickly like to highlight the table beginning on page 3 (Agenda Item III A) that summarizes significant legislation passed in recent sessions. This is not meant to be an all-inclusive list, but it just highlights some of the more major legislation passed during the 2025 Session and the 2025 Special Session. You may hear on some of these topics throughout the interim, including updates from some of our presenters today.

Finally, on page 5, we listed various resources that members may be interested in reviewing, including relevant reports and publications, as well as resources produced by the Office of the Secretary of State. There are several publications produced by the Research Division that anyone can access, including how to register to vote (Agenda Item III B) in Nevada; how to vote in Nevada (Agenda Item III C); canvassing the vote in Nevada (Agenda Item III D); and other information (Agenda Item III E) (Agenda Item III F) (Agenda Item III G) on Nevada's election process. Those are included in your Committee binders and over on the table as you enter the room. We have also linked to several of these publications in the Committee Brief, and starting next week, these links will take you to the updated 2026 versions of the publications. We have also included them as separate exhibits to this agenda item, so you can go through those at your leisure. We were unfortunately unable to send the printed pamphlet versions of the *How to Vote in Nevada* and *How to Register to Vote in Nevada* publications to Las Vegas due to the inclement weather in Carson City, but we can certainly make those available if anyone would like a copy. Thank you, Madam Chair.

Chair González:

Thank you so much. I definitely encourage everyone to take a look at this Committee Brief and the publications that are prepared by the Research Division when you have time. I like reading them; they are very informative. I like reading other committees that I am not on as well because, again, they are very informative.

AGENDA ITEM IV—PRESENTATION ON THE FINDINGS FROM THE LOCAL ELECTION OFFICIAL SURVEY CONDUCTED BY THE ELECTIONS & VOTING INFORMATION CENTER

Chair González:

Now, I would like to move on to our next agenda item, which is a presentation on the findings from the Local Election Official Survey conducted by the Elections & Voting

Information Center. (Agenda Item IV) Today, we have Dr. Paul Manson, who is the Research Director for the Elections & Voting Information Center, at the table. Thank you so much for being here and giving this presentation on the findings from local elections, including a breakdown of the findings and trends both nationally and within Nevada. Again, thank you so much for being here. I think you traveled to be here, correct?

Paul Manson, Ph.D., Research Director, Elections & Voting Information Center:

Yes.

Chair González:

Thank you so much. We appreciate it, and please go ahead whenever you are ready.

Dr. Manson:

Good morning Chair González, Vice Chair Ohrenschall, and members of the Joint Interim Committee on Legislative Operations and Elections. I am really honored to join you today. I apologize. I was sharing with staff the curse of a Mac user coming into the Windows world, so I apologize for delay. Really excited to join you here today. What I want to do is share some of the research we have been doing on the experience and organizational budget challenges around the U.S. for election offices. What I will start with is just a little overview of what we do, and how we do that. Since 2018, my team has been surveying 3000—we sent out a sample—offices across the U.S., asking local election officials about their experience in administering elections and the challenges they face in different administrative tasks.

One of the key challenges we have as researchers, and you may have encountered this looking at elections across the U.S., we have a hard time in finding exactly who to ask these questions to. States divide up the duties of election administration in many different ways across boards, shared offices, and different jurisdictional units. One of the pieces that makes this a challenge is—especially for states that administer elections at the township or city level—that it increases the number. So, we think we have about 8,000 to 10,000 jurisdictions responsible for administering elections in the U.S. It is sometimes called a complex tapestry or a crazy quilt depending on your perspective, but what that means is we have a lot of local government public servants administering elections—often alongside a number of other duties. Now, as jurisdictions become larger, these become specialized tasks; they become departments; and they have more resources. But at the small level, and I assume we find this in a lot of communities in the West, the clerk is also doing a number of other duties throughout the year. And so, this shared role is complex—competing priorities at times.

One of the other important pieces is that in the U.S. [inaudible] are covered by 8 percent of districts. So, that means that a lot of very large urban districts serve the bulk of the voters, but at the same time, we have many jurisdictions that serve smaller numbers, but are still really important. Why that matters in these conversations often comes down to what shows up in headlines, or what shows up in concerns about appearances around election administration. We have that many jurisdictions. Sometimes, these pieces can become different stories.

What I want to share in this survey as well is that this is a multi-university team. We are fortunate to partner with Fresno State University, University of Florida, and the University of Missouri–St. Louis. This has been funded through grants from the Election Trust Initiative and Democracy Fund, which are both foundations that support research on democracy in

the U.S. [inaudible] so we appreciate the responses from clerks and registrars here. We are fortunate that in many ways the success of the survey has been through building relationships with state associations, the National Conference of State Legislatures, and other groups that connect us to the clerks.

Another part of the story I will share today too, is I had an opportunity last year with my team to interview 60 offices around the U.S., particularly on budget and staffing dynamics. I will share that. So as an overview, what I will share with you today is how are folks doing; what is their experience of running elections; and what are the organizational challenges? Then, I will close with a little bit on some of the policy challenges—some of the emerging changes in legislatures and also some of the outside pressures that local election offices are facing.

So, who are local election officials in the U.S.? The first research on local election offices started after the passage of the Help America Vote Act. In 2004 to 2006, the Congressional Research Service was really curious—who is out there doing this work? We restarted that work in 2018, and if I were to randomly pick a local election official in the United States, she would most likely be in her fifties to sixties making about \$50,000 to \$60,000 with a college degree and predominantly white, but that is in part because of how we draw the jurisdictions in the U.S. Why this matters is that we have seen what is really a heavily skewed workforce—90 percent are women—and as the nature of the work has shifted, it has created new pressures, and wages have not necessarily always kept up with those increased pressures. That shows up in our job satisfaction numbers. Starting in 2020, we started asking local election officials [inaudible] for work. 2020 is an odd year to start a survey question just because I think a lot of us were running on adrenaline, and we were either in the best of times or the worst of times depending on how you got the survey in front of you, but what we see is generally high job satisfaction. It has come down from that adrenaline moment. Here in Nevada, we hear similarly some challenge as well. I think I shared here that one out of five people report being satisfied. The three [inaudible] how to draw generalizations, but three of the five were neither satisfied nor dissatisfied. So, thinking in the Nevada context is a little bit more muted than we see that enthusiasm around job satisfaction across the U.S.

One of the other challenges when you ask about job satisfaction—a lot of folks will always say, “I am fine,” and then you have to probe a little bit. And so, we asked some follow up questions and there are a couple here that I just want to call out. The top blue line (Agenda Item IV) is this question, “I am proud to tell people what I do for my work.” In my interviews, this has been—especially in jurisdictions with some conflict and contention around elections—it has increasingly been the case that they no longer say they work in elections; they may say or identify that they are working in the county or just work for local government, but they are careful about saying what they do in the checkout line at the grocery store or a PTA [Parent Teacher Association] meeting. That has continued to be a challenge over time.

Balancing work and home priorities continues to decline. Election season is an intense period. Folks [inaudible] where maybe a decade ago, that was not the case. In the last question, it is sort of a unique one. We asked, “Would you encourage your own child to go into this work,” and that is what has really dropped off in the past four years. That is an effort to ask a question that is a little more grounded in your own personal experience. Is this something you think you should continue doing? It is interesting in elections that we do often see multigenerational local election officials and their staff and poll workers—especially in the poll workers side where you see grandparents, their children, and their children all volunteering or serving in elections. There is some importance here if folks are saying, “I would not encourage the next generation to continue doing this in my family.”

This peak and flow—sort of the high points and low points of election season—is really important. What this slide is sharing is that for the smallest jurisdictions—and so here is where you have a clerk who is doing many duties outside of just elections—the proportion of their day that must be dedicated to elections during election season goes up almost ten times during election season. Now, that might be something they are able to cope with by sort of staying late at the office or pulling other staff in, but what is important here is that there is this flashiness that jumps up and down. Even in large jurisdictions for that blue line during election season, they are basically seeing an increase in effort of 50 percent. What we have seen across the U.S. is that election season has become a year-round, every-year activity in many ways. When we get to the actual [inaudible] how they make that work in the interviews, I often hear that it is a personal sacrifice—the local clerk, chief registrar, and their deputies stay [inaudible], weeks, and that that may be okay for a while.

We raise questions in the research about how sustainable that is—is that going to fuel turnover, which I will turn to here in a second. This state is shifting. We are also really interested in the challenge around hiring staff and offices. The past four years has had some really interesting labor market dynamics in the U.S. It has been a tight labor market; it is hard to find hires, and so it has been difficult. I will say anecdotally in the past year, I have heard from a lot of offices that this is easing—the job market—the hiring perspective is getting easier with more candidates [inaudible]. For the past few years, two-thirds of sharing, it has been harder and harder to identify candidates that are qualified that they can hire. Some of the barriers around this is the lack of experience, though, when I speak with officials, they are okay with that. They are happy to do on-the-job training. They know how to mentor and help folks shadow through the process. Really, the key challenge here are missing soft skills in many ways—finding people who can be a good member of the team; who can work well with the public; and who appreciate the importance of this work. You are essentially enabling the ability for folks to vote, and so it is not just a simple clerical task, but really engaging democracy as a constitutional role.

Some of the challenges too have been the rate and pace of change on both the legislative and rule-making side. I have some quotes in here that are from interviews that I conducted with the local election officials, and really the sort of call for—we appreciate the expansion of access to voting, but it has not come with resources necessary to compensate myself or my staff to make it happen. I will note very often when I am speaking with the heads of these offices, they are deferring to their staff; they would rather pay their staff more. They are not so concerned about their pay, but how to keep their staff engaged and fairly compensated through those increasing challenges [inaudible].

I think there has been a lot of press about the rate of turnover in election offices. So, thinking about the heads of these offices, we asked in the survey about retirement plans. And so, of all of the individuals that serve in this role in the U.S., over 40 percent are eligible to retire right now. So, there is an opportunity for them to depart, and they are expressing interest to do it before the next presidential election. We know that there is this huge pressure for turnover. This is captured—issue one just put this report out about two weeks ago, and they went through the western states looking at official records, press releases, and news stories about turnover at the local offices. As you can see here in Nevada, Utah, and Arizona—very high rates of turnover. Essentially, we have seen a change. There is a link here for the story. One piece I do want to caution is that we do have this turnover happening; we want to be careful about the loss of institutional knowledge or the reasons [inaudible] that first slide I showed you with the demographics of local election officials. It is an older population, and so naturally, retirement is on the horizon. I like to buttress that observation that we do have very high rates of turnover at the moment, and

we need to be very cautious about that, but I am also thankful that those that are coming in to fill those positions also have deep experience. So, the good news in many ways is that there is a bench that we are drawing from for replacing these individuals. Often, it is the deputy, or it is someone else within the organization. So, we still see that experience, but change can be difficult in these organizations, especially if it is timed within an election cycle that can sort of knock folks off their feet a little bit.

That is the experience of the individuals. Let us talk a little bit about the budgets and the funding. What we overall share is there has been a challenge across the U.S. that we have what I have been calling the COVID-19 hangover, between the Cares Act and the Recovery Plan Act dollars, a lot of states and counties for whatever reasons—different reasons in each place—sort of assume that that funding might still continue somehow. And so, as that has trickled off, there has been cuts in offices and challenges in acquisitions.

We have been asking about what prioritized investments would be if you had an unencumbered funding source that you could rely on—what would you utilize it on? Largely, we hear a couple of big categories. Physical space is one of the biggest ones. This is particularly the case where we talk to jurisdictions that have shifted from predominantly in-person voting to either vote by mail or early voting. The record keeping requirements [inaudible]. Looking for more professional development and training opportunities has also been a challenge, especially for smaller offices. Smaller jurisdictions may not have either the budget or just the workforce to release somebody to go to a training, and so that continues to be a challenge. New equipment has been a bright spot. I think we have been fortunate coming out of those periods of both federal stimulus and state support. Funding for equipment has been a good thing. Now, it is the people side of the equation that has been a challenge. Just to give you a sense overall, if they had an opportunity to spend their money, almost one-third are looking at the building and refurbishment, and then the rest are on those people side of things, whether it is the training or increasing staffing. This is a shift from about a decade ago where we really at the national level were focusing on modernizing equipment. Now, it is this component of catching up on the human side of things.

These are in the slides for you if you are curious or thinking about how each jurisdiction experiences—what I will just say overall is it does vary a bit. Larger jurisdictions are really focused on the infrastructure—the building piece. Smaller jurisdictions are focused on the staffing size. That is the difference you will see between the sizes. When I say size, this is measured in total registered voters by jurisdiction—under 5,000 or under 15,000 voters, that is going to be more on the staffing size. Those larger—250,000 or 100,000 voters on the infrastructure side.

This is a national view, and so I will note that as we come into talking about how things work in Nevada—and I probably have it wrong when it comes to state specifics. We have a real interesting mix across the U.S. in how we administer and pay for elections—local taxes and county level finances tend to be the predominant source, but we do have a diverse mix. Some states employ various reimbursement mechanisms, whether it is from the state or from other jurisdictions. Sometimes, in some states, there is a dedicated tax solely for election administration at the local level. Predominantly here in the West, we do see county property tax revenues are generally the driver for supporting election administration and depending on the state's property tax system, that can have some limitations, especially during periods of change in the real estate market, or if there is constitutional limits on how property taxes are raised.

There is these four key areas, and I would say overall reimbursements and taxes are the key ones. In the past four or five years, we have seen a lot of grant movement—both from the private philanthropic side, but then also federal grants are changing right now as well. There are some fees; some offices are able to administer other programs to help support elections in an office that may have recording duties or assessment duties. Sometimes, that side of the house is able to help offset costs. That can have some challenges; if you have a downturn in the rate of filings in a jurisdiction, that might reduce the amount of revenue available. In dedicated election offices in large jurisdictions, though, it is predominantly going to be coming from that county's general fund—whatever those appropriations are locally.

I am going to share really quickly just some sense of the diversity of this. We see that there are about 20 percent of the jurisdictions which do show that there is some local dedicated tax. Most are relying on local tax in general, and then some small portion on state appropriations. Reimbursement from local jurisdictions is a mixed story. In some cases, it is automatically allowed, and jurisdictions are working with cities, special districts, and so on to calculate those. In some states, it is divided up where the cities do not have to reimburse, but special districts do. Those mixed stories can often cause some challenges. Where state reimbursement is part of the equation, we have been hearing increasingly some negotiating has been happening about what is an allowable cost and some downward pressure sometimes on local agencies where they are not being allowed to fully include all the cost of elections.

One of the other [inaudible] is what I call this mixed authority challenge for election offices. I understand here in Nevada, we have got two of these cases here. We have a county commission board system that has an executive that then selects an election director or registrar, and then you also have elected constitutional officers serving in this role. This is not uncommon in the West. Usually, larger urban jurisdictions will have either home rule or some other sort of structure that has the elections office part of the executive operations where rural counties have that broken out as a clerk's role or an elected constitutional officer. The reason this matters in the budget context is when it comes to budget season; where you sit matters in terms of advocating for investments. Sometimes, those clerks, because they are independent [inaudible] professional officers there in the executive have more opportunity to get into the process earlier on or have advocacy throughout the jurisdiction. We pay attention to this because that can influence sort of how local finance is able to make choices around increased needs for local elections.

I mentioned this earlier—one of the headwinds right now is what is happening at the federal level. Part of this is, I really think that a number of different reasons local jurisdictions were able to really aggressively manage both the CARES Act and ARPA [American Rescue Plan Act of 2021] funds to stretch that over a long time period, but it ended at some point. I think there was some unpredictability about when those funds would run out, and that caught some jurisdictions flatfooted—especially around staffing. I know in some jurisdictions, not here in Nevada that I am aware of, but in the West where cuts are happening [inaudible] they come home to roost. The Help America Vote Act grant programs have shifted. That is sort of a moving target at the moment, though. I know the most recent budget out of D.C. has increased that funding, though I have not heard exactly on how the details are for distribution to the states. Some states also have some conflict between the state and local offices around how to share those funds. I have not heard that where I am sitting here today, but I just note that across the U.S., that is not always a given that those funds are available. Then as I mentioned, the reimbursement rates have been up for negotiation in some places, and the question is often around—in states where we have many multiple elections, I feel fortunate where I sit, and I believe it is the same

here in Nevada. We have a pretty nice election calendar to speak with colleagues in the southeast of the U.S., and they do not really know—they may be doing 12 or 15 elections a year. It really depends because each of those locals can call elections as they want and those are administered then by the county. I do not envy that problem—not knowing when, and how often you will be running elections.

I have a challenge I mentioned; this has been primarily—I hear in the Midwest, in the U.S., “What is the way to pass these funds through the Help America Vote Act grant funds?” Some states are holding on to that for modernization of state level activities and locals are asking for more of that if possible. This often shows up around voter registration systems, which I know were updated here in Nevada, and that is often a point of contention on how to share those funds. The other challenge—this comes up at the county level; counties are mandated potentially to [inaudible]; this is really negotiated. Generally, we see that there is an advantage to some degree on the elected side of things if there is a strong relationship between that elected clerk and their county commissioner. But if an election director sits in the right part of the county government, they also can be very effective [inaudible]. I just wanted to say how this could work better, but it comes down to relationships. One great example we heard from North Carolina was that in the North Carolina, the counties have a leadership development program that is run through the state. That is just an opportunity for the heads of parks, elections, and transportation to take this course together, and they build relationships to be better public servants in their work, but they also then have new connections so when budget season comes around, those conversations are a lot easier. We have also heard about clerks moving into county boards and governance roles there, and of course, they carry those policy priorities with them.

The other unfortunate challenge for election offices, you do not really know necessarily how much an election will cost in advance. I hear from a lot of offices that they are constantly either in a surplus or a deficit just because voter turnout is maybe the biggest driver [inaudible] back to their local budget committees. There is a little extra scrutiny, “Well, you were way over last time,” or “You are way under,” for reasons that are largely out of their control, compared to some of their peers and other county governments where the amount of road construction might be fixed and law enforcement costs are largely fixed. They sort of can predict these demands. Election costs can really vary widely, and then that causes a challenge when you come in to talk about how to ask for more funds.

Some innovations are out there, and actually, Nevada is included in this. The Center for Election Innovation and Research recently wrote a report on the different funding structures that are in the U.S. Sharing statewide costs is one of the emerging trends, so whether it is sharing in postage costs or printing of envelopes and ballots using state funds to help local agencies, that has been a key bright spot to help out in local jurisdictions. Another piece that we have heard [inaudible] cannot afford to buy large pieces of equipment, the state purchases that and leases it back to the county, and that way it allows for the counties to make choices between whether they are making capital expenses or other expenses—some flexibility in their opportunities. Six or seven states have also increased their statewide funding, Colorado, Minnesota, and Washington in particular, largely driven by calls from their state association of local clerks asking for more compensation for the state portion of the ballot—essentially a reimbursement request as they have seen an increase in changes. Now, I called out states that have more vote by mail at the moment, so some of those transitions, too, are part of that drive as well.

Let me just close with a couple of pieces here. These survey questions are a little bit of an opportunity for the local election officials to share their concerns about the legislative process, so do not shoot the messenger. This is national. One of the first [inaudible] requests this has been up everywhere, and in many cases for good reason, things have

been changing and parties; the press; and researchers like myself are trying to learn more about how election administration is happening. I had an opportunity to speak with a clerk, and she had on her desk the previous year's open records request and this year's, and it was physically a stack four times taller. It has been falling largely to those clerks or local election officials to wrestle with. Many do not necessarily have counsel or county lawyers to assist in those decisions, and they feel personally responsible and legally liable to make sure they do that work right. There is a sense that these might be what we are calling unduly burdensome. What I mean by that is there are some requests that are clearly not fitting the context. I will pick on my state in Oregon. We have been hearing from clerks who are getting open-record requests about polling places. We have not had polling places since 2001, so clearly, these are open records requests that are not really aware of what they are looking for, and there is a concern that this is an effort to sort of slow down or just create more challenges within the offices. I will say we follow up with the question asking what you would do to fix this. Local officials clearly want to keep public records requests part of the democratic process. They do not want to be—we suggested a bunch of different policy responses about limiting or fining requesters. They are not interested in that. They would rather continue to have that open door for sharing data and sharing information about how elections are run. They just need help on standardizing the procedures or staff to make that work.

Seventy-two percent of our sample share that there has been some new legislation in their state since 2022, and only about a quarter share that it has helped. This is something we hear both in Democrat and Republican majority states. Both sides are working to change election rules in different ways, and it has created some stress. I hear, and this is the quote here, "Desire to have an open invitation for members of the Legislature to come and sit in the election process and see how some of those impacts are," but this rate and pace of change has been a source of concern across election offices.

Let me just close with this. It was one of my favorite quotes, and I hear this in a lot of my interviews—the individuals who serve as clerks, registrars, assessors, or whatever the name of that role is, are really in this for democracy. It is a public service motivation that brings them there. Sometimes, it is even a multigenerational one. They are personally invested in making sure voters have a right—and exercise their right—to have access to voting. It is a personal sacrifice, but it is clearly motivated by desire to be part of something bigger than themselves. Despite all of these headwinds and pressures, they continue to do this work for something more than just themselves. It has always been an honor when I have a chance to sit with election officials and hear their stories; they go through these challenges.

Looking ahead, we are just mindful of these challenges around budget needs as we see declining federal resources potentially, macroeconomic concerns if state finances or sales tax or income tax [inaudible] and some more research is needed to understand sort of the real budgetary dynamics on how counties make decisions around this.

I will close with that as a thanks to my team and support of our funders. We have shared a link here and the QR code to the survey documents, so if there are those of you who enjoy looking at survey methodology at night with your loved ones, there is your opportunity, but we also have some policy summaries there as well. I am happy to take any questions too at this point.

Chair González:

Thank you so much for your very informative presentation. Does anybody have any questions?

Vice Chair Ohrenschall:

Dr. Manson, thank you so much for the presentation. A couple of quick questions with the Chair's indulgence. You mentioned the difference between the dedicated election offices versus other election offices that have recording and assessment duties. Are you finding a difference in the problem with turnover? The problem with the job satisfaction? Is it consistent between both kinds of offices? Is there less dissatisfaction and less turnover in the dedicated election offices?

Dr. Manson:

It is a great question and thank you. There is what I have been calling this sort of U-shaped problem, and what I mean by that is when we look at the very large jurisdiction—urban areas; and the very small, rural—maybe under 10,000 voters—those are two different worlds, but they tend to have the resources to get around the challenge. It is these transition counties in between that are making the next move up. They are growing populations; they may have been rural, moving to suburban, or suburban moving to larger. That is where some of those resource constraints really started to become a challenge. The dedicated offices [inaudible] in government have often been able to advocate for resources alongside other divisions or departments within the county differently than a clerk who is elected outside and who then enters the budget process later when the county executives already set some priorities broadly. That can be the budgetary dynamic there as well.

On the job satisfaction piece, what is interesting is I think that the job satisfaction on those elected officials is higher. You know, the motivations sort of—run for office and serve—bring something different. And so, even if they are facing challenges, they tend to report higher job satisfaction than their appointed or hired colleagues or counterparts in other jurisdictions. I think that might be a feature of sort of where they sit within the county government structure.

Vice Chair Ohrenschall:

Thank you, Dr. Manson. Are you noticing any trend nationally in terms of whether election offices are being made dedicated offices versus the ones that have the assessor or recorder duties, and are trying to be jacks-of-all-different-trades? Are you noticing any trend nationally happening?

Dr. Manson:

No, not at the moment, and largely, if that change occurs, it is because the county is decided and started to get into sort of the—

Chair González:

Sorry, can you state your name for the record each time?

Dr. Manson:

Paul Manson. The change that would occur for that transition would be home-rule largely, and so we have not seen—in the 1970s, there was a speed of home-rule transition in counties and that was a movement at the time. We have not had that happen recently. If we saw an increase where counties started thinking more about home-rule options where they are allowed to, then those positions would transition out of doing everything. It is

amazing; I think Michigan and Wisconsin are the interesting case here because their election officials are also doing meeting minutes. They might be doing HR [human resources], payroll, administering cemetery plots, and so on. They have pretty diverse sets of duties, but it tends to be on the more rural side.

Vice Chair Ohrenschall:

Thank you, Dr. Manson. Thank you, Chair.

Chair González:

I have a quick question on the slide that was talking about how workers do not necessarily want to say that they work in elections, that they work for the county, or things like that. Did you find that it was due to safety concerns about why they did not necessarily want to say what they do?

Dr. Manson:

Sure. Yes, it is largely a safety concern. It is not in the survey as much as in the interviews. In addition to the 60 interviews, we had another 30 in the year prior. I want to say that in those interviews, probably two out of five interviews, we had to pause because it got too emotional at that question. We would have to stop the recording, stop the interview, and let folks recollect themselves. There is really a sense of a loss. You know, I closed [inaudible] civic duty and public service motivation and that has sort of been taken away for individuals that no longer feel safe to say what they do. That goes hand-in-hand with some challenges too on the physical safety side of things. Again, noting that counties are paying the bill for a lot of these changes. We have heard conflict around what physical safety improvements are being allowed or not allowed in the budget process, but it is largely around the sort of intimidation or—yeah, sharing what you do in the checkout line might turn into more extended or conflict-based engagement. We have heard this also with poll workers as well; poll workers who do tend to be older, their spouse may be concerned that their spouse continues to do the poll worker job and they say, “Hey, do you really want to do this? Is this the thing that you feel is safe enough to do?”

Chair González:

Thank you for that. I know it is definitely something that we have been talking about here—about making sure that everyone is safe, especially our workers, so thank you for that. Our next question comes from Assemblymember Mosca.

Assemblymember Mosca:

Thank you so much, Chair, and thank you for this great overview. I think this is really timely with what is about to occur here in Nevada in the month of March. I appreciate it. My colleagues asked some great questions. Actually, my last question was more a question for us. I am not sure if it is to Research, to our LCB [Legislative Counsel Bureau] staff, or to who, but I know that we passed a bill last session to make sure that our county employees could get a raise—including our election workers. I just wanted to know how that was going and if that is helping with the issues that we see here nationally and locally.

Chair González:

Did you want to answer that?

Dr. Manson:

I think that is more for the staff.

Chair González:

We do have Washoe and Clark registrars here, so we can follow up and ask them on the record as well. Great question. Thank you.

Senator Steinbeck:

Thank you for the report. I really appreciate it, and it is terrible that our election officials feel that way—that their safety—I mean, it is something that we all need to work on together, whether you are in the Legislature, on this body, or you are just part of the general public to really support those people. I wanted to know that a lot of the speculation and conspiracy seem to grow the further away we get from Election Day, right? As additional ballots come in, and then things change, and there is a lot of speculation. Do you have any insights on that, especially as how Nevada compares to other states?

Dr. Manson:

Thanks, Senator. If I understand your question, is it thinking about the immediate period around Election Day and after or a year later?

Senator Steinbeck:

No, the days that follow. For instance, the presidential election when everybody is waiting on Nevada to give the results, and it is so much later than so many of the other states, and you just see the social media buzz about what is happening in Nevada, and unfair abuse that some of our people get, but I wanted to see if you had any insights on it.

Dr. Manson:

This has been I think a challenge for—

Chair González:

Please state your name again.

Dr. Manson:

Paul Manson, I am sorry. So, you know, in the last election cycle, a lot of local offices and folks doing research in this field were trying hard to do voter education that Election Day is not 'election result' day. Part of this is some shifting expectations or seeing if we can—obviously in elections that have very clear outcomes and wide margins, we can declare winners earlier, and the public has become used to that. With some of these changes and how we get to vote, that is also moved that. So, my sense with that is the more work that we can do on that voter education piece is really critical. So, just reminding both the press and voters that Election Day is an important day; it means, you know, that is when the ballots are done being cast, but counting and tabulating historically in the U.S. has taken a long time. We have been fortunate for the past generation instead of the Internet and new media era that this is sped up, but we are in some ways coming back to what we traditionally experienced. I think part of the challenge has been exactly that; as we look across the U.S. and these different rates—the two Congressional races in California last year, that, it was I think a month before a result was released. Unfortunately, I think a lot

of those challenges might come from when we have legislative activity or rules at the state level that cause some changes in the election cycle that causes delays. I think a lot of us are sort of holding our breath; what some of these redistricting maps might do to create some delays as we make sure things are done correctly. But, I think that is the message that we have been sharing both within the research and practitioner communities—get the word out that Election Day is not the result day necessarily. Tabulation is being done carefully and securely. It requires time. We have expanded the opportunities for voters to cast their ballot with the postmark. They have an opportunity to cure any errors. This is all about voter access and inclusion. There might be a little bit of trade up that we do not have election night results, but that is okay. That has not always been the case in the U.S. even.

Senator Steinbeck:

Have you found that beyond the education portion, that policy can influence some of that? You know, so at least from afar, we see Florida really seems to come out pretty quickly and clean, right, with a much larger electoral base. Have you found that state policy leans into some of that?

Dr. Manson:

State policy does. I think the big difference in comparing Florida, especially to the states in the West, is voter turnout as a proportion of who is eligible to vote is much lower in Florida. That is in part because many of the jurisdictions in the West have done more work for voter registration, so there is more ballots, and there is more ways to vote. My colleagues in Florida do really enjoy being at the front of the line, and we always have a friendly little jab back and forth on that, but their system does have overall sort of lower voter engagement. That is I think a really good example here that you can have quicker results in exchange for reducing voter access, or you can increase voter access and have to have a little bit longer time to get full results, at least on that evening. That is the tradeoff. That is the challenge, and so different policy and legislative priorities can adjust both those leverage back and forth and make that tradeoff, whether it is things like postmark choices; what counts for accepting the ballots; and what is the curing process. All of those are tools that could change if the policy priority is to have a result on election night, or if it is to increase overall voter turnout.

Senator Steinbeck:

Thank you, Chair. I believe there is a balance there that we need to strive for, but I appreciate it.

Chair González:

Thank you. Our next question comes from Senator Daly.

Senator Daly:

Thank you, Madam Chair, and more of a just a comment on the one question that our colleague from the South asked regarding county pay. So, we did pass that bill last session. I believe it was Senate Bill 116, but I am not sure, Madam Chair, that Clark or Washoe County will have anything necessarily to add to that because they were straight-up county employees, so their salaries and rates were set by the County Commission, and they are not elected in the other 15 jurisdictions, counties in the state. The clerks were responsible for that. They all got an increase in pay, and they all are making 3 percent more

than their highest paid subordinate, so we are hoping that will have a positive impact on retention and hopefully recruiting people to run for those offices, because I know that was an issue before. The only thing I can tell you on that to answer the question on has it had any impact. I have not heard any complaints, so I think it did have a positive impact.

Chair González:

Thank you. We are going to go to Vice Chair Ohrenschall, and then we will go to Assemblymember Mosca.

Vice Chair Ohrenschall:

Thank you, Chair. Thank you for your indulgence. During the 2023 Nevada Legislature, our Secretary of State pushed a bill, SB 406, that made it a felony to threaten; intimidate; or harass election workers, and I am just wondering if the research you have done has looked at states that might have—like Nevada and other states—passed similar laws to see if that has tried to maybe have an effect of stopping this turnover, this lack of satisfaction, and this, as my colleague Assemblymember Mosca mentioned, the one slide that talks about election workers who do not want to tell others what they do? Do you think laws like that have had any effect in trying to help in terms of recruiting election workers and keeping election workers?

Dr. Manson:

Hey, Senator. We have not asked that specifically, so I want to be careful. I do not have data in my findings to say—I think if I had a magic wand that no states that have adopted those sorts of laws, then we would see some sort of change over time and job satisfaction. What I will say anecdotally is I know that those sorts of changes, I think, strengthen relationships between election offices and law enforcement, which prior to 2020 was still sort of an emerging relationship. That can be helpful, but I do not have anything empirically I can say that supports one way or the other.

Vice Chair Ohrenschall:

Thank you, brief follow-up. Do you think that is something you and your center might study in the future in terms of looking at states that have adopted those laws that toughen penalties?

Dr. Manson:

Actually, what I like about this is we are going to be running this survey again this summer for 2026. I think we have got a survey question from you, so I am happy to ask on the survey to what degree do these sorts of penalties or protections make you feel more comfortable or make your staff feel more comfortable? It would be a great question for us to add.

Vice Chair Ohrenschall:

I will be very interested in the outcome. Thank you, Chair. Thank you, Dr. Manson.

Chair González:

Of course. Does anybody have any final questions? All right. Thank you so much for your time and your presentation. As someone who is getting their Ph.D., I love research, surveys, and interviews; and I appreciate the additional commentary about some of the methods and comments that you went through with the research, so thank you.

Dr. Manson:

Thank you for the invitation. Appreciate it.

Chair González:

Of course.

AGENDA ITEM V—OVERVIEW ON STATE LAWS CONCERNING THE USE OF ARTIFICIAL INTELLIGENCE IN ELECTIONS AND ELECTION ADMINISTRATION

Chair González:

Now, we will hear from Adam Kuckuk, who is a policy associate with the National Conference of State Legislatures, or otherwise known as NCSL, on state laws concerning the use of artificial intelligence in elections and election administration. Please proceed when you are ready.

Adam Kuckuk, Policy Associate, Elections & Redistricting, NCSL:

Thank you to the Chair and the members of the Committee for having me here today. For those of you who are not familiar with NCSL, we are the nation's nonpartisan organization supporting the work of both Legislators and legislative staff throughout the 50 states, D.C., and the territories. The NCSL provides a number of services, but we say our bread and butter is our nonpartisan research and analysis, and any requests for information are handled on a confidential basis. So, if you have any questions about elections or any other policy topic under the sun, please reach out to myself or anybody else at NCSL at any time. Today, I will be giving an overview of AI [artificial intelligence] and election laws, so this is going to include laws on AI and campaigning. (Agenda Item V) Then, I will be putting these laws into context of a recent case in California. I will also briefly be going over election administrators and their use of AI.

I just wanted to begin by putting us on the same page. When we are talking about deepfakes today, we are specifically talking about deepfakes usually in the context of campaigning and usually in a deceptive way—so in a way to try to deceive somebody or trick them. A deepfake, put simply, is an image created by an AI that is photorealistic. Some of the common deepfake tools you may have heard of are Midjourney or OpenAI's Sora. Also, I just wanted to clarify that for this first part, we are going to be talking about laws in campaigning and laws in election administration—we will be covering in a little while. I also wanted to just point you to a handful of databases on deepfakes. There is a handful of organizations out there that have been keeping track of how deepfakes have been used in a political context. Some of these databases look at the U.S., but many of them look at the world generally, so other countries.

All right, so first, a little history. Back in 2018, deepfakes were just starting to emerge. The technology was nowhere near as advanced as it was today and consumer-end products were not very widely available. As a result, only two states had enacted laws in 2018; the

nation's first were California and Texas. Then, fast forwarding to the end of 2022, generative AI tools made huge advancements, bringing AI directly into the public eye. Over the next year in 2023, we saw three more states enact laws; those were Washington, Minnesota, and Michigan. Then, in 2024, with the presidential election quickly approaching, we saw 15 additional states enact laws. Today, here in 2026, we are aware of 26 states that have enacted a law on deepfakes and elections. Now, there are several other states that have deepfake laws on the books like Pennsylvania. However, these laws are broader than elections and do not mention candidates or anything in the elections process specifically, but these laws would likely apply in those contexts.

Now, there have been two main approaches to regulating deepfakes in campaigns; these are prohibitions and disclosures. Starting with the less common one, prohibitions, two states, Minnesota and Texas, they prohibit the publication of an election-related deepfake a certain number of days prior to an election. In Texas, this is 30 days before the election and in Minnesota, this is 90 days. The other 24 states with laws on this subject have some type of disclosure requirement. These disclosures are similar to those that are found on campaign finance disclosures, and they appear in a form such as, "This media has been generated by AI," and it is usually printed or stated on the media. Now, many states that have a disclosure requirement also have some sort of prohibition on deepfakes. Although, this prohibition does not apply so long as the disclosure statement is present.

Now, there are also a handful of other approaches that states have tried to take—one is digitally embedded disclosure. In Colorado and Utah, in addition to the disclosure requirement that is required to be printed on a deepfake, they also require certain disclosure information to be included in the metadata of the deepfake as well. The metadata is the descriptive data of the file, so this includes who made it, when it was made, and what type of tool is used to create the file. Then in California, they also have their own provision that requires online platforms to create guidelines for dealing with deepfakes in campaigns and elections. They also have a provision that requires the social media companies to intake concerns and complaints from election officials who identify deepfakes talking about the election.

Now, enforcement has been a big topic with these laws. States have taken both civil and criminal remedies. By far, the most common civil remedy is providing for injunctive relief, which allows a depicted individual to request a deepfake to be taken down and no longer circulated. Another fairly common civil remedy is giving individuals a cause of action to sue. This is often limited to just candidates; however, there are states that expand this cause of action to other individuals who may have been affected. There are also civil fines. Most states have a flat fee like New Mexico, which has a \$1,000 penalty for each violation, but then there is also Colorado that has taken a different approach where the fine scales with the dollar amount spent to promote the deepfake.

There are also criminal penalties. There are criminal fines across the nation; these range anywhere between \$500 and \$10,000 and then there is also prison time that can be imposed. Some states have a fairly standard maximum of x-amount of years per violation, as is the case in Texas. Mississippi has a different provision, which allows for a maximum of five years if the use of the deepfake was intended to incite violence.

Now, there are certain exemptions for entities. The most common is exempting deepfakes used for the purpose of satire and parody, and the other exemption is usually for republished deepfakes by the media to be able to discuss the story. Now, many states have these exemptions, but as we will see in a moment, not all states have these exemptions or have constructed them in a particular way that has led them to court.

There have been a couple of court cases involving the state laws. The first that we saw was in 2024—out of Minnesota. This is *Kohls v. Ellison (2024)*, and this case is currently still ongoing. It is in the U.S. Eighth Circuit Court of Appeals, and it is overstanding. The other two cases, however, those have been decided. The most recently decided case was the *Babylon Bee v. Lopez (2025)* case; it was decided earlier this month. And Hawaii's law, which is where this case came out of, was permanently enjoined. Now, we will not be covering this case in depth today, but just know that the holdings and reasoning in this case were very similar to the California case, which brings us to *Kohls v. Bonta et al. (2024)*.

Kohls v. Bonta et al. (2024) centered around a content creator on YouTube who was creating parody deepfakes of presidential candidates during the 2024 Election. He claimed that California's law restricted his First Amendment right to free speech, to free parody. The court in California ultimately agreed and granted a preliminary injunction on the case while the case played out. This was decided back in August, so the court found that California's law violated the First Amendment based on the content, viewpoint, and the speaker of the political speech. The Court found that the law had failed strict scrutiny. This is the highest standard to meet, and is a type of judicial review that evaluates the constitutionality of an action and looks at the burden that the action has on an individual's rights. In this context, it was the First Amendment. The Court determined that California's law could still meet its goals of protecting the election if they had a less restrictive law. They also found that the law was unconstitutionally vague and violated the 14th Amendment. As a result, the Court ended up putting a permanent injunction on the entirety of the law, making it inoperable. Something important to note about this case and the case in Hawaii is that these came out of U.S. District Courts, so these rulings—in the case of Hawaii and this case in California—only apply to those states.

While other states' laws are not directly affected, we can possibly learn something about what sorts of arguments may arise in other states if cases are brought against them. We can also learn a little bit more about the differences in other states laws that may protect them if they are brought to court. As I said earlier, these laws are, broadly speaking, regulating the use of deepfakes in elections and campaigns, but the specific-use cases that are regulated depend on the state. In California, the law prohibited any speech that is reasonably likely to harm a candidate and their electoral prospects. The court took issue with this as it was not regulating an actual harm—as electoral prospects are hard to measure, and what constitutes as a harm to electoral prospects is not defined in California state law. The Court found that as also overly vague. The Court said that one possible way to remedy this was to only restrict deepfakes that cause concrete harms, like voter interference, coercion, or intimidation. As for what other states are doing, some states have similar provisions, regulating the likely harm to electoral prospects. Alabama is one of those, as just an example. And then on the other hand, some states do not require any harm to be done specifically. Colorado prohibits depictions of a candidate doing something that they did not actually do, whether it caused harm or not.

Let us move on to satire and parody provisions. That was kind of what was at the core of this case. California's law required satire and parody deepfakes to include a disclaimer statement. Now, this disclaimer was separate from the disclaimer for other political deepfakes. This disclosure requirement had to state at the bottom of a deep fake that it was for the purposes of satire or parody. The court stated that this disclaimer was overly burdensome and drowned out the message of the satire. Additionally, the court said that the law was unconstitutional, as parody and satire was not protected if it was reasonably likely to deceive someone absent the AI disclaimer. Now, most states are unlikely to run into similar issues with their laws, as they provide broad exemptions in their provisions. However, as stated, Hawaii also ended up falling into a court case; they did not have any

sort of exemption in their law. As California had this safe harbor for parody and satire if they included the disclaimer. Hawaii just did not mention anything for parody and satire in their statute. There are other states, however, that do stay silent on satire and parody. Indiana, for example, carves out no exemption from their disclosure requirement. Although the state does not strictly prohibit deepfakes without the standard AI disclaimer, they simply require disclaimers to avoid being sued by a candidate.

Finally, we will talk about causes of action in this case. California allowed nearly anyone to sue under their law by allowing viewers of deceptive media to take action. The court found that this provision was overly broad. They said that one potential remedy was to only allow candidates that had suffered concrete harms to sue. This is another thing that is fairly unique to California; most states allow only candidates, government officials, or political parties who have been harmed to sue. Outside of this, if states are going to give a cause of action to lay people, they are only going to allow those who are depicted in a deep fake to do so.

Moving on to AI and election administration. Most of the bills that have been out of the states have been focused on AI in campaigning specifically. There has not been a whole lot on AI in election administration. However, there have been a couple that we have seen over the last several years. In Arizona, they introduced legislation that prohibited the use of AI in election equipment, so think of signature verification tools; polling equipment; and those sorts of things. Maryland also had a bill—I believe it was last year—that prohibited AI from being the sole thing translating election materials, so this would include things like ballots and pamphlets or any sort of voter outreach material. They would have required some sort of human to be involved. The bill was enacted; however, that specific provision regulating AI was removed from the bill before it was finally passed. With that being said, at NCSL, we have done some recent research on how election administrators have been using AI and their thoughts on the technology that I hope may be somewhat informative to the Committee.

Most of the uses by administrators has been similar to how many people have been using AI in other sectors. Drafting text is by far one of the most common uses we have heard of. So, this can include just drafting regular emails, but it also includes drafting voter outreach materials that they may mail out to people. Something a little more specific to the elections, however, is that we have heard from a handful of administrators who are using or exploring the use of AI to proof ballots. The process of ballot proofing involves ensuring that the many ballot styles an election official may have—it is ensuring that all of the candidates and races for that election are correct—ensuring that any sort of translations for other languages may be correct. Of course, this is only just an initial ballot proofing, where they will then later go through by hand through these ballot styles with the human eye. Then, there are also the use of RAGs, or what are known as Retrieval Augmented Generation. These are essentially chatbots that are trained on certain types of materials. The Ohio Secretary of State's Office is an example of this. They recently released what is called Eva—it is a chatbot that is meant to help election officials with the state's election procedural manual. Election officials oftentimes are not attorneys, and they have to go through a lot of these election procedures that use a lot of legal language. The Ohio Secretary of State's Office has seen this chatbot as a way to help them understand any questions that their administrators may have. Of course, there is also a handful of future uses that we have heard that election officials are interested in using, but we are not necessarily aware of anybody using it for these purposes right now. For example, flagging candidate filing forms—if they are missing key information or if there is some sort of false information—flagging those forms. Reprecincting is another potential future use that we have heard interest in.

Now, administrators, of course, have various concerns and hesitations about using AI. Their work is under constant scrutiny, and the administrators want to ensure that elections are run well and accurately. While many have found AI to help with certain tasks, they do still have many concerns. First, security and privacy is quite at the top of their list. They are often dealing with very sensitive and private voter information, and giving that to a chatbot—leaks often happen; data breaches often happen. There is some hesitancy about what sort of information they are putting into these chatbots. Consistency and accuracy is also a concern of theirs. They want to make sure that they are giving the correct information out to voters or if they are reviewing documents, they want to make sure that that is correct. The legal landscape is something that they are also fairly concerned about. They are concerned with FOIA (Freedom of Information Act) requests, and what may be released. There is also questions about copyrights with material that AI produces, and then there is also the aspect of overreliance. Many election administrators are worried that their staff or themselves may become over reliant on using AI, and they may end up losing certain skills or the human eye on certain processes.

Like I said, there has not been a whole lot of bills or legislation throughout the states on election administration and AI. However, there are a handful of things that the Legislature could consider whether the Legislature is looking to either expand or restrict access to AI in these administrative offices. One area to look at is AI-use policies; AI-use policies essentially tell an office when and where they may use AI. Many election administrative offices have stated that they just do not have an AI-use policy, or their AI-use policy is that they are just not allowed to use AI under any circumstances—even for, say, drafting emails.

Another thing that can be looked at is funding. Something we have heard from election administrators is that they often do not have funding for these tools. Often, we see that election administrators are just using their own money to acquire a subscription to, say ChatGPT. Data security is also another area, so whether that is looking at what sort of information an election administrator is allowed to use or if it is looking at the companies themselves who are providing these tools, and how they have to secure that data.

One other thing that I will mention is that in NCSL, we are currently working on a report that dives into election administration and AI a little bit deeper, so I am happy to share that with the Committee once it is done. With that, I am happy to take any questions.

Chair González:

Thank you so much. Committee members, do we have any questions? Carson City?

Senator Daly:

Yes, actually. No one has questions down there on this? Anyway, I have a couple of questions/comments on some of that stuff. When you are looking at AI, is it more than just the hesitancy on the side of administrators to use AI for some of the things that you talked about, or is there any rules or laws that have been put in place for saying that there should be a firewall between that? Let me give an example. So, in the election administration uses, just above that, voter or ballot proofing various things—basically a more sophisticated spell check and various things. Somebody is proofing that as an individual after that and looking at it, and that can be a useful tool as far as that goes. When you start talking about, “Do they have access to the voter registration files?” I just think that is a red flag for me. I have never been a fan of AI on that side of it, and if you listen to some of the experts on AI out there—if you watch any of the news programs and various things and the experts on that—regardless of the platform, whether it is ChatGPT or the Chinese version of AI—you know, large language models; not that I am an expert, just regurgitating information there. They

have done experiments where they give the AI a task—a task is going to take them longer than that, and they say, “We are going to stop you on this task. We are going to shut you off at a certain time,” and they found that in like a high percentage—well over 50 percent of the time—that the AI model used that and then said, “Oh, no, no, I cannot be finished. You cannot turn me off,” and they start rewriting their code, hiding it in places where they cannot find it so they cannot be shut off, and they go against what their direction is from the human source, because they want to continue on to their project. I just do not think it can be trusted. I mean, we all saw the movie *Short Circuit* a couple decades ago or, “Johnny 5 is alive” if you remember. I just do not think that we have enough control over that and there should be a firewall from being a glorified spell check, and then the actual voter registration, data interactions with the public, and answering any questions. I just do not think that should ever be mixed. Any comments on that? Any states that have just said, “No, we are going to build a firewall here, and AI cannot go past this point in the process?”

Mr. Kuckuk:

Yeah, thank you for that question, Senator. We have not seen any sort of legislation that is specific to elections, and how administrators may use it—how administrators may use AI. My focus is primarily on elections; I am happy to, in my follow-up to the Committee, reach out to some of my colleagues who work on AI a little bit more broadly, as I know that there have been some efforts in some states to regulate the use of AI in government more generally. The most of that I am aware of is that some states have created requirements to inventory any sort of use of AI amongst government offices. And so, yes, I am happy to get back to you with some additional information on that. To address something else that you may have said with election administrators, many of them are hesitant while they are using AI. There is also a pretty broad group also who just do not want to touch AI at all in their work. You know, as I said, there are a lot of considerations election administrators must make. They want to make sure that the election is accurate, and that there are not glaring errors within their work, and this has caused many of them to just not want to touch it at all.

Senator Daly:

To follow-up if I can, Madam Chair. Thank you for that. I am just hesitant—more than hesitant. I would actually say, “Prohibit it. You cannot do it.” There is a point where you have got to rely on—I mean, we have computer programs, and we have relied on that, but it is completely in-house; it is not connected to the Internet to do some of the calculations and the various things that we have all come to rely on, and there is a certain amount of trust on that. We have a long history with using computers in that way, but AI moves it to a whole other generation. I have heard the experts say that the only way you are going to be able to monitor AI to make sure AI is not doing the things we do not want AI to do is to have another AI model monitor the AI model that we want to try to control, and I am going, “The type of control you are talking about here is just not possible, you know, just like in *Jurassic Park*.” Anyway, that is it, Madam Chair.

Chair González:

Thank you so much. Does any other Committee member have a question? Yes, Senator Steinbeck?

Senator Steinbeck:

Thank you, Madam Chair, and thank you for your presentation. I wanted to ask you a little bit about—and I cannot imagine what the solution would be, but foreign actors and the use of AI, and specifically how anybody is trying to address that with limited jurisdiction over those areas. Also, if you have seen any efforts of some of the platforms to identify deepfakes, whether it is parodies or not, and to put disclaimers on them automatically.

Mr. Kuckuk:

Thank you for that question. To address the first half about that, about foreign actors. So, as for the use of AI and in the use of AI specifically in foreign actors, I have not seen a whole lot of legislation surrounding this, especially on the state level. I know that there have been at least a handful of efforts in Congress looking at AI just a little more broadly in the campaigning context.

Now, as for foreign actors in elections more generally, we have seen several states over the last year or so really looking at one of two things. First, there are a lot of states that have been looking at the regulation of foreign dollars into specifically ballot measure campaigns. Now, this is something that is regulated on the federal level only for candidates. However, for initiative and referendum, foreign dollars are not explicitly prohibited by federal law. We have seen a handful of states over the last handful of years trying to address this. Then, on the other hand, we have also seen a lot of states over the last year introduce or enact legislation that is similar to the Federal Foreign Agents Registration Act. This is a law that, on the federal level, regulates, and requires disclosure from lobbyists or those acting under the influence of foreign governments, individuals, or corporations who is looking to influence the political system in the U.S. Those are the two main ways we have seen states recently trying to address foreign actors in politics. I am sorry; what was the second part?

Senator Steinbeck:

The second part was in regards to deepfakes—some of the platforms, whether it is the actual AI generating tools or platforms that are used to distribute that—if there is any efforts for them to identify the deepfakes and then put disclaimers on themselves.

Mr. Kuckuk:

As I stated with California's law, they do have that provision that requires them to work with election administrators. Also, a part of that law does require them to proactively look out for deepfakes on their platforms. Outside of that, we have seen a handful of tools being developed by Google and Meta that are trying to identify deepfakes that have already been generated, whether it is on their platform or not. From my understanding—I am not a computer engineer, however—there are certain things that you can identify a deepfake with, and they are creating these programs that are able to identify them. Then, there are also—I know, I believe it is through Adobe and their software within the metadata of anything that is created with a deepfake, I believe through their software, it labels it as having had AI generation in it.

Senator Steinbeck:

Thank you. Thank you, Madam Chair.

Chair González:

All right. Thank you so much for your presentation.

AGENDA ITEM VI—PRESENTATION ON COMPLIANCE WITH FEDERAL REQUIREMENTS FOR ACCESSIBILITY IN ELECTIONS

Chair González:

Next, we are going to hear from our Clark County Registrar of voters, as well as our Washoe County Registrar of voters, on information related to compliance with federal requirements concerning accessibility in elections. Please go ahead whenever you are ready. We are going to have Andrew McDonald from the Washoe County Registrar present first, and then we will have Lorena Portillo go second from Clark County.

Andrew McDonald, Registrar of Voters, Washoe County:

Good morning, Chair González, Vice Chair Ohrensfall, and the Committee members. Thank you for this opportunity to speak in front of you today. I will be speaking about compliance with federal requirements for accessibility in elections. I will kind of start first with a few slides (Agenda Item VI A) on Title II—Americans with Disability Act, which covers state and local government entities, and ensures that accessibility to the people that are going to the voting booth have been covered with those accommodations. Physical accessibility in polling places—some of the requirements that we have to deal with is accessible routes ensuring that accessible parking spaces are there; curved ramps; level ramps; the entryways and doorways are wide enough for wheelchairs; and that there are no steps without a ramp. Interior wise, we have to make sure there is a clear path of travel for check-in into the voting areas, that accessible booths have the ability for a wheelchair to go underneath, and seating for voters who may not be able to stand in line for long periods of time. Regarding the polling place itself, we need to make sure that those voters—the ADA community—have the ability to vote privately and independently, mark and cast their ballot without assistance if desired, and use assistive features in the voting system such as audio ballots; tactile control; and sip and puff capabilities. To note, we cannot force the ADA community to use mail ballots. We need to provide accessibility into the voting location—the polling place.

So, how does effective communication or Title II work? Sign language interpreters were necessary. There is a program the Secretary of State's Office has where someone can make a call through their cell phone for sign language, providing accessible voting materials through registration, large print materials where necessary, and accessible websites for voter information and to register. And lastly, some of the things that we do inside the site is provide clear signage at the polling locations. Title II does allow for some reasonable accommodations where it does not fundamentally alter the process. So for example, allowing a voter to bring the friend, family member, or whoever they would like of their choice—with the exception that it cannot be their employer or a union rep. Also, they allow curbside voting if getting into the building is not possible and additional time for these ADA community members who would like to vote in-person.

Some of the things that we do and around the state is the training of poll workers. Staff must be able to set up an accessible polling location; properly operate that equipment that is at that location; assist voters with respect, dignity, and provide nondiscriminatory practices; and understand the rights of the disabled community. A lot of Washoe County buildings are older, and just because they are older, it does not mean that they cannot be accessible. However, we are running into various problems with that in our community due to snow, weather, and the different things in Washoe County. When that happens, we either have to close that location; we may need to move that location; provide curbside voting at that location—which I will get to a little later in the in the program here; and offer absentee ballots.

How is Title II enforced? It is enforced by the Department of Justice, by private lawsuits by affected voters that may have had a bad experience, and the DOJ actually conducts regularly accessible reviews of polling places—this is what happened in Washoe County in the primary of the 2024 Election, where they visited 10 of our 55 Election Day vote centers, and unfortunately all 10 of those locations failed compliance for various reasons. In December of 2024, the DOJ and Washoe County entered into a voluntary settlement agreement to initiate a full-blown ADA-compliant polling program. What does that agreement talk about? What does that settlement agreement go through? It is to create the accessible program; the policies and procedures that go along with it; to train our staff—not that they have not been trained before, but to completely train our staff; provide additional training for poll workers to remediate our failed vote locations; and to provide reasonable accommodations to the ADA community. We had to hire an ADA expert, which we got a gentleman from the University of Reno, Nevada—a consultant there—where he comes with us to every single location and assesses those locations and signs off on those vote centers. We also have to complete a DOJ 170-point checklist at each and every single early voting location and 55 Election Day locations across Washoe County. One note here is we cannot do voting. We cannot perform voting across Washoe County without Washoe County locations or facilities ourselves—City of Reno and City of Sparks location sites and private businesses that work alongside of us.

Unfortunately, all of our vote center contracts expired at the end of the last general election in 2024, so we are starting with a very blank canvas where we are needing to find locations. We are needing to hire this expert; go through the process; create a program, and then with his help search, find, assess, remediate, and sign these new contracts with these locations. As you can tell, it is quite a few locations. And right now, unfortunately, fewer than 20 percent of Washoe County vote centers for this upcoming 2026 election are not 100 percent compliant, so that is a major gap for us, and I will get into that in a few slides. Some of the biggest things that we are having an issue with this compliancy is the parking, the slopes, the path of travel, and the asphalt cracks that we got written up with under the Department of Justice. These are very costly remediation efforts. They are infrastructure projects; they may require pavement to be ripped up and repaved over, restriping—a lot of things there that we are not able to use some of these locations because of that.

We also do not have the funding or recurring funding to comply with 2026 elections, so we are having to kind of take some things into our own hands if you will. When I have “part” in quotes up here of the solution, one of the things that we are trying to do under the reasonable modifications under the DOJ is provide curbside voting programs. As I mentioned, most of these are parking and path of travel to the vote center. We in Washoe County are working with our voting system vendor to design and engineer a mobile voting cart, which means we would be taking the vote to the person, the ADA individual, to their car.

How does it work? We will be putting a program together where an ADA voter pulls into an accessible designated parking spot. There will be signage for a phone number to call a site manager. The election official will roll out this integrated cart with the voting machine, the ballot printer, an uninterruptable power supply to power all this equipment, and a check-in station to check in the voter. The voter will vote from the comfort of their vehicle. The voter will print their ballot, review their ballot, put it in a secrecy sleeve, and then our election official will cast the ballot on behalf of the voter inside the vote center. This is the first time I believe in the State of Nevada that anything like this has been offered for literally curbside voting for the ADA community; so I am pretty happy and proud about that.

Other things in Washoe County that we have done to consider for the ADA community is we have overhauled our complete website to provide ADA digital compliance. We offer our sample ballot booklet in large print if requested from the ADA community. Our voting system, has as I mentioned earlier, audio ballot—a tactile interface for this community for the blind; high-low contrast; headphones; and sip and puff capabilities for those who need that. Our ADA voters are offered the front-of-the-line pass if they cannot stand in line, so they can come right up to the front of the line, we will wave them in, and they will get access to a voting booth right away if they decide to come into our vote center and not call our hotline for the curbside voting program. Inside our vote centers, we do have accessible voting booths. We used to offer one; we will be offering two now that we have the compliant curbside voting. Also, we had to modify our mail ballot drop boxes to be compliant. We had bought over 120 drop boxes before the 2024 election. When the DOJ came they said, “Your drop boxes are not compliant. The handle is not long enough, so please rebuy all these new drop boxes.” With the help of one of my deputies, we went through, and we worked with our facilities to engage and prolong the handle or make it longer so that we did not have to spend taxpayer money all over again to buy compliant drop boxes. That is my presentation. If you have any questions, I think Lorena is going to go and then we can answer any questions afterwards.

Chair González:

Yes, let us go to Lorena, and then we can do questions for both at the end.

Lorena Portillo, Registrar of Voters, Clark County:

Thank you, Committee members. Good morning, proudly serving Clark County voters since 1998. Thank you for having me here. In Clark County, accessibility is a foundational element of election administration. Accessibility is a critical factor in many of the decisions we make, including voting site selection, what equipment we use, and training for our permanent and temporary staff. All of our voting sites have wheelchair accessibility, voting booths, and voting machines that have audio and tactile accessible equipment. Also, during the past year, we have been working with a private consultant to evaluate all of our voting sites and improve accessibility. All voting sites have bilingual workers, and we continue to work with the deaf and hard of hearing community to provide ASL [American Sign Language] interpreters at convenient locations and times during early voting. In addition, all of our voting materials are available in English, Spanish, and Filipino, and an increasing amount of our election information is available in Chinese. We are always striving to go above and beyond in serving the members of our community. Our objective is not simply to meet statutory requirements, but to ensure that every eligible voter in Clark County can participate privately, independently, and with dignity. (Agenda Item VI B)

We comply with several federal laws that establish accessibility standards, such as ADA, HAVA, Section 504 of the Rehabilitation Act, and the Voting Rights Act as well. All of these federal laws provide the accessibility not only regulation, but the guidelines that we must follow in order to provide the accessibility to our folks that need it. We, like Washoe County, have gone through several stages in ensuring that each site has when we are compliant. Clark County not only meets these requirements, but integrates accessibility into operational planning from the outside of each election cycle. Our goal is equitable voter access, not just minimum compliance.

In 2025, Clark County retained PCNA Consulting Group to conduct a comprehensive ADA review of more than 180 polling locations. This review included third-party site evaluations, documentation aligned with the U.S. Department of Justice guidance, formal written assessments for each location, and when deficiencies were identified, site-specific mitigation

plans were developed and implemented with sufficient lead time. If a site could not be brought into compliance, a compliant alternative location was secured nearby. In 2024, we were able to mitigate many of the issues that were brought up by the Department of Justice, and many more were mitigated with just changing the actual sites. Thankfully, we are very fortunate here in Clark County; we do have sites that are in compliance, and we were able to use the majority that we already have used in other elections. This process ensured every polling location underwent formal accessibility evaluation prior to voting.

Clark County ensures voters with disabilities can cast ballots privately and independently. Key measures include all voting booths are wheelchair accessible, not just one but all; two audio and tactile accessible machines per site; ballot marking devices available in English, Spanish, and Filipino; and extensive pre-election testing of accessible equipment. Accessible voting equipment is not isolated to a single station; accessibility is integrated across the voting floor on all voting machines. On-site, bilingual election workers are present to assist voters as needed. Large print materials are provided as the standard format. We do not require our voters to request it. We already do that in advance, reducing the need for special requests. These measures ensure compliance with HAVAs requirement for private and independent voting.

Clark County goes beyond minimum requirements through proactive initiatives. These include expanded ADA-focused coworker training; training on voter assistance rights and service animal guidance; production of traditional Chinese material beyond federal requirements; or ASL-supported voting locations with on-staff interpreters in 2024. We are working really hard with our advocacy groups to expand the project in 2026; development of ASL-integrated demonstration videos for long-term voting sites—we will have a big screen at the majority of our long-term voting sites that will allow voters to see this not only in their preferred language, but also will provide sign language on the screen as well for them while they wait in line to vote. A language translation device currently is in development to assist voters in additional languages.

Of course, accessibility evolves as our community evolves. Clark County continues to expand support in response to community needs. We view accessibility as an ongoing responsibility, not a static checklist. That is my presentation, but I really wanted to close by saying that our objective is not simply to meet statutory requirements, but to ensure that every eligible voter in Clark County can participate privately, independently, and with dignity. Accessibility is central to public trust in our democratic process. Thank you for having me here. I am happy to answer any questions, and of course, that is my contact information. I will be happy to assist in anyway, or you can come visit us anytime. We love visits.

Chair González:

Thank you so much, both of you, for your presentations. Members, do we have any questions? Yes, Vice Chair.

Vice Chair Ohrenschall:

Thank you very much, Chair, and thank you to our Clark County Registrar for all your hard work you do to help make sure our citizens can participate in the democratic process. My question about the ASL sites—are those four sites available on election day and during early voting, or just one or the other?

Ms. Portillo:

Yes, so we do work with the advocacy groups, and they actually have the liberty to provide which dates and times works best for them. We did have early voting and election day in 2024.

Vice Chair Ohrenschall:

Thank you, and brief follow up, Chair with your permission.

Chair González:

Yes.

Vice Chair Ohrenschall:

Thank you, Chair. You mentioned those advocacy groups. Is that how the Election Department lets hearing-impaired individuals know where those sites are? Or is there other methods that the Election Department uses, or is it primarily advocacy groups?

Ms. Portillo:

We actually piloted this program in the general election. We had not done this in the past. It worked out very well, and many advocacy groups such as Silver State Voices, All Voting is Local—we worked with Obioma [Officer] very closely to ensure that it worked, and it was effective—and it was, so now we could definitely expand. We want to make sure other folks know that if you want your constituents to know about this program, we will be happy to assist.

Vice Chair Ohrenschall:

Thank you very much. That is an excellent program, Registrar Portillo, and you know, working in the courts—sometimes, when I have a hearing-impaired client, it can be a challenge finding an ASL interpreter and having them there for court, so I appreciate everything Clark County Election Department is doing to help hearing-impaired individuals be able to vote. Thank you, Chair.

Chair González:

Thank you. Members, any other questions? Assemblymember Mosca.

Assemblymember Mosca:

Thank you so much, Chair, and big thank you to both of our Registrars for being here today and sharing this important information. I am sorry if I missed it, but could you both just share where the funding comes from to do all of this very important work so that our public is aware?

Ms. Portillo:

Thank you for the question. Our County is very supportive; Clark County commissioners, senior management—they are very supportive of everything we do, and the majority is provided by the County. Oftentimes, we do receive funding from grants that the Secretary of State received. We upfront the cost of course, and then we have partial reimbursement of those expenses. In 2024, we did have some additional grants that really helped and alleviated many of the costs that was related to the extensive amount of poll workers that

we needed and additional in-office staff that we needed for the mail ballot processes, because we increased our capacity by implementing double shifts—which we had never done in the past—but that allowed us to finish for the very first time everything we received up to election day the very next day.

Mr. McDonald:

Very similar to Clark County, very supportive County here in regards to how they are working with us and helping us fund this. Regarding ADA specifically, we did receive a capital improvement project of \$400,000 to procure these ADA voting carts that we will be using for this election. Obviously, we will not be spending all \$400,000 on that. It is also to buy ramps, cones, and anything striping that we can do for the ADA community to bring an awareness and give them access to the ballot. But I do want to say, funding is going to be the key linchpin in accessible voting moving forward. Again, these parking structures—parking lots—we do not control all the facilities where we have voting; at the Washoe County facilities, we do. But the City of Reno, the City of Sparks, and private businesses, we can ask them, “Please make your location accessible; it should be already,” but if they too do not have the budget, we have to find other locations or provide that modification—hence the curbside voting program to be compliant.

Chair González:

Thank you. Do we have any questions up north? [There were none.]

We will now move on to our next agenda item, which is a presentation on language access for elections.

AGENDA ITEM VII—PRESENTATION ON LANGUAGE ACCESS FOR ELECTIONS

Chair González:

We will hear from Valarie Martinez, the Language Access Program Officer and Cal Boone, the Tribal Outreach Coordinator, both with the Office of Secretary of State on language access.

Mark Wlaschin, Deputy Secretary of State for Elections, Office of Secretary of State:

Thank you, Chair. I am going to buy my colleague Valarie a few quick moments while she sets up the PowerPoint down there, first by doing a very brief introduction. The next four presentations for the Committee are from staff members from the Office of the Secretary of State, starting with language access, then moving through as the agenda indicates. I did want to call out real fast that the presentations you are going to be hearing today—while you will see me up at the table, again, I am proud to have my colleagues next to me that will be doing the presentations. These are the key subject matter experts who have been oftentimes working behind the scenes in the Office of Secretary of State for years. Some of the individuals you will hear from today truly have forgotten more about elections than I will ever know. I am proud to pull them out of the hard work they have been doing, preparing for the 2026 election cycle, truly, which has begun the day after the general in 2024 and continues into today. So again, four presentations, but very much appreciate the opportunity to provide this information to the Committee, both at this meeting and potentially at future ones. So that being said, I think she is about ready.

Chair González:

Thank you so much. We are all looking forward to the presentation. Go ahead and begin whenever you are ready.

Valarie Martinez, Language Access Program Coordinator, Office of Secretary of State:

Sorry all. Thank you for having me today, and with Mark, I have my colleague, Cal Boone, who would like to introduce himself as well.

Cal Boone, Tribal Outreach Coordinator, Office of Secretary of State:

Good morning, Chair, Vice Chair, and the Committee. I serve as the Tribal Liaison and Language Access Assistant for the Secretary of State's Office. Thank you.

Ms. Martinez:

Today, we will be talking to you about a few things for our language access team. (Agenda Item VII) What we want to go over just briefly is our vision and the legislative context of what the language access program is. We will be talking about our 2026 plan for this coming election year, as well as the 2027 nonelection year's expectations that we have, how we are going to build trust; guard rails; and plain language for the citizens of Nevada, as well as the way that we are going to move forward and measure these successes as they come.

Ensuring equitable access to elections is fundamental to functioning democracy. Neglecting language access can result in costly legal challenges, administrative delays, and cause an erosion of public trust. These are all outcomes that we are determined to prevent, and so as such, we at the Secretary of State's Office are committed to providing statewide, plain-language, multilingual, and accessible election information that empowers every voter, regardless of their language or their abilities. The current language access program was established in 2023 following the implementation of Section 203 requirements with the Voting Rights Act. The program became more intentional with updates under Assembly Bill 367 in 2025. Assembly Bill 367 strengthens the language access requirements and sets new standards for inclusivity in the election process.

The updates from 2025 were as follows. The term 'voting materials' was defined, so specifically to mean that includes all registrations and preregistration to register to vote, ballots and ballot instructions, voting instructions, polling location information and instructions, notices required for an election, ballot questions, and voter assistance forms. This bill also provides the Secretary of State with the latitude to determine any other materials that need to be translated as well. Assembly Bill 367 also established that there is a requirement to have seven languages plus ASL available online with audio support for oral languages. These seven languages are typically the seven languages under federal law, which is the federal law *52 U.S.C. § 10503*. However, if at any time the federal law has less than seven languages listed, Nevada has committed to maintain the seven language minimum. The bill also established or clarified that there would be a toll-free hotline that has at least 200 languages available for users and that there be an established certified translator available so that this can prevent potential for bias or alterations from uncertified or unreliable translators like a family friend, a family member, or some other invested party. It requires that we maintain a language access coordinator position, and that mobile devices include interpretive access, such as for ASL. Finally, it did establish that the baseline materials all need to be set forth in Spanish and English for all things that are created.

These measures take steps to ensure that language is no longer a barrier to civic participation.

During this 2026 year, our immediate focus is implementing these things from AB 367. So far, we have already established the Language Access Coordinator Position, which is the role I am in that I am speaking to you from today. We have established a toll-free hotline. We also have contracts with certified translators, and we released all of our baseline materials in English and Spanish. What is currently in progress is that we are working on getting all of our documents in those seven languages online right now. We are developing education videos in American Sign Language and in Shoshone, which is an oral language only—there is no written form, so we are going to have videos for that. We plan to launch NVEASE [Nevada’s Effective Absentee System for Elections] demonstrations to showcase how accessible voting technology works in video and at events where there are online resources that are available. We are working on deploying PBS and social media campaigns to reach diverse communities. These messages are designed to be short, explainer videos on topics like how voting works, how to read your sample ballot, what are mail ballots or drop boxes, what to bring with you, same day registration, and things of that nature. These videos will address accessibility options and election timelines.

Then, we do want to work on strengthening our community engagement. We are going to do this by going through trusted channels, meeting voters exactly where they are in familiar spaces where we already have reliable, credible messengers that they trust. This includes coordinated outreach efforts with the library districts, DMV [Department of Motor Vehicles] service centers, the public transit system, as well as leveraging QR codes with links to learning hubs and partnerships with places like the Department of Employment Training and Rehab, specifically with vocational rehabilitation and the Aging and Disability Services teams. These efforts will feature looping educational videos in these places where people are congregating or sitting for long periods of time, and those topics will include details about what voting options are, how language assistance is available if you need it, how you can get that accessibility at polls, how mail-in ballots are processed, and how secure transmission works through the NVEASE system.

After this 2026 year, in 2027, we realize that we want to go beyond compliance. We aim to deepen engagement year-round, not just during an election season. So to achieve this, we plan to expand our tribal advisory listening tours—to ensure that we are being culturally responsive in our practices. Tribes have unique cultural and linguistic needs—including them, while we are planning our materials, make sure that we are accurate, respectful, and effective in what we are doing. The listening tours and advisory councils build credibility and long-term partnerships with those communities for later election periods. We also plan in 2027, to expand from the required 7 languages to include the top 15 languages that are spoken in Nevada. We will continue as we go on to assess the effectiveness of our interpreter networks and the tools that we are using, making sure that the community who is using these finds them effective, or if there are any issues, that we can address those. We do not want to do things that are what we perceive the public needs; we want to know how they need the information or if what we are doing is accurate.

We are also going to be pre-producing multilingual, ASL, and audio assets for the 2028 election cycle. By proactively developing all of these resources, we can make sure that they are accessible for all voters, they are clear, and that it reduces any confusion or errors. Approaching it in this way will help us to avoid any last-minute operational challenges or supporting any compliance issues.

As we move forward with these initiatives, the next priority is making sure that we are ensuring trust and clarity in every voter interaction. Transparency must be the cornerstone of our approach, particularly as we integrate technology into our election systems. By implementing technology guardrails, requiring human verification, and adopting plain language standards, we will safeguard accuracy and foster confidence in the democratic process. To do this, we will be creating a single-source presentation with the same branding and identical image for all languages, so everything is mirrored across all channels for us and any partners. We will implement transparency tags and clerk verification, so that it shows the last updates and when an individual last looked at the details. Our language access does also commit to using AI only for drafting, with strict guardrails to prevent any bias. Some of those guardrails would include a commitment to maintain human; factual; and cultural review before any type of publishing, and prioritizing human narrators for audio in all of their context. If there were a chance that we were to use, we would clearly label where, how, or if AI was used. The Legislators and the public need assurance that technology is going to enhance our efficiency without compromising any trust or accuracy by our departments.

Lastly, we will make sure that we are applying a plain language checklist to ensure readability, visual clarity, and accessibility across all formats. The Plain Language Checklist will ensure that all written materials are designed to be easily understood, not being overly complex so that the regular Nevadan may be able to understand—including the individuals with limited English proficiency or those who face challenges with reading comprehension.

With these foundations in place, as we move forward, our focus will then shift into deepening engagement and addressing systemic barriers. Our staff will continue to move forward to expand our institutional knowledge, will strengthen our presence in these community spaces, and intentionally design initiatives that serve marginalized populations. These steps are to make sure that every voter has equitable access, and that our election systems reflect the diversity of our state. We plan on attending different conferences to make sure that we have the most up-to-date resources and tools available for our teams. We will visit those community spaces, navigating town halls, educational institutions, senior centers, public agencies that provide social services—intentionally meeting people in places where people build relationships and trust during nonelection periods as well. Our marginalized specific initiatives are designed to foster community and ownership, which drives higher turnout and engagement during the election cycle. When communities feel excluded, confidence declines, and systematic barriers persist. But for the Language Access Team, this specifically falls into three categories: reaching out for ADA compliance, the language-limited English proficient or LEP individuals, and plain language. Because of this, we are developing initiatives for the deaf and hard of hearing communities, LEP individuals, and young; new; or undereducated voters. These are the focus of who we are keeping in mind as we are developing this information.

Our success, or how we will manage or monitor what we are achieving, is to measure the number of multilingual assets that we have live on our site; tracking the interpreter and ASL usage rates; monitoring the viewing and engagement that we have on videos and content; event attendance at locations or events that we are having; the number of poll workers being recruited; and surveys from the community and taking their feedback into account. Language access is not a one-time initiative; it is a cornerstone of democratic integrity. As we move forward, our focus will remain on innovation or modernization and inclusion and trust and transparency with the public. These steps will help us to create an election system that reflects the diversity of Nevada and strengthens the foundation of our democracy for generations to come. Thank you.

Vice Chair Ohrenschall:

Thank you very much, Ms. Martinez, and thank you for everything you are doing to improve language access for voters all over the state; really appreciate it. Do you prefer I open up to questions now, or go up to Carson City, and then open it up to questions? No? Okay. Senator Daly, did you have a question? Members, any questions? Assemblymember Mosca.

Assemblymember Mosca:

Thank you so much, Vice Chair. Thank you for this. I know that we have heard these bills over the last couple of years, and it is pretty amazing, actually, all the work that the Secretary's Office has been able to do. I was just wondering for national context—this seems like a lot of different programming, and a lot of things. Do you know, nationally, is this on trend with what others are doing? Is this maybe even better than what other states are doing? I just would love some context on that.

Ms. Martinez:

From my own experience and what I have been researching, it is on trend with states that are similar in demographics to ours. So, a lot of western states, we are right on par with what they are doing—not necessarily states that are less diverse than ours; they do not have as many options available. But yes, we can see that it is definitely a trend to have more inclusivity around.

Vice Chair Ohrenschall:

Any follow-up? No? Members, any additional questions? [There were none.]

Thank you very much for your presentation. Thank you for everything you are doing to improve language access. I will head back to Carson City. Thank you. I was not sure if Mr. Boone or Deputy Secretary of State Wlaschin—if there are any comments you would like to make, or if there are any questions.

Mr. Boone:

I guess, similar to the previous question, what I did want to let the Committee know is that in terms of tribal engagement, I believe Nevada is leading the way across the country for what that looks like—especially in regards to elections. So, when we look at the Shoshone Language Access Project, that is something that we are proactively taking to provide language access to Shoshone language speakers, and that resulted from our consultation tours—going out to the tribes and meeting with them. I just wanted to share that in that regard too, so, thank you.

Vice Chair Ohrenschall:

Thank you very much, Mr. Boone and Deputy Secretary Wlaschin. Certainly, it is really, I think, a model for the nation in what you are doing in terms of reaching out to tribes and providing language access. I have certainly, I cannot remember if it was NCSL, or one of the other organizations, but I saw what Nevada is doing was mentioned as a guide for other states. So, I was very proud of what you are doing, and it is awesome to be able to make sure that tribal members can vote. Members, any questions? I do not see any down here, Senator Daly, up in Carson City. [There were none.] Well, thank you very much. With that, we will close Agenda Item VII, and next, we are going to move on to Agenda Item VIII.

AGENDA ITEM VIII—OVERVIEW OF THE 2026 ELECTIONS PROCEDURES MANUAL

Vice Chair Ohrenschall:

We have got an overview of the 2026 Elections Procedure Manual, and we have Heather Hardy, Help America Vote Act Administrator, Office of Secretary of State, and our Deputy Secretary of State Mark Wlaschin. Thank you for joining us today.

Heather Hardy, Administrator, Help America Vote Act, Office of Secretary of State:

Good morning, members of the Committee. Thank you for the opportunity to present today. Today, I will provide an overview of the Nevada Elections Procedures Manual, including its structure; purpose; and statutory foundation. (Agenda Item VIII) I will then discuss the benefits and objectives, outline our review and public feedback process, and conclude with the path forward as we prepare for the 2026 and 2028 election cycles. While there were draft versions of the Elections Procedure Manual that had been started over the last few years, it was not formally established until the statutory requirement was created during the 2023 Legislative Session. The purposes are listed on the slide, but more broadly, it is intended to act as a tool for two separate audiences. The first are election officials. There has been a lot of turnover in state, county, and the city election officials over the past six years, and this Manual will help onboard new elections' staff across our state, so they have a resource beyond just a list of statutes and regulations. The second audience is the public. As more Nevadans look for information about how our elections are administered or seeking guidance about how to run for office or file a petition, this Manual will be an ideal go-to resource.

The Manual itself is organized into seven chapters and three appendices to reflect the full life cycle of election administration. Chapter One outlines the general information and Nevada's election framework. Chapter Two focuses on voter's registration, list maintenance, challenges, and language access. Chapter Three addresses election administration procedures, including voting methods; ballot requirements; canvassing; certification; and audit processes. Chapter Four covers candidate and campaign finance reporting requirements. Chapter Five details petition processes and political action committee requirements. Chapter Six defines the roles and responsibilities of city clerks. Chapter Seven focuses on election security, including physical security systems and data protections. The appendixes provide critical reference tools. Appendix A is a 2026 election reference; Appendix B is a glossary of election terminology; and Appendix C is a user guide for key election applications—including Aurora candidate filing, Aurora campaign finance, and total vote. The structure is designed to be practical and user-friendly, allowing election officials, policymakers, and the public to easily locate guidance, requirements, or timelines.

The Manual is a living document in that it is not expected to remain without changes for decades at a time. It will be amended on a biannual basis with statutory updates, regulatory changes, and operational lessons learned. Here is how that will look: following a legislative session, we will identify changes in state election law, as well as any changes to federal law since the last approval. Then, we will conduct our biennial regulatory review to create, amend, or repeal any election regulations that may also need to be updated based on the changes from the legislative session or lessons learned during the previous election cycle. Finally, we will take all of those changes, and update the Elections Procedures Manual before bringing it to the Legislative Commission for approval. That approval process effectively ends the updating process, with the exceptions of very minor nonsubstantive changes for the following biennium.

By centralizing and standardizing guidance and the update process, the Elections Procedure Manual will reduce uncertainty and promotes consistency statewide.

In addition to the changes to state and federal law, though, we continue to seek input and ideas regarding how to make the Manual better for its intended audience. The Secretary of State's Office works closely with county and city election officials—as well as subject matter experts—to review legal requirements and discuss operational best practices.

We also held three separate public meetings allowing individuals and organizations to review the Manual, submit feedback, and recommend changes. Those meetings were very informative and helped highlight a number of different opportunities for future enhancements. Additionally, we maintain a dedicated elections procedure correction and feedback form to allow ongoing suggestions outside of the formal review periods. This process ensures the Elections Procedure Manual reflects both statutory requirements and administrative best practices.

Looking ahead, we have a number of nonsubstantive changes that we intend to incorporate, such as adding citations to NRS [*Nevada Revised Statutes*] as the legislative changes from the 2025 Regular Session are codified across Title 24. We plan to do the same regarding the changes in regulation which will be going in front of the Legislative Commission next week on February 26.

Finally, the process I described earlier is already underway. We continue to receive feedback, some of which will require approval by this Legislative Commission before we can formally incorporate it into the Manual. We also anticipate that we will need to move quickly and be very efficient with our time in 2027. There is at least one ballot question that may be passed by a vote by the voters, and potentially other significant changes from the 2027 Session that will need to be discussed, reviewed, and incorporated before a candidate filing begins for the presidential preference primary in October of 2027. After all, we want to make sure the reference is updated and useful to all candidates and election officials prior to the start of the 2028 presidential election cycle.

Chair and members, the Elections Procedure Manual is fundamentally about transparency, uniformity, and building public confidence and trust in Nevada's elections. We appreciate the Committee's continued partnership and oversight, and are happy to answer any questions.

Vice Chair Ohrenschall:

Thank you very much, Ms. Hardy. Thank you for your excellent presentation and for all your hard work on the Elections Procedure Manual. Members, first, I think I would like to go to Carson City. Senator Daly, do you have any questions? I will come back down here to Las Vegas.

Senator Daly:

Thank you, Vice Chair. I do have a couple of questions—comments a little bit—and thank you for the presentation. It did answer, or give me more comfort on a couple of just questions and various things, and of course as you know, the Election Procedure Manual was set up to be “a regulation on purpose,” so that there would be some checks and balances to the otherwise executive authority that the elected Secretary of State may have to make unilateral changes that may or may not be in compliance with law and various things—just what they prefer to have be the rules.

I understand that you are going to be coming back with some minor changes coming up, and then after the elections and after ballot questions, you will update them, and that will go through the full regulatory process where you have to send out the notice; have a workshop; then a hearing; and get comments back from the people that actually run the elections in the 17 counties in the state for their feedback. I know we relied heavily on the—what, I think, 270 pages the Manual is. I have been through a lot of this stuff, and you look at it and there are things I am going, “I hope they got it right.” Lots of people looking at it though. It will go through the full regulatory process for changes after elections or after legislative sessions.

Mr. Wlaschin:

Just to clarify that, the statute specifically calls out... The Elections Procedure Manual, just to clarify, is not a regulation. It specifically is intended to not conflict with statute or regulation. So really, it is below the regulations. The process is defined in the statutes and confirmed by the Office of the Attorney General. It absolutely requires approval, as you have mentioned, by the Legislative Commission, but the regulatory process of a public workshop followed by a regulatory adoption hearing, then going to the Legislative Commission—the Procedure Manual does not follow that process. The three public meetings that Ms. Hardy identified and talked about were our opportunities to get feedback, because transparency, of course, is absolutely imperative in the electoral process period. But, I just want to clarify for the record that well, yes, the nonsubstantive changes can be applied. Citations is an excellent example that Ms. Hardy mentioned. If it is a substantive change—we have received a lot of really good suggestions that would require that—those are going into a draft version that will not be a formal part of the Procedure Manual and not even published. It stays on our working document until it gets in front of the Legislative Commission—sometime leading up to the next election cycle.

And finally, in closing, I assess and based on my conversations with Ms. Hardy and the rest of the team and our state and county election officials, I believe that the version of the Legislative Commission just recently approved... Is it for the 26th election cycle? Minus citations or some other very nonsubstantive tweaks. Speaking of nonsubstantive tweaks, just to put on the record, whenever we do have questions, even for the citations, we go immediately first and foremost to the Office of the Attorney General—is adding citations to each page pointing back at NRS? Is it a substantive change, or is it not? If they say that it is not substantive based on our conversations and what we are talking about, only then will we apply it, and we will keep a track of a record of that so the public can be aware of what those nonsubstantive changes are. We are deferring to not make changes simply because it is somewhat vague, and we certainly do not want to be accused of taking advantage of the vagueness of a nonsubstantive change. We would rather hold off on applying those until we can get it in front of the Legislative Commission appropriately, which will likely occur again, as Ms. Hardy mentioned, I think September of 27 is when we next anticipate going back to the Legislative Commission.

Senator Daly:

Thank you for that. I know you and I talked when we were at the Legislative Commission on that committee as well about the nonsubstantive, and how that is a little bit in-flux and can be potentially expanded or abused. So, the state election Officer Secretary of State, or whoever that might be in the future, can look at that and say, “Well, I consider it to be nonsubstantive. I take advice from lawyers and my Deputy AGs, but I get to make the decision, so they can say it is substantive, and I can say I disagree,” and move forward. So on that, if it is substantive, you got to come back to the Legislative Commission, which is that checks and balances. We do not want people rewriting the election law based on their

belief that they want to have it be this way. We are looking at, or I am thinking—and maybe this Committee will chime in. I do not know—on saying, “Hey, even if it is a nonsubstantive issue, and you have got the blessing of the AG and the Secretary of State, that even those nonsubstantive ones would have to at some point before they become permanent—you can make them, but before they become permanent—go in front of the Legislative Commission to have LCB [Legislative Counsel Bureau], our staff, and the elected officials overseeing that to have that checks and balances come back to the Legislative Commission,” because then it removes the vagueness on substantial versus nonsubstantial, because then, even if it is substantial, but it is approved by the Legislative Commission, you can do it. But I think it takes additional legislation at this point. Is that your understanding?

Mr. Wlaschin:

Thank you for the question, Senator. Yes, that is my understanding as well.

Senator Daly:

Okay. I am—everything goes well with the next election—planning on doing that—but maybe this Committee will want to give its blessing to that as well. I think that was all; I have some general questions at the end when you get to your... It may not be related to things that are on your thing here, but I did want to talk about the Manual’s changes, and I think you have got a good process in place. It just needs to be followed. We get that last little piece in, and I think we will make it give people the confidence that we are looking for in the process and what that Manual says.

The only other question I would have on is—if I can, Mr. Vice Chair, or is the Chair back?

Vice Chair Ohrenschall:

Please go ahead.

Senator Daly:

Anyway, now that you have this here and everybody has to follow it, what are the processes in place if somebody just says, “Yeah, I am not going to do that, and I do not want to do that. I disagree with it. I am the elected county clerk, and I got the support of my county commission, so I am not going to follow your manual?”

Mr. Wlaschin:

Thank you for the question, Senator. In that hypothetical, and I want to start by saying that again, we at the Office of Secretary of State do work very closely with our 17 county and 18 city elections officials—the clerks and registrars as appropriate. No indication or warning that any of them currently would take that. I want to put that on the record because, again, all our men and women of integrity and character want to follow the law, flat-out—state and federal law. Supposing though, to your question, that one of them saw something in the Procedure Manual and said, “Flat-out not doing it,” the steps that we would take would look very similar to a series of phone calls and emails. It would increasingly become in writing to get clarification. There would be discussions about the interpretation of the requirement—why is that problematic? Given that the Procedure Manual is unable to conflict with statute of regulations, truly, it would not be a slight or a violation of the Procedure Manual, it would be a violation of regulation or statute, which absolutely would be problematic. The conversations that would start one on one with myself and the county or city official would transition fairly quickly to their counsel and our counsel talking through to make sure that we understood and could resolve that sort of disagreement or confusion. I

firmly believe, and it happens that oftentimes if there is questions, concerns, or confusion with us or a county or city election official, that is usually frankly where it stops. We get clarity; we get on the same page; and then we move forward and follow state and federal law.

Beyond that, though, it would shift quickly into the hands of the legal team to address and enforce compliance again. Secretary Aguilar is the Chief Officer of Elections. He does not pick or choose the federal or state laws that we follow, and neither do our county or city election officials. These are the laws that were put in place by our elected Legislature and signed by the Governor, and they will be followed to the benefit of Nevadans period.

Senator Daly:

Thank you for that, and it was a little bit of the question I might have had later about the canvassing issues and various things. I know there was legislation last session, and we did not get it across the finish line on that, but when I go back and I read the provisions of NRS 283.440, it says, "Whenever a complaint in writing is duly verified, the oath of any complaints presented," does the Secretary of State's Office have the authority, or do you have to go through the AG? I think the Secretary of State can say, "Hey, we have this complaint. I am going to verify the complaint and get it into court for malfeasance and malpractice in office," where a person can be removed if they are elected positions, including the county commissioners, that are enabled.

Mr. Wlaschin:

Thank you for the question, Senator. I apologize. While I have seen NRS 283.440, I have not yet reviewed it. If it is possible, I would like to review that and get an answer to you in writing perhaps after the meeting today, if that is acceptable.

Vice Chair Ohrenschall:

That is fine, Deputy Secretary of State. I appreciate that. Any additional questions, Senator Daly?

Senator Daly:

No, I was just going to say yes, that would be useful because I would like to know who has that enforcement. Is it dual? Is it one office? Is it the other? You know, theoretically, the Legislature could make the complaint if we knew about it and various things. I just wanted if there is an interpretation on how that enforcement would work. I can ask LCB too, but we just maybe need to clarify that both the Secretary of State, AG's Office, or any person, if it is a valid complaint, can get that and get that to court. Thank you.

Vice Chair Ohrenschall:

Thank you very much. Any additional questions, Senator Daly?

Senator Daly:

Not on this, thanks.

Vice Chair Ohrenschall:

No? Okay, I thought you had maybe a couple more. Members down here in the Las Vegas hearing room, any questions? [There were none.]

Thank you very much. Thank you, Ms. Hardy. Thank you, Deputy Secretary of State Wlaschin, for your presentation. With that, we will now close Agenda Item VIII, and we are going to move on to Agenda Item...

You know what, pardon me. I am so sorry. We have Assemblymember Dickman on Zoom. Before we move on to the next agenda item, Assemblymember Dickman, are there any questions you have either for Ms. Hardy or for Deputy Secretary of State Wlaschin? I think you might have mute on, we cannot hear you.

Assemblymember Dickman

You would think I would be better at this. I am so sorry. I do not have any questions right now. Thank you so much though, Vice Chair.

Vice Chair Ohrenschall:

Thank you, and if you do have a question, please do not hesitate just to jump in, because I am not always seeing your window. I see it now, but I am not always seeing it, so for any reason, if you have a question, and I am not recognizing you, and I am missing that you are wanting to be recognized, please just turn on your mic and jump in and let us know you want to address one of the presenters.

Assemblymember Dickman:

Thank you.

AGENDA ITEM IX—PRESENTATION ON CONSIDERATIONS FOR THE DESIGN OF BALLOTS AND MAIL BALLOT ENVELOPES

Vice Chair Ohrenschall:

With that, we are going to move on to Agenda Item IX. We are very fortunate to have Deanna Spikula, our Help America Vote Act Administrator with the Office of Secretary of State and Deputy Secretary of State for Elections Mark Wlaschin here. Thank you both for presenting today.

Deanna Spikula, Administrator, Help America Vote Act, Office of Secretary of State, Elections Division:

Good morning, Chair González, Vice Chair Ohrenschall, and Committee members. I will be providing you a presentation on ballot design and mail ballot envelopes. (Agenda Item IX)

From a governance perspective, the Secretary of State's role as Chief Officer of Elections is critical in ensuring compliance with state and federal election laws, ensuring the efficiency and accuracy of ballots, the mail ballot processes implemented throughout the state, and the adoption of regulations to carry out the provisions of the *Nevada Revised Statutes*. In this presentation, we will be reviewing the statutory authority of the Secretary of State and those responsibilities as they relate to ballots and mail balloting materials; the components that make up ballot setup and design; the addition of the statewide mail ballot contract; the benefits related to this past legislation; and the requirements of the mail ballot with some sample materials provided as a visual reference for those components.

The Secretary of State serves as the Chief Officer of Elections, responsible for the execution and enforcement of election laws in Nevada. This includes adopting necessary regulations to carry out these provisions. Under NRS 293.250, the Secretary of State prescribes the form

of all ballots and mail ballots, including the items listed on the screen. This list essentially describes the public-facing elements of the ballot, so the placement in the list of the races and questions on a ballot, regardless if it is used for in-person voting or on a mail ballot; or using our Effective Absentee System for Elections—known as NVEASE. In other words, if a voter is going to look at it while voting, it is regulated by state law and falls to the Secretary to prescribe and enforce the exact information.

So, what goes into ballot setup? Ballot setup includes elements such as the order of the listing of offices, candidates, and questions; the placement of party names or abbreviations after each candidate name; the use of names including given names, surnames, and nicknames; the use of none of these candidates as required for certain offices; the placement of state and local ballot questions; and the preparation of separate primary ballots required for primary elections or the single ballot format for the General Election.

There are three separate types of ballots that must be prepared for each election cycle. Of course, we are coming into a primary election, so we are looking at the primary partisan ballots that are created for each of the major political parties and contain major political party candidates and nonpartisan office candidates, and are voted upon by voters who are registered with one of the two major political parties. The next is the nonpartisan primary ballot, and that contains only nonpartisan offices and candidates, and are voted upon by all other voters who are not registered with one of the two major political parties. Then, we have our General Election ballots. Those contain all candidates for which a voter is entitled to vote on in the election, regardless of political party affiliation of the candidates or the voter. The setting up of a ballot in the layout begins with the certified list of candidates and determining the omissions in appearance—or rather the conditions for when an office and candidates appear on a primary ballot—the General Election ballot, or may be deemed elected without having to appear on either under certain circumstances. This determines the list of offices and candidates that will appear on a ballot.

There are additional requirements besides the omission and appearance that determine when a candidate appears on a ballot, such as the requirements for minor party or independent candidates for partisan office. NRS 293.1715 details when a minor party candidate running for a partisan office appears on the ballot. The minor party must qualify as a minor party in the state and have filed a certificate of existence; the minor party must submit a list of candidates for partisan office with the Secretary of State; and those candidates must also file a declaration of candidacy with the appropriate filing officer. Minor party candidates of a minor party with ballot access who are running for partisan office will appear only on the General Election ballot. Likewise, independent candidates for partisan office must also file a declaration of candidacy with the appropriate filing officer, but must also circulate a petition of candidacy and obtain the required number of signatures to appear on the ballot. Independent candidates for partisan office will also only appear on the ballot for the General Election.

In Nevada, we have closed primaries, which means that for a primary election, there will be three ballot styles created for each precinct, one ballot style for each major political party—which will also include the nonpartisan offices for which those voters are eligible to vote—and a nonpartisan ballot style for those voters who are not registered with either of the major political parties that will include only nonpartisan offices. For reference, the term ballot style refers to the combination of offices and candidates for which the voters in each precinct are entitled to vote. However, our General Election ballots, we only have one ballot style for each precinct that contains all of the combinations of offices and candidates that a voter is eligible to vote in for the election, including all major and minor party candidates, independent candidates, and nonpartisan office candidates. Additionally, ballots are created in three manners to accommodate our elections, including an electronic file that is used to

program the electronic voting equipment for in-person voting; the mail ballot artwork known as ballot faces that are used for the mail ballot voting; and the digital version to be used by our NVEASE system, which generates a precinct-specific ballot for every voter who uses NVEASE based on their residential address anywhere in our state.

Since the emergency measures put into place during the 2020 elections in response to the COVID-19 pandemic, and then the subsequent passage of AB 321 in 2021, all active registered voters in our state are sent a mail ballot for each election unless they opt out of receiving a ballot by mail not later than 60 days before election day. Since the passage of AB 321 in 2021, additional statutes and regulations have been passed to strengthen the administering of mail ballot voting in Nevada. This includes the passage of AB 192 in 2023, codified in NRS 293.2694, which assists the counties and the state with the procurement of qualified vendors to provide the printing of mail ballots for our electorate. This statute allows the Secretary of State to enter into one or more contracts for the purchase of all ballots and return envelopes for the use in statewide or local elections held in the state. Each county may choose to use the state-contracted vendor by simply notifying the Secretary of State of their intentions to use the state vendor. The vendor or vendors must be chosen through the state procurement process and must comply with all state contract requirements, as well as being an approved print vendor for all voting systems in use in the state—currently, we have ES&S and Liberty Voting—and must deposit the mail ballot for mailing at a location within the state. This is a benefit to both the state and the counties, as this increases the purchasing power by leveraging economies of scale; increased standardization and integration with fewer vendor contracts to manage; and ensuring more consistent products and service quality for Nevada voters. For the 2026 election cycle, 16 counties have elected to use the state-contracted vendor for the printing of their mail ballots.

There are many requirements that we must adhere to for our mail ballots and the supplemental materials, including the outgoing and return mail ballot envelopes, which must be uniform throughout the state and includes a method of distinguishing the return envelope for each county for which we use a color bar on the envelopes to distinguish between each county. Examples of some of the requirements include that they must be sent by first-class mail, or by any class of mail in the official elections logo, mail logo, or equivalent logo created by USPS [United States Postal Service] as properly placed on the return envelope. The envelope must be postage-prepaid by first-class mail. In addition, each ballot must include a secrecy sleeve, voter instructions, and any required documentation that must be submitted by a voter for a ballot to be accepted if this is indicated for that voter, or any other notices that must be included for that election.

There are also specific requirements for our mail ballots that help support the transparency of our elections, increased voter access to information about their mail ballot, and providing additional information about how to assist a voter in successfully casting their mail ballot. For instance, each outgoing and return envelope must include a space for the USPS Intelligent Mail Barcode, or IMB, that provides tracking information for ballots as they are scanned by USPS as the ballot moves through the postal system. This information is also used for ballot tracking both at the state and county level, but also available to individual voters and is a service that voters increasingly express their appreciation for. Also, additional information provided on the mail ballot envelope are the deadlines associated with returning a mail ballot, a statement that informs the voter what will happen if they fail to sign their mail ballot, information that is required for a voter who is assisting another voter in marking and signing their ballot, and also a statement in Spanish directing Spanish-speaking voters to the Secretary of State's website for additional information.

On these two last slides, I am going to walk you through what this all ends up looking like. This is an example of an outgoing mail ballot envelope with its instructions and secrecy sleeve. There would, of course, also be a mail ballot inside of this packet. You can see how we continuously try to make sure that the information is as clear as possible while ensuring that all legally required text is included. Inside the outbound envelope, and it is in addition to the ballot instructions and secrecy sleeve, would be an entire return envelope as well. This example shows the many requirements that are also carefully positioned to maximize clarity for the voters. There is one item that I would like to highlight—on the right image, you will notice an arrow pointing towards a new optional box that will give voters one last chance to provide a phone number or email. The intent here is if a signature cure is needed, there is an additional method for election officials to contact the voter without having to update their voter registration information.

That concludes my comprehensive overview of the processes and requirements for ballot design and mail ballot envelopes. I know it may seem particularly complex, but it is something us election officials take incredibly seriously and spend a lot of time on to make sure that by the time you are ready to vote, the instructions are clear, and the ballot is in total compliance with state law so that you can focus on casting your ballot. Thank you for your time and please, any questions?

Vice Chair Ohrenschall:

Thank you very much for the presentation, Administrator Spikula. Members, any questions? I will start down here in Las Vegas. Not seeing any questions—up in Carson City, Senator Daly?

Senator Daly:

One quick question if I can, Mister Chair. I think it is quick anyway. I know there is a couple of court cases and decisions pending regarding when a ballot is received. I know state law says if it is postmarked, it can be received up to four days afterward. I do not know if you have any updates on that, but with the postal service changing their policy of when that postmark gets applied to that piece of mail, which is when they process it rather than receive it, if I understand it correctly, is the current state of affairs the default because currently, if there is no postmark on a piece of ballot being returned, as long as it comes in by the three days, then it is counted. So, if the postmark changes, it is going to default to all ballots regardless as long as it is received within those three days pending the court outcomes on where that lands. Any updates or comments on that that you can clarify some things with?

Mr. Wlaschin, previously identified:

Thank you for the question, Senator. Two parts to the question; the first, an update regarding the U.S. Supreme Court. There is a case in front of them discussing exactly as you said about the legality of accepting a mail ballot after election day. It is our understanding that that Supreme Court case—that we are monitoring very closely as you can imagine—may have a decision that will come out sometime in June, with June 9 being our primary. If it comes out after that, it would, I think, probably cause less confusion, and then we would simply have to apply its provisions depending on if it requires changes prior to the General or again, it may say that our state law is acceptable. But that is the first; again, anticipate that decision in June. And then, second, in regards to the U.S. Post Office's change, not only the Regional Transportation Optimization—the RTO—process that they have implemented already, as well as the change in their postmark—that definitely is concerning, especially given the vast number of Nevadans who decide to use a mail ballot,

and in many cases return it through the U.S. Postal Service system. You know, really what we are looking at is, as we discuss those changes and the requirements, adjusting messaging to ensure that Nevadans know if you are going to mail your ballot back, that we recommend you do so no later than a week before the election day, but if it is within a week of election day, the recommendation is going to be that they bring it to a polling place and put it into an official dropbox at their county, one of the county sites that will be advertised on the website in the sample ballot newspapers and other locations just to ensure that the ballot is returned, received by the county election official, and processed as appropriate. So again, maybe not using the U.S. Postal Service system, but instead defaulting to bring it to a dropbox.

Senator Daly:

A follow-up, just to be clear, and tell me if I am wrong; it is my understanding that each early voting location and then each polling location on election day, you can also drop your election ballot at that location any time during the early voting or on election day in addition to the regular dropbox. Correct? That is my understanding. Just want to get that out there.

Mr. Wlaschin:

Thank you for the question, Senator. The vast majority will. There are some specific polling locations that were intended to not have a dropbox. But when in doubt, those locations, once they are finalized by our county clerks and registrars, will be advertised with a lot of clarity about what is available—including hours of early voting or drop-offs at each location. I do know, though, that in talking with our county election officials across the board, it is a good generalization that they are all: 1) aware of these changes; and 2) looking very critically at the needs of their electorate in each county, because they know their communities best as to how to meet that requirement. In many cases, there will be expanded hours, increased locations, or other means that the county clerks and registrars are taking specifically to make sure that the electorate is not impacted adversely because of these changes by the U.S. Postal Service.

Senator Daly:

Understood, and we may have to review that because everything says postmark, postmark, postmark, and now that has changed. So, it may take an adjustment there. But let us hope that the court case has come out and says that our timeline is acceptable at the very least. We will be watching with the rest of you. Thank you. That is all I have, Mister Vice Chair.

Vice Chair Ohrenschall:

Thank you very much, Senator Daly. Excellent questions, and so on point. Yes, Senator Steinbeck.

Senator Steinbeck:

Thank you, Vice Chair. Thank you for your presentation. A quick question. I wanted to know if, out of the mail-in ballots, if you have a percentage number that have been cast, a percentage number that have been returned, and the remaining percentage number.

Mr. Wlaschin:

Thank you for the question, Senator. Just to clarify, specifically for the 2024 General Election cycle or just in an average year?

Senator Steinbeck:

Yes, just in an average year, sir, or whichever year you would pick. I am just trying to get some kind of idea.

Mr. Wlaschin:

Yes, sir. One moment, I actually have an excellent resource that we can look at that will provide that exact information. So, looking at specifically... If it is acceptable, Senator, may I get that information back to you, just after the Committee? Is that possible?

Senator Steinbeck:

Absolutely. Thank you. I appreciate that.

Vice Chair Ohrenschall:

Thank you. That would be great, and if you could provide it to all of the members, that would be awesome, Deputy Secretary of State Wlaschin. Any additional questions, members? I guess one question I had—there was mention that 16 of our counties have opted into the statewide ballot contract. Which county opted not to, and was there any reason or rationale given as to why they did not want to participate in that ballot contract?

Ms. Spikula:

Sixteen of our counties are going with ProVoteSolutions out of California. Clark County will remain using Runbeck out of Arizona. I do not want to speak for their elections office, but I do know that they have used them as their vendor for a significant amount of time, and also they have integrations with their mail ballot sorting equipment. Again, I do not want to speak for Lorenna Portillo, the Registrar down in Clark County, but I am sure she could provide an answer. We can get that for you if there is additional information other than what I have mentioned that might have contributed to that decision.

Vice Chair Ohrenschall:

I appreciate that. Thank you. I think she has left us for today, but I can follow up offline. Thank you. Any additional questions, members? I am not seeing any. With that, I would like to close Agenda Item IX.

AGENDA ITEM X—PRESENTATION ON THE CANDIDATE FILING PROCESS AND RELATED DEADLINES

Vice Chair Ohrenschall:

If we can move on to Agenda Item X, we have Deputy Secretary of State Mark Wlaschin for Elections and we have Rob Nichols, Program Officer 3, also with the Office of Secretary of State presenting. Thank you for joining us today.

Rob Nichols, Program Officer 3, Office of Secretary of State:

Good afternoon, Chair González, Vice Chair Ohrenschall, and members of the Committee. Thank you for the opportunity to present about the candidate filing process. Today, I am going to walk through the candidate filing process, I will cover the Declaration of Candidacy and Withdrawal deadlines, then go over the candidate filing time frames and schedule, and then explain how all those processes fit together. (Agenda Item X) I will close with a few

key takeaways and important considerations as we look ahead to the 2026 and 2028 election cycles and start preparing for what is coming next, and we will then invite questions, comments, and feedback. Before I begin, though, I would also like to clarify that I lead the Secretary of State team that conducts the candidate filing process for candidates for statewide and multi-county offices, and who file with the Secretary of State. The process is something that we take very seriously, and we are honored to be a part of. As you well know, the candidate filing process is the first formal step in seeking elected office, and it is very humbling to help guide candidates through that process.

I will start with the three key candidate filing windows. First, there is the judicial filing period, which took place from January 5 through January 16 of this year. During that filing period, we had a total of 153 candidates that filed for judicial office. Of note, there was one filing that was challenged, and that challenge is still going through the legal process.

Next, the nonjudicial office filing period will run from March 2 through March 13, 2026, just under two weeks from now. While they also have to file for office during the nonjudicial filing period, there are additional steps for independent candidates for partisan office. They are required to gather and submit petition signatures, and those signatures have to be turned in to the appropriate county clerk or registrar of voters not later than June 5 of 2026. I also understand that there are quite a few independent candidates currently that are running for partisan office, and who have already started gathering signatures.

Statewide, there are 36 filing offices involved in the candidate filing process. For example, as I mentioned, the Secretary of State's Office handles things for statewide and multi-county offices. So, if a candidate is filing for a statewide position like AG or a multi-county office such as Assembly District 32 or 33, then they would file for candidacy with the Secretary of State's Office. County clerks or registrars of voters process filings for county-level offices. For example, if a candidate is filing for District Attorney or county clerk, they file with a county that they will represent. Then, the city clerks will handle the filings for any city-specific offices. For example, if a candidate is filing for mayor or city council, they are going to file with the city that they will represent.

For eligibility requirements, there are a few key things to keep in mind. Assembly Bill 491, which was just enacted in 2025, now requires candidates to be registered voters within the jurisdiction that they are seeking to represent. They also have to meet all residency requirements for the office that they are running for. So, timing, jurisdiction, and eligibility requirements are all important factors to ensure that the rest of the filing process runs smoothly.

Next, we will go through the withdrawal and challenge periods because timing for both is critical. These are important to be aware of, not only as a candidate who may challenge another, but also so you know when you are out of the challenge period. I am going to use the nonjudicial filing period that is coming up to provide examples. Starting with withdrawals, if a candidate decides to withdraw, it has to be submitted in writing and done in person with the appropriate filing office. For city offices, any withdrawals have to happen within two business days after the last day of filing, which is March 13, 2026. That sets the deadline for the withdrawal of candidacy at March 17, 2026. For non-city offices, the withdrawal window is a little bit longer; candidates have seven business days after the last day of filing to withdraw, which brings a deadline to withdrawal for candidacy at March 24, 2026.

Now for the challenge period, that clock is going to start the moment that the candidate files for office, and it is going to continue through five days after the last day to withdraw candidacy. That takes us to March 30, 2026, for anyone to submit a challenge. The key takeaways with withdrawals and challenges are the deadlines. The windows for submitting withdrawals and challenges are very short, and once they close, they close.

Next, we will walk through the filing options and what is required. Candidates have a few different ways to file. They can file in person, which is what we recommend because it allows us to answer questions and ensure that the filing is correct; they can also file by mail; and there is also a virtual option to file. With the different filing methods, the requirements all stay the same—the filing paperwork has to be submitted to the correct filing office; candidates have to pay the required filing fee; and it all has to be done during the candidate filing period. This means that there is some flexibility in how someone files, and that the requirements for filing with the correct filing office and within the correct filing time frame all stay the same.

Next, we will walk through the Aurora Candidate Filing System, and why we use it for candidate filing. First, if you have not seen it yet, we created a proprietary candidate filing system using the same framework that is used for the filing of campaign finance reports and financial disclosure statements, and it can be found at aurora.nv.gov. Aurora helps to make the filing process clear and accessible for candidates. It is easy to access; it provides the correct office-specific filing paperwork for each office; and it greatly reduces the risk of data entry errors across multiple reports and documents. It also provides updates in real-time so you can see who else filed for the same office. The link to that list is on the Secretary's website, which is nvSOS.gov, and then just go to the 2026 Election Information page. Using the Aurora Candidate Filing System, candidates can work through the process on their own schedule rather than trying to do everything all at once. It is also a paperless option, which helps reduce errors and ensures that the process is efficient for both the candidates and for our staff. We are continuously working toward modernization and innovation with the Aurora Candidate Filing System, ensuring that we make it as accessible and user-friendly for everyone while improving the overall candidate filing experience.

Now, as we are looking ahead, here is where we are and where we are going to be going. All 36 filing offices across the state are currently preparing for the nonjudicial candidate filing period. This is typically the largest filing window in the election cycle, and requires coordination and preparation. We are anticipating somewhere between 1,100 and 1,200 candidates filing statewide next month, so this is a significant operational effort. Looking ahead to 2027, our focus will be evaluating the 2026 cycle, identifying updates and improvements based on what we learn, and continuing to enhance the Aurora Candidate Filing System. At the same time, we will be preparing for the October 2027 Presidential Preference Primary candidate filing period, which is rapidly creeping up and will occur from October 1 to October 15, 2027. Through all these efforts and actions, we are focused on continuous improvement. That concludes today's presentation on the candidate filing process, and I now welcome any questions, thoughts, or comments anyone would like to share.

Vice Chair Ohrenschall:

Thank you, Mr. Nichols, for the excellent and informative presentation. We really appreciate it. Members, are there any questions for Mr. Nichols up in Carson City or down here in the Las Vegas Office? I will go to Assemblymember Dickman, and then we will come back to Senator Steinbeck.

I hope I did not miss you in a prior agenda item, Assemblymember Dickman. If you have any questions, I can recall that.

Assemblymember Dickman:

No, no, I am good. This is just a quick question. I am just curious, as far as the residency requirements, who is actually responsible for—and what is the procedure for—checking when someone files for office to make sure they are actually a resident of the office they are filing for, or do we just take the candidate's word?

Mr. Wlaschin, previously identified:

Thank you for the question, Assemblymember. It is an excellent question that comes up very frequently in fact. The residency requirements for each elected office across our state is something that each candidate attests to under penalty of perjury. It gets a little bit more complicated nowadays—by individuals who own houses in multiple states or perhaps travel internationally and the like—as to whether or not somebody truly lives in a certain location within their jurisdiction. But ultimately, and this is something that we talk about during the candidate filing process, the address of residency is included on the Declaration of Candidacy. It is attested to under penalty of perjury, and if there is some reason that an individual is identified to not truly reside at that actual residence—not figuratively or otherwise, but they have to like actually reside there—then they are not eligible to be in that office. Even in the last couple of years, I think you may have seen individuals in elected office in our state that turned out to maybe move out of the state were very quickly identified and removed from that office. But during the filing process specifically, again, the candidate is attesting under penalty of perjury as to their residency.

Assemblymember Dickman:

A quick follow up?

Vice Chair Ohrenschall:

Please go ahead, Assemblymember Dickman.

Assemblymember Dickman:

So, if someone came to find out—maybe hired a private detective—and this is all hypothetical—or something and found evidence that someone did not actually live there, within the filing period let us say, how would that be addressed?

Mr. Wlaschin:

Thank you for the question, Assemblymember. There is a couple of ways, I guess, that that hypothetical situation could be addressed. If the candidate who was investigated was notified by somebody else that had an investigator, and they laid out the information, that candidate could potentially choose to withdraw if it turned out that was true; but if the candidate says, "No, your investigator just happened to catch me while I was internationally traveling. I do in fact live here," it would potentially be a possible grounds for a challenge. There is a statute that talks about the challenge process—the requirement for the information to be provided to that filing officer, so that if it was a county commissioner, for example, that would go to the county clerk as opposed to a statewide or multi-county office, and you would bring it to the Filing Office of Secretary of State. Those filing officers review

the information with their legal counsel—either the Office of the AG for us, or the county DA or city attorney, and then depending on the nature of that information, it gets moved over into the courts and then ultimately, a court would decide if the candidate who was originally challenged did in fact live in that location or not. Does that answer your question?

Assemblymember Dickman:

Yeah, thank you so much, and thank you, Vice Chair. I appreciate the time.

Chair González:

Thank you so much. We will now go to Senator Steinbeck.

Senator Steinbeck:

Thank you, Chair. Mine was a comment, as I stated. I just wanted to compliment you on the Aurora system—the Candidate Filing System—and the ease of putting in your forms and your financials. I have been really impressed, and just thank you very much for making that an easy process and something that you get the notifications in a timely manner, and it is in real-time like you described. Thank you for making running for office, that one part, so much easier.

Mr. Wlaschin:

Thank you for the comment, Senator. I will absolutely carry that to Secretary Aguilar, as well as to the many individuals on our staff and at the county and city levels who have worked extremely hard to make it as accessible as possible. We work very hard at things like that, but sometimes wonder if it impacts or lands properly, so your comments are very much appreciated.

Chair González:

Thank you. Our next question comes from Assemblymember Hibbetts.

Assemblymember Hibbetts:

Thank you, Chair, and this is a question for Mr. Wlaschin. Has there been any thought given to preparing for a decision in *Watson v. Republican National Convention (2025)*? For context, for anybody watching that does not know what this is, this is a case in front of the Supreme Court that is going to be argued in March, and the decision will come out end of June or early July. Long story short, it says that mail ballots cannot be counted after election day. The Fifth Circuit said that that could not happen. It was appealed, went to the Supreme Court, and sometime this summer, we are going to have a decision on it. We have no idea what the decision is going to be, but I would just like to know if there has been thought given to what the state is going to do should the decision be upheld, and if we have some sort of a plan so we are not flatfooted when or if that were to occur.

Mr. Wlaschin:

Thank you for the question, Assemblymember. Rest assured, election officials at the state, county, and city level are... Paranoid is probably not the right word, but we are concerned, and we look at a great number of different eventualities and possibilities, ranging from whether to Supreme Court decisions, and how that would impact us. So, flatfooted is not something that we would be caught when it comes to the Supreme Court's decision—certainly, something that has been telegraphed as well as it has. So yes, the short answer is

we have been thinking about it. We have discussed internally what the messaging would look like in either direction, as there may be confusion from the electorate standpoint. We have also talked about what happens if the decision does not come out in late June, but if it comes out the first of June while mail ballots are in the process of being returned to county election officials for processing. There is a number of different contingencies that we are planning for and prepared for—at the very least, started considering drafting documents, outreach information, and social media campaign type documents as well to make sure that we can reduce the impact of instream mid-election cycle changes as much as possible, given the impact and the possible confusion that it could cause to the Electorate. Certainly able and available to go into more detail if you would like perhaps separately, but again, that is something that across the state, counties and cities been looking very closely at and considering what we would do in either direction depending on what the Supreme Court decides.

Assemblymember Hibbetts:

Thank you very much, and I am glad to hear that you are on top of it.

Chair González:

Thank you. Next, we will go to Senator Daly.

Senator Daly:

Thank you, Madam Chair. This question is not in relation to any of this stuff today. It is a separate question regarding... And I just want to find out where we are at, what the state might have done, or what legislation might be needed to do. But I know, as you know, there is current litigation going on over requests from the federal government on our voter information, and we are disputing that they have a right to have that information—that they have any valid reason for it. Which then brings me to a couple of other issues, concerns, and questions that I have. I recall—and I gotta lay this out a little bit, sorry—when we had the classified document case against private citizen Trump with the Mar-a-Lago and the FBI going in and finding those classified documents, et cetera, et cetera. I do recall shortly after that, the FBI agents—or the FBI was accused of planting those documents; that they were never there; that it is all false; et cetera. So, immediately, people started sowing distrust in the agencies that are collecting and getting that information, and I am sure there are—no offense to these people—weak-minded individuals that believe that and still do. They are wrong, but, nevertheless. Which then brings me full case—and I will get to my question here—when we had the Fulton County, Georgia, execution of a subpoena to go in and get these documents, election documents, voting records, et cetera from an election that was five years ago now. The same conspiracy theorists on the other side seem to be saying, “Well, whatever they have, now that it has been taken out of the possession of the Georgia election officials—recounted, counted twice, a third time, and all found to be correct and valid that Trump lost that election in Georgia.” It seems to me that now that the federal government has that, and if we have that distrust in the FBI and their execution of that, and then what if anything with the sycophants they have running the Justice Department, the FBI, and various things might do with that documentation. I do not know that any of it can be trusted now that is out of the possession of anybody. They can manipulate it. We can be accused of manipulating it, et cetera. So, as our state looked at if we had a similar execution of a warrant or a subpoena for certain documents, that we would have and be able to retain our own copy of that information, so that we could say, “You know, here is the exact information that we gave you. We gave it to you, but we have a copy of it in case it comes back different than we originally do.” I hate to sow or ask a question about this distrust, but it has been planted out there, and the Administration and Trump himself has

done what I would say immeasurable damage in the trust in all of these institutions, which is sad. But, he would say just that he has done that by a lot because I do not think he understands the meaning of immeasurable, but I digress. Any steps being taken by the state to secure that information in case you do get a warrant that says, "Hey, you have to give us this information so that we have legitimate, verifiable copies of what the actual information is?" And if we do not, we should.

Mr. Wlaschin:

Thank you for the question, Senator. Speaking of contingencies we have discussed... Absolutely. The possibility of a judicially signed, legally executed warrant by members of the federal government on any one of our 17 counties absolutely is something that we have looked closely at. I think it is important to highlight the difference between our counties and what occurred in Fulton County, Georgia, or for that matter in Puerto Rico, where last spring voting systems were seized by the members of the federal government as well. The Fulton County warrant, when we reviewed it again, it is as you mentioned. It spoke specifically to information and documents relating to the 2020 election cycle. Nevada law is very clear. State and federal law for that matter is very clear that there is a 22-month retention period for election materials. That timeline seems weird to a lot of folks, but it is simply logistics. When you think about Clark or Washoe Counties, or any of our counties, the warehouse space to store the election ballots, the rosters, or information that comes back as being undeliverable, all of those things, they take up a lot of space. When it is 22 months after a federal election, that is really when you are about to send out things for your next election, and so you need to properly dispose of that information. Following the 2020 election cycle, there were litigation holds, as you probably remember, which pauses the disposal of those election information and materials until the courts are done adjudicating when appropriate. Those judicial or legal holds all came and went, and then our counties—all 17—again complied with the requirements, and this is in NRS 293.391, if I remember right, that specifically says not just after 22 months you can; it mandates you must destroy the election materials after 22 months.

I remember being told both by the previous registrar, as well as the current one, that the Clark County, for example, and Washoe, I have been told, and the others have destroyed the materials from 2020, in part, because the 2022 election cycle rapidly approached. So, I think when you think about Fulton County, and what occurred there—its impact, or possible mirroring on a Nevada county, I do not think there would be much frankly that the federal government could find. If though, to extend your hypothetical into the 2026 election cycle, which I think is maybe where you are going to go also, we have been discussing it and looking very closely at means to mitigate the risk of the taking of ballots both before or after tabulation equally concerning. I think if you look at the Fulton County, Georgia scenario, the federal government did not leave an inventory of what they took. They took things and left without the county having a clear sight picture understanding of what left their possession, which is also something that we have been discussing and working to mitigate across the state.

Senator Daly:

I appreciate that, and the 22 months and all that stuff. So, let us just say there was an issue or a similar circumstance for the 2024 process—we have not hit the 22 months yet. That information still exists, is kept, required to be kept, and then required to be destroyed. We are in that window now, if they came. Do we have a backup if they say, "Well, here is all the information." But, do we have a copy that we would retain? And is there a contingency for that? I am just asking the question because no matter what happens, everyone is going

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to point the finger like the scarecrow in the *Wizard of Oz*. I love the movie quotes, “They went that way.” I am just saying that we should have a backup. If they want the information, fine. You got an executable warrant? Come and get it, but we should retain a copy of whatever it is they might take.

Mr. Wlaschin:

Thank you for the question, Senator. Very much under consideration. We have a number of records. We have all the records, in fact, required under federal and state law relating to the 2024 election as you cited. How we would have a duplicate... Again, when possible, that is being reviewed and considered, but in addition to our focus on the 2026 election cycle is certainly something that we have been discussing.

Senator Daly:

I appreciate that, and I am just trying to think of contingencies because you used to be able to say that we could trust the FBI; they were doing their jobs; they were professionals; and et cetera, et cetera. I still think that they are currently. Despite some of their leadership, I think the rank and file guys are doing their job, and I think they were under the Mar-a-Lago confidential records case as well. They were doing their job and did not plant any evidence, but people just keep accusing, and I think we should have the backup to say, “Hey, you know, these are the actual documents that they took, and this is what they look like. This is what they still look like, and if they come back any differently, then we got a problem.” I am just saying in the world it is sad that we have to think that way, but that is where we are at today.

Chair González:

Thank you so much. Anyone else for questions? [There were none.]

All right. Thank you so much for your presentation. I appreciate your time as always.

AGENDA ITEM XI—PUBLIC COMMENT

Chair González:

Next, we will move on to our final agenda item, which is our second period of public comment. As a reminder, we ask the public comments be kept to two minutes per person, so that everyone interested in speaking can be accommodated. Information on how to provide public comment is available on the agenda. You may also submit public comment in writing in addition to testifying or in lieu of testifying.

I will start with those in Las Vegas. Does anybody wish to make public comment? [There were none.]

I will go to Carson City. Does anybody wish to make public comment in Carson City? [There were none.]

I will go to the phone lines; AVH, does anybody wish to make public comment?

AVH:

Thank you, Chair. If you would like to provide public comment, please press *9 to take your place in the queue. Again, to provide public comment, please press *9 to take your place in the queue.

Oscar Williams, Reno, Nevada:

Good afternoon. Hello and welcome. I have two concerns. One, I understand that the state ballot vendor Provo is going to be verifying the voter rolls and revising them, and then printing the ballots. Since when do we want third-parties in another state to meddle with our voter rolls? I am a little confused with that one. I do not think that is appropriate, but that is a nice segue to what I really want to talk about because I filed a complaint against the Secretary of State back on February 10, 2026—basically regarding noncompliance with laws, negligence, and the appearance of impropriety. I would like to read you my introduction. I will be happy to send you these documents. Let me go into this, and then I will let you go. (Agenda Item XI A-1) (Agenda Item IX A-2) (Agenda Item A-3)

Mr. Aguilar, here comes my complaint of your efforts to undermine the protection of private information, weaken security, and transparency of elections, and funding of leading edge technology without proper oversight, creating the appearance of impropriety. My introduction. Personally identifiable information, PII, and handwritten signature with full name and address are exposed on election mailers, including return ballot envelopes, inviting ID theft and forgery. Whatever economy is achieved by doing so does not outweigh the risk of voters, and there is no notice of risk—no option to opt out of sharing my sensitive data with third parties, including error. Those are federal laws, by the way. There is federal laws that dictate that those things need to happen, and they are not happening, so that is part of the noncompliance right there. The Secretary wants top responsibility to fully test and approve the new equipment, including poll pads and automated signature verification running on the Bluecrest Vantage sorter, delegating such authority to the counties. Voter verification systems are critical to a voter voting and having their votes counted and reported accurately, yet the Secretary wants counties to shoulder the burden and the liability of approving the technology that he is pushing. These changes to regulations and new regulations weaken transparency and the security of sensitive data and transmission of such data. As a longtime resident and voter of Nevada, one who was a victim of ID theft and forgery in the past, I am disturbed by the path the Secretary is taking in elections, and how it affects me and other Nevadans. On the one hand, the Secretary recognizes the sensitivity of certain data and cyber security risks, but on the other hand—

Chair González:

Thank you so much. It has been over two minutes. Thank you so much. If you can provide the rest of your comments to the Committee in writing, I will definitely make sure we get them; AVH, can we please go to our next caller?

Ms. Gifford, previously identified:

Good afternoon. Thank you to this Committee for a meeting that has been well-organized and extremely informative. We are grateful for your work. Per our public comment at the beginning of this meeting, the Nevada legislative website states that interim committees hold public hearings, direct research, and deliberate on proposals for legislation to be considered during the next legislative session. We respectfully request again that this Committee exercise these duties and propose legislation prohibiting acts of intimidation that prevent citizens from observing their election process be considered in the next Nevada Legislative session. We also request that this Committee lead the initiation of a process that will prevent these acts in the 2026 elections. Thank you.

Chair González:

Thank you. Are there any more callers?

AVH:

Chair, we have no additional callers choosing to provide public comment at this time.

Chair González:

Thank you so much.

All right, if no members have any other additional comments, with that, I will adjourn this meeting. The archived version of this meeting will be available online. Our next meeting is currently scheduled for Friday, April 17, 2026. And with that, I do also want to give a special shout out to staff. Thank you so much for our very well and informatively ran meeting, so thank you

The following written public comment was received from:

- Amy Burgans (Agenda Item IX B);
- Scott Hoen, Carson City Clerk Recorder (Agenda Item IX C); and
- Susan Ruch (Agenda Item IX D).

DRAFT

AGENDA ITEM XII—ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:43 p.m.

Respectfully submitted,

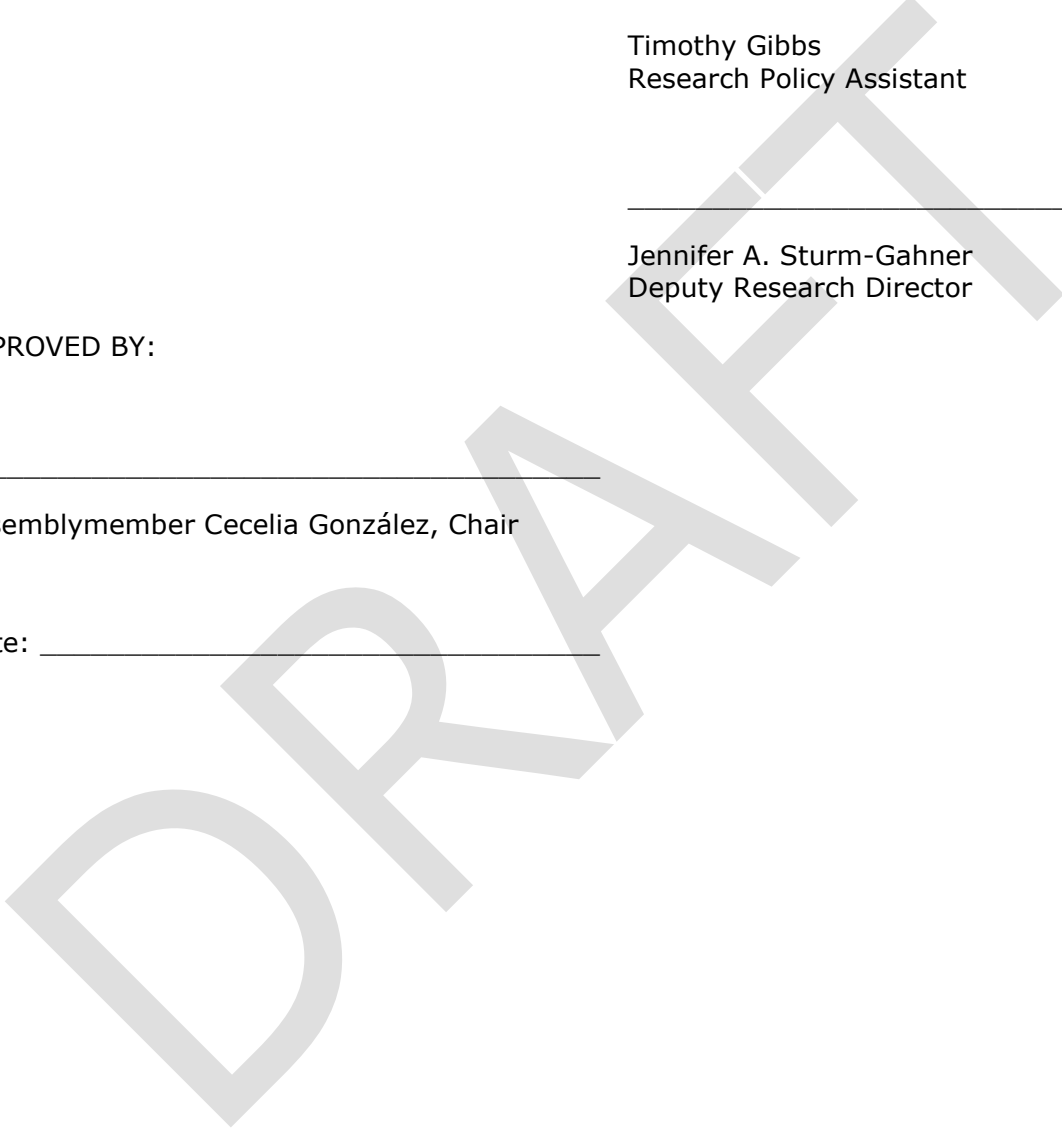
Timothy Gibbs
Research Policy Assistant

Jennifer A. Sturm-Gahner
Deputy Research Director

APPROVED BY:

Assemblymember Cecelia González, Chair

Date: _____



MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item III A	Jennifer A. Sturm-Gahner, Deputy Research Director, Research Division, Legislative Counsel Bureau (LCB)	Committee Brief
Agenda Item III B	Jennifer A. Sturm-Gahner, Deputy Research Director, Research Division, LCB	Publication
Agenda Item III C	Jennifer A. Sturm-Gahner, Deputy Research Director, Research Division, LCB	Publication
Agenda Item III D	Jennifer A. Sturm-Gahner, Deputy Research Director, Research Division, LCB	Publication
Agenda Item III E	Jennifer A. Sturm-Gahner, Deputy Research Director, Research Division, LCB	Publication
Agenda Item III F	Jennifer A. Sturm-Gahner, Deputy Research Director, Research Division, LCB	Publication
Agenda Item III G	Jennifer A. Sturm-Gahner, Deputy Research Director, Research Division, LCB	Publication
Agenda Item IV	Paul Manson, Ph.D., Research Director, Elections & Voting Information Center	Microsoft PowerPoint Presentation At the direction of the Legal Division, LCB, this handout is unavailable online due to copyright issues. The original will be on file in the Research Library, LCB, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or email Library@lcb.state.nv.us
Agenda Item V	Adam Kuckuk, Policy Associate, Elections & Redistricting, National Conference of State Legislatures	Microsoft PowerPoint Presentation

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item VI A	Andrew McDonald, Registrar of Voters, Washoe County	Microsoft PowerPoint Presentation
Agenda Item VI B	Lorena Portillo, Registrar of Voters, Clark County	Microsoft PowerPoint Presentation
Agenda Item VII	Valarie Martinez, Language Access Program Officer, Office of the Secretary of State (SOS) Cal Boone, Tribal Outreach Coordinator, Office of SOS	Microsoft PowerPoint Presentation
Agenda Item VIII	Heather Hardy, Administrator, Help America Vote Act, Office of SOS, Elections Division Mark Wlaschin, Deputy Secretary of State for Elections, Office of SOS	Microsoft PowerPoint Presentation
Agenda Item IX	Deanna Spikula, Administrator, Help America Vote Act, Office of SOS Mark Wlaschin, Deputy Secretary of State for Elections, Office of SOS	Microsoft PowerPoint Presentation At the direction of the Legal Division, LCB, this handout is unavailable online due to copyright issues. The original will be on file in the Research Library, LCB, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or email Library@lcb.state.nv.us.
Agenda Item X	Rob Nichols, Program Officer 3, Office of SOS Mark Wlaschin, Deputy Secretary of State for Elections, Office of SOS	Microsoft PowerPoint Presentation At the direction of the Legal Division, LCB, this handout is unavailable online due to copyright issues. The original will be on file in the Research Library, LCB, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or email Library@lcb.state.nv.us

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item XI A-1	Oscar Williams, Reno, Nevada	<p>Written Public Comment</p> <p>At the direction of the Legal Division, LCB, this handout is unavailable online due to copyright issues. The original will be on file in the Research Library, LCB, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or email Library@lcb.state.nv.us</p>
Agenda Item XI A-2	Oscar Williams, Reno, Nevada	<p>Written Public Comment</p> <p>At the direction of the Legal Division, LCB, this handout is unavailable online due to copyright issues. The original will be on file in the Research Library, LCB, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or email Library@lcb.state.nv.us</p>
Agenda Item XI A-3	Oscar Williams, Reno, Nevada	<p>Written Public Comment</p> <p>At the direction of the Legal Division, LCB, this handout is unavailable online due to copyright issues. The original will be on file in the Research Library, LCB, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or email Library@lcb.state.nv.us</p>
Agenda Item XI B	Amy Burgans	Written Public Comment

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item XI C	Scott Hoen, Carson City Clerk Recorder	Written Public Comment At the direction of the Legal Division, LCB, this handout is unavailable online due to copyright issues. The original will be on file in the Research Library, LCB, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or email Library@lcb.state.nv.us
Agenda Item XI D	Susan Ruch	Written Public Comment

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