



RESEARCH DIVISION  
LEGISLATIVE COUNSEL BUREAU  
Nonpartisan Staff of the Nevada Legislature

# WORK SESSION

## Senate Committee on Legislative Operations and Elections

May 6, 2015

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### Bills Under Consideration

The following measures may be considered for action during today's work session. In some cases, possible amendments are noted. These amendments were either suggested during testimony or submitted after the hearing and do not necessarily have the approval of the Committee.

**Assembly Bill 24 (R1)** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_

**Assembly Bill 60 (R1)** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_

**Assembly Bill 94 (R1)** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_

**Assembly Bill 462 (R1)** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_

**Assembly Bill 384** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_

**Senate Bill 434** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 6, 2015

**ASSEMBLY BILL 24 (First Reprint)**

**Authorizes payroll offsets to recover money related to delinquent balances on state-issued travel charge cards. (BDR 23-458)**

**Sponsored by: Assembly Committee on Government Affairs (on Behalf of the State Controller)**

**Date Heard: May 4, 2015**

**Fiscal Impact: Effect on Local Government: No  
Effect on the State: No**

Assembly Bill 24 allows the State to withhold from a State officer's or employee's paycheck any amounts required to: (1) pay off a delinquent balance on a State-issued travel charge card that has not been paid by the officer or employee; or (2) pay an amount deducted from or offset against any rebate issued to the State by the issuer of the charge card related to the delinquent balance. Any amount withheld shall be remitted to the State as payment for the delinquent balance as soon as practicable.

**Amendments:** No amendments were offered.

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 6, 2015

**ASSEMBLY BILL 60 (First Reprint)**

**Revises provisions relating to ethics in government. (BDR 23-309)**

**Sponsored by: Assembly Committee on Legislative Operations and Elections  
(on Behalf of the Commission on Ethics)**

**Date Heard: May 4, 2015**

**Fiscal Impact: Effect on Local Government: May Have Fiscal Impact  
Effect on the State: Yes**

Assembly Bill 60 revises various procedures of the Commission on Ethics. The measure requires the Commission to determine, within 45 days of receipt, whether it has jurisdiction concerning a third-party request and to complete its investigation and make a recommendation within 70 days of that determination, unless the public officer or employee who is the subject of the request waives these time limits.

The measure clarifies that the investigative file includes any information provided to or obtained by an investigatory panel. Further, all information not included in the investigative file is confidential, until a panel determines there is cause for an opinion or the public officer or employee authorizes its disclosure. The bill provides that a person who makes a third-party request may ask that his or her name be kept confidential in certain circumstances. Specifically, the Commission must maintain confidentiality if the requester works for the same public employer as the subject of the request and the Commission may maintain confidentiality if the requester establishes evidence of a threat of physical force or violence. If the Commission does not disclose a requester's name, the Commission may not render an opinion unless it has sufficient evidence from other sources to render such an opinion. If the Commission intends to use the person's testimony, it must disclose the person's name prior to the hearing. With regard to the confidentiality of "first-party requests" of current public officers or employees, which are requests for advice of the Commission, A.B. 60 permits the makers of such requests to disclose the request to certain persons without waiving the confidentiality of the request or any related opinions or record.

Assembly Bill 60 also revises the definition of "willful violation" to omit any act or failure to act that has not resulted in a sanctionable violation of the Nevada Ethics in Government Law. Moreover, when determining whether a violation is willful, the bill clarifies that the factors considered by the Commission are not exclusive or exhaustive, and the Commission may consider other factors if they bear a reasonable relationship to the determination of the severity of the violation. With regard to "safe harbor" provisions, A.B. 60 clarifies that a public officer or employee would be protected from any finding of a willful violation if: (1) the advice of legal counsel retained by the public body was provided to the public officer or employee prior to his or her action or failed action; and (2) such advice was based on a reasonable legal determination that the act or failure to act would not be contrary to any opinion issued by the Commission.

**Amendments:** No amendments were proposed.

**Special Note:** Assembly Bill 60 is the "housekeeping" bill from the Nevada Commission on Ethics for the 2015 Legislative Session.

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 6, 2015

**ASSEMBLY BILL 94 (First Reprint)**

**Authorizes election officials to establish systems for registered voters to elect to receive sample ballots by electronic means. (BDR 24-518)**

**Sponsored by: Assemblyman Hansen**  
**Date Heard: April 22, 2015**  
**Fiscal Impact: Effect on Local Government: May Have Fiscal Impact**  
**Effect on the State: Yes**

Assembly Bill 94 authorizes each county and city clerk to establish a system to distribute a sample ballot by electronic means to each registered voter who chooses to receive a sample ballot in this manner. The system may include electronic mail or electronic access through a website. The bill allows a registered voter to choose to have his or her electronic mail address withheld from the public.

**Proposed Amendment:**

An amendment was offered and discussed by various local election officials during the hearing to address maintaining the confidentiality of a registered voter's electronic mail address as well as to remove the requirement that the Secretary of State's Office approve the system established by the county clerk for distributing sample ballots by electronic means. A mock-up of this amendment is attached. Please note, since A.B. 94, A.B. 462, and S.B. 203 all contain provisions relating to the distribution of sample ballots, the attached mock-up also serves to make these three measures consistent in the event they are ultimately approved. In summary, the amendment does the following:

1. Deletes Sections 1.3 and 3.5, which would have required e-mail addresses of registered voters in the precinct (if provided) to be included in the alphabetical listing of registered voters required to be posted in a public area of each polling place;
2. Deletes Section 1.5, which would have required e-mail addresses of registered voters in any precinct, district, or county (if provided by the voter) to be included in the list of registered voters that may be provided to any person upon application to the office of the county clerk or voter registrar;
3. Amends Section 1.7 to provide that:
  - (a) A city clerk, in addition to the county clerk, shall disclose a person's voter identification number, but shall not disclose the voter's Social Security number (SSN);
  - (b) The voter's SSN is not a public record under Chapter 239 of the NRS;

- (c) A county or city clerk shall not disclose a registered voter's e-mail address, may not release the e-mail address to a third party, and declares that such an e-mail address is confidential and not a public record;
  - (d) The county or city clerk may only use the e-mail address to distribute a sample ballot electronically and to communicate with the voter regarding the voting process;
  - (e) A city clerk, in addition to the county clerk, may receive a written request from a registered voter to have his or her address and phone number withheld from the public (as part of this amendment, the request for withholding the e-mail address is deleted since it is being moved to a regular confidential status); and
  - (f) No information regarding a registered voter may be withheld from the public except the address and telephone number if requested by the voter, an e-mail address provided by the voter, and any other information relating to the voter that any state or federal law declares to be confidential; and
4. Deletes in Sections 2 and 4 that the system established by the county and city clerk to distribute sample ballots electronically be approved by the Secretary of State. Also deleted in Sections 2 and 4 is language requiring the county and city clerk to inform the voter that his or her e-mail address will be available to the public (again, by virtue of the e-mail address being moved to a regular confidential status).

MOCK-UP

PROPOSED AMENDMENT 6866 TO  
ASSEMBLY BILL NO. 94  
FIRST REPRINT

PREPARED FOR SENATE COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS  
MAY 1, 2015

PREPARED BY THE LEGAL DIVISION

**NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.**

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

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

**Drafter's Notes:**

The proposed amendments are being requested by the Secretary of State and the local election officials in Carson City, Clark County and Washoe County.

They are proposing identical amendments relating to sample ballots distributed by electronic means for:

AB 94 (R1)  
SB 203 (R1)  
AB 462 (R1)

1 **Section 1.** NRS 293.097 is hereby amended to read as follows:  
2 293.097 **1.** "Sample ballot" means a document distributed by a  
3 county or city clerk upon which is ~~printed~~ **included** a list of the offices,  
4 candidates and ballot questions that will appear on a ballot.  
5 **2.** The term includes **, without limitation,** any such document which  
6 is ~~printed by~~ **prepared on** a computer ~~[.]~~ **and distributed by mail or**  
7 **electronic means pursuant to NRS 293.565 or 293C.530.**  
8 **Sec. 1.3.** ~~NRS 293.301 is hereby amended to read as follows:~~  
9 ~~293.301 1. The county clerk of each county shall require an election~~  
10 ~~board officer to post an alphabetical listing of all registered voters for each~~  
11 ~~precinct in a public area of each polling place in the county. Except as~~  
12 ~~otherwise provided in NRS 293.5002 and 293.558, the alphabetical listing~~  
13 ~~must include the name, address and political affiliation of each voter [.]~~  
14 ~~and the electronic mail address of the voter if provided by the voter~~  
15 ~~pursuant to NRS 293.565 or 293C.530. Not less than four times during the~~  
16 ~~hours in which the polling place is open, an election board officer shall~~  
17 ~~identify the name of each voter that voted since the last identification.~~

1 ~~2. Each page of the alphabetical listing must contain a notice which~~  
2 ~~reads substantially as follows:~~

3  
4 ~~It is unlawful for any person to remove, tear, mark or otherwise~~  
5 ~~deface this alphabetical listing of registered voters except an~~  
6 ~~election board officer acting pursuant to subsection 1 of NRS~~  
7 ~~293.301.~~

8  
9 ~~3. Any person who removes, tears, marks or otherwise defaces an~~  
10 ~~alphabetical listing posted pursuant to this section with the intent to falsify~~  
11 ~~or prevent others from readily ascertaining the name, address, *electronic*~~  
12 ~~*mail address* or political affiliation of any voter, or the fact that a voter has~~  
13 ~~or has not voted, is guilty of a misdemeanor.] **(Deleted by amendment.)**~~

14 **Sec. 1.5.** ~~[NRS 293.440 is hereby amended to read as follows:~~

15 ~~293.440 1. Any person who desires a copy of any list of the persons~~  
16 ~~who are registered to vote in any precinct, district or county may obtain a~~  
17 ~~copy by applying at the office of the county clerk and paying therefor a~~  
18 ~~sum of money equal to 1 cent per name on the list, except that one copy of~~  
19 ~~each original and supplemental list for each precinct, district or county~~  
20 ~~must be provided both to the state central committee of any major political~~  
21 ~~party and to the county central committee of any major political party, and~~  
22 ~~to the executive committee of any minor political party upon request,~~  
23 ~~without charge.~~

24 ~~2. Except as otherwise provided in NRS 293.5002 and 293.558, the~~  
25 ~~copy of the list provided pursuant to this section must indicate the address,~~  
26 ~~date of birth, telephone number and the serial number on each application~~  
27 ~~to register to vote [.] and the *electronic mail address of the voter if*~~  
28 ~~*provided by the voter pursuant to NRS 293.565 or 293C.530.* If the~~  
29 ~~county maintains this information in a computer database, the date of the~~  
30 ~~most recent addition or revision to an entry, if made on or after July 1,~~  
31 ~~1989, must be included in the database and on any resulting list of the~~  
32 ~~information. The date must be expressed numerically in the order of~~  
33 ~~month, day and year.~~

34 ~~3. A county may not pay more than 10 cents per folio or more than \$6~~  
35 ~~per thousand copies for printed lists for a precinct or district.~~

36 ~~4. A county which has a system of computers capable of recording~~  
37 ~~information on magnetic tape or diskette shall, upon request of the state~~  
38 ~~central committee or county central committee of any major political party~~  
39 ~~or the executive committee of any minor political party which has filed a~~  
40 ~~certificate of existence with the Secretary of State, record for both the state~~  
41 ~~central committee and the county central committee of the major political~~  
42 ~~party, if requested, and for the executive committee of the minor political~~  
43 ~~party, if requested, on magnetic tape or diskette supplied by it.~~

44 ~~(a) The list of persons who are registered to vote and the information~~  
45 ~~required in subsection 2; and~~

1 ~~=(b) Not more than four times per year, as requested by the state or~~  
2 ~~county central committee or the executive committee;~~  
3 ~~=(1) A complete list of the persons who are registered to vote with a~~  
4 ~~notation for the most recent entry of the date on which the entry or the~~  
5 ~~latest change in the information was made; or~~  
6 ~~=(2) A list that includes additions and revisions made to the list of~~  
7 ~~persons who are registered to vote after a date specified by the state or~~  
8 ~~county central committee or the executive committee;~~  
9 ~~=5. If a political party does not provide its own magnetic tape or~~  
10 ~~diskette, or if a political party requests the list in any other form that does~~  
11 ~~not require printing, the county clerk may charge a fee to cover the actual~~  
12 ~~cost of providing the tape, diskette or list.~~  
13 ~~=6. Any state or county central committee of a major political party,~~  
14 ~~any executive committee of a minor political party or any member or~~  
15 ~~representative of such a central committee or executive committee who~~  
16 ~~receives without charge a list of the persons who are registered to vote in~~  
17 ~~any precinct, district or county pursuant to this section shall not:~~  
18 ~~=(a) Use the list for any purpose that is not related to an election; or~~  
19 ~~=(b) Sell the list for compensation or other valuable consideration.]~~  
20 **(Deleted by amendment.)**

21 **Sec. 1.7.** NRS 293.558 is hereby amended to read as follows:  
22 293.558 1. The county or city clerk shall disclose the identification  
23 number of a registered voter to the public, including, without limitation:  
24 (a) In response to an inquiry received by the county or city clerk; or  
25 (b) By inclusion of the identification number of the registered voter on  
26 any list of registered voters made available for public inspection pursuant  
27 to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.  
28 2. The county or city clerk shall not disclose ~~the~~ :  
29 (a) The social security number or the driver's license or identification  
30 card number of a registered voter ~~+~~, and such a number is confidential  
31 and is not a public book or record within the meaning of NRS 239.010.  
32 (b) An electronic mail address provided by a registered voter to carry  
33 out any state or federal law relating to the voting process, and such an  
34 electronic mail address is confidential and is not a public book or record  
35 within the meaning of NRS 239.010. The county or city clerk may not  
36 release a registered voter's electronic mail address to a third party and  
37 may use such an electronic mail address only to:  
38 (1) Communicate with the registered voter about the voting  
39 process, including, without limitation, as necessary to carry out the  
40 provisions of chapter 293D of NRS; and  
41 (2) Distribute a sample ballot to the registered voter by electronic  
42 means if the county or city clerk has established a system for distributing  
43 sample ballots by electronic means pursuant to NRS 293.565 or  
44 293C.530 and the registered voter elects to receive a sample ballot by  
45 electronic means.



1 3. A registered voter may submit a written request to the county *or*  
2 *city* clerk to have his or her address and ~~withheld from the public the~~  
3 ~~registered voter's address,~~ telephone number withheld from the public,  
4 ~~for electronic mail address if provided by the registered voter pursuant to~~  
5 ~~NRS 293.565 or 293C.530,~~ Upon receipt of such a request, the county *or*  
6 *city* clerk shall not disclose the address ~~or~~ or telephone number ~~for~~  
7 ~~electronic mail address~~ of the registered voter to the public, including,  
8 without limitation:

- 9 (a) In response to an inquiry received by the county *or city* clerk; or
- 10 (b) By inclusion on any list of registered voters made available for
- 11 public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290
- 12 or 293C.542.

13 4. No information relating to a registered voter may be withheld  
14 from the public other than ~~the~~ :

15 (a) The address ~~or~~ and telephone number ~~of the registered voter if~~  
16 requested by the registered voter pursuant to this section;

17 (b) An electronic mail address ~~or~~ provided by the registered voter to  
18 carry out any state or federal law relating to the voting process;

19 (c) The social security number and driver's license or identification  
20 card number of ~~the~~ the registered voter ~~may~~ ; and

21 (d) Any other information relating to the registered voter that any  
22 state or federal law declares to be confidential or otherwise requires to be  
23 withheld from the public.

24 **Sec. 2.** NRS 293.565 is hereby amended to read as follows:

25 293.565 1. Except as otherwise provided in subsection 3, sample  
26 ballots must include:

- 27 (a) If applicable, the statement required by NRS 293.267;
- 28 (b) The fiscal note or description of anticipated financial effect, as
- 29 provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015, 295.095
- 30 or 295.230 for each proposed constitutional amendment, statewide
- 31 measure, measure to be voted upon only by a special district or political
- 32 subdivision and advisory question;
- 33 (c) An explanation, as provided pursuant to NRS 218D.810, 293.250,
- 34 293.481, 295.121 or 295.230, of each proposed constitutional amendment,
- 35 statewide measure, measure to be voted upon only by a special district or
- 36 political subdivision and advisory question;
- 37 (d) Arguments for and against each proposed constitutional
- 38 amendment, statewide measure, measure to be voted upon only by a
- 39 special district or political subdivision and advisory question, and rebuttals
- 40 to each argument, as provided pursuant to NRS 218D.810, 293.250,
- 41 293.252 or 295.121; and
- 42 (e) The full text of each proposed constitutional amendment.

43 2. If, pursuant to the provisions of NRS 293.2565, the word  
44 "Incumbent" must appear on the ballot next to the name of the candidate

1 who is the incumbent, the word “Incumbent” must appear on the sample  
2 ballot next to the name of the candidate who is the incumbent.

3 3. Sample ballots that are mailed to registered voters may be printed  
4 without the full text of each proposed constitutional amendment if:

5 (a) The cost of printing the sample ballots would be significantly  
6 reduced if the full text of each proposed constitutional amendment were  
7 not included;

8 (b) The county clerk ensures that a sample ballot that includes the full  
9 text of each proposed constitutional amendment is provided at no charge to  
10 each registered voter who requests such a sample ballot; and

11 (c) The sample ballots provided to each polling place include the full  
12 text of each proposed constitutional amendment.

13 4. *A county clerk may establish a system for distributing sample*  
14 *ballots by electronic means to each registered voter who elects to receive*  
15 *a sample ballot by electronic means. Such a system ~~must be approved by~~*  
16 *~~the Secretary of State and~~ may include, without limitation, electronic*  
17 *mail or electronic access through an Internet website. If a county clerk*  
18 *establishes such a system and a registered voter elects to receive a sample*  
19 *ballot by electronic means, the county clerk shall ~~f~~*

20 ~~=(a) Distribute]~~ *distribute* the sample ballot to the registered voter by  
21 *electronic means pursuant to the procedures and requirements set forth*  
22 *by regulations adopted by the Secretary of State. ~~f~~ and*

23 ~~=(b) If the system requires the registered voter to provide an electronic~~  
24 ~~mail address to the county clerk, inform the registered voter that his or~~  
25 ~~her electronic mail address will be available to the public unless the~~  
26 ~~registered voter submits a written request to have his or her electronic~~  
27 ~~mail address withheld from the public pursuant to NRS 293.558.]~~

28 5. *If a registered voter does not elect to receive a sample ballot by*  
29 *electronic means pursuant to subsection 4, the county clerk shall*  
30 *distribute the sample ballot to the registered voter by mail.*

31 6. Before the period for early voting for any election begins, the  
32 county clerk shall ~~cause to be mailed]~~ *distribute* to each registered voter  
33 in the county ~~[a]~~ *by mail or electronic means, as applicable, the* sample  
34 ballot for his or her precinct, with a notice informing the voter of the  
35 location of his or her polling place. If the location of the polling place has  
36 changed since the last election:

37 (a) The county clerk shall mail a notice of the change to each  
38 registered voter in the county not sooner than 10 days before ~~[mailing]~~  
39 *distributing* the sample ballots; or

40 (b) The sample ballot must also include a notice in bold type  
41 immediately above the location which states:

42  
43 NOTICE: THE LOCATION OF YOUR POLLING PLACE  
44 HAS CHANGED SINCE THE LAST ELECTION  
45

1 ~~{5.}~~ 7. Except as otherwise provided in subsection ~~{6.}~~ 8, a sample  
2 ballot required to be ~~{mailed}~~ *distributed* pursuant to this section must:  
3 (a) Be ~~{printed}~~ *prepared* in at least 12-point type; and  
4 (b) Include on the front page, in a separate box created by bold lines, a  
5 notice ~~{printed}~~ *prepared* in at least 20-point bold type that states:  
6

7 NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
8 LARGE TYPE, CALL (Insert appropriate telephone number)  
9

10 ~~{6.}~~ 8. A portion of a sample ballot that contains a facsimile of the  
11 display area of a voting device may include material in less than 12-point  
12 type to the extent necessary to make the facsimile fit on the pages of the  
13 sample ballot.

14 ~~{7.}~~ 9. The sample ballot ~~{mailed}~~ *distributed* to a person who  
15 requests a sample ballot in large type by exercising the option provided  
16 pursuant to NRS 293.508, or in any other manner, must be ~~{printed}~~  
17 *prepared* in at least 14-point type, or larger when practicable.

18 ~~{8.}~~ 10. If a person requests a sample ballot in large type, the county  
19 clerk shall ensure that all future sample ballots ~~{mailed}~~ *distributed* to that  
20 person from the county are in large type.

21 ~~{9.}~~ 11. The county clerk shall include in each sample ballot a  
22 statement indicating that the county clerk will, upon request of a voter who  
23 is elderly or disabled, make reasonable accommodations to allow the voter  
24 to vote at his or her polling place and provide reasonable assistance to the  
25 voter in casting his or her vote, including, without limitation, providing  
26 appropriate materials to assist the voter. In addition, if the county clerk has  
27 provided pursuant to subsection 4 of NRS 293.2955 for the placement at  
28 centralized voting locations of specially equipped voting devices for use by  
29 voters who are elderly or disabled, the county clerk shall include in the  
30 sample ballot a statement indicating:

- 31 (a) The addresses of such centralized voting locations;  
32 (b) The types of specially equipped voting devices available at such  
33 centralized voting locations; and  
34 (c) That a voter who is elderly or disabled may cast his or her ballot at  
35 such a centralized voting location rather than at his or her regularly  
36 designated polling place.

37 ~~{10.}~~ 12. The cost of ~~{mailing}~~ *distributing* sample ballots for any  
38 election other than a primary or general election must be borne by the  
39 political subdivision holding the election.

40 **Sec. 3.** NRS 293.780 is hereby amended to read as follows:

41 293.780 1. A person who is entitled to vote shall not vote or attempt  
42 to vote more than once at the same election. Any person who votes or  
43 attempts to vote twice at the same election is guilty  
44 of a category D felony and shall be punished as provided in  
45 NRS 193.130.

1 2. Notice of the provisions of subsection 1 must be given by the  
2 county or city clerk as follows:

3 (a) ~~[Printed]~~ *Stated* on all sample ballots ~~[mailed;]~~ *distributed by mail*  
4 *or electronic means;*

5 (b) Posted in boldface type at each polling place; and

6 (c) Posted in boldface type at the office of the county or city clerk.

7 **Sec. 3.5.** ~~[NRS 293C.290 is hereby amended to read as follows:~~

8 ~~293C.290 1. The city clerk shall require an election board officer to~~  
9 ~~post an alphabetical listing of all registered voters for each precinct in a~~  
10 ~~public area of each polling place in the city. Except as otherwise provided~~  
11 ~~in NRS 293.5002 and 293.558, the alphabetical listing must include the~~  
12 ~~name and address of each voter [,] *and the electronic mail address of the*~~  
13 ~~voter if provided by the voter pursuant to NRS 293C.530. Not less than~~  
14 ~~four times during the hours in which the polling place is open, an election~~  
15 ~~board officer shall identify the name of each voter who voted since the last~~  
16 ~~identification.~~

17 ~~2. Each page of the alphabetical listing must contain a notice which~~  
18 ~~reads substantially as follows:~~

19  
20 ~~It is unlawful for any person to remove, tear, mark or otherwise~~  
21 ~~deface this alphabetical listing of registered voters except an~~  
22 ~~election board officer acting pursuant to~~  
23 ~~NRS 293C.290.~~

24 ~~3. Any person who removes, tears, marks or otherwise defaces an~~  
25 ~~alphabetical listing posted pursuant to this section with the intent to falsify~~  
26 ~~or prevent others from readily ascertaining the name, [or] address or~~  
27 ~~electronic mail address of any voter, or the fact that a voter has or has not~~  
28 ~~voted, is guilty of a misdemeanor.] **(Deleted by amendment.)**~~

29 **Sec. 4.** NRS 293C.530 is hereby amended to read as follows:

30 293C.530 1. *A city clerk may establish a system for distributing*  
31 *sample ballots by electronic means to each registered voter who elects to*  
32 *receive a sample ballot by electronic means. Such a system ~~[must be~~*  
33 *approved by the Secretary of State and] may include, without limitation,*  
34 *electronic mail or electronic access through an Internet website. If a city*  
35 *clerk establishes such a system and a registered voter elects to receive a*  
36 *sample ballot by electronic means, the city clerk shall ~~f~~*

37 ~~=(a) Distribute]~~ *distribute* the sample ballot to the registered voter by  
38 *electronic means pursuant to the procedures and requirements set forth*  
39 *by regulations adopted by the Secretary of State. ~~f, and~~*

40 ~~=(b) If the system requires the registered voter to provide an electronic~~  
41 ~~mail address to the city clerk, inform the registered voter that his or her~~  
42 ~~electronic mail address will be available to the public unless the~~  
43 ~~registered voter submits a written request to have his or her electronic~~  
44 ~~mail address withheld from the public pursuant to NRS 293.558.]~~

1 **2. If a registered voter does not elect to receive a sample ballot by**  
2 **electronic means pursuant to subsection 1, the city clerk shall distribute**  
3 **the sample ballot to the registered voter by mail.**

4 **3.** Before the period for early voting for any election begins, the city  
5 clerk shall ~~cause to be mailed~~ **distribute** to each registered voter in the  
6 city ~~by~~ **by mail or electronic means, as applicable, the** sample ballot for  
7 his or her precinct, with a notice informing the voter of the location of his  
8 or her polling place. If the location of  
9 the polling place has changed since the last election:

10 (a) The city clerk shall mail a notice of the change to each registered  
11 voter in the city not sooner than 10 days before ~~mailing~~ **distributing** the  
12 sample ballots; or

13 (b) The sample ballot must also include a notice in bold type  
14 immediately above the location which states:

15  
16 NOTICE: THE LOCATION OF YOUR POLLING PLACE  
17 HAS CHANGED SINCE THE LAST ELECTION  
18

19 ~~2.~~ **4.** Except as otherwise provided in subsection ~~4.~~ **6,** a sample  
20 ballot required to be ~~mailed~~ **distributed** pursuant to this section must:

- 21 (a) Be ~~printed~~ **prepared** in at least 12-point type;
- 22 (b) Include the description of the anticipated financial effect and  
23 explanation of each citywide measure and advisory question, including  
24 arguments for and against the measure or question, as required pursuant to  
25 NRS 295.205 or 295.217; and

26 (c) Include on the front page, in a separate box created by bold lines, a  
27 notice ~~printed~~ **prepared** in at least 20-point bold type that states:

28  
29 NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
30 LARGE TYPE, CALL (Insert appropriate telephone number)  
31

32 ~~3.~~ **5.** The word “Incumbent” must appear on the sample ballot next  
33 to the name of the candidate who is the incumbent, if required pursuant to  
34 NRS 293.2565.

35 ~~4.~~ **6.** A portion of a sample ballot that contains a facsimile of the  
36 display area of a voting device may include material in less than 12-point  
37 type to the extent necessary to make the facsimile fit on the pages of the  
38 sample ballot.

39 ~~5.~~ **7.** The sample ballot ~~mailed~~ **distributed** to a person who  
40 requests a sample ballot in large type by exercising the option provided  
41 pursuant to NRS 293.508, or in any other manner, must be ~~printed~~  
42 **prepared** in at least 14-point type, or larger when practicable.

43 ~~6.~~ **8.** If a person requests a sample ballot in large type, the city clerk  
44 shall ensure that all future sample ballots ~~mailed~~ **distributed** to that  
45 person from the city are in large type.

1 ~~[7.]~~ 9. The city clerk shall include in each sample ballot a statement  
2 indicating that the city clerk will, upon request of a voter who is elderly or  
3 disabled, make reasonable accommodations to allow the voter to vote at  
4 his or her polling place and provide reasonable assistance to the voter in  
5 casting his or her vote, including, without limitation, providing appropriate  
6 materials to assist the voter. In addition, if the city clerk has provided  
7 pursuant to subsection 4 of NRS 293C.281 for the placement at centralized  
8 voting locations of specially equipped voting devices for use by voters  
9 who are elderly or disabled, the city clerk shall include in the sample ballot  
10 a statement indicating:

- 11 (a) The addresses of such centralized voting locations;
- 12 (b) The types of specially equipped voting devices available at such  
13 centralized voting locations; and
- 14 (c) That a voter who is elderly or disabled may cast his or her ballot at  
15 such a centralized voting location rather than at the voter's regularly  
16 designated polling place.

17 ~~[8.]~~ 10. The cost of ~~[mailing]~~ *distributing* sample ballots for a city  
18 election must be borne by the city holding the election.

19 **Sec. 5.** NRS 244A.785 is hereby amended to read as follows:

20 244A.785 1. The board of county commissioners of a county whose  
21 population is 700,000 or more may, by ordinance, create one or more  
22 districts within the unincorporated area of the county for the support of  
23 public parks. Such a district may include territory within the boundary of  
24 an incorporated city if so provided by interlocal agreement between the  
25 county and the city.

26 2. The ordinance creating a district must specify its boundaries. The  
27 area included within the district may be contiguous or noncontiguous. The  
28 boundaries set by the ordinance are not affected by later annexations to or  
29 incorporation of a city.

30 3. The alteration of the boundaries of such a district may be initiated  
31 by:

32 (a) A petition proposed unanimously by the owners of the property  
33 which is located in the proposed area which was not previously included in  
34 the district; or

35 (b) A resolution adopted by the board of county commissioners on its  
36 own motion.

37 ↪ If the board of county commissioners proposes on its own motion to  
38 alter the boundaries of a district for the support of public parks, it shall, at  
39 the next primary or general election, submit to the registered voters who  
40 reside in the proposed area which was not previously included in the  
41 district, the question of whether the boundaries of the district shall be  
42 altered. If a majority of the voters approve the question, the board shall, by  
43 ordinance, alter the boundaries of the district as approved by the voters.

44 4. The sample ballot required to be ~~[mailed]~~ *distributed* pursuant to  
45 NRS 293.565 must include for the question described in subsection 3, a

1 disclosure of any future increase or decrease in costs which may be  
2 reasonably anticipated in relation to the purposes of the district for the  
3 support of public parks and its probable effect on the district's tax rate.

4 **Sec. 6.** NRS 266.0325 is hereby amended to read as follows:

5 266.0325 1. At least 10 days before an election held pursuant to  
6 NRS 266.029, the county clerk or registrar of voters shall ~~cause to be~~  
7 ~~mailed~~ *distributed* to each qualified elector *by mail or electronic means, as*  
8 *applicable*, a sample ballot for the elector's precinct with a notice  
9 informing the elector of the location of the polling place for that precinct.  
10 *A sample ballot may be distributed by electronic means to an elector only*  
11 *if the county clerk has established a system for distributing sample*  
12 *ballots by electronic means pursuant to NRS 293.565 and the elector*  
13 *elects to receive a sample ballot by electronic means.*

14 2. The sample ballot must:

15 (a) Be in the form required by NRS 266.032.

16 (b) Include the information required by NRS 266.032.

17 (c) Except as otherwise provided in subsection 3, be ~~printed~~ *prepared*  
18 in at least 12-point type.

19 (d) Describe the area proposed to be incorporated by assessor's parcel  
20 maps, existing boundaries of subdivision or parcel maps, identifying  
21 visible ground features, extensions of the visible ground features, or by any  
22 boundary that coincides with the official boundary of the State, a county, a  
23 city, a township, a section or any combination thereof.

24 (e) Contain a copy of the map or plat that was submitted with the  
25 petition pursuant to NRS 266.019 and depicts the existing dedicated  
26 streets, sewer interceptors and outfalls and their proposed extensions.

27 (f) Include on the front page, in a separate box created by bold lines, a  
28 notice ~~printed~~ *prepared* in at least 20-point bold type that states:

29

30 NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
31 LARGE TYPE, CALL (Insert appropriate telephone number)

32

33 3. A portion of a sample ballot that contains a facsimile of the display  
34 area of a voting device may include material in less than 12-point type to  
35 the extent necessary to make the facsimile fit on the pages of the sample  
36 ballot.

37 4. The sample ballot ~~mailed~~ *distributed* to a person who requests a  
38 sample ballot in large type by exercising the option provided pursuant to  
39 NRS 293.508, or in any other manner, must be ~~printed~~ *prepared* in at  
40 least 14-point type, or larger when practicable.

41 5. If a person requests a sample ballot in large type, the county clerk  
42 shall ensure that all future sample ballots ~~mailed~~ *distributed* to that  
43 person from the county are in large type.

1     **Sec. 7.** NRS 266.034 is hereby amended to read as follows:  
2     266.034 1. The costs incurred by the board of county  
3 commissioners in carrying out the provisions relating to the incorporation,  
4 including the costs incurred in certifying the petition, publishing the  
5 notices, requesting the report pursuant to NRS 266.0261, conducting the  
6 public hearing and election, including the cost of ~~mailing~~ *distributing* the  
7 sample ballots, and any appeal pursuant to NRS 266.0265 are a charge  
8 against the county if the proposed incorporation is not submitted to the  
9 voters or the incorporation is disapproved by the voters, and a charge  
10 against

11 the incorporated city if the incorporation is approved by the voters.  
12 2. The costs incurred by the incorporators in carrying out the  
13 provisions relating to the incorporation, including the costs incurred in  
14 preparation of the petition for incorporation, preparation of the descriptions  
15 and map of the area proposed to be incorporated and circulation of the  
16 petition are chargeable to the incorporated city if the incorporation is  
17 approved by the voters.

18     **Sec. 8.** NRS 349.015 is hereby amended to read as follows:  
19     349.015 1. Except as otherwise provided in subsection 3, the sample  
20 ballot required to be ~~mailed~~ *distributed* pursuant to NRS 293.565 or  
21 293C.530, and the notice of election must contain:

- 22     (a) The time and places of holding the election.
- 23     (b) The hours during the day in which the polls will be open, which  
24 must be the same as provided for general elections.
- 25     (c) The purposes for which the bonds are to be issued.
- 26     (d) A disclosure of any:

27         (1) Future increase or decrease in costs which can reasonably be  
28 anticipated in relation to the purposes for which the obligations are to be  
29 issued and its probable effect on the tax rate; and

30         (2) Requirement relating to the bond question which is imposed  
31 pursuant to a court order or state or federal statute and the probable  
32 consequences which will result if the bond question is not approved by the  
33 voters.

34     (e) An estimate of the annual cost to operate, maintain and repair any  
35 buildings, structures or other facilities or improvements to be constructed  
36 or acquired with the proceeds of the bonds.

- 37     (f) The maximum amount of the bonds.
- 38     (g) The maximum rate of interest.
- 39     (h) The maximum number of years which the bonds are to run.

40 2. Any election called pursuant to NRS 349.010 to 349.070, inclusive,  
41 may be consolidated with a primary or general election.

42 3. If the election is consolidated with a general election, the notice of  
43 election need not set forth the places of holding the election, but may  
44 instead state that the places of holding the election will be the same as  
45 those provided for the general election.



1     **Sec. 9.** NRS 350.024 is hereby amended to read as follows:  
2     350.024 1. The ballot question for a proposal submitted to the  
3 electors of a municipality pursuant to subsection 1 of NRS 350.020 must  
4 contain the principal amount of the general obligations to be issued or  
5 incurred, the purpose of the issuance or incurrence of the general  
6 obligations and an estimate established by the governing body of:

7     (a) The duration of the levy of property tax that will be used to pay the  
8 general obligations; and

9     (b) The average annual increase, if any, in the amount of property taxes  
10 that an owner of a new home with a fair market value of \$100,000 will pay  
11 for debt service on the general obligations to be issued or incurred.

12     2. Except as otherwise provided in subsection 4, the sample ballot  
13 required to be ~~mailed~~ *distributed* pursuant to NRS 293.565 or 293C.530  
14 and the notice of election must contain:

15     (a) The time and places of holding the election.

16     (b) The hours during the day in which the polls will be open, which  
17 must be the same as provided for general elections.

18     (c) The ballot question.

19     (d) The maximum amount of the obligations, including the anticipated  
20 interest, separately stating the total principal, the total anticipated interest  
21 and the anticipated interest rate.

22     (e) An estimate of the range of property tax rates stated in dollars and  
23 cents per \$100 of assessed value necessary to provide for debt service upon  
24 the obligations for the dates when they are to be redeemed. The  
25 municipality shall, for each such date, furnish an estimate of the assessed  
26 value of the property against which the obligations are to be issued or  
27 incurred, and the governing body shall estimate the tax rate based upon the  
28 assessed value of the property as given in the assessor's estimates.

29     3. If an operating or maintenance rate is proposed in conjunction with  
30 the question to issue obligations, the questions may be combined, but the  
31 sample ballot and notice of election must each state the tax rate required  
32 for the obligations separately from the rate proposed for operation and  
33 maintenance.

34     4. Any election called pursuant to NRS 350.020 to 350.070, inclusive,  
35 may be consolidated with a primary or general municipal election or a  
36 primary or general state election. The notice of election need not set forth  
37 the places of holding the election, but may instead state that the places of  
38 holding the election will be the same as those provided for the election  
39 with which it is consolidated.

40     5. If the election is a special election, the clerk shall cause notice of  
41 the close of registration to be published in a newspaper printed in and  
42 having a general circulation in the municipality once in each calendar  
43 week for 2 successive calendar weeks next preceding the close of  
44 registration for the election.

1     **Sec. 10.** NRS 350.027 is hereby amended to read as follows:  
2     350.027 1. In addition to any requirements imposed pursuant to  
3 NRS 350.024, any sample ballot required to be ~~mailed~~ *distributed*  
4 pursuant to NRS 293.565 or 293C.530 and any notice of election, for an  
5 election that includes a proposal for the issuance by any municipality of  
6 any bonds or other securities, including an election that is not called  
7 pursuant to NRS 350.020 to 350.070, inclusive, must contain an estimate  
8 of the annual cost to operate, maintain and repair any buildings, structures  
9 or other facilities or improvements to be constructed or acquired with the  
10 proceeds of the bonds or other securities.

11     2. For the purposes of this section, "municipality" has the meaning  
12 ascribed to it in NRS 350.538.

13     **Sec. 11.** This act becomes effective upon passage and approval for  
14 the purposes of adopting regulations and performing any other preparatory  
15 administrative tasks that are necessary to carry out the provisions of this  
16 act, and on January 1, 2016, for all other purposes.

17

H

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 6, 2015

**ASSEMBLY BILL 462 (First Reprint)**

**Makes various changes relating to elections. (BDR 24-615)**

**Sponsored by: Assembly Committee on Legislative Operations and Elections  
(On Behalf of the Secretary of State)**

**Date Heard: April 29, 2015**

**Fiscal Impact: Effect on Local Government: May Have Fiscal Impact  
Effect on the State: Yes**

Assembly Bill 462 makes various changes relating to election administration. The bill clarifies that election board officers are appointed for polling places in the county and not to precincts and districts. The maximum number of registered voters in a precinct is increased from the existing limit of 1,500 to 3,000 voters.

The measure also makes changes relating to electronic voter rosters and files. Election officials may provide sample ballots electronically, if the option is available and if a registered voter elects to receive a sample ballot by electronic means. Such a registered voter must be provided the option to withhold an electronic address from the public. The bill provides that during the hours a polling place is open, alphabetical listings of voters who have voted may be published online as well as posted in the polling place.

Assembly Bill 462 provides, when signing the roster at a polling place, if a voter's signature does not match, the voter must provide proof of identification and update his or her signature as prescribed by the Secretary of State. The requirement to publish the full text of a statewide measure in a newspaper of general circulation is eliminated. However, the condensation of a statewide measure, its explanation, arguments, rebuttals, and fiscal note shall be published.

Finally, the bill provides the name of an independent candidate on ballots will be listed as "no political party" with the abbreviation of "NPP," rather than the current listing of "independent" with the abbreviation of "IND."

**Amendments:** The attached mock-up incorporates the amendments discussed during the Committee's hearing on April 29, 2015, and makes consistent amendments proposed for Assembly Bill 94. Specifically the mock-up, which only includes those sections proposed for amendment, does the following:

1. Makes Sections 3, 17, 29.5, 38.5, 40, 49, and 63 consistent with amendments proposed for Assembly Bill 94;
2. Adds new Sections 14.5 and 46.5 (for city elections) to clarify that a registered voter who, because of physical limitations, is unable to sign his or her name, may provide the election board officer, either orally or in writing, with other personal data that verifies the identity

of the voter or proof of identification, other than the voter identification card, as described in NRS 293.277 or NRS 293C.270;

3. Provides that these same methods to identify the voter are added to Sections 15 and 47 (for city elections) in the event the voter's signature does not match at the polling place on Election Day and in Sections 24 and 56 at an early voting polling place. Also, new language is proposed in Sections 15, 24, and 56 to allow the voter to update his or her signature on a form prescribed by the Secretary of State, if the voter's signature has changed in comparison to the signature found on the application to register to vote;
4. Adds clarifying language to Sections 18 and 50 of the bill regarding the election board officer indicating on the roster if a challenged voter refuses to execute an oath;
5. Adds clarifying language to Sections 21 and 53 of the bill regarding election board officers indicating on the roster when a voter has voted using an absent ballot;
6. Adds some clarifying language to Section 39 of the bill regarding the county clerk's preparation of a polling place roster and the inclusion of "eligible" voters on the roster; and
7. Deletes references in NRS 293C.3608 to the printing on paper of the total number of votes recorded on each voting machine during early voting.

**Special Note:** During testimony on A.B. 462, a question was asked concerning the number of precincts nearing the 1,500 registered voter limit. Attached for the Committee's reference is a table provided by the Carson City Clerk-Recorder's Office indicating the number of precincts "approaching" the 1,500 registered voter limit. Also attached is a document provided by the Office of the Secretary of State highlighting the number of precincts in each county and the total number of active and inactive voters in each county.

<b>County</b>	<b>No. Precincts approaching 1,500 cap</b>
Carson City	7 (1 over)
Churchill	0
Clark	323
Douglas	7
Elko	6
Esmeralda	0
Eureka	0
Humboldt	0
Lander	0
Lincoln	0
Lyon	10
Mineral	0
Nye	7 (4 over)
Pershing	0
Storey	0
Washoe	21
White Pine	0

**Office of Nevada Secretary of State Barbara K. Cegavske**  
**Precinct Limit Research**  
**Active and Inactive Voters by County**  
**May 1, 2015**

<b>Jurisdiction</b>	<b>Precincts</b>	<b>Active Voters</b>	<b>Inactive Voters</b>	<b>Total Voters</b>
<b>Carson City</b>	25	26,600	1,705	28,305
<b>Churchill</b>	19	11,685	1,079	12,764
<b>Clark</b>	1,044	804,495	170,243	974,738
<b>Douglas</b>	71	29,744	4,236	33,980
<b>Elko</b>	41	18,509	2,514	21,023
<b>Esmeralda</b>	5	551	10	561
<b>Eureka</b>	4	861	59	920
<b>Humboldt</b>	15	6,481	839	7,320
<b>Lander</b>	9	2,459	282	2,741
<b>Lincoln</b>	5	2,635	310	2,945
<b>Lyon</b>	40	29,898	2,112	32,010
<b>Mineral</b>	12	2,743	112	2,855
<b>Nye</b>	34	24,009	2,794	26,803
<b>Pershing</b>	6	2,267	194	2,461
<b>Storey</b>	12	2,494	326	2,820
<b>Washoe</b>	477	223,607	35,310	258,917
<b>White Pine</b>	10	4,482	63	4,545
<b>Grand Total</b>	<b>1,829</b>	<b>1,193,52</b>	<b>222,188</b>	<b>1,415,70</b>

MOCK-UP

PROPOSED AMENDMENT 6876 TO  
ASSEMBLY BILL NO. 462  
FIRST REPRINT

(Showing Affected Sections Only)

PREPARED FOR SENATE COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS  
MAY 1, 2015

PREPARED BY THE LEGAL DIVISION

**NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.**

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

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

**Drafter's Notes:**

The proposed amendments are being requested by the Secretary of State and the local election officials in Carson City, Clark County, and Washoe County.

They are proposing identical amendments relating to sample ballots distributed by electronic means for:

AB 94 (R1)  
SB 203 (R1)  
AB 462 (R1)

They are proposing additional amendments in AB 462 (R1) that were discussed at the Committee's meeting on April 29, 2015.

1       **Sec. 3.** NRS 293.097 is hereby amended to read as follows:  
2       293.097 ***1.*** "Sample ballot" means a document distributed by a  
3 county or city clerk upon which is ~~printed~~ ***included*** a list of the offices,  
4 candidates and ballot questions that will appear on a ballot.  
5       **2.** The term includes ***, without limitation,*** any such document which  
6 is ~~printed by~~ ***prepared on*** a computer ~~and distributed by mail or by~~  
7 ***electronic means pursuant to NRS 293.565 or 293C.530.***  
8       **Sec. 14.** NRS 293.277 is hereby amended to read as follows:  
9       293.277 1. Except as otherwise provided in NRS 293.283 and  
10 293.541, if a person's name appears in the ~~election board register~~ ***roster***  
11 or if the person provides an affirmation pursuant to NRS 293.525, the  
12 person is entitled to vote and must sign his or her name in the ~~election~~  
13 ~~board register~~ ***roster*** when he or she applies to vote. The signature must  
14 be compared by an election board officer with the signature or a facsimile  
15 thereof on the person's ~~original~~ application to register to vote or one of  
16 the forms of identification listed in subsection 2.

1 2. Except as otherwise provided in NRS 293.2725, the forms of  
2 identification which may be used individually to identify a voter at the  
3 polling place are:

- 4 (a) The card issued to the voter at the time he or she registered to vote;
- 5 (b) A driver's license;
- 6 (c) An identification card issued by the Department of Motor Vehicles;
- 7 (d) A military identification card; or
- 8 (e) Any other form of identification issued by a governmental agency  
9 which contains the voter's signature and physical description or picture.

10 **Sec. 14.5. NRS 293.283 is hereby amended to read as follows:**

11 293.283 ~~{Any}~~ 1. If, because of physical limitations, a registered  
12 voter ~~{who}~~ is unable to sign his or her name in the roster as required by  
13 NRS 293.277, the voter must be identified by ~~{answering}~~:

14 (a) Answering questions from the election board officer covering the  
15 personal data which is reported on the ~~{original}~~ application to register to  
16 vote ~~{The}~~;

17 (b) Providing the election board officer, orally or in writing, with  
18 other personal data which verifies the identity of the voter; or

19 (c) Providing the election board officer with proof of identification as  
20 described in NRS 293.277 other than the card issued to the voter at the  
21 time he or she registered to vote.

22 2. If the identity of the voter is verified, the election board officer ~~{in~~  
23 ~~charge of}~~ shall indicate in the roster ~~{shall stamp, write or print}~~  
24 "Identified" ~~{as}~~ to the left of ~~by~~ the voter's name ~~{}~~ in the roster.

25 **Sec. 15. NRS 293.285 is hereby amended to read as follows:**

26 293.285 ~~{A}~~ 1. Except as otherwise provided in NRS 293.283, a  
27 registered voter applying to vote shall state his or her name to the election  
28 board officer in charge of the ~~{election board register,} roster,~~ and the  
29 officer shall immediately announce the name ~~{and take the registered~~  
30 ~~voter's signature.}~~ , instruct the voter to sign the roster and verify the  
31 signature of the voter ~~{}~~ in the manner set forth in NRS 293.277.

32 2. If the signature does not match, the voter must ~~{}~~

33 ~~1. Provide~~ be identified by:

34 (a) Answering questions from the election board officer covering the  
35 personal data which is reported on the application to register to vote;

36 (b) Providing the election board officer, orally or in writing, with  
37 other personal data which verifies the identity of the voter; or

38 (c) Providing the election board officer with proof of identification as  
39 described in NRS 293.277 ~~{and~~

40 ~~2. Update~~ other than the card issued to the voter at the time he or  
41 she registered to vote.

42 3. If the signature of the voter has changed in comparison to the  
43 signature on the application to register to vote, the voter must update his  
44 or her signature on a form prescribed by the Secretary of State.

1 **Sec. 17.** NRS 293.301 is hereby amended to read as follows:

2 293.301 1. The county clerk of each county shall ~~require~~ :

3 (a) *Require* an election board officer to post an alphabetical listing of  
4 all registered voters for each precinct in a public area of each polling place  
5 in the county ~~;~~; *or*

6 (b) *Publish on the Internet website of the county clerk an*  
7 *alphabetical listing of all registered voters for each precinct in the*  
8 *county.*

9 2. Except as otherwise provided in NRS 293.5002 and 293.558, the  
10 alphabetical listing ~~required pursuant to~~ *by subsection 1* must include  
11 the name, ~~address~~ *precinct* and political affiliation of each voter ~~. [Not~~  
12 ~~less than four times during the hours in which the polling place is open, an~~  
13 ~~and the electronic mail address of the voter if provided by the voter~~  
14 ~~pursuant to NRS 293.565 or 293C.530.]~~

15 3. *If the county clerk:*

16 (a) *Requires an alphabetical listing to be posted in each polling place*  
17 *pursuant to paragraph (a) of subsection 1:*

18 (1) *An election board officer at the polling place shall, not less*  
19 *than four times during the hours in which the polling place is open,*  
20 *identify the name of each voter that voted* ~~[since the last identification.~~

21 ~~—2.]~~ *at the polling place; and*

22 (2) *Each page of the alphabetical listing that is posted in a polling*  
23 *place must contain a notice which reads substantially as follows:*

24  
25 It is unlawful for any person to remove, tear, mark or otherwise  
26 deface this alphabetical listing of registered voters except an  
27 election board officer acting pursuant to ~~subsection 1 of~~ NRS  
28 293.301.

29  
30 ~~3.]~~ (b) *Publishes an alphabetical listing pursuant to paragraph (b)*  
31 *of subsection 1, the county clerk shall, not less than four times during*  
32 *the hours in which polling places in the county are open, identify on the*  
33 *Internet website of the county clerk the name of every voter who has*  
34 *voted at each polling place.*

35 4. Any person who removes, tears, marks or otherwise defaces an  
36 alphabetical listing posted pursuant to this section with the intent to falsify  
37 or prevent others from readily ascertaining the name, ~~address, electronic~~  
38 ~~mail address~~ *precinct* or political affiliation of any voter, or the fact that a  
39 voter has or has not voted, is guilty of a misdemeanor.

40 **Sec. 18.** NRS 293.303 is hereby amended to read as follows:

41 293.303 1. A person applying to vote may be challenged:

42 (a) Orally by any registered voter of the precinct upon the ground that  
43 he or she is not the person entitled to vote as claimed or has voted before at  
44 the same election. A registered voter who initiates a challenge pursuant to  
45 this paragraph must submit an affirmation that is signed under penalty of



1 perjury and in the form prescribed by the Secretary of State stating that the  
2 challenge is based on the personal knowledge of the registered voter.

3 (b) On any ground set forth in a challenge filed with the county clerk  
4 pursuant to the provisions of NRS 293.547.

5 2. If a person is challenged, an election board officer shall tender the  
6 challenged person the following oath or affirmation:

7 (a) If the challenge is on the ground that the challenged person does  
8 not belong to the political party designated upon the ~~{register,}~~ *roster*, “I  
9 swear or affirm under penalty of perjury that I belong to the political party  
10 designated upon the ~~{register;} roster”;~~

11 (b) If the challenge is on the ground that the ~~{register} roster~~ does not  
12 show that the challenged person designated the political party to which he  
13 or she claims to belong, “I swear or affirm under penalty of perjury that I  
14 designated on the application to register to vote the political party to which  
15 I claim to belong”;

16 (c) If the challenge is on the ground that the challenged person does  
17 not reside at the residence for which the address is listed in the ~~{election  
18 board register,} roster~~, “I swear or affirm under penalty of perjury that I  
19 reside at the residence for which the address is listed in the ~~{election board  
20 register;} roster”;~~

21 (d) If the challenge is on the ground that the challenged person  
22 previously voted a ballot for the election, “I swear or affirm under penalty  
23 of perjury that I have not voted for any of the candidates or questions  
24 included on this ballot for this election”; or

25 (e) If the challenge is on the ground that the challenged person is not  
26 the person he or she claims to be, “I swear or affirm under penalty of  
27 perjury that I am the person whose name is in this ~~{election board  
28 register.} roster.”~~

29 ↪ The oath or affirmation must be set forth on a form prepared by the  
30 Secretary of State and signed by the challenged person under penalty of  
31 perjury.

32 3. Except as otherwise provided in subsection 4, if the challenged  
33 person refuses to execute the oath or affirmation so tendered, ~~{he or she}~~  
34 the person must not be issued a ballot, and the election board officer shall  
35 indicate in ~~{charge of}~~ the ~~{election board register} roster~~ ~~{shall write the~~  
36 ~~words}~~ “Challenged ” ~~{.....} opposite his or her}~~ by the person’s  
37 name in the ~~{election board register.} roster.~~

38 4. If the challenged person refuses to execute the oath or affirmation  
39 set forth in paragraph (a) or (b) of subsection 2, the election board officers  
40 shall issue the person a nonpartisan ballot.

41 5. If the challenged person refuses to execute the oath or affirmation  
42 set forth in paragraph (c) of subsection 2, the election board officers shall  
43 inform the person that he or she is entitled to vote only in the manner  
44 prescribed in NRS 293.304.

1 6. If the challenged person executes the oath or affirmation and the  
2 challenge is not based on the ground set forth in paragraph (e) of  
3 subsection 2, the election board officers shall issue the person a partisan  
4 ballot.

5 7. If the challenge is based on the ground set forth in paragraph (c) of  
6 subsection 2, and the challenged person executes the oath or affirmation,  
7 the election board shall not issue the person a ballot until he or she  
8 furnishes satisfactory identification which contains proof of the address at  
9 which the person actually resides. For the purposes of this subsection, a  
10 voter registration card issued pursuant to NRS 293.517 does not provide  
11 proof of the address at which a person resides.

12 8. If the challenge is based on the ground set forth in paragraph (e) of  
13 subsection 2 and the challenged person executes the oath or affirmation,  
14 the election board shall not issue the person a ballot unless the person:

15 (a) Furnishes official identification which contains a photograph of the  
16 person, such as a driver's license or other official document; or

17 (b) Brings before the election board officers a person who is at least 18  
18 years of age who:

19 (1) Furnishes official identification which contains a photograph of  
20 that person, such as a driver's license or other official document; and

21 (2) Executes an oath or affirmation under penalty of perjury that the  
22 challenged person is who he or she swears to be.

23 9. The election board officers shall:

24 (a) Record on the challenge list:

25 (1) The name of the challenged person;

26 (2) The name of the registered voter who initiated the challenge;

27 and

28 (3) The result of the challenge; and

29 (b) If possible, orally notify the registered voter who initiated the  
30 challenge of the result of the challenge.

31 **Sec. 21.** NRS 293.333 is hereby amended to read as follows:

32 293.333 Except as otherwise provided in NRS 293D.200, on the day  
33 of an election, the ~~precinct or district~~ election boards receiving the absent  
34 voters' ballots from the county clerk shall, in the presence of a majority of  
35 the election board officers, remove the ballots from the ballot box and the  
36 containers in which the ballots were transported pursuant to NRS 293.325  
37 and deposit the ballots in the regular ballot box in the following manner:

38 1. The name of the voter, as shown on the return envelope or  
39 facsimile, must be called and checked as if the voter were voting in person;

40 2. The signature on the back of the return envelope or on the facsimile  
41 must be compared with that on the ~~original~~ application to register to vote;

42 3. If the board determines that the absent voter is entitled to cast a  
43 ballot, the envelope must be opened, the numbers on the ballot and  
44 envelope compared, the number strip or stub detached from the ballot and,

1 if the numbers are the same, the ballot deposited in the regular ballot box;  
2 and

3 4. The election board officers shall ~~mark~~ indicate in the roster  
4 ~~opposite~~ “Voted” by the name of the voter in the ~~word “Voted.”~~ roster.

5 **Sec. 24.** NRS 293.3585 is hereby amended to read as follows:

6 293.3585 1. ~~Upon~~ Except as otherwise provided in NRS 293.283,  
7 upon the appearance of a person to cast a ballot for early voting, ~~the~~  
8 ~~deputy clerk for early voting~~ an election board officer shall:

9 (a) Determine that the person is a registered voter in the county. ~~;~~

10 (b) Instruct the voter to sign the roster for early voting. ~~;~~ ~~and~~

11 (c) Verify the signature of the voter ~~against that contained on the~~  
12 ~~original application to register to vote or a facsimile thereof, the card~~  
13 ~~issued to the voter at the time of registration or some other piece of official~~  
14 ~~identification.~~ in the manner set forth in NRS 293.277.

15 (d) Verify that the voter has not already voted in the current election  
16 pursuant to this section.

17 2. If the signature of the voter does not match, the voter must ~~be~~  
18 ~~(1) Provide~~ be identified by:

19 (a) Answering questions from the election board officer covering the  
20 personal data which is reported on the application to register to vote;

21 (b) Providing the election board officer, orally or in writing, with  
22 other personal data which verifies the identity of the voter; or

23 (c) Providing the election board officer with proof of identification as  
24 described in NRS 293.277 ~~;~~ and

25 ~~(2) Update~~ other than the card issued to the voter at the time he  
26 or she registered to vote.

27 3. If the signature of the voter has changed in comparison to the  
28 signature on the application to register to vote, the voter must update his  
29 or her signature on a form prescribed by the Secretary of State.

30 ~~[(d) Verify that the voter has not voted in this election.~~

31 ~~2.]~~ 4. The county clerk shall prescribe a procedure, approved by the  
32 Secretary of State, to ~~determine~~ verify that the voter has not already  
33 voted in the current election pursuant to this section.

34 ~~3.]~~ 5. The roster for early voting must contain:

35 (a) The voter’s name, the address where he or she is registered to vote,  
36 his or her voter identification number and a place for the voter’s signature;

37 (b) The voter’s precinct or voting district number ~~;~~ , if that  
38 information is available; and

39 (c) The date of voting early in person.

40 ~~4.]~~ 6. When a voter is entitled to cast a ballot and has identified  
41 himself or herself to the satisfaction of the ~~deputy clerk for early voting,~~  
42 election board officer, the voter is entitled to receive the appropriate ballot  
43 or ballots, but only for his or her own use at the polling place for early  
44 voting.

1 ~~5.7.~~ If the ballot is voted on a mechanical recording device which  
2 directly records the votes electronically, the ~~[deputy clerk for early voting]~~  
3 *election board officer* shall:

- 4 (a) Prepare the mechanical recording device for the voter;
- 5 (b) Ensure that the voter's precinct or voting district , *if that*  
6 *information is available*, and the form of ballot are indicated on the voting  
7 receipt, if the county clerk uses voting receipts; and
- 8 (c) Allow the voter to cast a vote.

9 ~~6.8.~~ A voter applying to vote early by personal appearance may be  
10 challenged pursuant to NRS 293.303.

11 **Sec. 26.** NRS 293.3608 is hereby amended to read as follows:  
12 293.3608 On election day, the county clerk shall:

13 1. Ensure that each mechanical recording device used during the  
14 period for early voting provides a record of the total number of votes  
15 recorded on the device for each candidate and for or against each measure;  
16 and

17 2. Deliver to the central counting place:

18 (a) ~~[The items sorted and counted pursuant to subsection 3 of NRS~~  
19 ~~293.3604;~~

20 ~~—(b)]~~ The records provided pursuant to subsection 1; and

21 ~~[(e)]~~ (b) The storage device required pursuant to NRS 293B.084 from  
22 each mechanical recording device used during the period for early voting.

23 **Sec. 29.5.** ~~[NRS 293.440 is hereby amended to read as follows:~~

24 ~~—293.440— 1. Any person who desires a copy of any list of the persons~~  
25 ~~who are registered to vote in any precinct, district or county may obtain a~~  
26 ~~copy by applying at the office of the county clerk and paying therefor a~~  
27 ~~sum of money equal to 1 cent per name on the list, except that one copy of~~  
28 ~~each original and supplemental list for~~  
29 ~~each precinct, district or county must be provided both to the state central~~  
30 ~~committee of any major political party and to the county central committee~~  
31 ~~of any major political party, and to the executive committee of any minor~~  
32 ~~political party upon request, without charge.~~

33 ~~—2. Except as otherwise provided in NRS 293.5002 and 293.558, the~~  
34 ~~copy of the list provided pursuant to this section must indicate the address,~~  
35 ~~date of birth, telephone number and the serial number on each application~~  
36 ~~to register to vote [.] and the electronic mail address of the voter if~~  
37 ~~provided by the voter pursuant to NRS 293.565 or 293C.530. If the~~  
38 ~~county maintains this information in a computer database, the date of the~~  
39 ~~most recent addition or revision to an entry, if made on or after July 1,~~  
40 ~~1989, must be included in the database and on any resulting list of the~~  
41 ~~information. The date must be expressed numerically in the order of~~  
42 ~~month, day and year.~~

43 ~~—3. A county may not pay more than 10 cents per folio or more than \$6~~  
44 ~~per thousand copies for printed lists for a precinct or district.~~

~~4. A county which has a system of computers capable of recording information on magnetic tape or diskette shall, upon request of the state central committee or county central committee of any major political party or the executive committee of any minor political party which has filed a certificate of existence with the Secretary of State, record for both the state central committee and the county central committee of the major political party, if requested, and for the executive committee of the minor political party, if requested, on magnetic tape or diskette supplied by it.~~

~~(a) The list of persons who are registered to vote and the information required in subsection 2; and~~

~~(b) Not more than four times per year, as requested by the state or county central committee or the executive committee;~~

~~(1) A complete list of the persons who are registered to vote with a notation for the most recent entry of the date on which the entry or the latest change in the information was made; or~~

~~(2) A list that includes additions and revisions made to the list of persons who are registered to vote after a date specified by the state or county central committee or the executive committee.~~

~~5. If a political party does not provide its own magnetic tape or diskette, or if a political party requests the list in any other form that does not require printing, the county clerk may charge a fee to cover the actual cost of providing the tape, diskette or list.~~

~~6. Any state or county central committee of a major political party, any executive committee of a minor political party or any member or representative of such a central committee or executive committee who receives without charge a list of the persons who are registered to vote in any precinct, district or county pursuant to this section shall not:~~

~~(a) Use the list for any purpose that is not related to an election; or~~

~~(b) Sell the list for compensation or other valuable consideration.]~~

**(Deleted by amendment.)**

**Sec. 38.5.** NRS 293.558 is hereby amended to read as follows:

293.558 1. The county *or city* clerk shall disclose the identification number of a registered voter to the public, including, without limitation:

(a) In response to an inquiry received by the county *or city* clerk; or

(b) By inclusion of the identification number of the registered voter on any list of registered voters made available for public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.

2. The county *or city* clerk shall not disclose ~~the~~ :

**(a) The social security number or the driver's license or identification card number of a registered voter ~~+~~, and such a number is confidential and is not a public book or record within the meaning of NRS 239.010.**

**(b) An electronic mail address provided by a registered voter to carry out any state or federal law relating to the voting process, and such an electronic mail address is confidential and is not a public book or record within the meaning of NRS 239.010. The county or city clerk may not**

1 release a registered voter's electronic mail address to a third party and  
2 may use such an electronic mail address only to:

3 (1) Communicate with the registered voter about the voting  
4 process, including, without limitation, as necessary to carry out the  
5 provisions of chapter 293D of NRS; and

6 (2) Distribute a sample ballot to the registered voter by electronic  
7 means if the county or city clerk has established a system for distributing  
8 sample ballots by electronic means pursuant to NRS 293.565 or  
9 293C.530 and the registered voter elects to receive a sample ballot by  
10 electronic means.

11 3. A registered voter may submit a written request to the county or  
12 city clerk to have his or her address and ~~withheld from the public the~~  
13 ~~registered voter's address,~~ telephone number withheld from the public.  
14 ~~for electronic mail address if provided by the registered voter pursuant to~~  
15 ~~NRS 293.565 or 293C.530.~~ Upon receipt of such a request, the county or  
16 city clerk shall not disclose the address ~~or~~ or telephone number ~~for~~  
17 ~~electronic mail address~~ of the registered voter to the public, including,  
18 without limitation:

- 19 (a) In response to an inquiry received by the county or city clerk; or
- 20 (b) By inclusion on any list of registered voters made available for  
21 public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290  
22 or 293C.542.

23 4. No information relating to a registered voter may be withheld  
24 from the public other than ~~the~~ :

25 (a) The address ~~or~~ and telephone number ~~or~~ of the registered voter if  
26 requested by the registered voter pursuant to this section;

27 (b) An electronic mail address ~~or~~ provided by the registered voter to  
28 carry out any state or federal law relating to the voting process;

29 (c) The social security number and driver's license or identification  
30 card number of ~~or~~ the registered voter ~~may~~; and

31 (d) Any other information relating to the registered voter that any  
32 state or federal law declares to be confidential or otherwise requires to  
33 be withheld from the public.

34 **Sec. 39.** NRS 293.563 is hereby amended to read as follows:

35 293.563 1. During the interval between the closing of registration  
36 and the election, the county clerk shall ~~;~~

37 ~~— (a) In counties where records of registration are not kept by computer,~~  
38 ~~prepare for each ~~precinct or district~~ polling place a ~~binder~~ roster~~  
39 ~~containing ~~in alphabetical order the original applications to register to~~~~  
40 ~~vote of the electors} the registered voters ~~in the precinct or district~~. The~~  
41 ~~binder constitutes the election board register.~~

42 ~~— (b) In counties where records of registration are kept by computer,~~  
43 ~~have printed and placed in a binder for each precinct or district a computer~~  
44 ~~listing in alphabetical order of the applications to register to vote of the~~

1 ~~electors in the precinct or district. The binder constitutes the election board~~  
2 ~~register. assigned] eligible to vote at the polling place.~~

3 2. ~~[Each election board register] The roster~~ must be delivered or  
4 caused to be delivered by the county or city clerk to an election board  
5 officer of the proper ~~[precinct or district]~~ polling place before the opening  
6 of the polls.

7 **Sec. 40.** NRS 293.565 is hereby amended to read as follows:

8 293.565 1. Except as otherwise provided in subsection 3, sample  
9 ballots must include:

10 (a) If applicable, the statement required by NRS 293.267;

11 (b) The fiscal note or description of anticipated financial effect, as  
12 provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015, 295.095  
13 or 295.230 for each proposed constitutional amendment, statewide  
14 measure, measure to be voted upon only by a special district or political  
15 subdivision and advisory question;

16 (c) An explanation, as provided pursuant to NRS 218D.810, 293.250,  
17 293.481, 295.121 or 295.230, of each proposed constitutional amendment,  
18 statewide measure, measure to be voted upon only by a special district or  
19 political subdivision and advisory question;

20 (d) Arguments for and against each proposed constitutional  
21 amendment, statewide measure, measure to be voted upon only by a  
22 special district or political subdivision and advisory question, and rebuttals  
23 to each argument, as provided pursuant to NRS 218D.810, 293.250,  
24 293.252 or 295.121; and

25 (e) The full text of each proposed constitutional amendment.

26 2. If, pursuant to the provisions of NRS 293.2565, the word  
27 "Incumbent" must appear on the ballot next to the name of the candidate  
28 who is the incumbent, the word "Incumbent" must appear on the sample  
29 ballot next to the name of the candidate who is the incumbent.

30 3. Sample ballots that are mailed to registered voters may be printed  
31 without the full text of each proposed constitutional amendment if:

32 (a) The cost of printing the sample ballots would be significantly  
33 reduced if the full text of each proposed constitutional amendment were  
34 not included;

35 (b) The county clerk ensures that a sample ballot that includes the full  
36 text of each proposed constitutional amendment is provided at no charge to  
37 each registered voter who requests such a sample ballot; and

38 (c) The sample ballots provided to each polling place include the full  
39 text of each proposed constitutional amendment.

40 4. *A county clerk may establish a system for distributing sample*  
41 *ballots to each registered voter who elects to receive a sample ballot by*  
42 *electronic means. Such a system ~~[must be approved by the Secretary of~~*  
43 *State and] may include, without limitation, electronic mail or electronic*  
44 *access through an Internet website. If a county clerk establishes such a*

1 system and a registered voter elects to receive a sample ballot by such  
2 electronic means, the county clerk shall ~~f~~

3 ~~—(a) Distribute~~ **distribute** the sample ballot to the registered voter by  
4 electronic means pursuant to the procedures and requirements set forth  
5 by regulations adopted by the Secretary of State. ~~f~~ and

6 ~~—(b) If the system requires the registered voter to provide an electronic~~  
7 ~~mail address to the county clerk, inform the registered voter that his or~~  
8 ~~her electronic mail address will be available to the public unless the~~  
9 ~~registered voter submits a written request to have his or her electronic~~  
10 ~~mail address withheld from the public pursuant to NRS 293.558.~~

11 5. If a registered voter does not elect to receive a sample ballot by  
12 electronic means pursuant to subsection 4, the county clerk shall  
13 distribute the sample ballot to the registered voter by mail.

14 6. Before the period for early voting for any election begins, the  
15 county clerk shall ~~cause to be mailed~~ **distribute** to each registered voter  
16 in the county ~~a~~ **by mail or electronic means, as applicable, the** sample  
17 ballot for his or her precinct, with a notice informing the voter of the  
18 location of his or her polling place. If the location of the polling place has  
19 changed since the last election:

20 (a) The county clerk shall mail a notice of the change to each  
21 registered voter in the county not sooner than 10 days before ~~mailing~~  
22 **distributing** the sample ballots; or

23 (b) The sample ballot must also include a notice in bold type  
24 immediately above the location which states:

25

26 NOTICE: THE LOCATION OF YOUR POLLING PLACE  
27 HAS CHANGED SINCE THE LAST ELECTION

28

29 ~~5.~~ 7. Except as otherwise provided in subsection ~~6.~~ 8, a sample  
30 ballot required to be ~~mailed~~ **distributed** pursuant to this section must:

31 (a) Be ~~printed~~ **prepared** in at least 12-point type; and

32 (b) Include on the front page, in a separate box created by bold lines, a  
33 notice ~~printed~~ **prepared** in at least 20-point bold type that states:

34

35 NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
36 LARGE TYPE, CALL (Insert appropriate telephone number)

37

38 ~~6.~~ 8. A portion of a sample ballot that contains a facsimile of the  
39 display area of a voting device may include material in less than 12-point  
40 type to the extent necessary to make the facsimile fit on the pages of the  
41 sample ballot.

42 ~~7.~~ 9. The sample ballot ~~mailed~~ **distributed** to a person who  
43 requests a sample ballot in large type by exercising the option provided  
44 pursuant to NRS 293.508, or in any other manner, must be ~~printed~~  
45 **prepared** in at least 14-point type, or larger when practicable.



1 ~~{8.}~~ 10. If a person requests a sample ballot in large type, the county  
2 clerk shall ensure that all future sample ballots ~~{mailed}~~ *distributed* to that  
3 person from the county are in large type.

4 ~~{9.}~~ 11. The county clerk shall include in each sample ballot a  
5 statement indicating that the county clerk will, upon request of a voter who  
6 is elderly or disabled, make reasonable accommodations to allow the voter  
7 to vote at his or her polling place and provide reasonable assistance to the  
8 voter in casting his or her vote, including, without limitation, providing  
9 appropriate materials to assist the voter. In addition, if the county clerk has  
10 provided pursuant to subsection 4 of NRS 293.2955 for the placement at  
11 centralized voting locations of specially equipped voting devices for use by  
12 voters who are elderly or disabled, the county clerk shall include in the  
13 sample ballot a statement indicating:

- 14 (a) The addresses of such centralized voting locations;
- 15 (b) The types of specially equipped voting devices available at such  
16 centralized voting locations; and
- 17 (c) That a voter who is elderly or disabled may cast his or her ballot at  
18 such a centralized voting location rather than at his or her regularly  
19 designated polling place.

20 ~~{10.}~~ 12. The cost of ~~{mailing}~~ *distributing* sample ballots for any  
21 election other than a primary or general election must be borne by the  
22 political subdivision holding the election.

23 **Sec. 46.** NRS 293C.270 is hereby amended to read as follows:

24 293C.270 1. ~~{H}~~ *Except as otherwise provided in NRS 293C.272, if*  
25 a person's name appears in the ~~{election-board-register}~~ *roster* or if the  
26 person provides an affirmation pursuant to NRS 293C.525, the person is  
27 entitled to vote and must sign his or her name in the ~~{election-board~~  
28 ~~register}~~ *roster* when he or she applies to vote. The signature must be  
29 compared by an election board officer with the signature or a facsimile  
30 thereof on the person's ~~{original}~~ application to register to vote or one of  
31 the forms of identification listed in subsection 2.

32 2. The forms of identification that may be used to identify a voter at  
33 the polling place are:

- 34 (a) The card issued to the voter at the time he or she registered to vote;
- 35 (b) A driver's license;
- 36 (c) An identification card issued by the Department of Motor Vehicles;
- 37 (d) A military identification card; or
- 38 (e) Any other form of identification issued by a governmental agency  
39 that contains the voter's signature and physical description or picture.

40 **Sec. 46.5.** *NRS 293C.272 is hereby amended to read as follows:*

41 293C.272 ~~{Any}~~ 1. *If, because of physical limitations, a* registered  
42 voter ~~{who}~~ is unable to sign his or her name *in the roster as required by*  
43 *NRS 293C.270, the voter* must be identified by ~~{answering}~~ :

1 (a) Answering questions from the election board officer covering the  
2 personal data ~~that~~ which is reported on the ~~original~~ application to  
3 register to vote ~~the~~ ;

4 (b) Providing the election board officer, orally or in writing, with  
5 other personal data which verifies the identity of the voter; or

6 (c) Providing the election board officer with proof of identification as  
7 described in NRS 293C.270 other than the card issued to the voter at the  
8 time he or she registered to vote.

9 2. If the identity of the voter is verified, the election board officer ~~in~~  
10 charge of shall indicate in the roster ~~shall stamp, write or print~~  
11 “Identified” ~~as~~ to the left of by the voter’s name ~~in~~ in the roster.

12 **Sec. 47.** NRS 293C.275 is hereby amended to read as follows:

13 ~~293C.275~~ ~~1.~~ Except as otherwise provided in NRS 293C.272, a  
14 registered voter who applies to vote must state his or her name to the  
15 election board officer in charge of the ~~election board register,~~ roster, and  
16 the officer shall immediately announce the name ~~and take the registered~~  
17 ~~voter’s signature.~~, instruct the voter to sign the roster and verify the  
18 signature of the voter ~~in~~ in the manner set forth in NRS 293C.270.

19 2. If the signature does not match, the voter must ~~be~~

20 ~~1. Provide~~ be identified by:

21 (a) Answering questions from the election board officer covering the  
22 personal data which is reported on the application to register to vote;

23 (b) Providing the election board officer, orally or in writing, with  
24 other personal data which verifies the identity of the voter; or

25 (c) Providing the election board officer with proof of identification as  
26 described in NRS 293C.270 ~~and~~

27 ~~2. Update~~ other than the card issued to the voter at the time he or  
28 she registered to vote.

29 3. If the signature of the voter has changed in comparison to the  
30 signature on the application to register to vote, the voter must update his  
31 or her signature on a form prescribed by the Secretary of State.

32 **Sec. 49.** NRS 293C.290 is hereby amended to read as follows:

33 293C.290 1. The city clerk shall ~~require~~ :

34 (a) Require an election board officer to post an alphabetical listing of  
35 all registered voters for each precinct in a public area of each polling place  
36 in the city ~~in~~; or

37 (b) Publish on the Internet website of the city clerk an alphabetical  
38 listing of all registered voters for each precinct in the city.

39 2. Except as otherwise provided in NRS 293.5002 and 293.558, the  
40 alphabetical listing required by subsection 1 must include the name ~~of~~  
41 ~~precinct~~ and ~~address~~ precinct of each voter ~~in~~ Not less than four times  
42 during the hours in which the polling place is open, ~~an~~ and the electronic  
43 mail address of the voter if provided by the voter pursuant to NRS  
44 293C.530.

45 3. If the city clerk:

1 (a) Requires an alphabetical listing to be posted in each polling place  
2 pursuant to paragraph (a) of subsection 1:

3 (1) An election board officer at the polling place shall , not less  
4 than four times during the hours in which the polling place is open,  
5 identify the name of each voter who voted ~~{since the last identification.~~  
6 ~~—2.}~~ at the polling place; and

7 (2) Each page of the alphabetical listing that is posted in a polling  
8 place must contain a notice which reads substantially as follows:  
9

10 It is unlawful for any person to remove, tear, mark or otherwise  
11 deface this alphabetical listing of registered voters except an  
12 election board officer acting pursuant to  
13 NRS 293C.290.  
14

15 ~~{3.}~~ (b) Publishes an alphabetical listing pursuant to paragraph (b)  
16 of subsection 1, the city clerk shall, not less than four times during the  
17 hours in which polling places in the city are open, identify on the  
18 Internet website of the city clerk the name of every voter who has voted at  
19 each polling place.

20 4. Any person who removes, tears, marks or otherwise defaces an  
21 alphabetical listing posted pursuant to this section with the intent to falsify  
22 or prevent others from readily ascertaining the name ~~{}~~ or ~~{address or~~  
23 ~~electronic mail address}~~ precinct of any voter, or the fact that a voter has  
24 or has not voted, is guilty of a misdemeanor.

25 **Sec. 50.** NRS 293C.292 is hereby amended to read as follows:

26 293C.292 1. A person applying to vote may be challenged:

27 (a) Orally by any registered voter of the precinct or district upon the  
28 ground that he or she is not the person entitled to vote as claimed or has  
29 voted before at the same election; or

30 (b) On any ground set forth in a challenge filed with the county clerk  
31 pursuant to the provisions of NRS 293.547.

32 2. If a person is challenged, an election board officer shall tender the  
33 challenged person the following oath or affirmation:

34 (a) If the challenge is on the ground that the challenged person does  
35 not reside at the residence for which the address is listed in the ~~{election~~  
36 ~~board register,}~~ roster, “I swear or affirm under penalty of perjury that I  
37 reside at the residence for which the address is listed in the ~~{election board~~  
38 ~~register”;~~ roster”;

39 (b) If the challenge is on the ground that the challenged person  
40 previously voted a ballot for the election, “I swear or affirm under penalty  
41 of perjury that I have not voted for any of the candidates or questions  
42 included on this ballot for this election”; or

43 (c) If the challenge is on the ground that the challenged person is not  
44 the person he or she claims to be, “I swear or affirm under penalty of

1 perjury that I am the person whose name is in this ~~election board~~  
2 ~~register.] roster.~~”

3 ↳ The oath or affirmation must be set forth on a form prepared by the  
4 Secretary of State and signed by the challenged person under penalty of  
5 perjury.

6 3. If the challenged person refuses to execute the oath or affirmation  
7 so tendered, ~~he or she~~ *the person* must not be issued a ballot, and the  
8 *election board* officer *shall indicate* in ~~charge of~~ the ~~election board~~  
9 ~~register] roster~~ ~~shall write the words~~ “Challenged ” ~~opposite~~  
10 ~~his or her~~ *by the person’s* name in the ~~election board register.] roster.~~

11 4. If the challenged person refuses to execute the oath or affirmation  
12 set forth in paragraph (a) of subsection 2, the election board officers shall  
13 inform the person that he or she is entitled to vote only in the manner  
14 prescribed in NRS 293C.295.

15 5. If the challenged person executes the oath or affirmation and the  
16 challenge is not based on the ground set forth in paragraph (c) of  
17 subsection 2, the election board officers shall issue him or her a ballot.

18 6. If the challenge is based on the ground set forth in paragraph (a) of  
19 subsection 2, and the challenged person executes the oath or affirmation,  
20 the election board shall not issue the person a ballot until he or she  
21 furnishes satisfactory identification that contains proof of the address at  
22 which the person actually resides. For the purposes of this subsection, a  
23 voter registration card issued pursuant to NRS 293.517 does not provide  
24 proof of the address at which a person resides.

25 7. If the challenge is based on the ground set forth in paragraph (c) of  
26 subsection 2 and the challenged person executes the oath or affirmation,  
27 the election board shall not issue the person a ballot unless the person:

28 (a) Furnishes official identification which contains a photograph of the  
29 person, such as a driver’s license or other official document; or

30 (b) Brings before the election board officers a person who is at least 18  
31 years of age who:

32 (1) Furnishes official identification which contains a photograph of  
33 the person, such as a driver’s license or other official document; and

34 (2) Executes an oath or affirmation under penalty of perjury that the  
35 challenged person is who he or she swears to be.

36 8. The election board officers shall:

37 (a) Record on the challenge list:

38 (1) The name of the challenged person;

39 (2) The name of the registered voter who initiated the challenge;

40 and

41 (3) The result of the challenge; and

42 (b) If possible, orally notify the registered voter who initiated the  
43 challenge of the result of the challenge.

1 **Sec. 53.** NRS 293C.332 is hereby amended to read as follows:  
2 293C.332 Except as otherwise provided in NRS 293D.200, on the day  
3 of an election, the ~~[precinct or district]~~ election boards receiving the absent  
4 voters' ballots from the city clerk shall, in the presence of a majority of the  
5 election board officers, remove the ballots from the ballot box and the  
6 containers in which the ballots were transported pursuant to NRS  
7 293C.325 and deposit the ballots in the regular ballot box in the following  
8 manner:

9 1. The name of the voter, as shown on the return envelope or  
10 facsimile, must be called and checked as if the voter were voting in person;

11 2. The signature on the back of the return envelope or on the facsimile  
12 must be compared with that on the ~~[original]~~ application to register to vote;

13 3. If the board determines that the absent voter is entitled to cast a  
14 ballot, the envelope must be opened, the numbers on the ballot and  
15 envelope compared, the number strip or stub detached from the ballot and,  
16 if the numbers are the same, the ballot deposited in the regular ballot box;  
17 and

18 4. The election board officers shall ~~[mark]~~ indicate in the roster  
19 ~~[opposite]~~ "Voted" by the name of the voter in the ~~[word "Voted."]~~ roster.

20 **Sec. 56.** NRS 293C.3585 is hereby amended to read as follows:

21 293C.3585 1. ~~[Upon]~~ Except as otherwise provided in NRS  
22 293C.272, upon the appearance of a person to cast a ballot for early  
23 voting, ~~[the deputy clerk for early voting]~~ an election board officer shall:

24 (a) Determine that the person is a registered voter in the county. ~~[;]~~

25 (b) Instruct the voter to sign the roster for early voting. ~~[; and]~~

26 (c) Verify the signature of the voter ~~[against that contained on the~~  
27 ~~original application to register to vote or a facsimile thereof, the card~~  
28 ~~issued to the voter at the time of registration or some other piece of official~~  
29 ~~identification.]~~ in the manner set forth in NRS 293C.270.

30 (d) Verify that the voter has not already voted in the current election  
31 pursuant to this section.

32 2. If the signature does not match, the voter must ~~f~~

33 ~~— (1) Provide]~~ be identified by:

34 (a) Answering questions from the election board officer covering the  
35 personal data which is reported on the application to register to vote;

36 (b) Providing the election board officer, orally or in writing, with  
37 other personal data which verifies the identity of the voter; or

38 (c) Providing the election board officer with proof of identification as  
39 described in NRS 293C.270 ~~f~~ and

40 ~~— (2) Update]~~ other than the card issued to the voter at the time he  
41 or she registered to vote.

42 3. If the signature of the voter has changed in comparison to the  
43 signature on the application to register to vote, the voter must update his  
44 or her signature on a form prescribed by the Secretary of State.

45 ~~[(d) Verify that the voter has not voted in this election.]~~

1 ~~2.1~~ 4. The city clerk shall prescribe a procedure, approved by the  
2 Secretary of State, to ~~determine~~ *verify* that the voter has not already  
3 voted *in the current election* pursuant to this section.

4 ~~3.1~~ 5. The roster for early voting must contain:

5 (a) The voter's name, the address where he or she is registered to vote,  
6 his or her voter identification number and a place for the voter's signature;

7 (b) The voter's precinct or voting district number ~~{}~~ , *if that*  
8 *information is available*; and

9 (c) The date of voting early in person.

10 ~~4.1~~ 6. When a voter is entitled to cast a ballot and has identified  
11 himself or herself to the satisfaction of the ~~[deputy clerk for early voting,~~  
12 *election board officer*, the voter is entitled to receive the appropriate ballot  
13 or ballots, but only for his or her own use at the polling place for early  
14 voting.

15 ~~5.1~~ 7. If the ballot is voted on a mechanical recording device which  
16 directly records the votes electronically, the ~~[deputy clerk for early voting]~~  
17 *election board officer* shall:

18 (a) Prepare the mechanical recording device for the voter;

19 (b) Ensure that the voter's precinct or voting district , *if that*  
20 *information is available*, and the form of ballot are indicated on the voting  
21 receipt, if the city clerk uses voting receipts; and

22 (c) Allow the voter to cast a vote.

23 ~~6.1~~ 8. A voter applying to vote early by personal appearance may be  
24 challenged pursuant to NRS 293C.292.

25 **Sec. 58.** NRS 293C.3608 is hereby amended to read as follows:

26 293C.3608 On election day, the city clerk shall:

27 1. Ensure that each mechanical recording device used during the  
28 period for early voting provides a record ~~[printed on paper]~~ of the total  
29 number of votes recorded on the device for each candidate and for or  
30 against each measure; and

31 2. Deliver to the central counting place:

32 (a) ~~[The items sorted and counted storage devices required pursuant to~~  
33 ~~subsection 3 of NRS 293C.3604;~~

34 ~~[(b)]~~ The records ~~[printed on paper]~~ provided pursuant to subsection 1;  
35 and

36 ~~[(c)]~~ *(b)* The storage device required pursuant to NRS 293B.084 from  
37 each mechanical recording device used during the period for early voting.

38 **Sec. 63.** NRS 293C.530 is hereby amended to read as follows:

39 293C.530 1. *A city clerk may establish a system for distributing*  
40 *sample ballots by electronic means to each registered voter who elects to*  
41 *receive a sample ballot by electronic means. Such a system ~~[must be~~*  
42 *approved by the Secretary of State and]* *may include, without limitation,*  
43 *electronic mail or electronic access through an Internet website. If a city*  
44 *clerk establishes such a system and a registered voter elects to receive a*  
45 *sample ballot by electronic means, the city clerk shall ~~{}~~*

1 ~~=(a) Distribute]~~ **distribute** the sample ballot to the registered voter by  
2 **electronic means pursuant to the procedures and requirements set forth**  
3 **by regulations adopted by the Secretary of State.**  ~~] and~~

4 ~~=(b) If the system requires the registered voter to provide an electronic~~  
5 ~~mail address to the city clerk, inform the registered voter that his or her~~  
6 ~~electronic mail address will be available to the public unless the~~  
7 ~~registered voter submits a written request to have his or her electronic~~  
8 ~~mail address withheld from the public pursuant to NRS 293.558.]~~

9 **2. If a registered voter does not elect to receive a sample ballot by**  
10 **electronic means pursuant to subsection 1, the city clerk shall distribute**  
11 **the sample ballot to the registered voter by mail.**

12 **3. Before the period for early voting for any election begins, the city**  
13 **clerk shall ~~[cause to be mailed]~~ distribute** to each registered voter in the  
14 city ~~[a]~~ **by mail or electronic means, as applicable, the** sample ballot for  
15 his or her precinct, with a notice informing the voter of the location of his  
16 or her polling place. If the location of the polling place has changed since  
17 the last election:

18 (a) The city clerk shall mail a notice of the change to each registered  
19 voter in the city not sooner than 10 days before ~~[mailing]~~ **distributing**  
20 the sample ballots; or

21 (b) The sample ballot must also include a notice in bold type  
22 immediately above the location which states:

23 NOTICE: THE LOCATION OF YOUR POLLING PLACE  
24 HAS CHANGED SINCE THE LAST ELECTION

25  
26 ~~[2.]~~ **4. Except as otherwise provided in subsection ~~[4.]~~ 6, a sample**  
27 **ballot required to be ~~[mailed]~~ distributed** pursuant to this section must:

28 (a) Be ~~[printed]~~ **prepared** in at least 12-point type;

29 (b) Include the description of the anticipated financial effect and  
30 explanation of each citywide measure and advisory question, including  
31 arguments for and against the measure or question, as required pursuant to  
32 NRS 295.205 or 295.217; and

33 (c) Include on the front page, in a separate box created by bold lines, a  
34 notice ~~[printed]~~ **prepared** in at least 20-point bold type that states:

35  
36 NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
37 LARGE TYPE, CALL (Insert appropriate telephone number)

38  
39 ~~[3.]~~ **5. The word “Incumbent” must appear on the sample ballot next**  
40 **to the name of the candidate who is the incumbent, if required pursuant to**  
41 **NRS 293.2565.**

42 ~~[4.]~~ **6. A portion of a sample ballot that contains a facsimile of the**  
43 **display area of a voting device may include material in less than 12-point**  
44 **type to the extent necessary to make the facsimile fit on the pages of the**  
45 **sample ballot.**

1 ~~{5.}~~ 7. The sample ballot ~~{mailed}~~ *distributed* to a person who  
2 requests a sample ballot in large type by exercising the option provided  
3 pursuant to NRS 293.508, or in any other manner, must be ~~{printed}~~  
4 *prepared* in at least 14-point type, or larger when practicable.

5 ~~{6.}~~ 8. If a person requests a sample ballot in large type, the city clerk  
6 shall ensure that all future sample ballots ~~{mailed}~~ *distributed* to that  
7 person from the city are in large type.

8 ~~{7.}~~ 9. The city clerk shall include in each sample ballot a statement  
9 indicating that the city clerk will, upon request of a voter who is elderly or  
10 disabled, make reasonable accommodations to allow the voter to vote at  
11 his or her polling place and provide reasonable assistance to the voter in  
12 casting his or her vote, including, without limitation, providing appropriate  
13 materials to assist the voter. In addition, if the city clerk has provided  
14 pursuant to subsection 4 of NRS 293C.281 for the placement at centralized  
15 voting locations of specially equipped voting devices for use by voters  
16 who are elderly or disabled, the city clerk shall include in the sample ballot  
17 a statement indicating:

- 18 (a) The addresses of such centralized voting locations;
- 19 (b) The types of specially equipped voting devices available at such  
20 centralized voting locations; and
- 21 (c) That a voter who is elderly or disabled may cast his or her ballot at  
22 such a centralized voting location rather than at the voter's regularly  
23 designated polling place.

24 ~~{8.}~~ 10. The cost of ~~{mailing}~~ *distributing* sample ballots for a city  
25 election must be borne by the city holding the election.  
26  
27

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28 **TEXT OF REPEALED SECTION**

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30  
31 **293.053 "Election board register" defined.** "Election board  
register" means the record of registered voters provided to election boards.



**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 6, 2015

**ASSEMBLY BILL 384**

**Establishes the Nevada Legislature Oral History Program. (BDR 17-1011)**

**Sponsored by:** Assembly Members Swank, Joiner, Kirkpatrick, and Carlton  
**Date Heard:** May 4, 2015  
**Fiscal Impact:** Effect on Local Government: No  
Effect on the State: Yes

Assembly Bill 384 establishes the Nevada Legislature Oral History Program in the Research Division of the Legislative Counsel Bureau (LCB). The Legislative Commission shall approve a plan and procedures to conduct oral histories of current and former legislators. Materials are confidential unless released pursuant to policies approved by the Legislative Commission. The Director of the LCB may accept gifts, grants, or donations in support of the program.

**Amendments:** No amendments were offered.

**Special Note:** Between 2008 and 2009, the Nevada Legislature Oral History Project conducted 17 video- and audio-taped interviews of former legislators who were deemed to have made notable contributions to Nevada.

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be discussed during today's work session.  
May 6, 2015

**SENATE BILL 434**

**Makes various changes relating to initiative and referendum petitions. (BDR 24-1150)**

**Sponsored by:** Senate Committee on Legislative Operations and Elections  
**Date Heard:** April 6, 2015; April 10, 2015 (conceptual amendment adopted)  
**Waiver Granted:** April 17, 2015  
**Fiscal Impact:** Effect on Local Government: May Have Fiscal Impact  
Effect on the State: Yes

Senate Bill 434 revises the process by which the required description of effect of a statewide initiative and referendum petition is prepared and challenged. Before a copy of the petition is filed with the Secretary of State, the bill requires the filing of a proposed petition, signed by not less than 2,000 registered voters, which must be submitted to and verified by the county clerks. If the Secretary of State determines, based upon the county clerks' process of verification, that the required signatures have been obtained, the bill provides that the proposed petition is deemed to have been filed. The Secretary of State must then notify the Attorney General of the filing and provide the Attorney General with a copy of the proposed petition.

The Attorney General must initiate a process of public notice, comment, and hearing, culminating in the preparation and adoption of a title and description of effect for the proposed petition. The bill sets forth the requirements for the content of the title and description of effect. After the final title and description of effect are adopted by the Attorney General and incorporated in the petition, it must be filed with the Secretary of State. This revised petition is the copy required by existing law to be filed before circulation of the petition may begin.

Senate Bill 434 also revises the process by which a person may assert that a description of effect is deficient or that a petition fails to comply with the State's single-subject requirement. The bill provides that the title and description of effect adopted by the Attorney General may be challenged through judicial review. A complaint asserting a single subject challenge must be filed within 15 business days after notice is given of the filing of the proposed petition. Senate Bill 434 revises the single-subject requirement to provide that a petition must embrace one subject and matters directly connected therewith. This requirement is satisfied if the parts of the proposed measure may logically be viewed "as having a natural relation to a single dominant plan or scheme."

Senate Bill 434 requires the Secretary of State to prepare a handbook for petition circulators setting forth the requirements of statute and regulation that govern the circulation of an initiative and referendum petition. Finally, before a petition for an initiative or referendum is circulated for signature, the bill requires the proponent of the petition to file with the Secretary of State a list of the persons who will be paid to circulate the petition. This list must be updated monthly during the circulation of the petition.

## **Amendments:**

On April 10, 2015, the Committee adopted the conceptual amendment described below to S.B. 434, which proposed to remove the responsibility of the Attorney General to draft a description of effect and ballot title to initiative petitions proposed in Nevada. The conceptual amendment required that once the petition has been filed with the Secretary of State, the Secretary must transmit the petition to the Attorney General, who shall file a declaratory relief action in the First Judicial District Court. The Court would then allow, but not require, any parties in support or in opposition to the initiative petition to file a proposed description of effect with the court and any supporting documentation and briefing. When discussing S.B. 434, Brett Kandt, Special Assistant Attorney General, noted that, with the adoption of the conceptual amendment, the bill no longer has a fiscal impact.

### **PROPOSED CONCEPTUAL AMENDMENTS TO S.B. 434.**

Contact information:

#### **Brett Kandt**

Special Assistant Attorney General

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100 N. Carson Street

Carson City, NV 89701

### **PROPOSE TO AMEND BILL AS FOLLOWS:**

As originally drafted, it is the obligation of the Attorney General's Office to propose and draft a description of effect and ballot title to initiative petitions proposed in Nevada. This conceptual amendment removes that responsibility from the Attorney General and requires that once the petition has been filed with the Secretary of State, the Secretary must transmit the petition to the Attorney General, who shall file a declaratory relief action in the First Judicial District Court within 15 days. The court shall set the matter for hearing within 10 days, and shall place priority on the matter above all other non-emergency and civil matters. The Court shall allow, but not require, for any parties in support or in opposition to the initiative petition to file a proposed description of effect with the court and any supporting documentation and briefing. The court shall hear separately any challenge alleged under the single subject rule. In addition, this amendment removes from the Attorney General the responsibility of assigning a title to the petition, and requires that the Secretary of State must name the proposal "Initiative Petition #" with the corresponding number relating to the order in which the petition was filed during that election cycle. If a constitutional petition has already been assigned that number, the Secretary shall skip that number and assigned the next numeric label.

### **Mock-up to Senate Bill 434:**

Subsequent to the adoption of the conceptual amendment, Committee staff consulted with the sponsors of the amendment to specify the intent of the amendment and clarify the procedures for drafting, adopting, challenging, and approving the petition description of effect and ballot title. Committee Counsel, Kevin Powers, is prepared to discuss the mock-up in greater detail. Proponents of the amendment are also present to discuss the mock-up.

**Special Note:** No additional action is required by the Committee. The Committee already adopted the conceptual amendment. Because the amendment was adopted in conceptual form, the more detailed mock-up is attached for the Committee's information and reference.

MOCK-UP

PROPOSED AMENDMENT 527 TO  
SENATE BILL NO. 434

PREPARED FOR SENATE COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS  
MAY 6, 2015

PREPARED BY THE LEGAL DIVISION

**NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.**

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

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

- 1     **Section 1.** NRS 293.1276 is hereby amended to read as follows:  
2     293.1276 1. Within 4 days, excluding Saturdays, Sundays and  
3 holidays, after the submission of a petition containing signatures which are  
4 required to be verified pursuant to NRS 293.128, 293.172, 293.200,  
5 295.056, 298.109, 306.035 or 306.110, *or section 5 of this act*, the county  
6 clerk shall determine the total number of signatures affixed to the  
7 documents and, in the case of a petition for initiative or referendum  
8 proposing a constitutional amendment or statewide measure, shall tally the  
9 number of signatures for each petition district contained fully or partially  
10 within the county and forward that information to the Secretary of State.  
11     2. If the Secretary of State finds that the total number of signatures  
12 filed with all the county clerks is less than 100 percent of the required  
13 number of registered voters, the Secretary of State shall so notify the  
14 person who submitted the petition and the county clerks and no further  
15 action may be taken in regard to the petition. If the petition is a petition to  
16 recall a county, district or municipal officer, the Secretary of State shall  
17 also notify the officer with whom the petition is to be filed.

1 3. After the petition is submitted to the county clerk, it must not be  
2 handled by any other person except by an employee of the county clerk's  
3 office until it is filed with the Secretary of State.

4 4. The Secretary of State may adopt regulations establishing  
5 procedures to carry out the provisions of this section.

6 **Sec. 2.** NRS 293.1277 is hereby amended to read as follows:

7 293.1277 1. If the Secretary of State finds that the total number of  
8 signatures submitted to all the county clerks is 100 percent or more of the  
9 number of registered voters needed to declare the petition sufficient, the  
10 Secretary of State shall immediately so notify the county clerks. Within 9  
11 days, excluding Saturdays, Sundays and holidays, after notification, each  
12 of the county clerks shall determine the number of registered voters who  
13 have signed the documents submitted in the county clerk's county and, in  
14 the case of a petition for initiative or referendum proposing a constitutional  
15 amendment or statewide measure, shall tally the number of signatures for  
16 each petition district contained or fully contained within the county clerk's  
17 county. For the purpose of verification pursuant to this section, the county  
18 clerk shall not include in his or her tally of total signatures any signature  
19 included in the incorrect petition district.

20 2. Except as otherwise provided in subsection 3, if more than 500  
21 names have been signed on the documents submitted to a county clerk, the  
22 county clerk shall examine the signatures by sampling them at random for  
23 verification. The random sample of signatures to be verified must be drawn  
24 in such a manner that every signature which has been submitted to the  
25 county clerk is given an equal opportunity to be included in the sample.  
26 The sample must include an examination of at least 500 or 5 percent of the  
27 signatures, whichever is greater. If documents were submitted to the  
28 county clerk for more than one petition district wholly contained within  
29 that county, a separate random sample must be performed for each petition  
30 district.

31 3. If a petition district comprises more than one county and the  
32 petition is for an initiative or referendum proposing a constitutional  
33 amendment or a statewide measure, and if more than 500 names have been  
34 signed on the documents submitted for that petition district, the appropriate  
35 county clerks shall examine the signatures by sampling them at random for  
36 verification. The random sample of signatures to be verified must be drawn  
37 in such a manner that every signature which has been submitted to the  
38 county clerks within the petition district is given an equal opportunity to be  
39 included in the sample. The sample must include an examination of at least  
40 500 or 5 percent of the signatures presented in the petition district,  
41 whichever is greater. The Secretary of State shall determine the number of  
42 signatures that must be verified by each county clerk within the petition  
43 district.

44 4. In determining from the records of registration the number of  
45 registered voters who signed the documents, the county clerk may use the

1 signatures contained in the file of applications to register to vote. If the  
2 county clerk uses that file, the county clerk shall ensure that every  
3 application in the file is examined, including any application in his or her  
4 possession which may not yet be entered into the county clerk's records.  
5 Except as otherwise provided in subsection 5, the county clerk shall rely  
6 only on the appearance of the signature and the address and date included  
7 with each signature in making his or her determination.

8 5. If:

9 (a) Pursuant to NRS 293.506, a county clerk establishes a system to  
10 allow persons to register to vote by computer; or

11 (b) A person registers to vote pursuant to NRS 293D.230 and signs his  
12 or her application to register to vote using a digital signature or an  
13 electronic signature,

14 ➔ the county clerk may rely on such other indicia as prescribed by the  
15 Secretary of State in making his or her determination.

16 6. In the case of a petition for initiative or referendum proposing a  
17 constitutional amendment or statewide measure, when the county clerk is  
18 determining the number of registered voters who signed the documents  
19 from each petition district contained fully or partially within the county  
20 clerk's county, he or she must use the statewide voter registration list  
21 available pursuant to NRS 293.675.

22 7. Except as otherwise provided in subsection 9, upon completing the  
23 examination, the county clerk shall immediately attach to the documents a  
24 certificate properly dated, showing the result of the examination, including  
25 the tally of signatures by petition district, if required, and transmit the  
26 documents with the certificate to the Secretary of State. In the case of a  
27 petition for initiative or referendum proposing a constitutional amendment  
28 or statewide measure, if a petition district comprises more than one county,  
29 the appropriate county clerks shall comply with the regulations adopted by  
30 the Secretary of State pursuant to this section to complete the certificate. A  
31 copy of this certificate must be filed in the clerk's office. When the county  
32 clerk transmits the certificate to the Secretary of State, the county clerk  
33 shall notify the Secretary of State of the number of requests to remove a  
34 name received by the county clerk pursuant to NRS 295.055 or 306.015.

35 8. A person who submits a petition to the county clerk which is  
36 required to be verified pursuant to NRS 293.128, 293.172, 293.200,  
37 295.056, 298.109, 306.035 or 306.110 *or section 5 of this act* must be  
38 allowed to witness the verification of the signatures. A public officer who  
39 is the subject of a recall petition must also be allowed to witness the  
40 verification of the signatures on the petition.

41 9. For any petition containing signatures which are required to be  
42 verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110  
43 for any county, district or municipal office within one county, the county  
44 clerk shall not transmit to the Secretary of State the documents containing  
45 the signatures of the registered voters.

1 10. The Secretary of State shall by regulation establish further  
2 procedures for carrying out the provisions of this section.

3 **Sec. 2.5. NRS 293.267 is hereby amended to read as follows:**

4 293.267 1. Ballots for a general election must contain the names of  
5 candidates who were nominated at the primary election, the names of the  
6 candidates of a minor political party and the names of independent  
7 candidates.

8 2. Except as otherwise provided in NRS 293.2565, names of  
9 candidates must be grouped alphabetically under the title and length of  
10 term of the office for which those candidates filed.

11 3. Except as otherwise provided in subsection 4:

12 (a) Immediately following the name of each candidate for a partisan  
13 office must appear the name or abbreviation of his or her political party,  
14 the word "independent" or the abbreviation "IND," as the case may be.

15 (b) Immediately following the name of each candidate for a  
16 nonpartisan office must appear the word "nonpartisan" or the abbreviation  
17 "NP."

18 4. Where a system of voting other than by paper ballot is used, the  
19 Secretary of State may provide for any placement of the name or  
20 abbreviation of the political party, the word "independent" or  
21 "nonpartisan" or the abbreviation "IND" or "NP," as appropriate, which  
22 clearly relates the designation to the name of the candidate to whom it  
23 applies.

24 5. If the Legislature ~~{rejects a statewide measure proposed by~~  
25 ~~initiative and}~~ proposes a different measure on the same subject ~~{which the~~  
26 ~~Governor approves,}~~ **as an initiative in accordance with section 11.5 of**  
27 **this act and the Nevada Constitution,** the measure proposed by the  
28 Legislature ~~{and approved by the Governor}~~ must be listed on the ballot  
29 before the ~~{statewide}~~ measure proposed by **the** initiative. Each ballot and  
30 sample ballot upon which the measures appear must contain a statement  
31 that reads substantially as follows:

32  
33 The following questions ~~{are alternative approaches to}~~ **propose**  
34 **different measures on** the same ~~{issue,}~~ **subject,** and only one  
35 ~~{approach}~~ **of the measures** may be enacted into law. ~~{Please vote~~  
36 ~~for only one.}~~ **If both of the measures are approved by a majority**  
37 **of the voters voting on such measures, the measure which receives**  
38 **the largest number of affirmative votes is enacted into law as**  
39 **provided in Section 2 of Article 19 of the Nevada Constitution.**

40 **Sec. 3.** Chapter 295 of NRS is hereby amended by adding thereto the  
41 provisions set forth as sections ~~{4 to 11,}~~ **3.01 to 11.5,** inclusive, of this act.

42 **Sec. 3.01. The Legislature hereby finds and declares that:**

43 **1. Section 5 of Article 19 of the Nevada Constitution authorizes the**  
44 **Legislature to provide by law for procedures to facilitate the operation of**  
45 **the provisions of Article 19 of the Nevada Constitution regarding a**

1 statewide or local petition for initiative or referendum, including, without  
2 limitation, procedures to facilitate the process of proposing, circulating  
3 and submitting such a petition to the registered voters of this State.

4 2. The petition process does not include the same procedural  
5 components and safeguards as the state or local legislative process,  
6 including, without limitation:

7 (a) Development, drafting, review, analysis, evaluation and revision  
8 of the form, substance and terms of the proposed measure throughout a  
9 multistage procedural process conducted by legislative and other public  
10 bodies and committees;

11 (b) Public input and scrutiny regarding the form, substance and  
12 terms of the proposed measure, and any changes thereto, throughout the  
13 multistage procedural process; and

14 (c) When required, executive approval or disapproval of the proposed  
15 measure as part of the multistage procedural process, subject to  
16 legislative override by a supermajority.

17 3. In the absence of such procedural components and safeguards,  
18 the petition process is more vulnerable and susceptible to fraud,  
19 subterfuge, misunderstanding, mischief and abuse which creates a  
20 significant risk of voter confusion, inattention and deception and which  
21 undermines the public's faith and confidence in the fairness, veracity  
22 and integrity of the petition process and election process.

23 4. The provisions of this chapter establish procedures to facilitate  
24 the petition process and election process which are intended to:

25 (a) Ensure that each petition receives a threshold level of support  
26 from the voters in order to:

27 (1) Discourage frivolous, spurious, vexatious or harassing  
28 petitions that consume and waste valuable public and private resources;  
29 and

30 (2) Encourage order, efficiency and fairness and the cost-effective  
31 and economical use of public and private resources throughout the  
32 petition process and election process.

33 (b) Ensure that the voters receive accurate, reliable, truthful and  
34 helpful information regarding each petition in order to assist the voters  
35 in reviewing, understanding, analyzing, evaluating and making informed  
36 decisions throughout the petition process and election process.

37 (c) Ensure that the voters are provided with a description of effect on  
38 each petition and that each petition embraces but one subject and  
39 matters necessarily connected therewith and pertaining thereto pursuant  
40 to NRS 295.009 in order to:

41 (1) Give the voters a clear and definite choice;

42 (2) Prevent confusion, inattention and deception; and

43 (3) Focus each proposal on a single subject so that the voters are  
44 presented with a meaningful opportunity to consider the merits and  
45 consequences of each proposal separately without being confused.



1 misled or manipulated by intricate, complex or complicated multi-subject  
2 proposals that:

3 (I) Conceal, obscure or obfuscate the intent or purpose of the  
4 proposal; or

5 (II) Combine more popular provisions with less popular  
6 provisions to obtain approval of provisions that the voters otherwise  
7 would reject if the provisions were presented separately in single-subject  
8 proposals.

9 (d) Protect against fraud, subterfuge, misunderstanding, mischief  
10 and abuse in the petition process and election process.

11 (e) Safeguard the public's faith and confidence in the fairness,  
12 veracity and integrity of the petition process and election process.

13 Sec. 3.02. As used in this chapter, unless the context otherwise  
14 requires, the words and terms defined in sections 3.04 and 3.06 of this  
15 act have the meanings ascribed to them in those sections.

16 Sec. 3.04. "Local petition for initiative or referendum" means any  
17 county, city or other local petition for initiative or referendum authorized  
18 by the Nevada Constitution or laws of this State.

19 Sec. 3.06. "Statewide petition for initiative or referendum" means a  
20 petition for initiative or referendum authorized by Section 1 or 2 of  
21 Article 19 of the Nevada Constitution, as applicable, to:

22 1. Approve or disapprove a statute or resolution or any part thereof  
23 enacted by the Legislature; or

24 2. Propose a statute, an amendment to a statute or an amendment to  
25 the Nevada Constitution.

26 Sec. 3.08. 1. If, in any preelection action, a statewide or local  
27 petition for initiative or referendum, or any part thereof, is declared  
28 invalid by a court of competent jurisdiction for any violation of the  
29 description-of-effect or single-subject requirements of NRS 295.009;

30 (a) The petition is void in its entirety and is not severable, and no part  
31 of the petition may be submitted to the voters at any election; and

32 (b) Any signatures collected on the petition are not valid for any  
33 purpose.

34 2. The provisions of this section do not alter, abrogate or affect the  
35 application of any statutory or common-law rules governing severance to  
36 a petition, or any part thereof, if the petition complies with the  
37 description-of-effect and single-subject requirements of NRS 295.009 but  
38 is declared invalid by a court of competent jurisdiction for reasons other  
39 than those expressly set forth in this section.

40 Sec. 3.1. As used in NRS 295.012 to 295.061, inclusive, and  
41 sections 3.1 to 11.5, inclusive, of this act, unless the context otherwise  
42 requires, the words and terms defined in sections 3.2 to 3.8, inclusive, of  
43 this act have the meanings ascribed to them in those sections.

44 Sec. 3.2. "Description of effect" means the description of the effect  
45 of an initiative or referendum that must appear on each signature page

1 of a statewide petition pursuant to paragraph (b) of subsection 1 of NRS  
2 295.009.

3 Sec. 3.3. “Formalized petition” means a statewide petition that  
4 complies with the provisions of NRS 295.012 to 295.061, inclusive, and  
5 sections 3.1 to 11.5, inclusive, of this act in order to become a formalized  
6 petition that may be filed with the Secretary of State pursuant to Section  
7 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS  
8 295.015.

9 Sec. 3.4. “Proponent of a statewide petition” or “proponent” means  
10 the person or persons who propose a statewide petition.

11 Sec. 3.5. “Proposed petition” means a statewide petition described  
12 in section 4 of this act.

13 Sec. 3.6. “Single-subject challenge” means any challenge alleging  
14 that a statewide petition violates the single-subject requirement in  
15 paragraph (a) of subsection 1 of NRS 295.009 which requires that the  
16 petition must embrace but one subject and matters necessarily connected  
17 therewith and pertaining thereto.

18 Sec. 3.7. 1. “Statewide petition” or “petition” has the meaning  
19 ascribed to “statewide petition for initiative or referendum” in section  
20 3.06 of this act.

21 2. Except as otherwise provided in NRS 295.012 to 295.061,  
22 inclusive, and sections 3.1 to 11.5, inclusive, of this act, the term includes  
23 a proposed petition.

24 Sec. 3.8. 1. “Working day” means a day on which the Office of  
25 the Secretary of State or the appropriate court, as applicable, is regularly  
26 open for the transaction of business.

27 2. In computing any period of time measured by working days, the  
28 provisions of Rule 6 of the Nevada Rules of Civil Procedure which  
29 provide that 3 days shall be added to the prescribed period after service  
30 by mail or electronic means do not apply to any period of working days  
31 prescribed by the provisions of NRS 295.012 to 295.061, inclusive, and  
32 sections 3.1 to 11.5, inclusive, of this act.

33 Sec. 3.9. The proponent of a statewide petition may not circulate  
34 the petition for signatures unless the proponent complies with the  
35 provisions of NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5,  
36 inclusive, of this act.

37 Sec. 4. 1. Before ~~placing~~ the proponent of a statewide petition  
38 may file a copy of ~~a~~ the formalized petition ~~for initiative or referendum~~  
39 ~~on file~~ with the Secretary of State pursuant to Section 1 or 2 of Article  
40 19 of the Nevada Constitution, as applicable, and NRS 295.015, the  
41 following procedural requirements must be satisfied:

42 (a) Not earlier than 90 days before the first day on which a copy of  
43 the formalized petition may be filed with the Secretary of State pursuant  
44 to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable,  
45 and NRS 295.015, the proponent ~~of the petition~~ must file with the

1 Secretary of State a copy of the proposed petition , in the form required  
2 by this section, setting forth the full text of the measure proposed ~~and~~  
3 bearing ;

4 (b) The proponent must circulate the proposed petition for signatures  
5 and collect the signatures of not less than ~~2,000~~ 1,000 persons who are  
6 registered voters in this State ~~Those~~ , but the signatures do not have to  
7 be apportioned equally among the petition districts pursuant to NRS  
8 295.012;

9 (c) The proposed petition must be submitted for verification pursuant  
10 to section 5 of this act;

11 (d) The Secretary of State must issue a declaration of sufficiency that  
12 the proposed petition has a sufficient number of signatures pursuant to  
13 section 6 of this act; and

14 (e) The description of effect for the formalized petition must be  
15 determined pursuant to section 6.5 of this act.

16 2. The signatures collected on the proposed petition are valid only  
17 for the purposes of the proposed petition and are not valid thereafter for  
18 the purposes of collecting signatures for the formalized petition ~~for~~  
19 ~~initiative or referendum thereafter placed on file~~ if it is filed with the  
20 Secretary of State pursuant to ~~section 9 of this act.~~

21 ~~2.~~ Section 1 or 2 of Article 19 of the Nevada Constitution, as  
22 applicable, and NRS 295.015.

23 3. The proponent may not circulate a copy of the proposed petition  
24 that is different in any way from the copy of the proposed petition filed  
25 with the Secretary of State, and any signatures collected on a copy of the  
26 proposed petition that is different in any way from the filed copy are not  
27 valid for any purpose.

28 4. The proposed petition may not be amended, changed or revised in  
29 any way after the proposed petition is filed with the Secretary of State. If  
30 the proponent wants to amend, change or revise the proposed petition in  
31 any way after the proposed petition is filed with the Secretary of State,  
32 the proponent must file another proposed petition pursuant to this  
33 section, and any signatures collected on the previous proposed petition  
34 are not valid for the purposes of collecting signatures for any subsequent  
35 petition.

36 5. The proposed petition must be in the form required by Section 3  
37 of Article 19 of the Nevada Constitution, NRS 295.009, 295.055 and  
38 295.0575 and section 4.5 of this act and any regulations adopted  
39 pursuant thereto, except that the proposed petition ~~is~~

40 ~~(a) Must~~ must not include ~~the~~ ;

41 (a) Any references to the petition districts; or

42 (b) A description of effect ~~required by NRS 295.009; and~~

43 ~~(b) Must~~ but the proposed petition must set forth a neutral summary,  
44 in not more than 200 words, of the purpose of the ~~proposed~~ initiative or  
45 referendum ~~is~~ in the proposed petition. The summary must appear on

1 each signature page of the proposed petition and is not subject to  
2 challenge in any judicial or administrative proceeding.

3 ~~3.7~~ 6. Except as otherwise provided in this section, the provisions of  
4 NRS 295.009, 295.055 and 295.0575 that apply to a formalized petition  
5 ~~{for an initiative or referendum}~~, other than the provisions relating to  
6 the petition districts, also apply to a proposed petition ~~{filed pursuant to~~  
7 ~~this section}~~, and any reference to a petition in those ~~{sections to a~~  
8 ~~petition for an initiative or referendum}~~ provisions of NRS shall be  
9 deemed to include a proposed petition.

10 Sec. 4.3. 1. When the proponent files the proposed petition with  
11 the Secretary of State pursuant to section 4 of this act, the proponent  
12 shall also file an informational statement with the Secretary of State on a  
13 form prescribed by the Secretary of State.

14 2. The form for the informational statement must include, without  
15 limitation:

16 (a) The purpose of the proposed petition.

17 (b) The name, address and telephone number of the proponent or, if  
18 there is more than one proponent, the name, address and telephone  
19 number of each proponent.

20 (c) If any such proponent is a business or social organization,  
21 corporation, partnership, association, trust, unincorporated  
22 organization, labor union or other legal entity, the name, address and  
23 telephone number of each of its officers.

24 (d) The designation of a contact person and the name, address and  
25 telephone number of the contact person. The contact person is not  
26 required to be a proponent but must be authorized to address questions  
27 or issues relating to the proposed petition.

28 (e) Any other information deemed necessary by the Secretary of  
29 State.

30 3. During the period beginning on the date on which the proponent  
31 files the initial informational statement and ending on the date on which  
32 the proponent files a notice of termination of activities pursuant to  
33 subsection 4, the proponent shall file with the Secretary of State:

34 (a) An updated informational statement not later than 30 days after  
35 the date on which there is any change in the information contained in  
36 the most recently filed informational statement; and

37 (b) An annual informational statement not later than January 15  
38 after the end of each year, regardless of whether there is any change in  
39 the information contained in the most recently filed informational  
40 statement.

41 4. The provisions of subsection 3 apply to the proponent until the  
42 proponent files a notice of termination of activities with the Secretary of  
43 State on a form prescribed by the Secretary of State. The form for the  
44 notice must include, without limitation:

1 (a) A statement that the proponent has ceased all activities relating to  
2 the proposed petition or, if the proposed petition becomes a formalized  
3 petition, the formalized petition.

4 (b) Any other information deemed necessary by the Secretary of  
5 State.

6 5. Any form filed with the Secretary of State pursuant to this section  
7 must be signed by a proponent under an oath to God or penalty of  
8 perjury. A proponent who signs the form under an oath to God is subject  
9 to the same penalties as if the proponent had signed the form under  
10 penalty of perjury.

11 Sec. 4.5. 1. When the proponent files the proposed petition and  
12 informational statement with the Secretary of State pursuant to sections  
13 4 and 4.3 of this act, the Secretary of State shall assign to the proposed  
14 petition a title with an identifying number in substantially the following  
15 form, as applicable:

16 (a) "Proposed Initiative Petition No. ...."; or

17 (b) "Proposed Referendum Petition No. ....".

18 2. The title with the identifying number that is assigned to the  
19 proposed petition pursuant to this section must appear on each signature  
20 page of the proposed petition above the neutral summary. No title,  
21 description, caption, heading, slogan, word, term or phrase may appear  
22 on the proposed petition for the purpose of identifying the proposed  
23 petition other than the title with the identifying number that is assigned  
24 to the proposed petition pursuant to this section and the neutral  
25 summary.

26 3. Except as otherwise provided in subsection 4, the Secretary of  
27 State shall assign the title with the identifying number to the proposed  
28 petition in numerical sequence based on the date and time that the  
29 proposed petition and informational statement are filed with the  
30 Secretary of State during the current election cycle.

31 4. If, when the Secretary of State assigns the title with the  
32 identifying number to the proposed petition, the next number in the  
33 numerical sequence is already assigned to an initiative from the prior  
34 election cycle that proposes an amendment to the Nevada Constitution  
35 and will be resubmitted to the voters during the current election cycle  
36 under the same number pursuant to NRS 295.035, the Secretary of State  
37 shall not use that number but shall assign the next available number in  
38 the numerical sequence to the proposed petition.

39 5. After the Secretary of State assigns the title with the identifying  
40 number to the proposed petition, the Secretary of State shall use the  
41 same identifying number for the title of the formalized petition if it is  
42 filed with the Secretary of State pursuant to Section 1 or 2 of Article 19  
43 of the Nevada Constitution, as applicable, and NRS 295.015.

44 Sec. 5. 1. ~~Before a~~ After the proposed petition ~~is filed with the~~  
45 Secretary of State pursuant to section 4 of this act,] has been circulated

1 for signatures, the proposed petition is not effective for any purpose  
2 unless it is submitted for verification in the manner required by this  
3 section. If the proposed petition is not submitted for verification in the  
4 manner required by this section, the proposed petition is void, and any  
5 signatures collected on the proposed petition are not valid for any  
6 purpose.

7 2. To submit the proposed petition for verification, the proponent or  
8 a person acting on behalf of the proponent must submit to each county  
9 clerk for verification the document or documents of the proposed petition  
10 which were circulated for ~~signature~~ signatures within the clerk's  
11 county. The county clerk shall give the person submitting a document or  
12 documents a receipt stating the number of documents and pages and the  
13 statement of the person of the number of signatures contained therein.

14 ~~2.~~ 3. All documents of ~~the~~ the proposed petition which are  
15 submitted to a county clerk for verification must be submitted at the same  
16 time. If documents of ~~the~~ the proposed petition are submitted for  
17 verification to more than one county clerk, the documents must be  
18 submitted to each county clerk on the same day. At the time that the  
19 proposed petition is submitted to a county clerk for verification, the  
20 person submitting the document or documents shall designate a contact  
21 person who is authorized to address questions or issues relating to the  
22 proposed petition.

23 ~~3.~~ 4. The provisions of NRS 293.12758 to 293.12795, inclusive,  
24 that apply to the verification of a formalized petition ~~for an initiative or~~  
25 ~~referendum proposing a constitutional amendment or statewide~~  
26 ~~measure~~, other than the provisions relating to the petition districts, also  
27 apply to the verification of ~~the documents of the~~ a proposed petition,  
28 and any reference to a petition in those ~~sections to such a petition~~  
29 provisions of NRS shall be deemed to include a proposed petition.

30 5. The proponent may withdraw the proposed petition at any time  
31 before the proposed petition is submitted to the county clerks for  
32 verification pursuant to this section by filing a notice of withdrawal with  
33 the Secretary of State on a form prescribed by the Secretary of State. If  
34 the proponent files a notice of withdrawal, the proposed petition is void,  
35 and any signatures collected on the proposed petition are not valid for  
36 any purpose.

37 Sec. 6. 1. If ~~the~~ the proposed petition is in proper form and the  
38 certificates received by the Secretary of State from all the county clerks  
39 establish that the proposed petition has not less than the minimum  
40 number of signatures required ~~for each petition district,~~ by section 4 of  
41 this act, the Secretary of State shall ~~declare~~ issue a declaration of  
42 sufficiency that the proposed petition ~~to be~~ has a sufficient ~~and it shall~~  
43 ~~be deemed to have been filed with the Secretary of State for the purposes~~  
44 ~~of section 4 of this act as of the date of receipt by the Secretary of State~~

1 ~~of those certificates and the document or documents comprising the~~  
2 ~~proposed petition,} number of signatures.~~

3 2. ~~{The}~~ After issuing the declaration of sufficiency, the Secretary of  
4 State shall:

5 (a) ~~{Notify}~~ Send a notice to the proponent of the proposed petition  
6 ~~{and the Attorney General of}~~ that the {filing of} declaration of  
7 sufficiency has been issued for the proposed petition {and the declaration  
8 ~~of sufficiency, and}~~ and provide a copy of the declaration of sufficiency  
9 to the proponent;

10 (b) Transmit a copy of the notice, declaration of sufficiency and  
11 proposed petition to the Attorney General {;} and

12 (c) Post on the Internet website of the Secretary of State:

13 (1) The notice and declaration of sufficiency; and

14 (2) The date on which the notice was sent to the proponent by the  
15 Secretary of State.

16 3. A declaration of sufficiency issued by the Secretary of State  
17 pursuant to this section {}

18 ~~{(a) Does not bar the timely filing of}~~ is not subject to review in any  
19 judicial or administrative proceeding.

20 4. On or after the date on which the Secretary of State sends the  
21 notice to the proponent pursuant to subsection 2, any person who wants  
22 to bring a single-subject challenge against the proposed petition must file  
23 a complaint against the proponent pursuant to NRS 295.061 {that the  
24 ~~proposed petition embraces more than one subject. Any such claim that}~~  
25 within the time provided by that section. If a complaint is not filed within  
26 the time provided by NRS 295.061, any single-subject challenge is  
27 forever barred, both with respect to the proposed petition and {any} the  
28 formalized petition {for initiative or referendum thereafter placed on file}  
29 if it is filed with the Secretary of State {}

30 (b) ~~Except as otherwise provided in paragraph (a), is not subject to~~  
31 ~~review in any judicial or administrative proceeding.}~~ pursuant to Section  
32 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS  
33 295.015.

34 Sec. 6.5. 1. Not later than 5 working days after the date on which  
35 the Secretary of State sends the notice to the proponent that the  
36 declaration of sufficiency has been issued for the proposed petition  
37 pursuant to section 6 of this act, the proponent shall file with the  
38 Secretary of State, in the manner prescribed by the Secretary of State, the  
39 proponent's description of effect for the initiative or referendum.

40 2. The Secretary of State shall post on the Internet website of the  
41 Secretary of State:

42 (a) The proponent's description of effect; and

43 (b) The date on which the proponent's description of effect was filed  
44 with the Secretary of State.

1 3. If any person wants to object to the proponent's description of  
2 effect, the person must:  
3 (a) File the objections with the Secretary of State, in the manner  
4 prescribed by the Secretary of State, not later than 7 working days after  
5 the date on which the proponent filed the description of effect with the  
6 Secretary of State; and  
7 (b) Include with the objections:  
8 (1) An explanation of how the proponent's description of effect  
9 allegedly violates NRS 295.009; and  
10 (2) One or more revised or substitute versions of the description of  
11 effect that are drafted to remedy the alleged violations.  
12 4. If there are no objections filed to the proponent's description of  
13 effect within the period prescribed by subsection 3:  
14 (a) Any challenge to the description of effect is forever barred; and  
15 (b) The proposed petition becomes the formalized petition, except that  
16 the neutral summary must be replaced by the description of effect, and  
17 the proponent may file a copy of the formalized petition, including the  
18 description of effect, with the Secretary of State pursuant to Section 1 or  
19 2 of Article 19 of the Nevada Constitution, as applicable, and NRS  
20 295.015.  
21 5. If there are objections filed to the proponent's description of  
22 effect within the period prescribed by subsection 3, the proponent and the  
23 persons who timely filed objections may agree to meet and confer in good  
24 faith to negotiate a stipulated description of effect. If, within 5 working  
25 days after the end of the period prescribed by subsection 3, the parties  
26 have negotiated a stipulated description of effect:  
27 (a) The parties, not later than the first working day thereafter, shall  
28 notify the Secretary of State and the Attorney General, in the manner  
29 prescribed by those officers, that the parties have negotiated a stipulated  
30 description of effect and provide those officers with a copy of the  
31 stipulated description of effect;  
32 (b) Any challenge to the stipulated description of effect is forever  
33 barred; and  
34 (c) The proposed petition becomes the formalized petition, except that  
35 the neutral summary must be replaced by the description of effect, and  
36 the proponent may file a copy of the formalized petition, including the  
37 description of effect, with the Secretary of State pursuant to Section 1 or  
38 2 of Article 19 of the Nevada Constitution, as applicable, and NRS  
39 295.015.  
40 6. If, within 5 working days after the end of the period prescribed by  
41 subsection 3, the parties have not negotiated a stipulated description of  
42 effect, the parties, not later than the first working day thereafter, shall  
43 notify the Secretary of State and the Attorney General, in the manner  
44 prescribed by those officers, that the parties have not negotiated a  
45 stipulated description of effect.



1 7. If the parties notify the Attorney General that they have not  
2 negotiated a stipulated description of effect or if they fail to provide that  
3 notice within the period prescribed by subsection 6, the Attorney  
4 General, not later than 5 working days thereafter, shall file a complaint  
5 in the First Judicial District Court naming the proponent as the  
6 defendant and asking for a declaratory judgment regarding whether the  
7 proponent's description of effect violates NRS 295.009. The Attorney  
8 General may serve the complaint on the proponent by certified mail, or  
9 with the consent of the proponent, by electronic mail, and is not required  
10 to serve the proponent personally. The State and any officer or employee  
11 thereof may not be assessed or held liable in the proceeding for any  
12 attorney's fees or other fees, costs or expenses of any other parties.

13 8. If a person filed objections with the Secretary of State within the  
14 period prescribed by subsection 3, the person has an unconditional right  
15 and standing to intervene as a party in the proceeding for a declaratory  
16 judgment if the person files a motion to intervene not later than 5  
17 working days after the Attorney General files the complaint. The motion  
18 to intervene must be accompanied by a memorandum of points and  
19 authorities and all affidavits and documents in support of the person's  
20 objections. A person may not intervene as a party in the proceeding if the  
21 person:

22 (a) Failed to file objections with the Secretary of State within the  
23 period prescribed by subsection 3; or

24 (b) Filed objections with the Secretary of State within the period  
25 prescribed by subsection 3 but failed to file a motion to intervene within  
26 the period prescribed by this subsection.

27 9. Unless otherwise ordered by the district court or stipulated by the  
28 parties, the district court:

29 (a) Shall set the matter for hearing not later than 7 working days  
30 after the complaint is filed;

31 (b) Shall conduct the hearing not later than 21 working days after  
32 the complaint is filed;

33 (c) Shall give priority to the matter over all other matters pending  
34 with the district court, except for criminal proceedings; and

35 (d) Shall not consolidate the hearing with any single-subject  
36 challenge regarding the proposed petition.

37 10. The district court shall enter a judgment or order that approves  
38 or revises the proponent's description of effect. A party who is aggrieved  
39 by the district court's judgment or order may appeal from that judgment  
40 or order by filing a notice of appeal with the district court clerk not later  
41 than 10 working days after the date that written notice of entry of the  
42 judgment or order appealed from is served.

43 11. After the district court enters its judgment or order:

44 (a) If no appeal is taken, any challenge to the approved or revised  
45 description of effect is forever barred and the proposed petition becomes

1 the formalized petition, except that the neutral summary must be  
2 replaced by the description of effect, and the proponent may file a copy  
3 of the formalized petition, including the description of effect, with the  
4 Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada  
5 Constitution, as applicable, and NRS 295.015.

6 (b) If an appeal is taken, the proponent may treat the proposed  
7 petition as the formalized petition, except that the neutral summary must  
8 be replaced by the description of effect, and the proponent may file a  
9 copy of the formalized petition, including the description of effect, with  
10 the Secretary of State pursuant to Section 1 or 2 of Article 19 of the  
11 Nevada Constitution, as applicable, and NRS 295.015, but the formalized  
12 petition is subject to any judgment or order of the appellate court or  
13 district court as a result of the appeal.

14 12. The provisions of this section provide the exclusive means to  
15 challenge the proponent's description of effect, and no judicial or  
16 administrative proceeding may be commenced to challenge the  
17 proponent's description of effect other than by a complaint for a  
18 declaratory judgment filed by the Attorney General in the First Judicial  
19 District Court pursuant to this section.

20 ~~Sec. 7. 1. After receiving notice of the filing of a proposed~~  
21 ~~petition from the Secretary of State pursuant to section 6 of this act, the~~  
22 ~~Attorney General or his or her designee shall prepare a title and~~  
23 ~~description of effect for the proposed petition in accordance with this~~  
24 ~~section and sections 8 and 9 of this act. Subject to judicial review, the~~  
25 ~~title and description of effect adopted for the proposed petition by the~~  
26 ~~Attorney General must be used on the petition for initiative or~~  
27 ~~referendum thereafter placed on file with the Secretary of State.~~

28 ~~2. Not later than 3 business days after receiving the notice described~~  
29 ~~in subsection 1 or, if a complaint has been filed with respect to the~~  
30 ~~proposed petition pursuant to NRS 295.061, not later than 3 business~~  
31 ~~days after receiving written notice of the entry of an order of the district~~  
32 ~~court dismissing the complaint, whichever is later, the Attorney General~~  
33 ~~or his or her designee shall cause to be posted on the Internet website of~~  
34 ~~the Attorney General and served upon the proponent of the proposed~~  
35 ~~petition a notice:~~

- 36 ~~—(a) Containing the summary and text of the proposed petition;~~  
37 ~~—(b) Reciting that the Attorney General is required by law to prepare a~~  
38 ~~title and description of effect for the proposed petition after receiving~~  
39 ~~public comment and conducting a public hearing;~~  
40 ~~—(c) Soliciting written comments from any interested person~~  
41 ~~concerning the title and description of effect for the proposed petition~~  
42 ~~and setting forth the deadline for the submission of comments; and~~  
43 ~~—(d) Setting forth the date, time and place of the public hearing~~  
44 ~~required by section 8 of this act.~~

1 ~~3. The Attorney General or his or her designee shall accept written~~  
2 ~~comments concerning the title and description of effect for the proposed~~  
3 ~~petition for 10 business days after the posting of the notice required by~~  
4 ~~subsection 2.~~

5 ~~4. Not more than 5 business days after the close of the period of~~  
6 ~~public comment, the Attorney General or his or her designee shall~~  
7 ~~prepare a proposed title and description of effect for the proposed~~  
8 ~~petition. The proposed title must set forth, in not more than 15 words, the~~  
9 ~~general nature of the proposed petition. The proposed description of~~  
10 ~~effect must set forth, in not more than 250 words, a straightforward,~~  
11 ~~succinct and nonargumentative statement of what the proposed petition~~  
12 ~~is intended to accomplish and how it will achieve those goals, to the~~  
13 ~~extent that such information can reasonably be determined from the text~~  
14 ~~of the proposed petition and any matters of which the Attorney General~~  
15 ~~or his or her designee may properly take official notice. The proposed~~  
16 ~~description of effect must not be deceptive or misleading, but need not be~~  
17 ~~an accurate forecast of all of the potential or hypothetical effects of the~~  
18 ~~proposed petition. If a proposed petition proposes to create, generate,~~  
19 ~~increase or provide for the expenditure of any public revenue in any~~  
20 ~~form, the proposed title and description of effect must identify the~~  
21 ~~manner in which such revenue is proposed to be created, generated,~~  
22 ~~increased or expended, as applicable.~~

23 ~~5. Not less than 3 business days but not more than 10 business days~~  
24 ~~before the public hearing required by section 8 of this act, the Attorney~~  
25 ~~General or his or her designee shall cause copies of the proposed title~~  
26 ~~and description of effect to be posted on the Internet website of the~~  
27 ~~Attorney General and give notice of the posting to the proponent of the~~  
28 ~~proposed petition.] (Deleted by amendment.)~~

29 ~~Sec. 8. [1. Not less than 30 but not more than 40 calendar days~~  
30 ~~after the date of the posting required by subsection 2 of section 7 of this~~  
31 ~~act, the Attorney General or his or her designee shall conduct a public~~  
32 ~~hearing on the proposed title and description of effect prepared for the~~  
33 ~~proposed petition.~~

34 ~~2. At the hearing, the proponent of the proposed petition and any~~  
35 ~~person interested in the proposed petition may appear, personally or by~~  
36 ~~counsel, and present arguments and evidence relating to the proposed~~  
37 ~~title and description of effect and their compliance or lack of compliance~~  
38 ~~with the requirements of subsection 4 of section 7 of this act.~~

39 ~~3. The rules of evidence are not applicable to the hearing. The~~  
40 ~~Attorney General or his or her designee may, with or without prior~~  
41 ~~notice, limit the presentation of arguments or evidence as necessary to~~  
42 ~~expedite the conduct of the hearing.] (Deleted by amendment.)~~

43 ~~Sec. 9. [1. Not later than 5 business days after the close of the~~  
44 ~~hearing required by section 8 of this act, the Attorney General or his or~~  
45 ~~her designee shall:~~

1 ~~=(a) Adopt the final title and description of effect for the proposed~~  
2 ~~petition;~~

3 ~~=(b) Cause copies of the final title and description of effect to be~~  
4 ~~posted on the Internet website of the Attorney General and give notice of~~  
5 ~~the posting to the proponent of the proposed petition and any other~~  
6 ~~person who appeared at the hearing;~~

7 ~~=(c) Notify the Secretary of State of the adoption of the final title and~~  
8 ~~description of effect; and~~

9 ~~=(d) Provide the Secretary of State with the text of the final title and~~  
10 ~~description of effect.~~

11 ~~=2. Before the petition for initiative or referendum may be presented~~  
12 ~~to the voters for their signatures, the proponent of the petition shall~~  
13 ~~revise the proposed petition to incorporate the final title and description~~  
14 ~~of effect adopted by the Attorney General and place a copy of the revised~~  
15 ~~petition on file with the Secretary of State pursuant to Section 1 or 2 of~~  
16 ~~Article 19 of the Nevada Constitution and NRS 295.015.~~

17 ~~=3. Any person aggrieved by the action of the Attorney General or his~~  
18 ~~or her designee in adopting the final title and description of effect may~~  
19 ~~seek judicial review in the manner provided by chapter 233B of NRS. If~~  
20 ~~the final title or description of effect is challenged successfully on~~  
21 ~~judicial review and the title or description of effect, as applicable, is~~  
22 ~~amended in compliance with the order of the court, the amended title or~~  
23 ~~description of effect may not be challenged. (Deleted by amendment.)~~

24 **Sec. 10. 1. The Secretary of State shall:**

25 ~~{1}~~ (a) Prepare a handbook for ~~petition~~ proponents and circulators  
26 of statewide petitions setting forth the requirements of statute and  
27 regulation that govern the proposal and circulation of ~~a petition for an~~  
28 initiative or referendum; proposed and formalized petitions; and

29 ~~{2}~~ (b) Post a copy of the handbook on the Internet website of the  
30 Secretary of State in a form suitable for downloading and printing.

31 **2. The handbook prepared by the Secretary of State:**

32 (a) Is intended as a general reference document to provide  
33 proponents and circulators of statewide petitions with general  
34 information only;

35 (b) Does not have the force and effect of law; and

36 (c) May not reasonably or justifiably be used or relied on by any  
37 proponent or circulator as a substitute for carefully reading and  
38 understanding the most recently enacted or adopted requirements of  
39 statute and regulation that govern the proposal and circulation of  
40 proposed and formalized petitions.

41 **Sec. 11. ~~{1. Before presenting a petition for initiative or~~**  
42 ~~referendum to the registered voters for their signatures, the proponent of~~  
43 ~~the petition shall file with the Secretary of State a list of all persons who~~  
44 ~~will be paid to circulate the petition. The list must include the full name~~  
45 ~~of each such person and the contact information required by NRS~~

1 ~~295.0575. The proponent shall file a current list of such circulators with~~  
2 ~~the Secretary of State on or before the fifth day of each month following~~  
3 ~~the initial filing until the petition is presented to the county clerks for~~  
4 ~~verification.~~

5 ~~2. If the handbook required by section 10 of this act is available, the~~  
6 ~~proponent of the petition shall provide a copy of the handbook to each~~  
7 ~~person who is paid to circulate the petition.~~

8 ~~3. Any person who is paid to circulate the petition shall identify~~  
9 ~~himself or herself as a paid circulator upon presenting a petition~~  
10 ~~document for signature to a prospective signer of the petition.] (Deleted~~  
11 ~~by amendment.)~~

12 Sec. 11.5. 1. For the purposes of Section 2 of Article 19 of the  
13 Nevada Constitution, if an initiative proposes a statute or an amendment  
14 to a statute, the Legislature shall be deemed to have proposed a different  
15 measure on the same subject as the initiative if the Legislature proposes  
16 a measure for submission to the voters that:

17 (a) Has a purpose which is the same as or similar to the purpose of  
18 the initiative but uses different means to accomplish that purpose;

19 (b) Relates to the subject or purpose of the initiative but contains one  
20 or more provisions that conflict in substance with one or more provisions  
21 of the initiative; or

22 (c) Prohibits or otherwise prevents the purpose of the initiative from  
23 being accomplished.

24 2. The provisions of subsection 1:

25 (a) Are intended to be illustrative;

26 (b) Are not intended to be exhaustive or exclusive; and

27 (c) Must not be interpreted as a limitation on the Legislature's power  
28 to propose a different measure on the same subject as an initiative in  
29 accordance with the Nevada Constitution.

30 3. If the Legislature proposes a different measure on the same  
31 subject as an initiative in accordance with the Nevada Constitution, the  
32 Secretary of State shall submit the Legislature's measure and the  
33 initiative to the voters at the next succeeding general election in the  
34 manner prescribed by NRS 293.267.

35 Sec. 12. NRS 295.009 is hereby amended to read as follows:

36 295.009 1. Each statewide or local petition for initiative or  
37 referendum must:

38 (a) Embrace but one subject and matters necessarily [directly]  
39 connected therewith [and] and pertaining thereto; and

40 (b) [Set] Except as otherwise provided in section 4 of this act, set  
41 forth, in not more than 200 words, a description of the effect of the  
42 initiative or referendum if the initiative or referendum is approved by the  
43 voters. The description must appear on each signature page of the petition .

44 ~~[the title and description of effect adopted by the Attorney General~~  
45 ~~pursuant to sections 7, 8 and 9 of this act.]~~

1 2. For the purposes of paragraph (a) of subsection 1, ~~f, a~~ :

2 (a) A petition for initiative or referendum embraces but one subject and  
3 matters necessarily ~~directly~~ connected therewith and pertaining thereto, if  
4 the parts of the proposed initiative or referendum are functionally related  
5 and germane to each other in a way that provides sufficient notice of the  
6 general subject of, and of the interests likely to be affected by, the  
7 proposed initiative or referendum ~~may logically be viewed as having a~~  
8 natural relation to a single dominant plan or scheme. ; and

9 (b) If a petition for initiative proposes to create, generate or increase  
10 any public revenue in any form, each part of the proposed initiative that  
11 makes an appropriation or otherwise requires the expenditure of the  
12 money raised by the proposed initiative must be functionally related and  
13 germane to each other in a way that each such appropriation or  
14 expenditure is necessarily connected with and pertinent to achieving,  
15 advancing or implementing only the single purpose of the proposed  
16 initiative and no other purpose.

17 **Sec. 13.** NRS 295.012 is hereby amended to read as follows:

18 295.012 The number of registered voters required pursuant to ~~f~~  
19 ~~1~~ Section 1 or 2 of Article 19 of the Nevada Constitution, as  
20 applicable, to propose a statewide petition ~~for initiative or referendum, or~~  
21 ~~2. Section 4 of this act for~~, other than a proposed petition,  
22 ~~f~~ must be apportioned equally among the petition districts, and the  
23 number of signatures required from each petition district must be equal.

24 **Sec. 14.** NRS 295.015 is hereby amended to read as follows:

25 295.015 1. Before the proponent of a statewide petition ~~for~~  
26 initiative or referendum may ~~be presented~~ begin to circulate the petition  
27 to the registered voters for their signatures ~~f, a~~ pursuant to Section 1 or 2  
28 of Article 19 of the Nevada Constitution, as applicable:

29 (a) The petition must become a formalized petition pursuant to NRS  
30 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this  
31 act; and

32 (b) The proponent must file a copy of the formalized petition, ~~for~~  
33 initiative or referendum, including the ~~title and~~ description of effect,  
34 ~~required pursuant to by NRS 295.009, must be placed on file~~ with the  
35 Secretary of State ~~f~~ not earlier than the first day on which such filing is  
36 permitted by Section 1 or 2 of Article 19 of the Nevada Constitution, as  
37 applicable.

38 2. If the proponent properly files the formalized petition with the  
39 Secretary of State, the Secretary of State shall assign to the formalized  
40 petition a title with the same identifying number assigned to the proposed  
41 petition pursuant to section 4.5 of this act in substantially the following  
42 form, as applicable:

43 (a) "Initiative Petition No. ...."; or

44 (b) "Referendum Petition No. ....".

1 3. The title with the identifying number that is assigned to the  
2 formalized petition pursuant to this section must appear on each  
3 signature page of the formalized petition above the description of effect.  
4 No title, description, caption, heading, slogan, word, term or phrase may  
5 appear on the formalized petition for the purpose of identifying the  
6 formalized petition other than the title with the identifying number that is  
7 assigned to the formalized petition pursuant to this section and the  
8 description of effect.

9 4. The proponent may not circulate a copy of the formalized petition  
10 that is different in any way from the copy of the formalized petition,  
11 including the description of effect, filed with the Secretary of State, and  
12 any signatures collected on a copy of the formalized petition that is  
13 different in any way from the filed copy are not valid for any purpose.

14 5. The formalized petition, including the description of effect, may  
15 not be amended, changed or revised in any way after it is filed with the  
16 Secretary of State. If ~~the~~ the proponent wants to amend, change or revise  
17 the formalized petition ~~for initiative or referendum or a the title or~~ ,  
18 including the description of ~~the~~ effect ~~of an the initiative or referendum~~  
19 ~~required pursuant to by NRS 295.009 is amended~~ , in any way after ~~the~~  
20 petition it is ~~placed on file~~ filed with the Secretary of State ~~pursuant to~~  
21 subsection 1:

22 ~~—(a) The revised petition must be placed on file with the Secretary of~~  
23 ~~State before it is presented to the registered voters for their signatures;~~

24 ~~—(b) Any~~ , the proponent must file another proposed petition pursuant  
25 to section 4 of this act, and any signatures ~~that were~~ collected on the  
26 ~~original~~ formalized petition ~~before it was amended~~ are not valid ~~;~~ and

27 ~~—(c) The requirements for submission of the petition to each county~~  
28 ~~clerk set forth in NRS 295.056 apply to the revised petition.~~

29 ~~3. Upon receipt of a~~ for the purposes of collecting signatures for  
30 any subsequent petition.

31 6. After the proponent files the formalized petition ~~for initiative or~~  
32 ~~referendum placed on file pursuant to subsection 1 or 2:~~

33 ~~—(a) The~~ with the Secretary of State, the Secretary of State shall  
34 consult with the Fiscal Analysis Division of the Legislative Counsel  
35 Bureau to determine ~~if~~ whether the initiative or referendum in the  
36 formalized petition may have any anticipated financial effect on the State  
37 or local governments if the initiative or referendum is approved by the  
38 voters. If the Fiscal Analysis Division determines that the initiative or  
39 referendum may have an anticipated financial effect on the State or local  
40 governments if the initiative or referendum is approved by the voters, the  
41 Fiscal Analysis Division ~~must~~ shall prepare a fiscal note that includes an  
42 explanation of ~~any such~~ the anticipated financial effect.

43 ~~—(b) The Secretary of State shall consult with the Legislative Counsel~~  
44 ~~regarding the petition for initiative or referendum. The Legislative Counsel~~

1 ~~may provide technical suggestions regarding the petition for initiative or~~  
2 ~~referendum.~~

3 ~~4.~~ 7. Not later than 10 ~~{business}~~ working days after the proponent  
4 files the formalized petition with the Secretary of State, ~~{receives a~~  
5 ~~petition for initiative or referendum filed pursuant to subsection 1 or 2,}~~ the  
6 Secretary of State shall post on the Internet website of the Secretary of  
7 State a copy of ~~{the}~~ ;

8 (a) The formalized petition, including the ~~{title and}~~ description of of  
9 effect ~~{required pursuant to by NRS 295.009, any}~~ ; and

10 (b) Any fiscal note prepared by the Fiscal Analysis Division pursuant  
11 to ~~{subsection 3 and any suggestions made by the Legislative Counsel~~  
12 ~~pursuant to subsection 3, on the Secretary of State's Internet website,}~~ this  
13 section.

14 Sec. 14.1. NRS 295.035 is hereby amended to read as follows:

15 295.035 If ~~{the}~~ an initiative ~~{petition}~~ that proposes an amendment  
16 to the Nevada Constitution ~~{}~~ is approved by the voters when it is  
17 submitted for the first time at a general election pursuant to Section 2 of  
18 Article 19 of the Nevada Constitution, the Secretary of State, in  
19 resubmitting the initiative to the voters, ~~{the Secretary of State}~~ at the next  
20 succeeding general election, shall use the same identifying number or  
21 other identification used for the first submission.

22 Sec. 14.2. NRS 295.045 is hereby amended to read as follows:

23 295.045 1. A statewide petition for referendum must be filed with  
24 the Secretary of State not less than 120 days before the date of the next  
25 succeeding general election.

26 2. The Secretary of State shall certify the questions to the county  
27 clerks, and they shall publish them in accordance with the provisions of  
28 law requiring county clerks to publish questions and proposed  
29 constitutional amendments which are to be submitted for popular vote.

30 3. The title of the statute or resolution must be set out on the ballot,  
31 and the question printed upon the ballot for the information of the voters  
32 must be as follows: "Shall the statute (setting out its title) be approved?"

33 4. Where a mechanical voting system is used, the title of the statute  
34 must appear on the list of offices and candidates and the statements of  
35 measures to be voted on and may be condensed to no more than 25 words.

36 5. The votes cast upon the question must be counted and canvassed as  
37 the votes for state officers are counted and canvassed.

38 Sec. 14.3. NRS 295.055 is hereby amended to read as follows:

39 295.055 1. The Secretary of State shall by regulation specify:

40 (a) The format for the signatures on a statewide petition ~~{for an~~  
41 ~~initiative or referendum}~~ and make free specimens of the format available  
42 upon request. The regulations must ensure that the format includes,  
43 without limitation, that:

44 (1) In addition to signing the petition, a person who signs ~~{a}~~ the  
45 petition:



1 (I) Shall print the person’s given name followed by the person’s  
2 surname on the petition before the person’s signature; and

3 (II) Must indicate the petition district in which the person  
4 resides, if known.

5 (2) Each signature must be dated.

6 (b) The manner of fastening together several sheets circulated by one  
7 person to constitute a single document.

8 2. The registered voter may consult the list of the registered voters in  
9 this State posted on the website maintained by the Secretary of State  
10 pursuant to subsection 1 of NRS 293.4687 to determine the petition district  
11 in which the registered voter resides. The registered voter may rely on the  
12 information contained in the list when the registered voter indicates the  
13 appropriate petition district, unless the registered voter believes that the  
14 information is inaccurate.

15 3. Each document of the petition must bear the name of a petition  
16 district, and only registered voters of that petition district may sign the  
17 document.

18 4. A person who signs a petition may request that the county clerk  
19 remove the person’s name from the petition by transmitting a request in  
20 writing to the county clerk at any time before the petition is filed with the  
21 county clerk ~~+~~ pursuant to NRS 295.056 or section 5 of this act, as  
22 applicable.

23 Sec. 14.4. NRS 295.056 is hereby amended to read as follows:  
24 295.056 1. ~~{Before}~~ After a formalized petition ~~{for initiative or~~  
25 ~~referendum is filed with the Secretary of State, the petitioners} has been~~  
26 ~~circulated for signatures, the formalized petition is not effective for any~~  
27 ~~purpose unless it is submitted for verification in the manner required by~~  
28 ~~this section. If the formalized petition is not submitted for verification in~~  
29 ~~the manner required by this section, the formalized petition is void, and~~  
30 ~~any signatures collected on the formalized petition are not valid for any~~  
31 purpose.

32 2. To submit the formalized petition for verification, the proponent  
33 or a person acting on behalf of the proponent must submit to each county  
34 clerk for verification pursuant to NRS 293.1276 to 293.1279, inclusive, the  
35 document or documents which were circulated for ~~{signature}~~ signatures  
36 within the clerk’s county. The clerks shall give the person submitting a  
37 document or documents a receipt stating the number of documents and  
38 pages and the person’s statement of the number of signatures contained  
39 therein.

40 ~~{2}~~ 3. If ~~{a}~~ the formalized petition ~~{for}~~ is an initiative that proposes  
41 a statute or an amendment to a statute, the document or documents must be  
42 submitted not later than the second Tuesday in November of an even-  
43 numbered year.

44 ~~{3}~~ 4. If ~~{a}~~ the formalized petition ~~{for}~~ is an initiative that proposes  
45 an amendment to the Nevada Constitution, the document or documents

1 must be submitted not later than the third Tuesday in June of an even-  
2 numbered year.

3 ~~[4.]~~ 5. If the *formalized* petition is ~~for~~ a referendum, the document  
4 or documents must be submitted not later than the third Tuesday in June of  
5 an even-numbered year.

6 ~~[5.]~~ 6. All documents which are submitted to a county clerk for  
7 verification must be submitted at the same time. If documents concerning  
8 the same petition are submitted for verification to more than one county  
9 clerk, the documents must be submitted to each county clerk on the same  
10 day. At the time that the petition is submitted to a county clerk for  
11 verification, the ~~[petitioners may]~~ person submitting the document or  
12 documents shall designate a contact person who is authorized ~~[by the~~  
13 ~~petitioners]~~ to address questions or issues relating to the petition.

14 7. The proponent may withdraw the formalized petition at any time  
15 before the formalized petition is submitted to the county clerks for  
16 verification pursuant to this section by filing a notice of withdrawal with  
17 the Secretary of State on a form prescribed by the Secretary of State. If  
18 the proponent files a notice of withdrawal, the formalized petition is void,  
19 and any signatures collected on the formalized petition are not valid for  
20 any purpose.

21 Sec. 14.5. NRS 295.0575 is hereby amended to read as follows:

22 295.0575 A statewide petition ~~[for a constitutional amendment or a~~  
23 ~~petition for a statewide measure proposed by an initiative or referendum]~~  
24 may consist of more than one document. Each document of ~~it~~ the petition  
25 must have attached to it when submitted an affidavit executed by the  
26 circulator thereof stating:

- 27 1. That the circulator personally circulated the document.
- 28 2. The contact information of the circulator, including, without  
29 limitation, the street address of the residence where the circulator actually  
30 resides, unless a street address has not been assigned. If a street address  
31 has not been assigned, the document must contain the mailing address of  
32 the circulator.
- 33 3. That the circulator is 18 years of age or older.
- 34 4. The number of signatures thereon.
- 35 5. That all the signatures were affixed in the circulator's presence.
- 36 6. That each signer had an opportunity before signing to read the full  
37 text of the ~~[act or resolution]~~ measure on which the initiative or  
38 referendum is demanded.

39 Sec. 14.6. NRS 295.0585 is hereby amended to read as follows:

40 295.0585 After a statewide petition ~~[for a constitutional amendment~~  
41 ~~or a petition for a statewide measure proposed by an initiative or~~  
42 ~~referendum]~~ is submitted for signature verification to the county clerk, the  
43 county clerk shall make true and correct copies of all the documents of the  
44 petition and signatures thereon and shall make such copies and signatures  
45 available to the public for a period of not less than 14 days.

1 **Sec. 15.** NRS 295.061 is hereby amended to read as follows:

2 295.061 1. ~~Except as otherwise provided in subsection 3, whether~~  
3 ~~Whether an initiative or referendum embraces but one subject and matters~~  
4 ~~necessarily directly connected therewith and pertaining thereto, and the~~  
5 ~~description of the effect of an initiative or referendum required pursuant to~~  
6 ~~NRS 295.009, may be challenged by filing.~~ If any person wants to bring a  
7 single-subject challenge against a statewide petition, the person must file  
8 a complaint against the proponent of the petition in the First Judicial  
9 District Court not later than 15 working days ~~[, Saturdays, Sundays and~~  
10 ~~holidays excluded.]~~ after ~~[a copy of the petition is placed on file with~~  
11 ~~notice of the filing of the proposed petition is given by.]~~ the date on which  
12 the Secretary of State sends the notice to the proponent that the  
13 declaration of sufficiency has been issued for the proposed petition  
14 pursuant to ~~[NRS 295.015, subsection 2 of]~~ section 6 of this act. ~~[All]~~

15 2. If a complaint is filed pursuant to subsection 1, the plaintiff shall  
16 file all affidavits and documents in support of the challenge ~~[must be filed]~~  
17 with the complaint. Not later than 3 working days after the filing of the  
18 complaint, ~~[Saturdays, Sundays and holidays excluded,]~~ the plaintiff  
19 shall cause a copy of the complaint and all supporting affidavits and  
20 other documents to be served upon ~~[the]~~ :

21 (a) The proponent; and

22 (b) The Secretary of State and the Attorney General ~~[and the~~  
23 ~~proponent of the proposed petition. The]~~ who are entitled to be heard in  
24 the proceeding but who may not be made a party to the proceeding  
25 unless either officer intervenes as a party. Whether or not either officer  
26 intervenes as a party, the State and any officer or employee thereof may  
27 not be assessed or held liable in the proceeding for any attorney's fees or  
28 other fees, costs or expenses of any other parties.

29 3. Unless otherwise ordered by the court or stipulated by the parties,  
30 the court shall ~~[set]~~ :

31 (a) Set the matter for hearing not later than ~~[15]~~ 7 working days after  
32 the complaint is filed ~~[, conduct]~~ :

33 (b) Conduct the hearing not later than 21 working days after the  
34 complaint is filed; and ~~[shall give]~~

35 (c) Give priority to ~~[such a complaint]~~ the matter over all other matters  
36 pending with the court, except for criminal proceedings.

37 4. The court, or any party at the direction of the court, shall  
38 promptly give written notice to the Secretary of State and Attorney  
39 General of the entry of each order or judgment entered in the  
40 proceeding.

41 ~~[2.]~~ 5. The ~~[legal sufficiency]~~ provisions of subsections 1 to 4,  
42 inclusive, provide the exclusive means to bring a single-subject challenge  
43 against a statewide petition, and no judicial or administrative proceeding  
44 may be commenced to bring such a challenge other than by a complaint

1 filed in the First Judicial District Court pursuant to subsections 1 to 4,  
2 inclusive.

3 6. If any person wants to challenge:

4 (a) A determination by the Secretary of State pursuant to NRS  
5 293.1276 to 293.1279, inclusive, that a statewide petition ~~{for initiative or~~  
6 ~~referendum may be challenged by filing}, other than a proposed petition,~~  
7 has a sufficient number of signatures; or

8 (b) The validity of a statewide petition, other than a proposed  
9 petition, based on any other issue that:

10 (1) May be raised in a preelection challenge;

11 (2) Has not been decided on the merits in a prior proceeding with  
12 regard to that petition; and

13 (3) Is not expressly barred from being challenged by the  
14 provisions of NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5,  
15 inclusive, of this act,

16 ↳ the person must file a complaint against the proponent of the petition  
17 and the Secretary of State in ~~{district court}~~ the First Judicial District  
18 Court not later than 7 working days ~~{, Saturdays, Sundays and holidays~~  
19 ~~excluded}, after the date on which the Secretary of State certifies that the~~  
20 petition ~~{is certified as}~~ has a sufficient ~~{by the Secretary of State. All}~~  
21 number of signatures.

22 7. If a complaint is filed pursuant to subsection 6, the plaintiff shall  
23 file all affidavits and documents in support of the challenge ~~{must be filed}~~  
24 with the complaint.

25 8. The State and any officer or employee thereof may not be  
26 assessed or held liable in the proceeding for any attorney's fees or other  
27 fees, costs or expenses of any other parties.

28 9. Unless otherwise ordered by the court or stipulated by the parties,  
29 the court shall ~~{set}~~ :

30 (a) Set the matter for hearing not later than 15 working days after the  
31 complaint is filed ; and ~~{shall give}~~

32 (b) Give priority to ~~{such a complaint}~~ the matter over all other matters  
33 pending with the court, except for criminal proceedings.

34 ~~{3. If a description of the effect of an initiative or referendum required~~  
35 ~~pursuant to NRS 295.009 is challenged successfully pursuant to subsection~~  
36 ~~1 and such description is amended in compliance with the order of the~~  
37 ~~court, the amended description may not be challenged.}~~

38 10. The provisions of subsections 6 to 9, inclusive, provide the  
39 exclusive means to bring a challenge described in those provisions  
40 against a statewide petition, and no judicial or administrative proceeding  
41 may be commenced to bring such a challenge other than by a complaint  
42 filed in the First Judicial District Court pursuant to subsections 6 to 9,  
43 inclusive.

44 Sec. 15.5. NRS 295.300 is hereby amended to read as follows:

1 295.300 A person shall not give compensation of any kind to any  
2 person in exchange for signing a statewide or local petition for initiative or  
3 referendum.

4 **Sec. 16.** The provisions of NRS 354.599 do not apply to any  
5 additional expenses of a local government that are related to the provisions  
6 of this act.

7 **Sec. 17.** This act becomes effective on July 1, 2015.  
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