

PROPOSED AMENDMENT TO AB246 (Language Access Bill)

Proposed By: All Voting Is Local & One APIA Nevada

Summary of Changes/Purpose: Bill phases scope of implementation, increase the threshold of determination, transfer from counties to SOS, and makes changes

EXPLANATION: Matter in (1) *bolded 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;

Sec. 5. 1. *The Secretary of State shall ensure that voting materials including EASE, and other elections information that is posted on the Internet website of the Office of the Secretary of State is available on such website in any language as required by the counties within the state, Amharic, English, Korean, Mandarin, Shoshone, Spanish, Tagalog, Thai and Vietnamese and any language in which voting materials are required to be prepared pursuant to 52 U.S.C. § 10503. If any such language does not have a standard writing system, the information required to be posted must be set forth in an audio recording in the language. The Secretary of State shall use a translator who is certified in the specific language to translate the information required pursuant to this subsection. . If a translator and one cannot be found or is not available, the Secretary of State shall continue their efforts until once is found or arrangements can be made with the local community of the required language.*

3. ~~The Secretary of State and each county clerk and city clerk shall, on an annual~~ a biennial basis, on or before January 1stst of odd numbered years, review data on persons who are members of a minority group and are of limited-English proficiency in the State, county or city, as applicable and notify the county clerk, Registrar of city clerk of any new language translation requirements to their jurisdiction. In addition to the requirements set forth in subsections 1 and 2, i f, based on such data:

(a) ~~The Secretary of State finds that there are at least 5,000 1,400 registered voters~~ voting age citizens in this State who are members of a minority group and are of limited-English proficiency based on the data available at the time of the review such as the United States Bureau of the Census American Community Survey either Yearly Estimates or 5 Year Estimates, and language of preference data collected by the Secretary of State, the Secretary of State shall ensure that voting materials including EASE, and other elections information that are posted on the Internet website of the Office of the Secretary of State are available in the language or languages of the minority group. If any such language does not have a standard writing system, the information required to be posted or made available must be set forth in an audio recording in the language. The Secretary of State shall use a translator ~~who is certified~~ in the specific language to translate the information required pursuant to this subsection . If a translator cannot be found or is not available, the Secretary of State shall continue their efforts until once is found or arrangements can be made with the local community of the required language.

Once the state reaches at least 20,000 voting age citizens who speak a single language and are members of a minority group and are of limited-English proficiency based on the data available at the time of the review such as the United States Bureau of the Census American Community Survey either Yearly Estimates or 5 Year Estimates, and

language of preference data collected by the Secretary of State should direct and work with county clerks and registrars to offer sample ballots, in person voting, and mail-in ballots in that given language. The Secretary of State will provide all funding for any single language that meets this threshold.

(3) The county clerk ~~of~~ or the Registrar of Voters:

(1) A county whose population is 100,000 or more finds that there are at least ~~1,400 registered voters~~ 5,000 voting age citizens in the county who are members of a minority group and are of limited-English proficiency based on the United States Bureau of the Census American Community Survey 5 Year Estimates and language of preference data collected by the Secretary of State, the county clerk shall ensure that written voting materials and other written elections information that are required to be posted or made available at a polling place or on the Internet website of the county clerk are posted or available in the language or languages of the minority group. If any such language does not have a standard writing system, the information required to be posted or made available must be set forth in an audio recording in the language. The county clerk shall use a translator ~~who is certified~~ in the specific language to translate the information required pursuant to this subparagraph. If a translator cannot be found or is not available, the Secretary of State shall continue their efforts until once is found or arrangements can be made with the local community of the required language.

(2) A county whose population is less than 100,000, finds that there are at least ~~500 registered voters~~ in the county who are members of a minority group and are of limited-English proficiency, the county clerk shall ensure that voting materials and other elections information that are required to be posted or made available at a polling place or on the Internet website of the county clerk are posted or available in the language or languages of the

~~minority group. If any such language does not have a standard writing system, the information required to be posted or made available must be set forth in an audio recording in the language. The county clerk shall use a translator who is certified in the specific language to translate the information required pursuant to this subparagraph~~

(c) ~~The city clerk of a city in:~~

(1) ~~Where the Secretary of State —county whose population is 100,000 or more finds that there are at least 1,400 registered voters~~ 5,000 voting age citizens in the city who are members of a minority group and are of limited-English proficiency, the city clerk shall ensure that written voting materials and other written elections information that are required to be posted or made available at a polling place or on the Internet website of the city clerk are posted or available in the language or languages of the minority group. If any such language does not have a standard writing system, the information required to be posted or made available must be set forth in an audio recording in the language. The city clerk shall use a translator ~~who is certified~~ in the specific language to translate the information required pursuant to this subparagraph. If a translator cannot be found or is not available, the Secretary of State shall continue their efforts until one is found or arrangements can be made with the local community of the required language.

~~(2) A county whose population is less than 100,000, finds that there are at least 500 registered voters in the city who are members of a minority group and are of limited English proficiency, the city clerk shall ensure that voting materials and other elections information that are required to be posted or made available at a polling place or on the Internet website of the city clerk are posted or available in the language or languages of the minority group. If any such language does not have a standard writing system, the information required to be posted or made available must be set forth in an audio recording in~~

~~the language. The city clerk shall use a translator who is certified in the specific language to translate the information required pursuant to this subparagraph.~~

Sec. 6. 1. *The Secretary of State shall:*

(a) Establish a toll-free telephone number which may be used by any person in this State to receive language interpretation or translation assistance relating to an election, including, without limitation, voter registration or other voter assistance; and

(b) Post the toll-free telephone number established pursuant to paragraph (a) on the Internet website of the Office of the Secretary of State.

2. A county may ~~If a county or city has 3,500 or more registered voters, the county clerk or city clerk, as applicable, shall:~~

(a) Establish a toll-free telephone number which may be used by any person in the county or city, as applicable, to receive language interpretation or translation assistance relating to an election, including, without limitation, voter registration or other voter assistance; and

(b) Post the toll-free telephone number established pursuant to paragraph (a) on the Internet website of the county or city clerk, as applicable

~~3. If a county or city has less than 3,500 registered voters, the~~ A *county or city clerk, as applicable, shall post the toll-free telephone number established by the Secretary of State pursuant to paragraph (a) of subsection 1 on the Internet website of the county or city clerk, as applicable. If a county has established their own toll-free telephone number that number shall also be posted on the county website.*

Sec. 7. *The county clerk shall ensure that at each polling place for early voting the applicable toll-free telephone number established pursuant to section 6 of this act for a voter to receive voter registration and other voter assistance during the period for early voting is posted in a conspicuous place.*

Sec. 8. 1. *The Secretary of State shall include on all*

forms for an application to preregister or register to vote prescribed by the Secretary of State, including, without limitation, a paper application and the form set forth on the system established by the Secretary of State pursuant to NRS 293.671 to allow persons to register to vote by computer, the following language in at least 14-point bold type:

[] CHECK THIS BOX TO RECEIVE A SAMPLE BALLOT IN A LANGUAGE OTHER THAN ENGLISH AND INCLUDE THE PREFERRED LANGUAGE HERE __

2. Except as otherwise provided in this subsection, the county clerk and city clerk of the county and city where the voter is registered to vote and has indicated that they have a preferred language other than English must provide the voter with a sample ballot in the preferred language of the voter. If, pursuant to section 5 of this act, a county or city clerk is not required to provide voting materials in the preferred language of the voter, the county or city clerk, as applicable, must provide the voter with a sample ballot in English until the clerk is required, pursuant to section 5 of this act, to provide voting materials in such language.

Sec. 9. NRS 293.010 is hereby amended to read as follows:

293.010 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 293.016 to 293.121, inclusive, **and sections 2, 3 and 4 of this act**, have the meanings ascribed to them in those sections.

Sec. 10. NRS 293.217 is hereby amended to read as follows:

293.217 1. The county clerk of each county shall appoint and notify registered voters to act as election board officers for the various polling places in the county as provided in NRS 293.220 to 293.227, inclusive, and NRS 293.269929. ***The county clerk shall make a good***

faith effort to appoint election board officers who are bilingual. The registered voters appointed as election board officers for any polling place must not all be of the same political party. No candidate for nomination or election or a relative of the candidate within the second degree of consanguinity or affinity may be appointed as an election board officer. Immediately after election board officers are appointed, if requested by the county clerk, the sheriff shall:

(a) Appoint a deputy sheriff for each polling place in the county and for the central election board or the mail ballot central counting board; or

(b) Deputize as a deputy sheriff for the election an election board officer of each polling place in the county and for the central election board or the mail ballot central counting board. The deputized officer shall receive no additional compensation for services rendered as a deputy sheriff during the election for which the officer is deputized.

→ Deputy sheriffs so appointed and deputized shall preserve order during hours of voting and attend closing of the polls.

2. The county clerk may appoint a trainee for the position of election board officer as set forth in NRS 293.2175.

Sec. 12. NRS 293.2699 is hereby amended to read as follows:

293.2699 1. Each voting system used by a county or city shall provide voting materials in:

(a) English; ~~and~~

(b) Every language in which voting materials are required to be prepared in the county or city pursuant to 52 U.S.C. § 10503 ~~H~~; *and*

(c) Every other language in which written voting materials are required to be prepared in the county or city pursuant to section 5 of this act.

2. In addition to the requirements set forth in subsection 1, if a county clerk or city clerk determines that there is a significant and substantial need for voting materials of the county or city, as applicable,

to be provided in the language or languages of a minority group, the county clerk or city clerk may prepare voting materials in such language or languages. For the purposes of this subsection, there is a significant and substantial need for voting materials to be provided in the language or languages of a minority group if, without limitation, the minority group has been subject to historical discrimination and unequal educational opportunities, and, as a result, members of the minority group are of limited-English proficiency.

~~§. ——— As used in this section:~~

- ~~(a) “Limited-English proficiency” means being unable to speak or understand English adequately to participate in the electoral process.~~
- ~~(b) “Minority group” includes, without limitation, United States citizens of Chinese heritage.~~
- ~~(c) “Voting materials” has the meaning ascribed to it in 52 U.S.C. § 10503.~~

Sec. 13. NRS 293.269911 is hereby amended to read as follows:

293.269911 1. Except as otherwise provided in this section, the county clerk shall prepare and distribute to each active registered voter in the county and each person who registers to vote or updates his or her voter registration information not later than the 14 days before the election a mail ballot for every election. The county clerk shall make reasonable accommodations for the use of the mail ballot by a person who is elderly or disabled, including, without limitation, by providing, upon request, the mail ballot in 12-point type to a person who is elderly or disabled. *If a county clerk is required to provide voting materials pursuant to section 5 of this act in a language that a registered voter has indicated is his or her preferred language, the county clerk shall prepare and distribute a mail ballot and all relevant materials and instructions for voting the mail ballot in the preferred language of the voter.*

2. The county clerk shall allow a voter to elect not to receive a mail

ballot pursuant to this section by submitting to the county clerk a written notice in the form prescribed by the county clerk which must be received by the county clerk not later than 60 days before the day of the election.

3. The county clerk shall not distribute a mail ballot to any person who:

(a) Registers to vote for the election pursuant to the provisions of NRS 293.5772 to 293.5887, inclusive; or

(b) Elects not to receive a mail ballot pursuant to subsection 2.

4. The mail ballot must include all offices, candidates and measures upon which the voter is entitled to vote at the election.

5. Except as otherwise provided in subsections 2 and 3, the mail ballot must be distributed to:

(a) Each active registered voter who:

(1) Resides within the State, not later than 20 days before the election; and

(2) Except as otherwise provided in paragraph (c), resides outside the State, not later than 40 days before the election.

(b) Each active registered voter who registers to vote after the dates set for distributing mail ballots pursuant to paragraph (a) but who is eligible to receive a mail ballot pursuant to subsection 1, not later than 13 days before the election.

(c) Each covered voter who is entitled to have a military-overseas ballot transmitted pursuant to the provisions of chapter 293D of NRS or the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq., not later than the time required by those provisions.

6. In the case of a special election where no candidate for federal office will appear on the ballot, the mail ballot must be distributed to each active registered voter not later than 15 days before the special election.

7. Any untimely legal action which would prevent the mail ballot from being distributed to any voter pursuant to this section is moot and of no effect.

Sec. 14. NRS 293.3025 is hereby amended to read as follows:

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

1. A sample ballot;
2. Information concerning the date and hours of operation of the polling place;

3. Instructions for voting and casting a ballot, including a provisional ballot pursuant to NRS 293.3078 to 293.3086, inclusive, or a provisional ballot pursuant to NRS 293.5772 to 293.5887, inclusive;

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

5. Information concerning the accessibility of polling places to persons with disabilities;

6. *Instructions concerning how a registered voter may obtain a copy of voting materials in each of the languages that voting materials are required to be prepared in pursuant to section 5 of this act;*

7. *The toll-free telephone number established pursuant to section 6 of this act for obtaining language interpretation or translation assistance relating to the election;*

8. General information concerning federal and state laws which prohibit acts of fraud and misrepresentation; and

- ~~7~~ 9. Information concerning the eligibility of a candidate, a ballot question or any other matter appearing on the ballot as a result of a judicial determination or by operation of law, if any.

Sec. 15. NRS 293.4687 is hereby amended to read as follows:

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

- (a) The Voters' Bill of Rights required to be posted on the

Secretary of State's Internet website pursuant to the provisions of NRS 293.2549;

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

(c) A current list of the registered voters in this State that also indicates the petition district in which each registered voter resides;

(d) A map or maps indicating the boundaries of each petition district; ~~and~~

(e) All reports submitted to the Secretary of State pursuant to the provisions of chapter 294A of NRS ~~1~~; *and*

(f) The toll-free telephone number established pursuant to section 6 of this act.

2. The information required to be maintained by the Secretary of State pursuant to subsection 1 shall be available in all of the languages that voting materials are required to be prepared in pursuant to section 5 of this act.

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

~~3~~ *4.* If the information required to be maintained by the Secretary of State pursuant to subsection 1 may be obtained by the public from a website on the Internet maintained by a county clerk or city clerk, the Secretary of State may provide a hyperlink to that website to comply with the provisions of subsection 1 with regard to that information.

Sec. 16. NRS 293.4689 is hereby amended to read as follows:

293.4689 1. If a county clerk maintains a website on the Internet for information related to elections, the website must contain public information maintained, collected or compiled by the county clerk that relates to elections, which must include, without limitation:

(a) The locations of polling places for casting a ballot on election day in such a format that a registered voter may search the list to

determine the location of the polling place or places at which the registered voter is entitled to cast a ballot; ~~and~~

(b) The abstract of votes required pursuant to the provisions of NRS 293.388 ~~+~~; *and*

(c) The applicable toll-free telephone number established pursuant to section 6 of this act.

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

3. The information required to be maintained by a county clerk pursuant to subsection 1 shall be available on the website in all of the languages that voting materials are required to be prepared in the county pursuant to section 5 of this act.

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

Sec. 17. NRS 293.507 is hereby amended to read as follows:

293.507 1. The Secretary of State shall prescribe:

(a) Standard forms for applications to preregister or register to vote;

(b) Special forms for preregistration and registration to be used in a county where registrations are performed and records of registration are kept by computer; and

(c) A standard form for the affidavit described in subsection 5.

2. The county clerks shall provide forms for applications to preregister or register to vote to field registrars in the form and number prescribed by the Secretary of State.

3. Each form for an application to preregister or register to

vote must include a:

(a) Unique control number assigned by the Secretary of State;
and

(b) Receipt which:

(1) Includes a space for a person assisting an applicant in completing the form to enter the person's name; and

(2) May be retained by the applicant upon completion of the form.

4. The form for an application to preregister or register to vote must include:

(a) A line for use by the applicant to enter:

(1) The number indicated on the applicant's current and valid driver's license issued by the Department of Motor Vehicles, if the applicant has such a driver's license;

(2) The last four digits of the applicant's social security number, if the applicant does not have a driver's license issued by the Department of Motor Vehicles and does have a social security number; or

(3) The number issued to the applicant pursuant to subsection 5. if the applicant does not have a current and valid driver's license issued by the Department of Motor Vehicles or a social security number.

(b) A line on which to enter the address at which the applicant actually resides, as set forth in NRS 293.486.

(c) A notice that the applicant may not list a business as the address required pursuant to paragraph (b) unless the applicant actually resides there.

(d) A line on which to enter an address at which the applicant may receive mail, including, without limitation, a post office box or general delivery.

(e) A line on which to enter the applicant's state or country of birth and a language preference.

5. If an applicant does not have the identification set forth

in subparagraph (1) or (2) of paragraph (a) of subsection 4, the applicant shall sign an affidavit stating that he or she does not have a current and valid driver's license issued by the Department of Motor Vehicles or a social security number. Upon receipt of the affidavit, the county clerk shall issue an identification number to the applicant which must be the same number as the unique identifier assigned to the applicant for purposes of the statewide voter registration list.

6. The Secretary of State shall adopt regulations to carry out the provisions of subsections 3, 4 and 5.

Sec. 18. NRS 293.565 is hereby amended to read as follows:

293.5651. Except as otherwise provided in subsection 3, sample ballots must include:

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

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

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

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

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

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

the sample ballot next to the name of the candidate who is the incumbent

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

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

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

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

4. A county clerk may establish a system for distributing sample ballots by electronic means to each registered voter who elects to receive a sample ballot by electronic means. Such a system may include, without limitation, electronic mail or electronic access through an Internet website. If a county clerk establishes such a system and a registered voter elects to receive a sample ballot by electronic means, the county clerk shall distribute the sample ballot to the registered voter by electronic means pursuant to the procedures and requirements set forth by regulations adopted by the Secretary of State.

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

6. Except as otherwise provided in subsection 7, before the period for early voting for any election begins, the county clerk shall distribute to each registered voter in the county by mail or electronic means, as applicable, the sample ballot for his or her precinct, with a notice informing the voter of the location of his or her polling place or places. If the location of the polling place or places has changed since the last election:

(a) The county clerk shall mail a notice of the change to each registered voter in the county not sooner than 10 days before distributing the sample ballots; or (b) The sample ballot must also include a notice in bold type immediately above the location which states:

NOTICE: THE LOCATION OF YOUR POLLING PLACE OR PLACES HAS CHANGED SINCE THE LAST ELECTION

7. If a person registers to vote less than 20 days before the date of an election, the county clerk is not required to distribute to the person the sample ballot for that election by mail or electronic means.

8. Except as otherwise provided in subsection 9, a sample ballot required to be distributed pursuant to this section must:

(a) Be prepared in at least 12-point type . ~~and~~

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

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

(c) Include on the front page, in a separate box created by bold lines, a notice that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN A LANGUAGE OTHER THAN ENGLISH, CALL (Insert appropriate telephone number) Please note not all languages are available. However, any language information collected will help determine the language needs of voters and the services provided by the state and county.

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

10. The sample ballot distributed to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be prepared in at least 14-point type, or larger when practicable.

11. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots distributed to that person from the county are in large type.

12. If a person requests a sample ballot in a language other than English and the county clerk is required to provide voting materials in such language pursuant to section 5 of this act, the county clerk shall ensure that all sample ballots distributed to that person in the future are provided in the preferred language. If, pursuant to section 5 of this act, a county or city clerk is not required to provide voting materials in the preferred language of the voter, the county or city clerk, as applicable, must provide the voter with a sample ballot in English until the clerk is required, pursuant to section 5 of this act, to provide voting materials in such language.

13. The county clerk shall ensure that a sample ballot is available at each polling place, including, without limitation, a polling place for early voting in each language in which the county clerk is required to provide information and voting materials pursuant to section 5 of this act.

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

disabled, the county clerk shall include in the sample ballot a statement indicating:

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

~~13.15.~~ **15.** The cost of distributing sample ballots for any election other than a primary election, presidential preference primary election or general election must be borne by the political subdivision holding the election.

Sec. 19. NRS 293.671 is hereby amended to read as follows:

293.671 1. The Secretary of State shall establish a system on the Internet website of the Office of the Secretary of State to allow persons by computer to:

- (a) Preregister and register to vote;
- (b) Cancel his or her preregistration or voter registration;
- (c) Update his or her preregistration or voter registration information, including, without limitation, the person's name, address , ~~and~~ party affiliation ~~and~~ *language preference; and*
- (d) Determine at what polling place or places he or she is entitled to vote.

2. The system established pursuant to subsection 1 must:

- (a) Be user friendly;
- (b) *Be accessible in each language in which the Secretary of State is required to provide information and voting materials pursuant to section 5 of this act;*

(c) Comply with any procedures and requirements prescribed by the Secretary of State pursuant to NRS 293.250 and 293.4855; and

~~(e)~~ (d) Inform any person who uses the system to register to

vote for an election pursuant to NRS 293.5837, 293.5842 and 293.5847 that the person may vote in the election only if the person complies with the applicable requirements established by those sections.

3. The Secretary of State shall include on the system, in black lettering and not more than 14-point type, the following information:

(a) The qualifications to register or preregister to vote;

(b) That if the applicant does not meet the qualifications, he or she is prohibited from registering or preregistering to vote; and

(c) The penalties for submitting a false application.

4. The Secretary of State shall not include on the system:

(a) Any additional warnings regarding the penalties for submitting a false application; or

(b) The notice set forth in NRS 225.083.

Sec. 20. NRS 293.675 is hereby amended to read as follows:

293.675 1. The Secretary of State shall establish and maintain a centralized, top-down database that collects and stores information related to the preregistration of persons and the registration of electors from all the counties in this State. The Secretary of State shall ensure that the database is capable of storing preregistration information separately until a person is qualified to register to vote. Each county clerk shall use the database created by the Secretary of State pursuant to this subsection to collect and maintain all records of preregistration and registration to vote.

2. The Secretary of State shall use the voter registration information collected in the database created pursuant to subsection 1 to create the official statewide voter registration list, which may be maintained on the Internet, in consultation with each county and city clerk.

3. The statewide voter registration list must:

(a) Be a uniform, centralized and interactive computerized list;

(b) Serve as the single method for storing and managing the official list of registered voters in this State;

(c) Serve as the official list of registered voters for the conduct of all elections in this State;

(d) Contain the name , *state or country of birth, language preference* and *other* registration information of every legally registered voter in this State;

(e) Include a unique identifier assigned by the Secretary of State to each legally registered voter in this State;

(f) Except as otherwise provided in subsection 9, be coordinated with the appropriate databases of other agencies in this State;

(g) Be electronically accessible to each state and local election official in this State at all times;

(h) Except as otherwise provided in subsection 10, allow for data to be shared with other states under certain circumstances; and

(i) Be regularly maintained to ensure the integrity of the registration process and the election process.

4. Each county and city clerk shall:

(a) Electronically enter into the database created pursuant to subsection 1 all information related to voter preregistration and registration obtained by the county or city clerk at the time the information is provided to the county or city clerk; and

(b) Provide the Secretary of State with information concerning the voter registration of the county or city and other reasonable information requested by the Secretary of State in the form required by the Secretary of State to establish or maintain the statewide voter registration list.

5. In establishing and maintaining the statewide voter registration list, the Secretary of State shall enter into a cooperative agreement with the Department of Motor Vehicles to match information in the database of the statewide voter registration list with information

in the appropriate database of the Department of Motor Vehicles to verify the accuracy of the information in an application to register to vote.

6. The Department of Motor Vehicles shall enter into an agreement with the Social Security Administration pursuant to 52 U.S.C. § 21083, to verify the accuracy of information in an application to register to vote.

7. The Department of Motor Vehicles shall ensure that its database:

(a) Is capable of processing any information related to an application to register to vote, an application to update voter registration information or a request to verify the accuracy of voter registration information as quickly as is feasible; and (b) Does not limit the number of applications to register to vote, applications to update voter registration information or requests to verify the accuracy of voter registration information that may be processed by the database in any given day.

8. The Secretary of State shall enter into a cooperative agreement with the State Registrar of Vital Statistics to match information in the database of the statewide voter registration list with information in the records of the State Registrar of Vital Statistics concerning the death of a resident of this State to maintain the statewide voter registration list. The Secretary of State must compare the records of the State Registrar of Vital Statistics to those in the statewide voter registration list at least once per month.

9. Except as otherwise provided in NRS 481.063 or any provision of law providing for the confidentiality of information, the Secretary of State may enter into an agreement with an agency of this State pursuant to which the agency provides to the Secretary of State any information in the possession of the agency that the Secretary of State deems necessary to maintain the statewide voter registration list.

10. The Secretary of State may:

(a) Request from the chief officer of elections of another state any information which the Secretary of State deems necessary to maintain the statewide voter registration list; and (b) Provide to the chief officer of elections of another state any information which is requested and which the Secretary of State deems necessary for the chief officer of elections of that state to maintain a voter registration list, if the Secretary of State is satisfied that the information provided pursuant to this paragraph will be used only for the maintenance of that voter registration list.

Sec. 21. Chapter 293B of NRS is hereby amended by adding thereto a new section to read as follows: If the mechanical voting system used in a county or city is capable of providing a registered voter's ballot in the preferred language of the voter other than English, the county or city clerk, as applicable, shall ensure that the list of offices and candidates and the statements of measures for which the voter is entitled to vote is in that preferred language.

Sec. 22. Chapter 293C of NRS is hereby amended by adding thereto a new section to read as follows: The city clerk shall ensure that at each polling place for early voting the applicable toll-free telephone number established pursuant to section 6 of this act for a voter to receive voter registration and other voter assistance during the period for early voting is posted in a conspicuous place.

Sec. 23. NRS 293C.110 is hereby amended to read as follows:

293C.110 1. Except as otherwise provided in NRS 293.5817 and 293C.263 to 293C.26337, inclusive, the conduct of any city election is under the control of the governing body of the city, and it shall, by ordinance, provide for the holding of the election, appoint the necessary election officers and election boards and do all other things required to carry the election into effect.

2. The governing body of the city may provide for the conduct of early voting by personal appearance in a city election

pursuant to NRS 293.5772 to 293.5887, inclusive, and 293C.355 to 293C.361, inclusive ~~+~~ ***and section 22 of this act.***

Sec. 24. NRS 293C.112 is hereby amended to read as follows:

293C.112 1. The governing body of a city may conduct a city election in which all ballots must be cast by mail in accordance with the provisions of NRS 293C.263 to 293C.26337, inclusive, if:

(a) The election is a special election; or

(b) The election is a primary city election or general city election in which the ballot includes only:

(1) Offices and ballot questions that may be voted on by the registered voters of only one ward; or

(2) One office or ballot question.

2. The provisions of NRS 293.5772 to 293.5887, inclusive, 293C.265 to 293C.302, inclusive, and 293C.355 to 293C.361, inclusive, ***and section 22 of this act,*** do not apply to an election conducted pursuant to this section.

Sec. 25. NRS 293C.220 is hereby amended to read as follows:

293C.220 1. The city clerk shall appoint and notify registered voters to act as election board officers for the various polling places and precincts in the city as provided in NRS 293.225, 293.227, 293C.227, 293C.228 and 293C.26329. ***The city clerk shall make a good faith effort to appoint election board officers who are bilingual.*** No candidate for nomination or election or a relative of the candidate within the second degree of consanguinity or affinity may be appointed as an election board officer. Immediately after election board officers are appointed, if requested by the city clerk, the chief law enforcement officer of the city shall:

(a) Appoint an officer for each polling place in the city and for the central election board and the mail ballot central counting board;

Or

(b) Deputize, as an officer for the election, an election board officer for each polling place and for the central election board and the mail ballot central counting board. The deputized officer may not receive any additional compensation for the services he or she provides as an officer during the election for which the officer is deputized. Officers so appointed and deputized shall preserve order during hours of voting and attend the closing of the polls.

2. The city clerk may appoint a trainee for the position of election board officer as set forth in NRS 293C.222.

Sec. 26. NRS 293C.263 is hereby amended to read as follows:

293C.263 1. Except as otherwise provided in this section, the city clerk shall prepare and distribute to each active registered voter in the city and each person who registers to vote or updates his or her voter registration information not later than the 14 days before the election a mail ballot for every election. The city clerk shall make reasonable accommodations for the use of the mail ballot by a person who is elderly or disabled, including, without limitation, by providing, upon request, the mail ballot in 12-point type to a person who is elderly or disabled. *If a city clerk is required to provide written voting materials pursuant to section 5 of this act in a language that a registered voter has indicated is his or her preferred language, the city clerk shall prepare and distribute a mail ballot and all relevant materials and instructions for voting the mail ballot in the preferred language of the voter.*

2. The city clerk shall allow a voter to elect not to receive a mail ballot pursuant to this section by submitting to the city clerk a written notice in the form prescribed by the city clerk which must be received by the city clerk not later than 60 days before the day of the election.

3. The city clerk shall not distribute a mail ballot to any person who:

(a) Registers to vote for the election pursuant to the provisions of NRS 293.5772 to 293.5887, inclusive; or

(b) Elects not to receive a mail ballot pursuant to subsection 4. The mail ballot must include all offices, candidates and measures upon which the voter is entitled to vote at the election.

5. Except as otherwise provided in subsections 2 and 3, the mail ballot must be distributed to:

(a) Each active registered voter who:

(1) Resides within the State, not later than 20 days before the election; and

(2) Except as otherwise provided in paragraph (b), resides outside the State, not later than 40 days before the election.

(b) Each active registered voter who registers to vote after the dates set for distributing mail ballots pursuant to paragraph (a) but who is eligible to receive a mail ballot pursuant to subsection 1, not later than 13 days before the election.

(c) Each covered voter who is entitled to have a military-overseas ballot transmitted pursuant to the provisions of chapter 293D of NRS or the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq., not later than the time required by those provisions.

6. In the case of a special election where no candidate for federal office will appear on the ballot, the mail ballot must be distributed to each active registered voter not later than 15 days before the special election.

7. Any untimely legal action which would prevent the mail ballot from being distributed to any voter pursuant to this section is moot and of no effect.

Sec. 27. NRS 293C.530 is hereby amended to read as follows:

293C.530 1. A city clerk may establish a system for distributing sample ballots by electronic means to each registered voter

who elects to receive a sample ballot by electronic means. Such a system may include, without limitation, electronic mail or electronic access through an Internet website. If a city clerk establishes such a system and a registered voter elects to receive a sample ballot by electronic means, the city clerk shall distribute the sample ballot to the registered voter by electronic means pursuant to the procedures and requirements set forth by regulations adopted by the Secretary of State.

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

3. Except as otherwise provided in subsection 4, before the period for early voting for any election begins, the city clerk shall distribute to each registered voter in the city by mail or electronic means, as applicable, the sample ballot for his or her precinct, with a notice informing the voter of the location of his or her polling place or places. If the location of the polling place or places has changed since the last election:

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

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

NOTICE: THE LOCATION OF YOUR POLLING PLACE OR PLACES HAS CHANGED SINCE THE LAST ELECTION

4. If a person registers to vote less than 20 days before the date of an election, the city clerk is not required to distribute to the person the sample ballot for that election by mail or electronic means.

5. Except as otherwise provided in subsection 7, a sample ballot required to be distributed pursuant to this section must:

(a) Be prepared in at least 12-point type . **†**

(b) Include the description of the anticipated financial effect and explanation of each citywide measure and advisory question,

including arguments for and against the measure or question, as required pursuant to NRS 295.205 or 295.217. ~~†; and†~~

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

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

(d) Include on the front page, in a separate box created by bold lines, a notice that states:

***NOTICE: TO RECEIVE A SAMPLE BALLOT IN
A LANGUAGE OTHER THAN ENGLISH, CALL
(Insert appropriate telephone number)***

6. The word “Incumbent” must appear on the sample ballot next to the name of the candidate who is the incumbent, if required pursuant to NRS 293.2565.

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

8. The sample ballot distributed to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be prepared in at least 14-point type, or larger when practicable.

9. If a person requests a sample ballot in large type, the city clerk shall ensure that all future sample ballots distributed to that person from the city are in large type.

10. ***If a person requests a sample ballot in a language other than English and the city clerk is required to provide voting materials in such language pursuant to section 5 of this act, the city***

clerk shall ensure that all sample ballots distributed to that person in the future are provided in the preferred language. If, pursuant to section 5 of this act, a county or city clerk is not required to provide voting materials in the preferred language of the voter, the county or city clerk, as applicable, must provide the voter with a sample ballot in English until the clerk is required, pursuant to section 5 of this act, to provide voting materials in such language.

11. The city clerk shall ensure that a sample ballot is available at each polling place, including, without limitation, a polling place for early voting in each language in which the city clerk is required to provide information and voting materials pursuant to section 5 of this act.

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

(a) The addresses of such centralized voting locations;

(b) The types of specially equipped voting devices available at such centralized voting locations; and

(c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at the voter's regularly designated polling place or places.

~~11.1~~ 13. The cost of distributing sample ballots for a city election must be borne by the city holding the election.

Sec. 28. NRS 293C.715 is hereby amended to read as follows:

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

(a) The locations of polling places for casting a ballot on election day in such a form that a registered voter may search the list to determine the location of the polling place or places at which the registered voter is entitled to cast a ballot; ~~and~~

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

(c) The applicable toll-free telephone number established pursuant to section 6 of this act.

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

3. *The information required to be maintained by a city clerk pursuant to subsection 1 shall be available on the website in all of the languages that voting materials are required to be prepared in the city pursuant to section 5 of this act.*

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

Sec. 29. NRS 298.700 is hereby amended to read as follows:

298.700 1. Except as otherwise provided in this section, the provisions of NRS 293.356 to 293.361, inclusive, *and section 7 of this act*, apply to a presidential preference primary election.

2. The period for early voting for a presidential preference primary election begins 10 calendar days before the date of the

presidential preference primary election and extends through the Friday before the day of the presidential preference primary election.

3. The county clerk may:

(a) Include any Sunday or federal holiday that falls within the period for early voting by personal appearance.

(b) Require a permanent polling place for early voting to remain open until 8 p.m. on any Saturday that falls within the period for early voting.

4. A permanent polling place for early voting must remain open:

(a) On Monday through Friday during the period for early voting, for at least 8 hours during such hours as the county clerk may establish.

(b) On any Saturday that falls within the period for early voting, for at least 4 hours during such hours as the county clerk may establish.

(c) If the county clerk includes a Sunday that falls within the period for early voting pursuant to subsection 3, during such hours as the county clerk may establish.

Sec. 30. Chapter 225 of NRS is hereby amended by adding thereto the provisions set forth as sections 31 to 36, inclusive, of this act.

Sec. 31. *As used in sections 31 to 36, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 32 and 33 of this act have the meanings ascribed to them in those sections.*

Sec. 32. *“Advisory Committee” means the Language Access Advisory Committee created by section 34 of this act.*

Sec. 33. *“Language access programs” means a program or service that focuses on communication barriers between persons who cannot read, speak or write English fluently.*

Sec. 34. 1. *The Language Access Advisory Committee is hereby created within the Office of the Secretary of State.*

2. *The Advisory Committee consists of six members who represent the diversity of this State, including:*

(a) The Secretary of State or his or her designee;

(b) The Registrar of Voters or his or her designee from Clark and Washoe County and a county clerk appointed by the Secretary of State;~~*Two elected officials appointed by the Secretary of State;*~~
and

(c) Three other members of the public appointed by the Secretary of State.

3. The Secretary of State shall:

(a) Consider members who have knowledge of language access programs when appointing members of the Advisory Committee;

(b) Select the Chair of the Advisory Committee from among its members; and

(c) Designate an employee of the Office of the Secretary of State to serve as Secretary for the Advisory Committee.

4. The Secretary of State may assign such other employees of his or her Office as he or she deems necessary to assist the Advisory Committee in its duties.

5. The Chair of the Advisory Committee shall appoint a Vice Chair from among the members of the Advisory Committee.

6. After the initial term, each member of the Advisory Committee shall serve for a term of 2 years. Each member of the Advisory Committee serves at the pleasure of the Secretary of State. If a vacancy occurs, the Secretary of State shall appoint a new member to fill the vacancy for the remainder of the unexpired term.

7. Members of the Advisory Committee serve without compensation. While engaged in the business of the Advisory Committee, each member of the Advisory Committee is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

Sec. 35. 1. The Advisory Committee shall:

(a) Identify programs and services that address problems concerning language accessibility of elections and voting

materials;

(b) Coordinate with community organizations to determine language accessibility needs for elections and voting materials;

(c) Act as liaison between the Office of the Secretary of State and community organizations;

(d) Make annual assessments to determine language accessibility programs and services that could be implemented for the election process;

(e) Make recommendations to the Office of the Secretary of State relating to language accessibility programs and services that should be implemented in elections.

2. As used in this section, “voting materials” has the meaning ascribed to it in section 4 of this act.

Sec. 36. *1. The Advisory Committee shall meet at least four times in a calendar year. One meeting must be in person. The Advisory Committee may conduct all other meetings through the use of remote-technology systems. A special meeting of the Advisory Committee may be called by the Secretary of State and the Chair of the Advisory Committee at such additional times as they deem necessary.*

2. The Chair of the Advisory Committee or, in the absence of the Chair, the Vice Chair of the Advisory Committee, shall preside at each meeting of the Advisory Committee.

3. A majority of the members of the Advisory Committee constitute a quorum.

4. As used in this section, “remote technology system” has the meaning ascribed to it in NRS 241.015.

Sec. 37. *1. The Secretary of State shall appoint the members of the Language Access Advisory Committee created by section 34 of this act before January 1, 2024.*

2. Notwithstanding the provisions of section 34 of this act, the

members of the Language Access Advisory Committee must be appointed to serve initial terms as follows:

(a) The two members who are elected officials must be appointed to serve a term of 2 years.

(b) The three members who are members of the public must be appointed to serve a term of 3 years.

Sec. 38. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 39. 1. This section and sections 37 and 38 of this act become effective upon passage and approval

2. Sections 1 to 36, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On January 1, 2024, for all other purposes including conducting the first data review for the next regularly scheduled election of 2024 and then moving to every odd year.