

**PROPOSED REGULATION OF THE  
SECRETARY OF STATE**

**LCB FILE NO. R090-211**

**The following document is the initial draft regulation proposed  
by the agency submitted on 11/23/2021**

**PROPOSED REGULATIONS OF THE SECRETARY OF STATE**

**ELECTIONS DIVISION**

**LCB File No. \_\_\_\_\_**

**Section 1. Chapter 293 of NAC is hereby amended by amending the provisions set forth in Section 2, inclusive of this regulation.**

**Sec. 2. NAC 293.317 is hereby amended to read as follows:**

**NAC 293.317 ~~Absent Mail~~ ballot: Receipt; recording; verification of signature.** (NRS 293.124, 293.247, 293.250, 293.317, *AB321 (2021)*)

1. To be counted, ~~an absent a mail~~ ballot must be received by the office of the county clerk by 7 p.m. on the day of the election.
2. The county clerk shall place each rejected ~~absent mail~~ ballot in a separate envelope and note on the outside of the envelope the appropriate number of the precinct and the reason for the rejection of the ~~absent mail~~ ballot.
3. When ~~an absent a mail~~ ballot is returned to the county clerk, the county clerk shall:
  - (a) Record the receipt of the ~~absent mail~~ ballot in the ~~absent mail~~ ballot record; and
  - (b) If the ~~absent mail~~ ballot is returned by approved electronic transmission and the voter requests confirmation of receipt of the ~~absent mail~~ ballot, send a confirmation to the voter using approved electronic transmission.
4. The county clerk shall check the signature on the return envelope, facsimile or other electronic document, as applicable, of the ~~absent mail~~ ballot against the original signature of the voter on his or her application to register to vote. Each county clerk shall establish a procedure for duplicating ~~absent mail~~ ballots received pursuant to this section that must be approved by the Secretary of State before it is used by the county clerk.

5. If a voter returns more than one voted ~~absent~~ *mail* ballot for the same election and the county clerk receives all such ~~absent~~ *mail* ballots before the polls are closed on the day of the election, the county clerk shall count the ~~absent~~ *mail* ballot received first.

*6. The county clerk must keep accurate chain-of-custody records of all ballots mailed, reissued, received, rejected, verified, removed for duplication, and tabulated.*

*7. If a county clerk receives mail ballots that belong to a different county, the county clerk must send them to the correct county as soon as practicable. If the ballot is received by the correct county clerk prior to 5:00 pm on the fourth day following election day, it is to be considered timely.*