

**PROPOSED REGULATION OF THE
SECRETARY OF STATE**

LCB FILE NO. R095-211

**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 establishing the provisions set forth in Section 2, inclusive of this regulation.

Sec. 2.

NAC 293.____ Electronic Signature Verification (NRS 293.124, 293.247, AB321 (2021))

1. The county clerk must test Signature Verification Devices before use in an election. The testing must verify the accuracy of the device and ensure that the device will not accept a signature that a reasonably trained election official would reject.

2. The county clerk must conduct a daily audit of the Signature Verification Device using the following procedures:

(a) The county must pull and test a random sample of 1% of the ballots received before 3:00 p.m. PST each day. Ballots received after 3:00 p.m. PST must be included in the next day's count.

(b) A team of bipartisan election officials must manually review the signatures on this sample in accordance with the procedures in NAC 293.____ (above)

(c) The election officials conducting the audit must sign and date the Daily Election Signature Verification Audit and the report must be maintained and stored with all other election records.

(d) The device fails the audit if the team of election officials would have rejected a ballot signature that the device accepted.

(e) If the device fails the audit, the county must immediately cease use of the Signature Verification Device and notify the Secretary of State in writing within 48 hours. The Secretary of State and the county must work in coordination to identify the issue and implement a solution.

3. The county must operate the device on a closed secure network. The county may connect the device to the county network only for maintenance and support. The device must be secured by the county firewall. The county must maintain a maintenance and support log that includes the name of the person providing maintenance or support, the date and time the device was accessed, and the specific reason for access.