

**PROPOSED REGULATION OF THE  
SECRETARY OF STATE**

**LCB FILE NO. R096-211**

**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.\_\_\_\_ Ballot Duplication Board; Vote Adjudication Board (NRS 293.124, 293.247, AB321 (2021))*

- 1. When any ballot is damaged or defective so that it cannot be read by the tabulation machine, it must be duplicated by a Ballot Duplication Board and the duplicated ballot must be tabulated in place of the damaged ballot. Duplication must be conducted using the following procedures:*
- 2. Each Ballot Duplication Board shall be comprised of at least two members who are registered voters of differing political party affiliation. A county may use multiple Ballot Duplication Boards, and Ballot Duplication Board members may serve in other election-related functions as well. The county must ensure that each team has members with differing political party affiliation.*
- 3. For each ballot that must be duplicated, the Ballot Duplication Board must:*
  - (a) Ensure that the correct precinct and ballot style will be used to create the duplicated ballot.*
  - (b) Assign a serial number for the original and duplicate ballot and write or otherwise mark both the original and duplicate ballot with the same serial number.*
  - (c) Conspicuously mark the duplicate ballot as a “DUPLICATE.”*

*(d) Using the original ballot as a guide, mark the duplicate ballot with votes identical to those on the original ballot.*

*(e) After marking the duplicate ballot, verify that it is identical to the original, including over-votes, if voter intent cannot be determined, and any under-votes.*

*(f) Log the ballot and its serial number in a ballot duplication log.*

*(g) If the Ballot Duplication Board makes any errors, mark the duplicate ballot “SPOILED” and repeat the previous steps.*

*4. Before each election cycle, the Secretary of State’s Office will provide and update a guide determining voter intent through an adjudication process. The county clerk may appoint one or more Vote Adjudication Boards, in which each consists of two members who are registered voters with differing political party affiliation. Vote Adjudication Board members may also serve in other election-related functions.*