

**PROPOSED REGULATION OF  
THE SECRETARY OF STATE**

**LCB File No. R099-21**

December 20, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1 and 2, NRS 293.124, 293.247 and 293.250, as amended by section 22 of Assembly Bill No. 321, chapter 248, Statutes of Nevada 2021, at page 1225, and sections 3, 4, 51 and 52 of Assembly Bill No. 321, chapter 248, Statutes of Nevada 2021, at pages 1216, 1217, 1243 and 1244 (NRS 293.269911, 293.269913, 293C.263 and 293C.26312).

A REGULATION relating to elections; requiring a county or city clerk to print in a unique color all return envelopes that are enclosed with mail ballots in that county or city; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires each county and city clerk to send to certain registered voters a mail ballot for every election. The county or city clerk is also required to enclose a return envelope with the mail ballot that is sent to a voter. (Sections 3, 4, 51 and 52 of Assembly Bill No. 321, chapter 248, Statutes of Nevada 2021, at pages 1216, 1217, 1243 and 1244 (NRS 293.269911, 293.269913, 293C.263 and 293C.26312)) This regulation requires each county and city clerk to: (1) submit to the Secretary of State a request to use a unique color for all return envelopes that are enclosed with mail ballots in the county or city, as applicable; and (2) on and after January 1, 2024, print return envelopes in the unique color approved by the Secretary of State for that county or city, as applicable. This regulation also authorizes the county or city clerk to print return envelopes in the unique color approved by the Secretary of State for that county or city, as applicable, before January 1, 2024.

**Section 1.** Chapter 293 of NAC is hereby amended by adding thereto a new section to read as follows:

*1. Each county and city clerk must submit to the Secretary of State a request to use a unique color for all return envelopes that are enclosed with mail ballots in the county or city, as applicable. If more than one clerk requests to use the same color for return envelopes, the*

*Secretary of State will determine which clerk is allowed to use that color for return envelopes.*

*The Secretary of State will inform the county or city clerk whether the request is approved.*

*2. Before January 1, 2024, the return envelope enclosed with each mail ballot sent to a registered voter by a county or city clerk may be printed in the unique color approved by the Secretary of State pursuant to subsection 1 for the county or city.*

*3 On and after January 1, 2024, the return envelope enclosed with each mail ballot sent to a registered voter by a county or city clerk must be printed in the unique color approved by the Secretary of State pursuant to subsection 1 for the county or city.*

**Sec. 2.** This regulation becomes effective upon the later of:

1. January 1, 2022; or
2. The date on which this regulation is filed with the Secretary of State.