

**PROPOSED REGULATION OF THE
SECRETARY OF STATE**

LCB FILE NO. R101-21I

**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 293.414 is hereby amended to read as follows:

NAC 293.414 Person convicted of felony. (NRS 293.124, 293.247, 293.540, 293.543)

1. The Secretary of State will immediately provide the county clerks with any information the Secretary of State receives from the Attorney General of the United States and *the Nevada Department of Corrections* regarding the conviction of any person of a felony *who is sentenced to a term of imprisonment.*

2. A county clerk may, for the purpose of making the determination to cancel the registration of a person required by subsection ~~2~~ 3 of NRS 293.540, rely upon any information the county clerk receives from the Secretary of State pursuant to subsection 1 or from the Central Repository for Nevada Records of Criminal History regarding the conviction of any person of a felony.

3. *A person who is no longer incarcerated and who otherwise meets the requirements to register to vote* ~~The Secretary of State will immediately provide the county clerks with any information the Secretary of State receives regarding a person convicted of a felony who has had his or her right to vote restored and is currently eligible to register to vote.~~

~~4. A county clerk may, for purposes of determining whether a person applying to register to vote who was convicted of a felony has had his or her right to vote restored and is currently eligible to register, rely on:~~

~~(a) The information received from the Secretary of State pursuant to subsection 3;~~

~~(b) An order of any federal or state court restoring the right to vote to the applicant;~~
~~(c) A document issued to the applicant by a penal agency of the State of Nevada, any other state or the Federal Government verifying that the right to vote of the applicant has been restored; or~~
~~(d) A document issued by a penal agency of the State of Nevada, any other state or the Federal Government verifying that the applicant received a pardon or was discharged from probation, parole or prison before July 1, 2003.~~

~~5. If a county clerk has reason to believe that a document described in subsection 4 is invalid or forged, the county clerk shall attempt to verify the document. The county clerk must accept the document as legitimate unless the county clerk can verify that the document is invalid or forged.~~

~~6. If a county clerk does not receive a document described in subsection 4 within 15 days after a person who was convicted of a felony applies to register to vote, the county clerk shall reject the application of the person to register to vote. A person whose application to register to vote is rejected pursuant to this subsection~~ may submit a new application to register to vote *by any acceptable means, including by a paper registration form, use of the state provided online voter registration portal, same-day voter registration, or by registration through the Department of Motor Vehicles or any other voter registration agency.*