

**PROPOSED REGULATION OF  
THE SECRETARY OF STATE**

**LCB File No. R105-21**

December 20, 2021

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

AUTHORITY: §§ 1-3, NRS 293.124 and 293.247.

A REGULATION relating to elections; requiring county and city clerks to notify the Secretary of State about certain elections; providing that the Secretary of State will confer with the applicable county or city clerk regarding certain issues related to such elections; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the Secretary of State to adopt regulations for the conduct of special elections in all cities and counties. (NRS 293.247) This regulation provides that if a recall or special election is called in a county or city and will not be held on the same day as the primary election, primary city election, general election or general city election, as applicable: (1) the appropriate clerk must notify the Secretary of State of the election; and (2) the Secretary of State will confer with the clerk regarding, if applicable: (a) the use of the system of approved electronic transmission established pursuant to NRS 293D.200; (b) the locations of polling places, including, without limitation, polling places for early voting by personal appearance and vote centers; (c) the locations of ballot drop boxes for mail ballots; (d) a plan for the security of ballots for early voting; (e) a plan for allowing members of the general public to observe the conduct of voting at a polling place; and (f) a plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of ballots at a polling place, receiving center or central counting place.

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

*If a recall or other special election is called in a county and will not be held on the same day as the primary election or general election:*

1. *The county clerk must, as soon as practicable, notify the Secretary of State of the election on the form and in the manner prescribed by the Secretary of State; and*
2. *The Secretary of State will confer with the county clerk regarding, if applicable:*
  - (a) *The use of the system of approved electronic transmission established pursuant to NRS 293D.200;*
  - (b) *The locations of polling places, including, without limitation, polling places for early voting by personal appearance and vote centers;*
  - (c) *The locations of ballot drop boxes for mail ballots;*
  - (d) *A plan for the security of ballots for early voting;*
  - (e) *A plan for allowing members of the general public to observe the conduct of voting at a polling place; and*
  - (f) *A plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of ballots at a polling place, receiving center or central counting place.*
3. *As used in this section, “vote center” means a polling place established by the county or city clerk, as applicable, pursuant to the provisions of NRS 293.3072 to 293.3075, inclusive, or 293C.3032 to 293C.3035, inclusive, as applicable, where any person entitled to vote by personal appearance in the county or city, as applicable, may do so on the day of the election.*

**Sec. 2.** Chapter 293C of NAC is hereby amended by adding thereto a new section to read as follows:

*If a recall or other special city election is called in a city and will not be held on the same day as the primary city election or general city election:*

*1. The city clerk must, as soon as practicable, notify the Secretary of State of the election on the form and in the manner prescribed by the Secretary of State; and*

*2. The Secretary of State will confer with the city clerk regarding, if applicable:*

*(a) The use of the system of approved electronic transmission established pursuant to NRS 293D.200;*

*(b) The locations of polling places, including, without limitation, polling places for early voting by personal appearance and vote centers;*

*(c) The locations of ballot drop boxes for mail ballots;*

*(d) A plan for the security of ballots for early voting;*

*(e) A plan for allowing members of the general public to observe the conduct of voting at a polling place; and*

*(f) A plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of ballots at a polling place, receiving center or central counting place.*

*3. As used in this section, “vote center” means a polling place established by the county or city clerk, as applicable, pursuant to the provisions of NRS 293.3072 to 293.3075, inclusive, or 293C.3032 to 293C.3035, inclusive, as applicable, where any person entitled to vote by personal appearance in the county or city, as applicable, may do so on the day of the election.*

**Sec. 3.** This regulation becomes effective upon the later of:

1. January 1, 2022; or

2. The date upon which the regulation is filed with the Secretary of State.