

**PROPOSED REGULATION OF  
THE SECRETARY OF STATE**

**LCB File No. R106-21**

December 20, 2021

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

AUTHORITY: §§ 1-6, NRS 293.124 and 293.247 and sections 16 and 64 of Assembly Bill No. 321, chapter 248, Statutes of Nevada 2021, at pages 1223 and 1250 (NRS 293.877 and 293C.725).

A REGULATION relating to elections; providing that the Secretary of State will publish a list of approved training classes on forensic signature verification; setting forth certain requirements for training on forensic signature verification; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires that at least once each year, each county and city clerk and all staff members of such clerks whose duties include administering an election complete a training class on forensic signature verification that is approved by the Secretary of State. (Sections 16 and 64 of Assembly Bill No. 321, chapter 248, Statutes of Nevada 2021, at pages 1223 and 1250 (NRS 293.877 and 293C.725))

**Section 2** of this regulation provides that: (1) the Secretary of State will publish biennially a list of approved training classes; and (2) to be approved, a training class must include a written test on forensic signature verification.

**Section 3** of this regulation provides that, with certain exceptions, each county clerk, city clerk and all staff members of the clerks whose duties include administering an election must annually complete: (1) a training class on forensic signature verification; or (2) a refresher class on forensic signature verification. **Section 3** also requires each county or city clerk to annually: (1) identify which members of his or her staff are required to take the classes; and (2) submit to the Secretary of State certificates of completion of the classes.

**Section 4** of this regulation provides that if a county or city clerk determines that any member of his or her staff whose duties at a particular election include checking the signature of a voter at a polling place or on a mail ballot has insufficient time to complete an approved training class on forensic signature verification, the clerk may authorize another member of his or her staff who has successfully completed such a class to provide to the person at least 2 hours of hands-on training related to checking the signature of a voter.

**Section 5** of this regulation prohibits a staff member of a county or city clerk from checking the signature of a voter at a polling place or on a mail ballot unless the person has

successfully completed an approved training class on forensic signature verification or received the training described in **section 4**.

**Section 1.** Chapter 293 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

**Sec. 2. 1.** *Not later than October 1 of each odd-numbered year, the Secretary of State will publish a list of training classes on forensic signature verification that are approved by the Secretary of State for county clerks, city clerks and the staff members of the clerks whose duties include administering an election.*

*2. To be approved by the Secretary of State, a training class on forensic signature verification must include a written test on forensic signature verification that has an established basis for determining a passing grade.*

**Sec. 3. 1.** *Except as otherwise provided in subsection 2 and section 4 of this regulation, not later than April 1 of each year, each county clerk, city clerk and all staff members of the county or city clerk whose duties include administering an election must successfully complete a training class on forensic signature verification that is approved by the Secretary of State. In order to successfully complete such a training class, a person must receive a passing grade on a written test on forensic signature verification.*

*2. Except as otherwise provided in this subsection, any staff member whose regular duties at the office of the county or city clerk includes signature verification and who, for 2 consecutive years, has taken an approved training class on forensic signature verification and received a passing grade on the written test, may, in lieu of the training class described in subsection 1, attend a refresher class on forensic signature verification. A refresher class is not required to be approved by the Secretary of State. A staff member who completes a*

*refresher class in lieu of the training class described in subsection 1 must successfully complete a training class described in subsection 1 at least once every 3 years.*

*3. Each county or city clerk shall:*

*(a) Identify which members of his or her staff who are required to successfully complete the approved training class on forensic signature verification or refresher class on forensic signature verification; and*

*(b) Submit to the Secretary of State on or before April 1 of each year certificates of completion of the classes for all such staff members.*

*Sec. 4. If a county or city clerk determines that any member of his or her staff, including, without limitation, temporary staff hired for a particular election, whose duties include checking the signature of a voter at a polling place or on a mail ballot has insufficient time to successfully complete an approved training class on forensic signature verification before the election, the county or city clerk may authorize another member of his or her staff who has successfully completed such a training class to provide to the person at least 2 hours of hands-on training related to checking the signature of a voter.*

*Sec. 5. A staff member of a county or city clerk shall not check the signature of a voter at a polling place or on a mail ballot unless the person has:*

*1. Successfully completed an approved training class on forensic signature verification, or, if applicable, a refresher class on forensic signature verification; or*

*2. Received the hands-on training described in section 4 of this regulation.*

*Sec. 6. This regulation becomes effective upon the later of:*

*1. January 1, 2022; or*

*2. The date this regulation is filed with the Secretary of State.*