



**OFFICE OF THE
SECRETARY OF STATE**

December 30, 2021

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice is hereby given that the Office of the Secretary of State will hold a public hearing at 8:00 a.m. on the 3rd day of February of 2022. The meeting may be accessed through the zoom link or telephone number provided below. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of various regulations that pertain to Chapter 293B, 293D, 294A, and 306 of the Nevada Administrative Code contained in the following LCB File Numbers:

NO.	NAC CHAPTER	SUBJECT (Additional information on each is provided in the attachments)
R080-21P	293D	Revises provisions relating to emergency use of the system of electronic transmission
R081-21P	293D	Revises provisions relating to the requirements to use the system of electronic transmission
R082-21P	294A	Revises provisions relating to courtesy reminder notices
R083-21P	306	Revises provisions relating to the withdrawal of a notice of intent
R084-21P	306	Revises provisions relating to recall petitions and recall committees
R110-21P	293B	Establishes provisions relating to risk limiting audits
R111-21P	293B	Revises provisions relating to testing of equipment
R112-21P	293B	Revises various provisions

This hearing will be conducted remotely. Persons wishing to comment upon the proposed action of the Secretary of State may, on the scheduled day and time, enter the meeting from the Zoom website at the link provided below, call the meeting at the phone number included below, or may address their comments, data, views or arguments, in written form, to:

Mark Wlaschin
Office of the Secretary of State, Elections Division
101 North Carson Street, Suite 3, Carson City, Nevada 89701
E-mail: NVElect@sos.nv.gov

Written submissions must be received by the Secretary of State on or before February 2, 2022. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Office of the Secretary of State may proceed immediately to act upon any written submissions.

Zoom Meeting Details:

<https://us02web.zoom.us/j/89734471350?pwd=a1RHdjBML2RUV3hQRytJMXNiL09JQT09>

The meeting ID is 897 3447 1350 and passcode is 553587.

To access the meeting via audio only, dial 1-669-900-6833 and enter the meeting ID.

A copy of this notice and the regulation to be adopted or amended will be on file at the State Library, Archives and Public Records, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. A copy will also be posted on the internet website of the Secretary of State.

This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us/>. Copies of this notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

Distribution and Public Posting

This Notice of has been sent to all persons on the Elections Division's mailing list for administrative regulations and posted at the following locations:

Nevada Capitol Building

101 North Carson Street, Suite 3, Carson City, Nevada 89701

State of Nevada Website

<http://notice.nv.gov/>

Nevada Secretary of State Website

<http://www.nvsos.gov/sos>

Nevada State Legislative Counsel Bureau

Administrative Regulation Notices Website: <https://www.leg.state.nv.us/App/Notice/A>

Reasonable Accommodations

The Nevada Secretary of State, Elections Division is pleased to make reasonable accommodations for those individuals with disabilities who wish to participate in the meeting. If special arrangements for the meeting are necessary, please notify Christa Williams at (775) 684-5705 or nvelect@nv.sos.gov no later than five working days before the meeting.

Respectfully,

Mark Wlaschin, Deputy Secretary for Elections

Nevada Secretary of State Meeting Notice

3rd day of February of 2022 at 8 AM

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PUBLIC NOTICE

The public is hereby noticed that the Nevada Secretary of State reserves the right to take agenda items out of posted order (except that public hearings will not begin earlier than posted times); items may be pulled or removed from the agenda at any time; and items may be combined for consideration. A time for public comment is provided at the beginning and at the conclusion of the meeting. A time limit of two minutes will be imposed for public comments, in order to afford all members of the public who wish to comment, with an opportunity to do so within the timeframe available.

This public notice has been posted at the office of the Nevada Secretary of State and at the Nevada State Library and Archives. Notice of this meeting was posted on the Internet through the Nevada Secretary of State website at www.nvsos.gov/sos.

The support materials to this agenda are available, at no charge on the Nevada Secretary of State website or by contacting Christa Williams at (775) 684-5705 or nvelect@nv.sos.gov or at the Nevada Secretary of State's Office 101 North Carson Street, Suite 3, Carson City, Nevada 89701.

AGENDA

1. Call to Order
2. General Public Comment
In consideration of others, who may also wish to provide public comment, please avoid repetition. No action will be taken on any items raised in the public comment period.
3. Introduction to Adoption Hearing Process
4. Adoption Hearing regarding proposed amendment (LCB File Number R080-21P)
5. Public comment on proposed amendments to Nevada Administrative Code Chapters 293D (LCB File Number R080-21P)
6. Adoption Hearing regarding proposed amendment (LCB File Number R081-21P)
7. Public comment on proposed amendments to Nevada Administrative Code Chapter 293D (LCB File Number R081-21P)
8. Adoption Hearing regarding proposed amendment (LCB File Number R082-21P)
9. Public comment on proposed amendments to Nevada Administrative Code Chapters 294A (LCB File Number R082-21P)
10. Adoption Hearing regarding proposed amendment (LCB File Number R083-21P)
11. Public comment on proposed amendments to Nevada Administrative Code Chapter 306 (LCB File Number R083-21P)
12. Adoption Hearing regarding proposed amendment (LCB File Number R084-21P)
13. Public comment on proposed amendments to Nevada Administrative Code Chapter 306 (LCB File Number R084-21P)
14. Adoption Hearing regarding proposed amendment (LCB File Number R110-21P)

15. Public comment on proposed amendments to Nevada Administrative Code Chapter 293B (LCB File Number R110-21P)
16. Adoption Hearing regarding proposed amendment (LCB File Number R111-21P)
17. Public comment on proposed amendments to Nevada Administrative Code Chapter 293B (LCB File Number R111-21P)
18. Adoption Hearing regarding proposed amendment (LCB File Number R112-21P)
19. Public comment on proposed amendments to Nevada Administrative Code Chapter 293B (LCB File Number R112-21P)
20. General Public Comment
In consideration of others, who may also wish to provide public comment, please avoid repetition. No action will be taken on any items raised in the public comment period.
21. Adjourn

NOTE: The Nevada Secretary of State's Office, Elections Division may take the above matters out of order, may consolidate the above matters for consideration, and reserves the right to remove or delay any of the above matters on the Agenda. Commenters will be limited to two minutes. Members of the public are encouraged to submit written comments for record at NVElect@sos.nv.gov.

Respectfully,

Mark Wlaschin, Deputy Secretary for Elections

The following information is provided regarding the proposed regulations in R110-21P pursuant to the requirements of NRS 233B.0603:

(1) A statement of the need for and purpose of the proposed regulation.

[NRS 293.124](#) provides the Secretary of State, as the Chief Officer of Elections for the State of Nevada, the authority to adopt such regulations as are necessary to carry out the provisions of title 24 of NRS. The purpose of the proposed regulation is to codify standards and procedures for various election functions. Specifically setting forth requirements for risk-limiting audits of the 2022 Primary and General Elections; and providing other matters properly relating thereto.

(2) If the proposed regulation is a temporary regulation, either the terms or substance of the proposed regulation or a description of the subjects and issues involved.

Not applicable as these proposed regulations would be permanent regulations.

(3) If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063.

As the proposed regulations are permanent regulations, the text of the proposed regulation are attached to this notice.

(4) A statement of the estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include: (I) Both adverse and beneficial effects; and (II) Both immediate and long-term effects.

These regulations do not create an economic effect on either Nevada businesses or the public. These regulations relate to the conduct of Nevada elections and, as such, do not create an adverse or beneficial economic impact in either the immediate or long-term.

(5) A statement identifying the methods used by the agency in determining the impact on a small business prepared pursuant to subsection 3 of NRS 233B.0608.

The agency determined that these proposed regulations would not impact small businesses through discussions with the county clerks and Secretary of State's accounting division, and through an analysis of historic costs related to the administration of Nevada's elections at the state and county level.

(6) The estimated cost to the agency for enforcement of the proposed regulation.

Enforcement of these proposed regulations poses no significant cost to the Secretary of State's office.

(7) A description of any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

There are no regulations of other federal, state or local governmental agencies which the proposed regulations overlap or duplicate.

(8) If the regulation is required pursuant to federal law, a citation and description of the federal law.

The proposed regulations are not required pursuant to federal law.

(9) If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The proposed regulations do not include provisions which are more stringent than a federal regulation that regulates the same activity.

(10) The time when, the place where and the manner in which interested persons may present their views regarding the proposed regulation.

This information is provided in the text located at the top of this notice. Interested persons may present their view regarding these proposed regulations either in writing or during the aforementioned Zoom meeting.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

I certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in the statement is accurate.

Respectfully,

Mark Wlaschin, Deputy Secretary for Elections