

**PROPOSED REGULATION OF THE  
SECRETARY OF STATE**

**LCB FILE NO. R106-23I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 10/30/2023**

# 2023 Regulatory Review – Part 2

## 1. NAC 293

- Create a deadline for the submission of the information in NAC 293.348:

**NAC 293.348 Submission to Secretary of State of list of information for each ballot drop box; submission of amended list under certain circumstances. (NRS 293.124, 293.269921, 293.2733)**

1. *Not later than 45 days before each election*, the county clerk shall submit to the Secretary of State a list containing the following information for each ballot drop box established in the county:

- (a) The unique identifier of the ballot drop box as described in [NAC 293.347](#);
- (b) The location of the ballot drop box; and
- (c) The dates and times during which the ballot drop box will be unlocked and accessible to persons for the submission of mail ballots.

2. If there is a change during an election year to any of the information submitted on the list described in subsection 1, the county clerk must submit to the Secretary of State an explanation for the change and an amended list not later than 24 hours after the change is made.

(Added to NAC by Sec’y of State by R093-21, eff. 2-28-2022)

## 2. NAC 293

- Require submission of plan required by NAC 293.351 not later than 90 days before an election. Allow clerk to submit *their original plan along with a cover letter stating there is “no change”* if there is no change from previous election. Require SOS to approve or disapprove of the plan.

**NAC 293.351 Submission of plan to Secretary of State relating to ballot drop boxes that are tampered with or rendered inaccessible. (NRS 293.124, 293.269921)**

1. The county clerk shall develop and submit a plan to the Secretary of State *not later than 90 days before an election* relating to ballot drop boxes established in the county that are tampered with or rendered inaccessible during early voting or on election day. The plan must, include, without limitation:

- (a) Provision for the replacement of a ballot drop box that is tampered with or rendered inaccessible during early voting or on election day;
- (b) The method that the county clerk will use to notify the public if a ballot drop box is tampered with or rendered inaccessible; and
- (c) The location of the nearest ballot drop box to the ballot drop box that is tampered with or rendered inaccessible.

2. The plan described in subsection 1 must be submitted on a form prescribed by the Secretary of State.

*3. If no change is requested in the plan which was approved for the previous election, the county clerk may indicate that fact to the Secretary of State while submitting the previously submitted plan for the upcoming election.*

*4. The Secretary of State will confirm that a plan submitted pursuant to subsection 1 or 3 is or is not compliant not later than 15 days after the plan is submitted.*

(Added to NAC by Sec’y of State by R093-21, eff. 2-28-2022)

3. NAC 293, 293B

- Add these to the other required regulations relating to plans:

*3. If no change is requested in the plan which was approved for the previous election, the county clerk may indicate that fact to the Secretary of State while submitting the previously submitted plan for the upcoming election.*

*4. The Secretary of State will confirm that a plan submitted pursuant to subsection 1 or 3 is or is not compliant not later than 15 days after the plan is submitted.*

4. NAC 293

- County clerks must confirm to the Secretary of State in writing that the requirements of NRS 293.2955 will be met at all voting locations not earlier than 45 days before election day and not later than the first day of the period for in-person Early Voting for any election.
  - And allow for amendments if polling locations change after the 45 day mark

5. NAC 293

- Add requirement to publish county and local offices in addition to the others

**NAC 293.040 Notice of judicial, statewide and multicounty district offices to be filled.** ([NRS 293.124](#), [293.247](#))

1. The Secretary of State will, not later than November 15 of the year before the year in which a primary election is held:

(a) Prepare and send to each county clerk a written and electronic notice which designates the judicial, statewide and multicounty district offices for which candidates are to be nominated at the primary election; and

(b) Post a copy of the notice prepared pursuant to paragraph (a) on the Internet website of the Secretary of State.

2. Except as otherwise provided in this subsection, within 10 days after receipt of a notice required to be sent pursuant to subsection 1, the county clerk shall publish once in a newspaper published in his or her county and on the Internet website of the county clerk that portion of the notice which applies to his or her county *as well as any county or municipal offices for which candidates are to be nominated at the primary election*. If:

(a) No newspaper is published in his or her county, the publication must be made in any newspaper of general circulation which is published in the nearest county of this State; or

(b) The publication deadline of the newspaper prevents the county clerk from publishing the notice within 10 days, the publication must be made as soon as practicable after receipt of the notice.

[Sec'y of State, Conduct of Elections Reg. § A-4, eff. 2-28-80]—(NAC A 3-17-92; 3-22-94; 3-15-96; R217-97, 5-26-98; R072-06, 7-14-2006; R163-07, 12-4-2007; R092-09, 10-27-2009; R088-21, 2-28-2022)