
SENATE BILL NO. 367—SENATORS GUSTAVSON
AND SETTELMAYER

MARCH 18, 2013

JOINT SPONSORS: ASSEMBLYMEN WHEELER;
ELLISON AND HANSEN

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes concerning foreign nationals.
(BDR 15-432)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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

AN ACT relating to foreign nationals; prohibiting the use of threats relating to the immigration status of a person to compel a person to perform certain acts; requiring a person to submit proof of citizenship to register to vote; prohibiting a person from voting when that person knows that he or she is not entitled to vote; providing that a person who is not a citizen of the United States is not eligible for a Governor Guinn Millennium Scholarship; providing that a person who is not a citizen of the United States is not eligible to receive certain state public benefits; prohibiting the Department of Motor Vehicles from issuing a driver's license to a person who is not lawfully present in the United States; requiring a person who is applying for a driver's license or an instruction permit to submit proof that he or she is lawfully present in the United States; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law provides that a person is guilty of a category B felony if the person
- 2 makes certain threats with the intent of obtaining any money or other property from
- 3 another person. (NRS 205.320) **Section 1** of this bill provides that a person is guilty



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4 of a category B felony if the person threatens to report to law enforcement the
5 immigration status of another person with the intent of obtaining money or other
6 property from the other person.

7 Existing law provides that a person is guilty of a category B felony if the person
8 engages in certain acts with the intent to compel another person to do an act or
9 abstain from doing an act. (NRS 207.190) **Section 2** of this bill provides that a
10 person is guilty of a category B felony if the person compels another person to do
11 an act or abstain from doing an act by threatening to report to law enforcement the
12 immigration status of the other person.

13 Under existing law, a person is eligible to vote if the person is a citizen of the
14 United States and registered to vote. (NRS 293.485) To register to vote, a person
15 must submit certain information to a county clerk, including, without limitation,
16 proof of identification and residence. (NRS 293.517) **Sections 4 and 6-10** of this
17 bill require a person registering to vote to submit proof that the person is a citizen
18 of the United States. **Section 4** describes the documents a person may submit to
19 prove that the person is a citizen of the United States. **Section 5** of this bill provides
20 that a person is guilty of a category E felony if the person votes in an election
21 knowing that he or she is not entitled to vote in that election.

22 Existing law authorizes a person who satisfies certain criteria to apply for a
23 Governor Guinn Millennium Scholarship. (NRS 396.930) **Section 11** of this bill
24 provides that a person who is not a citizen of the United States is not eligible to
25 receive a Millennium Scholarship.

26 Existing law prohibits a person who is not lawfully present in the United States
27 from receiving certain state or local benefits. (NRS 422.065, 422A.085) **Sections**
28 **12 and 13** of this bill provide that a person who is not a citizen of the United States
29 is not eligible for certain state public benefits, including, without limitation, grants,
30 loans, professional licenses, commercial licenses and assistance for disability,
31 housing, postsecondary education, food aid or unemployment benefits.

32 Under existing law, the Department of Motor Vehicles is prohibited from
33 issuing a driver's license to certain persons. (NRS 483.250) In addition, a person
34 must provide proof of his or her name and age by displaying certain documents.
35 (NRS 483.290) **Section 14** of this bill prohibits the Department from issuing a
36 driver's license to a person who is not lawfully present in the United States. **Section**
37 **15** of this bill requires a person to submit with an application for a driver's license
38 or an instruction permit proof that he or she is lawfully present in the United States.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 205.320 is hereby amended to read as follows:

2 205.320 A person who, with the intent to extort or gain any
3 money or other property or to compel or induce another to make,
4 subscribe, execute, alter or destroy any valuable security or
5 instrument or writing affecting or intended to affect any cause of
6 action or defense, or any property, or to influence the action of any
7 public officer, or to do or abet or procure any illegal or wrongful act,
8 whether or not the purpose is accomplished, threatens directly or
9 indirectly:

- 10 1. To accuse any person of a crime;
11 2. To injure a person or property;
12 3. To publish or connive at publishing any libel;



1 4. To expose or impute to any person any deformity or
2 disgrace; ~~or~~

3 5. To expose any secret ~~H~~; or

4 **6. To report to law enforcement officials the immigration**
5 **status of a person,**

6 ➔ is guilty of a category B felony and shall be punished by
7 imprisonment in the state prison for a minimum term of not less
8 than 1 year and a maximum term of not more than 10 years, or by a
9 fine of not more than \$10,000, or by both fine and imprisonment. In
10 addition to any other penalty, the court shall order the person to pay
11 restitution.

12 **Sec. 2.** NRS 207.190 is hereby amended to read as follows:

13 207.190 1. It is unlawful for a person, with the intent to
14 compel another to do or abstain from doing an act which the other
15 person has a right to do or abstain from doing, to:

16 (a) Use violence or inflict injury upon the other person or any of
17 the other person's family, or upon the other person's property, or
18 threaten such violence or injury;

19 (b) Deprive the person of any tool, implement or clothing, or
20 hinder the person in the use thereof; ~~or~~

21 (c) Attempt to intimidate the person by threats or force ~~H~~; or

22 **(d) Threaten directly or indirectly to report to law enforcement**
23 **officials the immigration status of the person.**

24 2. A person who violates the provisions of subsection 1 shall
25 be punished:

26 (a) Where physical force, ~~or~~ the immediate threat of physical
27 force **or a threat described in paragraph (d) of subsection 1** is
28 used, for a category B felony by imprisonment in the state prison for
29 a minimum term of not less than 1 year and a maximum term of not
30 more than 6 years, and may be further punished by a fine of not
31 more than \$5,000.

32 (b) Where no physical force or immediate threat of physical
33 force is used, for a misdemeanor.

34 **Sec. 3.** Chapter 293 of NRS is hereby amended by adding
35 thereto the provisions set forth as sections 4 and 5 of this act.

36 **Sec. 4. 1. Except as otherwise provided in subsection 3, a**
37 **county clerk, field registrar, employee of a voter registration**
38 **agency or person assisting a voter pursuant to subsection 13 of**
39 **NRS 293.5235 shall not register a person to vote unless the person**
40 **submits proof of citizenship to the county clerk.**

41 **2. Proof of citizenship may be established by any one of the**
42 **following:**

43 **(a) A valid United States passport, or a legible photocopy of the**
44 **pertinent pages thereof, identifying the person and showing the**
45 **passport number.**



1 ***(b) A birth certificate or a legible photocopy thereof.***

2 ***(c) A United States naturalization document, or a legible***
3 ***photocopy thereof, or the registration number on a Certificate of***
4 ***Naturalization. If a person provides the registration number on a***
5 ***Certificate of Naturalization to prove citizenship, the person must***
6 ***not be registered to vote until the county clerk verifies the***
7 ***registration number with the United States Citizenship and***
8 ***Immigration Services of the Department of Homeland Security.***

9 ***(d) Any document or method of proof of citizenship established***
10 ***by federal law.***

11 ***(e) A driver's license bearing an indication that the person***
12 ***holding the license is a citizen of the United States.***

13 ***3. A person who is registered to vote on or before October 1,***
14 ***2013, is deemed to have provided proof of citizenship and is not***
15 ***required to submit proof of citizenship pursuant to this section.***

16 ***Sec. 5. A person who votes in any election knowing that he***
17 ***or she is not entitled to vote at that election pursuant to subsection***
18 ***1 of NRS 293.485 is guilty of a category E felony and shall be***
19 ***punished as provided in NRS 193.130.***

20 ***Sec. 6.*** NRS 293.505 is hereby amended to read as follows:

21 293.505 1. All justices of the peace, except those located in
22 county seats, are ex officio field registrars to carry out the
23 provisions of this chapter.

24 2. The county clerk shall appoint at least one registered voter to
25 serve as a field registrar of voters who, except as otherwise provided
26 in NRS 293.5055, shall register voters within the county for which
27 the field registrar is appointed. Except as otherwise provided in
28 subsection 1, a candidate for any office may not be appointed or
29 serve as a field registrar. A field registrar serves at the pleasure of
30 the county clerk and shall perform such duties as the county clerk
31 may direct. The county clerk shall not knowingly appoint any
32 person as a field registrar who has been convicted of a felony
33 involving theft or fraud. The Secretary of State may bring an action
34 against a county clerk to collect a civil penalty of not more than
35 \$5,000 for each person who is appointed as a field registrar in
36 violation of this subsection. Any civil penalty collected pursuant to
37 this subsection must be deposited with the State Treasurer for credit
38 to the State General Fund.

39 3. A field registrar shall demand of any person who applies for
40 registration all information required by the application to register to
41 vote and shall administer all oaths required by this chapter.

42 4. When a field registrar has in his or her possession five or
43 more completed applications to register to vote, the field registrar
44 shall forward them to the county clerk, but in no case may the field
45 registrar hold any number of them for more than 10 days.



1 5. Each field registrar shall forward to the county clerk all
2 completed applications in his or her possession immediately after
3 the fifth Sunday preceding an election. Within 5 days after the fifth
4 Sunday preceding any general election or general city election, a
5 field registrar shall return all unused applications in his or her
6 possession to the county clerk. If all of the unused applications are
7 not returned to the county clerk, the field registrar shall account for
8 the unreturned applications.

9 6. Each field registrar shall submit to the county clerk a list of
10 the serial numbers of the completed applications to register to vote
11 and the names of the electors on those applications. The serial
12 numbers must be listed in numerical order.

13 7. Each field registrar shall post notices sent to him or her by
14 the county clerk for posting in accordance with the election laws of
15 this State.

16 8. A field registrar, employee of a voter registration agency or
17 person assisting a voter pursuant to subsection 13 of NRS 293.5235
18 shall not:

19 (a) Delegate any of his or her duties to another person; or

20 (b) Refuse to register a person on account of that person's
21 political party affiliation.

22 9. A person shall not hold himself or herself out to be or
23 attempt to exercise the duties of a field registrar unless the person
24 has been so appointed.

25 10. A county clerk, field registrar, employee of a voter
26 registration agency or person assisting a voter pursuant to subsection
27 13 of NRS 293.5235 shall not:

28 (a) Solicit a vote for or against a particular question or
29 candidate;

30 (b) Speak to a voter on the subject of marking his or her ballot
31 for or against a particular question or candidate; or

32 (c) Distribute any petition or other material concerning a
33 candidate or question which will be on the ballot for the ensuing
34 election,

35 ↪ while registering an elector.

36 11. When the county clerk receives applications to register to
37 vote from a field registrar, the county clerk shall issue a receipt to
38 the field registrar. The receipt must include:

39 (a) The number of persons registered; and

40 (b) The political party of the persons registered.

41 12. A county clerk, field registrar, employee of a voter
42 registration agency or person assisting a voter pursuant to subsection
43 13 of NRS 293.5235 shall not:



1 (a) Knowingly register a person who is not a qualified elector or
2 a person who has filed a false or misleading application to register
3 to vote; or

4 (b) Register a person who fails to provide satisfactory proof of
5 *citizenship pursuant to section 4 of this act*, identification and the
6 address at which the person actually resides.

7 13. A county clerk, field registrar, employee of a voter
8 registration agency, person assisting a voter pursuant to subsection
9 13 of NRS 293.5235 or any other person providing a form for the
10 application to register to vote to an elector for the purpose of
11 registering to vote:

12 (a) If the person who assists an elector with completing the form
13 for the application to register to vote retains the form, shall enter his
14 or her name on the duplicate copy or receipt retained by the voter
15 upon completion of the form; and

16 (b) Shall not alter, deface or destroy an application to register to
17 vote that has been signed by an elector except to correct information
18 contained in the application after receiving notice from the elector
19 that a change in or addition to the information is required.

20 14. If a field registrar violates any of the provisions of this
21 section, the county clerk shall immediately suspend the field
22 registrar and notify the district attorney of the county in which the
23 violation occurred.

24 15. A person who violates any of the provisions of subsection
25 8, 9, 10, 12 or 13 is guilty of a category E felony and shall be
26 punished as provided in NRS 193.130.

27 **Sec. 7.** NRS 293.5057 is hereby amended to read as follows:

28 293.5057 A person who does not maintain a residence in this
29 State may register to vote for the office of President and Vice
30 President of the United States if the person ~~files~~ :

31 1. *Files* a sworn statement with the county clerk or field
32 registrar of voters that the person is not registered to vote in any
33 other state ;

34 2. *Submits proof of citizenship pursuant to section 4 of this*
35 *act*; and ~~provides~~

36 3. *Provides* evidence:

37 ~~H-1~~ (a) Of his or her domicile in this State in accordance with
38 the provisions of NRS 41.191;

39 ~~I-2~~ (b) That he or she maintains an account at a financial
40 institution located in this State; or

41 ~~I-3~~ (c) That his or her motor vehicle is registered in this State.

42 **Sec. 8.** NRS 293.517 is hereby amended to read as follows:

43 293.517 1. Any elector residing within the county may
44 register to vote:



1 (a) Except as otherwise provided in NRS 293.560 and
2 293C.527, by appearing before the county clerk, a field registrar or a
3 voter registration agency, completing the application to register to
4 vote, giving true and satisfactory answers to all questions relevant to
5 his or her identity and right to vote, *submitting proof of citizenship*
6 *pursuant to section 4 of this act* and providing proof of residence
7 and identity;

8 (b) By completing and mailing or personally delivering to the
9 county clerk an application to register to vote pursuant to the
10 provisions of NRS 293.5235 ~~§~~ and *submitting proof of citizenship*
11 *pursuant to section 4 of this act*;

12 (c) Pursuant to the provisions of NRS 293.524 or chapter 293D
13 of NRS;

14 (d) At his or her residence with the assistance of a field registrar
15 pursuant to NRS 293.5237; or

16 (e) By submitting an application to register to vote by computer,
17 if the county clerk has established a system pursuant to NRS
18 293.506 for using a computer to register voters.

19 ➤ The county clerk shall require a person to submit *proof of*
20 *citizenship pursuant to section 4 of this act and* official
21 identification as proof of residence and identity, such as a driver's
22 license or other official document, before registering the person. If
23 the applicant registers to vote pursuant to this subsection and fails to
24 provide proof of *citizenship*, residence and identity, the applicant
25 must provide proof of *citizenship*, residence and identity before
26 casting a ballot in person or by mail or after casting a provisional
27 ballot pursuant to NRS 293.3081 or 293.3083. For the purposes of
28 this subsection, a voter registration card issued pursuant to
29 subsection 6 does not provide proof of the *citizenship*, residence or
30 identity of a person.

31 2. The application to register to vote must be signed and
32 verified under penalty of perjury by the elector registering.

33 3. Each elector who is or has been married must be registered
34 under his or her own given or first name, and not under the given or
35 first name or initials of his or her spouse.

36 4. An elector who is registered and changes his or her name
37 must complete a new application to register to vote. The elector may
38 obtain a new application:

39 (a) At the office of the county clerk or field registrar;

40 (b) By submitting an application to register to vote pursuant to
41 the provisions of NRS 293.5235;

42 (c) By submitting a written statement to the county clerk
43 requesting the county clerk to mail an application to register to vote;

44 (d) At any voter registration agency; or



1 (e) By submitting an application to register to vote by computer,
2 if the county clerk has established a system pursuant to NRS
3 293.506 for using a computer to register voters.

4 ➤ If the elector fails to register under his or her new name, the
5 elector may be challenged pursuant to the provisions of NRS
6 293.303 or 293C.292 and may be required to furnish proof of
7 identity and subsequent change of name.

8 5. Except as otherwise provided in subsection 7, an elector who
9 registers to vote pursuant to paragraph (a) of subsection 1 shall be
10 deemed to be registered upon the completion of an application to
11 register to vote.

12 6. After the county clerk determines that the application to
13 register to vote of a person is complete and that, except as otherwise
14 provided in NRS 293D.210, the person is eligible to vote pursuant
15 to NRS 293.485, the county clerk shall issue a voter registration
16 card to the voter which contains:

17 (a) The name, address, political affiliation and precinct number
18 of the voter;

19 (b) The date of issuance; and

20 (c) The signature of the county clerk.

21 7. If an elector submits an application to register to vote or an
22 affidavit described in paragraph (c) of subsection 1 of NRS 293.507
23 that contains any handwritten additions, erasures or interlineations,
24 the county clerk may object to the application to register to vote if
25 the county clerk believes that because of such handwritten additions,
26 erasures or interlineations, the application to register to vote of the
27 elector is incomplete or that, except as otherwise provided in NRS
28 293D.210, the elector is not eligible to vote pursuant to NRS
29 293.485. If the county clerk objects pursuant to this subsection, he
30 or she shall immediately notify the elector and the district attorney
31 of the county. Not later than 5 business days after the district
32 attorney receives such notification, the district attorney shall advise
33 the county clerk as to whether:

34 (a) The application to register to vote of the elector is complete
35 and, except as otherwise provided in NRS 293D.210, the elector is
36 eligible to vote pursuant to NRS 293.485; and

37 (b) The county clerk should proceed to process the application
38 to register to vote.

39 ➤ If the District Attorney advises the county clerk to process the
40 application to register to vote, the county clerk shall immediately
41 issue a voter registration card to the applicant pursuant to
42 subsection 6.

43 **Sec. 9.** NRS 293.5235 is hereby amended to read as follows:

44 293.5235 1. Except as otherwise provided in NRS 293.502
45 and chapter 293D of NRS, a person may register to vote by mailing



1 an application to register to vote *and submitting proof of*
2 *citizenship pursuant to section 4 of this act* to the county clerk of
3 the county in which the person resides or may register to vote by
4 computer, if the county clerk has established a system pursuant to
5 NRS 293.506 for using a computer to register to vote. The county
6 clerk shall, upon request, mail an application to register to vote to an
7 applicant. The county clerk shall make the applications available at
8 various public places in the county. An application to register to
9 vote may be used to correct information in the registrar of voters'
10 register.

11 2. An application to register to vote which is mailed to an
12 applicant by the county clerk or made available to the public at
13 various locations or voter registration agencies in the county may be
14 returned to the county clerk by mail or in person. For the purposes
15 of this section, an application which is personally delivered to the
16 county clerk shall be deemed to have been returned by mail.

17 3. The applicant must complete the application, including,
18 without limitation, checking the boxes described in paragraphs (b)
19 and (c) of subsection 10 , ~~and~~ signing the application ~~+~~ *and*
20 *submitting proof of citizenship pursuant to section 4 of this act.*

21 4. The county clerk shall, upon receipt of an application,
22 determine whether the application is complete.

23 5. If the county clerk determines that the application is
24 complete, he or she shall, within 10 days after receiving the
25 application, mail to the applicant:

26 (a) A notice that the applicant is registered to vote and a voter
27 registration card as required by subsection 6 of NRS 293.517; or

28 (b) A notice that the registrar of voters' register has been
29 corrected to reflect any changes indicated on the application.

30 6. Except as otherwise provided in subsection 5 of NRS
31 293.518, if the county clerk determines that the application is not
32 complete, the county clerk shall, as soon as possible, mail a notice to
33 the applicant that additional information is required to complete the
34 application. If the applicant provides the information requested by
35 the county clerk within 15 days after the county clerk mails the
36 notice, the county clerk shall, within 10 days after receiving the
37 information, mail to the applicant:

38 (a) A notice that the applicant is registered to vote and a voter
39 registration card as required by subsection 6 of NRS 293.517; or

40 (b) A notice that the registrar of voters' register has been
41 corrected to reflect any changes indicated on the application.

42 ➤ If the applicant does not provide the additional information
43 within the prescribed period, the application is void.



1 7. The applicant shall be deemed to be registered or to have
2 corrected the information in the register on the date the application
3 is postmarked or received by the county clerk, whichever is earlier.

4 8. If the applicant fails to check the box described in paragraph
5 (b) of subsection 10, the application shall not be considered invalid
6 and the county clerk shall provide a means for the applicant to
7 correct the omission at the time the applicant appears to vote in
8 person at the assigned polling place.

9 9. The Secretary of State shall prescribe the form for an
10 application to register to vote by:

11 (a) Mail, which must be used to register to vote by mail in this
12 State.

13 (b) Computer, which must be used to register to vote in a county
14 if the county clerk has established a system pursuant to NRS
15 293.506 for using a computer to register to vote.

16 10. The application to register to vote by mail must include:

17 (a) A notice in at least 10-point type which states:
18

19 NOTICE: You are urged to return your application to
20 register to vote to the County Clerk in person or by mail. If
21 you choose to give your completed application to another
22 person to return to the County Clerk on your behalf, and the
23 person fails to deliver the application to the County Clerk,
24 you will not be registered to vote. Please retain the duplicate
25 copy or receipt from your application to register to vote.
26

27 (b) The question, "Are you a citizen of the United States?" and
28 boxes for the applicant to check to indicate whether or not the
29 applicant is a citizen of the United States.

30 (c) The question, "Will you be at least 18 years of age on or
31 before election day?" and boxes for the applicant to check to
32 indicate whether or not the applicant will be at least 18 years of age
33 or older on election day.

34 (d) A statement instructing the applicant not to complete the
35 application if the applicant checked "no" in response to the question
36 set forth in paragraph (b) or (c).

37 (e) A statement informing the applicant that if the application is
38 submitted by mail and the applicant is registering to vote for the first
39 time, the applicant must submit the information set forth in
40 paragraph (a) of subsection 2 of NRS 293.2725 to avoid the
41 requirements of subsection 1 of NRS 293.2725 upon voting for the
42 first time.

43 11. Except as otherwise provided in subsection 5 of NRS
44 293.518, the county clerk shall not register a person to vote pursuant



1 to this section unless that person has provided all of the information
2 required by the application.

3 12. The county clerk shall mail, by postcard, the notices
4 required pursuant to subsections 5 and 6. If the postcard is returned
5 to the county clerk by the United States Postal Service because the
6 address is fictitious or the person does not live at that address, the
7 county clerk shall attempt to determine whether the person's current
8 residence is other than that indicated on the application to register to
9 vote in the manner set forth in NRS 293.530.

10 13. A person who, by mail, registers to vote pursuant to this
11 section may be assisted in completing the application to register to
12 vote by any other person. The application must include the mailing
13 address and signature of the person who assisted the applicant. The
14 failure to provide the information required by this subsection will
15 not result in the application being deemed incomplete.

16 14. An application to register to vote must be made available to
17 all persons, regardless of political party affiliation.

18 15. An application must not be altered or otherwise defaced
19 after the applicant has completed and signed it. An application must
20 be mailed or delivered in person to the office of the county clerk
21 within 10 days after it is completed.

22 16. A person who willfully violates any of the provisions of
23 subsection 13, 14 or 15 is guilty of a category E felony and shall be
24 punished as provided in NRS 193.130.

25 17. The Secretary of State shall adopt regulations to carry out
26 the provisions of this section.

27 **Sec. 10.** NRS 293.524 is hereby amended to read as follows:

28 293.524 1. The Department of Motor Vehicles shall provide
29 an application to register to vote to each person who applies for the
30 issuance or renewal of any type of driver's license or identification
31 card issued by the Department.

32 2. The county clerk shall use the applications to register to vote
33 which are signed and completed pursuant to subsection 1 to register
34 applicants to vote or to correct information in the registrar of voters'
35 register. An application that is not signed must not be used to
36 register or correct the registration of the applicant. *An application*
37 *that does not include proof of citizenship pursuant to section 4 of*
38 *this act must not be used to register the applicant.*

39 3. For the purposes of this section, each employee specifically
40 authorized to do so by the Director of the Department may oversee
41 the completion of an application. The authorized employee shall
42 check the application for completeness and verify the information
43 required by the application. Each application must include a
44 duplicate copy or receipt to be retained by the applicant upon
45 completion of the form. The Department shall, except as otherwise



1 provided in this subsection, forward each application on a weekly
2 basis to the county clerk or, if applicable, to the registrar of voters of
3 the county in which the applicant resides. The applications must be
4 forwarded daily during the 2 weeks immediately preceding the fifth
5 Sunday preceding an election.

6 4. The county clerk shall accept any application to register to
7 vote which is obtained from the Department of Motor Vehicles
8 pursuant to this section and completed by the fifth Sunday preceding
9 an election if the county clerk receives the application not later than
10 5 days after that date. Upon receipt of an application, the county
11 clerk or field registrar of voters shall determine whether the
12 application is complete. If the county clerk or field registrar of
13 voters determines that the application is complete, he or she shall
14 notify the applicant and the applicant shall be deemed to be
15 registered as of the date of the submission of the application. If the
16 county clerk or field registrar of voters determines that the
17 application is not complete, he or she shall notify the applicant of
18 the additional information required. The applicant shall be deemed
19 to be registered as of the date of the initial submission of the
20 application if the additional information is provided within 15 days
21 after the notice for the additional information is mailed. If the
22 applicant has not provided the additional information within 15 days
23 after the notice for the additional information is mailed, the
24 incomplete application is void. Any notification required by this
25 subsection must be given by mail at the mailing address on the
26 application not more than 7 working days after the determination is
27 made concerning whether the application is complete.

28 5. The county clerk shall use any form submitted to the
29 Department to correct information on a driver's license or
30 identification card to correct information in the registrar of voters'
31 register, unless the person indicates on the form that the correction
32 is not to be used for the purposes of voter registration. The
33 Department shall forward each such form to the county clerk or, if
34 applicable, to the registrar of voters of the county in which the
35 person resides in the same manner provided by subsection 3 for
36 applications to register to vote.

37 6. Upon receipt of a form to correct information, the county
38 clerk shall compare the information to that contained in the registrar
39 of voters' register. If the person is a registered voter, the county
40 clerk shall correct the information to reflect any changes indicated
41 on the form. After making any changes, the county clerk shall notify
42 the person by mail that the records have been corrected.

43 7. The Secretary of State shall, with the approval of the
44 Director, adopt regulations to:



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1 (a) Establish any procedure necessary to provide an elector who
2 applies to register to vote pursuant to this section the opportunity to
3 do so;

4 (b) Prescribe the contents of any forms or applications which the
5 Department is required to distribute pursuant to this section; and

6 (c) Provide for the transfer of the completed applications of
7 registration from the Department to the appropriate county clerk for
8 inclusion in the election board registers and registrar of voters'
9 register.

10 **Sec. 11.** NRS 396.930 is hereby amended to read as follows:

11 396.930 1. Except as otherwise provided in subsections 2 and
12 3, a student may apply to the Board of Regents for a Millennium
13 Scholarship if the student:

14 (a) Except as otherwise provided in paragraph (e) of subsection
15 2, has been a resident of this State for at least 2 years before the
16 student applies for the Millennium Scholarship ~~and~~ *and is a citizen of*
17 *the United States;*

18 (b) Except as otherwise provided in paragraph (c), graduated
19 from a public or private high school in this State:

20 (1) After May 1, 2000, but not later than May 1, 2003; or

21 (2) After May 1, 2003, and, except as otherwise provided in
22 paragraphs (c), (d) and (f) of subsection 2, not more than 6 years
23 before the student applies for the Millennium Scholarship;

24 (c) Does not satisfy the requirements of paragraph (b) and:

25 (1) Was enrolled as a pupil in a public or private high school
26 in this State with a class of pupils who were regularly scheduled to
27 graduate after May 1, 2000;

28 (2) Received his or her high school diploma within 4 years
29 after he or she was regularly scheduled to graduate; and

30 (3) Applies for the Millennium Scholarship not more than 6
31 years after he or she was regularly scheduled to graduate from high
32 school;

33 (d) Maintained in high school in the courses designated by the
34 Board of Regents pursuant to paragraph (b) of subsection 2, at least:

35 (1) A 3.00 grade point average on a 4.0 grading scale, if the
36 student was a member of the graduating class of 2003 or 2004;

37 (2) A 3.10 grade point average on a 4.0 grading scale, if the
38 student was a member of the graduating class of 2005 or 2006; or

39 (3) A 3.25 grade point average on a 4.0 grading scale, if the
40 student was a member of the graduating class of 2007 or a later
41 graduating class; and

42 (e) Is enrolled in at least:

43 (1) Six semester credit hours in a community college within
44 the System;



1 (2) Twelve semester credit hours in another eligible
2 institution; or

3 (3) A total of 12 or more semester credit hours in eligible
4 institutions if the student is enrolled in more than one eligible
5 institution.

6 2. The Board of Regents:

7 (a) Shall define the core curriculum that a student must complete
8 in high school to be eligible for a Millennium Scholarship.

9 (b) Shall designate the courses in which a student must earn the
10 minimum grade point averages set forth in paragraph (d) of
11 subsection 1.

12 (c) May establish criteria with respect to students who have been
13 on active duty serving in the Armed Forces of the United States to
14 exempt such students from the 6-year limitation on applications that
15 is set forth in subparagraph (2) of paragraph (b) of subsection 1.

16 (d) Shall establish criteria with respect to students who have a
17 documented physical or mental disability or who were previously
18 subject to an individualized education program under the
19 Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et
20 seq., or a plan under Title V of the Rehabilitation Act of 1973, 29
21 U.S.C. §§ 791 et seq. The criteria must provide an exemption for
22 those students from:

23 (1) The 6-year limitation on applications that is set forth in
24 subparagraph (2) of paragraph (b) of subsection 1 and subparagraph
25 (3) of paragraph (c) of subsection 1 and any limitation applicable to
26 students who are eligible pursuant to subparagraph (1) of paragraph
27 (b) of subsection 1.

28 (2) The minimum number of credits prescribed in paragraph
29 (e) of subsection 1.

30 (e) Shall establish criteria with respect to students who have a
31 parent or legal guardian on active duty in the Armed Forces of the
32 United States to exempt such students from the residency
33 requirement set forth in paragraph (a) of subsection 1 or
34 subsection 3.

35 (f) Shall establish criteria with respect to students who have
36 been actively serving or participating in a charitable, religious or
37 public service assignment or mission to exempt such students from
38 the 6-year limitation on applications that is set forth in subparagraph
39 (2) of paragraph (b) of subsection 1. Such criteria must provide for
40 the award of Millennium Scholarships to those students who qualify
41 for the exemption and who otherwise meet the eligibility criteria to
42 the extent that money is available to award Millennium Scholarships
43 to the students after all other obligations for the award of
44 Millennium Scholarships for the current school year have been
45 satisfied.



1 3. Except as otherwise provided in paragraph (c) of subsection
2 1, for students who did not graduate from a public or private high
3 school in this State and who, except as otherwise provided in
4 paragraph (e) of subsection 2, have been residents of this State for at
5 least 2 years, the Board of Regents shall establish:

6 (a) The minimum score on a standardized test that such students
7 must receive; or

8 (b) Other criteria that students must meet,
9 ➔ to be eligible for Millennium Scholarships.

10 4. In awarding Millennium Scholarships, the Board of Regents
11 shall enhance its outreach to students who:

12 (a) Are pursuing a career in education or health care;

13 (b) Come from families who lack sufficient financial resources
14 to pay for the costs of sending their children to an eligible
15 institution; or

16 (c) Substantially participated in an antismoking, antidrug or
17 antialcohol program during high school.

18 5. The Board of Regents shall establish a procedure by which
19 an applicant for a Millennium Scholarship is required to execute an
20 affidavit declaring the applicant's eligibility for a Millennium
21 Scholarship pursuant to the requirements of this section. The
22 affidavit must include a declaration that the applicant is a citizen of
23 the United States . ~~for has lawful immigration status, or that the
24 applicant has filed an application to legalize the applicant's
25 immigration status or will file an application to legalize his or her
26 immigration status as soon as he or she is eligible to do so.]~~

27 **Sec. 12.** NRS 422.065 is hereby amended to read as follows:

28 422.065 1. Notwithstanding any other provision of state or
29 local law, a person or governmental entity that provides a ~~state or~~
30 local public benefit:

31 (a) Shall comply with the provisions of 8 U.S.C. § 1621
32 regarding the eligibility of an alien for such a benefit.

33 (b) Is not required to pay any costs or other expenses relating to
34 the provision of such a benefit after July 1, 1997, to an alien who,
35 pursuant to 8 U.S.C. § 1621, is not eligible for the benefit.

36 2. *Notwithstanding any other provision of law and except as*
37 *otherwise provided in subsections 3 and 4, a person or*
38 *governmental entity that provides a state public benefit shall not*
39 *provide a state public benefit to a person who is not a citizen of the*
40 *United States.*

41 3. *Subsection 2 does not apply:*

42 (a) *To a person who is eligible for a state public benefit*
43 *pursuant to 8 U.S.C. § 1622(b); and*

44 (b) *With respect to a state public benefit listed in 8 U.S.C. §*
45 *1621(b).*



1 4. *A person or governmental entity that issues business or*
2 *professional licenses may provide a business or professional*
3 *license to a person who is not a citizen of the United States but*
4 *shall not provide a business or professional license to a person*
5 *who is not lawfully present in the United States.*

6 5. Compliance with the provisions of ~~§ 8 U.S.C. § 1621~~ *this*
7 *section* must not be construed to constitute any form of
8 discrimination, distinction or restriction made, or any other action
9 taken, on the basis of national origin.

10 ~~§ 3~~ 6. As used in this section ~~§~~, ~~“state or local public benefit”~~
11 ~~has the meaning ascribed to it~~ :

12 (a) *“Local public benefit” means a benefit listed in 8 U.S.C. §*
13 ~~§ 1621~~ *1621(c) which is provided by an agency of a local*
14 *government or by appropriated money of a local government.*

15 (b) *“State public benefit” means a benefit listed in 8 U.S.C. §*
16 *1621(c) which is provided by an agency of this State or by*
17 *appropriated money of this State.*

18 **Sec. 13.** NRS 422A.085 is hereby amended to read as follows:

19 422A.085 1. Notwithstanding any other provision of state or
20 local law, a person or governmental entity that provides a ~~state or~~
21 local public benefit:

22 (a) Shall comply with the provisions of 8 U.S.C. § 1621
23 regarding the eligibility of an alien for such a benefit.

24 (b) Is not required to pay any costs or other expenses relating to
25 the provision of such a benefit after July 1, 1997, to an alien who,
26 pursuant to 8 U.S.C. § 1621, is not eligible for the benefit.

27 2. *Notwithstanding any other provision of law and except as*
28 *otherwise provided in subsections 3 and 4, a person or*
29 *governmental entity that provides a state public benefit shall not*
30 *provide a state public benefit to a person who is not a citizen of the*
31 *United States.*

32 3. *Subsection 2 does not apply:*

33 (a) *To a person who is eligible for a state public benefit*
34 *pursuant to 8 U.S.C. § 1622(b); and*

35 (b) *With respect to a state public benefit listed in 8 U.S.C. §*
36 *1621(b).*

37 4. *A person or governmental entity that issues business or*
38 *professional licenses may provide a business or professional*
39 *license to a person who is not a citizen of the United States but*
40 *shall not provide a business or professional license to a person*
41 *who is not lawfully present in the United States.*

42 5. Compliance with the provisions of ~~§ 8 U.S.C. § 1621~~ *this*
43 *section* must not be construed to constitute any form of
44 discrimination, distinction or restriction made, or any other action
45 taken, on the basis of national origin.



1 ~~13-1~~ 6. As used in this section ~~1~~, “state or local public benefit”
2 has the meaning ascribed to it:

3 (a) “Local public benefit” means a benefit listed in 8 U.S.C. §
4 ~~1621-1~~ 1621(c) which is provided by an agency of a local
5 government or by appropriated money of a local government.

6 (b) “State public benefit” means a benefit listed in 8 U.S.C. §
7 1621(c) which is provided by an agency of this State or by
8 appropriated money of this State.

9 **Sec. 14.** NRS 483.250 is hereby amended to read as follows:

10 483.250 The Department shall not issue any license pursuant to
11 the provisions of NRS 483.010 to 483.630, inclusive:

12 1. To any person who is under the age of 18 years, except that
13 the Department may issue:

14 (a) A restricted license to a person between the ages of 14 and
15 18 years pursuant to the provisions of NRS 483.267 and 483.270.

16 (b) An instruction permit to a person who is at least 15 1/2 years
17 of age pursuant to the provisions of subsection 1 of NRS 483.280.

18 (c) A restricted instruction permit to a person under the age of
19 18 years pursuant to the provisions of subsection 3 of NRS 483.280.

20 (d) A driver’s license to a person who is 16 or 17 years of age
21 pursuant to NRS 483.2521.

22 2. To any person whose license has been revoked until the
23 expiration of the period during which the person is not eligible for a
24 license.

25 3. To any person whose license has been suspended, but upon
26 good cause shown to the Administrator, the Department may issue a
27 restricted license to the person or shorten any period of suspension.

28 4. To any person who has previously been adjudged to be
29 afflicted with or suffering from any mental disability or disease and
30 who has not at the time of application been restored to legal
31 capacity.

32 5. To any person who is required by NRS 483.010 to 483.630,
33 inclusive, to take an examination, unless the person has successfully
34 passed the examination.

35 6. To any person when the Administrator has good cause to
36 believe that by reason of physical or mental disability that person
37 would not be able to operate a motor vehicle safely.

38 7. To any person who is not a resident of this State.

39 8. To any child who is the subject of a court order issued
40 pursuant to title 5 of NRS which delays the child’s privilege to
41 drive.

42 9. To any person who is the subject of a court order issued
43 pursuant to NRS 206.330 which delays the person’s privilege to
44 drive until the expiration of the period of delay.



1 10. To any person who is not eligible for the issuance of a
2 license pursuant to NRS 483.283.

3 **11. *To any person who is not lawfully present in the United***
4 ***States.***

5 **Sec. 15.** NRS 483.290 is hereby amended to read as follows:

6 483.290 1. Every application for an instruction permit or for
7 a driver's license must:

8 (a) Be made upon a form furnished by the Department.

9 (b) Be verified by the applicant before a person authorized to
10 administer oaths. Officers and employees of the Department may
11 administer those oaths without charge.

12 (c) Be accompanied by the required fee.

13 (d) State the name, date of birth, sex and residence address of
14 the applicant and briefly describe the applicant.

15 (e) State whether the applicant has theretofore been licensed as a
16 driver, and, if so, when and by what state or country, and whether
17 any such license has ever been suspended or revoked, or whether an
18 application has ever been refused, and, if so, the date of and reason
19 for the suspension, revocation or refusal.

20 (f) ***Include such information as the Department may require to***
21 ***determine that the applicant is lawfully present in the United***
22 ***States.***

23 (g) Include such other information as the Department may
24 require to determine the competency and eligibility of the applicant.

25 2. Except as otherwise provided in subsections 5, 6 and 7,
26 every applicant must furnish proof of his or her name and age by
27 displaying an original or certified copy of at least one of the
28 following documents:

29 (a) If the applicant was born in the United States, including,
30 without limitation, the District of Columbia or any territory of the
31 United States:

32 (1) A birth certificate issued by a state, a political subdivision
33 of a state, the District of Columbia or any territory of the United
34 States;

35 (2) A driver's license issued by another state, the District of
36 Columbia or any territory of the United States;

37 (3) A passport issued by the United States Government;

38 (4) A military identification card or military dependent
39 identification card issued by any branch of the Armed Forces of the
40 United States;

41 (5) For persons who served in any branch of the Armed
42 Forces of the United States, a report of separation;

43 (6) A Certificate of Degree of Indian Blood issued by the
44 United States Government; or



- 1 (7) Such other documentation as specified by the Department
2 by regulation; or
- 3 (b) If the applicant was born outside the United States:
- 4 (1) A Certificate of Citizenship, Certificate of Naturalization,
5 Permanent Resident Card or Temporary Resident Card issued by the
6 United States Citizenship and Immigration Services of the
7 Department of Homeland Security;
- 8 (2) A Consular Report of Birth Abroad issued by the
9 Department of State;
- 10 (3) A driver's license issued by another state, the District of
11 Columbia or any territory of the United States;
- 12 (4) A passport issued by the United States Government; or
- 13 (5) Any other proof acceptable to the Department other than
14 a passport issued by a foreign government.
- 15 3. At the time of applying for a driver's license, an applicant
16 may, if eligible, register to vote pursuant to NRS 293.524.
- 17 4. Every applicant who has been assigned a social security
18 number must furnish proof of his or her social security number by
19 displaying:
- 20 (a) An original card issued to the applicant by the Social
21 Security Administration bearing the social security number of the
22 applicant; or
- 23 (b) Other proof acceptable to the Department, including, without
24 limitation, records of employment or federal income tax returns.
- 25 5. The Department may refuse to accept a driver's license
26 issued by another state, the District of Columbia or any territory of
27 the United States if the Department determines that the other state,
28 the District of Columbia or the territory of the United States has less
29 stringent standards than the State of Nevada for the issuance of a
30 driver's license.
- 31 6. With respect to any document described in paragraph (b) of
32 subsection 2, the Department may:
- 33 (a) If the document has expired, refuse to accept the document
34 or refuse to issue a driver's license to the person presenting the
35 document, or both; and
- 36 (b) If the document specifies a date by which the person
37 presenting the document must depart from the United States, issue
38 to the person presenting the document a driver's license that expires
39 on the date on which the person is required to depart from the
40 United States.
- 41 7. The Administrator shall adopt regulations setting forth
42 criteria pursuant to which the Department will issue or refuse to
43 issue a driver's license in accordance with this section to a person
44 who is a citizen of a foreign country. The criteria must be based



1 upon the purpose for which that person is present within the United
2 States.

3 8. Notwithstanding any other provision of this section, the
4 Department shall not accept a consular identification card as proof
5 of the age or identity of an applicant for an instruction permit or for
6 a driver's license. As used in this subsection, "consular
7 identification card" has the meaning ascribed to it in NRS 232.006.

8 **Sec. 16.** NRS 293.523 is hereby repealed.

TEXT OF REPEALED SECTION

293.523 Registration of naturalized citizen. A naturalized citizen need not produce his or her certificate of naturalization in order to qualify to be registered.

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* S B 3 6 7 *