

THE ONE HUNDRED AND SECOND DAY

CARSON CITY (Thursday), May 14, 2015

Senate called to order at 1:36 p.m.

President Hutchison presiding.

Roll called.

All present except Senators Segerblom and Smith, who were excused.

Prayer by the Chaplain, Pastor Albert Tilstra.

Eternal Father of our souls, grant to the members and the officers of this Body a sacred moment of quiet time before they take up the duties of the day. Turn their thoughts to You and open their hearts to Your Spirit that they may have wisdom in their decisions, understanding in their thinking, love in their attitudes and mercy in their judgments.

Let them not think, when this prayer is said, that their dependence upon You is over and forget Your counsel for the rest of the day. Rather, from these moments of heart-searching, may there come such a sweetness of disposition that all may know that You are in this place.

From this holy interlude may there flow light and joy and power that will remain with them until night shall bring Your whispered benediction, "Well done, my good and faithful servant."

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President and Secretary are authorized to make the necessary corrections and additions.

REPORTS OF COMMITTEES

Mr. President:

Your Committee on Finance, to which were re-referred Senate Bills Nos. 89, 230, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Finance, to which were re-referred Senate Bills Nos. 103, 501, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass as amended.

Also, your Committee on Finance, to which was re-referred Senate Bill No. 328, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation as amended.

BEN KIECKHEFER, *Chair*

Mr. President:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 54, 106, 162, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PETE GOICOECHEA, *Chair*

Mr. President:

Your Committee on Health and Human Services, to which were referred Assembly Bills Nos. 268, 308, 324, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, our Committee on Health and Human Services, to which were referred Assembly Bills Nos. 81, 158, 243, 305, 425, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and place on Consent Calendar.

JOSEPH P. HARDY, *Chair*

Mr. President:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 201, 301, 419, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Judiciary, to which were referred Assembly Bills Nos. 114, 244, 287, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

GREG BROWER, *Chair*

Mr. President:

Your Committee on Legislative Operations and Elections, to which were referred Assembly Bills Nos. 252, 273, 460; Assembly Joint Resolution No. 1, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PATRICIA FARLEY, *Chair*

Mr. President:

Your Committee on Revenue and Economic Development, to which was referred Senate Bill No. 483, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MICHAEL ROBERSON, *Chair*

Mr. President:

Your Committee on Senate Parliamentary Rules and Procedures has approved the consideration of Amendment No. 779 to Senate Bill No. 474.

JAMES A. SETTELMAYER, *Chair*

Mr. President:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 143, 176, 204, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

SCOTT HAMMOND, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 13, 2015

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bills Nos. 104, 504.

Also, I have the honor to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 3, Amendment No. 657; Senate Bill No. 40, Amendment No. 663, and respectfully requests your honorable body to concur in said amendments.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

WAIVERS AND EXEMPTIONS

NOTICE OF EXEMPTION

May 14, 2015

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Assembly Bill No. 278.

MARK KRMPOTIC,

Fiscal Analysis Division

SECOND READING AND AMENDMENT

Senate Bill No. 434.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Operations and Elections:

Amendment No. 527.

SUMMARY—Makes various changes relating to initiative and referendum petitions. (BDR 24-1150)

AN ACT relating to ballot questions; enacting and revising various provisions governing statewide and local petitions for initiative or referendum; making changes relating to the single-subject and description-of-effect requirements applicable to such petitions; prescribing a remedy for violations of those requirements; requiring the filing and qualification of a proposed petition ~~[for an initiative or referendum, and the preparation of a title and description of effect for the petition,]~~ as a prerequisite to the filing and circulation of a statewide petition; ~~[establishing]~~ changing the process ~~[by which the title and]~~ for challenging the description of effect ~~[are prepared,]~~ for a statewide petition; requiring the Secretary of State to prepare ~~[a]~~ an informational handbook for ~~[the]~~ proponents and circulators of ~~[certain petitions; requiring the proponent of such a petition to file with the Secretary of State a list of paid circulators; revising the single subject requirement applicable to such a petition,]~~ a statewide petition; revising the process by which a person may assert certain challenges to a statewide petition; defining certain circumstances when the Legislature proposes a different measure on the same subject as certain statewide petitions; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under the Nevada Constitution, the Legislature is authorized to provide by law for procedures to facilitate the operation of the provisions of Article 19 of the Nevada Constitution regarding a statewide or local petition for initiative or referendum, including procedures to facilitate the process of proposing, circulating and submitting such a petition to the registered voters of this State. (Nev. Const. Art. 19, § 5) To this end, the Legislature has enacted procedures in existing law that are intended to facilitate the efficiency, veracity and clarity of the petition process and election process. (Chapter 295 of NRS) Such procedures include the statutory single-subject and description-of-effect requirements, which provide that each statewide or local petition must be limited to a single subject and include on each signature page a description of the effect of the petition if it is approved by the voters. (NRS 295.009; *Las Vegas Taxpayer Accountability Comm. v. City Council*, 125 Nev. 165, 176-78 (2009)) The procedures also require circulators of a statewide petition to verify in affidavits that they have complied with certain statutory safeguards during the petition process. (NRS 295.0575; *Las Vegas Convention & Visitors Auth. v. Miller*, 124 Nev. 669, 680-86 (2008)) The Nevada Supreme Court has upheld these procedures against constitutional challenges because the procedures carry out the State's important regulatory interests in protecting against fraud, subterfuge, misunderstanding, mischief and abuse and thereby safeguard the public's faith and confidence in the fairness, veracity and integrity of the petition process and election process. (*Nevadans for Prot. of Prop. Rights, Inc. v.*

Heller, 122 Nev. 894, 901-03 (2006); Nevadans for Nevada v. Beers, 122 Nev. 930, 939-40 (2006); Las Vegas Convention & Visitors Auth. v. Miller, 124 Nev. 669, 691-95 (2008))

This bill enacts new and revised procedures that are intended to further facilitate the efficiency, veracity and clarity of the petition process and election process and carry out the State's important regulatory interests. Section 3.01 of this bill sets forth the Legislature's objectives in enacting the new and revised procedures. In particular, the procedures ensure that each petition receives a threshold level of support from the voters to discourage frivolous, spurious, vexatious or harassing petitions that unnecessarily consume public and private resources and cause disorder, inefficiency, unfairness and waste. The procedures also ensure that the voters receive accurate, reliable, truthful and helpful information to assist them in making informed decisions. The procedures also ensure that the single-subject and description-of-effect requirements: (1) give the voters a clear and definite choice; (2) prevent confusion, inattention and deception; and (3) focus each proposal on a single subject so that the voters are presented with a meaningful opportunity to consider the merits and consequences of each proposal separately without being confused, misled or manipulated by intricate, complex or complicated multi-subject proposals.

Under existing law, in order for a statewide or local petition to comply with the single-subject requirement, the Nevada Supreme Court has held that all the parts of the initiative or referendum proposed by the petition must be functionally related and germane to each other and to the petition's purpose or subject. (Las Vegas Taxpayer Accountability Comm. v. City Council, 125 Nev. 165, 180 (2009); Educ. Initiative PAC v. Comm. to Protect Nev. Jobs, 129 Nev. Adv. Op. 5, 293 P.3d 874, 884 (2013)) Section 12 of this bill provides that if a proposed initiative creates, generates or increases any public revenue, each part of the proposed initiative that makes an appropriation or requires the expenditure of the money raised by the proposed initiative must be functionally related and germane to each other in a way that each such appropriation or expenditure is necessarily connected with and pertinent to achieving, advancing or implementing only the single purpose of the proposed initiative and no other purpose.

Under existing law, the Nevada Supreme Court has held that if a statewide or local petition violates the description-of-effect requirement, the petition is void in its entirety and is not severable, and no part of the petition may be submitted to the voters. (NRS 295.009, 295.015; Las Vegas Taxpayer Accountability Comm. v. City Council, 125 Nev. 165, 182-85 (2009); Taxpayers for Prot. of Nev. Jobs v. Arena Initiative Comm., Nos. 57157, 58350 (Nev. Aug. 1, 2012)) By contrast, the Nevada Supreme Court has held that in the absence of a statute that prescribes a remedy for a violation of the single-subject requirement, the court will apply, on a case-by-case basis, common-law rules governing severance to determine whether the parts of the petition which violate the single-subject requirement may be severed from

the petition and the remaining parts submitted to the voters. (*Nevadans for Prot. of Prop. Rights, Inc. v. Heller*, 122 Nev. 894, 909-13 (2006)) Section 3.08 of this bill requires the same remedy for a violation of the single-subject and description-of-effect requirements and provides that if a petition violates either requirement, the petition is void in its entirety and is not severable, and no part of the petition may be submitted to the voters at any election.

Under existing law, before a statewide ~~[initiative or referendum]~~ petition may be circulated for ~~[signature]~~ signatures by the voters, the proponent of the petition must file a copy of the petition with the Secretary of State. (Nev. Const. Art. 19, §§ 1, 2; NRS 295.015) Existing law further provides that ~~[such a petition must: (1) be limited to a single subject, and (2) include on each signature page a description of the effect of the petition if it is approved by the voters. The]~~ the description of effect for a statewide petition is prepared by the proponent of the petition, but any person may challenge the description of effect or the petition's compliance with the single-subject requirement by filing an action in the First Judicial District Court after the copy of the petition is placed on file with the Secretary of State. (NRS 295.009, 295.061 ~~[F]~~; *Nevadans for Prot. of Prop. Rights, Inc. v. Heller*, 122 Nev. 894, 901-03 (2006); *Nevadans for Nevada v. Beers*, 122 Nev. 930, 939-40 (2006); *PEST Comm. v. Miller*, 626 F.3d 1097, 1099-1101 (9th Cir. 2010)) Existing law also provides that the number of signatures required to qualify the statewide petition for the ballot must be apportioned equally among Nevada's petition districts, which are coextensive with Nevada's congressional districts, and the number of signatures required from each petition district must be equal. (NRS 293.069, 293.127563, 295.012, 295.055; *Angle v. Miller*, 673 F.3d 1122, 1126-27 (9th Cir. 2012))

Sections ~~[4-9]~~ 3.1-6.5 and 13-15 of this bill revise the ~~[process by which the required]~~ procedures for a proponent of a statewide petition to propose, file and qualify the petition for the ballot and for a person to challenge the petition's description of effect ~~[is prepared]~~ and ~~[challenged. Initially,]~~ compliance with the single-subject requirement. Section 3.9, however, provides that these revised procedures do not apply to a proponent of a local petition.

Sections 4-6 provide that before the proponent may file a copy of the statewide petition ~~[to be circulated may be filed]~~ with the Secretary of State, ~~[section 4 requires the]~~ to begin the process of qualifying the petition for the ballot, the proponent must comply with certain threshold procedural requirements, including: (1) filing a copy of ~~[a]~~ the proposed petition ~~[signed by]~~ with the Secretary of State setting forth the full text of the measure proposed and a neutral summary; (2) filing an informational statement with certain contact information; and (3) circulating the proposed petition and collecting the signatures of not less than ~~[2,000]~~ 1,000 registered voters ~~[F]~~.

~~Under section 5, the signed documents of the proposed petition must be submitted to and verified by the county clerks in the manner provided by existing law for any statewide initiative or referendum. If the Secretary of State determines, based upon the county clerks' process of verification, that the required signatures have been obtained, section 6 provides that the proposed petition is deemed to have been filed. Section 6 requires the Secretary of State to notify the Attorney General of the filing and provide the Attorney General with a copy of the proposed petition.~~

~~Sections 7-9 require the Attorney General, or his or her designee, to initiate a process of public notice, comment and hearing, culminating in the preparation and adoption by the Attorney General of a title and description of effect for the proposed petition. Section 7 sets forth the requirements for the content of the title and description of effect. If the proposed petition creates, generates, increases or provides for the expenditure of any public revenue, section 7 requires that the title and description of effect identify the manner in which the revenue is to be produced or expended. After the final title and description of effect are adopted by the Attorney General or his or her designee, section 9 provides that the proponent of the proposed petition must incorporate the title and description of effect in a revised petition and place a copy of the revised petition on file with the Secretary of State. This revised petition is the copy required by existing law to be filed before circulation of the petition may begin.~~ in this State who support the proposed petition, except that the signatures do not have to be apportioned equally among Nevada's petition districts. Sections 4-6 also establish procedures for assigning a standard title with an identifying number to the proposed petition, submitting the proposed petition for signature verification and issuing a declaration of sufficiency if the proposed petition has a sufficient number of signatures. Section 5 also establishes procedures for the proponent to withdraw the proposed petition at any time before it is submitted for signature verification.

Sections ~~9~~ 6, 6.5 and 15 ~~of this bill also~~ revise the process by which a person may assert that a description of effect for a statewide petition is deficient or that such a petition fails to comply with the single-subject requirement. ~~Section 9 provides that the title and description of effect adopted by the Attorney General may be challenged through judicial review in the manner provided by existing law for the review of an administrative decision. (NRS 233B.130-233B.150) Section~~ If the Secretary of State gives the proponent notice that a declaration of sufficiency has been issued for the proposed petition, sections 6 and 15 ~~provides~~ provide that a complaint asserting a single-subject challenge must be filed within 15 ~~business~~ working days after such notice is given ~~of the filing of~~ regarding the proposed petition. If a complaint is not filed within the prescribed time, any single-subject challenge is forever barred.

~~Section 12 of this bill revises the single-subject requirement itself, in accordance with certain decisions of the Supreme Court of Florida. Under the~~

~~revised standard, a petition must embrace one subject and matters directly connected therewith. This requirement is satisfied if the parts of the proposed measure may logically be viewed as having a natural relation to a single dominant plan or scheme. (Fine v. Firestone, 448 So. 2d 984 (Fla. 1984); Floridians Against Casino Takeover v. Let's Help Fla., 363 So. 2d 337 (Fla. 1978))~~

Section 6.5 provides that after such notice is given regarding the proposed petition, the proponent must file the description of effect with the Secretary of State, and any person who wants to object to the proponent's description of effect must file an objection with the Secretary of State and provide: (1) an explanation of how the description of effect violates the statutory requirements; and (2) one or more revised or substitute versions of the description of effect that are drafted to remedy the alleged violations. If an objection is filed, the parties may agree to meet and confer in good faith to negotiate a stipulated description of effect. If the parties fail to negotiate a stipulated description of effect, the Attorney General must file a complaint in the First Judicial District Court naming the proponent as the defendant and asking for a declaratory judgment regarding whether the proponent's description of effect violates the statutory requirements, and any person who timely filed an objection with the Secretary of State has an unconditional right and standing to intervene as a party in the proceeding. The district court must conduct expedited proceedings and enter an order that approves or revises the proponent's description of effect. After the district court enters its order, the proponent may file the petition, including the description of effect, with the Secretary of State to begin the process of qualifying the petition for the ballot on or after the applicable date set forth in Article 19 of the Nevada Constitution.

Sections 1-2.2, 13-14.6 and 15.5 of this bill make conforming changes to carry out the new and revised procedures governing the petition process. Section 10 of this bill requires the Secretary of State to prepare ~~for~~ an informational handbook for ~~petition~~ proponents and circulators of statewide petitions setting forth the requirements of statute and regulation that govern the circulation of ~~a petition for an initiative or referendum.~~

~~—Before a petition for an initiative or referendum is circulated for signature, section 11 of this bill requires the proponent of the petition to file with the Secretary of State a list of the persons who will be paid to circulate the petition. This list must be updated monthly during the circulation of the petition.~~] such petitions.

Finally, existing law provides that if a statewide petition for an initiative proposes a statute or an amendment to a statute, the Legislature may propose a different measure on the same subject as the initiative to compete on the ballot. (Nev. Const. Art. 19, § 2; *Tesoriere v. Dist. Court*, 50 Nev. 302, 309-10 (1927)) Under such circumstances, existing law prescribes certain requirements for how the Legislature's proposed measure and the initiative are presented to the voters on the ballot. (NRS 293.267)

Section 11.5 of this bill defines certain circumstances under which the Legislature shall be deemed to have proposed a different measure on the same subject as an initiative. Section 2.5 of this bill requires certain information to be included on the ballot explaining that: (1) the competing ballot questions propose different measures on the same subject and only one of the measures may be enacted into law; and (2) if both of the measures are approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes is enacted into law.

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

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

As used in this section and NRS 293.127563 to 293.12795, inclusive, unless the context otherwise requires, "proposed petition" has the meaning ascribed to it in section 3.5 of this act.

Sec. 1.7. NRS 293.127563 is hereby amended to read as follows:

293.127563 1. As soon as practicable after each general election, the Secretary of State shall determine the number of signatures required to be gathered from each petition district within the State for a petition for initiative or referendum ~~{that proposes}~~ proposing a constitutional amendment or statewide measure ~~{,}~~ other than a proposed petition.

2. To determine the number of signatures required to be gathered from each petition district, the Secretary of State shall calculate the amount that equals 10 percent of the voters who voted in this State at the last preceding general election and divide that amount by the number of petition districts. Fractional numbers must be rounded up to the nearest whole number.

~~{Section 1.}~~ Sec. 1.9. NRS 293.1276 is hereby amended to read as follows:

293.1276 1. Within 4 days, excluding Saturdays, Sundays and holidays, after the submission of a petition containing signatures which are required to be verified pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110, or section 5 of this act, the county clerk shall determine the total number of signatures affixed to the documents and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, other than a proposed petition, shall tally the number of signatures for each petition district contained fully or partially within the county and forward that information to the Secretary of State.

2. If the Secretary of State finds that the total number of signatures filed with all the county clerks is less than 100 percent of the required number of registered voters, the Secretary of State shall so notify the person who submitted the petition and the county clerks and no further action may be taken in regard to the petition. If the petition is a petition to recall a county, district or municipal officer, the Secretary of State shall also notify the officer with whom the petition is to be filed.

3. After the petition is submitted to the county clerk, it must not be handled by any other person except by an employee of the county clerk's office until it is filed with the Secretary of State.

4. The Secretary of State may adopt regulations establishing procedures to carry out the provisions of this section.

Sec. 2. NRS 293.1277 is hereby amended to read as follows:

293.1277 1. If the Secretary of State finds that the total number of signatures submitted to all the county clerks is 100 percent or more of the number of registered voters needed to declare the petition sufficient, the Secretary of State shall immediately so notify the county clerks. Within 9 days, excluding Saturdays, Sundays and holidays, after notification, each of the county clerks shall determine the number of registered voters who have signed the documents submitted in the county clerk's county and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, other than a proposed petition, shall tally the number of signatures for each petition district contained or fully contained within the county clerk's county. For the purpose of verification pursuant to this section, the county clerk shall not include in his or her tally of total signatures any signature included in the incorrect petition district.

2. Except as otherwise provided in subsection 3, if more than 500 names have been signed on the documents submitted to a county clerk, the county clerk shall examine the signatures by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the county clerk is given an equal opportunity to be included in the sample. The sample must include an examination of at least 500 or 5 percent of the signatures, whichever is greater. If documents were submitted to the county clerk for more than one petition district wholly contained within that county, a separate random sample must be performed for each petition district.

3. If a petition district comprises more than one county and the petition is for an initiative or referendum proposing a constitutional amendment or a statewide measure, other than a proposed petition, and if more than 500 names have been signed on the documents submitted for that petition district, the appropriate county clerks shall examine the signatures by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the county clerks within the petition district is given an equal opportunity to be included in the sample. The sample must include an examination of at least 500 or 5 percent of the signatures presented in the petition district, whichever is greater. The Secretary of State shall determine the number of signatures that must be verified by each county clerk within the petition district.

4. In determining from the records of registration the number of registered voters who signed the documents, the county clerk may use the signatures contained in the file of applications to register to vote. If the

county clerk uses that file, the county clerk shall ensure that every application in the file is examined, including any application in his or her possession which may not yet be entered into the county clerk's records. Except as otherwise provided in subsection 5, the county clerk shall rely only on the appearance of the signature and the address and date included with each signature in making his or her determination.

5. If:

(a) Pursuant to NRS 293.506, a county clerk establishes a system to allow persons to register to vote by computer; or

(b) A person registers to vote pursuant to NRS 293D.230 and signs his or her application to register to vote using a digital signature or an electronic signature,

↳ the county clerk may rely on such other indicia as prescribed by the Secretary of State in making his or her determination.

6. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, other than a proposed petition, when the county clerk is determining the number of registered voters who signed the documents from each petition district contained fully or partially within the county clerk's county, he or she must use the statewide voter registration list available pursuant to NRS 293.675.

7. Except as otherwise provided in subsection 9, upon completing the examination, the county clerk shall immediately attach to the documents a certificate properly dated, showing the result of the examination, including the tally of signatures by petition district, if required, and transmit the documents with the certificate to the Secretary of State. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, other than a proposed petition, if a petition district comprises more than one county, the appropriate county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the certificate. A copy of this certificate must be filed in the clerk's office. When the county clerk transmits the certificate to the Secretary of State, the county clerk shall notify the Secretary of State of the number of requests to remove a name received by the county clerk pursuant to NRS 295.055 or 306.015.

8. A person who submits a petition to the county clerk which is required to be verified pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110 *or section 5 of this act* must be allowed to witness the verification of the signatures. A public officer who is the subject of a recall petition must also be allowed to witness the verification of the signatures on the petition.

9. For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not transmit to the Secretary of State the documents containing the signatures of the registered voters.

10. The Secretary of State shall by regulation establish further procedures for carrying out the provisions of this section.

Sec. 2.1. NRS 293.1278 is hereby amended to read as follows:

293.1278 1. If the certificates received by the Secretary of State from all the county clerks establish that the number of valid signatures is less than 90 percent of the required number of registered voters, the petition shall be deemed to have failed to qualify, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

2. If those certificates establish that the number of valid signatures is equal to or more than the sum of 100 percent of the number of registered voters needed to make the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or 306.015 and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, *other than a proposed petition*, that the petition has the minimum number of signatures required for each petition district, the petition shall be deemed to qualify as of the date of receipt by the Secretary of State of those certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

3. If the certificates establish that the petitioners have 100 percent or more of the number of registered voters needed to make the petition sufficient but the petition fails to qualify pursuant to subsection 2, each county clerk who received a request to remove a name pursuant to NRS 295.055 or 306.015 shall remove each name as requested, amend the certificate and transmit the amended certificate to the Secretary of State. If the amended certificates establish that the petitioners have 100 percent or more of the number of registered voters needed to make the petition sufficient and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, *other than a proposed petition*, that the petition has the minimum number of signatures required for each petition district, the petition shall be deemed to qualify as of the date of receipt by the Secretary of State of the amended certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

Sec. 2.2. NRS 293.1279 is hereby amended to read as follows:

293.1279 1. If the statistical sampling shows that the number of valid signatures filed is 90 percent or more, but less than the sum of 100 percent of the number of signatures of registered voters needed to declare the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or 306.015, the Secretary of State shall order the county clerks to examine the signatures for verification. The county clerks shall examine the signatures for verification until they determine that 100 percent of the number of signatures of registered voters needed to declare the petition sufficient are valid. If the county clerks received a request to remove a name pursuant to NRS 295.055 or 306.015, the county clerks may not determine that 100 percent of the number of

signatures of registered voters needed to declare the petition sufficient are valid until they have removed each name as requested pursuant to NRS 295.055 or 306.015.

2. Except as otherwise provided in this subsection, if the statistical sampling shows that the number of valid signatures filed in any county is 90 percent or more but less than the sum of 100 percent of the number of signatures of registered voters needed to constitute 10 percent of the number of voters who voted at the last preceding general election in that county plus the total number of requests to remove a name received by the county clerk in that county pursuant to NRS 295.055 or 306.015, the Secretary of State may order the county clerk in that county to examine every signature for verification. If the county clerk received a request to remove a name pursuant to NRS 295.055 or 306.015, the county clerk may not determine that 100 percent or more of the number of signatures of registered voters needed to constitute 10 percent of the number of voters who voted at the last preceding general election in that county are valid until the county clerk has removed each name as requested pursuant to NRS 295.055 or 306.015. In the case of a petition for initiative or referendum ~~that proposes~~ *proposing a constitutional amendment or statewide measure, other than a proposed petition*, if the statistical sampling shows that the number of valid signatures in any petition district is 90 percent or more but less than the sum of 100 percent of the number of signatures of registered voters required for that petition district pursuant to NRS 295.012 plus the total number of requests to remove a name received by the county clerk or county clerks, if the petition district comprises more than one county, pursuant to NRS 295.055, the Secretary of State may order a county clerk to examine every signature for verification.

3. Within 12 days, excluding Saturdays, Sundays and holidays, after receipt of such an order, the county clerk or county clerks shall determine from the records of registration what number of registered voters have signed the petition and, if appropriate, tally those signatures by petition district. If necessary, the board of county commissioners shall allow the county clerk additional assistants for examining the signatures and provide for their compensation. In determining from the records of registration what number of registered voters have signed the petition and in determining in which petition district the voters reside, the county clerk must use the statewide voter registration list. The county clerk may rely on the appearance of the signature and the address and date included with each signature in determining the number of registered voters that signed the petition.

4. Except as otherwise provided in subsection 5, upon completing the examination, the county clerk or county clerks shall immediately attach to the documents of the petition an amended certificate, properly dated, showing the result of the examination and shall immediately forward the documents with the amended certificate to the Secretary of State. A copy of the amended certificate must be filed in the county clerk's office. In the case of a petition

for initiative or referendum ~~[to propose]~~ *proposing* a constitutional amendment or statewide measure, *other than a proposed petition*, if a petition district comprises more than one county, the county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the amended certificate.

5. For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not forward to the Secretary of State the documents containing the signatures of the registered voters.

6. Except for a petition to recall a county, district or municipal officer, the petition shall be deemed filed with the Secretary of State as of the date on which the Secretary of State receives certificates from the county clerks showing the petition to be signed by the requisite number of voters of the State.

7. If the amended certificates received from all county clerks by the Secretary of State establish that the petition is still insufficient, the Secretary of State shall immediately so notify the petitioners and the county clerks. If the petition is a petition to recall a county, district or municipal officer, the Secretary of State shall also notify the officer with whom the petition is to be filed.

8. The Secretary of State shall adopt regulations to carry out the provisions of this section.

Sec. 2.5. NRS 293.267 is hereby amended to read as follows:

293.267 1. Ballots for a general election must contain the names of candidates who were nominated at the primary election, the names of the candidates of a minor political party and the names of independent candidates.

2. Except as otherwise provided in NRS 293.2565, names of candidates must be grouped alphabetically under the title and length of term of the office for which those candidates filed.

3. Except as otherwise provided in subsection 4:

(a) Immediately following the name of each candidate for a partisan office must appear the name or abbreviation of his or her political party, the word "independent" or the abbreviation "IND," as the case may be.

(b) Immediately following the name of each candidate for a nonpartisan office must appear the word "nonpartisan" or the abbreviation "NP."

4. Where a system of voting other than by paper ballot is used, the Secretary of State may provide for any placement of the name or abbreviation of the political party, the word "independent" or "nonpartisan" or the abbreviation "IND" or "NP," as appropriate, which clearly relates the designation to the name of the candidate to whom it applies.

5. If the Legislature ~~[rejects a statewide measure proposed by initiative and]~~ proposes a different measure on the same subject ~~[which the Governor approves,]~~ *as an initiative in accordance with section 11.5 of this act and the*

Nevada Constitution, the measure proposed by the Legislature ~~[and approved by the Governor]~~ must be listed on the ballot before the ~~[statewide]~~ measure proposed by the initiative. Each ballot and sample ballot upon which the measures appear must contain a statement that reads substantially as follows:

The following questions ~~[are alternative approaches to]~~ propose different measures on the same ~~[issue,]~~ subject, and only one ~~[approach]~~ of the measures may be enacted into law. ~~[Please vote for only one.]~~ If both of the measures are approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes is enacted into law as provided in Section 2 of Article 19 of the Nevada Constitution.

Sec. 3. Chapter 295 of NRS is hereby amended by adding thereto the provisions set forth as sections ~~[4 to 11,]~~ 3.01 to 11.5, inclusive, of this act.

Sec. 3.01. The Legislature hereby finds and declares that:

1. Section 5 of Article 19 of the Nevada Constitution authorizes the Legislature to provide by law for procedures to facilitate the operation of the provisions of Article 19 of the Nevada Constitution regarding a statewide or local petition for initiative or referendum, including, without limitation, procedures to facilitate the process of proposing, circulating and submitting such a petition to the registered voters of this State.

2. When a statewide or local petition for initiative or referendum proposes a measure for consideration by the voters, the petition process does not include the same procedural components and safeguards provided by the state or local legislative process for consideration of a proposed measure, including, without limitation:

(a) The development, drafting, review, analysis, evaluation and revision of the form, substance and terms of the proposed measure throughout a multistage procedural process conducted by legislative and other public bodies and committees;

(b) Public input and scrutiny regarding the form, substance and terms of the proposed measure, and any changes thereto, throughout the multistage procedural process; and

(c) When required, executive approval or disapproval of the proposed measure as part of the multistage procedural process, with any executive disapproval subject to legislative override by a supermajority.

3. In the absence of such procedural components and safeguards, the petition process is more vulnerable and susceptible to fraud, subterfuge, misunderstanding, mischief and abuse which creates a significant risk of voter confusion, inattention and deception and which undermines the public's faith and confidence in the fairness, veracity and integrity of the petition process and election process.

4. The provisions of this chapter establish procedures to facilitate the petition process and election process which are intended to:

(a) Ensure that each petition receives a threshold level of support from the voters in order to:

(1) Discourage frivolous, spurious, vexatious or harassing petitions that consume and waste valuable public and private resources; and

(2) Encourage order, efficiency and fairness and the cost-effective and economical use of public and private resources throughout the petition process and election process.

(b) Ensure that the voters receive accurate, reliable, truthful and helpful information regarding each petition in order to assist the voters in reviewing, understanding, analyzing, evaluating and making informed decisions throughout the petition process and election process.

(c) Ensure that the voters are provided with a description of effect on each petition and that each petition embraces but one subject and matters necessarily connected therewith and pertaining thereto pursuant to NRS 295.009 in order to:

(1) Give the voters a clear and definite choice;

(2) Prevent confusion, inattention and deception; and

(3) Focus each proposal on a single subject so that the voters are presented with a meaningful opportunity to consider the merits and consequences of each proposal separately without being confused, misled or manipulated by intricate, complex or complicated multi-subject proposals that:

(I) Conceal, obscure or obfuscate the intent or purpose of the proposal; or

(II) Combine more popular provisions with less popular provisions to obtain approval of provisions that the voters otherwise would reject if the provisions were presented separately in single-subject proposals.

(d) Protect against fraud, subterfuge, misunderstanding, mischief and abuse in the petition process and election process.

(e) Safeguard the public's faith and confidence in the fairness, veracity and integrity of the petition process and election process.

Sec. 3.02. As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3.04 and 3.06 of this act have the meanings ascribed to them in those sections.

Sec. 3.04. "Local petition for initiative or referendum" means any county, city or other local petition for initiative or referendum authorized by the Nevada Constitution or laws of this State.

Sec. 3.06. "Statewide petition for initiative or referendum" means a petition for initiative or referendum authorized by Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, to:

1. Approve or disapprove a statute or resolution or any part thereof enacted by the Legislature; or

2. Propose a statute, an amendment to a statute or an amendment to the Nevada Constitution.

Sec. 3.08. 1. If, in any preelection action, a statewide or local petition for initiative or referendum, or any part thereof, is declared invalid by a

court of competent jurisdiction for any violation of the description-of-effect or single-subject requirements of NRS 295.009:

(a) The petition is void in its entirety and is not severable, and no part of the petition may be submitted to the voters at any election; and

(b) Any signatures collected on the petition are not valid for any purpose.

2. The provisions of this section do not alter, abrogate or affect the application of any other statutory or common-law rules governing severance of a petition, or any part thereof, if the petition complies with the description-of-effect and single-subject requirements of NRS 295.009 but is declared invalid by a court of competent jurisdiction for reasons other than those expressly set forth in this section.

Sec. 3.1. As used in NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3.2 to 3.8, inclusive, of this act have the meanings ascribed to them in those sections.

Sec. 3.2. "Description of effect" means the description of the effect of an initiative or referendum that must appear on each signature page of a statewide petition pursuant to paragraph (b) of subsection 1 of NRS 295.009.

Sec. 3.3. "Formalized petition" means a statewide petition that complies with the provisions of NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act in order to become a formalized petition that may be filed with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015.

Sec. 3.4. "Proponent of a statewide petition" or "proponent" means the person or persons who propose a statewide petition.

Sec. 3.5. "Proposed petition" means a statewide petition described in section 4 of this act.

Sec. 3.6. "Single-subject challenge" means any challenge alleging that a statewide petition violates the single-subject requirement in paragraph (a) of subsection 1 of NRS 295.009 which requires that the petition must embrace but one subject and matters necessarily connected therewith and pertaining thereto.

Sec. 3.7. 1. "Statewide petition" or "petition" has the meaning ascribed to "statewide petition for initiative or referendum" in section 3.06 of this act.

2. Except as otherwise provided in NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act, the term includes a proposed petition.

Sec. 3.8. 1. "Working day" means a day on which the Office of the Secretary of State or the appropriate court, as applicable, is regularly open for the transaction of business.

2. In computing any period of time measured by working days, the provisions of Rule 6 of the Nevada Rules of Civil Procedure which provide that 3 days shall be added to the prescribed period after service by mail or electronic means do not apply to any period of working days prescribed by

the provisions of NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act.

Sec. 3.9. 1. The proponent of a statewide petition may not circulate the petition for signatures unless the proponent complies with the provisions of NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act.

2. The proponent of a local petition for initiative or referendum is not subject to the provisions of NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act.

Sec. 4. 1. Before ~~placing~~ the proponent of a statewide petition may file a copy of ~~it~~ the formalized petition ~~for initiative or referendum on file~~ with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015, the following procedural requirements must be satisfied:

(a) Not earlier than 90 days before the first day on which a copy of the formalized petition may be filed with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015, the proponent ~~of the petition~~ must file with the Secretary of State a copy of the proposed petition, in the form required by this section, setting forth the full text of the measure proposed ~~and bearing~~ for the initiative or referendum;

(b) The proponent must circulate the proposed petition for signatures and collect the signatures of not less than ~~2,000~~ 1,000 persons who are registered voters in this State ~~if those~~, but the signatures do not have to be apportioned equally among the petition districts pursuant to NRS 295.012;

(c) The proposed petition must be submitted for verification pursuant to section 5 of this act;

(d) The Secretary of State must issue a declaration of sufficiency that the proposed petition has a sufficient number of signatures pursuant to section 6 of this act; and

(e) The description of effect for the formalized petition must be determined pursuant to section 6.5 of this act.

2. The signatures collected on the proposed petition are valid only for the purposes of the proposed petition and are not valid thereafter for the purposes of collecting signatures for the formalized petition ~~for initiative or referendum thereafter placed on file~~ if it is filed with the Secretary of State pursuant to ~~section 9 of this act.~~

~~2.~~ Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015.

3. The proponent may not circulate a copy of the proposed petition that is different in any way from the copy of the proposed petition filed with the Secretary of State, and any signatures collected on a copy of the proposed petition that is different in any way from the filed copy are not valid for any purpose.

4. The proposed petition may not be amended, changed or revised in any way after the proposed petition is filed with the Secretary of State. If the proponent wants to amend, change or revise the proposed petition in any way after the proposed petition is filed with the Secretary of State, the proponent must file another proposed petition pursuant to this section, and any signatures collected on the previous proposed petition are not valid for the purposes of collecting signatures for any subsequent petition.

5. The proposed petition must be in the form required by Section 3 of Article 19 of the Nevada Constitution, NRS 295.009, 295.055 and 295.0575 and section 4.5 of this act and any regulations adopted pursuant thereto, except that the proposed petition:

(a) Must not include ~~the~~ :

(1) Any references to the petition districts; or

(2) A description of effect ; ~~required by NRS 295.009;~~ and

(b) Must set forth a neutral summary, in not more than 200 words, of the purpose of the ~~proposed~~ initiative or referendum ~~in~~ in the proposed petition. The summary must appear on each signature page of the proposed petition and is not subject to challenge in any judicial or administrative proceeding.

~~3.~~ 6. Except as otherwise provided in this section, the provisions of NRS 295.009, 295.055 and 295.0575 that apply to a formalized petition ~~for an initiative or referendum~~, other than the provisions relating to the petition districts, also apply to a proposed petition , ~~filed pursuant to this section,~~ and any reference to a petition in those ~~sections to a petition for an initiative or referendum~~ provisions of NRS shall be deemed to include a proposed petition.

Sec. 4.3. 1. When the proponent files the proposed petition with the Secretary of State pursuant to section 4 of this act, the proponent shall also file an informational statement with the Secretary of State on a form prescribed by the Secretary of State.

2. The form for the informational statement must include, without limitation:

(a) The purpose of the proposed petition.

(b) The name, address and telephone number of the proponent or, if there is more than one proponent, the name, address and telephone number of each proponent.

(c) If any such proponent is a business or social organization, corporation, partnership, association, trust, unincorporated organization, labor union or other legal entity, the name, address and telephone number of each of its officers.

(d) The designation of a contact person and the name, address and telephone number of the contact person. The contact person is not required to be a proponent but must be authorized to address questions or issues relating to the proposed petition.

(e) Any other information deemed necessary by the Secretary of State.

3. During the period beginning on the date on which the proponent files the initial informational statement and ending on the date on which the proponent files a notice of termination of activities pursuant to subsection 4, the proponent shall file with the Secretary of State:

(a) An updated informational statement not later than 30 days after the date on which there is any change in the information contained in the most recently filed informational statement; and

(b) An annual informational statement not later than January 15 after the end of each year, regardless of whether there is any change in the information contained in the most recently filed informational statement.

4. The provisions of subsection 3 apply to the proponent until the proponent files a notice of termination of activities with the Secretary of State on a form prescribed by the Secretary of State. The form for the notice must include, without limitation:

(a) A statement that the proponent has ceased all activities relating to the proposed petition or, if the proposed petition becomes a formalized petition, the formalized petition.

(b) Any other information deemed necessary by the Secretary of State.

5. Any form filed with the Secretary of State pursuant to this section must be signed by a proponent under an oath to God or penalty of perjury. A proponent who signs the form under an oath to God is subject to the same penalties as if the proponent had signed the form under penalty of perjury.

Sec. 4.5. 1. If the proponent properly files the proposed petition and informational statement with the Secretary of State pursuant to sections 4 and 4.3 of this act, the Secretary of State shall assign to the proposed petition a title with an identifying number in substantially the following form, as applicable:

(a) "Proposed Initiative Petition No."; or

(b) "Proposed Referendum Petition No."

2. The title with the identifying number that is assigned to the proposed petition pursuant to this section must appear on each signature page of the proposed petition above the neutral summary. No title, description, caption, heading, slogan, word, term or phrase may appear on the proposed petition for the purpose of identifying the proposed petition other than the title with the identifying number that is assigned to the proposed petition pursuant to this section and the neutral summary.

3. Except as otherwise provided in subsection 4, the Secretary of State shall assign the title with an identifying number to the proposed petition in numerical sequence based on the date and time that the proposed petition and informational statement are filed with the Secretary of State during the current election cycle.

4. If, when the Secretary of State assigns the title with an identifying number to the proposed petition, the next number in the numerical sequence is already assigned to an initiative from the prior election cycle that proposes an amendment to the Nevada Constitution and will be resubmitted

to the voters during the current election cycle under the same number pursuant to NRS 295.035, the Secretary of State shall not use that number but shall assign the next available number in the numerical sequence to the proposed petition.

5. After the Secretary of State assigns the title with the identifying number to the proposed petition, the Secretary of State shall use the same identifying number for the title of the formalized petition if it is filed with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015.

6. The Secretary of State shall post on the Internet website of the Secretary of State:

(a) A copy of the proposed petition;

(b) The title with the identifying number that is assigned to the proposed petition; and

(c) The date on which the proposed petition was filed with the Secretary of State.

Sec. 5. 1. ~~Before a~~ After the proposed petition ~~is filed with the Secretary of State pursuant to section 4 of this act,~~ has been circulated for signatures, the proposed petition is not effective for any purpose unless it is submitted for verification in the manner required by this section. If the proposed petition is not submitted for verification in the manner required by this section, the proposed petition is void, and any signatures collected on the proposed petition are not valid for any purpose.

2. The proposed petition may not be circulated for signatures on or after the day on which it is submitted for verification. To submit the proposed petition for verification, the proponent or a person acting on behalf of the proponent must submit to each county clerk for verification the document or documents of the proposed petition which were circulated for ~~signature~~ signatures within the clerk's county. The county clerk shall give the person submitting a document or documents a receipt stating the number of documents and pages and the statement of the person of the number of signatures contained therein.

~~2.3.~~ 3. All documents of ~~the~~ the proposed petition which are submitted to a county clerk for verification must be submitted at the same time. If documents ~~of a~~ concerning the same proposed petition are submitted for verification to more than one county clerk, the documents must be submitted to each county clerk on the same day. At the time that the proposed petition is submitted to a county clerk for verification, the person submitting the document or documents shall designate a contact person who is authorized to address questions or issues relating to the proposed petition.

~~3.4.~~ 4. The provisions of NRS 293.12758 to 293.12795, inclusive, that apply to the verification of a formalized petition ~~for an initiative or referendum proposing a constitutional amendment or statewide measure,~~ other than the provisions relating to the petition districts, also apply to the verification of ~~the documents of the~~ a proposed petition, and any reference

to a petition in those ~~sections to such a petition~~ provisions of NRS shall be deemed to include a proposed petition.

5. The proponent may withdraw the proposed petition at any time before the proposed petition is submitted to the county clerks for verification pursuant to this section by filing a notice of withdrawal with the Secretary of State on a form prescribed by the Secretary of State. If the proponent files a notice of withdrawal, the proposed petition is void, and any signatures collected on the proposed petition are not valid for any purpose.

Sec. 6. 1. If ~~for~~ the proposed petition is in proper form and the certificates received by the Secretary of State from all the county clerks establish that the proposed petition has not less than the minimum number of signatures required ~~for each petition district,~~ by section 4 of this act, the Secretary of State shall ~~declare~~ issue a declaration of sufficiency that the proposed petition ~~to be~~ has a sufficient ~~and it shall be deemed to have been filed with the Secretary of State for the purposes of section 4 of this act as of the date of receipt by the Secretary of State of those certificates and the document or documents comprising the proposed petition.~~ number of signatures.

2. ~~The~~ After issuing the declaration of sufficiency, the Secretary of State shall:

(a) ~~Notify~~ Send a notice to the proponent of the proposed petition ~~and the Attorney General of~~ that the ~~filing of~~ declaration of sufficiency has been issued for the proposed petition ~~and the declaration of sufficiency;~~ ~~and~~ and provide a copy of the declaration of sufficiency to the proponent;

(b) Transmit a copy of the notice, declaration of sufficiency and proposed petition to the Attorney General ~~for~~; and

(c) Post on the Internet website of the Secretary of State:

(1) The notice and declaration of sufficiency; and

(2) The date on which the notice was sent to the proponent by the Secretary of State.

3. A declaration of sufficiency issued by the Secretary of State pursuant to this section ~~is~~

~~(a) Does not bar the timely filing of~~ is not subject to review in any judicial or administrative proceeding.

4. On or after the date on which the Secretary of State sends the notice to the proponent pursuant to subsection 2, any person who wants to bring a single-subject challenge against the proposed petition must file a complaint against the proponent pursuant to NRS 295.061 ~~that the proposed petition embraces more than one subject. Any such claim that~~ within the time provided by that section. If a complaint is not filed within the time provided by NRS 295.061, any single-subject challenge is forever barred, both with respect to the proposed petition and ~~any~~ the formalized petition ~~for initiative or referendum thereafter placed on file~~ if it is filed with the Secretary of State ~~is~~.

~~(b) Except as otherwise provided in paragraph (a), is not subject to review in any judicial or administrative proceeding, pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015.~~

Sec. 6.5. 1. Not later than 5 working days after the date on which the Secretary of State sends the notice to the proponent that the declaration of sufficiency has been issued for the proposed petition pursuant to section 6 of this act, the proponent shall file with the Secretary of State, in the manner prescribed by the Secretary of State, the proponent's description of effect for the initiative or referendum.

2. The Secretary of State shall post on the Internet website of the Secretary of State:

(a) The proponent's description of effect; and

(b) The date on which the proponent's description of effect was filed with the Secretary of State.

3. If any person wants to object to the proponent's description of effect, the person must:

(a) File the objection with the Secretary of State, in the manner prescribed by the Secretary of State, not later than 7 working days after the date on which the proponent filed the description of effect with the Secretary of State; and

(b) Include with the objection:

(1) An explanation of how the proponent's description of effect allegedly violates NRS 295.009; and

(2) One or more revised or substitute versions of the description of effect that are drafted to remedy the alleged violations.

4. If there are no objections filed to the proponent's description of effect within the period prescribed by subsection 3:

(a) Any challenge to the description of effect is forever barred; and

(b) The proposed petition becomes the formalized petition, except that the neutral summary must be replaced by the description of effect, and the proponent may file a copy of the formalized petition, including the description of effect, with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015.

5. If there are any objections filed to the proponent's description of effect within the period prescribed by subsection 3, the proponent and the persons who timely filed the objections may agree to meet and confer in good faith to negotiate a stipulated description of effect. If, within 5 working days after the end of the period prescribed by subsection 3, the parties have negotiated a stipulated description of effect:

(a) The parties shall, not later than the first working day thereafter, notify the Secretary of State and the Attorney General, in the manner prescribed by those officers, that the parties have negotiated a stipulated description of effect and provide those officers with a copy of the stipulated description of effect;

(b) Any challenge to the stipulated description of effect is forever barred; and

(c) The proposed petition becomes the formalized petition, except that the neutral summary must be replaced by the description of effect, and the proponent may file a copy of the formalized petition, including the description of effect, with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015.

6. If, within 5 working days after the end of the period prescribed by subsection 3, the parties have not negotiated a stipulated description of effect, the parties shall, not later than the first working day thereafter, notify the Secretary of State and the Attorney General, in the manner prescribed by those officers, that the parties have not negotiated a stipulated description of effect.

7. If the parties notify the Attorney General that they have not negotiated a stipulated description of effect or if they fail to provide that notice within the period prescribed by subsection 6, the Attorney General shall, not later than 5 working days thereafter, file a complaint in the First Judicial District Court naming the proponent as the defendant and asking for a declaratory judgment regarding whether the proponent's description of effect violates NRS 295.009. The Attorney General may serve the complaint on the proponent by certified mail or, with the consent of the proponent, by electronic mail, and is not required to serve the proponent personally. The State and any officer or employee thereof may not be assessed or held liable in the proceeding for any attorney's fees or other fees, costs or expenses of any other parties.

8. If a person filed an objection with the Secretary of State within the period prescribed by subsection 3, the person has an unconditional right and standing to intervene as a party in the proceeding for a declaratory judgment if the person files a motion to intervene not later than 5 working days after the Attorney General files the complaint. The motion to intervene must be accompanied by a memorandum of points and authorities and all affidavits and documents in support of the person's objection. A person may not intervene as a party in the proceeding if the person:

(a) Failed to file an objection with the Secretary of State within the period prescribed by subsection 3; or

(b) Filed an objection with the Secretary of State within the period prescribed by subsection 3 but failed to file a motion to intervene within the period prescribed by this subsection.

9. Unless otherwise ordered by the district court or stipulated by the parties, the district court:

(a) Shall set the matter for hearing not later than 7 working days after the complaint is filed;

(b) Shall conduct the hearing not later than 21 working days after the complaint is filed;

(c) Shall give priority to the matter over all other matters pending with the district court, except for criminal proceedings; and

(d) Shall not consolidate the hearing with any single-subject challenge regarding the proposed petition.

10. The district court shall enter a judgment or order that approves or revises the proponent's description of effect. A party who is aggrieved by the district court's judgment or order may appeal from that judgment or order by filing a notice of appeal with the district court clerk not later than 10 working days after the date that written notice of entry of the judgment or order appealed from is served.

11. After the district court enters its judgment or order:

(a) If no appeal is taken, any challenge to the approved or revised description of effect is forever barred and the proposed petition becomes the formalized petition, except that the neutral summary must be replaced by the description of effect, and the proponent may file a copy of the formalized petition, including the description of effect, with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015.

(b) If an appeal is taken, the proponent may treat the proposed petition as the formalized petition, except that the neutral summary must be replaced by the description of effect, and the proponent may file a copy of the formalized petition, including the description of effect, with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, and NRS 295.015, except that the formalized petition is subject to any judgment or order of the appellate court or district court as a result of the appeal.

12. The provisions of this section provide the exclusive means to challenge the proponent's description of effect, and no judicial or administrative proceeding may be commenced to challenge the proponent's description of effect other than by a complaint for a declaratory judgment filed by the Attorney General in the First Judicial District Court pursuant to this section.

~~Sec. 7. 1. After receiving notice of the filing of a proposed petition from the Secretary of State pursuant to section 6 of this act, the Attorney General or his or her designee shall prepare a title and description of effect for the proposed petition in accordance with this section and sections 8 and 9 of this act. Subject to judicial review, the title and description of effect adopted for the proposed petition by the Attorney General must be used on the petition for initiative or referendum thereafter placed on file with the Secretary of State.~~

~~2. Not later than 3 business days after receiving the notice described in subsection 1 or, if a complaint has been filed with respect to the proposed petition pursuant to NRS 295.061, not later than 3 business days after receiving written notice of the entry of an order of the district court dismissing the complaint, whichever is later, the Attorney General or his or~~

~~her designee shall cause to be posted on the Internet website of the Attorney General and served upon the proponent of the proposed petition a notice:~~

~~—(a) Containing the summary and text of the proposed petition;~~

~~—(b) Reciting that the Attorney General is required by law to prepare a title and description of effect for the proposed petition after receiving public comment and conducting a public hearing;~~

~~—(c) Soliciting written comments from any interested person concerning the title and description of effect for the proposed petition and setting forth the deadline for the submission of comments; and~~

~~—(d) Setting forth the date, time and place of the public hearing required by section 8 of this act.~~

~~—3. The Attorney General or his or her designee shall accept written comments concerning the title and description of effect for the proposed petition for 10 business days after the posting of the notice required by subsection 2.~~

~~—4. Not more than 5 business days after the close of the period of public comment, the Attorney General or his or her designee shall prepare a proposed title and description of effect for the proposed petition. The proposed title must set forth, in not more than 15 words, the general nature of the proposed petition. The proposed description of effect must set forth, in not more than 250 words, a straightforward, succinct and nonargumentative statement of what the proposed petition is intended to accomplish and how it will achieve those goals, to the extent that such information can reasonably be determined from the text of the proposed petition and any matters of which the Attorney General or his or her designee may properly take official notice. The proposed description of effect must not be deceptive or misleading, but need not be an accurate forecast of all of the potential or hypothetical effects of the proposed petition. If a proposed petition proposes to create, generate, increase or provide for the expenditure of any public revenue in any form, the proposed title and description of effect must identify the manner in which such revenue is proposed to be created, generated, increased or expended, as applicable.~~

~~—5. Not less than 3 business days but not more than 10 business days before the public hearing required by section 8 of this act, the Attorney General or his or her designee shall cause copies of the proposed title and description of effect to be posted on the Internet website of the Attorney General and give notice of the posting to the proponent of the proposed petition.~~ (Deleted by amendment.)

Sec. 8. ~~1. Not less than 30 but not more than 40 calendar days after the date of the posting required by subsection 2 of section 7 of this act, the Attorney General or his or her designee shall conduct a public hearing on the proposed title and description of effect prepared for the proposed petition.~~

~~—2. At the hearing, the proponent of the proposed petition and any person interested in the proposed petition may appear, personally or by counsel, and~~

~~present arguments and evidence relating to the proposed title and description of effect and their compliance or lack of compliance with the requirements of subsection 1 of section 7 of this act.~~

~~3. The rules of evidence are not applicable to the hearing. The Attorney General or his or her designee may, with or without prior notice, limit the presentation of arguments or evidence as necessary to expedite the conduct of the hearing.~~ (Deleted by amendment.)

Sec. 9. ~~1. Not later than 5 business days after the close of the hearing required by section 8 of this act, the Attorney General or his or her designee shall:~~

~~(a) Adopt the final title and description of effect for the proposed petition;~~

~~(b) Cause copies of the final title and description of effect to be posted on the Internet website of the Attorney General and give notice of the posting to the proponent of the proposed petition and any other person who appeared at the hearing;~~

~~(c) Notify the Secretary of State of the adoption of the final title and description of effect; and~~

~~(d) Provide the Secretary of State with the text of the final title and description of effect.~~

~~2. Before the petition for initiative or referendum may be presented to the voters for their signatures, the proponent of the petition shall revise the proposed petition to incorporate the final title and description of effect adopted by the Attorney General and place a copy of the revised petition on file with the Secretary of State pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution and NRS 295.015.~~

~~3. Any person aggrieved by the action of the Attorney General or his or her designee in adopting the final title and description of effect may seek judicial review in the manner provided by chapter 233B of NRS. If the final title or description of effect is challenged successfully on judicial review and the title or description of effect, as applicable, is amended in compliance with the order of the court, the amended title or description of effect may not be challenged.~~ (Deleted by amendment.)

Sec. 10. 1. The Secretary of State shall:

~~1.1~~ (a) Prepare a handbook for ~~petition~~ proponents and circulators of statewide petitions setting forth the requirements of statute and regulation that govern the proposal and circulation of ~~fa petition for an initiative or referendum;~~ proposed and formalized petitions; and

~~1.2~~ (b) Post a copy of the handbook on the Internet website of the Secretary of State in a form suitable for downloading and printing.

2. The handbook prepared by the Secretary of State pursuant to this section:

(a) Is intended as a general reference document to provide proponents and circulators of statewide petitions with general information only;

(b) Does not have the force and effect of law; and

(c) May not reasonably or justifiably be used or relied on by any proponent or circulator as a substitute for carefully reading and understanding the most recently enacted or adopted requirements of statute and regulation that govern the proposal and circulation of proposed and formalized petitions.

~~Sec. 11. [1. Before presenting a petition for initiative or referendum to the registered voters for their signatures, the proponent of the petition shall file with the Secretary of State a list of all persons who will be paid to circulate the petition. The list must include the full name of each such person and the contact information required by NRS 295.0575. The proponent shall file a current list of such circulators with the Secretary of State on or before the fifth day of each month following the initial filing until the petition is presented to the county clerks for verification.~~

~~2. If the handbook required by section 10 of this act is available, the proponent of the petition shall provide a copy of the handbook to each person who is paid to circulate the petition.~~

~~3. Any person who is paid to circulate the petition shall identify himself or herself as a paid circulator upon presenting a petition document for signature to a prospective signer of the petition.] (Deleted by amendment.)~~

Sec. 11.5. 1. For the purposes of Section 2 of Article 19 of the Nevada Constitution, if an initiative proposes a statute or an amendment to a statute, the Legislature shall be deemed to have proposed a different measure on the same subject as the initiative if the Legislature proposes a measure for submission to the voters that:

(a) Has a purpose which is the same as or similar to the purpose of the initiative but uses different means to accomplish that purpose;

(b) Relates to the subject or purpose of the initiative but contains one or more provisions that conflict in substance with one or more provisions of the initiative; or

(c) Prohibits or otherwise prevents the purpose of the initiative from being accomplished.

2. The provisions of subsection 1:

(a) Are intended to be illustrative;

(b) Are not intended to be exhaustive or exclusive; and

(c) Must not be interpreted as a limitation on the Legislature's power to propose a different measure on the same subject as an initiative in accordance with the Nevada Constitution.

3. If the Legislature proposes a different measure on the same subject as an initiative in accordance with the Nevada Constitution, the Secretary of State shall submit the Legislature's measure and the initiative to the voters at the next succeeding general election in the manner prescribed by NRS 293.267.

Sec. 12. NRS 295.009 is hereby amended to read as follows:

295.009 1. Each statewide or local petition for initiative or referendum must:

(a) Embrace but one subject and matters necessarily ~~directly~~ connected therewith ~~and~~ and pertaining thereto; and

(b) ~~Set~~ Except as otherwise provided in section 4 of this act, set forth, in not more than 200 words, a description of the effect of the initiative or referendum if the initiative or referendum is approved by the voters. The description must appear on each signature page of the petition ~~the title and description of effect adopted by the Attorney General pursuant to sections 7, 8 and 9 of this act.~~

2. For the purposes of paragraph (a) of subsection 1 ~~of a~~ :

(a) A petition for initiative or referendum embraces but one subject and matters necessarily ~~directly~~ connected therewith and pertaining thereto, if the parts of the proposed initiative or referendum are functionally related and germane to each other in a way that provides sufficient notice of the general subject of, and of the interests likely to be affected by, the proposed initiative or referendum ~~may logically be viewed as having a natural relation to a single dominant plan or scheme.~~ ; and

(b) If a petition for initiative proposes to create, generate or increase any public revenue in any form, each part of the proposed initiative that makes an appropriation or otherwise requires the expenditure of the money raised by the proposed initiative must be functionally related and germane to each other in a way that each such appropriation or expenditure is necessarily connected with and pertinent to achieving, advancing or implementing only the single purpose of the proposed initiative and no other purpose.

Sec. 13. NRS 295.012 is hereby amended to read as follows:

295.012 The number of registered voters required pursuant to ~~the~~ ~~1.~~ Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, to propose a statewide petition ~~for initiative or referendum, or~~ ~~2. Section 4 of this act for~~, other than a proposed petition, ~~and~~ must be apportioned equally among the petition districts, and the number of signatures required from each petition district must be equal.

Sec. 14. NRS 295.015 is hereby amended to read as follows:

295.015 1. Before the proponent of a statewide petition ~~for initiative or referendum~~ may ~~be presented~~ begin to circulate the petition to the registered voters for their signatures ~~and~~ pursuant to Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable:

(a) The petition must become a formalized petition pursuant to NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act; and

(b) The proponent must file with the Secretary of State, not earlier than the first day on which such filing is permitted by Section 1 or 2 of Article 19 of the Nevada Constitution, as applicable, a copy of the formalized petition that includes:

(1) The full text of the measure proposed for the initiative or referendum ~~including~~ in the identical form as set forth in the ~~title~~ proposed petition pursuant to section 4 of this act; and

~~(2) The description of effect [required] for the formalized petition in the identical form as determined pursuant to [by NRS 295.009, must be placed on file with the Secretary of State.] section 6.5 of this act.~~

~~2. If the proponent properly files the formalized petition with the Secretary of State, the Secretary of State shall assign to the formalized petition a title with the same identifying number assigned to the proposed petition pursuant to section 4.5 of this act in substantially the following form, as applicable:~~

~~(a) "Initiative Petition No."; or~~

~~(b) "Referendum Petition No."~~

~~3. The title with the identifying number that is assigned to the formalized petition pursuant to this section must appear on each signature page of the formalized petition above the description of effect. No title, description, caption, heading, slogan, word, term or phrase may appear on the formalized petition for the purpose of identifying the formalized petition other than the title with the identifying number that is assigned to the formalized petition pursuant to this section and the description of effect.~~

~~4. The proponent may not circulate a copy of the formalized petition that is different in any way from the copy of the formalized petition, including the description of effect, filed with the Secretary of State, and any signatures collected on a copy of the formalized petition that is different in any way from the filed copy are not valid for any purpose.~~

~~5. The formalized petition, including the description of effect, may not be amended, changed or revised in any way after it is filed with the Secretary of State. If [a] the proponent wants to amend, change or revise the formalized petition [for initiative or referendum or a the title or] , including the description of [the] effect [of an the initiative or referendum required pursuant to by NRS 295.009 is amended] , in any way after [the petition] it is [placed on file] filed with the Secretary of State [pursuant to subsection 1:~~

~~— (a) The revised petition must be placed on file with the Secretary of State before it is presented to the registered voters for their signatures;~~

~~— (b) Any] , the proponent must file another proposed petition pursuant to section 4 of this act, and any signatures [that were] collected on the [original] formalized petition [before it was amended] are not valid [; and~~

~~— (c) The requirements for submission of the petition to each county clerk set forth in NRS 295.056 apply to the revised petition.~~

~~3. Upon receipt of a] for the purposes of collecting signatures for any subsequent petition.~~

~~6. After the proponent files the formalized petition [for initiative or referendum placed on file pursuant to subsection 1 or 2:~~

~~— (a) The] with the Secretary of State, the Secretary of State shall consult with the Fiscal Analysis Division of the Legislative Counsel Bureau to determine [if] whether the initiative or referendum in the formalized petition may have any anticipated financial effect on the State or local governments if the initiative or referendum is approved by the voters. If the Fiscal Analysis~~

Division determines that the initiative or referendum may have an anticipated financial effect on the State or local governments if the initiative or referendum is approved by the voters, the *Fiscal Analysis Division* ~~must~~ *shall* prepare a fiscal note that includes an explanation of ~~any such~~ *the anticipated financial* effect.

~~[(b) The Secretary of State shall consult with the Legislative Counsel regarding the petition for initiative or referendum. The Legislative Counsel may provide technical suggestions regarding the petition for initiative or referendum.~~

~~4.] 7.~~ Not later than 10 ~~business~~ *working* days after the *proponent files the formalized petition with the Secretary of State*, ~~receives a petition for initiative or referendum filed pursuant to subsection 1 or 2,~~ the Secretary of State shall post *on the Internet website of the Secretary of State* a copy of ~~the~~ :

~~(a) The formalized petition, including the title and description of effect required pursuant to by NRS 295.009, any] ; and~~

~~(b) Any fiscal note prepared by the Fiscal Analysis Division pursuant to subsection 3 and any suggestions made by the Legislative Counsel pursuant to subsection 3, on the Secretary of State's Internet website.] this section.~~

Sec. 14.1. NRS 295.035 is hereby amended to read as follows:

295.035 If ~~the~~ *a statewide petition for an initiative* ~~petition~~ *that proposes an amendment to the Nevada Constitution*, ~~is approved by the voters when it is submitted for the first time at a general election pursuant to Section 2 of Article 19 of the Nevada Constitution and NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act, the Secretary of State, in resubmitting the initiative to the voters, ~~the Secretary of State~~ *at the next succeeding general election,* shall use the same identifying number or other identification used for the first submission.~~

Sec. 14.2. NRS 295.045 is hereby amended to read as follows:

295.045 1. ~~A.] If a statewide~~ *petition for a referendum* ~~must be filed with] is submitted by the Secretary of State~~ *not less than 120 days before the date of] to the voters at the next succeeding general election*, ~~the~~

~~2.] The] pursuant to Section 1 of Article 19 of the Nevada Constitution and NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act, the Secretary of State shall certify the questions] referendum to the county clerks, and they shall publish them] the referendum in accordance with the provisions of law requiring county clerks to publish questions and proposed constitutional amendments which are to be submitted for popular vote.~~

~~3.] statewide measures pursuant to NRS 293.253.~~

2. The title of the statute or resolution *on which the referendum is proposed* must be set out on the ballot, and the question printed upon the ballot for the information of the voters must be as follows: "Shall the statute *or resolution* (setting out its title) be approved?"

~~4.~~ 3. Where a mechanical voting system is used, the title of the statute *or resolution* must appear on the list of offices and candidates and the statements of *statewide* measures to be voted on and may be condensed to no more than 25 words.

~~5.~~ 4. The votes cast upon the question must be counted and canvassed as the votes for state officers are counted and canvassed.

Sec. 14.3. NRS 295.055 is hereby amended to read as follows:

295.055 1. The Secretary of State shall by regulation specify:

(a) The format for the signatures on a *statewide* petition ~~for an initiative or referendum~~ and make free specimens of the format available upon request. The regulations must ensure that the format includes, without limitation, that:

(1) ~~In addition to signing the petition, a~~ *Each* person who signs ~~a~~ *the* petition ~~shall, in addition to signing the petition:~~

(I) ~~Shall print~~ *Print* the person's given name followed by the person's surname on the petition before the person's signature; and

(II) ~~Must indicate~~ *Indicate on the petition, other than a proposed petition,* the petition district in which the person resides, if known.

(2) Each signature must be dated.

(b) The manner of fastening together several sheets circulated by one person to constitute a single document.

2. The registered voter may consult the list of the registered voters in this State posted on the website maintained by the Secretary of State pursuant to subsection 1 of NRS 293.4687 to determine the petition district in which the registered voter resides. The registered voter may rely on the information contained in the list when the registered voter indicates the appropriate petition district, unless the registered voter believes that the information is inaccurate.

3. Each document of the petition, *other than a proposed petition,* must bear the name of a petition district, and only registered voters of that petition district may sign the document.

4. A person who signs a petition may request that the county clerk remove the person's name from the petition by transmitting a request in writing to the county clerk at any time before the petition is ~~filed with~~ *submitted for signature verification to* the county clerk ~~pursuant to NRS 295.056 or section 5 of this act, as applicable.~~

Sec. 14.4. NRS 295.056 is hereby amended to read as follows:

295.056 1. ~~Before~~ *After* a *formalized* petition ~~for initiative or referendum is filed with the Secretary of State, the petitioners~~ *has been circulated for signatures, the formalized petition is not effective for any purpose unless it is submitted for verification in the manner required by this section. If the formalized petition is not submitted for verification in the manner required by this section, the formalized petition is void, and any signatures collected on the formalized petition are not valid for any purpose.*

2. The formalized petition may not be circulated for signatures on or after the day on which it is submitted for verification. To submit the formalized petition for verification, the proponent or a person acting on behalf of the proponent must submit to each county clerk for verification pursuant to NRS 293.1276 to 293.1279, inclusive, the document or documents which were circulated for ~~signature~~ signatures within the clerk's county. The clerks shall give the person submitting a document or documents a receipt stating the number of documents and pages and the person's statement of the number of signatures contained therein.

~~2.~~ 3. If ~~a~~ the formalized petition ~~for~~ is an initiative that proposes a statute or an amendment to a statute, the document or documents must be submitted not later than the second Tuesday in November of an even-numbered year.

~~3.~~ 4. If ~~a~~ the formalized petition ~~for~~ is an initiative that proposes an amendment to the Nevada Constitution, the document or documents must be submitted not later than the third Tuesday in June of an even-numbered year.

~~4.~~ 5. If the formalized petition is ~~for~~ a referendum, the document or documents must be submitted not later than the third Tuesday in June of an even-numbered year.

~~5.~~ 6. All documents of the formalized petition which are submitted to a county clerk for verification must be submitted at the same time. If documents concerning the same formalized petition are submitted for verification to more than one county clerk, the documents must be submitted to each county clerk on the same day. At the time that the formalized petition is submitted to a county clerk for verification, the ~~petitioners may~~ person submitting the document or documents shall designate a contact person who is authorized ~~by the petitioners~~ to address questions or issues relating to the formalized petition.

7. The proponent may withdraw the formalized petition at any time before the formalized petition is submitted to the county clerks for verification pursuant to this section by filing a notice of withdrawal with the Secretary of State on a form prescribed by the Secretary of State. If the proponent files a notice of withdrawal, the formalized petition is void, and any signatures collected on the formalized petition are not valid for any purpose.

Sec. 14.5. NRS 295.0575 is hereby amended to read as follows:

295.0575 A statewide petition ~~for a constitutional amendment or a petition for a statewide measure proposed by an initiative or referendum~~ may consist of more than one document. Each document of ~~a~~ the petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:

1. That the circulator personally circulated the document.
2. The contact information of the circulator, including, without limitation, the street address of the residence where the circulator actually resides, unless a street address has not been assigned. If a street address has

not been assigned, the document must contain the mailing address of the circulator.

3. That the circulator is 18 years of age or older.
4. The number of signatures thereon.
5. That all the signatures were affixed in the circulator's presence.
6. That each signer had an opportunity before signing to read the full text of the ~~act or resolution on which~~ measure proposed for the initiative or referendum. ~~is demanded.~~

Sec. 14.6. NRS 295.0585 is hereby amended to read as follows:

295.0585 After a statewide petition ~~for a constitutional amendment or a petition for a statewide measure proposed by an initiative or referendum~~ is submitted for signature verification to the county clerk ~~and~~ pursuant to NRS 295.056 or section 5 of this act, as applicable, the county clerk shall make true and correct copies of all the documents of the petition and signatures thereon and shall make such copies and signatures available to the public for a period of not less than 14 days.

Sec. 15. NRS 295.061 is hereby amended to read as follows:

295.061 1. ~~Except as otherwise provided in subsection 3, whether whether an initiative or referendum embraces but one subject and matters necessarily directly connected therewith and pertaining thereto, and the description of the effect of an initiative or referendum required pursuant to NRS 295.009, may be challenged by filing~~ If any person wants to bring a single-subject challenge against a statewide petition, the person must file a complaint against the proponent of the petition in the First Judicial District Court not later than 15 working days ~~after a copy of the petition is placed on file with notice of the filing of the proposed petition is given by~~ after ~~Saturdays, Sundays and holidays excluded,~~ the date on which the Secretary of State sends the notice to the proponent that the declaration of sufficiency has been issued for the proposed petition pursuant to ~~NRS 295.015, subsection 2 of section 6 of this act.~~ ~~ALL~~

2. If a complaint is filed pursuant to subsection 1, the plaintiff shall file all affidavits and documents in support of the challenge ~~must be filed~~ with the complaint. Not later than 3 working days after the filing of the complaint, ~~Saturdays, Sundays and holidays excluded,~~ the plaintiff shall cause a copy of the complaint and all supporting affidavits and other documents to be served upon ~~the~~ :

(a) The proponent; and

(b) The Secretary of State and the Attorney General ~~and the proponent of the proposed petition. The~~ who are entitled to be heard in the proceeding but who may not be made a party to the proceeding unless either officer intervenes as a party. Whether or not either officer intervenes as a party, the State and any officer or employee thereof may not be assessed or held liable in the proceeding for any attorney's fees or other fees, costs or expenses of any other parties.

3. Unless otherwise ordered by the court or stipulated by the parties, the court shall ~~set~~ :

(a) Set the matter for hearing not later than ~~15~~ 7 working days after the complaint is filed ~~, conduct~~ ;

(b) Conduct the hearing not later than 21 working days after the complaint is filed ; and ~~shall give~~

(c) Give priority to ~~such a complaint~~ the matter over all other matters pending with the court, except for criminal proceedings.

4. The court, or any party at the direction of the court, shall promptly give written notice to the Secretary of State and Attorney General of the entry of each order or judgment entered in the proceeding.

~~2.~~ 5. The ~~legal sufficiency~~ provisions of subsections 1 to 4, inclusive, provide the exclusive means to bring a single-subject challenge against a statewide petition, and no judicial or administrative proceeding may be commenced to bring such a challenge other than by a complaint filed in the First Judicial District Court pursuant to subsections 1 to 4, inclusive.

6. If any person wants to challenge:

(a) A determination by the Secretary of State pursuant to NRS 293.1276 to 293.1279, inclusive, that a statewide petition ~~for initiative or referendum may be challenged by filing~~ , other than a proposed petition, has a sufficient number of signatures; or

(b) The validity of a statewide petition, other than a proposed petition, based on any other issue that:

(1) May be raised in a preelection challenge;

(2) Has not been decided on the merits in a prior proceeding with regard to that petition; and

(3) Is not expressly barred from being challenged by the provisions of NRS 295.012 to 295.061, inclusive, and sections 3.1 to 11.5, inclusive, of this act.

↳ the person must file a complaint against the proponent of the petition and the Secretary of State in ~~district court~~ the First Judicial District Court not later than 7 working days ~~, Saturdays, Sundays and holidays excluded,~~ after the date on which the Secretary of State certifies that the petition ~~is certified as~~ has a sufficient ~~by the Secretary of State. All~~ number of signatures.

7. If a complaint is filed pursuant to subsection 6, the plaintiff shall file all affidavits and documents in support of the challenge ~~must be filed~~ with the complaint.

8. The State and any officer or employee thereof may not be assessed or held liable in the proceeding for any attorney's fees or other fees, costs or expenses of any other parties.

9. Unless otherwise ordered by the court or stipulated by the parties, the court shall ~~set~~ :

(a) Set the matter for hearing not later than 15 working days after the complaint is filed ; and ~~shall give~~

(b) Give priority to ~~[such a complaint]~~ *the matter* over all other matters pending with the court, except for criminal proceedings.

~~[3. If a description of the effect of an initiative or referendum required pursuant to NRS 295.009 is challenged successfully pursuant to subsection 1 and such description is amended in compliance with the order of the court, the amended description may not be challenged.]~~

10. *The provisions of subsections 6 to 9, inclusive, provide the exclusive means to bring a challenge described in those provisions against a statewide petition, and no judicial or administrative proceeding may be commenced to bring such a challenge other than by a complaint filed in the First Judicial District Court pursuant to subsections 6 to 9, inclusive.*

Sec. 15.5. NRS 295.300 is hereby amended to read as follows:

295.300 A person shall not give compensation of any kind to any person in exchange for signing a statewide or local petition for initiative or referendum.

Sec. 16. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 17. This act becomes effective on July 1, 2015.

Senator Brower moved the adoption of the amendment.

Remarks by Senator Brower.

Amendment No. 527 to Senate Bill No. 434: 1) sets forth legislative findings and declarations explaining some of the important state interests being addressed by the bill; 2) seeks to ensure that each statewide petition receives a threshold level of support from the voters by requiring the proponent to circulate a proposed petition and obtain 1,000 signatures to show a threshold level of support before the proponent may file a formalized petition and undertake the full-scale petition process; 3) creates a new procedure for establishing the title of the petition as well as a description of effect on the petition; 4) requires the Secretary of State to prepare a handbook for initiative and referendum proponents and circulators; 5) addresses single-subject requirements in sections 12 and 15 by clarifying the process by which a single-subject challenge may occur and declares that a violation of either the single-subject rule or the description-of-effect requirements are not severable—this is pursuant to Nevada case law—6) also regarding the single-subject issue, the amendment sets forth a legislative finding indicating that the single-subject provisions are designed to prevent confusing, complex, or complicated multi-subject petitions in order to present voters with a meaningful opportunity to consider the merits and consequences of each proposal separately without being confused or misled by multi-subject petitions; and 7) finally, the amendment clarifies the handling of competing measures on the ballot. A new section 11.5 provides a legislative interpretation of the phrase "a different measure on the same subject," and section 2.5 provides notice to the voters on the ballot that only one of the different or competing measures may be enacted into law.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 6.

Bill read second time and ordered to third reading.

Assembly Bill No. 11.

Bill read second time and ordered to third reading.

Assembly Bill No. 47.

Bill read second time and ordered to third reading.

Assembly Bill No. 65.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 718.

SUMMARY—~~[Revises provisions]~~ Makes various changes relating to ~~[notaries public and document preparation services.]~~ public affairs.
(BDR 19-445)

AN ACT relating to public affairs; making various changes relating to the regulation of notaries public; authorizing the Secretary of State to conduct certain examinations of the records of a document preparation service; revising provisions relating to the authentication by the Secretary of State of certain information contained on notarized documents; revising the definition of "document preparation service" to exclude certain nonprofit organizations ~~[, commercial resident agents]~~ and collection agencies; making various changes relating to the regulation of document preparation services; authorizing the Secretary of State to adopt regulations prescribing procedures to prevent the filing of certain documents in his or her office; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits persons with certain criminal convictions from becoming notaries public and provides for the revocation of the appointment of notaries public who are convicted of certain crimes. (NRS 240.010, 240.150) Sections 1 and 6 of this bill clarify that those convictions include a conviction that follows a plea of nolo contendere or no contest. Section 1 also prohibits the Secretary of State from appointing as a notary public a person whose previous appointment as a notary public in this State or another state has been revoked for cause.

Existing law prohibits a person who has not been appointed as a notary public from representing himself or herself as a notary public. (NRS 240.010) Section 1 expands this prohibition to include those persons whose appointment has expired or been suspended or revoked, and provides a civil penalty for such a violation.

Existing law requires that applicants for appointment as notaries public complete 4 hours of instruction relating to the functions and duties of notaries public. (NRS 240.018) Section 3 of this bill shortens the course to 3 hours and requires an examination. Section 3 also requires a person renewing his or her appointment as a notary public to retake the course, and allows the Secretary of State to require a notary public who has violated any provision of chapter 240 of NRS to retake the course. Additionally, section 3 authorizes the Secretary of State to use an outside vendor to administer the course and

examination. Section 6.5 of this bill makes similar conforming changes to the course and examination requirements for an electronic notary public.

Existing law requires the Secretary of State to issue, upon request and the payment of certain fees, an authentication to verify that: (1) the signature of a notarial officer on a document is valid; and (2) the notarial officer holds the office indicated on the document. (NRS 240.1657) Section 6.3 of this bill requires a request for authentication to include a statement signed under penalty of perjury that the document will not be used to: (1) harass a person; or (2) accomplish any fraudulent, criminal or other unlawful purpose. Section 6.3 also prohibits bringing a civil action against the Secretary of State on the basis that: (1) the Secretary of State has issued an authentication; and (2) the document has been used to harass a person or accomplish any fraudulent, criminal or other unlawful purpose. Additionally, section 6.3 provides that a person who uses a document for which an authentication has been issued for such unlawful purposes is guilty of a category C felony.

Existing law prohibits certain actions by notaries public. (NRS 240.075) Section 4 of this bill prohibits a notary public from affixing his or her stamp to any document which does not contain a notarial certificate.

Existing law prohibits the use of the Spanish term "notario" or "notario publico" in any signage or advertisement by a notary public who is not also an attorney licensed to practice law in this State. (NRS 240.085) Section 5 of this bill extends this prohibition to the employers of notaries public, and requires the imposition of a civil penalty for violating such a prohibition.

Existing law requires that a person who wishes to register as a documentation preparation service must be a citizen or legal resident of the United States. (NRS 240A.100) Section 9 of this bill allows a person who holds employment authorization from the United States Citizenship and Immigration Services to register as a documentation preparation service. Section 9 also provides that an application for registration that is not completed within 6 months must be denied. Finally, section 9 prohibits the Secretary of State from registering as a document preparation service any person whose previous registration as a document preparation service in this State or another state has been revoked for cause.

Existing law exempts certain persons from registering as a documentation preparation service. (NRS 240A.030) Section 8 of this bill clarifies which nonprofit organizations ~~and commercial registered agents~~ are not required to register and adds collection agencies to the list of such persons.

Existing law requires that a document prepared by a documentation preparation service must include the name, address, phone number and registration number of the document preparation service. (NRS 240A.200) Section 11 of this bill deletes this requirement but requires a document preparation service to provide this information on any document on which the information is requested.

Section 7 of this bill specifically authorizes the Secretary of State to inspect the documents required to be maintained by document preparation services to ensure compliance with the law.

Existing law authorizes the Secretary of State to adopt regulations prescribing procedures to prevent the filing of false or forged documents in his or her office. (NRS 225.083) Section 11.5 of this bill authorizes the Secretary of State also to adopt regulations prescribing procedures to prevent the filing of documents in his or her office that: (1) are fraudulent; (2) contain a false statement of material fact; or (3) are filed for the purpose of harassing or defrauding a person.

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

Section 1. NRS 240.010 is hereby amended to read as follows:

240.010 1. The Secretary of State may appoint notaries public in this State.

2. The Secretary of State shall not appoint as a notary public a person:

(a) Who submits an application containing a substantial and material misstatement or omission of fact.

(b) Whose previous appointment as a notary public in this State *or another state* has been revoked ~~for~~ *for cause*.

(c) Who, except as otherwise provided in subsection 3, has been convicted of ~~for~~, *or entered a plea of guilty, guilty but mentally ill or nolo contendere to:*

(1) A crime involving moral turpitude; or

(2) Burglary, conversion, embezzlement, extortion, forgery, fraud, identity theft, larceny, obtaining money under false pretenses, robbery or any other crime involving misappropriation of the identity or property of another person or entity,

↪ if the Secretary of State is aware of such a conviction *or plea* before the Secretary of State makes the appointment.

(d) Against whom a complaint that alleges a violation of a provision of this chapter is pending.

(e) Who has not submitted to the Secretary of State proof satisfactory to the Secretary of State that the person has enrolled in and successfully completed a course of study provided pursuant to NRS 240.018.

3. A person who has been convicted of, *or entered a plea of guilty, guilty but mentally ill or nolo contendere to,* a crime involving moral turpitude may apply for appointment as a notary public if the person provides proof satisfactory to the Secretary of State that:

(a) More than 10 years have elapsed since the date of the person's release from confinement or the expiration of the period of his or her parole, probation or sentence, whichever is later;

(b) The person has made complete restitution for his or her crime involving moral turpitude, if applicable;

(c) The person possesses his or her civil rights; and

(d) The crime for which the person was convicted *or entered a plea* is not one of the crimes enumerated in subparagraph (2) of paragraph (c) of subsection 2.

4. A notary public may cancel his or her appointment by submitting a written notice to the Secretary of State.

5. It is unlawful for a person to:

(a) Represent himself or herself as a notary public appointed pursuant to this section if the person has not received a certificate of appointment from the Secretary of State pursuant to this chapter ~~1~~, *or if his or her appointment is expired, revoked or suspended or is otherwise not in good standing.*

(b) Submit an application for appointment as a notary public that contains a substantial and material misstatement or omission of fact.

6. *Any person who violates a provision of paragraph (a) of subsection 5 is liable for a civil penalty of not more than \$2,000 for each violation, plus reasonable attorney's fees and costs.*

7. The Secretary of State may request that the Attorney General bring an action to enjoin any violation of paragraph (a) of subsection 5 ~~1~~ *and recover any penalties, attorney's fees and costs.*

Sec. 2. NRS 240.015 is hereby amended to read as follows:

240.015 1. Except as otherwise provided in this section, a person appointed as a notary public must:

(a) During the period of his or her appointment, be a citizen of the United States or lawfully admitted for permanent residency in the United States as verified by the United States Citizenship and Immigration Services.

(b) Be a resident of this State.

(c) Be at least 18 years of age.

(d) Possess his or her civil rights.

(e) *Have completed a course of study pursuant to NRS 240.018.*

2. If a person appointed as a notary public ceases to be lawfully admitted for permanent residency in the United States during his or her appointment, the person shall, within 90 days after his or her lawful admission has expired or is otherwise terminated, submit to the Secretary of State evidence that the person is lawfully readmitted for permanent residency as verified by the United States Citizenship and Immigration Services. If the person fails to submit such evidence within the prescribed time, the person's appointment expires by operation of law.

3. The Secretary of State may appoint a person who resides in an adjoining state as a notary public if the person:

(a) Maintains a place of business in the State of Nevada that is licensed pursuant to chapter 76 of NRS and any applicable business licensing requirements of the local government where the business is located; or

(b) Is regularly employed at an office, business or facility located within the State of Nevada by an employer licensed to do business in this State.

↪ If such a person ceases to maintain a place of business in this State or regular employment at an office, business or facility located within this State, the Secretary of State may suspend the person's appointment. The Secretary of State may reinstate an appointment suspended pursuant to this subsection if the notary public submits to the Secretary of State, before his or her term of appointment as a notary public expires, the information required pursuant to subsection 2 of NRS 240.030.

Sec. 3. NRS 240.018 is hereby amended to read as follows:

240.018 1. The Secretary of State may:

(a) Provide courses of study for the mandatory training of notaries public. Such courses of study ~~must~~ :

(1) *Must* include at least ~~four~~ 3 hours of instruction *and an examination* relating to the functions and duties of notaries public ~~;~~ ; *and*

(2) *May be conducted in person or online by the Secretary of State or a vendor approved by the Secretary of State.*

(b) Charge a reasonable fee to each person who enrolls in a course of study for the mandatory training of notaries public.

2. A course of study provided pursuant to this section must comply with the regulations adopted pursuant to subsection 1 of NRS 240.017.

3. The following persons are required to enroll in and successfully complete a course of study provided pursuant to this section:

(a) A person applying for appointment as a notary public for the first time.

(b) A person renewing his or her appointment as a notary public . ~~if the appointment has expired for a period greater than 1 year.~~

(c) A person ~~renewing his or her appointment as a notary public, if during the immediately preceding 4 years the person has been fined for failing to comply with a statute or regulation of this State relating to notaries public.~~

↪ ~~A person who holds a current appointment as a notary public is not required to enroll in and successfully complete a course of study provided pursuant to this section if the person is in compliance with all of the statutes and regulations of this State relating to notaries public.~~ *who has committed a violation of this chapter or whose appointment as a notary public has been suspended, and who has been required by the Secretary of State to enroll in a course of study provided pursuant to this section.*

4. The Secretary of State shall deposit the fees collected pursuant to paragraph (b) of subsection 1 in the Notary Public Training Account which is hereby created in the State General Fund. The Account must be administered by the Secretary of State. Any interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward. All claims against the Account must be paid as other claims against the State are paid. The money in the Account may be expended:

(a) To pay for expenses related to providing courses of study for the mandatory training of notaries public, including, without limitation, the rental of rooms and other facilities, advertising, travel and the printing and preparation of course materials; or

(b) For any other purpose authorized by the Legislature.

5. At the end of each fiscal year, the Secretary of State shall reconcile the amount of the fees collected pursuant to paragraph (b) of subsection 1 and the expenses related to administering the training of notaries public pursuant to this chapter and deposit any excess fees received with the State Treasurer for credit to the State General Fund.

Sec. 4. NRS 240.075 is hereby amended to read as follows:

240.075 A notary public shall not:

1. Influence a person to enter or not enter into a lawful transaction involving a notarial act performed by the notary public.

2. Certify an instrument containing a statement known by the notary public to be false.

3. Perform any act as a notary public with intent to deceive or defraud, including, without limitation, altering the journal that the notary public is required to keep pursuant to NRS 240.120.

4. Endorse or promote any product, service or offering if his or her appointment as a notary public is used in the endorsement or promotional statement.

5. Certify photocopies of a certificate of birth, death or marriage or a divorce decree.

6. Allow any other person to use his or her notary's stamp.

7. Allow any other person to sign the notary's name in a notarial capacity.

8. Perform a notarial act on a document that contains only a signature.

9. Perform a notarial act on a document, including a form that requires the signer to provide information within blank spaces, unless the document has been filled out completely and has been signed.

10. Make or note a protest of a negotiable instrument unless the notary public is employed by a depository institution and the protest is made or noted within the scope of that employment. As used in this subsection, "depository institution" has the meaning ascribed to it in NRS 657.037.

11. *Affix his or her stamp to any document which does not contain a notarial certificate.*

Sec. 5. NRS 240.085 is hereby amended to read as follows:

240.085 1. Every notary public who is not an attorney licensed to practice law in this State and who advertises his or her services as a notary public in a language other than English by any form of communication, except a single plaque on his or her desk, shall post or otherwise include with the advertisement a notice in the language in which the advertisement appears. The notice must be of a conspicuous size, if in writing, and must appear in substantially the following form:

I AM NOT AN ATTORNEY IN THE STATE OF NEVADA. I AM NOT LICENSED TO GIVE LEGAL ADVICE. I MAY NOT ACCEPT FEES FOR GIVING LEGAL ADVICE.

2. A notary public who is not an attorney licensed to practice law in this State shall not use the term "notario," "notario publico" or any other equivalent non-English term in any form of communication that advertises his or her services as a notary public, including, without limitation, a business card, stationery, notice and sign.

3. If the Secretary of State finds a notary public guilty of violating the provisions of subsection 1 or 2, the Secretary of State shall:

(a) Suspend the appointment of the notary public for not less than 1 year.

(b) Revoke the appointment of the notary public for a third or subsequent offense.

(c) *Assess a civil penalty of not more than \$2,000 for each violation.*

4. A notary public who is found guilty in a criminal prosecution of violating subsection 1 or 2 shall be punished by a fine of not more than \$2,000.

5. *An employer of a notary public shall not:*

(a) *Prohibit the notary public from meeting the requirements set forth in subsection 1; or*

(b) *Advertise using the term "notario," "notario publico" or any other equivalent non-English term in any form of communication that advertises notary public services, including, without limitation, a business card, stationery, notice and sign, unless the notary public under his or her employment is an attorney licensed to practice law in this State.*

6. *If the Secretary of State finds the employer of ~~the~~ a notary public guilty of violating a provision of subsection 5, the Secretary of State shall:*

(a) *Notify the employer in writing of the violation and order the immediate removal of such language.*

(b) *Assess a civil penalty of not more than \$2,000 for each violation.*

7. *The employer of a notary public who is found guilty in a criminal prosecution of violating a provision of subsection 5 shall be punished by a fine of not more than \$2,000.*

Sec. 6. NRS 240.150 is hereby amended to read as follows:

240.150 1. For misconduct or neglect in a case in which a notary public appointed pursuant to the authority of this State may act, either by the law of this State or of another state, territory or country, or by the law of nations, or by commercial usage, the notary public is liable on his or her official bond to the parties injured thereby, for all the damages sustained.

2. The employer of a notary public may be assessed a civil penalty by the Secretary of State of not more than \$2,000 for each violation specified in subsection 4 committed by the notary public, and the employer is liable for any damages proximately caused by the misconduct of the notary public, if:

(a) The notary public was acting within the scope of his or her employment at the time the notary public engaged in the misconduct; and

(b) The employer of the notary public consented to the misconduct of the notary public.

3. The Secretary of State may refuse to appoint or may suspend or revoke the appointment of a notary public who fails to provide to the Secretary of State, within a reasonable time, information that the Secretary of State requests from the notary public in connection with a complaint which alleges a violation of this chapter.

4. Except as otherwise provided in this chapter, for any willful violation or neglect of duty or other violation of this chapter, or upon proof that a notary public has been convicted of, *or entered a plea of guilty, guilty but mentally ill or nolo contendere to*, a crime described in paragraph (c) of subsection 2 of NRS 240.010:

(a) The appointment of the notary public may be suspended for a period determined by the Secretary of State, but not exceeding the time remaining on the appointment;

(b) The appointment of the notary public may be revoked after a hearing; or

(c) The notary public may be assessed a civil penalty of not more than \$2,000 for each violation.

5. If the Secretary of State revokes or suspends the appointment of a notary public pursuant to this section, the Secretary of State shall:

(a) Notify the notary public in writing of the revocation or suspension;

(b) Cause notice of the revocation or suspension to be published on the website of the Secretary of State; and

(c) If a county clerk has issued a certificate of permission to perform marriages to the notary public pursuant to NRS 122.064, notify the county clerk of the revocation or suspension.

6. Except as otherwise provided by law, the Secretary of State may assess the civil penalty that is authorized pursuant to this section upon a notary public whose appointment has expired if the notary public committed the violation that justifies the civil penalty before his or her appointment expired.

7. The appointment of a notary public may be suspended or revoked by the Secretary of State pending a hearing if the Secretary of State believes it is in the public interest or is necessary to protect the public.

Sec. 6.3. NRS 240.1657 is hereby amended to read as follows:

240.1657 1. Except as otherwise provided in subsection 2, the Secretary of State shall, upon request and payment of a fee of \$20, issue an authentication to verify that the signature of the notarial officer on a document is genuine and that the notarial officer holds the office indicated on the document. If the document:

(a) Is intended for use in a foreign country that is a participant in the Hague Convention of October 5, 1961, the Secretary of State must issue an apostille in the form prescribed by the Hague Convention of October 5, 1961.

(b) Is intended for use in the United States or in a foreign country that is not a participant in the Hague Convention of October 5, 1961, the Secretary of State must issue a certification.

2. The Secretary of State shall not issue an authentication pursuant to subsection 1 if:

(a) The document has not been notarized in accordance with the provisions of this chapter; ~~or~~

(b) The Secretary of State has reasonable cause to believe that the document may be used to accomplish any fraudulent, criminal or *other* unlawful purpose ~~;~~; *or*

(c) The request to issue an authentication does not include a statement, in the form prescribed by the Secretary of State and signed under penalty of perjury, that the document for which the authentication is requested will not be used to:

(1) Harass a person; or

(2) Accomplish any fraudulent, criminal or other unlawful purpose.

3. No civil action may be brought against the Secretary of State on the basis that:

(a) The Secretary of State has issued an authentication pursuant to subsection 1; and

(b) The document has been used to:

(1) Harass a person; or

(2) Accomplish any fraudulent, criminal or other unlawful purpose.

4. A person who uses a document for which an authentication has been issued pursuant to subsection 1 to:

(a) Harass a person; or

(b) Accomplish any fraudulent, criminal or other unlawful purpose.

↪ is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years, and may be further punished by a fine of not more than \$5,000.

5. The Secretary of State may adopt regulations to carry out the provisions of this section.

Sec. 6.5. NRS 240.195 is hereby amended to read as follows:

240.195 1. Except as otherwise provided in subsection 2, an applicant for appointment as an electronic notary public must successfully:

(a) Complete a course of study that is in accordance with the requirements of subsection 5; and

(b) Pass an examination at the completion of the course.

2. The following persons ~~must~~ are required to enroll in and successfully complete a course of study as required pursuant to subsection 1:

(a) A person applying for his or her first appointment as an electronic notary public;

(b) A person renewing his or her appointment as an electronic notary public ; ~~[if the appointment as an electronic notary public has been expired for a period of more than 1 year,]~~ and

(c) A person ~~[renewing his or her appointment as an electronic notary public if, during the 4 years immediately preceding the application for renewal, the Secretary of State took action against the person pursuant to NRS 240.150 for failing to comply with any provision of this chapter or any regulations adopted pursuant thereto.~~

~~→ A person renewing his or her appointment as an electronic notary public need not successfully complete a course of study as required pursuant to subsection 1 if the appointment as an electronic notary public has been expired for a period of 1 year or less.] who has committed a violation of this chapter or whose appointment or an electronic notary public has been suspended, and who has been required by the Secretary of State to enroll in a course of study provided pursuant to this section.~~

3. A course of study required to be completed pursuant to subsection 1 must:

- (a) Include at least 3 hours of instruction;
- (b) Provide instruction in electronic notarization, including, without limitation, notarial law and ethics, technology and procedures;
- (c) Include an examination of the course content;
- (d) Comply with the regulations adopted pursuant to NRS 240.206; and
- (e) Be approved by the Secretary of State.

4. The Secretary of State may, with respect to a course of study required to be completed pursuant to subsection 1:

- (a) Provide such a course of study; and
- (b) Charge a reasonable fee to each person who enrolls in such a course of study.

5. A course of study provided pursuant to this section ~~[must]~~ :

(a) *Must* satisfy the criteria set forth in subsection 3 and comply with the requirements set forth in the regulations adopted pursuant to NRS 240.206.

(b) *May be provided in person or online by the Secretary of State or a vendor approved by the Secretary of State.*

6. The Secretary of State shall deposit the fees collected pursuant to paragraph (b) of subsection 4 in the Notary Public Training Account created pursuant to NRS 240.018.

Sec. 7. Chapter 240A of NRS is hereby amended by adding thereto a new section to read as follows:

The Secretary of State may conduct periodic, special or any other examinations of any records required to be maintained pursuant to this chapter or any other provisions of NRS pertaining to the duties of a registrant as the Secretary of State deems necessary to determine whether a violation of this chapter or any other provision of NRS pertaining to the duties of a registrant has occurred.

Sec. 8. NRS 240A.030 is hereby amended to read as follows:

240A.030 1. "Document preparation service" means a person who:

(a) For compensation and at the direction of a client, provides assistance to the client in a legal matter, including, without limitation:

(1) Preparing or completing any pleading, application or other document for the client;

(2) Translating an answer to a question posed in such a document;

(3) Securing any supporting document, such as a birth certificate, required in connection with the legal matter; or

(4) Submitting a completed document on behalf of the client to a court or administrative agency; or

(b) Holds himself or herself out as a person who provides such services.

2. The term does not include:

(a) A person who provides only secretarial or receptionist services.

(b) An attorney authorized to practice law in this State, or an employee of such an attorney who is paid directly by the attorney or law firm with whom the attorney is associated and who is acting in the course and scope of that employment.

(c) A law student certified by the State Bar of Nevada for training in the practice of law.

(d) A governmental entity or an employee of such an entity who is acting in the course and scope of that employment.

(e) A nonprofit organization *formed pursuant to title 7 of NRS* which ~~qualifies as~~ *the Secretary of the Treasury has determined* is a tax-exempt organization pursuant to 26 U.S.C. § 501(c) and which provides legal services to persons free of charge, or an employee of such an organization who is acting in the course and scope of that employment.

(f) A legal aid office or lawyer referral service operated, sponsored or approved by a duly accredited law school, a governmental entity, the State Bar of Nevada or any other bar association which is representative of the general bar of the geographical area in which the bar association exists, or an employee of such an office or service who is acting in the course and scope of that employment.

(g) A military legal assistance office or a person assigned to such an office who is acting in the course and scope of that assignment.

(h) A person licensed by or registered with an agency or entity of the United States Government acting within the scope of his or her license or registration, including, without limitation, an accredited immigration representative and an enrolled agent authorized to practice before the Internal Revenue Service, but not including a bankruptcy petition preparer as defined by section 110 of the United States Bankruptcy Code, 11 U.S.C. § 110.

(i) A corporation, limited-liability company or other entity representing or acting for itself through an officer, manager, member or employee of the entity, or any such officer, manager, member or employee who is acting in the course and scope of that employment.

(j) A commercial wedding chapel.

(k) A person who provides legal forms or computer programs that enable another person to create legal documents.

(l) A commercial registered agent ~~while carrying out his or her duties as a commercial registered agent pursuant to chapter 77 of NRS or acting within the scope of those duties.~~

(m) A person who holds a license, permit, certificate, registration or any other type of authorization required by chapter 645 or 692A of NRS, or any regulation adopted pursuant thereto, and is acting within the scope of that authorization.

(n) *A collection agency that is licensed pursuant to chapter 649 of NRS.*

3. As used in this section:

(a) "Commercial registered agent" has the meaning ascribed to it in NRS 77.040.

(b) "Commercial wedding chapel" means a permanently affixed structure which operates a business principally for the performance of weddings and which is licensed for that purpose.

Sec. 9. NRS 240A.100 is hereby amended to read as follows:

240A.100 1. A person who wishes to engage in the business of a document preparation service must be registered by the Secretary of State pursuant to this chapter. An applicant for registration must be a citizen or legal resident of the United States *or hold a valid Employment Authorization Document issued by the United States Citizenship and Immigration Services* ~~of the Department of Homeland Security,~~ and be at least 18 years of age.

2. The Secretary of State shall not register as a document preparation service any person:

(a) Who is suspended or has previously been disbarred from the practice of law in any jurisdiction;

(b) Whose registration as a document preparation service *in this State or another state* has previously been revoked ~~by the Secretary of State,~~ for cause;

(c) Who has previously been convicted of , *or entered a plea of guilty, guilty but mentally ill or nolo contendere to,* a gross misdemeanor pursuant to paragraph (b) of subsection 1 of NRS 240A.290; or

(d) Who has, within the 10 years immediately preceding the date of the application for registration as a document preparation service, been:

(1) Convicted of , *or entered a plea of guilty, guilty but mentally ill or nolo contendere to,* a crime involving theft, fraud or dishonesty;

(2) Convicted of , *or entered a plea of guilty, guilty but mentally ill or nolo contendere to,* the unauthorized practice of law pursuant to NRS 7.285 or the corresponding statute of any other jurisdiction; or

(3) Adjudged by the final judgment of any court to have committed an act involving theft, fraud or dishonesty.

3. An application for registration as a document preparation service must be made under penalty of perjury on a form prescribed by regulation of the

Secretary of State and must be accompanied by a cash bond or surety bond meeting the requirements of NRS 240A.120.

4. After the investigation of the history of the applicant is completed, the Secretary of State shall issue a certificate of registration if the applicant is qualified for registration and has complied with the requirements of this section. Each certificate of registration must bear the name of the registrant and a registration number unique to that registrant. The Secretary of State shall maintain a record of the name and registration number of each registrant.

5. *An application for registration as a document preparation service that is not completed within 6 months after the date on which the application was submitted must be denied.*

Sec. 10. NRS 240A.110 is hereby amended to read as follows:

240A.110 1. The registration of a document preparation service is valid for 1 year after the date of issuance of the certificate of registration, unless the registration is suspended or revoked. Except as otherwise provided in this section, the registration may be renewed subject to the same conditions as the initial registration. An application for renewal must be made under penalty of perjury on a form prescribed by regulation of the Secretary of State and must be accompanied by a cash bond or surety bond meeting the requirements of NRS 240A.120, unless the bond previously filed by the registrant remains on file and in effect.

2. *The registration of a registrant who holds a valid Employment Authorization Document issued by the United States Citizenship and Immigration Services of the Department of Homeland Security must expire on the date on which that person's employment authorization expires.*

3. The Secretary of State may:

(a) Conduct any investigation of a registrant that the Secretary of State deems appropriate.

(b) Require a registrant to submit a complete set of fingerprints and written permission authorizing the Secretary of State to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

~~{3.}~~ 4. After any investigation of the history of a registrant is completed, unless the Secretary of State elects or is required to deny renewal pursuant to this section or NRS 240A.270, the Secretary of State shall renew the registration if the registrant is qualified for registration and has complied with the requirements of this section.

Sec. 11. NRS 240A.200 is hereby amended to read as follows:

240A.200 ~~{Any} If a document prepared for a client by a registrant ~~must include, below any required signature of the client,~~~~ *includes a place on the document for the registrant to provide information, including, without limitation, the name, business address, ~~and~~ telephone number and registration number of the registrant ~~;~~, the registrant shall include the requested information on the document.*

Sec. 11.5. NRS 225.083 is hereby amended to read as follows:

225.083 1. The Secretary of State shall prominently post the following notice at each office and each location on his or her Internet website at which documents are accepted for filing:

The Secretary of State is not responsible for the content, completeness or accuracy of any document filed in this office. Customers should periodically review the documents on file in this office to ensure that the documents pertaining to them are complete and accurate.

Pursuant to NRS 239.330, any person who knowingly offers any false or forged instrument for filing in this office is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years and may be further punished by a fine of not more than \$10,000. Additionally, any person who knowingly offers any false or forged instrument for filing in this office may also be subject to civil liability.

2. The Secretary of State may adopt regulations prescribing procedures to prevent the filing ~~[of false or forged documents]~~ in his or her office ~~[.]~~ of:

(a) False, fraudulent or forged documents.

(b) Documents that contain a false statement of material fact.

(c) Documents that are filed for the purpose of harassing or defrauding a person.

Sec. 12. 1. The provisions of NRS 240.018, as amended by section 3 of this act, do not apply to a notary public whose appointment as a notary public expires before July 1, 2015.

2. The provisions of NRS 240.195, as amended by section 6.5 of this act, do not apply to an electronic notary public whose appointment as an electronic notary public expires before July 1, 2015.

Sec. 13. This act becomes effective on July 1, 2015.

Senator Goicoechea moved the adoption of the amendment.

Remarks by Senator Goicoechea.

Amendment No. 718 to Assembly Bill No. 65 makes changes to add prohibitions and penalties on persons using certification services provided by the Secretary of State to defraud or harass persons and to strengthen the provisions relating to filing forged and fraudulent documents. Further, it deletes language in section 8 relevant to commercial registered agents that was deemed unnecessary as they are already required to register with the Secretary of State, requiring them to register as document preparers also would be duplicative.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 94.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Operations and Elections:

Amendment No. 676.

SUMMARY—Authorizes election officials to establish systems for registered voters to elect to receive sample ballots by electronic means. (BDR 24-518)

AN ACT relating to elections; authorizing election officials to establish systems for registered voters to elect to receive sample ballots by electronic means; ~~allowing~~ clarifying provisions governing the confidentiality of certain information relating to registered voters; protecting the confidentiality of electronic mail addresses provided by registered voters ~~who participate in such systems to elect to have their electronic mail addresses withheld from the public;~~ to election officials; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires each county and city clerk to mail a sample ballot to each registered voter in the applicable county or city. (NRS 293.565, 293C.530) Sections 2 and 4 of this bill authorize each county and city clerk to establish a system to distribute a sample ballot by electronic means to each registered voter who elects to receive sample ballots in that manner. Such a system ~~must be approved by the Secretary of State and~~ may include, without limitation, electronic mail or electronic access through an Internet website.

Existing law provides that certain information relating to a registered voter is confidential and that a registered voter may submit a written request to the county clerk to have his or her address and telephone number withheld from the public. (NRS 293.558) Section 1.7 of this bill ~~allows~~ clarifies that the following information relating to a registered voter is confidential: (1) the address and telephone number of the registered voter if requested by the registered voter; (2) an electronic mail address provided by the registered voter to carry out any state or federal law relating to the voting process, including an electronic mail address provided by a registered voter who participates in a system to distribute sample ballots by electronic means ~~to elect to have his or her electronic mail address~~ ; (3) the social security number and driver's license or identification card number of the registered voter; and (4) any other information relating to the registered voter that any state or federal law declares to be confidential or otherwise requires to be withheld from the public.

Sections 1, ~~1.3, 1.5, 3, 3.5~~ 3 and 5-10 of this bill make conforming changes.

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

Section 1. NRS 293.097 is hereby amended to read as follows:

293.097 1. "Sample ballot" means a document distributed by a county or city clerk upon which is ~~printed~~ included a list of the offices, candidates and ballot questions that will appear on a ballot.

2. The term includes, *without limitation*, any such document which is ~~printed by~~ *prepared on a computer* ~~and distributed by mail or electronic means pursuant to NRS 293.565 or 293C.530.~~

Sec. 1.3. ~~NRS 293.301 is hereby amended to read as follows:~~

~~293.301 1. The county clerk of each county shall require an election board officer to post an alphabetical listing of all registered voters for each precinct in a public area of each polling place in the county. Except as otherwise provided in NRS 293.5002 and 293.558, the alphabetical listing must include the name, address and political affiliation of each voter [.] and the electronic mail address of the voter if provided by the voter pursuant to NRS 293.565 or 293C.530. Not less than four times during the hours in which the polling place is open, an election board officer shall identify the name of each voter that voted since the last identification.~~

~~2. Each page of the alphabetical listing must contain a notice which reads substantially as follows:~~

~~It is unlawful for any person to remove, tear, mark or otherwise deface this alphabetical listing of registered voters except an election board officer acting pursuant to subsection 1 of NRS 293.301.~~

~~3. Any person who removes, tears, marks or otherwise defaces an alphabetical listing posted pursuant to this section with the intent to falsify or prevent others from readily ascertaining the name, address, *electronic mail address* or political affiliation of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor.] (Deleted by amendment.)~~

Sec. 1.5. ~~NRS 293.440 is hereby amended to read as follows:~~

~~293.440 1. Any person who desires a copy of any list of the persons who are registered to vote in any precinct, district or county may obtain a copy by applying at the office of the county clerk and paying therefor a sum of money equal to 1 cent per name on the list, except that one copy of each original and supplemental list for each precinct, district or county must be provided both to the state central committee of any major political party and to the county central committee of any major political party, and to the executive committee of any minor political party upon request, without charge.~~

~~2. Except as otherwise provided in NRS 293.5002 and 293.558, the copy of the list provided pursuant to this section must indicate the address, date of birth, telephone number and the serial number on each application to register to vote [.] and the electronic mail address of the voter if provided by the voter pursuant to NRS 293.565 or 293C.530. If the county maintains this information in a computer database, the date of the most recent addition or revision to an entry, if made on or after July 1, 1989, must be included in the database and on any resulting list of the information. The date must be expressed numerically in the order of month, day and year.~~

~~3. A county may not pay more than 10 cents per folio or more than \$6 per thousand copies for printed lists for a precinct or district.~~

~~4. A county which has a system of computers capable of recording information on magnetic tape or diskette shall, upon request of the state central committee or county central committee of any major political party or the executive committee of any minor political party which has filed a certificate of existence with the Secretary of State, record for both the state central committee and the county central committee of the major political party, if requested, and for the executive committee of the minor political party, if requested, on magnetic tape or diskette supplied by it:~~

~~(a) The list of persons who are registered to vote and the information required in subsection 2; and~~

~~(b) Not more than four times per year, as requested by the state or county central committee or the executive committee:~~

~~(1) A complete list of the persons who are registered to vote with a notation for the most recent entry of the date on which the entry or the latest change in the information was made; or~~

~~(2) A list that includes additions and revisions made to the list of persons who are registered to vote after a date specified by the state or county central committee or the executive committee.~~

~~5. If a political party does not provide its own magnetic tape or diskette, or if a political party requests the list in any other form that does not require printing, the county clerk may charge a fee to cover the actual cost of providing the tape, diskette or list.~~

~~6. Any state or county central committee of a major political party, any executive committee of a minor political party or any member or representative of such a central committee or executive committee who receives without charge a list of the persons who are registered to vote in any precinct, district or county pursuant to this section shall not:~~

~~(a) Use the list for any purpose that is not related to an election; or~~

~~(b) Sell the list for compensation or other valuable consideration.]~~

~~(Deleted by amendment.)~~

Sec. 1.7. NRS 293.558 is hereby amended to read as follows:

293.558 1. The county *or city* clerk shall disclose the identification number of a registered voter to the public, including, without limitation:

(a) In response to an inquiry received by the county *or city* clerk; or

(b) By inclusion of the identification number of the registered voter on any list of registered voters made available for public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.

2. The county *or city* clerk shall not disclose ~~the~~ :

(a) The social security number or the driver's license or identification card number of a registered voter ~~+~~, and such a number is confidential and is not a public book or record within the meaning of NRS 239.010.

(b) An electronic mail address provided by a registered voter to carry out any state or federal law relating to the voting process, and such an electronic mail address is confidential and is not a public book or record within the meaning of NRS 239.010. The county or city clerk may not release a

registered voter's electronic mail address to a third party and may use such an electronic mail address only to:

(1) Communicate with the registered voter about the voting process, including, without limitation, as necessary to carry out the provisions of chapter 293D of NRS; and

(2) Distribute a sample ballot to the registered voter by electronic means if the county or city clerk has established a system for distributing sample ballots by electronic means pursuant to NRS 293.565 or 293C.530 and the registered voter elects to receive a sample ballot by electronic means.

3. A registered voter may submit a written request to the county *or city* clerk to have his or her address and ~~withheld from the public the registered voter's address,~~ telephone number withheld from the public, ~~for electronic mail address if provided by the registered voter pursuant to NRS 293.565 or 293C.530.~~ Upon receipt of such a request, the county *or city* clerk shall not disclose the address ~~or~~ or telephone number ~~for electronic mail address~~ of the registered voter to the public, including, without limitation:

(a) In response to an inquiry received by the county *or city* clerk; or

(b) By inclusion on any list of registered voters made available for public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.

4. No information relating to a registered voter may be withheld from the public other than ~~the~~ :

(a) The address ~~or~~ and telephone number ~~or~~ of the registered voter if requested by the registered voter pursuant to this section;

(b) An electronic mail address ~~or~~ provided by the registered voter to carry out any state or federal law relating to the voting process;

(c) The social security number and driver's license or identification card number of ~~or~~ the registered voter ~~may~~; and

(d) Any other information relating to the registered voter that any state or federal law declares to be confidential or otherwise requires to be withheld from the public.

Sec. 2. NRS 293.565 is hereby amended to read as follows:

293.565 1. Except as otherwise provided in subsection 3, sample ballots must include:

(a) If applicable, the statement required by NRS 293.267;

(b) The fiscal note or description of anticipated financial effect, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015, 295.095 or 295.230 for each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

(c) An explanation, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.121 or 295.230, of each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

(d) Arguments for and against each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question, and rebuttals to each argument, as provided pursuant to NRS 218D.810, 293.250, 293.252 or 295.121; and

(e) The full text of each proposed constitutional amendment.

2. If, pursuant to the provisions of NRS 293.2565, the word "Incumbent" must appear on the ballot next to the name of the candidate who is the incumbent, the word "Incumbent" must appear on the sample ballot next to the name of the candidate who is the incumbent.

3. Sample ballots that are mailed to registered voters may be printed without the full text of each proposed constitutional amendment if:

(a) The cost of printing the sample ballots would be significantly reduced if the full text of each proposed constitutional amendment were not included;

(b) The county clerk ensures that a sample ballot that includes the full text of each proposed constitutional amendment is provided at no charge to each registered voter who requests such a sample ballot; and

(c) The sample ballots provided to each polling place include the full text of each proposed constitutional amendment.

4. *A county clerk may establish a system for distributing sample ballots by electronic means to each registered voter who elects to receive a sample ballot by electronic means. Such a system ~~must be approved by the Secretary of State and~~ may include, without limitation, electronic mail or electronic access through an Internet website. If a county clerk establishes such a system and a registered voter elects to receive a sample ballot by electronic means, the county clerk shall ~~+~~*

~~(a) Distribute~~ *distribute the sample ballot to the registered voter by electronic means pursuant to the procedures and requirements set forth by regulations adopted by the Secretary of State ~~+~~ and*

~~(b) If the system requires the registered voter to provide an electronic mail address to the county clerk, inform the registered voter that his or her electronic mail address will be available to the public unless the registered voter submits a written request to have his or her electronic mail address withheld from the public pursuant to NRS 293.558.~~

5. *If a registered voter does not elect to receive a sample ballot by electronic means pursuant to subsection 4, the county clerk shall distribute the sample ballot to the registered voter by mail.*

6. Before the period for early voting for any election begins, the county clerk shall ~~cause to be mailed~~ *distribute* to each registered voter in the county ~~+~~ *by mail or electronic means, as applicable, the sample ballot* for his or her precinct, with a notice informing the voter of the location of his or her polling place. If the location of the polling place has changed since the last election:

(a) The county clerk shall mail a notice of the change to each registered voter in the county not sooner than 10 days before ~~mailing~~ *distributing* the sample ballots; or

(b) The sample ballot must also include a notice in bold type immediately above the location which states:

NOTICE: THE LOCATION OF YOUR POLLING PLACE
HAS CHANGED SINCE THE LAST ELECTION

~~{5.}~~ 7. Except as otherwise provided in subsection ~~{6.}~~ 8, a sample ballot required to be ~~{mailed}~~ *distributed* pursuant to this section must:

- (a) Be ~~{printed}~~ *prepared* in at least 12-point type; and
- (b) Include on the front page, in a separate box created by bold lines, a notice ~~{printed}~~ *prepared* in at least 20-point bold type that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN
LARGE TYPE, CALL (Insert appropriate telephone number)

~~{6.}~~ 8. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

~~{7.}~~ 9. The sample ballot ~~{mailed}~~ *distributed* to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be ~~{printed}~~ *prepared* in at least 14-point type, or larger when practicable.

~~{8.}~~ 10. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots ~~{mailed}~~ *distributed* to that person from the county are in large type.

~~{9.}~~ 11. The county clerk shall include in each sample ballot a statement indicating that the county clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his or her polling place and provide reasonable assistance to the voter in casting his or her vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the county clerk has provided pursuant to subsection 4 of NRS 293.2955 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly or disabled, the county clerk shall include in the sample ballot a statement indicating:

- (a) The addresses of such centralized voting locations;
- (b) The types of specially equipped voting devices available at such centralized voting locations; and
- (c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at his or her regularly designated polling place.

~~{10.}~~ 12. The cost of ~~{mailing}~~ *distributing* sample ballots for any election other than a primary or general election must be borne by the political subdivision holding the election.

Sec. 3. NRS 293.780 is hereby amended to read as follows:

293.780 1. A person who is entitled to vote shall not vote or attempt to vote more than once at the same election. Any person who votes or attempts

to vote twice at the same election is guilty of a category D felony and shall be punished as provided in NRS 193.130.

2. Notice of the provisions of subsection 1 must be given by the county or city clerk as follows:

(a) ~~[Printed]~~ *Stated on all sample ballots ~~[mailed,]~~ distributed by mail or electronic means;*

(b) *Posted in boldface type at each polling place; and*

(c) *Posted in boldface type at the office of the county or city clerk.*

Sec. 3.5. ~~NRS 293C.290 is hereby amended to read as follows:~~

~~293C.290 1. The city clerk shall require an election board officer to post an alphabetical listing of all registered voters for each precinct in a public area of each polling place in the city. Except as otherwise provided in NRS 293.5002 and 293.558, the alphabetical listing must include the name and address of each voter [.] and the electronic mail address of the voter if provided by the voter pursuant to NRS 293C.530. Not less than four times during the hours in which the polling place is open, an election board officer shall identify the name of each voter who voted since the last identification.~~

~~2. Each page of the alphabetical listing must contain a notice which reads substantially as follows:~~

~~It is unlawful for any person to remove, tear, mark or otherwise deface this alphabetical listing of registered voters except an election board officer acting pursuant to NRS 293C.290.~~

~~3. Any person who removes, tears, marks or otherwise defaces an alphabetical listing posted pursuant to this section with the intent to falsify or prevent others from readily ascertaining the name, [or] address or electronic mail address of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor.] (Deleted by amendment.)~~

Sec. 4. NRS 293C.530 is hereby amended to read as follows:

293C.530 1. *A city clerk may establish a system for distributing sample ballots by electronic means to each registered voter who elects to receive a sample ballot by electronic means. Such a system ~~[must be approved by the Secretary of State and]~~ may include, without limitation, electronic mail or electronic access through an Internet website. If a city clerk establishes such a system and a registered voter elects to receive a sample ballot by electronic means, the city clerk shall ~~f-~~*

~~(a) ~~Distribute]~~ distribute the sample ballot to the registered voter by electronic means pursuant to the procedures and requirements set forth by regulations adopted by the Secretary of State ~~_f_ and~~~~

~~(b) ~~If the system requires the registered voter to provide an electronic mail address to the city clerk, inform the registered voter that his or her electronic mail address will be available to the public unless the registered voter submits a written request to have his or her electronic mail address withheld from the public pursuant to NRS 293.558.]~~~~

2. If a registered voter does not elect to receive a sample ballot by electronic means pursuant to subsection 1, the city clerk shall distribute the sample ballot to the registered voter by mail.

3. Before the period for early voting for any election begins, the city clerk shall ~~cause to be mailed~~ distribute to each registered voter in the city ~~by mail or electronic means, as applicable,~~ the sample ballot for his or her precinct, with a notice informing the voter of the location of his or her polling place. If the location of the polling place has changed since the last election:

(a) The city clerk shall mail a notice of the change to each registered voter in the city not sooner than 10 days before ~~mailing~~ distributing the sample ballots; or

(b) The sample ballot must also include a notice in bold type immediately above the location which states:

NOTICE: THE LOCATION OF YOUR POLLING PLACE
HAS CHANGED SINCE THE LAST ELECTION

~~2.~~ 4. Except as otherwise provided in subsection ~~4.~~ 6, a sample ballot required to be ~~mailed~~ distributed pursuant to this section must:

(a) Be ~~printed~~ prepared in at least 12-point type;

(b) Include the description of the anticipated financial effect and explanation of each citywide measure and advisory question, including arguments for and against the measure or question, as required pursuant to NRS 295.205 or 295.217; and

(c) Include on the front page, in a separate box created by bold lines, a notice ~~printed~~ prepared in at least 20-point bold type that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN
LARGE TYPE, CALL (Insert appropriate telephone number)

~~3.~~ 5. The word "Incumbent" must appear on the sample ballot next to the name of the candidate who is the incumbent, if required pursuant to NRS 293.2565.

~~4.~~ 6. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

~~5.~~ 7. The sample ballot ~~mailed~~ distributed to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be ~~printed~~ prepared in at least 14-point type, or larger when practicable.

~~6.~~ 8. If a person requests a sample ballot in large type, the city clerk shall ensure that all future sample ballots ~~mailed~~ distributed to that person from the city are in large type.

~~7.~~ 9. The city clerk shall include in each sample ballot a statement indicating that the city clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his

or her polling place and provide reasonable assistance to the voter in casting his or her vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the city clerk has provided pursuant to subsection 4 of NRS 293C.281 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly or disabled, the city clerk shall include in the sample ballot a statement indicating:

- (a) The addresses of such centralized voting locations;
- (b) The types of specially equipped voting devices available at such centralized voting locations; and
- (c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at the voter's regularly designated polling place.

~~§.~~ 10. The cost of ~~mailing~~ *distributing* sample ballots for a city election must be borne by the city holding the election.

Sec. 5. NRS 244A.785 is hereby amended to read as follows:

244A.785 1. The board of county commissioners of a county whose population is 700,000 or more may, by ordinance, create one or more districts within the unincorporated area of the county for the support of public parks. Such a district may include territory within the boundary of an incorporated city if so provided by interlocal agreement between the county and the city.

2. The ordinance creating a district must specify its boundaries. The area included within the district may be contiguous or noncontiguous. The boundaries set by the ordinance are not affected by later annexations to or incorporation of a city.

3. The alteration of the boundaries of such a district may be initiated by:

(a) A petition proposed unanimously by the owners of the property which is located in the proposed area which was not previously included in the district; or

(b) A resolution adopted by the board of county commissioners on its own motion.

↪ If the board of county commissioners proposes on its own motion to alter the boundaries of a district for the support of public parks, it shall, at the next primary or general election, submit to the registered voters who reside in the proposed area which was not previously included in the district, the question of whether the boundaries of the district shall be altered. If a majority of the voters approve the question, the board shall, by ordinance, alter the boundaries of the district as approved by the voters.

4. The sample ballot required to be ~~mailed~~ *distributed* pursuant to NRS 293.565 must include for the question described in subsection 3, a disclosure of any future increase or decrease in costs which may be reasonably anticipated in relation to the purposes of the district for the support of public parks and its probable effect on the district's tax rate.

Sec. 6. NRS 266.0325 is hereby amended to read as follows:

266.0325 1. At least 10 days before an election held pursuant to NRS 266.029, the county clerk or registrar of voters shall ~~cause to be mailed~~ *distribute* to each qualified elector *by mail or electronic means, as applicable*, a sample ballot for the elector's precinct with a notice informing the elector of the location of the polling place for that precinct. *A sample ballot may be distributed by electronic means to an elector only if the county clerk has established a system for distributing sample ballots by electronic means pursuant to NRS 293.565 and the elector elects to receive a sample ballot by electronic means.*

2. The sample ballot must:

(a) Be in the form required by NRS 266.032.

(b) Include the information required by NRS 266.032.

(c) Except as otherwise provided in subsection 3, be ~~printed~~ *prepared* in at least 12-point type.

(d) Describe the area proposed to be incorporated by assessor's parcel maps, existing boundaries of subdivision or parcel maps, identifying visible ground features, extensions of the visible ground features, or by any boundary that coincides with the official boundary of the State, a county, a city, a township, a section or any combination thereof.

(e) Contain a copy of the map or plat that was submitted with the petition pursuant to NRS 266.019 and depicts the existing dedicated streets, sewer interceptors and outfalls and their proposed extensions.

(f) Include on the front page, in a separate box created by bold lines, a notice ~~printed~~ *prepared* in at least 20-point bold type that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN

LARGE TYPE, CALL (Insert appropriate telephone number)

3. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

4. The sample ballot ~~mailed~~ *distributed* to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be ~~printed~~ *prepared* in at least 14-point type, or larger when practicable.

5. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots ~~mailed~~ *distributed* to that person from the county are in large type.

Sec. 7. NRS 266.034 is hereby amended to read as follows:

266.034 1. The costs incurred by the board of county commissioners in carrying out the provisions relating to the incorporation, including the costs incurred in certifying the petition, publishing the notices, requesting the report pursuant to NRS 266.0261, conducting the public hearing and election, including the cost of ~~mailing~~ *distributing* the sample ballots, and any appeal pursuant to NRS 266.0265 are a charge against the county if the proposed incorporation is not submitted to the voters or the incorporation is

disapproved by the voters, and a charge against the incorporated city if the incorporation is approved by the voters.

2. The costs incurred by the incorporators in carrying out the provisions relating to the incorporation, including the costs incurred in preparation of the petition for incorporation, preparation of the descriptions and map of the area proposed to be incorporated and circulation of the petition are chargeable to the incorporated city if the incorporation is approved by the voters.

Sec. 8. NRS 349.015 is hereby amended to read as follows:

349.015 1. Except as otherwise provided in subsection 3, the sample ballot required to be ~~mailed~~ *distributed* pursuant to NRS 293.565 or 293C.530, and the notice of election must contain:

- (a) The time and places of holding the election.
- (b) The hours during the day in which the polls will be open, which must be the same as provided for general elections.
- (c) The purposes for which the bonds are to be issued.
- (d) A disclosure of any:
 - (1) Future increase or decrease in costs which can reasonably be anticipated in relation to the purposes for which the obligations are to be issued and its probable effect on the tax rate; and
 - (2) Requirement relating to the bond question which is imposed pursuant to a court order or state or federal statute and the probable consequences which will result if the bond question is not approved by the voters.
- (e) An estimate of the annual cost to operate, maintain and repair any buildings, structures or other facilities or improvements to be constructed or acquired with the proceeds of the bonds.
- (f) The maximum amount of the bonds.
- (g) The maximum rate of interest.
- (h) The maximum number of years which the bonds are to run.

2. Any election called pursuant to NRS 349.010 to 349.070, inclusive, may be consolidated with a primary or general election.

3. If the election is consolidated with a general election, the notice of election need not set forth the places of holding the election, but may instead state that the places of holding the election will be the same as those provided for the general election.

Sec. 9. NRS 350.024 is hereby amended to read as follows:

350.024 1. The ballot question for a proposal submitted to the electors of a municipality pursuant to subsection 1 of NRS 350.020 must contain the principal amount of the general obligations to be issued or incurred, the purpose of the issuance or incurrence of the general obligations and an estimate established by the governing body of:

- (a) The duration of the levy of property tax that will be used to pay the general obligations; and

(b) The average annual increase, if any, in the amount of property taxes that an owner of a new home with a fair market value of \$100,000 will pay for debt service on the general obligations to be issued or incurred.

2. Except as otherwise provided in subsection 4, the sample ballot required to be ~~mailed~~ *distributed* pursuant to NRS 293.565 or 293C.530 and the notice of election must contain:

(a) The time and places of holding the election.

(b) The hours during the day in which the polls will be open, which must be the same as provided for general elections.

(c) The ballot question.

(d) The maximum amount of the obligations, including the anticipated interest, separately stating the total principal, the total anticipated interest and the anticipated interest rate.

(e) An estimate of the range of property tax rates stated in dollars and cents per \$100 of assessed value necessary to provide for debt service upon the obligations for the dates when they are to be redeemed. The municipality shall, for each such date, furnish an estimate of the assessed value of the property against which the obligations are to be issued or incurred, and the governing body shall estimate the tax rate based upon the assessed value of the property as given in the assessor's estimates.

3. If an operating or maintenance rate is proposed in conjunction with the question to issue obligations, the questions may be combined, but the sample ballot and notice of election must each state the tax rate required for the obligations separately from the rate proposed for operation and maintenance.

4. Any election called pursuant to NRS 350.020 to 350.070, inclusive, may be consolidated with a primary or general municipal election or a primary or general state election. The notice of election need not set forth the places of holding the election, but may instead state that the places of holding the election will be the same as those provided for the election with which it is consolidated.

5. If the election is a special election, the clerk shall cause notice of the close of registration to be published in a newspaper printed in and having a general circulation in the municipality once in each calendar week for 2 successive calendar weeks next preceding the close of registration for the election.

Sec. 10. NRS 350.027 is hereby amended to read as follows:

350.027 1. In addition to any requirements imposed pursuant to NRS 350.024, any sample ballot required to be ~~mailed~~ *distributed* pursuant to NRS 293.565 or 293C.530 and any notice of election, for an election that includes a proposal for the issuance by any municipality of any bonds or other securities, including an election that is not called pursuant to NRS 350.020 to 350.070, inclusive, must contain an estimate of the annual cost to operate, maintain and repair any buildings, structures or other facilities or improvements to be constructed or acquired with the proceeds of the bonds or other securities.

2. For the purposes of this section, "municipality" has the meaning ascribed to it in NRS 350.538.

Sec. 11. This act becomes effective upon passage and approval for the purposes of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act, and on January 1, 2016, for all other purposes.

Senator Atkinson moved the adoption of the amendment.

Remarks by Senator Atkinson.

Amendment No. 676 to Assembly Bill No. 94: 1) deletes sections 1.3, 1.5, and 3.5, which would have allowed the e-mail addresses of registered voters to be included on voter lists posted at polling places and on the voter lists—also known as "walking lists"—supplied by the counties upon request; 2) provides that a county or city clerk shall not disclose a registered voter's e-mail address and further clarifies that a voter's e-mail address and Social Security Number are confidential and not public records; 3) clarifies that the county or city clerk may only use the e-mail address to distribute a sample ballot electronically and to communicate with the voter regarding the voting process; and 4) deletes in sections 2 and 4 that the system established by the county and city clerk to distribute sample ballots electronically be approved by the Secretary of State.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 108.

Bill read second time and ordered to third reading.

Assembly Bill No. 183.

Bill read second time and ordered to third reading.

Assembly Bill No. 192.

Bill read second time and ordered to third reading.

Assembly Bill No. 193.

Bill read second time and ordered to third reading.

Assembly Bill No. 195.

Bill read second time and ordered to third reading.

Assembly Bill No. 212.

Bill read second time and ordered to third reading.

Assembly Bill No. 227.

Bill read second time and ordered to third reading.

Assembly Bill No. 231.

Bill read second time and ordered to third reading.

Assembly Bill No. 236.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 717.

SUMMARY—Enacts provisions related to the promotion of public engagement by state agencies. (BDR 18-697)

AN ACT relating to state agencies; providing for the promotion of public engagement by state agencies using the Internet and Internet tools; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill provides that it is the policy of this State to promote public engagement in the activities of the State Government by adopting methods of public participation and public comment that include the use of the Internet and Internet tools. This bill encourages each state agency, to the extent practicable and within the limits of available money, to develop a policy to promote public engagement that includes the use of the Internet and Internet tools, including electronic mail, electronic mailing lists, online forums and social media. ~~[This bill requires that such a policy must: (1) require that any information communicated to the public using the Internet and Internet tools is written in easily understood language; (2) ensure that legal permission has been obtained for the use of any image on the Internet and Internet tools; and (3) ensure that the use of the Internet and Internet tools does not disrupt a public meeting of the state agency. This bill further authorizes a state agency to designate a public engagement specialist: (1) to implement the agency's policy on public engagement; (2) to the extent feasible, to provide training on public engagement to other employees of the agency; and (3) to communicate information to the public related to the activities of the state agency using the Internet and Internet tools. In addition, with respect to any proposed major change to an existing policy of a state agency, this bill requires the state agency, to the extent feasible, to hold at least one public meeting in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties) and provide for public comment using the Internet and Internet tools.]~~

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

Section 1. Chapter 232 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *It is the policy of this State to strengthen and further promote broad, inclusive and meaningful engagement by the general public and interested stakeholders in the activities of the State Government by adopting methods of public participation and public comment that incorporate the use of the Internet and Internet tools. To assist in carrying out this policy ~~+~~*

~~—(a) Each~~ *each* state agency is encouraged, to the extent practicable and within the limits of available money, to develop a policy on public engagement that incorporates the use of the Internet and Internet tools for the purpose of encouraging public participation and soliciting public comments on the activities of the state agency, including, without limitation, the development or adoption of regulations, policies and programs. The Internet tools used by the state agency may include, without limitation,

electronic mail, electronic mailing lists, online forums and social media.

~~The policy must:~~

~~(1) Require that any information communicated by the state agency using the Internet and Internet tools is written in easily understood language;~~

~~(2) Ensure that legal permission has been obtained by the state agency for the use of any image on the Internet and Internet tools; and~~

~~(3) Ensure that the use of the Internet and Internet tools does not disrupt a public meeting of the state agency.~~

~~(b) Each state agency may designate an employee as the public engagement specialist. The public engagement specialist shall:~~

~~(1) Implement the public engagement policy of the state agency;~~

~~(2) To the extent feasible, provide training on public engagement for other employees of the state agency; and~~

~~(3) Communicate information to the public related to the activities of the state agency using the Internet and Internet tools.~~

~~(c) If a state agency intends to propose a major change to an existing policy of the state agency, the state agency shall, to the extent feasible, hold at least one public meeting in accordance with the provisions of chapter 241 of NRS in a county whose population is less than 100,000, and provide for public comment using the Internet and Internet tools.~~

~~2. The decision by a state agency whether to adopt any particular Internet tool in carrying out its policy on public engagement is at the discretion of the state agency and not subject to judicial review.~~

~~3. The provisions of this section are intended to supplement the existing laws of this State applicable to specific state agencies and the existing requirements for such state agencies to provide notice, solicit public comments and hold public hearings. This section does not limit the applicability of any such provision.~~

~~4. 2. As used in this section:~~

~~(a) "Social media" means any electronic service or account or electronic content, including, without limitation, videos, photographs, blogs, video blogs, podcasts, instant and text messages, live chat, mobile applications, online services or Internet website profiles.~~

~~(b) "State agency" means every public agency, bureau, board, commission, department or division of the Executive Department of the State Government.~~

Sec. 2. This act becomes effective on July 1, 2015.

Senator Goicoechea moved the adoption of the amendment.

Remarks by Senator Goicoechea.

Amendment No. 717 to Assembly Bill No. 236 deletes much of the bill except the provision establishing the State policy and related definitions.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 267.

Bill read second time and ordered to third reading.

Assembly Bill No. 278.

Bill read second time and ordered to third reading.

Assembly Bill No. 285.

Bill read second time and ordered to third reading.

Assembly Bill No. 351.

Bill read second time and ordered to third reading.

Assembly Bill No. 462.

Bill read second time.

The following amendment was proposed by the Committee on Legislative Operations and Elections:

Amendment No. 677.

SUMMARY—Makes various changes relating to elections. (BDR 24-615)

AN ACT relating to elections; revising the definitions of certain terms relating to elections; increasing the maximum number of registered voters that may be included in an election precinct; providing that election board officers are appointed for polling places; eliminating the requirements for county clerks to publish the full text of a statewide measure or county referendum three times; revising the requirements for certain information on ballots; revising requirements related to voter signatures at polling places; revising requirements relating to the publication of names of registered voters at polling places; revising certain information required for documents prepared during early voting; authorizing election officials to establish a system for registered voters to elect to receive sample ballots by electronic means; ~~allowing~~ clarifying provisions governing the confidentiality of certain information relating to registered voters; protecting the confidentiality of electronic mail addresses provided by registered voters ~~who participate in such systems to elect to have their electronic mail addresses withheld from the public;~~ to election officials; making various other changes relating to elections; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law defines rosters, sample ballots and tally lists that are used in elections. (NRS 293.095, 293.097, 293.113) Sections 2-4 of this bill clarify that such items may be electronic.

The terms "election board register" and "roster" are defined terms that are used interchangeably throughout the provisions of law relating to elections. (NRS 293.040, 293.053, 293.095, 293.250, 293.273, 293.275, 293.277, 293.283, 293.285, 293.287, 293.303, 293.3082, 293.333, 293.3585, 293.3604, 293.363, 293.373, 293.391, 293.510, 293.511, 293.524, 293.525, 293.533, 293.541, 293.547, 293.548, 293.563, 293C.267, 293C.270, 293C.272, 293C.275, 293C.277, 293C.292, 293C.332, 293C.3585,

293C.3604, 293C.362, 293C.375, 293C.525, 293C.535) Section 75 of this bill repeals the term "election board register," and sections 13-16, 18, 29, 31-39, 46-48, 50, 61, 62 and 64 of this bill replace the term "election board register" with "roster."

Existing law requires an election precinct to have a maximum of 1,500 registered voters. (NRS 293.207) Section 6 of this bill increases the maximum number to 3,000 registered voters.

Existing law provides that ~~the~~ each county or city clerk ~~of each county~~ shall appoint election board officers for the various precincts and districts in the county ~~or~~ or city, as applicable. (NRS 293.217, 293C.220) ~~Section~~ Sections 7 and 43 of this bill ~~clarifies~~ clarify that election board officers are appointed for the polling places in the county ~~or~~ and the polling places and precincts in each city. Sections 1, 8, 9, 12, 13, 19-23, 27, 30, 39, ~~43-45,~~ 44, 45, 51-55, 59 and 66 of this bill make corresponding changes.

Existing law requires a county clerk to publish a copy of the full text of any proposed constitution, constitutional amendment, statewide measure, including a state referendum, and county referendum along with its condensation, explanation, arguments, rebuttals and fiscal note three times in a newspaper of general circulation in the county. (NRS 293.253, 295.045, 295.160) Sections 10, 67 and 68 of this bill eliminate the requirements to publish the full text of a statewide measure three times, including a statewide referendum, and a county referendum.

Existing law provides for the ballots for a general election to include the name of an independent candidate for a partisan office followed by the word "independent" or the abbreviation "IND." (NRS 293.267) Section 11 of this bill provides for the use of the words "no political party" or the abbreviation "NPP" to follow the name of an independent candidate instead.

Existing law requires an election board officer in charge of the roster to announce the name of a voter applying to vote and take the voter's signature to verify that it matches the signature or facsimile thereof in the original application. (NRS 293.285, 293.3585, 293C.275, 293C.3585) Existing law also provides that if the voter is unable to sign his or her name, the voter must be identified by answering questions covering the personal data from the original application. (NRS 293.283, 293C.272) Sections 14.5, 15, 24, 46.5, 47 and ~~57~~ 56 of this bill provide that if the voter is unable to sign his or her name or the voter's signature does not match, the voter must ~~provide~~ be identified by: (1) answering questions covering the personal data from the application; (2) providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or (3) providing certain proof of identification. ~~and~~ If the voter's signature has changed in comparison to the signature on the application, the voter must update his or her signature.

Existing law requires an alphabetical listing of all registered voters for each precinct to be posted in a public area of each polling place in a county and city and for an election board officer to identify at certain times the

names of each voter who has voted. (NRS 293.301, 293C.290) Sections 17 and 49 of this bill authorize the county or city clerk of each county or city to: (1) require an election board officer to post the alphabetical listing at each precinct; or (2) publish on the Internet website of the county or city clerk, as applicable, the alphabetical listing of all registered voters for each precinct in the county or city, respectively. Regardless of which option is selected by the county or city clerk, sections 17 and 49 require the alphabetical listings to be updated during the election.

Existing law provides that a voter's precinct or voting district number must be included in certain documents used during early voting. (NRS 293.3585, 293.3604, 293C.3585, 293C.3604) Sections 24-26 and 56-58 of this bill clarify that during early voting, the precinct or voting district number must be included on the roster and the voting receipt if that information is available. The statements prepared by the election board and the ballots do not require the precinct or voting district number and are not required to be sorted by precinct or voting district at the close of early voting.

Existing law requires each county and city clerk to mail a sample ballot to each registered voter in the applicable county or city. (NRS 293.565, 293C.530) Sections 40 and 63 of this bill authorize each county and city clerk to establish a system to distribute a sample ballot by electronic means to each registered voter who elects to receive sample ballots in that manner. Such a system ~~[must be approved by the Secretary of State and]~~ may include, without limitation, electronic mail or electronic access through an Internet website. Sections 3, 41 ~~[, 63]~~ and 69-74 of this bill make conforming changes.

Existing law provides that certain information relating to a registered voter is confidential and that a registered voter may submit a written request to the county clerk to have his or her address and telephone number withheld from the public. (NRS 293.558) Section 38.5 of this bill ~~[allows]~~ clarifies that the following information relating to a registered voter is confidential: (1) the address and telephone number of the registered voter if requested by the registered voter; (2) an electronic mail address provided by the registered voter to carry out any state or federal law relating to the voting process, including an electronic mail address provided by a registered voter who participates in a system to distribute sample ballots by electronic means ~~[to elect to have his or her electronic mail address]~~; (3) the social security number and driver's license or identification card number of the registered voter; and (4) any other information relating to the registered voter that any state or federal law declares to be confidential or otherwise requires to be withheld from the public. ~~[Sections 17, 29.5, 41 and 49 make conforming changes.]~~

Existing law provides for the chair and at least one other member of the election board to deliver the ballots and election materials to a receiving center or central counting place. (NRS 293B.335, 293C.635) Sections 42

and 65 of this bill revise this provision to require at least two board members to deliver the ballots and election materials.

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

Section 1. NRS 293.040 is hereby amended to read as follows:

293.040 "Clerk" means the election board officer designated or assigned to make the record of the election in the roster, tally list and challenge list in the precinct, ~~for~~ district *or polling place* in which such officer is appointed.

Sec. 2. NRS 293.095 is hereby amended to read as follows:

293.095 "Roster" means the *record in printed or electronic form* furnished to election board officers *which contains a list of eligible voters and is* to be used for obtaining the signature of each person applying for a ballot.

Sec. 3. NRS 293.097 is hereby amended to read as follows:

293.097 1. "Sample ballot" means a document distributed by a county or city clerk upon which is ~~printed~~ *included* a list of the offices, candidates and ballot questions that will appear on a ballot.

2. The term includes, *without limitation*, any such document which is ~~printed by~~ *prepared on* a computer ~~and distributed by mail or by~~ *electronic means pursuant to NRS 293.565 or 293C.530.*

Sec. 4. NRS 293.113 is hereby amended to read as follows:

293.113 "Tally list" means ~~the~~ :

1. *The paper form* furnished to election board officers to be used in recording the number of votes cast for each candidate and question on the ballot ~~and~~ ; *or*

2. *An electronically generated report of the number of votes cast for each candidate and question on the ballot.*

Sec. 5. NRS 293.203 is hereby amended to read as follows:

293.203 Immediately upon receipt by the county clerk of the certified list of candidates from the Secretary of State, the county clerk shall publish a notice of primary election or general election in a newspaper of general circulation in the county once a week for 2 successive weeks. If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest Nevada county. The notice must contain:

1. The date of the election.
2. The location of the polling places.
3. The hours during which the polling places will be open for voting.
4. The names of the candidates.
5. A list of the offices to which the candidates seek nomination or election.

↪ The notice required for a general election pursuant to this section may be published in conjunction with the notice required for a proposed constitution ~~and~~ or constitutional amendment ~~for statewide measure~~ pursuant to

NRS 293.253. If the notices are combined in this manner, they must be published three times in accordance with subsection 3 of NRS 293.253.

Sec. 6. NRS 293.207 is hereby amended to read as follows:

293.207 1. Election precincts must be established on the basis of the number of registered voters therein, with a maximum of ~~[1,500]~~ 3,000 registered voters who are not designated inactive pursuant to NRS 293.530 per precinct in those precincts in which a mechanical voting system is used.

2. Except as otherwise provided in subsections 3 and 4, the county clerk may consolidate two or more contiguous election precincts into a single voting district to conduct a particular election as public convenience, necessity and economy may require.

3. If a county clerk proposes to consolidate two or more contiguous election precincts, in whole or in part, pursuant to subsection 2, the county clerk shall, at least 14 days before consolidating the precincts, cause notice of the proposed consolidation to be:

(a) Posted in the manner prescribed for a regular meeting of the board of county commissioners; and

(b) Mailed to each Assemblyman, Assemblywoman, State Senator, county commissioner and, if applicable, member of the governing body of a city who represents residents of a precinct affected by the consolidation.

4. A person may file a written objection to the proposed consolidation with the county clerk. The county clerk shall consider each written objection filed pursuant to this subsection before consolidating the precincts.

Sec. 7. NRS 293.217 is hereby amended to read as follows:

293.217 1. The county clerk of each county shall appoint and notify registered voters to act as election board officers for the various ~~[precincts and districts]~~ *polling places* in the county as provided in NRS 293.220 to 293.243, inclusive, and 293.384. The registered voters appointed as election board officers for any ~~[precinct or district]~~ *polling place* must not all be of the same political party. No candidate for nomination or election or a relative of the candidate within the second degree of consanguinity or affinity may be appointed as an election board officer. Immediately after election board officers are appointed, if requested by the county clerk, the sheriff shall:

(a) Appoint a deputy sheriff for each polling place in the county and for the central election board or the absent ballot central counting board; or

(b) Deputize as a deputy sheriff for the election an election board officer of each polling place in the county and for the central election board or the absent ballot central counting board. The deputized officer shall receive no additional compensation for services rendered as a deputy sheriff during the election for which the officer is deputized.

➔ Deputy sheriffs so appointed and deputized shall preserve order during hours of voting and attend closing of the polls.

2. The county clerk may appoint a trainee for the position of election board officer as set forth in NRS 293.2175.

Sec. 8. NRS 293.2175 is hereby amended to read as follows:

293.2175 1. The county clerk may appoint a pupil as a trainee for the position of election board officer. To qualify for such an appointment, the pupil must be:

- (a) A United States citizen, a resident of Nevada and a resident of the county in which the pupil serves;
- (b) Enrolled in high school; and
- (c) At the time of service, at least 16 years of age.

2. The county clerk may only appoint a pupil as a trainee if:

- (a) The pupil is appointed without party affiliation;
- (b) The county clerk sends the pupil a certificate stating the date and hours that the pupil will act as a trainee;
- (c) At least 20 days before the election in which the pupil will act as a trainee, the principal of the high school or the pupil's assigned school counselor receives the county clerk's certificate and a written request signed by the pupil's parent or guardian to be excused from school for the time specified in the certificate;

- (d) The principal of the high school or the assigned school counselor of the pupil approves the pupil's request; and

- (e) The pupil attends the training class required by NRS 293B.260.

3. Except as otherwise provided in this subsection, the county clerk may assign a trainee such duties as the county clerk deems appropriate. The county clerk shall not:

- (a) Require the trainee to perform those duties later than 10 p.m. or any applicable curfew, whichever is earlier; or
- (b) Assign more than one trainee to serve as an election board officer in any one ~~precinct~~ *polling place*.

4. The county clerk may compensate a trainee for service at the same rate fixed for election board officers generally.

Sec. 9. NRS 293.227 is hereby amended to read as follows:

293.227 1. Each election board must have one member designated as the chair by the county or city clerk. The election boards shall make the records of election required by this chapter.

2. The appointment of a trainee as set forth in NRS 293.2175 and 293C.222 may be used to determine the number of members on the election board, but under no circumstances may:

- (a) The election board of any ~~precinct~~ *polling place* include more than one trainee; or
- (b) A trainee serve as chair of the election board.

3. The county or city clerk shall conduct or cause to be conducted a school to acquaint the members of an election board with the election laws, duties of election boards, regulations of the Secretary of State and with the procedure for making the records of election and using the register for election boards.

4. The board of county commissioners of any county or the city council of any city may reimburse the members of an election board who attend the school for their travel expenses at a rate not exceeding 10 cents per mile.

Sec. 10. NRS 293.253 is hereby amended to read as follows:

293.253 1. The Secretary of State shall provide each county clerk with copies of any proposed constitution, constitutional amendment or statewide measure which will appear on the general election ballot, together with the copies of the condensations, explanations, arguments, rebuttals and fiscal notes prepared pursuant to NRS 218D.810, 293.250 and 293.252.

2. Whenever feasible, the Secretary of State shall provide those copies on or before the first Monday in August of the year in which the proposals will appear on the ballot. Copies of any additional proposals must be provided as soon after their filing as feasible.

3. Each county clerk shall cause a copy of the full text of any such constitution ~~[]~~ or amendment ~~[or measure]~~ and its condensation, explanation, arguments, rebuttals and fiscal note to be published, in conspicuous display advertising format of not less than 10 column inches, in a newspaper of general circulation in the county three times at intervals of not less than 7 days, the first publication to be on or before the first Monday in October. If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest Nevada county.

4. If a copy of *any such constitution or amendment* is furnished by the Secretary of State too late to be published at 7-day intervals, it must be published three times at the longest intervals feasible in each county.

5. *Each county clerk shall cause a copy of the condensation of any statewide measure and its explanation, arguments, rebuttals and fiscal note to be published on or before the first Monday in October in a newspaper of general circulation in the county. If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest Nevada county.*

6. The portion of the cost of publication which is attributable to publishing the questions, explanations, arguments, rebuttals and fiscal notes of proposed constitutions, constitutional amendments or statewide measures is a charge against the State and must be paid from the Reserve for Statutory Contingency Account upon recommendation by the Secretary of State and approval by the State Board of Examiners.

Sec. 11. NRS 293.267 is hereby amended to read as follows:

293.267 1. Ballots for a general election must contain the names of candidates who were nominated at the primary election, the names of the candidates of a minor political party and the names of independent candidates.

2. Except as otherwise provided in NRS 293.2565, names of candidates must be grouped alphabetically under the title and length of term of the office for which those candidates filed.

3. Except as otherwise provided in subsection 4:

(a) Immediately following the name of each candidate for a partisan office must appear the name or abbreviation of his or her political party, the ~~{word "independent"}~~ words "no political party" or the abbreviation ~~{"IND,"}~~ "NPP," as the case may be.

(b) Immediately following the name of each candidate for a nonpartisan office must appear the word "nonpartisan" or the abbreviation "NP."

4. Where a system of voting other than by paper ballot is used, the Secretary of State may provide for any placement of the name or abbreviation of the political party, the ~~{word "independent"}~~ words "no political party" or "nonpartisan" or the abbreviation ~~{"IND,"}~~ "NPP" or "NP," as appropriate, which clearly relates the designation to the name of the candidate to whom it applies.

5. If the Legislature rejects a statewide measure proposed by initiative and proposes a different measure on the same subject which the Governor approves, the measure proposed by the Legislature and approved by the Governor must be listed on the ballot before the statewide measure proposed by initiative. Each ballot and sample ballot upon which the measures appear must contain a statement that reads substantially as follows:

The following questions are alternative approaches to the same issue, and only one approach may be enacted into law. Please vote for only one.

Sec. 12. NRS 293.273 is hereby amended to read as follows:

293.273 1. Except as otherwise provided in subsection 2 and NRS 293.305, at all elections held under the provisions of this title, the polls must open at 7 a.m. and close at 7 p.m.

2. Whenever at any election all the votes of the ~~{precinct or district,}~~ polling place, as shown on the roster, have been cast, the election board officers shall close the polls, and the counting of votes must begin and continue without unnecessary delay until the count is completed.

3. Upon opening the polls, one of the election board officers shall cause a proclamation to be made that all present may be aware of the fact that applications of registered voters to vote will be received.

4. No person other than election board officers engaged in receiving, preparing or depositing ballots may be permitted inside the guardrail during the time the polls are open, except by authority of the election board as necessary to keep order and carry out the provisions of this title.

Sec. 13. NRS 293.275 is hereby amended to read as follows:

293.275 No election board may perform its duty in serving registered voters at any ~~{precinct or district}~~ polling place in any election provided for in this title, unless it has before it the ~~{election board register}~~ roster for ~~{its precinct or district,}~~ the polling place.

Sec. 14. NRS 293.277 is hereby amended to read as follows:

293.277 1. Except as otherwise provided in NRS ~~293.283~~ and 293.541, if a person's name appears in the ~~{election board register}~~ roster or if the person provides an affirmation pursuant to NRS 293.525, the person is

entitled to vote and must sign his or her name in the ~~{election board register}~~ roster when he or she applies to vote. The signature must be compared by an election board officer with the signature or a facsimile thereof on the person's ~~{original}~~ application to register to vote or one of the forms of identification listed in subsection 2.

2. Except as otherwise provided in NRS 293.2725, the forms of identification which may be used individually to identify a voter at the polling place are:

- (a) The card issued to the voter at the time he or she registered to vote;
- (b) A driver's license;
- (c) An identification card issued by the Department of Motor Vehicles;
- (d) A military identification card; or
- (e) Any other form of identification issued by a governmental agency which contains the voter's signature and physical description or picture.

Sec. 14.5. NRS 293.283 is hereby amended to read as follows:

293.283 ~~{Any}~~

1. If, because of physical limitations, a registered voter ~~{who}~~ is unable to sign his or her name in the roster as required by NRS 293.277, the voter must be identified by ~~{answering}~~ :

(a) Answering questions from the election board officer covering the personal data which is reported on the ~~{original}~~ application to register to vote ~~{The}~~ ;

(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

(c) Providing the election board officer with proof of identification as described in NRS 293.277 other than the card issued to the voter at the time he or she registered to vote.

2. If the identity of the voter is verified, the election board officer ~~{in charge of}~~ shall indicate in the roster ~~{shall stamp, write or print}~~ "Identified ~~{as}~~" to the left of ~~{}~~ " by the voter's name.

Sec. 15. NRS 293.285 is hereby amended to read as follows:

293.285 ~~{A}~~

1. Except as otherwise provided in NRS 293.283, a registered voter applying to vote shall state his or her name to the election board officer in charge of the ~~{election board register,}~~ roster, and the officer shall immediately announce the name ~~{and take the registered voter's signature.}~~, instruct the voter to sign the roster and verify the signature of the voter ~~{,}~~ in the manner set forth in NRS 293.277.

2. If the signature does not match, the voter must ~~{}~~

~~{}~~ 1. ~~{Provide}~~ be identified by:

(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;

(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

(c) Providing the election board officer with proof of identification as described in NRS 293.277 ~~and~~

~~2. Update} other than the card issued to the voter at the time he or she registered to vote.~~

3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.

Sec. 16. NRS 293.287 is hereby amended to read as follows:

293.287 1. A registered voter applying to vote at any primary election shall give his or her name and political affiliation, if any, to the election board officer in charge of the ~~[election board register,] roster,~~ and the officer shall immediately announce the name and political affiliation.

2. Any person's right to vote may be challenged by any registered voter upon:

(a) Any of the grounds allowed for a challenge in NRS 293.303;

(b) The ground that the person applying does not belong to the political party designated upon the ~~[register,] roster;~~ or

(c) The ground that the ~~[register] roster~~ does not show that the person designated the political party to which he or she claims to belong.

3. Any such challenge must be disposed of in the manner provided by NRS 293.303.

4. A registered voter who has designated on his or her application to register to vote an affiliation with a minor political party may vote a nonpartisan ballot at the primary election.

Sec. 17. NRS 293.301 is hereby amended to read as follows:

293.301 1. The county clerk of each county shall ~~[require]~~ :

(a) *Require* an election board officer to post an alphabetical listing of all registered voters for each precinct in a public area of each polling place in the county ~~[]~~; or

(b) *Publish on the Internet website of the county clerk an alphabetical listing of all registered voters for each precinct in the county.*

2. Except as otherwise provided in NRS 293.5002 and 293.558, the alphabetical listing ~~required pursuant to} by subsection 1~~ must include the name, ~~[address] precinct~~ and political affiliation of each voter ~~[Not less than four times during the hours in which the polling place is open, an and the electronic mail address of the voter if provided by the voter pursuant to NRS 293.565 or 293C.530.]~~

3. *If the county clerk:*

(a) *Requires an alphabetical listing to be posted in each polling place pursuant to paragraph (a) of subsection 1:*

(1) *An election board officer at the polling place shall , not less than four times during the hours in which the polling place is open, identify the name of each voter that voted ~~[since the last identification.~~*

~~—2.]~~ *at the polling place; and*

(2) Each page of the alphabetical listing *that is posted in a polling place* must contain a notice which reads substantially as follows:

It is unlawful for any person to remove, tear, mark or otherwise deface this alphabetical listing of registered voters except an election board officer acting pursuant to ~~subsection 1 of~~ NRS 293.301.

~~3.3~~ (b) *Publishes an alphabetical listing pursuant to paragraph (b) of subsection 1, the county clerk shall, not less than four times during the hours in which polling places in the county are open, identify on the Internet website of the county clerk the name of every voter who has voted at each polling place.*

4. Any person who removes, tears, marks or otherwise defaces an alphabetical listing posted pursuant to this section with the intent to falsify or prevent others from readily ascertaining the name, ~~address, electronic mail address,~~ precinct or political affiliation of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor.

Sec. 18. NRS 293.303 is hereby amended to read as follows:

293.303 1. A person applying to vote may be challenged:

(a) Orally by any registered voter of the precinct upon the ground that he or she is not the person entitled to vote as claimed or has voted before at the same election. A registered voter who initiates a challenge pursuant to this paragraph must submit an affirmation that is signed under penalty of perjury and in the form prescribed by the Secretary of State stating that the challenge is based on the personal knowledge of the registered voter.

(b) On any ground set forth in a challenge filed with the county clerk pursuant to the provisions of NRS 293.547.

2. If a person is challenged, an election board officer shall tender the challenged person the following oath or affirmation:

(a) If the challenge is on the ground that the challenged person does not belong to the political party designated upon the ~~register,~~ *roster*, "I swear or affirm under penalty of perjury that I belong to the political party designated upon the ~~register";~~ *roster*";

(b) If the challenge is on the ground that the ~~register~~ *roster* does not show that the challenged person designated the political party to which he or she claims to belong, "I swear or affirm under penalty of perjury that I designated on the application to register to vote the political party to which I claim to belong";

(c) If the challenge is on the ground that the challenged person does not reside at the residence for which the address is listed in the ~~election board register,~~ *roster*, "I swear or affirm under penalty of perjury that I reside at the residence for which the address is listed in the ~~election board register";~~ *roster*";

(d) If the challenge is on the ground that the challenged person previously voted a ballot for the election, "I swear or affirm under penalty of perjury that I have not voted for any of the candidates or questions included on this ballot for this election"; or

(e) If the challenge is on the ground that the challenged person is not the person he or she claims to be, "I swear or affirm under penalty of perjury that I am the person whose name is in this ~~[election board register.]~~ roster."

↳ The oath or affirmation must be set forth on a form prepared by the Secretary of State and signed by the challenged person under penalty of perjury.

3. Except as otherwise provided in subsection 4, if the challenged person refuses to execute the oath or affirmation so tendered, ~~[he or she]~~ *the person* must not be issued a ballot, and the *election board officer shall indicate in [charge of] the [election board register] roster [shall write the words]* "Challenged ~~[.....]~~ *opposite his or her* " *by the person's name* . ~~[in the election board register. roster.]~~

4. If the challenged person refuses to execute the oath or affirmation set forth in paragraph (a) or (b) of subsection 2, the election board officers shall issue the person a nonpartisan ballot.

5. If the challenged person refuses to execute the oath or affirmation set forth in paragraph (c) of subsection 2, the election board officers shall inform the person that he or she is entitled to vote only in the manner prescribed in NRS 293.304.

6. If the challenged person executes the oath or affirmation and the challenge is not based on the ground set forth in paragraph (e) of subsection 2, the election board officers shall issue the person a partisan ballot.

7. If the challenge is based on the ground set forth in paragraph (c) of subsection 2, and the challenged person executes the oath or affirmation, the election board shall not issue the person a ballot until he or she furnishes satisfactory identification which contains proof of the address at which the person actually resides. For the purposes of this subsection, a voter registration card issued pursuant to NRS 293.517 does not provide proof of the address at which a person resides.

8. If the challenge is based on the ground set forth in paragraph (e) of subsection 2 and the challenged person executes the oath or affirmation, the election board shall not issue the person a ballot unless the person:

(a) Furnishes official identification which contains a photograph of the person, such as a driver's license or other official document; or

(b) Brings before the election board officers a person who is at least 18 years of age who:

(1) Furnishes official identification which contains a photograph of that person, such as a driver's license or other official document; and

(2) Executes an oath or affirmation under penalty of perjury that the challenged person is who he or she swears to be.

9. The election board officers shall:

(a) Record on the challenge list:

(1) The name of the challenged person;

(2) The name of the registered voter who initiated the challenge; and

(3) The result of the challenge; and

(b) If possible, orally notify the registered voter who initiated the challenge of the result of the challenge.

Sec. 19. NRS 293.310 is hereby amended to read as follows:

293.310 1. Except as otherwise provided in NRS 293.330 and chapter 293D of NRS, a registered voter who requests and receives an absent voter's ballot may vote only by absent ballot at the election for which the absent ballot was issued.

2. If a registered voter has requested an absent ballot and the ballot has been mailed or issued, the county clerk shall notify the ~~precinct or district~~ *appropriate* election board that the registered voter has requested an absent ballot.

Sec. 20. NRS 293.325 is hereby amended to read as follows:

293.325 1. Except as otherwise provided in subsection 2 and NRS 293D.200, when an absent ballot is returned by a registered voter to the county clerk through the mail, by facsimile machine or other approved electronic transmission or in person, and record thereof is made in the absent ballot record book, the county clerk shall neatly stack, unopened, the absent ballot with any other absent ballot received that day in a container and deliver, or cause to be delivered, that container to the ~~precinct or district~~ *appropriate* election board.

2. Except as otherwise provided in NRS 293D.200, if an absent ballot central counting board has been appointed, when an absent ballot is returned by a registered voter to the county clerk through the mail, by facsimile machine or other approved electronic transmission or in person, the county clerk shall check the signature on the return envelope, facsimile or other approved electronic transmission against the original signature of the voter on the county clerk's register. If the county clerk determines that the absent voter is entitled to cast a ballot, the county clerk shall deposit the ballot in the proper ballot box or place the ballot, unopened, in a container that must be securely locked or under the control of the county clerk at all times. At the end of each day before election day, the county clerk may remove the ballots from each ballot box, neatly stack the ballots in a container and seal the container with a numbered seal. Not earlier than 4 working days before the election, the county clerk shall deliver the ballots to the absent ballot central counting board to be processed and prepared for counting pursuant to the procedures established by the Secretary of State to ensure the confidentiality of the prepared ballots until after the polls have closed pursuant to NRS 293.273 or 293.305.

Sec. 21. NRS 293.333 is hereby amended to read as follows:

293.333 Except as otherwise provided in NRS 293D.200, on the day of an election, the ~~precinct or district~~ election boards receiving the absent voters' ballots from the county clerk shall, in the presence of a majority of the election board officers, remove the ballots from the ballot box and the

containers in which the ballots were transported pursuant to NRS 293.325 and deposit the ballots in the regular ballot box in the following manner:

1. The name of the voter, as shown on the return envelope or facsimile, must be called and checked as if the voter were voting in person;
2. The signature on the back of the return envelope or on the facsimile must be compared with that on the ~~original~~ application to register to vote;
3. If the board determines that the absent voter is entitled to cast a ballot, the envelope must be opened, the numbers on the ballot and envelope compared, the number strip or stub detached from the ballot and, if the numbers are the same, the ballot deposited in the regular ballot box; and
4. The election board officers shall ~~mark~~ *indicate* in the roster ~~opposite~~ "Voted" by the name of the voter, ~~the word "Voted."~~

Sec. 22. NRS 293.335 is hereby amended to read as follows:

293.335 When all absent ballots delivered to ~~precinct or district~~ the election boards have been voted or rejected, except as otherwise provided in NRS 293D.200, the empty envelopes and the envelopes containing rejected ballots must be returned to the county clerk. On all envelopes containing rejected ballots the cause of rejection must be noted and the envelope signed by a majority of the election board officers.

Sec. 23. NRS 293.3576 is hereby amended to read as follows:

293.3576 1. The county clerk shall publish during the week before the period for early voting and at least once each week during the period for early voting in a newspaper of general circulation a schedule stating:

- (a) The location of each permanent and temporary polling place for early voting. ~~and the election precincts served by each location.~~
- (b) The dates and hours that early voting will be conducted at each location.

2. The county clerk shall post a copy of the schedule on the bulletin board used for posting notice of meetings of the board of county commissioners. The schedule must be posted continuously for a period beginning not later than the fifth day before the first day of the period for early voting by personal appearance and ending on the last day of that period.

3. The county clerk shall make copies of the schedule available to the public in reasonable quantities without charge during the period of posting.

4. No additional polling places for early voting may be established after the schedule is published pursuant to this section.

Sec. 24. NRS 293.3585 is hereby amended to read as follows:

293.3585 1. ~~Upon~~ *Except as otherwise provided in NRS 293.283, upon* the appearance of a person to cast a ballot for early voting, ~~the deputy clerk for early voting~~ *an election board officer* shall:

- (a) Determine that the person is a registered voter in the county. ~~;~~
- (b) Instruct the voter to sign the roster for early voting. ~~;~~ ~~and~~
- (c) Verify the signature of the voter ~~against that contained on the original application to register to vote or a facsimile thereof, the card issued to the~~

~~voter at the time of registration or some other piece of official identification.]~~
~~in the manner set forth in NRS 293.277.~~

~~(d) Verify that the voter has not already voted in the current election pursuant to this section.~~

~~2. If the signature of the voter does not match, the voter must ~~f~~~~

~~(1) ~~Provide~~ be identified by:~~

~~(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;~~

~~(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or~~

~~(c) Providing the election board officer with proof of identification as described in NRS 293.277 ~~f~~ and~~

~~(2) ~~Update~~ other than the card issued to the voter at the time he or she registered to vote.~~

~~3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.~~

~~~~(d) Verify that the voter has not voted in this election.~~~~

~~2.] 4. The county clerk shall prescribe a procedure, approved by the Secretary of State, to ~~determine~~ verify that the voter has not already voted in the current election pursuant to this section.~~

~~3.] 5. The roster for early voting must contain:~~

~~(a) The voter's name, the address where he or she is registered to vote, his or her voter identification number and a place for the voter's signature;~~

~~(b) The voter's precinct or voting district number ~~;~~, if that information is available; and~~

~~(c) The date of voting early in person.~~

~~4.] 6. When a voter is entitled to cast a ballot and has identified himself or herself to the satisfaction of the ~~deputy clerk for early voting,~~ election board officer, the voter is entitled to receive the appropriate ballot or ballots, but only for his or her own use at the polling place for early voting.~~

~~5.] 7. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the ~~deputy clerk for early voting,~~ election board officer shall:~~

~~(a) Prepare the mechanical recording device for the voter;~~

~~(b) Ensure that the voter's precinct or voting district, if that information is available, and the form of ballot are indicated on the voting receipt, if the county clerk uses voting receipts; and~~

~~(c) Allow the voter to cast a vote.~~

~~6.] 8. A voter applying to vote early by personal appearance may be challenged pursuant to NRS 293.303.~~

Sec. 25. NRS 293.3604 is hereby amended to read as follows:

293.3604 If ballots which are voted on a mechanical recording device which directly records the votes electronically are used during the period for

early voting by personal appearance in an election other than a presidential preference primary election:

1. At the close of each voting day, the election board shall:

(a) Prepare and sign a statement for the polling place. The statement must include:

(1) The title of the election;

(2) ~~[[The number of the precinct or voting district;~~

~~[[3]]~~ (3) The number which identifies the mechanical recording device and the storage device required pursuant to NRS 293B.084;

~~[[4]]~~ (3) The number of ballots voted on the mechanical recording device for that day; and

~~[[5]]~~ (4) The number of signatures in the roster for early voting for that day.

(b) Secure:

(1) The ballots pursuant to the plan for security required by NRS 293.3594; and

(2) Each mechanical voting device in the manner prescribed by the Secretary of State pursuant to NRS 293.3594.

2. At the close of the last voting day, the county clerk shall deliver to the ballot board for early voting:

(a) The statements for all polling places for early voting;

(b) The voting rosters used for early voting;

(c) The storage device required pursuant to NRS 293B.084 from each mechanical recording device used during the period for early voting; and

(d) Any other items as determined by the county clerk.

3. Upon receipt of the items set forth in subsection 2 at the close of the last voting day, the ballot board for early voting shall:

(a) ~~[[Sort the items by precinct or voting district;~~

~~[[b]]~~ Count the number of ballots voted by precinct or voting district;

~~[[c]]~~ Account for all *Indicate the number of* ballots on an official statement of ballots; and

~~[[d]]~~ (b) Place the ~~[[items]]~~ *storage devices* in the container provided to transport those items to the central counting place and seal the container with a numbered seal. The official statement of ballots must accompany the ~~[[items]]~~ *storage devices* to the central counting place.

Sec. 26. NRS 293.3608 is hereby amended to read as follows:

293.3608 On election day, the county clerk shall:

1. Ensure that each mechanical recording device used during the period for early voting provides a record of the total number of votes recorded on the device for each candidate and for or against each measure; and

2. Deliver to the central counting place:

(a) ~~[[The items sorted and counted pursuant to subsection 3 of NRS 293.3604;~~

~~[[b]]~~ The records provided pursuant to subsection 1; and



~~{(e)}~~ (b) The storage device required pursuant to NRS 293B.084 from each mechanical recording device used during the period for early voting.

Sec. 27. NRS 293.365 is hereby amended to read as follows:

293.365 No counting board in any precinct, ~~{or}~~ district or polling place in which paper ballots are used may commence to count the votes until all ballots used or unused are accounted for.

Sec. 28. NRS 293.370 is hereby amended to read as follows:

293.370 ~~{1.}~~ When all the votes have been counted, the counting board officers shall ~~{enter on the}~~ produce a tally ~~{lists}~~ list organized by precinct and ballot type indicating ~~{the name of each candidate}~~ the number of votes ~~{the}~~ that each candidate received. The ~~{vote}~~ votes for and against any question submitted to the electors must be entered in the same manner.

~~{2. The tally lists must show the number of votes, other than absentee votes and votes in a mailing precinct, which each candidate received in each precinct at:~~

~~—(a) A primary election held in an even numbered year; or~~

~~—(b) A general election.~~

Sec. 29. NRS 293.373 is hereby amended to read as follows:

293.373 If paper ballots are used:

1. After the ballots have been counted, the voted ballots, rejected ballots, tally lists for regular ballots, tally list for rejected ballots, challenge list, stubs of used ballots, spoiled ballots and unused ballots must be sealed under cover by the counting board officers and addressed to the county clerk.

2. The ~~{other}~~ rosters and tally lists ~~{and the election board register}~~ must be returned to the county clerk.

Sec. 29.5. ~~{NRS 293.440 is hereby amended to read as follows:~~

~~—293.440 1. Any person who desires a copy of any list of the persons who are registered to vote in any precinct, district or county may obtain a copy by applying at the office of the county clerk and paying therefor a sum of money equal to 1 cent per name on the list, except that one copy of each original and supplemental list for each precinct, district or county must be provided both to the state central committee of any major political party and to the county central committee of any major political party, and to the executive committee of any minor political party upon request, without charge.~~

~~—2. Except as otherwise provided in NRS 293.5002 and 293.558, the copy of the list provided pursuant to this section must indicate the address, date of birth, telephone number and the serial number on each application to register to vote [.] and the electronic mail address of the voter if provided by the voter pursuant to NRS 293.565 or 293C.530. If the county maintains this information in a computer database, the date of the most recent addition or revision to an entry, if made on or after July 1, 1989, must be included in the database and on any resulting list of the information. The date must be expressed numerically in the order of month, day and year.~~

~~3. A county may not pay more than 10 cents per folio or more than \$6 per thousand copies for printed lists for a precinct or district.~~

~~4. A county which has a system of computers capable of recording information on magnetic tape or diskette shall, upon request of the state central committee or county central committee of any major political party or the executive committee of any minor political party which has filed a certificate of existence with the Secretary of State, record for both the state central committee and the county central committee of the major political party, if requested, and for the executive committee of the minor political party, if requested, on magnetic tape or diskette supplied by it:~~

~~(a) The list of persons who are registered to vote and the information required in subsection 2; and~~

~~(b) Not more than four times per year, as requested by the state or county central committee or the executive committee:~~

~~(1) A complete list of the persons who are registered to vote with a notation for the most recent entry of the date on which the entry or the latest change in the information was made; or~~

~~(2) A list that includes additions and revisions made to the list of persons who are registered to vote after a date specified by the state or county central committee or the executive committee.~~

~~5. If a political party does not provide its own magnetic tape or diskette, or if a political party requests the list in any other form that does not require printing, the county clerk may charge a fee to cover the actual cost of providing the tape, diskette or list.~~

~~6. Any state or county central committee of a major political party, any executive committee of a minor political party or any member or representative of such a central committee or executive committee who receives without charge a list of the persons who are registered to vote in any precinct, district or county pursuant to this section shall not:~~

~~(a) Use the list for any purpose that is not related to an election; or~~

~~(b) Sell the list for compensation or other valuable consideration.]~~

(Deleted by amendment.)

Sec. 30. NRS 293.465 is hereby amended to read as follows:

293.465 If an election is prevented in any precinct or district by reason of the loss or destruction of the ballots intended for that precinct, or any other cause, the *appropriate* election officers ~~{for}~~ in that precinct or district shall make an affidavit setting forth that fact and transmit it to the appropriate board of county commissioners. Upon receipt of the affidavit and upon the application of any candidate for any office to be voted for by the registered voters of that precinct or district, the board of county commissioners shall order a new election in that precinct or district.

Sec. 31. NRS 293.510 is hereby amended to read as follows:

293.510 1. In counties where computers are not used to register voters, the county clerk shall:

(a) Segregate original applications to register to vote according to the precinct in which the registered voters reside and arrange the applications in each precinct or district in alphabetical order. The applications for each precinct or district must be kept ~~[in a separate binder which is marked with the number of the]~~ *separately for each* precinct or district. ~~[This binder constitutes the election board register.]~~ *These applications must be used to prepare the rosters.*

(b) Arrange the duplicate applications of registration in alphabetical order for the entire county and keep them in binders or a suitable file which constitutes the registrar of voters' register.

2. In any county where a computer is used to register voters, the county clerk shall:

(a) Arrange the original applications to register to vote for the entire county in a manner in which an original application may be quickly located. These original applications constitute the registrar of voters' register.

(b) Segregate the applications to register to vote in a computer file according to the precinct or district in which the registered voters reside, and for each precinct or district have printed a computer listing which contains the applications to register to vote in alphabetical order. These listings of applications to register to vote must be ~~[placed in separate binders which are marked with the number of the precinct or district. These binders constitute the election board registers.]~~ *used to prepare the rosters.*

Sec. 32. NRS 293.511 is hereby amended to read as follows:

293.511 If a registrar of voters' register or ~~[an election board register]~~ *roster* is kept by computer, the register *or roster, as applicable*, must include ~~[all the information contained in the original applications to register to vote.]~~ *the name, address, precinct, political affiliation and signature or facsimile thereof of each voter and any additional information required by the county clerk.*

Sec. 33. NRS 293.524 is hereby amended to read as follows:

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

2. The county clerk shall use the applications to register to vote which are signed and completed pursuant to subsection 1 to register applicants to vote or to correct information in the registrar of voters' register. An application that is not signed must not be used to register or correct the registration of the applicant.

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

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

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

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

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

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

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

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

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

Sec. 34. NRS 293.525 is hereby amended to read as follows:

293.525 1. Any elector who is presently registered and has changed residence after the last preceding general election and who fails to return or never receives a postcard mailed pursuant to NRS 293.5235, 293.530 or 293.535 who moved:

(a) From one precinct to another or from one congressional district to another within the same county must be allowed to vote in the precinct where the elector previously resided after providing an oral or written affirmation before an election board officer attesting to his or her new address.

(b) Within the same precinct must be allowed to vote after providing an oral or written affirmation before an election board officer attesting to his or her new address.

2. If an elector alleges that the records in the registrar of voters' register or the ~~election board register~~ *roster* incorrectly indicate that the elector has changed residence, the elector must be permitted to vote after providing an oral or written affirmation before an election board officer attesting that he or she continues to reside at the same address.

3. If an elector refuses to provide an oral or written affirmation attesting to his or her address as required by this section, the elector may only vote at the special polling place in the county in the manner set forth in NRS 293.304.

4. The county clerk shall use any information regarding the current address of an elector obtained pursuant to this section to correct information in the registrar of voters' register and the ~~election board register~~ *roster*.

Sec. 35. NRS 293.533 is hereby amended to read as follows:

293.533 Any elector may bring and any number of electors may join in an action or proceeding in a district court to compel the county clerk to enter the name of such elector or electors in the registrar of voters' register and the ~~election board register~~ *roster*.

Sec. 36. NRS 293.541 is hereby amended to read as follows:

293.541 1. The county clerk shall cancel the registration of a voter if:

(a) After consultation with the district attorney, the district attorney determines that there is probable cause to believe that information in the registration concerning the identity or residence of the voter is fraudulent;

(b) The county clerk provides a notice as required pursuant to subsection 2 or executes an affidavit of cancellation pursuant to subsection 3; and

(c) The voter fails to present satisfactory proof of identity and residence pursuant to subsection 2, 4 or 5.

2. Except as otherwise provided in subsection 3, the county clerk shall notify the voter by registered or certified mail, return receipt requested, of a determination made pursuant to subsection 1. The notice must set forth the grounds for cancellation. Unless the voter, within 15 days after the return

receipt has been filed in the office of the county clerk, presents satisfactory proof of identity and residence to the county clerk, the county clerk shall cancel the voter's registration.

3. If insufficient time exists before a pending election to provide the notice required by subsection 2, the county clerk shall execute an affidavit of cancellation and file the affidavit of cancellation with the registrar of voters' register and:

(a) In counties where records of registration are not kept by computer, the county clerk shall attach a copy of the affidavit of cancellation in the ~~{election board register.}~~ *roster*.

(b) In counties where records of registration are kept by computer, the county clerk shall have the affidavit of cancellation printed on the computer entry for the registration and add a copy of it to the ~~{election board register.}~~ *roster*.

4. If a voter appears to vote at the election next following the date that an affidavit of cancellation was executed for the voter pursuant to this section, the voter must be allowed to vote only if the voter furnishes:

(a) Official identification which contains a photograph of the voter, including, without limitation, a driver's license or other official document; and

(b) Satisfactory identification that contains proof of the address at which the voter actually resides and that address is consistent with the address listed on the ~~{election board register.}~~ *roster*.

5. If a determination is made pursuant to subsection 1 concerning information in the registration to vote of a voter and an absent ballot or a ballot voted by a voter who resides in a mailing precinct is received from the voter, the ballot must be kept separate from other ballots and must not be counted unless the voter presents satisfactory proof to the county clerk of identity and residence before such ballots are counted on election day.

6. For the purposes of this section, a voter registration card issued pursuant to NRS 293.517 does not provide proof of the:

(a) Address at which a person actually resides; or

(b) Residence or identity of a person.

Sec. 37. NRS 293.547 is hereby amended to read as follows:

293.547 1. After the 30th day but not later than the 25th day before any election, a written challenge may be filed with the county clerk.

2. A registered voter may file a written challenge if:

(a) He or she is registered to vote in the same precinct as the person whose right to vote is challenged; and

(b) The challenge is based on the personal knowledge of the registered voter.

3. The challenge must be signed and verified by the registered voter and name the person whose right to vote is challenged and the ground of the challenge.

4. A challenge filed pursuant to this section must not contain the name of more than one person whose right to vote is challenged. The county clerk shall not accept for filing any challenge which contains more than one such name.

5. The county clerk shall:

(a) File the challenge in the registrar of voters' register and:

(1) In counties where records of registration are not kept by computer, he or she shall attach a copy of the challenge to the challenged registration in the ~~election board register~~ roster.

(2) In counties where records of registration are kept by computer, he or she shall have the challenge printed on the computer entry for the challenged registration and add a copy of it to the ~~election board register~~ roster.

(b) Within 5 days after a challenge is filed, mail a notice in the manner set forth in NRS 293.530 to the person whose right to vote has been challenged pursuant to this section informing the person of the challenge. If the person fails to respond or appear to vote within the required time, the county clerk shall cancel the person's registration. A copy of the challenge and information describing how to reregister properly must accompany the notice.

(c) Immediately notify the district attorney. A copy of the challenge must accompany the notice.

6. Upon receipt of a notice pursuant to this section, the district attorney shall investigate the challenge within 14 days and, if appropriate, cause proceedings to be instituted and prosecuted in a court of competent jurisdiction without delay. The court shall give such proceedings priority over other civil matters that are not expressly given priority by law. Upon court order, the county clerk shall cancel the registration of the person whose right to vote has been challenged pursuant to this section.

Sec. 38. NRS 293.548 is hereby amended to read as follows:

293.548 1. A person who files a written challenge pursuant to NRS 293.547 or an affidavit pursuant to NRS 293.535 may withdraw the challenge or affidavit not later than the 25th day before the date of the election, by submitting a written request to the county clerk. Upon receipt of the request, the county clerk shall:

(a) Remove the challenge or affidavit from the registrar of voters' register, any ~~election board register~~ roster and any other record in which the challenge or affidavit has been filed or entered;

(b) If a notice of the challenge or affidavit has been mailed to the person who is the subject of the challenge or affidavit, mail a notice and a copy of the request to withdraw to that person; and

(c) If a notice of the challenge has been mailed to the district attorney, mail a notice and a copy of the request to withdraw to the district attorney.

2. If the county clerk receives a request to withdraw pursuant to subsection 1, the county clerk shall withdraw the person's challenge or affidavit.

Sec. 38.5. NRS 293.558 is hereby amended to read as follows:

293.558 1. The county *or city* clerk shall disclose the identification number of a registered voter to the public, including, without limitation:

(a) In response to an inquiry received by the county *or city* clerk; or

(b) By inclusion of the identification number of the registered voter on any list of registered voters made available for public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.

2. The county *or city* clerk shall not disclose ~~the~~ :

(a) The social security number or the driver's license or identification card number of a registered voter ~~is~~, and such a number is confidential and is not a public book or record within the meaning of NRS 239.010.

(b) An electronic mail address provided by a registered voter to carry out any state or federal law relating to the voting process, and such an electronic mail address is confidential and is not a public book or record within the meaning of NRS 239.010. The county or city clerk may not release a registered voter's electronic mail address to a third party and may use such an electronic mail address only to:

(1) Communicate with the registered voter about the voting process, including, without limitation, as necessary to carry out the provisions of chapter 293D of NRS; and

(2) Distribute a sample ballot to the registered voter by electronic means if the county or city clerk has established a system for distributing sample ballots by electronic means pursuant to NRS 293.565 or 293C.530 and the registered voter elects to receive a sample ballot by electronic means.

3. A registered voter may submit a written request to the county *or city* clerk to have his or her address and ~~withheld from the public the registered voter's address,~~ telephone number withheld from the public, ~~for electronic mail address if provided by the registered voter pursuant to NRS 293.565 or 293C.530.~~ Upon receipt of such a request, the county *or city* clerk shall not disclose the address ~~is~~ or telephone number ~~for electronic mail address~~ of the registered voter to the public, including, without limitation:

(a) In response to an inquiry received by the county *or city* clerk; or

(b) By inclusion on any list of registered voters made available for public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.

4. No information relating to a registered voter may be withheld from the public other than ~~the~~ :

(a) The address ~~is~~ and telephone number ~~is~~ of the registered voter if requested by the registered voter pursuant to this section;

(b) An electronic mail address ~~is~~ provided by the registered voter to carry out any state or federal law relating to the voting process;

(c) The social security number and driver's license or identification card number of ~~is~~ the registered voter ~~may~~; and



(d) Any other information relating to the registered voter that any state or federal law declares to be confidential or otherwise requires to be withheld from the public.

Sec. 39. NRS 293.563 is hereby amended to read as follows:

293.563 1. During the interval between the closing of registration and the election, the county clerk shall ~~[-~~

~~-(a) In counties where records of registration are not kept by computer,] prepare for each [precinct or district] polling place a [binder] roster containing [in alphabetical order the original applications to register to vote of the electors] the registered voters [in the precinct or district]. The binder constitutes the election board register.~~

~~-(b) In counties where records of registration are kept by computer, have printed and placed in a binder for each precinct or district a computer listing in alphabetical order of the applications to register to vote of the electors in the precinct or district. The binder constitutes the election board register.~~  
~~assigned] eligible to vote at the polling place.~~

2. ~~[Each election board register]~~ The roster must be delivered or caused to be delivered by the county or city clerk to an election *board* officer of the proper ~~[precinct or district]~~ polling place before the opening of the polls.

Sec. 40. NRS 293.565 is hereby amended to read as follows:

293.565 1. Except as otherwise provided in subsection 3, sample ballots must include:

(a) If applicable, the statement required by NRS 293.267;

(b) The fiscal note or description of anticipated financial effect, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015, 295.095 or 295.230 for each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

(c) An explanation, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.121 or 295.230, of each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

(d) Arguments for and against each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question, and rebuttals to each argument, as provided pursuant to NRS 218D.810, 293.250, 293.252 or 295.121; and

(e) The full text of each proposed constitutional amendment.

2. If, pursuant to the provisions of NRS 293.2565, the word "Incumbent" must appear on the ballot next to the name of the candidate who is the incumbent, the word "Incumbent" must appear on the sample ballot next to the name of the candidate who is the incumbent.

3. Sample ballots that are mailed to registered voters may be printed without the full text of each proposed constitutional amendment if:

(a) The cost of printing the sample ballots would be significantly reduced if the full text of each proposed constitutional amendment were not included;

(b) The county clerk ensures that a sample ballot that includes the full text of each proposed constitutional amendment is provided at no charge to each registered voter who requests such a sample ballot; and

(c) The sample ballots provided to each polling place include the full text of each proposed constitutional amendment.

4. *A county clerk may establish a system for distributing sample ballots to each registered voter who elects to receive a sample ballot by electronic means. Such a system ~~must be approved by the Secretary of State and~~ may include, without limitation, electronic mail or electronic access through an Internet website. If a county clerk establishes such a system and a registered voter elects to receive a sample ballot by such electronic means, the county clerk shall ~~—~~*

~~(a) Distribute~~ *distribute the sample ballot to the registered voter by electronic means pursuant to the procedures and requirements set forth by regulations adopted by the Secretary of State. ~~— and~~*

~~(b) If the system requires the registered voter to provide an electronic mail address to the county clerk, inform the registered voter that his or her electronic mail address will be available to the public unless the registered voter submits a written request to have his or her electronic mail address withheld from the public pursuant to NRS 293.558.]~~

5. *If a registered voter does not elect to receive a sample ballot by electronic means pursuant to subsection 4, the county clerk shall distribute the sample ballot to the registered voter by mail.*

6. Before the period for early voting for any election begins, the county clerk shall ~~cause to be mailed~~ *distribute* to each registered voter in the county ~~a~~ *by mail or electronic means, as applicable, the* sample ballot for his or her precinct, with a notice informing the voter of the location of his or her polling place. If the location of the polling place has changed since the last election:

(a) The county clerk shall mail a notice of the change to each registered voter in the county not sooner than 10 days before ~~mailing~~ *distributing* the sample ballots; or

(b) The sample ballot must also include a notice in bold type immediately above the location which states:

NOTICE: THE LOCATION OF YOUR POLLING PLACE  
HAS CHANGED SINCE THE LAST ELECTION

~~5.]~~ 7. Except as otherwise provided in subsection ~~6.]~~ 8, a sample ballot required to be ~~mailed~~ *distributed* pursuant to this section must:

(a) Be ~~printed~~ *prepared* in at least 12-point type; and

(b) Include on the front page, in a separate box created by bold lines, a notice ~~printed~~ *prepared* in at least 20-point bold type that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
LARGE TYPE, CALL (Insert appropriate telephone number)

~~6.]~~ 8. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than

12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

~~{7-}~~ 9. The sample ballot ~~{mailed}~~ *distributed* to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be ~~{printed}~~ *prepared* in at least 14-point type, or larger when practicable.

~~{8-}~~ 10. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots ~~{mailed}~~ *distributed* to that person from the county are in large type.

~~{9-}~~ 11. The county clerk shall include in each sample ballot a statement indicating that the county clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his or her polling place and provide reasonable assistance to the voter in casting his or her vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the county clerk has provided pursuant to subsection 4 of NRS 293.2955 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly or disabled, the county clerk shall include in the sample ballot a statement indicating:

- (a) The addresses of such centralized voting locations;
- (b) The types of specially equipped voting devices available at such centralized voting locations; and
- (c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at his or her regularly designated polling place.

~~{10-}~~ 12. The cost of ~~{mailing}~~ *distributing* sample ballots for any election other than a primary or general election must be borne by the political subdivision holding the election.

Sec. 41. NRS 293.780 is hereby amended to read as follows:

293.780 1. A person who is entitled to vote shall not vote or attempt to vote more than once at the same election. Any person who votes or attempts to vote twice at the same election is guilty of a category D felony and shall be punished as provided in NRS 193.130.

2. Notice of the provisions of subsection 1 must be given by the county or city clerk as follows:

- (a) ~~{Printed}~~ *Stated* on all sample ballots ~~{mailed}~~ *distributed by mail or electronic means*;
- (b) Posted in boldface type at each polling place; and
- (c) Posted in boldface type at the office of the county or city clerk.

Sec. 42. NRS 293B.335 is hereby amended to read as follows:

293B.335 1. ~~{The chair and at}~~ *At least* ~~{one other member}~~ *two members* of the election board shall deliver the sealed container to a receiving center or to the central counting place, as directed by the county clerk. If practicable, the ~~{other board member}~~ *members* must be of ~~{a}~~ *different political* ~~{party than the chair}~~ *parties*.

2. ~~{The chair}~~ *At least two members of the election board* shall provide for the transportation or other disposition of all other supplies and election materials as directed by the county clerk.

3. Any member of the general public may observe the delivery of a sealed container to a receiving center or to the central counting place if he or she does not interfere with the delivery of the sealed container.

Sec. 43. NRS 293C.220 is hereby amended to read as follows:

293C.220 1. The city clerk shall appoint and notify registered voters to act as election board officers for the various *polling places and* precincts ~~and districts~~ in the city as provided in NRS 293.225, 293.227, 293C.227 to 293C.245, inclusive, and 293C.382. No candidate for nomination or election or a relative of the candidate within the second degree of consanguinity or affinity may be appointed as an election board officer. Immediately after election board officers are appointed, if requested by the city clerk, the chief law enforcement officer of the city shall:

(a) Appoint an officer for each polling place in the city and for the central election board or the absent ballot central counting board; or

(b) Deputize, as an officer for the election, an election board officer for each polling place and for the central election board or the absent ballot central counting board. The deputized officer may not receive any additional compensation for the services he or she provides as an officer during the election for which the officer is deputized.

↪ Officers so appointed and deputized shall preserve order during hours of voting and attend the closing of the polls.

2. The city clerk may appoint a trainee for the position of election board officer as set forth in NRS 293C.222.

Sec. 44. NRS 293C.222 is hereby amended to read as follows:

293C.222 1. The city clerk may appoint a pupil as a trainee for the position of election board officer. To qualify for such an appointment, the pupil must be:

(a) A United States citizen, a resident of Nevada and a resident of the city in which the pupil serves;

(b) Enrolled in high school; and

(c) At the time of service, at least 16 years of age.

2. The city clerk may only appoint a pupil as a trainee if:

(a) The pupil is appointed without party affiliation;

(b) The city clerk sends the pupil a certificate stating the date and hours that the pupil will act as a trainee;

(c) At least 20 days before the election in which the pupil will act as a trainee, the principal of the high school or the assigned school counselor of the pupil receives the city clerk's certificate and a written request signed by the pupil's parent or guardian to be excused from school for the time specified in the certificate;

(d) The principal of the high school or the assigned school counselor of the pupil approves the pupil's request; and

(e) The pupil attends the training class required by NRS 293B.260.

3. Except as otherwise provided in this subsection, the city clerk may assign a trainee such duties as the city clerk deems appropriate. The city clerk shall not:

(a) Require the trainee to perform those duties later than 10 p.m., or any applicable curfew, whichever is earlier; or

(b) Assign more than one trainee to serve as an election board officer in any one ~~[precinct]~~ *polling place*.

4. The city clerk may compensate a trainee for service at the same rate fixed for election board officers generally.

Sec. 45. NRS 293C.267 is hereby amended to read as follows:

293C.267 1. Except as otherwise provided in subsection 2 and NRS 293C.297, at all elections held pursuant to the provisions of this chapter, the polls must open at 7 a.m. and close at 7 p.m.

2. Whenever at any election all the votes of the ~~[precinct or district]~~ *polling place*, as shown on the roster, have been cast, the election board officers shall close the polls and the counting of votes must begin and continue without unnecessary delay until the count is completed.

3. Upon opening the polls, one of the election board officers shall cause a proclamation to be made so that all present may be aware of the fact that applications of registered voters to vote will be received.

4. No person other than election board officers engaged in receiving, preparing or depositing ballots may be permitted inside the guardrail during the time the polls are open, except by authority of the election board as necessary to keep order and carry out the provisions of this chapter.

Sec. 46. NRS 293C.270 is hereby amended to read as follows:

293C.270 1. ~~##~~ Except as otherwise provided in NRS 293C.272, if a person's name appears in the ~~[election board register]~~ roster or if the person provides an affirmation pursuant to NRS 293C.525, the person is entitled to vote and must sign his or her name in the ~~[election board register]~~ roster when he or she applies to vote. The signature must be compared by an election board officer with the signature or a facsimile thereof on the person's ~~[original]~~ application to register to vote or one of the forms of identification listed in subsection 2.

2. The forms of identification that may be used to identify a voter at the polling place are:

(a) The card issued to the voter at the time he or she registered to vote;

(b) A driver's license;

(c) An identification card issued by the Department of Motor Vehicles;

(d) A military identification card; or

(e) Any other form of identification issued by a governmental agency that contains the voter's signature and physical description or picture.

Sec. 46.5. NRS 293C.272 is hereby amended to read as follows:

293C.272 ~~[Any]~~

1. If, because of physical limitations, a registered voter ~~[who]~~ is unable to sign his or her name in the roster as required by NRS 293C.270, the voter must be identified by ~~[answering]~~ :

(a) Answering questions from the election board officer covering the personal data ~~[that]~~ which is reported on the ~~[original]~~ application to register to vote. ~~[The]~~ :

(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

(c) Providing the election board officer with proof of identification as described in NRS 293C.270 other than the card issued to the voter at the time he or she registered to vote.

2. If the identity of the voter is verified, the election board officer ~~[in charge of]~~ shall indicate in the roster ~~[shall stamp, write or print]~~ "Identified ~~[as]~~ to the left of" by the voter's name.

Sec. 47. NRS 293C.275 is hereby amended to read as follows:

293C.275 ~~[A]~~

1. Except as otherwise provided in NRS 293C.272, a registered voter who applies to vote must state his or her name to the election board officer in charge of the ~~[election board register,] roster, and the officer shall immediately announce the name ~~[and take the registered voter's signature.]~~, instruct the voter to sign the roster and verify the signature of the voter ~~[in]~~ in the manner set forth in NRS 293C.270.~~

2. If the signature does not match, the voter must ~~[~~

~~1. Provide]~~ be identified by:

(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;

(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

(c) Providing the election board officer with proof of identification as described in NRS 293C.270 ~~[and]~~

~~2. Update]~~ other than the card issued to the voter at the time he or she registered to vote.

3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.

Sec. 48. NRS 293C.277 is hereby amended to read as follows:

293C.277 1. A registered voter who applies to vote at an election must give his or her name to the election board officer in charge of the ~~[election board register,] roster, and the officer shall immediately announce the name of the voter.~~

2. Any person's right to vote may be challenged by a registered voter upon any of the grounds allowed for a challenge in NRS 293C.292. Any such challenge must be disposed of in the manner provided in NRS 293C.292.

Sec. 49. NRS 293C.290 is hereby amended to read as follows:

293C.290 1. The city clerk shall ~~[require]~~ :

(a) Require an election board officer to post an alphabetical listing of all registered voters for each precinct in a public area of each polling place in the city ~~[ ]~~; or

(b) Publish on the Internet website of the city clerk an alphabetical listing of all registered voters for each precinct in the city.

2. Except as otherwise provided in NRS 293.5002 and 293.558, the alphabetical listing required by subsection 1 must include the name ~~f~~ ~~precinct~~ and ~~[address]~~ precinct of each voter ~~[Not less than four times during the hours in which the polling place is open, an and the electronic mail address of the voter if provided by the voter pursuant to NRS 293C.530.]~~

3. If the city clerk:

(a) Requires an alphabetical listing to be posted in each polling place pursuant to paragraph (a) of subsection 1:

(1) An election board officer at the polling place shall, not less than four times during the hours in which the polling place is open, identify the name of each voter who voted ~~[since the last identification.~~  
~~—2.]~~ at the polling place; and

(2) Each page of the alphabetical listing that is posted in a polling place must contain a notice which reads substantially as follows:

It is unlawful for any person to remove, tear, mark or otherwise deface this alphabetical listing of registered voters except an election board officer acting pursuant to NRS 293C.290.

~~[3.]~~ (b) Publishes an alphabetical listing pursuant to paragraph (b) of subsection 1, the city clerk shall, not less than four times during the hours in which polling places in the city are open, identify on the Internet website of the city clerk the name of every voter who has voted at each polling place.

4. Any person who removes, tears, marks or otherwise defaces an alphabetical listing posted pursuant to this section with the intent to falsify or prevent others from readily ascertaining the name ~~f~~ ~~or~~ ~~[address or electronic mail address]~~ precinct of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor.

Sec. 50. NRS 293C.292 is hereby amended to read as follows:

293C.292 1. A person applying to vote may be challenged:

(a) Orally by any registered voter of the precinct or district upon the ground that he or she is not the person entitled to vote as claimed or has voted before at the same election; or

(b) On any ground set forth in a challenge filed with the county clerk pursuant to the provisions of NRS 293.547.

2. If a person is challenged, an election board officer shall tender the challenged person the following oath or affirmation:

(a) If the challenge is on the ground that the challenged person does not reside at the residence for which the address is listed in the ~~[election board register,]~~ roster, "I swear or affirm under penalty of perjury that I reside at

the residence for which the address is listed in the ~~{election board register};~~ *roster*”;

(b) If the challenge is on the ground that the challenged person previously voted a ballot for the election, "I swear or affirm under penalty of perjury that I have not voted for any of the candidates or questions included on this ballot for this election"; or

(c) If the challenge is on the ground that the challenged person is not the person he or she claims to be, "I swear or affirm under penalty of perjury that I am the person whose name is in this ~~{election board register.}~~ *roster.*"

↪ The oath or affirmation must be set forth on a form prepared by the Secretary of State and signed by the challenged person under penalty of perjury.

3. If the challenged person refuses to execute the oath or affirmation so tendered, ~~{he or she}~~ *the person* must not be issued a ballot, and the *election board* officer *shall indicate* in ~~{charge of}~~ the ~~{election board register}~~ *roster* ~~{shall write the words}~~ "Challenged ~~{.....}~~ "opposite his or her" *" by the person's name .* ~~{in the election board register. roster.}~~

4. If the challenged person refuses to execute the oath or affirmation set forth in paragraph (a) of subsection 2, the election board officers shall inform the person that he or she is entitled to vote only in the manner prescribed in NRS 293C.295.

5. If the challenged person executes the oath or affirmation and the challenge is not based on the ground set forth in paragraph (c) of subsection 2, the election board officers shall issue him or her a ballot.

6. If the challenge is based on the ground set forth in paragraph (a) of subsection 2, and the challenged person executes the oath or affirmation, the election board shall not issue the person a ballot until he or she furnishes satisfactory identification that contains proof of the address at which the person actually resides. For the purposes of this subsection, a voter registration card issued pursuant to NRS 293.517 does not provide proof of the address at which a person resides.

7. If the challenge is based on the ground set forth in paragraph (c) of subsection 2 and the challenged person executes the oath or affirmation, the election board shall not issue the person a ballot unless the person:

(a) Furnishes official identification which contains a photograph of the person, such as a driver's license or other official document; or

(b) Brings before the election board officers a person who is at least 18 years of age who:

(1) Furnishes official identification which contains a photograph of the person, such as a driver's license or other official document; and

(2) Executes an oath or affirmation under penalty of perjury that the challenged person is who he or she swears to be.

8. The election board officers shall:

(a) Record on the challenge list:

(1) The name of the challenged person;



(2) The name of the registered voter who initiated the challenge; and

(3) The result of the challenge; and

(b) If possible, orally notify the registered voter who initiated the challenge of the result of the challenge.

Sec. 51. NRS 293C.307 is hereby amended to read as follows:

293C.307 1. Except as otherwise provided in NRS 293C.330, a registered voter who requests and receives an absent voter's ballot may vote only by absent ballot at the election for which the absent ballot was issued.

2. If a registered voter has requested an absent ballot and the ballot has been mailed or issued, the city clerk shall notify the ~~[precinct or district]~~ *appropriate* election board that the registered voter has requested an absent ballot.

Sec. 52. NRS 293C.325 is hereby amended to read as follows:

293C.325 1. Except as otherwise provided in subsection 2 and NRS 293D.200, when an absent ballot is returned by a registered voter to the city clerk through the mail, by facsimile machine or other approved electronic transmission or in person, and record thereof is made in the absent ballot record book, the city clerk shall neatly stack, unopened, the absent ballot with any other absent ballot received that day in a container and deliver, or cause to be delivered, that container to the ~~[precinct or district]~~ *appropriate* election board.

2. Except as otherwise provided in NRS 293D.200, if an absent ballot central counting board has been appointed, when an absent ballot is returned by a registered voter to the city clerk through the mail, by facsimile machine or other approved electronic transmission or in person, the city clerk shall check the signature on the return envelope, facsimile or other approved electronic transmission against the original signature of the voter on the city clerk's register. If the city clerk determines that the absent voter is entitled to cast a ballot, the city clerk shall deposit the ballot in the proper ballot box or place the ballot, unopened, in a container that must be securely locked or under the control of the city clerk at all times. At the end of each day before election day, the city clerk may remove the ballots from each ballot box, neatly stack the ballots in a container and seal the container with a numbered seal. Not earlier than 4 working days before the election, the city clerk shall deliver the ballots to the absent ballot central counting board to be processed and prepared for counting pursuant to the procedures established by the Secretary of State to ensure the confidentiality of the prepared ballots until after the polls have closed pursuant to NRS 293C.267 or 293C.297.

Sec. 53. NRS 293C.332 is hereby amended to read as follows:

293C.332 Except as otherwise provided in NRS 293D.200, on the day of an election, the ~~[precinct or district]~~ election boards receiving the absent voters' ballots from the city clerk shall, in the presence of a majority of the election board officers, remove the ballots from the ballot box and the containers in which the ballots were transported pursuant to NRS 293C.325 and deposit the ballots in the regular ballot box in the following manner:

1. The name of the voter, as shown on the return envelope or facsimile, must be called and checked as if the voter were voting in person;
2. The signature on the back of the return envelope or on the facsimile must be compared with that on the ~~original~~ application to register to vote;
3. If the board determines that the absent voter is entitled to cast a ballot, the envelope must be opened, the numbers on the ballot and envelope compared, the number strip or stub detached from the ballot and, if the numbers are the same, the ballot deposited in the regular ballot box; and
4. The election board officers shall ~~mark~~ indicate in the roster ~~opposite~~ "Voted" by the name of the voter ~~the word "Voted."~~

Sec. 54. NRS 293C.335 is hereby amended to read as follows:

293C.335 When all absent ballots delivered to ~~precinct or district~~ *the* election boards have been voted or rejected, except as otherwise provided in NRS 293D.200, the empty envelopes and the envelopes containing rejected ballots must be returned to the city clerk. On all envelopes containing the rejected ballots the cause of rejection must be noted and the envelope signed by a majority of the election board officers.

Sec. 55. NRS 293C.3576 is hereby amended to read as follows:

293C.3576 1. The city clerk shall publish during the week before the period for early voting and at least once each week during the period for early voting in a newspaper of general circulation a schedule stating:

- (a) The location of each permanent and temporary polling place for early voting. ~~and the election precincts served by each location.~~
- (b) The dates and hours that early voting will be conducted at each location.

2. The city clerk shall post a copy of the schedule on the bulletin board used for posting notice of the meetings of the city council. The schedule must be posted continuously for a period beginning not later than the fifth day before the first day of the period for early voting by personal appearance and ending on the last day of that period.

3. The city clerk shall make copies of the schedule available to the public in reasonable quantities without charge during the period of posting.

4. No additional polling places for early voting may be established after the schedule is published pursuant to this section.

Sec. 56. NRS 293C.3585 is hereby amended to read as follows:

293C.3585 1. ~~Upon~~ Except as otherwise provided in NRS 293C.272, upon the appearance of a person to cast a ballot for early voting, ~~the deputy clerk for early voting~~ an election board officer shall:

- (a) Determine that the person is a registered voter in the county. ~~;~~
- (b) Instruct the voter to sign the roster for early voting. ~~;~~ and
- (c) Verify the signature of the voter ~~against that contained on the original application to register to vote or a facsimile thereof, the card issued to the voter at the time of registration or some other piece of official identification.~~ in the manner set forth in NRS 293C.270.

(d) Verify that the voter has not already voted in the current election pursuant to this section.

2. If the signature does not match, the voter must ~~be~~

~~(1) Provide~~ be identified by:

(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;

(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

(c) Providing the election board officer with proof of identification as described in NRS 293C.270 ~~;~~ and

~~(2) Update~~ other than the card issued to the voter at the time he or she registered to vote.

3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.

~~(d) Verify that the voter has not voted in this election.~~

~~2.~~ 4. The city clerk shall prescribe a procedure, approved by the Secretary of State, to ~~determine~~ verify that the voter has not already voted in the current election pursuant to this section.

~~3.~~ 5. The roster for early voting must contain:

(a) The voter's name, the address where he or she is registered to vote, his or her voter identification number and a place for the voter's signature;

(b) The voter's precinct or voting district number ~~;~~, if that information is available; and

(c) The date of voting early in person.

~~4.~~ 6. When a voter is entitled to cast a ballot and has identified himself or herself to the satisfaction of the ~~deputy clerk for early voting,~~ election board officer, the voter is entitled to receive the appropriate ballot or ballots, but only for his or her own use at the polling place for early voting.

~~5.~~ 7. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the ~~deputy clerk for early voting,~~ election board officer shall:

(a) Prepare the mechanical recording device for the voter;

(b) Ensure that the voter's precinct or voting district, if that information is available, and the form of ballot are indicated on the voting receipt, if the city clerk uses voting receipts; and

(c) Allow the voter to cast a vote.

~~6.~~ 8. A voter applying to vote early by personal appearance may be challenged pursuant to NRS 293C.292.

Sec. 57. NRS 293C.3604 is hereby amended to read as follows:

293C.3604 If ballots which are voted on a mechanical recording device which directly records the votes electronically are used during the period for early voting by personal appearance in an election other than a presidential preference primary election:

1. At the close of each voting day, the election board shall:

(a) Prepare and sign a statement for the polling place. The statement must include:

- (1) The title of the election;
- (2) ~~[(1) The number of the precinct or voting district;~~
- ~~—(3)]~~ (3) The number which identifies the mechanical recording device and the storage device required pursuant to NRS 293B.084;
- ~~[(4)]~~ (3) The number of ballots voted on the mechanical recording device for that day; and
- ~~[(5)]~~ (4) The number of signatures in the roster for early voting for that day.

(b) Secure:

(1) The ballots pursuant to the plan for security required by NRS 293C.3594; and

(2) Each mechanical voting device in the manner prescribed by the Secretary of State pursuant to NRS 293C.3594.

2. At the close of the last voting day, the city clerk shall deliver to the ballot board for early voting:

- (a) The statements for all polling places for early voting;
- (b) The voting rosters used for early voting;
- (c) The storage device required pursuant to NRS 293B.084 from each mechanical recording device used during the period for early voting; and
- (d) Any other items as determined by the city clerk.

3. Upon receipt of the items set forth in subsection 2 at the close of the last voting day, the ballot board for early voting shall:

- (a) ~~[(Sort the items by precinct or voting district;~~
- ~~—(b) Count the number of ballots voted by precinct or voting district;~~
- ~~—(c) Account for all]~~ Indicate the number of ballots on an official statement of ballots; and

~~[(d)]~~ (b) Place the ~~[(items)]~~ storage devices in the container provided to transport those items to the central counting place and seal the container with a number seal. The official statement of ballots must accompany the ~~[(items)]~~ storage devices to the central counting place.

Sec. 58. NRS 293C.3608 is hereby amended to read as follows:

293C.3608 On election day, the city clerk shall:

1. Ensure that each mechanical recording device used during the period for early voting provides a record ~~[(printed on paper)]~~ of the total number of votes recorded on the device for each candidate and for or against each measure; and

2. Deliver to the central counting place:

- (a) ~~[(The items sorted and counted storage devices required pursuant to subsection 3 of NRS 293C.3604;~~
- ~~—(b)]~~ The records ~~[(printed on paper)]~~ provided pursuant to subsection 1; and
- ~~[(c)]~~ (b) The storage device required pursuant to NRS 293B.084 from each mechanical recording device used during the period for early voting.

Sec. 59. NRS 293C.365 is hereby amended to read as follows:

293C.365 A counting board in any precinct, ~~for~~ district or polling place in which paper ballots are used may not begin to count the votes until all ballots used or unused are accounted for.

Sec. 60. NRS 293C.372 is hereby amended to read as follows:

293C.372 When all the votes have been counted, the counting board officers shall ~~enter on the~~ produce a tally ~~lists~~ list organized by precinct and ballot type indicating ~~the name of each candidate~~ the number of votes ~~the~~ each candidate received. The ~~vote~~ votes for and against any question submitted to the electors must be entered in the same manner.

Sec. 61. NRS 293C.375 is hereby amended to read as follows:

293C.375 If paper ballots are used:

1. After the ballots have been counted, the voted ballots, rejected ballots, tally lists for regular ballots, tally list for rejected ballots, challenge list, stubs of used ballots, spoiled ballots and unused ballots must be sealed under cover by the counting board officers and addressed to the city clerk.

2. The ~~other~~ rosters and tally lists ~~and the election board register~~ must be returned to the city clerk.

Sec. 62. NRS 293C.525 is hereby amended to read as follows:

293C.525 1. Any elector who is registered to vote and has changed residence after the last preceding general city election and who fails to return or never receives a postcard mailed pursuant to NRS 293.5235, 293.530 or 293.535 who moved:

(a) From one precinct to another within the same city must be allowed to vote in the precinct where the elector previously resided after providing an oral or written affirmation before an election board officer attesting to his or her new address.

(b) Within the same precinct must be allowed to vote after providing an oral or written affirmation before an election board officer attesting to his or her new address.

2. If an elector alleges that the records in the registrar of voters' register or the ~~election board register~~ roster incorrectly indicate that the elector has changed residence, the elector must be allowed to vote after providing an oral or written affirmation before an election board officer attesting that he or she continues to reside at the same address.

3. If an elector refuses to provide an oral or written affirmation attesting to his or her address as required by this section, the elector may only vote at the special polling place in the city in the manner set forth in NRS 293C.295.

Sec. 63. NRS 293C.530 is hereby amended to read as follows:

293C.530 1. A city clerk may establish a system for distributing sample ballots by electronic means to each registered voter who elects to receive a sample ballot by electronic means. Such a system ~~must be approved by the Secretary of State and~~ may include, without limitation, electronic mail or electronic access through an Internet website. If a city clerk establishes such a system and a registered voter elects to receive a sample ballot by electronic means, the city clerk shall ~~not~~

~~(a) Distribute~~ *distribute the sample ballot to the registered voter by electronic means pursuant to the procedures and requirements set forth by regulations adopted by the Secretary of State. ~~and~~*

~~(b) If the system requires the registered voter to provide an electronic mail address to the city clerk, inform the registered voter that his or her electronic mail address will be available to the public unless the registered voter submits a written request to have his or her electronic mail address withheld from the public pursuant to NRS 293.558.]~~

2. If a registered voter does not elect to receive a sample ballot by electronic means pursuant to subsection 1, the city clerk shall distribute the sample ballot to the registered voter by mail.

3. Before the period for early voting for any election begins, the city clerk shall ~~cause to be mailed~~ distribute to each registered voter in the city ~~a~~ by mail or electronic means, as applicable, the sample ballot for his or her precinct, with a notice informing the voter of the location of his or her polling place. If the location of the polling place has changed since the last election:

(a) The city clerk shall mail a notice of the change to each registered voter in the city not sooner than 10 days before ~~mailing~~ distributing the sample ballots; or

(b) The sample ballot must also include a notice in bold type immediately above the location which states:

NOTICE: THE LOCATION OF YOUR POLLING PLACE  
HAS CHANGED SINCE THE LAST ELECTION

~~2.]~~ 4. Except as otherwise provided in subsection ~~4.]~~ 6, a sample ballot required to be ~~mailed~~ distributed pursuant to this section must:

(a) Be ~~printed~~ prepared in at least 12-point type;

(b) Include the description of the anticipated financial effect and explanation of each citywide measure and advisory question, including arguments for and against the measure or question, as required pursuant to NRS 295.205 or 295.217; and

(c) Include on the front page, in a separate box created by bold lines, a notice ~~printed~~ prepared in at least 20-point bold type that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
LARGE TYPE, CALL (Insert appropriate telephone number)

~~3.]~~ 5. The word "Incumbent" must appear on the sample ballot next to the name of the candidate who is the incumbent, if required pursuant to NRS 293.2565.

~~4.]~~ 6. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

~~5.]~~ 7. The sample ballot ~~mailed~~ distributed to a person who requests a sample ballot in large type by exercising the option provided pursuant to

NRS 293.508, or in any other manner, must be ~~printed~~ prepared in at least 14-point type, or larger when practicable.

~~6.~~ 8. If a person requests a sample ballot in large type, the city clerk shall ensure that all future sample ballots ~~mailed~~ distributed to that person from the city are in large type.

~~7.~~ 9. The city clerk shall include in each sample ballot a statement indicating that the city clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his or her polling place and provide reasonable assistance to the voter in casting his or her vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the city clerk has provided pursuant to subsection 4 of NRS 293C.281 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly or disabled, the city clerk shall include in the sample ballot a statement indicating:

- (a) The addresses of such centralized voting locations;
- (b) The types of specially equipped voting devices available at such centralized voting locations; and
- (c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at the voter's regularly designated polling place.

~~8.~~ 10. The cost of ~~mailing~~ distributing sample ballots for a city election must be borne by the city holding the election.

Sec. 64. NRS 293C.535 is hereby amended to read as follows:

293C.535 1. Except as otherwise provided by special charter, registration of electors in incorporated cities must be accomplished in the manner provided in this chapter.

2. The county clerk shall use the statewide voter registration list to prepare for the city clerk of each incorporated city within the county the ~~election board register~~ roster of all electors eligible to vote at a regular or special city election.

3. The ~~official register~~ rosters must be prepared, ~~in suitable books,~~ one for each ward or other voting district within each incorporated city. The entries in the ~~election board register~~ roster must be arranged alphabetically with the surnames first.

4. The county clerk shall keep duplicate originals or copies of the applications to register to vote ~~contained in the official register~~ in the county clerk's office.

Sec. 65. NRS 293C.635 is hereby amended to read as follows:

293C.635 1. ~~The chair and at~~ At least ~~one other member~~ two members of the election board shall deliver the sealed container to a receiving center or to the central counting place, as directed by the city clerk.

2. The ~~chair~~ members of the election board described in subsection 1 shall provide for the transportation or other disposition of all other supplies and election materials as directed by the city clerk.

3. Any member of the general public may observe the delivery of a sealed container to a receiving center or to the central counting place if he or she does not interfere with the delivery of the sealed container.

Sec. 66. NRS 293C.710 is hereby amended to read as follows:

293C.710 If a city election is prevented in any precinct or district by reason of the loss or destruction of the ballots intended for that precinct or district, or any other cause, the *appropriate* election officers ~~for~~ in that precinct or district shall make an affidavit setting forth that fact and transmit it to the governing body of the appropriate city. Upon receipt of the affidavit and upon the application of any candidate for any city office to be voted for by the registered voters of that precinct or district, the governing body of the city shall order a new election in that precinct or district.

Sec. 67. NRS 295.045 is hereby amended to read as follows:

295.045 1. A petition for referendum must be filed with the Secretary of State not less than 120 days before the date of the next succeeding general election.

2. The Secretary of State shall certify the questions to the county clerks, and they shall publish them in accordance with the provisions of law requiring county clerks to publish ~~questions and proposed constitutional amendments which are to be submitted for popular vote.~~ *statewide measures pursuant to NRS 293.253.*

3. The title of the statute or resolution must be set out on the ballot, and the question printed upon the ballot for the information of the voters must be as follows: "Shall the statute (setting out its title) be approved?"

4. Where a mechanical voting system is used, the title of the statute must appear on the list of offices and candidates and the statements of measures to be voted on and may be condensed to no more than 25 words.

5. The votes cast upon the question must be counted and canvassed as the votes for state officers are counted and canvassed.

Sec. 68. NRS 295.160 is hereby amended to read as follows:

295.160 1. If the petition is determined to be sufficient, the county clerk shall, at the next general election, submit the act or resolution, by appropriate questions on the ballot, for the approval or disapproval of the people of that county.

2. The county clerk shall publish those questions in accordance with the provisions of law requiring county clerks to publish ~~questions and proposed constitutional amendments which are to be submitted for popular vote.~~ *statewide measures pursuant to NRS 293.253.*

Sec. 69. NRS 244A.785 is hereby amended to read as follows:

244A.785 1. The board of county commissioners of a county whose population is 700,000 or more may, by ordinance, create one or more districts within the unincorporated area of the county for the support of public parks. Such a district may include territory within the boundary of an incorporated city if so provided by interlocal agreement between the county and the city.



2. The ordinance creating a district must specify its boundaries. The area included within the district may be contiguous or noncontiguous. The boundaries set by the ordinance are not affected by later annexations to or incorporation of a city.

3. The alteration of the boundaries of such a district may be initiated by:

(a) A petition proposed unanimously by the owners of the property which is located in the proposed area which was not previously included in the district; or

(b) A resolution adopted by the board of county commissioners on its own motion.

↪ If the board of county commissioners proposes on its own motion to alter the boundaries of a district for the support of public parks, it shall, at the next primary or general election, submit to the registered voters who reside in the proposed area which was not previously included in the district, the question of whether the boundaries of the district shall be altered. If a majority of the voters approve the question, the board shall, by ordinance, alter the boundaries of the district as approved by the voters.

4. The sample ballot required to be ~~mailed~~ *distributed* pursuant to NRS 293.565 must include for the question described in subsection 3, a disclosure of any future increase or decrease in costs which may be reasonably anticipated in relation to the purposes of the district for the support of public parks and its probable effect on the district's tax rate.

Sec. 70. NRS 266.0325 is hereby amended to read as follows:

266.0325 1. At least 10 days before an election held pursuant to NRS 266.029, the county clerk or registrar of voters shall ~~cause to be mailed~~ *distribute* to each qualified elector *by mail or electronic means, as applicable*, a sample ballot for the elector's precinct with a notice informing the elector of the location of the polling place for that precinct. *A sample ballot may be distributed by electronic means to an elector only if the county clerk has established a system for distributing sample ballots by electronic means pursuant to NRS 293.565 and the elector elects to receive a sample ballot by electronic means.*

2. The sample ballot must:

(a) Be in the form required by NRS 266.032.

(b) Include the information required by NRS 266.032.

(c) Except as otherwise provided in subsection 3, be ~~printed~~ *prepared* in at least 12-point type.

(d) Describe the area proposed to be incorporated by assessor's parcel maps, existing boundaries of subdivision or parcel maps, identifying visible ground features, extensions of the visible ground features, or by any boundary that coincides with the official boundary of the State, a county, a city, a township, a section or any combination thereof.

(e) Contain a copy of the map or plat that was submitted with the petition pursuant to NRS 266.019 and depicts the existing dedicated streets, sewer interceptors and outfalls and their proposed extensions.

(f) Include on the front page, in a separate box created by bold lines, a notice ~~printed~~ prepared in at least 20-point bold type that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
LARGE TYPE, CALL (Insert appropriate telephone number)

3. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

4. The sample ballot ~~mailed~~ distributed to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be ~~printed~~ prepared in at least 14-point type, or larger when practicable.

5. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots ~~mailed~~ distributed to that person from the county are in large type.

Sec. 71. NRS 266.034 is hereby amended to read as follows:

266.034 1. The costs incurred by the board of county commissioners in carrying out the provisions relating to the incorporation, including the costs incurred in certifying the petition, publishing the notices, requesting the report pursuant to NRS 266.0261, conducting the public hearing and election, including the cost of ~~mailing~~ distributing the sample ballots, and any appeal pursuant to NRS 266.0265 are a charge against the county if the proposed incorporation is not submitted to the voters or the incorporation is disapproved by the voters, and a charge against the incorporated city if the incorporation is approved by the voters.

2. The costs incurred by the incorporators in carrying out the provisions relating to the incorporation, including the costs incurred in preparation of the petition for incorporation, preparation of the descriptions and map of the area proposed to be incorporated and circulation of the petition are chargeable to the incorporated city if the incorporation is approved by the voters.

Sec. 72. NRS 349.015 is hereby amended to read as follows:

349.015 1. Except as otherwise provided in subsection 3, the sample ballot required to be ~~mailed~~ distributed pursuant to NRS 293.565 or 293C.530, and the notice of election must contain:

- (a) The time and places of holding the election.
- (b) The hours during the day in which the polls will be open, which must be the same as provided for general elections.
- (c) The purposes for which the bonds are to be issued.
- (d) A disclosure of any:
  - (1) Future increase or decrease in costs which can reasonably be anticipated in relation to the purposes for which the obligations are to be issued and its probable effect on the tax rate; and
  - (2) Requirement relating to the bond question which is imposed pursuant to a court order or state or federal statute and the probable

consequences which will result if the bond question is not approved by the voters.

(e) An estimate of the annual cost to operate, maintain and repair any buildings, structures or other facilities or improvements to be constructed or acquired with the proceeds of the bonds.

(f) The maximum amount of the bonds.

(g) The maximum rate of interest.

(h) The maximum number of years which the bonds are to run.

2. Any election called pursuant to NRS 349.010 to 349.070, inclusive, may be consolidated with a primary or general election.

3. If the election is consolidated with a general election, the notice of election need not set forth the places of holding the election, but may instead state that the places of holding the election will be the same as those provided for the general election.

Sec. 73. NRS 350.024 is hereby amended to read as follows:

350.024 1. The ballot question for a proposal submitted to the electors of a municipality pursuant to subsection 1 of NRS 350.020 must contain the principal amount of the general obligations to be issued or incurred, the purpose of the issuance or incurrence of the general obligations and an estimate established by the governing body of:

(a) The duration of the levy of property tax that will be used to pay the general obligations; and

(b) The average annual increase, if any, in the amount of property taxes that an owner of a new home with a fair market value of \$100,000 will pay for debt service on the general obligations to be issued or incurred.

2. Except as otherwise provided in subsection 4, the sample ballot required to be ~~mailed~~ *distributed* pursuant to NRS 293.565 or 293C.530 and the notice of election must contain:

(a) The time and places of holding the election.

(b) The hours during the day in which the polls will be open, which must be the same as provided for general elections.

(c) The ballot question.

(d) The maximum amount of the obligations, including the anticipated interest, separately stating the total principal, the total anticipated interest and the anticipated interest rate.

(e) An estimate of the range of property tax rates stated in dollars and cents per \$100 of assessed value necessary to provide for debt service upon the obligations for the dates when they are to be redeemed. The municipality shall, for each such date, furnish an estimate of the assessed value of the property against which the obligations are to be issued or incurred, and the governing body shall estimate the tax rate based upon the assessed value of the property as given in the assessor's estimates.

3. If an operating or maintenance rate is proposed in conjunction with the question to issue obligations, the questions may be combined, but the sample

ballot and notice of election must each state the tax rate required for the obligations separately from the rate proposed for operation and maintenance.

4. Any election called pursuant to NRS 350.020 to 350.070, inclusive, may be consolidated with a primary or general municipal election or a primary or general state election. The notice of election need not set forth the places of holding the election, but may instead state that the places of holding the election will be the same as those provided for the election with which it is consolidated.

5. If the election is a special election, the clerk shall cause notice of the close of registration to be published in a newspaper printed in and having a general circulation in the municipality once in each calendar week for 2 successive calendar weeks next preceding the close of registration for the election.

Sec. 74. NRS 350.027 is hereby amended to read as follows:

350.027 1. In addition to any requirements imposed pursuant to NRS 350.024, any sample ballot required to be ~~mailed~~ *distributed* pursuant to NRS 293.565 or 293C.530 and any notice of election, for an election that includes a proposal for the issuance by any municipality of any bonds or other securities, including an election that is not called pursuant to NRS 350.020 to 350.070, inclusive, must contain an estimate of the annual cost to operate, maintain and repair any buildings, structures or other facilities or improvements to be constructed or acquired with the proceeds of the bonds or other securities.

2. For the purposes of this section, "municipality" has the meaning ascribed to it in NRS 350.538.

Sec. 75. NRS 293.053 is hereby repealed.

Sec. 76. This act becomes effective:

1. Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act; and

2. On January 1, 2016, for all other purposes.

#### TEXT OF REPEALED SECTION

293.053 "Election board register" defined. "Election board register" means the record of registered voters provided to election boards.

Senator Settlemeyer moved the adoption of the amendment.

Remarks by Senator Settlemeyer.

Amendment No. 677 to Assembly Bill No. 462: 1) makes sections 3, 17, 29.5, 38.5, 40, 49, and 63 consistent with amendments adopted in Assembly Bill No. 94; 2) adds new sections 14.5 and 46.5 to clarify that a registered voter who, because of physical limitations, is unable to sign his or her name, may provide the election board officer with other personal data that verifies the identity of the voter; 3) provides that these same methods to identify the voter are added to various sections in the bill in the event the voter's signature does not match at the polling place on Election Day or at an early voting polling place; 4) adds language to allow the voter to update his or her signature on a form prescribed by the Secretary of State, if the voter's signature has changed in comparison to the signature found on the application to register to vote; and 5) adds clarifying language to sections 18, 21, 39, 50, 51, and 53 of the bill regarding what can be noted and updated in the polling place roster by an election board officer or the county clerk.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Hammond moved that Assembly Bill No. 351 be taken from the General File and placed on the Secretary's desk.

Motion carried.

Senator Kieckhefer moved that Assembly Bill No. 40 be taken from the General File and placed on the Secretary's desk.

Motion carried.

Senator Kieckhefer moved that Assembly Bill No. 278 be taken from the General File and be re-referred to the Committee on Finance.

Motion carried.

Senator Kieckhefer moved that Assembly Bills Nos. 4, 8, 13, 15, 16, 20, 23, 24, 43, 44, 45, 46, 48, 53, 59, 60, 62, 66, 68, 88, 97, 101, 112, 113, 124, 130, 132, 136, 138, 150, 151, 153, 156, 160, 189, 200, 223, 224, 246, 251, 270, 292, 377, 383, 384, 422, 428, 435, 449, 454 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 391.

Bill read third time.

Remarks by Senator Kieckhefer.

Senate Bill No. 391 requires the board of trustees of each school district and the governing body of each charter school to prepare a plan to improve the literacy of students enrolled in kindergarten through grade 3. The principal of each public elementary school must designate a learning strategist to train and assist teachers in providing intensive instruction to students identified as deficient in reading. Certain teachers are required to complete related professional development.

This bill requires academic interventions for students enrolled in kindergarten through Grade 3 who do not achieve adequate proficiency in reading, and beginning in School Year 2019–2020, prohibits a public school from promoting a student to grade 4 if the student does not achieve such proficiency, with certain good-cause exemptions allowed. A student may only be retained one time in grade 3.

The principal of a school is required to: provide notice and offer additional instructional options to the parent or legal guardian of a student who will be retained in Grade 3; develop a plan to monitor the progress of the student in achieving reading proficiency; and ensure that a retained student receives intensive instructional services in reading, as prescribed by the school district board of trustees or charter school governing body.

General Fund appropriations totaling \$5 million in FY 2016 and \$22.5 million in FY 2017 are included in the Executive Budget to fund this major budget initiative.

Senate Bill No. 391, as amended, is effective upon passage and approval for the purpose of adopting regulations and performing other preparatory administrative tasks; on July 1, 2015, for the purpose of providing literacy supports for students in kindergarten through grade 3; and on July 1, 2019, for the purpose of retaining students who are not proficient in reading.

Mr. President, this bill is the result of a lot of peoples' hard work, but particularly our colleague from Senate District 9. She should be commended for focusing such intensive services on students who need it the most, and this should certainly improve education in our State.

Roll call on Senate Bill No. 391:

YEAS—19.

NAYS—None.

EXCUSED—Segerblom, Smith—2.

Senate Bill No. 391 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 405.

Bill read third time.

Remarks by Senators Denis, Kihuen and Gustavson.

SENATOR DENIS:

Senate Bill No. 405 appropriates from the State General Fund to the Account for Programs for Innovation and prevention of Remediation, \$49.95 million dollars during each year of the 2015-2017 biennium for the expansion of the Zoom school program. Portions of the appropriation are designated for Clark and Washoe County School Districts, and the remainder will be available for the Department of Education to grant funds as proposed by the remaining school districts and the State Public Charter School Authority. The bill funds existing Zoom schools, allowing additional elementary schools to receive funding, and expands the program into a limited number of middle schools and high schools in Clark County and Washoe County.

This bill requires the State Board of Education to prescribe statewide performance levels and outcome indicators for Zoom schools and requires the Department to contract for an independent evaluation of the effectiveness of Zoom schools. It further requires the State Board to recommend legislation for the 79th Session of the Nevada Legislature defining "long-term limited English proficient" and prescribing a procedure for districts and charter schools to separately count and report data concerning students as defined.

As a background, Zoom schools are required to provide certain programs and services for children who are limited English proficient or eligible for such designation and to engage and involve the parents and families in supporting the academic achievement of those students. We have had great success over the last two years and wish to continue that by expanding the program at this time. I urge your support.

SENATOR KIHUEN:

I rise in support of Senate Bill No. 405. Investing in Zoom schools has been one of the best investments our State has made in the last few years. It has been proven that smaller class sizes, more pre-K programs and creating reading centers are effective for English Language Learner (ELL) students. I want to commend my colleague from Senate District No. 2 for his dedication on this issue for the last two Legislative Sessions. As the only member of this Body who has gone through ELL classes when I was in elementary school, I can tell you they are effective. They are part of the reason I am able to stand here, today, as a State Senator and be able to pass laws. I want to commend my colleague, and I urge this Body to support Senate Bill No. 405.

SENATOR GUSTAVSON:

I have to rise in opposition to Senate Bill No. 405 for several reasons. There are many good programs in education, but many of these programs here, such as requiring pre-K, full-day kindergarten and class-size reduction, are only good programs to a point. When we look at Clark County and Washoe County, we do not have the qualified teachers for early childhood development programs. We cannot fill these classrooms with qualified teachers, and we do not have the classrooms to easily expand these programs. My concern is we do not have the money to do this. I would like to see qualified teachers available that we do not have in the State or the Country right now to fill these positions. If we did, and we had the money, I would support this bill, but at this point in time, I cannot.

Roll call on Senate Bill No. 405:

YEAS—18.

NAYS—Gustavson.

EXCUSED—Segerblom, Smith—2.

Senate Bill No. 405 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 420.

Bill read third time.

Remarks by Senator Kieckhefer.

Senate Bill No. 420 establishes a new General Counsel position as a member of the executive staff of the Public Employees Retirement System. This bill implements a decision in the Public Employee's Retirement System (PERS) budget, which includes the General Counsel position. Senate Bill No. 420 also allows the Public Employees Retirement Board to fix the initial salary for the position not to exceed the amount set forth in the budget of PERS that is approved by the Legislature for the 2015-2017 biennium.

Roll call on Senate Bill No. 420:

YEAS—19.

NAYS—None.

EXCUSED—Segerblom, Smith—2.

Senate Bill No. 420 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 422.

Bill read third time.

Remarks by Senator Kieckhefer.

During the Twenty-sixth Special Session, the Legislature suspended the requirement that certain atypical and typical antipsychotic medications, anticonvulsive medications and anti-diabetic medications be excluded from the restrictions imposed on the list of preferred prescription drugs developed by the Department of Health and Human Services for the period of July 1, 2010, to June 30, 2011. Senate Bill 97 of the 2011 Legislative Session extended the expiration of these provisions until June 30, 2015. Senate Bill No. 422 further extends the expiration of these provisions until June 30, 2017. Senate Bill No. 422 makes recommendations included in the Executive Budget and is effective upon passage and approval.

Roll call on Senate Bill No. 422:

YEAS—19.

NAYS—None.

EXCUSED—Segerblom, Smith—2.

Senate Bill No. 422 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 432.

Bill read third time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 731.

SUMMARY—~~[Makes an appropriation to be distributed]~~ Provides for the distribution of money to certain public schools designated as Victory schools. (BDR S-1187)

AN ACT relating to education; ~~[making an appropriation for Fiscal Years 2015-2016 and 2016-2017]~~ providing for the distribution of money to public schools designated as Victory schools because they have high numbers of pupils living in poverty and received a rating indicating underperformance; requiring an assessment of the needs of the pupils at such schools; requiring Victory schools to use the money received to offer certain programs and services; authorizing the State Board of Education to withhold money if a Victory school demonstrates unsatisfactory pupil achievement and school performance; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill ~~[appropriates money for Fiscal Years 2015-2016 and 2016-2017]~~ provides for the distribution of money to schools that have high numbers of pupils living in poverty and have received one of the two lowest possible ratings indicating underperformance of a public school, as determined by the Department of Education pursuant to the statewide system of accountability for public schools, for the preceding school year, which are designated as Victory schools. This bill requires each school district in which a Victory school is designated and the governing body of each charter school that is designated as a Victory school to conduct an assessment of the needs of pupils at such schools and submit a comprehensive plan for meeting those needs. A Victory school is required to use the money distributed to the school to provide certain programs and services.

Existing law requires the principal of each school to prepare a plan to improve the achievement of the pupils enrolled in the school and submit the plan to various entities, including the Superintendent of Public Instruction and the Department of Education. (NRS 385.357) This bill requires the principal of a Victory school to include in such a plan a description of how the money distributed to the school is being used to meet the needs of the pupils at the school. This bill also requires the board of trustees of each school district in which a Victory school is designated and the governing body of each charter school which is designated as a Victory school to submit a report concerning the programs and services provided using the money distributed to the school.

This bill requires the Department of Education to contract with an independent ~~[auditor]~~ evaluator to evaluate the effectiveness of programs and services provided pursuant to this bill and authorizes the State Board of Education to require a Victory school that demonstrates unsatisfactory pupil achievement and school performance to take corrective action. The State Board is also authorized to direct the Department of Education to withhold



money if unsatisfactory pupil achievement and school performance continues.

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

Section 1. The Legislature finds and declares that:

1. It is the public policy of this State to provide each pupil enrolled in a public school with high-quality instruction.
2. Pupils who live in poverty benefit from attending a school that has a sustained focus on improving pupil achievement using methods that take into account a variety of factors that influence pupil achievement.
3. Pupils who live in poverty should be provided with services and instruction that is designed to address the needs of such pupils so that each such pupil:
  - (a) Reads at or above the level of the average pupil in third grade before the pupil completes third grade;
  - (b) Is prepared to engage in a rigorous high school curriculum upon completion of eighth grade; and
  - (c) Graduates from high school with the skills and attributes necessary to immediately succeed in college or a career.
4. The cost of providing additional services to pupils who live in poverty will continue to be studied with the purpose of updating the formula for funding schools as necessary.

Sec. 2. 1. ~~[There is hereby appropriated from the State General Fund to the Account for Programs for Innovation and the Prevention of Remediation created by NRS 387.031 the following sums:~~

|                                    |              |
|------------------------------------|--------------|
| For the Fiscal Year 2015-2016..... | \$24,850,000 |
| For the Fiscal Year 2016-2017..... | \$25,000,000 |

~~2.]~~ The Department of Education shall designate a public school as a Victory school if, relative to other public schools, including charter schools, that are located in the school district in which the school is also located:

- (a) A high percentage of pupils enrolled in the school live in households that have household incomes that are less than the federally designated level signifying poverty, based on the most recent data compiled by the Bureau of the Census of the United States Department of Commerce; and
- (b) The school received one of the two lowest possible ratings indicating underperformance of a public school, as determined by the Department pursuant to the statewide system of accountability for public schools, for the immediately preceding school year.

~~3.]~~ 2. The Department shall designate each Victory school for the 2015-2016 Fiscal Year on or before June 1, 2015.

~~4.]~~ 3. The Department shall transfer money from the Account for Programs for Innovation and the Prevention of Remediation created by NRS 387.031 to each school district in which a Victory school is designated and each sponsor of a charter school that is designated as a Victory school on a per pupil basis. The amount distributed per pupil must be determined by

dividing the ~~[legislative appropriation]~~ amount of money appropriated to the Account by the 2015 Legislature for Victory schools by the total number of pupils who are enrolled in Victory schools statewide. After receiving money from the Account pursuant to this subsection:

(a) A school district shall distribute the money to each Victory school in the school district on a per pupil basis.

(b) A sponsor of a charter school shall distribute the money to each Victory school that it sponsors on a per pupil basis.

~~[5.]~~ 4. The board of trustees of each school district in which a Victory school is located and the governing body of each charter school that is designated as a Victory school shall, as soon as practicable after the school is designated as a Victory school, conduct an assessment of the needs of pupils that attend the school. The assessment must include soliciting input from the community served by the Victory school and identify any barriers to improving pupil achievement and school performance and strategies to meet the needs of pupils at the school.

~~[6.]~~ 5. On or before August 15, 2015, the board of trustees of each school district in which a Victory school is designated for the 2015-2016 Fiscal Year and the governing body of each charter school that is designated as a Victory school for the 2015-2016 Fiscal Year shall submit to the Department a comprehensive plan for meeting the educational needs of pupils enrolled in each Victory school. The plan must:

(a) Include appropriate means to determine the effectiveness of the plan;

(b) Be based on the assessment of the needs of the pupils who attend the school conducted pursuant to subsection ~~[5.]~~ 4;

(c) ~~[Provide means by]~~ Include a description of the manner in which the school district or governing body will collaborate with other entities that offer programs and services in the community ~~[to offer]~~ so that those programs and services may be offered without charge to ~~[persons]~~ support pupils and their families within the region in which the school is located;

(d) Take into account the number and types of pupils who attend the school and the locations where such pupils reside;

(e) Coordinate existing or planned engagement of other persons who provide services in the region in which the school is located;

(f) Consider and coordinate all funding available to each school that is subject to the plan; and

(g) Identify, for each school or group of schools subject to the plan, which of the measures described in subsection ~~[8.]~~ 7 will be implemented.

~~[7.]~~ 6. The Department shall review each plan submitted pursuant to subsection ~~[6.]~~ 5 to determine whether, or the extent to which, the plan complies with the requirements of this section and either approve or request revisions to the plan.

~~[8.]~~ 7. A Victory school shall use the majority of the money ~~[transferred]~~ distributed pursuant to subsection ~~[4.]~~ 3 to provide one or more of the following:

(a) A prekindergarten program free of charge, if such a program is not paid for by another grant.

(b) An expansion of full-day kindergarten classes, if such classes have not otherwise been paid for through legislative appropriation.

(c) A summer academy or other instruction for pupils free of charge at times during the year when school is not in session.

(d) Additional instruction or other learning opportunities free of charge at times of day when school is not in session.

(e) Professional development for teachers and other educational personnel concerning instructional practices and strategies that have proven to be an effective means to increase pupil achievement in populations of pupils similar to those served by the school.

(f) Provide programs to recruit and retain highly effective teachers and other educational personnel.

~~9.~~ (g) Operate reading skills centers.

8. A Victory school may use any money ~~transferred~~ distributed pursuant to subsection ~~4~~ 3 that is not used for the purposes described in subsection ~~8~~ 7 to:

(a) Provide evidence-based social, psychological or health care services to pupils and their families, including, without limitation, wrap-around services;

(b) Provide programs and services designed to engage parents and families;

(c) Provide programs to improve school climate and culture;

(d) Provide evidence-based programs and services specifically designed to meet the needs of pupils who attend the school, as determined using the assessment conducted pursuant to subsection ~~5~~ 4; or

(e) Any combination thereof.

~~10.~~ 9. A Victory school shall not use any money ~~transferred~~ distributed pursuant to subsection ~~4~~ 3 for a purpose not described in subsection ~~8~~ 7 or ~~9~~.

~~11.~~ 8.

10. Any programs offered at a Victory school pursuant to subsection ~~8~~ 7 or ~~9~~ 8 must:

(a) Be designed to meet the needs of pupils at the school, as determined using the assessment conducted pursuant to subsection ~~5~~ 4 and to improve pupil achievement and school performance, as determined using the measures prescribed by the State Board of Education; and

(b) Be based on scientific research concerning effective practices to increase the achievement of pupils who live in poverty.

~~12.~~ 11. Each plan to improve the achievement of pupils enrolled in a Victory school that is prepared by the principal of the school pursuant to NRS 385.357 must describe how the school will use the money ~~transferred~~ distributed pursuant to subsection ~~4~~ 3 to meet the needs of pupils who attend the school, as determined using the assessment described in subsection ~~5~~ 4 and the requirements of this section.

~~13.~~ 12. The Department shall ~~use money appropriated pursuant to subsection 1 to~~ contract with an independent ~~auditor~~ evaluator to evaluate the effectiveness of programs and services provided pursuant to this section. The evaluation must include, without limitation, consideration of the achievement of pupils who have participated in such programs and received such services. When complete, the evaluation must be provided contemporaneously to the Department and the Legislative Committee on Education.

~~14.~~ 13. The State Board shall require a Victory school to take corrective action if pupil achievement and school performance at the school are unsatisfactory, as determined by the State Board. If unsatisfactory pupil achievement and school performance continue, the State Board may direct the Department to withhold any additional money that would otherwise be distributed pursuant to this section.

~~15.~~ 14. On or before November 30, 2016, and November 30, 2017, the board of trustees of each school district in which a Victory school is designated and the governing body of each charter school that is designated as a Victory school shall submit to the Department and to the Legislative Committee on Education a report, which must include, without limitation:

- (a) An identification of schools to which money was distributed pursuant to subsection ~~4~~ 3 for the previous fiscal year;
- (b) The amount of money distributed to each such school;
- (c) A description of the programs or services for which the money was used;
- (d) The number of pupils who participated in such programs or received such services;
- (e) The average expenditure per pupil for each program or service that was funded; and
- (f) Recommendations concerning the manner in which the average expenditure per pupil reported pursuant to paragraph (e) may be used to determine formulas for allocating money from the State Distributive School Account in the State General Fund.

~~16.~~ 15. The Legislative Committee on Education shall consider the evaluations of the independent ~~auditor~~ evaluator received pursuant to subsection ~~13~~ 12 and the reports received pursuant to subsection ~~15~~ 14 and advise the State Board regarding any action the Committee determines appropriate for the State Board to take based upon that information. The Committee shall also make any recommendations it deems appropriate concerning Victory schools to the next regular session of the Legislature which may include, without limitation, recommendations for legislation.

~~17.~~ 16. The ~~sums appropriated by subsection 1~~ money distributed pursuant to subsection 3:

- (a) Must be accounted for separately from any other money received by Victory schools and used only for the purposes specified in this section;

(b) May not be used to settle or arbitrate disputes between a recognized organization representing employees of a school district or the governing body of a charter school and the school district or governing body or to settle any negotiations; and

(c) May not be used to adjust the district-wide schedules of salaries and benefits of the employees of a school district.

~~{18}~~ 17. Upon request of the Legislative Commission, a Victory school to which money is ~~transferred~~ distributed pursuant to subsection ~~{4}~~ 3 shall make available to the Legislative Auditor any of the books, accounts, claims, reports, vouchers or other records of information, confidential or otherwise, regardless of their form or location, that the Legislative Auditor deems necessary to conduct an audit of the use of such money.

~~{19. Any remaining balance of the transfers made pursuant to subsection 4 for Fiscal Year 2015 2016 must be added to the money transferred for Fiscal Year 2016 2017 and may be expended as that money is expended. Any remaining balance of the transfers made pursuant to subsection 4 for Fiscal Year 2016 2017, including any money added from the previous fiscal year, must not be committed for expenditure after June 30, 2017, and must be reverted to the State General Fund on or before September 15, 2017.~~

~~20. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2017, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 15, 2017, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 15, 2017.~~

~~21~~ 18. As used in this section:

(a) "Community" includes any person or governmental entity who resides or has a significant presence in the geographic area in which a school is located or who interacts with pupils and personnel at a school, and may include, without limitation, parents, businesses, nonprofit organizations, faith-based organizations, community groups, teachers, administrators and governmental entities.

(b) "Evidence-based programs and services" means practices, interventions and services that have been proven, through scientifically based research, as defined in 20 U.S.C. § 7801(37), to be effective in improving outcomes for pupils when implemented with fidelity.

(c) "Victory school" means a school that is so designated by the Department pursuant to subsection ~~{2}~~ 1.

(d) "Wrap-around services" means supplemental services provided to a pupil with special needs or the family of such a pupil that are not otherwise covered by any federal or state program of assistance.

Sec. 3. This act becomes effective upon passage and approval.

Senator Kieckhefer moved the adoption of the amendment.

Remarks by Senator Kieckhefer.

This amendment does several things. First, it strips the appropriation from the bill, and instead, the money required for the Victory Schools is going to be in the Executive Budget. Second, this amendment clarifies the flow of money from Victory Schools to districts, rather than to the schools themselves, and finally, it adds reading skills centers as authorized use of the funding.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 474.

Bill read third time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 778.

SUMMARY—Creates the Great Teaching and Leading Fund.  
(BDR 34-1183)

AN ACT relating to education; creating the Great Teaching and Leading Fund; prescribing the administration and use of money in the Fund; authorizing certain entities to submit an application to the State Board of Education for a grant of money from the Fund; revising provisions governing the provision of training by the regional training programs for the professional development of teachers and administrators; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill creates the Great Teaching and Leading Fund in the State General Fund, to be administered by the Superintendent of Public Instruction. Section 1 also authorizes the following entities to submit an application to the State Board of Education for a grant of money from the Fund: (1) the governing body of a regional training program for the professional development of teachers and administrators; (2) the board of trustees of a school district; (3) the governing body of a charter school; (4) the State Public Charter School Authority; (5) a university, state college or community college within the Nevada System of Higher Education; (6) employee associations representing licensed educational personnel; and (7) nonprofit educational organizations. Section 1 further requires the State Board of Education to prescribe annually the priorities of programs for which grants of money may be awarded from the Fund and requires an application submitted by an entity to address how the money will be used in accordance with those priorities. An entity that receives a grant of money from the Fund is required to use the money in accordance with the priorities to provide: (1) professional development for teachers, administrators and other licensed educational personnel; (2) programs of preparation for teachers, administrators and other licensed educational personnel; (3) programs of peer assistance and review for teachers, administrators and other licensed educational personnel; (4) programs for leadership training and development;

and (5) programs to recruit, select and retain effective teachers and principals. Finally, section 1 requires the Superintendent of Public Instruction, to the extent money is available for this purpose, to contract for an independent evaluation of the effectiveness of the grants made from the Fund.

Existing law creates three regional training programs for the professional development of teachers and administrators and requires the governing body of each regional training program to make an assessment of the training needs of teachers and administrators who are employed by school districts within the primary jurisdiction of the regional training program and provide training based upon that assessment. (NRS 391.512, 391.544) Section 2 of this bill requires the provision of training by a regional training program to also be based upon the priorities of programs prescribed by the State Board pursuant to section 1.

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

Section 1. Chapter 391 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Great Teaching and Leading Fund is hereby created in the State General Fund, to be administered by the Superintendent of Public Instruction. The Superintendent may accept gifts and grants from any source for deposit in the Fund. Any money from such gifts and grants must be expended only in accordance with the terms and conditions of the gift or grant, or in accordance with this section.*

2. *The interest and income earned on:*

(a) *Money in the Fund, after deducting any applicable charges; and*

(b) *Unexpended appropriations made to the Fund from the State General Fund,*

*↪ must be credited to the Fund.*

3. *Any money in the Fund and any unexpended appropriations made to the Fund from the State General Fund remaining at the end of a fiscal year do not revert to the State General Fund, and the balance in the Fund must be carried forward to the next fiscal year.*

4. *The money in the Fund may only be used for public schools and public education, as authorized by the Legislature and in accordance with the priorities of programs prescribed by the State Board pursuant to subsection ~~7~~ 8.*

5. *The Superintendent of Public Instruction shall coordinate the annual distribution of grants of money from the Fund to the following entities whose applications for a grant are approved:*

(a) *The governing body of a regional training program for the professional development of teachers and administrators.*

(b) *The board of trustees of a school district.*

(c) *The governing body of a charter school.*

(d) *The State Public Charter School Authority.*

(e) A university, state college or community college within the Nevada System of Higher Education.

(f) Employee associations representing licensed educational personnel.

(g) Nonprofit educational organizations.

6. ~~The State Board~~ Superintendent of Public Instruction shall:

(a) Prescribe the form for an entity described in subsection 5 to submit an application for a grant of money from the Fund and the deadline for submission of such an application.

(b) Assign a committee to review the applications and make recommendations to the Superintendent for awarding grants of money from the Fund.

(c) Make recommendations to the State Board regarding awarding grants of money from the Fund.

7. Based upon ~~those~~ the recommendations made by the Superintendent of Public Instruction pursuant to paragraph (c) of subsection 6 and to the extent money is available in the Fund, the State Board shall award grants of money to each entity with an approved application not later than December 31 of each year. To the extent that money is available, a grant of money from the Fund may be awarded for a period of up to 5 years.

~~7.7.~~ The State Board may not award more than 25 percent of the money placed in the Fund by legislative appropriation to any single entity in a fiscal year.

8. On or before September 30 of each year, the State Board shall prescribe the priorities of programs set forth in subsection ~~9~~ 10 for which grants of money will be made from the Fund on or before December 31 of that year. In developing the priorities, the State Board shall review and consider the assessment of the training needs of teachers and administrators made by the governing body of each regional training program for the professional development of teachers and administrators pursuant to NRS 391.540.

~~8.1~~ 9. An entity described in subsection 5 may submit an application for a grant of money on the form prescribed by the ~~State Board~~ Superintendent of Public Instruction, which must include, without limitation, a description of how the entity will use money from the grant to address the priorities prescribed by the State Board pursuant to subsection ~~7.7~~ 8.

~~9.1~~ 10. An entity that receives a grant of money from the Fund shall use the money in accordance with the priorities of programs prescribed by the State Board pursuant to subsection ~~7.7~~ 8 to provide:

(a) Professional development for teachers, administrators and other licensed educational personnel;

(b) Programs of preparation for teachers, administrators and other licensed educational personnel;

(c) Programs of peer assistance and review for teachers, administrators and other licensed educational personnel;

(d) Programs for leadership training and development; and



(e) Programs to recruit, select and retain effective teachers and principals.

~~10.7~~ 11. An entity that receives a grant of money from the Fund shall provide a report annually if the entity receives a grant of money for more than 1 year or, if the entity receives a grant of money for 1 year or less, within 120 days after the conclusion of the grant to the Superintendent of Public Instruction in the form prescribed by the Superintendent that includes, without limitation, a description of:

(a) The programs for which the grant of money was used.

(b) The effectiveness of the grant of money in:

(1) Improving the achievement of pupils;

(2) Assisting teachers, administrators and other licensed educational personnel; and

(3) Improving the recruitment, selection and retention of effective teachers and principals.

~~11.7~~ 12. To the extent money is available from legislative appropriation or otherwise, the Superintendent of Public Instruction shall contract for an independent evaluation of the effectiveness of the grants of money from the Fund, including, without limitation, a review and analysis of data relating to:

(a) Changes in instructional or administrative practices;

(b) The achievement of pupils; and

(c) The recruitment, selection and retention of effective teachers and administrators.

➔ The Superintendent of Public Instruction shall consult with the Statewide Council for the Coordination of the Regional Training Programs in determining the duties of the contractor.

Sec. 2. NRS 391.544 is hereby amended to read as follows:

391.544 1. Based upon the *priorities of programs prescribed by the State Board pursuant to subsection ~~7.7~~ 8 of section 1 of this act* and the assessment of needs for training within the region and priorities of training adopted by the governing body pursuant to NRS 391.540, each regional training program shall provide:

(a) Training for teachers and other licensed educational personnel in the:

(1) Standards established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520;

(2) Curriculum and instruction required for the ~~{common core state}~~ standards adopted by the State Board;

(3) Curriculum and instruction recommended by the Teachers and Leaders Council of Nevada; and

(4) Culturally relevant pedagogy, taking into account cultural diversity and demographic differences throughout this State.

(b) Through the Nevada Early Literacy Intervention Program established for the regional training program, training for teachers who teach kindergarten and grades 1, 2 or 3 on methods to teach fundamental reading skills, including, without limitation:

- (1) Phonemic awareness;
- (2) Phonics;
- (3) Vocabulary;
- (4) Fluency;
- (5) Comprehension; and
- (6) Motivation.

(c) Training for administrators who conduct the evaluations required pursuant to NRS 391.3125 and 391.3127 relating to the manner in which such evaluations are conducted. Such training must be developed in consultation with the Teachers and Leaders Council of Nevada created by NRS 391.455.

(d) Training for teachers, administrators and other licensed educational personnel relating to correcting deficiencies and addressing recommendations for improvement in performance that are identified in the evaluations conducted pursuant to NRS 391.3125 or 391.3127.

(e) At least one of the following types of training:

(1) Training for teachers and school administrators in the assessment and measurement of pupil achievement and the effective methods to analyze the test results and scores of pupils to improve the achievement and proficiency of pupils.

(2) Training for teachers in specific content areas to enable the teachers to provide a higher level of instruction in their respective fields of teaching. Such training must include instruction in effective methods to teach in a content area provided by teachers who are considered masters in that content area.

(3) In addition to the training provided pursuant to paragraph (b), training for teachers in the methods to teach basic skills to pupils, such as providing instruction in reading with the use of phonics and providing instruction in basic skills of mathematics computation.

(f) In accordance with the program established by the Statewide Council pursuant to paragraph (b) of subsection 2 of NRS 391.520 training for:

(1) Teachers on how to engage parents and families, including, without limitation, disengaged families, in the education of their children and to build the capacity of parents and families to support the learning and academic achievement of their children.

(2) Training for teachers and paraprofessionals on working with parent liaisons in public schools to carry out strategies and practices for effective parental involvement and family engagement.

2. The training required pursuant to subsection 1 must:

(a) Include the activities set forth in 20 U.S.C. § 7801(34), as deemed appropriate by the governing body for the type of training offered.

(b) Include appropriate procedures to ensure follow-up training for teachers and administrators who have received training through the program.

(c) Incorporate training that addresses the educational needs of:

(1) Pupils with disabilities who participate in programs of special education; and

(2) Pupils who are limited English proficient.

3. The governing body of each regional training program shall prepare and maintain a list that identifies programs for the professional development of teachers and administrators that successfully incorporate:

(a) The standards of content and performance established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520;

(b) Fundamental reading skills; and

(c) Other training listed in subsection 1.

↪ The governing body shall provide a copy of the list on an annual basis to school districts for dissemination to teachers and administrators.

4. A regional training program may include model classrooms that demonstrate the use of educational technology for teaching and learning.

5. A regional training program may contract with the board of trustees of a school district that is served by the regional training program as set forth in NRS 391.512 to provide professional development to the teachers and administrators employed by the school district that is in addition to the training required by this section. Any training provided pursuant to this subsection must include the activities set forth in 20 U.S.C. § 7801(34), as deemed appropriate by the governing body for the type of training offered.

6. To the extent money is available from legislative appropriation or otherwise, a regional training program may provide training to paraprofessionals.

Sec. 3. Notwithstanding the provisions of subsection ~~7~~ 8 of section 1 of this act, for Fiscal Year 2015-2016, the priorities of programs for which grants of money may be made from the Great Teaching and Leading Fund created by section 1 of this act must address:

1. The provision of professional development for teachers to provide instruction in the standards of content and performance for the subject area of science;

2. The implementation of the statewide performance evaluation system established pursuant to NRS 391.465;

3. The recruitment, selection and retention of effective teachers and principals; and

4. Programs of leadership training and development.

Sec. 4. This act becomes effective upon passage and approval.

Senator Kieckhefer moved the adoption of the amendment.

Remarks by Senator Kieckhefer.

Amendment No. 778 to Senate Bill No. 474 does several things. First, it clarifies the role of the Superintendent and the Board of Education in the awarding of the grants. It caps the amount of any grants to a single entity to not more than 25 percent of the total available funds, and it outlines specific reporting times regarding the efficacy of the programs back to the Superintendent of Public Instruction.

Amendment adopted.

The following amendment was proposed by Senators Woodhouse, Kieckhefer and Harris:

Amendment No. 779.

SUMMARY ~~[Creates the Great Teaching and Leading Fund.]~~ Makes various changes concerning the professional development of teachers, school administrators and other educational personnel. (BDR 34-1183)

AN ACT relating to education; creating the Great Teaching and Leading Fund; prescribing the administration and use of money in the Fund; authorizing certain entities to submit an application to the State Board of Education for a grant of money from the Fund; requiring school districts and charter schools to ensure that certain professional development is available to teachers and administrators; revising provisions governing the provision of training by the regional training programs for the professional development of teachers and administrators; creating the Advisory Task Force on Educator Professional Development to study and report on matters relating to professional development of teachers, school administrators and other educational personnel; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section ~~HH~~ 1.5 of this bill creates the Great Teaching and Leading Fund in the State General Fund, to be administered by the Superintendent of Public Instruction. Section ~~HH~~ 1.5 also authorizes the following entities to submit an application to the State Board of Education for a grant of money from the Fund: (1) the governing body of a regional training program for the professional development of teachers and administrators; (2) the board of trustees of a school district; (3) the governing body of a charter school; (4) the State Public Charter School Authority; (5) a university, state college or community college within the Nevada System of Higher Education; (6) employee associations representing licensed educational personnel; and (7) nonprofit educational organizations. Section ~~HH~~ 1.5 further requires the State Board of Education to prescribe annually the priorities of programs for which grants of money may be awarded from the Fund and requires an application submitted by an entity to address how the money will be used in accordance with those priorities. An entity that receives a grant of money from the Fund is required to use the money in accordance with the priorities to provide: (1) professional development for teachers, administrators and other licensed educational personnel; (2) programs of preparation for teachers, administrators and other licensed educational personnel; (3) programs of peer assistance and review for teachers, administrators and other licensed educational personnel; (4) programs for leadership training and development; and (5) programs to recruit, select and retain effective teachers and principals. Finally, section ~~HH~~ 1.5 requires the Superintendent of Public Instruction, to the extent money is available for this purpose, to contract for an independent evaluation of the effectiveness of the grants made from the Fund.

Section 1.7 of this bill requires the board of trustees of each school district and the governing body of each charter school to ensure that teachers and administrators have access to high-quality, ongoing professional development training.

Existing law creates three regional training programs for the professional development of teachers and administrators and requires the governing body of each regional training program to make an assessment of the training needs of teachers and administrators who are employed by school districts within the primary jurisdiction of the regional training program and provide training based upon that assessment. (NRS 391.512, 391.544) Section 2 of this bill requires the provision of training by a regional training program to also be based upon the priorities of programs prescribed by the State Board pursuant to section ~~(1.5)~~ 1.5.

Section 3.5 of this bill creates the Advisory Task Force on Educator Professional Development to study certain issues relating to professional development of teachers, school administrators and other educational personnel. The Task Force is required to meet at least four times before June 30, 2016, and prepare a final report with its findings and recommendations which must be distributed to the Governor, the State Board of Education, the Legislative Committee on Education and the Director of the Legislative Counsel Bureau for distribution to the next regular session of the Legislature.

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

Section 1. Chapter 391 of NRS is hereby amended by adding thereto ~~a new section to read as follows:~~ the provisions set forth as sections 1.5 and 1.7 of this act.

*Sec. 1.5. 1. The Great Teaching and Leading Fund is hereby created in the State General Fund, to be administered by the Superintendent of Public Instruction. The Superintendent may accept gifts and grants from any source for deposit in the Fund. Any money from such gifts and grants must be expended only in accordance with the terms and conditions of the gift or grant, or in accordance with this section.*

*2. The interest and income earned on:*

*(a) Money in the Fund, after deducting any applicable charges; and*

*(b) Unexpended appropriations made to the Fund from the State General Fund,*

*↪ must be credited to the Fund.*

*3. Any money in the Fund and any unexpended appropriations made to the Fund from the State General Fund remaining at the end of a fiscal year do not revert to the State General Fund, and the balance in the Fund must be carried forward to the next fiscal year.*

*4. The money in the Fund may only be used for public schools and public education, as authorized by the Legislature and in accordance with the*

*priorities of programs prescribed by the State Board pursuant to subsection 7.*

*5. The Superintendent of Public Instruction shall coordinate the annual distribution of grants of money from the Fund to the following entities whose applications for a grant are approved:*

*(a) The governing body of a regional training program for the professional development of teachers and administrators.*

*(b) The board of trustees of a school district.*

*(c) The governing body of a charter school.*

*(d) The State Public Charter School Authority.*

*(e) A university, state college or community college within the Nevada System of Higher Education.*

*(f) Employee associations representing licensed educational personnel.*

*(g) Nonprofit educational organizations.*

*6. The State Board shall:*

*(a) Prescribe the form for an entity described in subsection 5 to submit an application for a grant of money from the Fund and the deadline for submission of such an application.*

*(b) Assign a committee to review the applications and make recommendations for awarding grants of money from the Fund.*

*(c) Based upon those recommendations and to the extent money is available in the Fund, award grants of money to each entity with an approved application not later than December 31 of each year. To the extent that money is available, a grant of money from the Fund may be awarded for a period of up to 5 years.*

*7. On or before September 30 of each year, the State Board shall prescribe the priorities of programs set forth in subsection 9 for which grants of money will be made from the Fund on or before December 31 of that year. In developing the priorities, the State Board shall review and consider the assessment of the training needs of teachers and administrators made by the governing body of each regional training program for the professional development of teachers and administrators pursuant to NRS 391.540.*

*8. An entity described in subsection 5 may submit an application for a grant of money on the form prescribed by the State Board, which must include, without limitation, a description of how the entity will use money from the grant to address the priorities prescribed by the State Board pursuant to subsection 7.*

*9. An entity that receives a grant of money from the Fund shall use the money in accordance with the priorities of programs prescribed by the State Board pursuant to subsection 7 to provide:*

*(a) Professional development for teachers, administrators and other licensed educational personnel;*

*(b) Programs of preparation for teachers, administrators and other licensed educational personnel;*

(c) Programs of peer assistance and review for teachers, administrators and other licensed educational personnel;

(d) Programs for leadership training and development; and

(e) Programs to recruit, select and retain effective teachers and principals.

10. An entity that receives a grant of money from the Fund shall provide a report to the Superintendent of Public Instruction in the form prescribed by the Superintendent that includes, without limitation, a description of:

(a) The programs for which the grant of money was used.

(b) The effectiveness of the grant of money in:

(1) Improving the achievement of pupils;

(2) Assisting teachers, administrators and other licensed educational personnel; and

(3) Improving the recruitment, selection and retention of effective teachers and principals.

11. To the extent money is available from legislative appropriation or otherwise, the Superintendent of Public Instruction shall contract for an independent evaluation of the effectiveness of the grants of money from the Fund, including, without limitation, a review and analysis of data relating to:

(a) Changes in instructional or administrative practices;

(b) The achievement of pupils; and

(c) The recruitment, selection and retention of effective teachers and administrators.

➔ The Superintendent of Public Instruction shall consult with the Statewide Council for the Coordination of the Regional Training Programs in determining the duties of the contractor.

Sec. 1.7. The board of trustees of each school district and the governing body of each charter school shall ensure that the teachers and administrators employed by the school district or charter school have access to high-quality, ongoing professional development training. The professional development training must include, without limitation, training concerning:

1. The academic standards adopted by the State Board, including the academic standards for science.

2. The curriculum and instruction required for courses of study in science, technology, engineering and mathematics.

Sec. 2. NRS 391.544 is hereby amended to read as follows:

391.544 1. Based upon the priorities of programs prescribed by the State Board pursuant to subsection 7 of section ~~1.5~~ 1.5 of this act and the assessment of needs for training within the region and priorities of training adopted by the governing body pursuant to NRS 391.540, each regional training program shall provide:

(a) Training for teachers and other licensed educational personnel in the:

(1) Standards established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520;

(2) Curriculum and instruction required for the ~~{common core state}~~ standards adopted by the State Board;

(3) Curriculum and instruction recommended by the Teachers and Leaders Council of Nevada; and

(4) Culturally relevant pedagogy, taking into account cultural diversity and demographic differences throughout this State.

(b) Through the Nevada Early Literacy Intervention Program established for the regional training program, training for teachers who teach kindergarten and grades 1, 2 or 3 on methods to teach fundamental reading skills, including, without limitation:

- (1) Phonemic awareness;
- (2) Phonics;
- (3) Vocabulary;
- (4) Fluency;
- (5) Comprehension; and
- (6) Motivation.

(c) Training for administrators who conduct the evaluations required pursuant to NRS 391.3125 and 391.3127 relating to the manner in which such evaluations are conducted. Such training must be developed in consultation with the Teachers and Leaders Council of Nevada created by NRS 391.455.

(d) Training for teachers, administrators and other licensed educational personnel relating to correcting deficiencies and addressing recommendations for improvement in performance that are identified in the evaluations conducted pursuant to NRS 391.3125 or 391.3127.

(e) At least one of the following types of training:

(1) Training for teachers and school administrators in the assessment and measurement of pupil achievement and the effective methods to analyze the test results and scores of pupils to improve the achievement and proficiency of pupils.

(2) Training for teachers in specific content areas to enable the teachers to provide a higher level of instruction in their respective fields of teaching. Such training must include instruction in effective methods to teach in a content area provided by teachers who are considered masters in that content area.

(3) In addition to the training provided pursuant to paragraph (b), training for teachers in the methods to teach basic skills to pupils, such as providing instruction in reading with the use of phonics and providing instruction in basic skills of mathematics computation.

(f) In accordance with the program established by the Statewide Council pursuant to paragraph (b) of subsection 2 of NRS 391.520 training for:

(1) Teachers on how to engage parents and families, including, without limitation, disengaged families, in the education of their children and to build the capacity of parents and families to support the learning and academic achievement of their children.



(2) Training for teachers and paraprofessionals on working with parent liaisons in public schools to carry out strategies and practices for effective parental involvement and family engagement.

2. The training required pursuant to subsection 1 must:

(a) Include the activities set forth in 20 U.S.C. § 7801(34), as deemed appropriate by the governing body for the type of training offered.

(b) Include appropriate procedures to ensure follow-up training for teachers and administrators who have received training through the program.

(c) Incorporate training that addresses the educational needs of:

(1) Pupils with disabilities who participate in programs of special education; and

(2) Pupils who are limited English proficient.

3. The governing body of each regional training program shall prepare and maintain a list that identifies programs for the professional development of teachers and administrators that successfully incorporate:

(a) The standards of content and performance established by the Council to Establish Academic Standards for Public Schools pursuant to NRS 389.520;

(b) Fundamental reading skills; and

(c) Other training listed in subsection 1.

↪ The governing body shall provide a copy of the list on an annual basis to school districts for dissemination to teachers and administrators.

4. A regional training program may include model classrooms that demonstrate the use of educational technology for teaching and learning.

5. A regional training program may contract with the board of trustees of a school district that is served by the regional training program as set forth in NRS 391.512 to provide professional development to the teachers and administrators employed by the school district that is in addition to the training required by this section. Any training provided pursuant to this subsection must include the activities set forth in 20 U.S.C. § 7801(34), as deemed appropriate by the governing body for the type of training offered.

6. To the extent money is available from legislative appropriation or otherwise, a regional training program may provide training to paraprofessionals.

Sec. 3. Notwithstanding the provisions of subsection 7 of section ~~1.5~~ 1.5 of this act, for Fiscal Year 2015-2016, the priorities of programs for which grants of money may be made from the Great Teaching and Leading Fund created by section ~~1.5~~ 1.5 of this act must address:

1. The provision of professional development for teachers to provide instruction in the standards of content and performance for the subject area of science;

2. The implementation of the statewide performance evaluation system established pursuant to NRS 391.465;

3. The recruitment, selection and retention of effective teachers and principals; and

4. Programs of leadership training and development.

Sec. 3.5. 1. The Advisory Task Force on Educator Professional Development is hereby created consisting of:

(a) Two members of the State Board of Education, appointed by the President of the Board;

(b) Two members who are Senators, one of whom is appointed by the Majority Leader of the Senate and one of whom is appointed by the Minority Leader of the Senate;

(c) Two members who are members of the Assembly, one of whom is appointed by the Speaker of the Assembly and one of whom is appointed by the Minority Leader of the Assembly;

(d) One member who is a teacher, appointed by the Nevada State Education Association; and

(e) One member of the Statewide Council for the Coordination of the Regional Training Programs, appointed by the Chair of the Council.

2. The Task Force shall study:

(a) The cost of professional development for teachers and school administrators in this State and the use and availability of regional training programs created pursuant to NRS 391.512;

(b) Federal funding available for the professional development of teachers and school administrators in this State;

(c) The effectiveness of the manner in which professional development is delivered to teachers and administrators in this State;

(d) The standards and quality of professional development provided to teachers and school administrators in this State;

(e) The effectiveness of the programs for professional development provided to teachers and school administrators in this State;

(f) Professional development for paraprofessionals and other educational personnel; and

(g) The structure for the delivery of professional development.

3. At the first meeting of the Task Force, the members of the Task Force shall elect a Chair by majority vote.

4. The Task Force shall hold its first meeting by not later than August 31, 2015, and shall meet not less than four times before June 30, 2016.

5. A majority of the members of the Task Force constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Task Force.

6. The Department of Education shall provide the Task Force with such staff as is necessary for the Task Force to carry out its duties.

7. The Legislators who are members of the Task Force are entitled to receive the salary provided for a majority of the members of the Legislature during the first 60 days of the preceding session for each day's attendance at a meeting of the Task Force the per diem allowance provided for state officers generally, and travel expenses provided pursuant to NRS 218A.655.

Such compensation, per diem allowances and travel expenses must be paid from the Legislative Fund.

8. While engaged in the business of the Task Force, to the extent that money is available for that purpose, the members of the Task Force who are not Legislators are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

9. A member of the Task Force who is an officer or employee of this State or a political subdivision of this State must be relieved from his or her duties without loss of regular compensation so that he or she may prepare for and attend meetings of the Task Force and perform any work necessary to carry out the duties of the Task Force in the most timely manner practicable. A state agency or political subdivision of this State shall not require an officer or employee who is a member of the Task Force to:

(a) Make up the time the member is absent from work to carry out his or her duties as a member of the Task Force; or

(b) Take annual leave or compensatory time for the absence.

10. By not later than December 31, 2016, the Task Force shall complete a final report with its findings and any recommendations, including, without limitation, recommendations regarding budgets, changes to regulations and legislation. The Superintendent of Public Instruction shall assist the Task Force in preparing the final report. The final report must be submitted to the Governor, the State Board of Education, the Legislative Committee on Education and the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.

Sec. 4. This act becomes effective upon passage and approval.

Senator Woodhouse moved the adoption of the amendment.

Remarks by Senator Woodhouse.

Amendment No. 779 to Senate Bill No. 474 adds two new sections to the bill. First, section 1.7 is added to ensure that the board of trustees of every school district and the governing body of each charter school provides access to teachers and administrators to high-quality, ongoing professional development.

Section 3.5 is also added to create the Advisory Task Force on Educator Professional Development to study certain issues relating to professional development of teachers, school administrators and other educational personnel. The Task Force must meet at least four times during the interim and prepare a final report of its findings and recommendations. The final report will be submitted to the Governor, the State Board of Education, the Legislative Committee on Education and the Director of the LCB for distribution to the Legislature.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS  
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Bill No. 480; Assembly Concurrent Resolutions Nos. 4, 5.

## REMARKS FROM THE FLOOR

Senator Denis requested that his remarks be entered in the Journal.

In case you did not see our shrine out in front of the Chamber, we brought back the trophy to the Senate in the softball game last night. We appreciate all of the support of everyone that was there.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Parks, the privilege of the floor of the Senate Chamber for this day was extended to students from Harriet Treem Elementary: Christopher Aguayo, Danyel Alvarez, Rosa Juarez Baez, Denise Barroso, Jayana Biscardi, Nathan De La Cruz, Aaron Jon Coyco, Vincent Galvez, Myka Gonzalez, Oliver (Scotty) Hannack, Xavier Hernandez, Javon Holloway, Jordan Howard, Luca Irace, Gabriel Jimenez, Hailee Johnson, Reagan Johnson, Abigail Kilgore, Kristine Ladislao, Samantha Sandoval-Leyva, Brianna Lionel, Jenna Lucas, Brooklynn Martinez, Riley Moore, Amos Oyson, Sienna Paredes, Calvin Papp, Madison Prehn, Jerimyah Rhines, Daniel Rouleau, Jacob Rohleder, Jaden Rohleder, Ashley Ruiz, Aaron Santana, Kady Schnel, Paige Bayusz-Sell, Dorian Payton-Sherman, Londyn Southwick, A'janay Stewart, Naryah Harper Waters, Aryanna Wolfe, Landon Wymer, Berlin Zimbelman and Jeffery Zuniga.

Senator Roberson moved that the Senate adjourn until Friday, May 15, 2015, at 12:00 p.m.

Motion carried.

Senate adjourned at 2:12 p.m.

Approved:

MARK A. HUTCHISON  
*President of the Senate*

Attest: CLAIRE J. CLIFT  
*Secretary of the Senate*