

ASSEMBLY BILL NO. 126—ASSEMBLYMEN FRIERSON,
BENITEZ-THOMPSON AND BRITTNEY MILLER

FEBRUARY 15, 2021

Referred to Committee on Legislative Operations and Elections

SUMMARY—Provides for presidential preference primary election. (BDR 24-99)

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

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

AN ACT relating to elections; providing for a presidential preference primary election; setting forth requirements and procedures for holding a presidential preference primary election; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

This bill establishes requirements and procedures for conducting a presidential preference primary election, which is an election held in a presidential election year to determine the preferences of the registered voters of a major political party regarding the party’s nominee for President of the United States.

Section 43 of this bill requires, with certain exceptions, that a presidential preference primary election be held for each major political party on the Tuesday immediately preceding the last Tuesday in January of each presidential election year.

Section 44 of this bill sets forth the process for a qualified candidate to file a declaration of candidacy for a presidential preference primary election. **Section 41** of this bill defines the term “qualified candidate.”

Section 45 of this bill requires the county clerk to publish certain information regarding the presidential preference primary election.

Section 46 of this bill provides that a registered voter may cast a ballot at a presidential preference primary election for a major political party only if the registered voter designated on his or her application to register to vote an affiliation with the party. **Section 47** of this bill provides that such a registered voter may cast a ballot at the presidential preference primary election at any polling place in the county. **Section 11** of this bill makes a conforming change to require a county clerk to establish at least one vote center in the county for the day of the presidential preference primary election.

Section 47 of this bill sets forth various duties of a county clerk related to the presidential preference primary election, including distributing sample ballots,



24 establishing polling places, distributing absent ballots and, if applicable,
25 distributing mail ballots or mailing ballots. **Sections 12-16** of this bill make
26 conforming changes to existing provisions relating to absent ballots and mailing
27 ballots.

28 **Section 48** of this bill requires a period for early voting for a presidential
29 preference primary election that begins 10 calendar days before the election and
30 extends through the Friday before the election. **Section 17** of this bill makes a
31 conforming change related to the general process for early voting.

32 **Section 50** of this bill requires the Secretary of State to compile the returns of
33 the presidential preference primary election for each qualified candidate of the
34 major political party, prepare an abstract of the returns and certify the number of
35 votes received by each qualified candidate.

36 **Sections 49 and 51** of this bill provide that the cost of a presidential preference
37 primary election is a charge against the State and must be paid from the Reserve for
38 Statutory Contingency Account. **Section 23** of this bill makes a conforming change
39 related to the cost of distributing sample ballots.

40 **Sections 2-5** of this bill make conforming changes related to the precinct
41 meetings and party conventions of major political parties to account for holding a
42 presidential preference primary election.

43 **Section 6** of this bill clarifies that the minor political parties do not participate
44 in the presidential preference primary election.

45 **Section 7** of this bill requires, with certain exceptions, the Secretary of State to
46 adopt permanent regulations relating to a presidential preference primary election.

47 **Sections 8 and 18** of this bill authorize an Indian tribe to request the
48 establishment of a polling place within the boundaries of an Indian reservation or
49 Indian colony for a presidential preference primary election.

50 **Section 9** of this bill sets forth the procedure for a registered voter to apply to
51 vote at a presidential preference primary election.

52 **Section 10** of this bill requires the county clerk to post certain notices if a
53 candidate whose name appears on the ballot at a presidential preference primary
54 election dies before the closing of the polls.

55 **Section 19** of this bill requires the county clerk to collect and submit to the
56 Secretary of State certain information regarding each presidential preference
57 primary election consistent with the requirements to collect and submit to the
58 Secretary of State information for a primary or general election.

59 **Sections 20-22 and 25** of this bill amend existing provisions relating to voter
60 registration to account for presidential preference primary elections.

61 **Section 24** of this bill requires the county clerk to ascertain by precinct and
62 district the number of registered voters in the county and their political affiliation
63 before the presidential preference primary election consistent with the existing
64 requirements for a primary or general election.

65 **Section 26** of this bill amends the definition of "election" so that provisions
66 that allow certain voter registration after the close of registration and same day
67 voter registration apply to the presidential preference primary election.

68 **Sections 27-32** of this bill make various changes to specify that provisions
69 relating to elections affected by certain emergencies or disasters also apply to
70 presidential preference primary elections.

71 **Sections 33-35** of this bill specify that provisions relating to mechanical voting
72 systems and machines also apply to presidential preference primary elections.



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

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

3 *“Presidential preference primary election” means an election*
4 *held in a presidential election year pursuant to sections 37 to 50,*
5 *inclusive, of this act to determine the preferences of the registered*
6 *voters of a major political party regarding the party’s nominee for*
7 *President of the United States.*

8 **Sec. 2.** NRS 293.010 is hereby amended to read as follows:

9 293.010 As used in this title, unless the context otherwise
10 requires, the words and terms defined in NRS 293.013 to 293.121,
11 inclusive, *and section 1 of this act* have the meanings ascribed to
12 them in those sections.

13 **Sec. 3.** NRS 293.135 is hereby amended to read as follows:

14 293.135 1. The county central committee of each major
15 political party in each county shall have a precinct meeting of the
16 registered voters of the party residing in each voting precinct
17 entitled to delegates in the county convention called and held on the
18 dates set for the precinct meeting by the respective state central
19 committees in each year in which a general election is held. *In any*
20 *year in which a presidential preference primary election is held for*
21 *the major political party, the precinct meeting must not be held*
22 *until after the results of the presidential preference primary*
23 *election are certified by the Secretary of State.*

24 2. The meeting must be held in one of the following places in
25 the following order of preference:

26 (a) Any public building within the precinct if the meeting is for
27 a single precinct, or any public building which is in reasonable
28 proximity to the precincts and will accommodate a meeting of two
29 or more precincts; or

30 (b) Any private building within the precinct or one of the
31 precincts.

32 3. The county central committee shall give notice of the
33 meeting by:

34 (a) Posting in a conspicuous place outside the building where
35 the meeting is to be held; and

36 (b) Publishing in one or more newspapers of general circulation
37 in the precinct, published in the county, if any are so published,

38 ➤ on the date set for giving notice of the meeting by the respective
39 state central committees.

40 4. The notice must be printed in conspicuous display
41 advertising format of not less than 10 column inches, and must
42 include the following language, or words of similar import:



NOTICE TO ALL VOTERS REGISTERED
IN THE (STATE NAME OF MAJOR POLITICAL PARTY)

Nevada state law requires each major political party, in every year during which a general election is held, to have a precinct meeting held for each precinct. All persons registered in the party and residing in the precinct are entitled to attend the precinct meeting. Delegates to your party's county convention will be elected at the meeting by those in attendance. Set forth below are the time and place at which your precinct meeting will be held, together with the number of delegates to be elected from each precinct. If you wish to participate in the organization of your party for the coming 2 years, attend your precinct meeting.

5. The notice must specify:

(a) The date, time and place of the meeting; and

(b) The number of delegates to the county convention to be chosen at the meeting.

Sec. 4. NRS 293.137 is hereby amended to read as follows:

293.137 1. Promptly at the time and place appointed therefor, the mass meeting must be convened and organized for each precinct. If access to the premises appointed for any such meeting is not available, the meeting may be convened at an accessible place immediately adjacent thereto. The meeting must be conducted openly and publicly and in such a manner that it is freely accessible to any registered voter of the party calling the meeting who resides in the precinct and is desirous of attending the meeting, until the meeting is adjourned. At the meeting, the delegates to which the members of the party residing in the precinct are entitled in the party's county convention must be elected pursuant to the rules of the state central committee of that party. ~~In presidential election years, the election of delegates may be a part of expressing preferences for candidates for the party's nomination for President of the United States if the rules of the party permit such conduct.~~ The result of the election *of delegates* must be certified to the county convention of the party by the chair and the secretary of the meeting upon the forms specified in subsection 3.

2. At the precinct meetings, the delegates and alternates to the party's convention must be elected. If a meeting is not held for a particular precinct at the location specified, that precinct must be without representation at the county convention unless the meeting was scheduled, with proper notice, and no registered voter of the party appeared. In that case, the meeting shall be deemed to have been held and the position of delegate is vacant. If a position of



1 delegate is vacant, it must be filled by the designated alternate, if
2 any. If there is no designated alternate, the vacancy must be filled
3 pursuant to the rules of the party, if the rules of the party so provide,
4 or, if the rules of the party do not so provide, the county central
5 committee shall appoint a delegate from among the qualified
6 members of the party residing in the precinct in which the vacancy
7 occurred, and the secretary of the county central committee shall
8 certify the appointed delegate to the county convention.

9 3. The county central committee shall prepare and number
10 serially a number of certificate forms equal to the total number of
11 delegates to be elected throughout the county, and deliver the
12 appropriate number to each precinct meeting. Each certificate must
13 be in duplicate. The original must be given to the elected delegate,
14 and the duplicate transmitted to the county central committee.

15 4. All duplicates must be delivered to the chair of the
16 preliminary credentials committee of the county convention. Every
17 delegate who presents a certificate matching one of the duplicates
18 must be seated without dispute.

19 5. Each state central committee shall adopt written rules
20 governing, but not limited to, the following procedures:

21 (a) The selection, rights and duties of committees of a
22 convention;

23 (b) Challenges to credentials of delegates; and

24 (c) Majority and minority reports of committees.

25 **Sec. 5.** NRS 293.163 is hereby amended to read as follows:

26 293.163 1. In presidential election years, on the call of a
27 national party convention, but one set of party conventions and but
28 one state convention shall be held on such respective dates and at
29 such places as the state central committee of the party shall
30 designate. If no earlier dates are fixed, the state convention shall be
31 held 30 days before the date set for the national convention and the
32 county conventions shall be held 60 days before the date set for the
33 national convention.

34 2. Delegates to such conventions shall be selected in the same
35 manner as prescribed in NRS 293.130 to 293.160, inclusive, and
36 each convention shall have and exercise all of the power granted it
37 under NRS 293.130 to 293.160, inclusive. In addition to such
38 powers granted it, the state convention shall select the necessary
39 delegates and alternates to the national convention of the party and,
40 if consistent with the rules and regulations of the party, shall select
41 the national committeeman and committeewoman of the party from
42 the State of Nevada.

43 *3. Any rules or regulations of the party governing the election*
44 *of delegates and alternates to the national convention of the party,*
45 *or directing the votes of delegates at the national convention must*



1 *reasonably reflect the results of the presidential preference*
2 *primary election, if one has been held for the party.*

3 **Sec. 6.** NRS 293.1715 is hereby amended to read as follows:

4 293.1715 1. The names of the candidates for partisan office
5 of a minor political party must not appear on the ballot for a primary
6 election ~~or~~ *or presidential preference primary election.*

7 2. The names of the candidates for partisan office of a minor
8 political party must be placed on the ballot for the general election if
9 the minor political party is qualified. To qualify as a minor political
10 party, the minor political party must have filed a certificate of
11 existence and be organized pursuant to NRS 293.171, must have
12 filed a list of its candidates for partisan office pursuant to the
13 provisions of NRS 293.1725 with the Secretary of State and:

14 (a) At the last preceding general election, the minor political
15 party must have polled for any of its candidates for partisan office a
16 number of votes equal to or more than 1 percent of the total number
17 of votes cast for the offices of Representative in Congress;

18 (b) On January 1 preceding a primary election, the minor
19 political party must have been designated as the political party on
20 the applications to register to vote of at least 1 percent of the total
21 number of registered voters in this State; or

22 (c) Not later than the third Friday in June preceding the general
23 election, must file a petition with the Secretary of State which is
24 signed by a number of registered voters equal to at least 1 percent of
25 the total number of votes cast at the last preceding general election
26 for the offices of Representative in Congress.

27 3. The name of only one candidate of each minor political
28 party for each partisan office may appear on the ballot for a general
29 election.

30 4. A minor political party must file a copy of the petition
31 required by paragraph (c) of subsection 2 with the Secretary of State
32 before the petition may be circulated for signatures.

33 **Sec. 7.** NRS 293.247 is hereby amended to read as follows:

34 293.247 1. The Secretary of State shall adopt regulations, not
35 inconsistent with the election laws of this State, for the conduct of
36 primary, *presidential preference primary*, general, special and
37 district elections in all cities and counties. Permanent regulations of
38 the Secretary of State that regulate the conduct of a primary,
39 general, special or district election and are effective on or before the
40 last business day of February immediately preceding a primary,
41 general, special or district election govern the conduct of that
42 election. *Permanent regulations of the Secretary of State that*
43 *regulate the conduct of a presidential preference primary election*
44 *and are effective on or before the last business day of September*



1 *immediately preceding a presidential preference primary election*
2 *govern the conduct of that election.*

3 2. The Secretary of State shall prescribe the forms for a
4 declaration of candidacy and any petition which is filed pursuant to
5 the election laws of this State.

6 3. The regulations must prescribe:

7 (a) The manner of printing ballots and the number of ballots to
8 be distributed to precincts and districts;

9 (b) The form and placement of instructions to voters;

10 (c) The disposition of election returns;

11 (d) The procedures to be used for canvasses, ties, recounts and
12 contests, including, without limitation, the appropriate use of a
13 paper record created when a voter casts a ballot on a mechanical
14 voting system that directly records the votes electronically;

15 (e) The procedures to be used to ensure the security of the
16 ballots from the time they are transferred from the polling place
17 until they are stored pursuant to the provisions of NRS 293.391 or
18 293C.390;

19 (f) The procedures to be used to ensure the security and
20 accuracy of computer programs and tapes used for elections;

21 (g) The procedures to be used for the testing, use and auditing of
22 a mechanical voting system which directly records the votes
23 electronically and which creates a paper record when a voter casts a
24 ballot on the system;

25 (h) The acceptable standards for the sending and receiving of
26 applications, forms and ballots, by approved electronic transmission,
27 by the county clerks and the electors, registered voters or other
28 persons who are authorized to use approved electronic transmission
29 pursuant to the provisions of this title;

30 (i) The forms for applications to preregister and register to vote
31 and any other forms necessary for the administration of this title;
32 and

33 (j) Such other matters as determined necessary by the Secretary
34 of State.

35 4. The Secretary of State may provide interpretations and take
36 other actions necessary for the effective administration of the
37 statutes and regulations governing the conduct of primary,
38 *presidential preference primary*, general, special and district
39 elections in this State.

40 5. The Secretary of State shall prepare and distribute to each
41 county and city clerk copies of:

42 (a) Laws and regulations concerning elections in this State;

43 (b) Interpretations issued by the Secretary of State's Office; and

44 (c) Any Attorney General's opinions or any state or federal
45 court decisions which affect state election laws or regulations



1 whenever any of those opinions or decisions become known to the
2 Secretary of State.

3 **Sec. 8.** NRS 293.2733 is hereby amended to read as follows:

4 293.2733 1. If an Indian reservation or Indian colony is
5 located in whole or in part within a county, the Indian tribe may
6 submit a request to the county clerk for the establishment of a
7 polling place within the boundaries of the Indian reservation or
8 Indian colony for the day of a primary election , *presidential*
9 *preference primary election* or general election.

10 2. A request for the establishment of a polling place within the
11 boundaries of an Indian reservation or Indian colony for the day of a
12 primary election , *presidential preference primary election* or
13 general election:

14 (a) Must be submitted to the county clerk by the Indian tribe on
15 or before:

16 (1) If the request is for a primary election, the first Friday in
17 January of the year in which the primary election is to be held.

18 (2) *If the request is for a presidential preference primary*
19 *election, the first Friday in November of the year immediately*
20 *preceding the year of the presidential preference primary election.*

21 (3) If the request is for a general election, the first Friday in
22 July of the year in which the general election is to be held.

23 (b) May include one or more proposed locations within the
24 boundaries of the Indian reservation or Indian colony for the polling
25 place. Any proposed location must satisfy the criteria the county
26 clerk uses for the establishment of any other polling place.

27 3. Except as otherwise provided in this subsection, if the
28 county clerk receives a request that satisfies the requirements set
29 forth in subsection 2, the county clerk must establish at least one
30 polling place within the boundaries of the Indian reservation or
31 Indian colony at a location or locations, as applicable, approved by
32 the Indian tribe for the day of a primary election , *presidential*
33 *preference primary election* or general election. The county clerk is
34 not required to establish a polling place within the boundaries of an
35 Indian reservation or Indian colony for the day of a primary election
36 , *presidential preference primary election* or general election if the
37 county clerk established a temporary branch polling place for early
38 voting pursuant to NRS 293.3572 within the boundaries of the
39 Indian reservation or Indian colony for the same election.

40 4. If the county clerk establishes one or more polling places
41 within the boundaries of an Indian reservation or Indian colony
42 pursuant to subsection 3 for the day of a primary election ,
43 *presidential preference primary election* or general election, the
44 county clerk must continue to establish one or more polling places
45 within the boundaries of the Indian reservation or Indian colony at a



1 location or locations approved by the Indian tribe for the day of any
2 future primary election , *presidential preference primary election* or
3 general election unless otherwise requested by the Indian tribe.

4 **Sec. 9.** NRS 293.287 is hereby amended to read as follows:

5 293.287 1. A registered voter applying to vote at any primary
6 election *or presidential preference primary election* shall give his
7 or her name and political affiliation, if any, to the election board
8 officer in charge of the roster, and the officer shall immediately
9 announce the name and political affiliation.

10 2. Any person's right to vote may be challenged by any
11 registered voter upon:

12 (a) Any of the grounds allowed for a challenge in NRS 293.303;

13 (b) The ground that the person applying does not belong to the
14 political party designated upon the roster; or

15 (c) The ground that the roster does not show that the person
16 designated the political party to which he or she claims to belong.

17 3. Any such challenge must be disposed of in the manner
18 provided by NRS 293.303.

19 4. A registered voter who has designated on his or her
20 application to register to vote an affiliation with a minor political
21 party may vote a nonpartisan ballot at the primary election.

22 **Sec. 10.** NRS 293.302 is hereby amended to read as follows:

23 293.302 If a candidate whose name appears on the ballot at a
24 primary election , *presidential preference primary election* or
25 general election dies after the applicable dates set forth in NRS
26 293.368 but before the time of the closing of the polls on the day of
27 the election, the county clerk shall post a notice of the candidate's
28 death at each polling place where the candidate's name will appear
29 on the ballot for the primary election , *presidential preference*
30 *primary election* or general election.

31 **Sec. 11.** NRS 293.3072 is hereby amended to read as follows:

32 293.3072 1. A county clerk ~~may~~ :

33 (a) *May* establish one or more polling places in the county
34 where any person entitled to vote in the county by personal
35 appearance may do so on the day of the primary election or general
36 election.

37 (b) *Must establish one or more polling places in the county*
38 *where any person entitled to vote in the county by personal*
39 *appearance may do so on the day of the presidential preference*
40 *primary election.*

41 2. Any person entitled to vote in the county by personal
42 appearance may do so at any polling place established pursuant to
43 subsection 1.



1 **Sec. 12.** NRS 293.309 is hereby amended to read as follows:

2 293.309 1. The county clerk of each county shall prepare an
3 absent ballot for the use of registered voters who have requested
4 absent ballots. The county clerk shall make reasonable
5 accommodations for the use of the absent ballot by a person who is
6 elderly or disabled, including, without limitation, by providing,
7 upon request, the absent ballot in 12-point type to a person who is
8 elderly or disabled.

9 2. The ballot must be prepared and ready for distribution to:

10 (a) Each registered voter who:

11 (1) Resides within the State, not later than 20 days before the
12 election in which it is to be used; and

13 (2) Except as otherwise provided in paragraph (b), resides
14 outside the State, not later than 40 days before a primary *election*,
15 *presidential preference primary election* or general election, if
16 possible.

17 (b) Each covered voter who is entitled to have a military-
18 overseas ballot transmitted pursuant to the provisions of chapter
19 293D of NRS or the Uniformed and Overseas Citizens Absentee
20 Voting Act, 52 U.S.C. §§ 20301 et seq., not later than the time
21 required by those provisions.

22 3. Any untimely legal action which would prevent the ballot
23 from being distributed to any voter pursuant to subsection 2 is moot
24 and of no effect.

25 **Sec. 13.** NRS 293.313 is hereby amended to read as follows:

26 293.313 1. Except as otherwise provided in NRS 293.272,
27 293.316, 293.3165 and 293.502, a registered voter may request an
28 absent ballot if, before 5 p.m. on the 14th calendar day preceding the
29 election, the registered voter:

30 (a) Provides sufficient written notice to the county clerk; and

31 (b) Has identified himself or herself to the satisfaction of the
32 county clerk.

33 2. A registered voter may request an absent ballot for all
34 elections held during the year he or she requests an absent ballot.

35 3. A county clerk shall consider a request from a voter who has
36 given sufficient written notice on a form provided by the Federal
37 Government as a request for an absent ballot for the primary
38 *election, presidential preference primary election* and general
39 ~~[elections]~~ *election* immediately following the date on which the
40 county clerk received the request.

41 4. It is unlawful for a person fraudulently to request an absent
42 ballot in the name of another person or to induce or coerce another
43 person fraudulently to request an absent ballot in the name of
44 another person. A person who violates this subsection is guilty of a



1 category E felony and shall be punished as provided in
2 NRS 193.130.

3 **Sec. 14.** NRS 293.3165 is hereby amended to read as follows:

4 293.3165 1. Except as otherwise provided in this section, a
5 registered voter who provides sufficient written notice to the county
6 clerk may request that the registered voter receive an absent ballot
7 for all elections at which the registered voter is eligible to vote. The
8 written notice is effective for all elections that are conducted after
9 the registered voter provides the written notice to the county clerk,
10 except that the written notice is not effective for the next ensuing
11 election unless the written notice is provided to the county clerk
12 before the time has elapsed for requesting an absent ballot for the
13 election pursuant to subsection 1 of NRS 293.313.

14 2. Except as otherwise provided in this section or for an
15 affected election that is subject to the provisions of NRS 293.8801
16 to 293.8887, inclusive, upon receipt of the written notice provided
17 by the registered voter pursuant to subsection 1, the county clerk
18 shall:

19 (a) Issue an absent ballot to the registered voter for each primary
20 election, *presidential preference primary election*, general election
21 and special election, other than a special city election, that is
22 conducted after the written notice is effective pursuant to
23 subsection 1.

24 (b) Inform the applicable city clerk of receipt of the written
25 notice provided by the registered voter. Upon being informed of the
26 written notice by the county clerk, the city clerk shall issue an
27 absent ballot for each primary city election, *presidential preference*
28 *primary election*, general city election and special city election that
29 is conducted after the written notice is effective pursuant to
30 subsection 1.

31 3. The county clerk must not mail an absent ballot requested by
32 a registered voter pursuant to subsection 1 if, after the request is
33 submitted:

34 (a) The registered voter is designated inactive pursuant to
35 NRS 293.530;

36 (b) The county clerk cancels the registration of the person
37 pursuant to NRS 293.527, 293.530, 293.535 or 293.540; or

38 (c) An absent ballot is returned to the county clerk as
39 undeliverable, unless the registered voter has submitted a new
40 request pursuant to subsection 1.

41 4. The procedure authorized pursuant to this section is subject
42 to all other provisions of this chapter relating to voting by absent
43 ballot to the extent that those provisions are not inconsistent with
44 the provisions of this section.



Sec. 15. NRS 293.343 is hereby amended to read as follows:

293.343 1. Except as otherwise provided for an affected election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive, a registered voter who resides in an election precinct in which there were not more than 200 voters registered for the last preceding general election, or in a precinct in which it appears to the satisfaction of the county clerk and Secretary of State that there are not more than 200 registered voters, may vote at any election regulated by this chapter *or chapter 298 of NRS* in the manner provided in NRS 293.343 to 293.355, inclusive.

2. Except as otherwise provided for an affected election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive, whenever the county clerk has designated a precinct as a mailing precinct, registered voters residing in that precinct may vote at any election regulated by this chapter *or chapter 298 of NRS* in the manner provided in NRS 293.343 to 293.355, inclusive.

3. In a county whose population is 100,000 or more, whenever a registered voter is entitled to vote in a mailing precinct or an absent ballot mailing precinct, the county clerk:

(a) Shall designate at least one polling place in the county as the polling place where such a voter may vote in person, pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353, on election day; and

(b) May designate certain polling places for early voting as the polling places where such a voter may vote in person, pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353, during the period for early voting, if it is impractical for the county clerk to provide at each polling place for early voting a ballot in every form required in the county.

4. In a county whose population is less than 100,000, whenever a registered voter is entitled to vote in a mailing precinct or an absent ballot mailing precinct, the county clerk:

(a) May designate one or more polling places in the county as the polling place where such a voter may vote in person, pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353, on election day; and

(b) May designate certain polling places for early voting as the polling places where such a voter may vote in person, pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353, during the period for early voting, if it is impractical for the county clerk to provide at each polling place for early voting a ballot in every form required in the county.

5. Polling places designated pursuant to subsection 3 or 4 may include, without limitation, polling places located as closely as practicable to the mailing precincts.



1 **Sec. 16.** NRS 293.345 is hereby amended to read as follows:

2 293.345 1. Except as otherwise provided for an affected
3 election that is subject to the provisions of NRS 293.8801 to
4 293.8887, inclusive, before 5 p.m. on the last business day
5 preceding the first day of the period for early voting for any primary
6 election , *presidential preference primary election* or general
7 election, the county clerk shall cause to be mailed to each registered
8 voter in each mailing precinct and in each absent ballot mailing
9 precinct a mailing ballot, and accompanying supplies, as specified in
10 NRS 293.350.

11 2. If the county clerk has designated, pursuant to subsection 3
12 or 4 of NRS 293.343, one or more polling places where a voter may
13 vote in person, the mailing ballot and the sample ballot must include
14 a notice in bold type informing the voter of the location of the
15 designated polling place or polling places on election day and the
16 polling places during the period for early voting where the voter
17 may vote in person pursuant to paragraph (b) of subsection 2 of
18 NRS 293.353 or subsection 3 of NRS 293.353.

19 3. Any untimely legal action which would prevent the mailing
20 ballot from being distributed to any voter pursuant to this section is
21 moot and of no effect.

22 **Sec. 17.** NRS 293.356 is hereby amended to read as follows:

23 293.356 If a request is made to vote early by a registered voter
24 in person, the election board shall issue a ballot for early voting to
25 the voter. Such a ballot must be voted on the premises of a polling
26 place for early voting established pursuant to NRS 293.3564 or
27 293.3572 **H** *or section 47 of this act.*

28 **Sec. 18.** NRS 293.3572 is hereby amended to read as follows:

29 293.3572 1. In addition to permanent polling places for early
30 voting, except as otherwise provided in subsection 4, the county
31 clerk may establish temporary branch polling places for early voting
32 which may include, without limitation, the clerk's office pursuant to
33 NRS 293.3561.

34 2. If an Indian reservation or Indian colony is located in whole
35 or in part within a county, the Indian tribe may submit a request to
36 the county clerk for the establishment of a temporary branch polling
37 place for early voting within the boundaries of the Indian
38 reservation or Indian colony.

39 3. A request for the establishment of a temporary branch
40 polling place for early voting within the boundaries of the Indian
41 reservation or Indian colony:

42 (a) Must be submitted to the county clerk by the Indian tribe on
43 or before:

44 (1) If the request is for a primary election, the first Friday in
45 January of the year in which the general election is to be held.



1 (2) *If the request is for a presidential preference primary*
2 *election, the first Friday in November of the year immediately*
3 *preceding the year of the presidential preference primary election.*

4 (3) If the request is for a general election, the first Friday in
5 July of the year in which the general election is to be held.

6 (b) May include one or more proposed locations within the
7 boundaries of the Indian reservation or Indian colony for the
8 temporary branch polling place and proposed hours of operation
9 thereof. Any proposed location must satisfy the criteria established
10 by the county clerk for the selection of temporary branch polling
11 places pursuant to NRS 293.3561.

12 4. Except as otherwise provided in this subsection, if the
13 county clerk receives a request that satisfies the requirements set
14 forth in subsection 3, the county clerk must establish at least one
15 temporary branch polling place for early voting within the
16 boundaries of the Indian reservation or Indian colony. The location
17 and hours of operation of such a temporary branch polling place for
18 early voting must be approved by the Indian tribe. The county clerk
19 is not required to establish a temporary branch polling place within
20 the boundaries of the Indian reservation or Indian colony if the
21 county clerk determines that it is not logistically feasible to establish
22 a temporary branch polling place within the boundaries of the Indian
23 reservation or Indian colony.

24 5. If the county clerk establishes one or more temporary branch
25 polling places within the boundaries of an Indian reservation or
26 Indian colony pursuant to subsection 4 for early voting, the county
27 clerk must continue to establish one or more temporary branch
28 polling places within the boundaries of the Indian reservation or
29 Indian colony at a location or locations approved by the Indian tribe
30 for early voting in future elections unless otherwise requested by the
31 Indian tribe.

32 6. The provisions of subsection 3 of NRS 293.3568 do not
33 apply to a temporary branch polling place. Voting at a temporary
34 branch polling place may be conducted on any one or more days and
35 during any hours within the period for early voting by personal
36 appearance, as determined by the county clerk.

37 7. The schedules for conducting voting are not required to be
38 uniform among the temporary branch polling places.

39 8. The legal rights and remedies which inure to the owner or
40 lessor of private property are not impaired or otherwise affected by
41 the leasing of the property for use as a temporary branch polling
42 place for early voting, except to the extent necessary to conduct
43 early voting at that location.



1 **Sec. 19.** NRS 293.4695 is hereby amended to read as follows:

2 293.4695 1. Each county clerk shall collect the following
3 information regarding each primary *election, presidential*
4 *preference primary election* and general election, on a form
5 provided by the Secretary of State and made available at each
6 polling place in the county, each polling place for early voting in the
7 county, the office of the county clerk and any other location deemed
8 appropriate by the Secretary of State:

9 (a) The number of ballots that have been discarded or for any
10 reason not included in the final canvass of votes, along with an
11 explanation for the exclusion of each such ballot from the final
12 canvass of votes.

13 (b) A report on each malfunction of any mechanical voting
14 system, including, without limitation:

15 (1) Any known reason for the malfunction;

16 (2) The length of time during which the mechanical voting
17 system could not be used;

18 (3) Any remedy for the malfunction which was used at the
19 time of the malfunction; and

20 (4) Any effect the malfunction had on the election process.

21 (c) A list of each polling place not open during the time
22 prescribed pursuant to NRS 293.273 and an account explaining why
23 each such polling place was not open during the time prescribed
24 pursuant to NRS 293.273.

25 (d) A description of each challenge made to the eligibility of a
26 voter pursuant to NRS 293.303 and the result of each such
27 challenge.

28 (e) A description of each complaint regarding a ballot cast by
29 mail or facsimile filed with the county clerk and the resolution, if
30 any, of the complaint.

31 (f) The results of any audit of election procedures and practices
32 conducted pursuant to regulations adopted by the Secretary of State
33 pursuant to this chapter.

34 (g) The number of provisional ballots cast pursuant to NRS
35 293.3078 to 293.3086, inclusive, and the reason for the casting of
36 each such provisional ballot.

37 (h) The number of provisional ballots cast pursuant to NRS
38 293.5772 to 293.5887, inclusive.

39 2. Each county clerk shall submit to the Secretary of State, on a
40 form provided by the Secretary of State, the information collected
41 pursuant to subsection 1 not more than 60 days after each primary
42 *election, presidential preference primary election* and general
43 election.



1 3. The Secretary of State may contact any political party and
2 request information to assist in the investigation of any allegation of
3 voter intimidation.

4 4. The Secretary of State shall establish and maintain an
5 Internet website pursuant to which the Secretary of State shall solicit
6 and collect voter comments regarding election processes.

7 5. The Secretary of State shall compile the information and
8 comments collected pursuant to this section into a report and shall
9 submit the report to the Director of the Legislative Counsel Bureau
10 for transmission to the Legislature not sooner than 30 days before
11 and not later than 30 days after the first day of each regular session
12 of the Legislature.

13 6. The Secretary of State may make the report required
14 pursuant to subsection 5 available on an Internet website established
15 and maintained by the Secretary of State.

16 **Sec. 20.** NRS 293.485 is hereby amended to read as follows:

17 293.485 1. Every citizen of the United States, 18 years of age
18 or over, who has continuously resided in this State and in the county
19 30 days and in the precinct 10 days next preceding the day of the
20 next succeeding:

- 21 (a) Primary election;
- 22 (b) Primary city election;
- 23 (c) *Presidential preference primary election;*
- 24 (d) General election; or
- 25 ~~(d)~~ (e) General city election,

26 ↪ and who has registered in the manner provided in this chapter, is
27 entitled to vote at that election.

28 2. This section does not exclude the registration of eligible
29 persons whose 18th birthday or the date of whose completion of the
30 required residence occurs on or before the next succeeding:

- 31 (a) Primary election;
- 32 (b) Primary city election;
- 33 (c) *Presidential preference primary election;*
- 34 (d) General election;
- 35 ~~(d)~~ (e) General city election; or
- 36 ~~(e)~~ (f) Any other election.

37 **Sec. 21.** NRS 293.5057 is hereby amended to read as follows:

38 293.5057 A person who does not maintain a residence in this
39 State may preregister or register to vote for the office of President
40 and Vice President of the United States *at the general election* if the
41 person files a sworn statement with the county clerk or field
42 registrar of voters that the person is not preregistered or registered to
43 vote in any other state and provides evidence:

44 1. Of his or her domicile in this State in accordance with the
45 provisions of NRS 41.191;



1 2. That he or she maintains an account at a financial institution
2 located in this State; or

3 3. That his or her motor vehicle is registered in this State.

4 **Sec. 22.** NRS 293.560 is hereby amended to read as follows:

5 293.560 1. Except as otherwise provided in NRS 293.502,
6 293.5772 to 293.5887, inclusive, 293D.230 and 293D.300:

7 (a) For a primary *election, presidential preference primary*
8 *election* or general election, or a recall or special election that is
9 held on the same day as a primary *election, presidential preference*
10 *primary election* or general election, the last day to register to vote:

11 (1) By mail is the fourth Tuesday preceding the primary
12 *election, presidential preference primary election* or general
13 election.

14 (2) By appearing in person at the office of the county clerk
15 or, if open, a county facility designated pursuant to NRS 293.5035,
16 is the fourth Tuesday preceding the primary *election, presidential*
17 *preference primary election* or general election.

18 (3) By computer, if the county clerk has established a system
19 pursuant to NRS 293.506 for using a computer to register voters, is
20 the Thursday preceding the primary *election, presidential*
21 *preference primary election* or general election, unless the system is
22 used to register voters for the election pursuant to NRS 293.5842 or
23 293.5847.

24 (4) By computer using the system established by the
25 Secretary of State pursuant to NRS 293.671, is the Thursday
26 preceding the primary *election, presidential preference primary*
27 *election* or general election, unless the system is used to register
28 voters for the election pursuant to NRS 293.5842 or 293.5847.

29 (b) If a recall or special election is not held on the same day as a
30 primary *election, presidential preference primary election* or
31 general election, the last day to register to vote for the recall or
32 special election by any method of registration is the third Saturday
33 preceding the recall or special election.

34 2. Except as otherwise provided in NRS 293.5772 to 293.5887,
35 inclusive, after the deadlines for the close of registration for a
36 primary *election, presidential preference primary election* or
37 general election set forth in subsection 1, no person may register to
38 vote for the election.

39 3. Except for a recall or special election held pursuant to
40 chapter 306 or 350 of NRS:

41 (a) The county clerk of each county shall cause a notice signed
42 by him or her to be published in a newspaper having a general
43 circulation in the county indicating:

44 (1) The day and time that each method of registration for the
45 election, as set forth in subsection 1, will be closed; and



1 (2) If the county clerk has designated a county facility
2 pursuant to NRS 293.5035, the location of that facility.

3 ↪ If no such newspaper is published in the county, the publication
4 may be made in a newspaper of general circulation published in the
5 nearest county in this State.

6 (b) The notice must be published once each week for 4
7 consecutive weeks next preceding the day that the last method of
8 registration for the election, as set forth in subsection 1, will be
9 closed.

10 4. The offices of the county clerk, a county facility designated
11 pursuant to NRS 293.5035 and other ex officio registrars may
12 remain open on the last Friday in October in each even-numbered
13 year.

14 5. A county facility designated pursuant to NRS 293.5035 may
15 be open during the periods described in this section for such hours
16 of operation as the county clerk may determine, as set forth in
17 subsection 3 of NRS 293.5035.

18 **Sec. 23.** NRS 293.565 is hereby amended to read as follows:

19 293.565 1. Except as otherwise provided in subsection 3,
20 sample ballots must include:

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

22 (b) The fiscal note or description of anticipated financial effect,
23 as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015,
24 295.095 or 295.230 for each proposed constitutional amendment,
25 statewide measure, measure to be voted upon only by a special
26 district or political subdivision and advisory question;

27 (c) An explanation, as provided pursuant to NRS 218D.810,
28 293.250, 293.481, 295.121 or 295.230, of each proposed
29 constitutional amendment, statewide measure, measure to be voted
30 upon only by a special district or political subdivision and advisory
31 question;

32 (d) Arguments for and against each proposed constitutional
33 amendment, statewide measure, measure to be voted upon only by a
34 special district or political subdivision and advisory question, and
35 rebuttals to each argument, as provided pursuant to NRS 218D.810,
36 293.250, 293.252 or 295.121; and

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

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

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



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

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

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

10 4. A county clerk may establish a system for distributing
11 sample ballots by electronic means to each registered voter who
12 elects to receive a sample ballot by electronic means. Such a system
13 may include, without limitation, electronic mail or electronic access
14 through an Internet website. If a county clerk establishes such a
15 system and a registered voter elects to receive a sample ballot by
16 electronic means, the county clerk shall distribute the sample ballot
17 to the registered voter by electronic means pursuant to the
18 procedures and requirements set forth by regulations adopted by the
19 Secretary of State.

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

23 6. Except as otherwise provided in subsection 7, before the
24 period for early voting for any election begins, the county clerk shall
25 distribute to each registered voter in the county by mail or electronic
26 means, as applicable, the sample ballot for his or her precinct, with a
27 notice informing the voter of the location of his or her polling place
28 or places. If the location of the polling place or places has changed
29 since the last election:

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

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

35
36 **NOTICE: THE LOCATION OF YOUR POLLING PLACE OR**
37 **PLACES HAS CHANGED SINCE THE LAST ELECTION**
38

39 7. If a person registers to vote less than 20 days before the date
40 of an election, the county clerk is not required to distribute to the
41 person the sample ballot for that election by mail or electronic
42 means.

43 8. Except as otherwise provided in subsection 9, a sample
44 ballot required to be distributed pursuant to this section must:

45 (a) Be prepared in at least 12-point type; and



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

3
4 NOTICE: TO RECEIVE A SAMPLE BALLOT IN
5 LARGE TYPE, CALL (Insert appropriate telephone number)
6

7 9. A portion of a sample ballot that contains a facsimile of the
8 display area of a voting device may include material in less than
9 12-point type to the extent necessary to make the facsimile fit on the
10 pages of the sample ballot.

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

15 11. If a person requests a sample ballot in large type, the
16 county clerk shall ensure that all future sample ballots distributed to
17 that person from the county are in large type.

18 12. The county clerk shall include in each sample ballot a
19 statement indicating that the county clerk will, upon request of a
20 voter who is elderly or disabled, make reasonable accommodations
21 to allow the voter to vote at his or her polling place or places and
22 provide reasonable assistance to the voter in casting his or her vote,
23 including, without limitation, providing appropriate materials to
24 assist the voter. In addition, if the county clerk has provided
25 pursuant to subsection 4 of NRS 293.2955 for the placement at
26 centralized voting locations of specially equipped voting devices for
27 use by voters who are elderly or disabled, the county clerk shall
28 include in the sample ballot a statement indicating:

29 (a) The addresses of such centralized voting locations;

30 (b) The types of specially equipped voting devices available at
31 such centralized voting locations; and

32 (c) That a voter who is elderly or disabled may cast his or her
33 ballot at such a centralized voting location rather than at his or her
34 regularly designated polling place or places.

35 13. The cost of distributing sample ballots for any election
36 other than a primary *election, presidential preference primary*
37 *election* or general election must be borne by the political
38 subdivision holding the election.

39 **Sec. 24.** NRS 293.567 is hereby amended to read as follows:

40 293.567 After the close of registration for each primary
41 election but not later than the Friday preceding the primary election
42 , *after the close of registration for each presidential preference*
43 *primary election but not later than the Friday preceding the*
44 *presidential preference primary election* and after the close of
45 registration for each general election but not later than the Friday



1 preceding the general election, the county clerk shall ascertain by
2 precinct and district the number of registered voters in the county
3 and their political affiliation, if any, and shall transmit that
4 information to the Secretary of State.

5 **Sec. 25.** NRS 293.5737 is hereby amended to read as follows:

6 293.5737 1. The Department of Motor Vehicles shall follow
7 the procedures described in this section and NRS 293.5742 and
8 293.5747 if a person applies to the Department for the issuance or
9 renewal of or change of address for any type of driver's license or
10 identification card issued by the Department.

11 2. Before concluding the person's transaction with the
12 Department, the Department shall notify each person described in
13 subsection 1:

14 (a) Of the qualifications to vote in this State, as provided by
15 NRS 293.485;

16 (b) That, unless the person affirmatively declines in writing to
17 apply to register to vote or have his or her voter registration
18 information updated, as applicable:

19 (1) The person is deemed to have (1) consented to the
20 transmission of information to the Secretary of State and the county
21 clerks for the purpose of registering the person to vote or updating
22 the voter registration information of the person for the purpose of
23 correcting the statewide voter registration list pursuant to NRS
24 293.530; and

25 (2) The Department will transmit to the county clerk of the
26 county in which the person resides all information required to
27 register the person to vote pursuant to this chapter or to update the
28 voter registration information of the person for the purpose of
29 correcting the statewide voter registration list pursuant to
30 NRS 293.530;

31 (c) That:

32 (1) Indicating a political party affiliation (1) or indicating that
33 the person is not affiliated with a political party is voluntary;

34 (2) The person may indicate a political party affiliation on a
35 paper or electronic form provided by the Department; and

36 (3) The person will not be able to vote at a primary election ,
37 *presidential preference primary election* or primary city election
38 for candidates for partisan offices of a major political party unless
39 the person updates his or her voter registration information to
40 indicate a major political party affiliation; and

41 (d) Of the provisions of subsections 2 and 3 of NRS 293.5757.

42 3. The failure or refusal of the person to acknowledge that he
43 or she has received the notice required by subsection 2:

44 (a) Is not a declination by the person to apply to register to vote
45 or have his or her voter registration information updated; and



1 (b) Shall not be deemed to affect any duty of the Department,
2 the Secretary of State or any county clerk:

3 (1) Relating to the application of the person to register to
4 vote; or

5 (2) To update the voter registration information of the
6 person.

7 4. The Department:

8 (a) Shall prescribe by regulation the form of the notice required
9 by subsection 2 and the procedure for providing it; and

10 (b) Shall not require the person to acknowledge that he or she
11 has received the notice required by subsection 2.

12 **Sec. 26.** NRS 293.5777 is hereby amended to read as follows:

13 293.5777 "Election" means:

14 1. A primary election;

15 2. *A presidential preference primary election;*

16 3. A general election;

17 ~~3.~~ 4. A primary city election; or

18 ~~4.~~ 5. A general city election.

19 **Sec. 27.** NRS 293.8811 is hereby amended to read as follows:

20 293.8811 "Affected election" or "election" means a primary
21 election, primary city election, *presidential preference primary*
22 *election*, general election, general city election or special election
23 which, in accordance with the provisions of NRS 293.8821, is
24 deemed to be an affected election that is subject to the provisions of
25 NRS 293.8801 to 293.8887, inclusive.

26 **Sec. 28.** NRS 293.8821 is hereby amended to read as follows:

27 293.8821 1. Except as otherwise provided in this section, if a
28 state of emergency or declaration of disaster is proclaimed by the
29 Governor or by resolution of the Legislature pursuant to NRS
30 414.070 for the entire State of Nevada, the following elections are
31 deemed to be affected elections that are subject to the provisions of
32 NRS 293.8801 to 293.8887, inclusive:

33 (a) A primary election, if on the March 1 preceding the primary
34 election, the state of emergency or declaration of disaster is in effect
35 for the entire State of Nevada.

36 (b) *A presidential preference primary election, if on the*
37 *October 1 preceding the presidential preference primary election,*
38 *the state of emergency or declaration of disaster is in effect for the*
39 *entire State of Nevada.*

40 (c) A primary city election:

41 (1) Held on the date of the primary election set forth in NRS
42 293.175, if on the March 1 preceding the primary city election, the
43 state of emergency or declaration of disaster is in effect for the
44 entire State of Nevada.



1 (2) Held on a date other than the date of the primary election
2 set forth in NRS 293.175, if on the date that is 90 days preceding the
3 date of the primary city election, the state of emergency or
4 declaration of disaster is in effect for the entire State of Nevada.

5 ~~(d)~~ (d) A general election, if on the July 1 preceding the
6 general election, the state of emergency or declaration of disaster is
7 in effect for the entire State of Nevada.

8 ~~(d)~~ (e) A general city election:

9 (1) Held on the date of the general election set forth in NRS
10 293.12755, if on the July 1 preceding the general city election, the
11 state of emergency or declaration of disaster is in effect for the
12 entire State of Nevada.

13 (2) Held on a date other than the date of the general election
14 set forth in NRS 293.12755, if on the date that is 90 days preceding
15 the date of the general city election, the state of emergency or
16 declaration of disaster is in effect for the entire State of Nevada.

17 ~~(e)~~ (f) A special election, if:

18 (1) On the date that the call for the special election is issued,
19 the state of emergency or declaration of disaster is in effect for the
20 entire State of Nevada; or

21 (2) The special election is held on the same day as a primary
22 election, primary city election, general election or general city
23 election that is subject to the provisions of NRS 293.8801 to
24 293.8887, inclusive.

25 2. If a state of emergency or declaration of disaster is
26 proclaimed by the Governor or by resolution of the Legislature
27 pursuant to NRS 414.070 for the entire State of Nevada after the
28 applicable date set forth in subsection 1 for an election, the
29 Governor may order that the election is deemed to be an affected
30 election that is subject to the provisions of NRS 293.8801 to
31 293.8887, inclusive, if the Governor finds that:

32 (a) The health, safety and welfare of voters and elections
33 personnel or the security and integrity of the election may be
34 adversely affected by the emergency or disaster; and

35 (b) Elections officials have sufficient time to comply with the
36 requirements set forth in NRS 293.8801 to 293.8887, inclusive, and
37 any applicable requirements set forth in federal law for the election.

38 3. If a state of emergency or declaration of disaster is
39 proclaimed by the Governor or by resolution of the Legislature
40 pursuant to NRS 414.070 for one or more specific areas of the State
41 of Nevada affected by the emergency or disaster but not for the
42 entire State of Nevada as provided in subsection 1 or 2, the
43 Governor may order that an election in one or more of those specific
44 areas is deemed to be an affected election that is subject to the



1 provisions of NRS 293.8801 to 293.8887, inclusive, if the Governor
2 finds that:

3 (a) The health, safety and welfare of voters and elections
4 personnel or the security and integrity of the election may be
5 adversely affected by the emergency or disaster; and

6 (b) Elections officials have sufficient time to comply with the
7 requirements set forth in NRS 293.8801 to 293.8887, inclusive, and
8 any applicable requirements set forth in federal law for the election.

9 **Sec. 29.** NRS 293.8831 is hereby amended to read as follows:

10 293.8831 1. Except as otherwise provided in this section, if
11 any affected election is:

12 (a) A primary election or general election, the provisions of
13 NRS 293.356 to 293.361, inclusive, governing early voting by
14 personal appearance apply to the election.

15 (b) *A presidential preference primary election, the provisions*
16 *of section 47 of this act, governing early voting by personal*
17 *appearance apply to the election.*

18 (c) A primary city election or general city election, the
19 provisions of NRS 293C.355 to 293C.361, inclusive, governing
20 early voting by personal appearance apply to the election if the city
21 has provided for early voting by personal appearance pursuant to
22 NRS 293C.110.

23 2. If the affected election is a primary election , *presidential*
24 *preference primary election* or general election, the county clerk
25 must establish:

26 (a) In a county whose population is 700,000 or more, at least 35
27 polling places for early voting by personal appearance, which may
28 be any combination of temporary or permanent polling places for
29 early voting.

30 (b) In a county whose population is 100,000 or more but less
31 than 700,000, at least 15 polling places for early voting by personal
32 appearance, which may be any combination of temporary or
33 permanent polling places for early voting.

34 (c) In a county whose population is less than 100,000, at least 1
35 permanent polling place for early voting by personal appearance.

36 3. In addition to the polling places for early voting established
37 pursuant to subsection 2, the county clerk must establish a
38 temporary polling place for early voting by personal appearance
39 within the boundaries of an Indian reservation or Indian colony that
40 is located in whole or in part within the county if:

41 (a) The Indian tribe submits a request to the county clerk for the
42 establishment of such a temporary polling place for early voting;
43 and

44 (b) The request described in paragraph (a) is submitted to the
45 county clerk:



1 (1) For a primary election, not later than the April 1
2 preceding the primary election; ~~for~~

3 (2) *For a presidential preference primary election, not later*
4 *than the December 1 preceding the presidential preference*
5 *primary election; or*

6 (3) For a general election, not later than the September 1
7 preceding the general election.

8 4. If the affected election is a primary city election or a general
9 city election and the city has provided for early voting by personal
10 appearance pursuant to NRS 293C.110, the city clerk must establish
11 at least one permanent polling place for early voting by personal
12 appearance in the city.

13 5. In addition to the polling place for early voting established
14 pursuant to subsection 4, the city clerk must establish a temporary
15 polling place for early voting by personal appearance within the
16 boundaries of an Indian reservation or Indian colony that is located
17 in whole or in part within the city if:

18 (a) The Indian tribe submits a request to the city clerk for the
19 establishment of such a temporary polling place for early voting;
20 and

21 (b) The request described in paragraph (a) is submitted to the
22 city clerk:

23 (1) For a primary city election:

24 (I) Held on the date of the primary election set forth in
25 NRS 293.175, not later than the April 1 preceding the primary city
26 election.

27 (II) Held on a date other than the date of the primary
28 election set forth in NRS 293.175, not later than 45 days before the
29 date of the primary city election.

30 (2) For a general city election:

31 (I) Held on the date of the general election set forth in
32 NRS 293.12755, not later than the September 1 preceding the
33 general city election.

34 (II) Held on a date other than the date of the general
35 election set forth in NRS 293.12755, not later than 45 days before
36 the date of the general city election.

37 **Sec. 30.** NRS 293.8834 is hereby amended to read as follows:

38 293.8834 1. Except as otherwise provided in this section, for
39 any affected election, the county or city clerk, as applicable, may
40 establish one or more polling places as vote centers for the day of
41 the election.

42 2. If the affected election is a primary election, *presidential*
43 *preference primary election* or general election, the county clerk:

44 (a) In a county whose population is 700,000 or more, must
45 establish at least 100 vote centers for the day of the election.



1 (b) In a county whose population is 100,000 or more but less
2 than 700,000, must establish at least 25 vote centers for the day of
3 the election.

4 (c) In a county whose population is less than 100,000, may
5 establish one or more vote centers for the day of the election.

6 **Sec. 31.** NRS 293.8837 is hereby amended to read as follows:

7 293.8837 1. If any affected election is a primary election,
8 *presidential preference primary election*, primary city election,
9 general election or general city election, the provisions of NRS
10 293.5772 to 293.5887, inclusive, apply to the election.

11 2. Except as otherwise provided in subsection 3, the county or
12 city clerk, as applicable, may establish polling places for the
13 election precincts in the county or city, as applicable, where:

14 (a) A voter may vote in person on the day of the election in his
15 or her election precinct; and

16 (b) A person may register to vote pursuant to NRS 293.5772 to
17 293.5887, inclusive, and vote in person on the day of the election in
18 his or her election precinct.

19 3. If, for a primary election or general election, the county
20 clerk in a county whose population is less than 100,000 does not
21 establish at least one vote center for the day of the election pursuant
22 to NRS 293.8834, the county clerk must establish polling places for
23 the election precincts in the county for the day of the election where:

24 (a) A voter may vote in person on the day of the election in his
25 or her election precinct; and

26 (b) A person may register to vote pursuant to NRS 293.5772 to
27 293.5887, inclusive, and vote in person on the day of the election in
28 his or her election precinct.

29 4. If, for a primary city election or general city election, the
30 city clerk does not establish at least one vote center for the day of
31 the election pursuant to NRS 293.8834, the city clerk must establish
32 polling places for the election precincts in the city for the day of the
33 election where:

34 (a) A voter may vote in person on the day of the election in his
35 or her election precinct; and

36 (b) A person may register to vote pursuant to NRS 293.5772 to
37 293.5887, inclusive, and vote in person on the day of the election in
38 his or her election precinct.

39 **Sec. 32.** NRS 293.8841 is hereby amended to read as follows:

40 293.8841 1. Except as otherwise provided in this section, if
41 any affected election is:

42 (a) A primary election , *presidential preference primary*
43 *election* or general election, the provisions of NRS 293.2733 and
44 293.2735 apply to a request for the establishment of a polling place
45 for the election.



1 (b) A primary city election or general city election, the
2 provisions of NRS 293C.2675 and 293C.268 apply to a request for
3 the establishment of a polling place for the election.

4 2. The request for the establishment of:

5 (a) A polling place pursuant to NRS 293.2733 or 293.2735 must
6 be submitted to the county clerk not later than the April 1 before the
7 primary election , *the December 1 before the presidential*
8 *preference primary election* or the September 1 before the general
9 election, as applicable.

10 (b) A polling place pursuant to NRS 293C.2675 or 293C.268
11 must be submitted to the city clerk:

12 (1) For a primary city election:

13 (I) Held on the date of the primary election set forth in
14 NRS 293.175, not later than the April 1 preceding the primary city
15 election.

16 (II) Held on a date other than the date of the primary
17 election set forth in NRS 293.175, not later than 45 days before the
18 date of the primary city election.

19 (2) For a general city election:

20 (I) Held on the date of the general election set forth in
21 NRS 293.12755, not later than September 1 preceding the general
22 city election.

23 (II) Held on a date other than the date of the general
24 election set forth in NRS 293.12755, not later than 45 days before
25 the date of the general city election.

26 **Sec. 33.** NRS 293B.130 is hereby amended to read as follows:

27 293B.130 1. Before any election where a mechanical voting
28 system is to be used, the county clerk shall prepare or cause to be
29 prepared a computer program on cards, tape or other material
30 suitable for use with the computer or counting device to be
31 employed for counting the votes cast. The program must cause the
32 computer or counting device to operate in the following manner:

33 (a) All lawful votes cast by each voter must be counted.

34 (b) All unlawful votes, including, but not limited to, overvotes
35 or, in a primary election ~~or~~ *or presidential preference primary*
36 *election*, votes cast for a candidate of a major political party other
37 than the party, if any, of the registration of the voter must not be
38 counted.

39 (c) If the election is:

40 (1) A primary election held in an even-numbered year; ~~or~~

41 (2) *A presidential preference primary election; or*

42 (3) A general election,

43 ↪ the total votes, other than absentee votes and votes in a mailing
44 precinct, must be accumulated by precinct.



1 (d) The computer or counting device must halt or indicate by
2 appropriate signal if a ballot is encountered which lacks a code
3 identifying the precinct in which it was voted and, in a primary
4 election **§ or presidential preference primary election**, identifying
5 the major political party of the voter.

6 2. The program must be prepared under the supervision of the
7 accuracy certification board appointed pursuant to the provisions of
8 NRS 293B.140.

9 3. The county clerk shall take such measures as he or she
10 deems necessary to protect the program from being altered or
11 damaged.

12 **Sec. 34.** NRS 293B.190 is hereby amended to read as follows:

13 293B.190 When used in primary elections **§ or presidential**
14 **preference primary elections**, the list of offices and candidates and
15 the statements of measures to be voted on for each mechanical
16 recording device, except those devices intended solely for
17 nonpartisan voters, must be so arranged that it contains a page or
18 pages setting forth the ballot of one major political party only . **§**
19 **For a primary election, the page or pages setting forth the ballot of**
20 **one major political party must be** followed by a page or pages
21 setting forth the nonpartisan ballot and so that the voter may cast
22 partisan and nonpartisan votes on a single ballot but may not cast
23 partisan votes for a candidate of another major political party.

24 **Sec. 35.** NRS 293B.300 is hereby amended to read as follows:

25 293B.300 1. In a primary election **§ or presidential**
26 **preference primary election**, a member of the election board for a
27 precinct shall issue each partisan voter a ballot which contains a
28 distinctive code associated with the major political party of the voter
29 and on which is clearly printed the name of the party.

30 2. If a mechanical voting system is used in a primary election
31 **or presidential preference primary election** whereby votes are
32 directly recorded electronically, a member of the election board
33 shall, if the clerk uses voting receipts, in addition to the ballot
34 described in subsection 1, issue each partisan voter a voting receipt
35 on which is clearly printed the name of the major political party of
36 the voter.

37 3. The member of the election board shall direct the partisan
38 voter to a mechanical recording device containing the list of offices
39 and candidates arranged for the voter's major political party in the
40 manner provided in NRS 293B.190.

41 **Sec. 36.** Chapter 298 of NRS is hereby amended by adding
42 thereto the provisions set forth as sections 37 to 50, inclusive, of this
43 act.



1 **Sec. 37.** *As used in sections 37 to 50, inclusive, of this act,*
2 *the words and terms defined in sections 38 to 41, inclusive, of this*
3 *act have the meanings ascribed to them in those sections.*

4 **Sec. 38.** *“Mail ballot” has the meaning ascribed to it in*
5 *NRS 293.8814.*

6 **Sec. 39.** *“Mailing ballot” means a mailing ballot distributed*
7 *to a voter in a mailing precinct or an absent ballot mailing*
8 *precinct pursuant to NRS 293.343 to 293.355, inclusive.*

9 **Sec. 40.** *“Military-overseas ballot” has the meaning ascribed*
10 *to it in NRS 293D.050.*

11 **Sec. 41.** *“Qualified candidate” means a person who is*
12 *qualified to be the nominee of a party for President of the United*
13 *States pursuant to the Constitution and laws of the United States*
14 *and the rules of the major political party.*

15 **Sec. 42.** 1. *The provisions of chapters 293 and 293B of*
16 *NRS apply to a presidential preference primary election to the*
17 *extent that such provisions do not conflict with this chapter.*

18 2. *If there is a conflict between the provisions of this chapter*
19 *and chapters 293 and 293B of NRS, the provisions of this chapter*
20 *control.*

21 **Sec. 43.** 1. *Except as otherwise provided in this section, a*
22 *presidential preference primary election must be held for all major*
23 *political parties on the Tuesday immediately preceding the last*
24 *Tuesday in January of each presidential election year. If any other*
25 *state in the Western United States schedules a presidential*
26 *preference primary election or caucus to be held in that state*
27 *earlier than the Tuesday immediately preceding the last Tuesday*
28 *in January, the Secretary of State must, as soon as practicable and*
29 *with the approval of the Legislative Commission, select a date for*
30 *the presidential preference primary election which is not earlier*
31 *than January 2 of the year of the presidential preference primary*
32 *election and is not a Saturday, Sunday or legal holiday.*

33 2. *A presidential preference primary election must not be held*
34 *for a major political party if only one qualified candidate or no*
35 *qualified candidate of the major political party files a declaration*
36 *of candidacy pursuant to section 44 of this act. If only one*
37 *qualified candidate of the major political party files a declaration*
38 *of candidacy, the Secretary of State must certify the name of the*
39 *qualified candidate to the state central committee and the national*
40 *committee of the major political party.*

41 3. *As used in this section, “any other state in the Western*
42 *United States” means the state of Alaska, Arizona, California,*
43 *Colorado, Hawaii, Idaho, Montana, New Mexico, Oregon, Utah,*
44 *Washington or Wyoming.*



1 **Sec. 44.** *If a person who is a qualified candidate to be a*
2 *major political party's nominee for President of the United States*
3 *wants to appear on the ballot for a presidential preference primary*
4 *election that is held for the party, the person must, not earlier than*
5 *November 1 and not later than 5 p.m. on November 15 of the year*
6 *immediately preceding the presidential preference primary*
7 *election, file with the Secretary of State a declaration of candidacy*
8 *in the form prescribed by the Secretary of State.*

9 **Sec. 45.** 1. *The Secretary of State shall forward to each*
10 *county clerk the name, party affiliation and mailing address of*
11 *each qualified candidate whose name must appear on the ballot*
12 *for the presidential preference primary election.*

13 2. *Immediately upon receipt by the county clerk of the list of*
14 *qualified candidates, the county clerk shall publish a notice of the*
15 *presidential preference primary election in a newspaper of general*
16 *circulation in the county once a week for 2 successive weeks. If no*
17 *such newspaper is published in the county, the publication may be*
18 *made in a newspaper of general circulation published in the*
19 *nearest Nevada county. The notice must contain:*

20 (a) *The date of the presidential preference primary election;*

21 (b) *The major political parties that have qualified candidates*
22 *who will be on the ballot at the presidential preference primary*
23 *election;*

24 (c) *The location of the polling places in the county, including,*
25 *without limitation, polling places for early voting by personal*
26 *appearance; and*

27 (d) *The hours during which the polling places in the county*
28 *will be open for voting during the period for early voting and the*
29 *day of the presidential preference primary election.*

30 **Sec. 46.** 1. *There must be a separate presidential*
31 *preference primary ballot for each major political party that has*
32 *qualified candidates. The name of the major political party must*
33 *appear at the top of the ballot. Following this designation must*
34 *appear the names of qualified candidates of the major political*
35 *party, grouped alphabetically under the title.*

36 2. *A registered voter may cast a ballot at a presidential*
37 *preference primary election for a major political party only if the*
38 *registered voter designated on his or her application to register to*
39 *vote an affiliation with the party. Such a registered voter may vote*
40 *for only one qualified candidate on the ballot as the voter's*
41 *preference for the nominee for President of the United States for*
42 *the party.*

43 3. *The provisions of NRS 293.5772 to 293.5887, inclusive,*
44 *apply to a presidential preference primary election.*



1 **Sec. 47. 1.** *In conducting a presidential preference primary*
2 *election, the county clerk shall:*

3 (i) *Distribute sample ballots for the presidential preference*
4 *primary election;*

5 (ii) *Establish polling places for early voting by personal*
6 *appearance;*

7 (iii) *Permit voting by registered voters of the major political*
8 *party by absent ballot, military-overseas ballot and, if applicable,*
9 *by mail ballot or mailing ballot, in the manner and within the time*
10 *required by chapters 293 and 293D of NRS; and*

11 (iv) *Establish polling places for the day of the presidential*
12 *preference primary election. The provisions of NRS 293.273 apply*
13 *to the presidential preference primary election.*

14 2. *A registered voter who is entitled to cast a ballot at the*
15 *presidential preference primary election may do so at any polling*
16 *place in the county.*

17 **Sec. 48. 1.** *Except as otherwise provided in this section, the*
18 *provisions of NRS 293.356 to 293.361, inclusive, apply to a*
19 *presidential preference primary election.*

20 2. *The period for early voting for a presidential preference*
21 *primary election begins 10 calendar days before the date of the*
22 *presidential preference primary election and extends through the*
23 *Friday before the day of the presidential preference primary*
24 *election.*

25 3. *The county clerk may:*

26 (i) *Include any Sunday or federal holiday that falls within the*
27 *period for early voting by personal appearance.*

28 (ii) *Require a permanent polling place for early voting to*
29 *remain open until 8 p.m. on any Saturday that falls within the*
30 *period for early voting.*

31 4. *A permanent polling place for early voting must remain*
32 *open:*

33 (i) *On Monday through Friday during the period for early*
34 *voting, for at least 8 hours during such hours as the county clerk*
35 *may establish.*

36 (ii) *On any Saturday that falls within the period for early*
37 *voting, for at least 4 hours during such hours as the county clerk*
38 *may establish.*

39 (iii) *If the county clerk includes a Sunday that falls within the*
40 *period for early voting pursuant to subsection 3, during such*
41 *hours as the county clerk may establish.*

42 **Sec. 49.** *The cost of a presidential preference primary*
43 *election is a charge against the State and must be paid from the*
44 *Reserve for Statutory Contingency Account upon recommendation*



1 *by the Secretary of State and approval by the State Board of*
2 *Examiners.*

3 **Sec. 50.** *1. Immediately after a presidential preference*
4 *primary election, the Secretary of State shall compile the returns*
5 *for each qualified candidate of the major political party whose*
6 *name appears on the ballot for the major political party.*

7 *2. The Secretary of State shall make out and file in his or her*
8 *office an abstract of the returns and shall certify the number of*
9 *votes received by each qualified candidate of the major political*
10 *party to the party's state central committee and the national*
11 *committee of the major political party.*

12 **Sec. 51.** NRS 353.264 is hereby amended to read as follows:

13 353.264 1. The Reserve for Statutory Contingency Account
14 is hereby created in the State General Fund.

15 2. The State Board of Examiners shall administer the Reserve
16 for Statutory Contingency Account. The money in the Account must
17 be expended only for:

18 (a) The payment of claims which are obligations of the State
19 pursuant to NRS 41.03435, 41.0347, 62I.025, 176.485, 179.310,
20 212.040, 212.050, 212.070, 281.174, 282.290, 282.315, 288.203,
21 293.253, 293.405, 353.120, 353.262, 412.154 and 475.235 ~~§~~ *and*
22 *section 49 of this act;*

23 (b) The payment of claims which are obligations of the State
24 pursuant to:

25 (1) Chapter 472 of NRS arising from operations of the
26 Division of Forestry of the State Department of Conservation and
27 Natural Resources directly involving the protection of life and
28 property; and

29 (2) NRS 7.155, 34.750, 176A.640, 179.225 and 213.153,
30 ↪ except that claims may be approved for the respective purposes
31 listed in this paragraph only when the money otherwise appropriated
32 for those purposes has been exhausted;

33 (c) The payment of claims which are obligations of the State
34 pursuant to NRS 41.0349 and 41.037, but only to the extent that the
35 money in the Fund for Insurance Premiums is insufficient to pay the
36 claims;

37 (d) The payment of claims which are obligations of the State
38 pursuant to NRS 41.950; and

39 (e) The payment of claims which are obligations of the State
40 pursuant to NRS 535.030 arising from remedial actions taken by the
41 State Engineer when the condition of a dam becomes dangerous to
42 the safety of life or property.

43 3. The State Board of Examiners may authorize its Clerk or a
44 person designated by the Clerk, under such circumstances as it
45 deems appropriate, to approve, on behalf of the Board, the payment



1 of claims from the Reserve for Statutory Contingency Account. For
2 the purpose of exercising any authority granted to the Clerk of the
3 State Board of Examiners or to the person designated by the Clerk
4 pursuant to this subsection, any statutory reference to the State
5 Board of Examiners relating to such a claim shall be deemed to refer
6 to the Clerk of the Board or the person designated by the Clerk.

7 **Sec. 52.** The provisions of subsection 1 of NRS 218D.380 do
8 not apply to any provision of this act which adds or revises a
9 requirement to submit a report to the Legislature.

10 **Sec. 53.** 1. This section becomes effective upon passage and
11 approval.

12 2. Sections 1 to 52, inclusive, of this act become effective:

13 (a) Upon passage and approval for the purpose of adopting any
14 regulations and performing any other preparatory administrative
15 tasks that are necessary to carry out the provisions of this act; and

16 (b) On January 1, 2022, for all other purposes.

