

Amendment No. 759

Senate Amendment to Assembly Bill No. 121 First Reprint	(BDR 24-774)
Proposed by: Senate Committee on Legislative Operations and Elections	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: Yes Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



ASSEMBLY BILL NO. 121 ~~[ASSEMBLYWOMAN]~~ ASSEMBLYMEN COHEN; ANDERSON, BILBRAY-AXELROD, BROWN-MAY, CARLTON, DURAN, FLORES, FRIERSON, GONZÁLEZ, GORELOW, JAUREGUI, MARTINEZ, MARZOLA, BRITTNEY MILLER, C.H. MILLER, MONROE-MORENO, NGUYEN, ORENTLICHER, PETERS, SUMMERS-ARMSTRONG, THOMAS, TORRES, WATTS AND YEAGER

FEBRUARY 15, 2021

JOINT SPONSORS: SENATORS OHRENSCHALL, SPEARMAN AND LANGE

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises certain provisions relating to elections. (BDR 24-774)

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; requiring the Secretary of State to allow an elector with a disability to register to vote and a registered voter with a disability to request and cast an absent ballot using the system of approved electronic transmission established for certain uniformed military and overseas voters; setting forth certain requirements for such an elector or registered voter to use the system of approved electronic transmission; eliminating the requirement to cancel a person’s voter registration if a person changes his or her party affiliation; revising the deadline by which certain uniformed military and overseas voters may submit an application to register to vote or a request for a military-overseas ballot; making various other changes related to the system of approved electronic transmission established for certain uniformed military and overseas voters; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Secretary of State to establish a system of approved electronic
2 transmission through which certain uniformed military and overseas voters may register to
3 vote, apply for a military-overseas ballot and cast a military-overseas ballot. (NRS 293D.200)
4 **Section 1** of this bill requires the Secretary of State to allow the system of approved electronic
5 transmission to be used by: (1) an elector with a disability to register to vote; and (2) a
6 registered voter with a disability to apply for and cast an absent ballot. **Section 1** also requires
7 the system of approved electronic transmission to allow such an elector or registered voter to
8 provide his or her digital or electronic signature on any document or other material that is
9 necessary for the elector to register to vote or the registered voter to apply for and cast an

absent ballot. **Section 1** further requires the Secretary of State to prescribe procedures to be used by local elections officials in accepting, handling and counting absent ballots received from a registered voter with a disability using the system of approved electronic transmission.

Sections 2-12 of this bill make conforming changes related to allowing the use of the system of approved electronic transmission by an elector with a disability to register to vote and a registered voter with a disability to request and cast an absent ballot.

Existing law authorizes certain uniformed military and overseas voters to: (1) use a federal postcard application or the application's electronic equivalent to apply to register to vote; or (2) use the declaration accompanying the federal write-in absentee ballot to apply to register to vote simultaneously with the submission of the federal write-in absentee ballot if the application or the declaration, as applicable, is received by the appropriate elections official by the seventh day before the election. (NRS 293D.230) Existing law further authorizes certain uniformed military and overseas voters to submit an application for a military-overseas ballot by the seventh day before the election. (NRS 293D.300, 293D.310) Existing law also requires a military-overseas ballot to be received by the appropriate local elections official not later than the close of the polls. (NRS 293D.400) **Sections 13-16** of this bill provide that the deadline for certain uniformed military and overseas voters to: (1) submit a federal postcard application or the application's electronic equivalent to apply to register to vote; (2) submit the federal write-in absentee ballot and register to vote simultaneously using the declaration accompanying the federal write-in absentee ballot; or (3) apply for a military-overseas ballot and return the military-overseas ballot to the appropriate local elections official is the time set for closing the polls on election day pursuant to NRS 293.273, which is currently 7 p.m. As a result of the changes made by **sections 13-16**, a person with a disability may also use the system of approved electronic transmission to register to vote, request an absent ballot and cast an absent ballot until the time set for closing the polls on election day.

Sections 1, 13 and 14 of this bill require a local elections official to time stamp the electronic equivalent of: (1) the federal postcard application; or (2) an application to register to vote and ballot cast by a person with a disability using the system of approved electronic transmission upon receipt.

Existing law requires the county clerk to cancel the registration of a person if he or she requests to affiliate with a political party or change his or her affiliation and provides that the person may reregister immediately. (NRS 293.540, 293.543) Sections 11.3 and 11.7 of this bill revise these provisions to remove the requirement for the county clerk to cancel the registration of a person who requests to affiliate or change his or her affiliation with a political party.

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:

1. The Secretary of State shall allow:

(a) An elector with a disability to use the system of approved electronic transmission established pursuant to NRS 293D.200 to register to vote in every election where the system of approved electronic transmission is available to a covered voter to register to vote, including, without limitation, an affected election. The deadline for an elector with a disability to use the system of approved electronic transmission to register to vote is the same as the deadline set forth in NRS 293D.230 for a covered voter to register to vote.

(b) A registered voter with a disability to use the system of approved electronic transmission established pursuant to NRS 293D.200 to apply for and cast an absent ballot in every election where the system of approved electronic transmission is available to a covered voter to request and cast a military-overseas ballot, including, without limitation, an affected election. The deadlines for a registered voter with a disability to use the system of approved electronic

1 *transmission to request and cast an absent ballot are the same as the deadlines set*
2 *forth in NRS 293D.310 and 293D.400 for a covered voter to request and cast a*
3 *military-overseas ballot.*

4 2. Upon receipt of an application and ballot cast by a person with a
5 disability using the system of approved electronic transmission established
6 pursuant to NRS 293D.200, the local elections official shall affix, mark or
7 otherwise acknowledge receipt of the application and ballot by means of a time
8 stamp on the application.

9 3. The Secretary of State shall ensure that an elector with a disability or a
10 registered voter with a disability may provide his or her digital signature or
11 electronic signature on any document or other material that is necessary for the
12 elector or registered voter to register to vote, apply for an absent ballot or cast an
13 absent ballot, as applicable.

14 ~~3.~~ 4. The Secretary of State shall prescribe the form and content of a
15 declaration for use by an elector with a disability or a registered voter with a
16 disability to swear or affirm specific representations pertaining to identity,
17 eligibility to vote, status as such an elector or registered voter and timely and
18 proper completion of an absent ballot.

19 ~~4.~~ 5. The Secretary of State shall prescribe the duties of the county clerk
20 upon receipt of an absent ballot sent by a registered voter with a disability using
21 the system of approved electronic transmission, including, without limitation, the
22 procedures to be used in accepting, handling and counting the absent ballot.

23 ~~5.~~ 6. The Secretary of State shall make available to an elector with a
24 disability or a registered voter with a disability information regarding instructions
25 on using the system for approved electronic transmission to register to vote and
26 apply for and cast an absent ballot.

27 ~~6.~~ 7. The Secretary of State shall adopt any regulation necessary to carry
28 out the provisions of this section.

29 ~~7.~~ 8. As used in this section:

30 (a) "Affected election" has the meaning ascribed to it in NRS 293.8811.

31 (b) "Covered voter" has the meaning ascribed to it in NRS 293D.030.

32 (c) "Digital signature" has the meaning ascribed to it in NRS 720.060.

33 (d) "Electronic signature" has the meaning ascribed to it in NRS 719.100.

34 (e) "Military-overseas ballot" has the meaning ascribed to it in NRS
35 293D.050.

36 **Sec. 2.** NRS 293.250 is hereby amended to read as follows:

37 293.250 1. Except as otherwise provided in chapter 293D of NRS, the
38 Secretary of State shall, in a manner consistent with the election laws of this State,
39 prescribe:

40 (a) The form of all ballots, absent ballots, diagrams, sample ballots,
41 certificates, notices, declarations, applications to preregister and register to vote,
42 lists, applications, registers, rosters, statements and abstracts required by the
43 election laws of this State.

44 (b) The procedures to be followed and the requirements of:

45 (1) A system established pursuant to NRS 293.506 for using a computer to
46 register voters and to keep records of registration.

47 (2) The system established by the Secretary of State pursuant to NRS
48 293.671 for using a computer to register voters.

49 (3) The use of the system of approved electronic transmission established
50 pursuant to NRS 293D.200 by electors and voters with disabilities pursuant to
51 section 1 of this act.

52 2. Except as otherwise provided in chapter 293D of NRS, the Secretary of
53 State shall prescribe with respect to the matter to be printed on every kind of ballot:

1 (a) The placement and listing of all offices, candidates and measures upon
2 which voting is statewide, which must be uniform throughout the State.

3 (b) The listing of all other candidates required to file with the Secretary of
4 State, and the order of listing all offices, candidates and measures upon which
5 voting is not statewide, from which each county or city clerk shall prepare
6 appropriate ballot forms for use in any election in his or her county.

7 3. The Secretary of State shall place the condensation of each proposed
8 constitutional amendment or statewide measure near the spaces or devices for
9 indicating the voter's choice.

10 4. The fiscal note for, explanation of, arguments for and against, and rebuttals
11 to such arguments of each proposed constitutional amendment or statewide measure
12 must be included on all sample ballots.

13 5. The condensations and explanations for constitutional amendments and
14 statewide measures proposed by initiative or referendum must be prepared by the
15 Secretary of State, upon consultation with the Attorney General. The arguments and
16 rebuttals for or against constitutional amendments and statewide measures proposed
17 by initiative or referendum must be prepared in the manner set forth in NRS
18 293.252. The fiscal notes for constitutional amendments and statewide measures
19 proposed by initiative or referendum must be prepared by the Secretary of State,
20 upon consultation with the Fiscal Analysis Division of the Legislative Counsel
21 Bureau. The condensations, explanations, arguments, rebuttals and fiscal notes
22 must be in easily understood language and of reasonable length, and whenever
23 feasible must be completed by August 1 of the year in which the general election is
24 to be held. The explanations must include a digest. The digest must include a
25 concise and clear summary of any existing laws directly related to the constitutional
26 amendment or statewide measure and a summary of how the constitutional
27 amendment or statewide measure adds to, changes or repeals such existing laws.
28 For a constitutional amendment or statewide measure that creates, generates,
29 increases or decreases any public revenue in any form, the first paragraph of the
30 digest must include a statement that the constitutional amendment or statewide
31 measure creates, generates, increases or decreases, as applicable, public revenue.

32 6. The names of candidates for township and legislative or special district
33 offices must be printed only on the ballots furnished to voters of that township or
34 district.

35 7. A county clerk:

36 (a) May divide paper ballots into two sheets in a manner which provides a clear
37 understanding and grouping of all measures and candidates.

38 (b) Shall prescribe the color or colors of the ballots and voting receipts used in
39 any election which the clerk is required to conduct.

40 **Sec. 3.** NRS 293.313 is hereby amended to read as follows:

41 293.313 1. Except as otherwise provided in *subsection 2 and* NRS 293.272,
42 293.316, 293.3165 and 293.502, a registered voter may request an absent ballot if,
43 before 5 p.m. on the 14th calendar day preceding the election, the registered voter:

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

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

46 2. *A registered voter with a disability may use the system for approved*
47 *electronic transmission established by the Secretary of State pursuant to*
48 *subsection 2 of NRS 293D.200 to request an absent ballot in accordance with*
49 *section 1 of this act.*

50 3. A registered voter may request an absent ballot for all elections held during
51 the year he or she requests an absent ballot.

52 ~~3.~~ 4. A county clerk shall consider a request from a voter who has given
53 sufficient written notice on a form provided by the Federal Government as a request

1 for an absent ballot for the primary and general elections immediately following the
2 date on which the county clerk received the request.

3 ~~4~~ 5. It is unlawful for a person fraudulently to request an absent ballot in
4 the name of another person or to induce or coerce another person fraudulently to
5 request an absent ballot in the name of another person. A person who violates this
6 subsection is guilty of a category E felony and shall be punished as provided in
7 NRS 193.130.

8 **Sec. 4.** NRS 293.317 is hereby amended to read as follows:

9 293.317 1. Except as otherwise provided in this section, subsection 2 of
10 NRS 293.323 and NRS 293D.200, *and section 1 of this act*, absent ballots,
11 including special absent ballots, must be:

12 (a) Delivered by hand to the county clerk before the time set for closing of the
13 polls pursuant to NRS 293.273; or

14 (b) Mailed to the county clerk and:

15 (1) Postmarked on or before the day of election; and

16 (2) Received by the county clerk not later than 5 p.m. on the seventh day
17 following the election.

18 2. If an absent ballot is received by mail not later than 5 p.m. on the third day
19 following the election and the date of the postmark cannot be determined, the
20 absent ballot shall be deemed to have been postmarked on or before the day of the
21 election.

22 **Sec. 5.** NRS 293.325 is hereby amended to read as follows:

23 293.325 1. Except as otherwise provided in NRS 293D.200, *and section 1*
24 *of this act*, when an absent ballot is returned by or on behalf of an absent voter to
25 the county clerk through the mail, by facsimile machine or other approved
26 electronic transmission or in person, and a record of its return is made in the absent
27 ballot record for the election, the county clerk or an employee in the office of the
28 county clerk shall check the signature used for the absent ballot in accordance with
29 the following procedure:

30 (a) The county clerk or employee shall check the signature used for the absent
31 ballot against all signatures of the voter available in the records of the county clerk.

32 (b) If at least two employees in the office of the county clerk believe there is a
33 reasonable question of fact as to whether the signature used for the absent ballot
34 matches the signature of the voter, the county clerk shall contact the voter and ask
35 the voter to confirm whether the signature used for the absent ballot belongs to the
36 voter.

37 2. For purposes of subsection 1:

38 (a) There is a reasonable question of fact as to whether the signature used for
39 the absent ballot matches the signature of the voter if the signature used for the
40 absent ballot differs in multiple, significant and obvious respects from the
41 signatures of the voter available in the records of the county clerk.

42 (b) There is not a reasonable question of fact as to whether the signature used
43 for the absent ballot matches the signature of the voter if:

44 (1) The signature used for the absent ballot is a variation of the signature of
45 the voter caused by the substitution of initials for the first or middle name or the use
46 of a common nickname and it does not otherwise differ in multiple, significant and
47 obvious respects from the signatures of the voter available in the records of the
48 county clerk; or

49 (2) There are only slight dissimilarities between the signature used for the
50 absent ballot and the signatures of the voter available in the records of the county
51 clerk.

52 3. Except as otherwise provided in subsection 4, if the county clerk
53 determines that the absent voter is entitled to cast the absent ballot and:

1 (a) No absent ballot central counting board has been appointed, the county
2 clerk shall neatly stack, unopened, the absent ballot with any other absent ballot
3 received that day in a container and deliver, or cause to be delivered, that container
4 to the appropriate election board.

5 (b) An absent ballot central counting board has been appointed, the county
6 clerk shall deposit the absent ballot in the proper ballot box or place the absent
7 ballot, unopened, in a container that must be securely locked or under the control of
8 the county clerk at all times. At the end of each day before election day, the county
9 clerk may remove the absent ballots from each ballot box, neatly stack the absent
10 ballots in a container and seal the container with a numbered seal. Not earlier than
11 15 days before the election, the county clerk shall deliver the absent ballots to the
12 absent ballot central counting board to be processed and prepared for counting
13 pursuant to the procedures established by the Secretary of State to ensure the
14 confidentiality of the prepared ballots until after the polls have closed pursuant to
15 NRS 293.273 or 293.305.

16 4. If the county clerk determines when checking the signature used for the
17 absent ballot that the absent voter failed to affix his or her signature or failed to
18 affix it in the manner required by law for the absent ballot or that there is a
19 reasonable question of fact as to whether the signature used for the absent ballot
20 matches the signature of the voter, but the voter is otherwise entitled to cast the
21 absent ballot, the county clerk shall contact the voter and advise the voter of the
22 procedures to provide a signature or a confirmation that the signature used for the
23 absent ballot belongs to the voter, as applicable. For the absent ballot to be counted,
24 the voter must provide a signature or a confirmation, as applicable, not later than 5
25 p.m. on the seventh day following the election or, if applicable, the ninth day
26 following an affected election that is subject to the provisions of NRS 293.8801 to
27 293.8887, inclusive.

28 5. The county clerk shall prescribe procedures for an absent voter who failed
29 to affix his or her signature or failed to affix it in the manner required by law for the
30 absent ballot, or for whom there is a reasonable question of fact as to whether the
31 signature used for the absent ballot matches the signature of the voter, in order to:

32 (a) Contact the voter;

33 (b) Allow the voter to provide a signature or a confirmation that the signature
34 used for the absent ballot belongs to the voter, as applicable; and

35 (c) After a signature or a confirmation is provided, as applicable, ensure the
36 absent ballot is delivered to the appropriate election board or the absent ballot
37 central counting board, as applicable.

38 6. The procedures established pursuant to subsection 5 for contacting an
39 absent voter must require the county clerk to contact the voter, as soon as possible
40 after receipt of the absent ballot, by:

41 (a) Mail;

42 (b) Telephone, if a telephone number for the voter is available in the records of
43 the county clerk; and

44 (c) Electronic mail, if the voter has provided the county clerk with sufficient
45 information to contact the voter by such means.

46 **Sec. 6.** NRS 293.330 is hereby amended to read as follows:

47 293.330 1. Except as otherwise provided in this section, subsection 2 of
48 NRS 293.323, NRS 293.329 and chapter 293D of NRS, *and section 1 of this act*, in
49 order to vote an absent ballot, the absent voter must, in accordance with the
50 instructions:

51 (a) Mark and fold the absent ballot;

52 (b) Deposit the absent ballot in the return envelope and seal the return
53 envelope;

1 (c) Affix his or her signature on the return envelope in the space provided for
2 the signature; and

3 (d) Mail or deliver the return envelope in a manner authorized by law.

4 2. Except as otherwise provided in subsection 3, if a voter who has requested
5 an absent ballot by mail applies to vote the absent ballot in person at:

6 (a) The office of the county clerk, the voter must mark and fold the absent
7 ballot, deposit it in the return envelope and seal the return envelope and affix his or
8 her signature in the same manner as provided in subsection 1, and deliver the return
9 envelope to the clerk.

10 (b) A polling place, including, without limitation, a polling place for early
11 voting, the voter must surrender the absent ballot and provide satisfactory
12 identification before being issued a ballot to vote at the polling place. A person who
13 receives a surrendered absent ballot shall mark it "Cancelled."

14 3. If a voter who has requested an absent ballot by mail applies to vote in
15 person at the office of the county clerk or a polling place, including, without
16 limitation, a polling place for early voting, and the voter does not have the absent
17 ballot to deliver or surrender, the voter must be issued a ballot to vote if the voter:

18 (a) Provides satisfactory identification;

19 (b) Is a registered voter who is otherwise entitled to vote; and

20 (c) Signs an affirmation under penalty of perjury on a form prepared by the
21 Secretary of State declaring that the voter has not voted during the election.

22 4. Except as otherwise provided in subsection 5, at the request of a voter
23 whose absent ballot has been prepared by or on behalf of the voter for an election, a
24 person authorized by the voter may return the absent ballot on behalf of the voter
25 by mail or personal delivery to the county clerk.

26 5. Except for an election board officer in the course of the election board
27 officer's official duties, a person shall not willfully:

28 (a) Impede, obstruct, prevent or interfere with the return of a voter's absent
29 ballot;

30 (b) Deny a voter the right to return the voter's absent ballot; or

31 (c) If the person receives the voter's absent ballot and authorization to return
32 the absent ballot on behalf of the voter by mail or personal delivery, fail to return
33 the absent ballot, unless otherwise authorized by the voter, by mail or personal
34 delivery:

35 (1) Before the end of the third day after the day of receipt, if the person
36 receives the absent ballot from the voter four or more days before the day of the
37 election; or

38 (2) Before the deadline established by the United States Postal Service for
39 the absent ballot to be postmarked on the day of the election or before the polls
40 close on the day of the election, as applicable to the type of delivery, if the person
41 receives the absent ballot from the voter three or fewer days before the day of the
42 election.

43 6. A person who violates any provision of subsection 5 is guilty of a category
44 E felony and shall be punished as provided in NRS 193.130.

45 **Sec. 7.** NRS 293.333 is hereby amended to read as follows:

46 293.333 1. Except as otherwise provided in NRS 293D.200, *and section 1*
47 *of this act*, on the day of an election, the election boards receiving the absent ballots
48 from the county clerk shall, in the presence of a majority of the election board
49 officers, remove the absent ballots from the ballot box and the containers in which
50 the absent ballots were transported pursuant to NRS 293.325 and deposit the absent
51 ballots in the regular ballot box in the following manner:

52 (a) The name of the voter, as shown on the return envelope or approved
53 electronic transmission, must be checked as if the voter were voting in person;

1 (b) The signature used for the absent ballot must be checked in accordance
2 with the procedure set forth in NRS 293.325;

3 (c) If the board determines that the voter is entitled to cast the absent ballot, the
4 return envelope must be opened, the numbers on the absent ballot and return
5 envelope or approved electronic transmission compared, the number strip or stub
6 detached from the absent ballot and, if the numbers are the same, the absent ballot
7 deposited in the regular ballot box; and

8 (d) The election board officers shall indicate in the roster "Voted" by the name
9 of the voter.

10 2. The board must complete the count of all absent ballots on or before the
11 seventh day following the election or, if applicable, the ninth day following an
12 affected election that is subject to the provisions of NRS 293.8801 to 293.8887,
13 inclusive.

14 **Sec. 8.** NRS 293.335 is hereby amended to read as follows:

15 293.335 When all absent ballots delivered to the election boards have been
16 voted or rejected, except as otherwise provided in NRS 293D.200, *and section 1 of*
17 *this act*, the empty envelopes and the envelopes and approved electronic
18 transmissions containing rejected ballots must be returned to the county clerk. On
19 all envelopes and approved electronic transmissions containing rejected ballots the
20 cause of rejection must be noted and the envelope or approved electronic
21 transmission signed by a majority of the election board officers.

22 **Sec. 9.** NRS 293.340 is hereby amended to read as follows:

23 293.340 1. In counties in which an absent ballot central counting board is
24 appointed the county clerk shall provide a ballot box in the county clerk's office for
25 each different ballot listing in the county.

26 2. On each such box there must appear a statement indicating the precincts
27 and district for which such box has been designated.

28 3. Except as otherwise provided in NRS 293D.200, *and section 1 of this act*,
29 each absent ballot voted must be deposited in a ballot box according to the precinct
30 or district of the absent voter voting such ballot.

31 **Sec. 10.** NRS 293.469 is hereby amended to read as follows:

32 293.469 Each county clerk is encouraged to:

33 1. Not later than the earlier date of the notice provided pursuant to NRS
34 293.203 or the first notice provided pursuant to subsection 3 of NRS 293.560,
35 notify the public, through means designed to reach members of the public who are
36 elderly or disabled, of the provisions of NRS 293.2955, 293.296, 293.313, 293.316
37 and 293.3165 *and section 1 of this act*.

38 2. Provide in alternative audio and visual formats information concerning
39 elections, information concerning how to preregister or register to vote and
40 information concerning the manner of voting for use by a person who is elderly or
41 disabled, including, without limitation, providing such information through a
42 telecommunications device that is accessible to a person who is deaf.

43 3. Not later than 5 working days after receiving the request of a person who is
44 elderly or disabled, provide to the person, in a format that can be used by the
45 person, any requested material that is:

46 (a) Related to elections; and

47 (b) Made available by the county clerk to the public in printed form.

48 **Sec. 11.** NRS 293.517 is hereby amended to read as follows:

49 293.517 1. Any person who meets the qualifications set forth in NRS
50 293.4855 residing within the county may preregister to vote and any elector
51 residing within the county may register to vote:

52 (a) Except as otherwise provided in NRS 293.560 and 293C.527, by appearing
53 before the county clerk, a field registrar or a voter registration agency, completing

1 the application to preregister or register to vote, giving true and satisfactory
2 answers to all questions relevant to his or her identity and right to preregister or
3 register to vote, and providing proof of residence and identity;

4 (b) By completing and mailing or personally delivering to the county clerk an
5 application to preregister or register to vote pursuant to the provisions of NRS
6 293.5235;

7 (c) Pursuant to the provisions of NRS 293.5727 or 293.5742 or chapter 293D
8 of NRS ~~§~~ **or section 1 of this act**;

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

11 (e) By submitting an application to preregister or register to vote by computer
12 using the system:

13 (1) Established by the Secretary of State pursuant to NRS 293.671; or

14 (2) Established by the county clerk, if the county clerk has established a
15 system pursuant to NRS 293.506 for using a computer to register voters; or

16 (f) By any other method authorized by the provisions of this title.

17 ➤ The county clerk shall require a person to submit official identification as proof
18 of residence and identity, such as a driver's license or other official document,
19 before preregistering or registering the person. If the applicant preregisters or
20 registers to vote pursuant to this subsection and fails to provide proof of residence
21 and identity, the applicant must provide proof of residence and identity before
22 casting a ballot in person or by mail or after casting a provisional ballot pursuant to
23 NRS 293.3078 to 293.3086, inclusive. For the purposes of this subsection, a voter
24 registration card does not provide proof of the residence or identity of a person.

25 2. In addition to the methods for registering to vote described in subsection 1,
26 an elector may register to vote pursuant to NRS 293.5772 to 293.5887, inclusive.

27 3. Except as otherwise provided in NRS 293.5732 to 293.5757, inclusive, the
28 application to preregister or register to vote must be signed and verified under
29 penalty of perjury by the person preregistering or the elector registering.

30 4. Each person or elector who is or has been married must be preregistered or
31 registered under his or her own given or first name, and not under the given or first
32 name or initials of his or her spouse.

33 5. A person or an elector who is preregistered or registered and changes his or
34 her name must complete a new application to preregister or register to vote, as
35 applicable. The person or elector may obtain a new application:

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

37 (b) By submitting an application to preregister or register to vote pursuant to
38 the provisions of NRS 293.5235;

39 (c) By submitting a written statement to the county clerk requesting the county
40 clerk to mail an application to preregister or register to vote;

41 (d) At any voter registration agency; or

42 (e) By submitting an application to preregister or register to vote by computer
43 using the system:

44 (1) Established by the Secretary of State pursuant to NRS 293.671; or

45 (2) Established by the county clerk, if the county clerk has established a
46 system pursuant to NRS 293.506 for using a computer to register voters.

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

50 6. Except as otherwise provided in subsection 8 and NRS 293.5742 to
51 293.5757, inclusive, 293.5767 and 293.5772 to 293.5887, inclusive, an elector who
52 registers to vote pursuant to paragraph (a) of subsection 1 shall be deemed to be
53 registered upon the completion of an application to register to vote.

1 7. After the county clerk determines that the application to register to vote of
2 a person is complete and that, except as otherwise provided in NRS 293D.210, the
3 person is eligible to vote pursuant to NRS 293.485, the county clerk shall issue a
4 voter registration card to the voter.

5 8. If a person or an elector submits an application to preregister or register to
6 vote or an affidavit described in paragraph (c) of subsection 1 of NRS 293.507 that
7 contains any handwritten additions, erasures or interlineations, the county clerk
8 may object to the application if the county clerk believes that because of such
9 handwritten additions, erasures or interlineations, the application is incomplete or
10 that, except as otherwise provided in NRS 293D.210, the person is not eligible to
11 preregister pursuant to NRS 293.4855 or the elector is not eligible to vote pursuant
12 to NRS 293.485, as applicable. If the county clerk objects pursuant to this
13 subsection, he or she shall immediately notify the person or elector, as applicable,
14 and the district attorney of the county. Not later than 5 business days after the
15 district attorney receives such notification, the district attorney shall advise the
16 county clerk as to whether:

17 (a) The application is complete and, except as otherwise provided in NRS
18 293D.210, the person is eligible to preregister pursuant to NRS 293.4855 or the
19 elector is eligible to vote pursuant to NRS 293.485; and

20 (b) The county clerk should proceed to process the application.

21 9. If the district attorney advises the county clerk to process the application
22 pursuant to subsection 8, the county clerk shall immediately issue a voter
23 registration card to the applicant, unless the applicant is preregistered to vote and
24 does not currently meet the requirements to be issued a voter registration card
25 pursuant to NRS 293.4855.

26 **Sec. 11.3. NRS 293.540 is hereby amended to read as follows:**

27 293.540 1. The county clerk shall cancel the preregistration of a person:

28 (a) If the county clerk has personal knowledge of the death of the person or if
29 an authentic certificate of the death of the person is filed in the county clerk's
30 office.

31 (b) At the request of the person.

32 (c) If the county clerk has discovered an incorrect preregistration pursuant to
33 the provisions of NRS 293.5235 and the person has failed to respond within the
34 required time.

35 (d) As required by NRS 293.541.

36 (e) Upon verification that the application to preregister to vote is a duplicate if
37 the county clerk has the original or another duplicate of the application on file in
38 the county clerk's office.

39 2. The county clerk shall cancel the registration of a person:

40 (a) If the county clerk has personal knowledge of the death of the person or if
41 an authentic certificate of the death of the person is filed in the county clerk's
42 office.

43 (b) If the county clerk is provided a certified copy of a court order stating that
44 the court specifically finds by clear and convincing evidence that the person lacks
45 the mental capacity to vote because he or she cannot communicate, with or without
46 accommodations, a specific desire to participate in the voting process.

47 (c) Upon the determination that the person has been convicted of a felony and
48 is currently incarcerated.

49 (d) Upon the production of a certified copy of the judgment of any court
50 directing the cancellation to be made.

51 (e) ~~Upon the request of any registered voter to affiliate with any political party~~
52 ~~or to change affiliation, if that change is made before the end of the last day to~~
53 ~~register to vote in the election.~~

1 ~~—(f)~~ At the request of the person.

2 ~~[(e)]~~ (f) If the county clerk has discovered an incorrect registration pursuant to
3 the provisions of NRS 293.5235, 293.530 or 293.535 and the elector has failed to
4 respond or appear to vote within the required time.

5 ~~[(h)]~~ (g) As required by NRS 293.541.

6 ~~[(h)]~~ (h) Upon verification that the application to register to vote is a duplicate
7 if the county clerk has the original or another duplicate of the application on file in
8 the county clerk's office.

9 **Sec. 11.7. NRS 293.543 is hereby amended to read as follows:**

10 293.543 1. If the registration of an elector is cancelled pursuant to
11 paragraph (b) of subsection 2 of NRS 293.540, the county clerk shall reregister the
12 elector upon notice from the clerk of the district court that the elector has been
13 found by the district court to have the mental capacity to vote. The court must
14 include the finding in a court order and, not later than 30 days after issuing the
15 order, provide a certified copy of the order to the county clerk of the county in
16 which the person is a resident and to the Office of the Secretary of State.

17 2. If the registration of an elector is cancelled pursuant to paragraph (c) of
18 subsection 2 of NRS 293.540, the elector may reregister upon release from prison.

19 3. ~~[(c)]~~ ~~If the registration of an elector is cancelled pursuant to the provisions of~~
20 ~~paragraph (c) of subsection 2 of NRS 293.540, the elector may reregister~~
21 ~~immediately.~~

22 ~~—4.]~~ If the registration of an elector is cancelled pursuant to the provisions of
23 paragraph ~~[(e)]~~ (e) of subsection 2 of NRS 293.540, after the close of registration
24 for a primary election, the elector may not reregister until after the primary election.

25 ~~[(5)]~~ 4. A county clerk shall not require an elector to present evidence,
26 including without limitation, a court order or any other document, to prove that the
27 elector satisfies the requirements of subsection 2.

28 **Sec. 12. NRS 293.560 is hereby amended to read as follows:**

29 293.560 1. Except as otherwise provided in NRS 293.502, 293.5772 to
30 293.5887, inclusive, 293D.230 and 293D.300 ~~[(1)]~~ **and section 1 of this act:**

31 (a) For a primary or general election, or a recall or special election that is held
32 on the same day as a primary or general election, the last day to register to vote:

33 (1) By mail is the fourth Tuesday preceding the primary or general
34 election.

35 (2) By appearing in person at the office of the county clerk or, if open, a
36 county facility designated pursuant to NRS 293.5035, is the fourth Tuesday
37 preceding the primary or general election.

38 (3) By computer, if the county clerk has established a system pursuant to
39 NRS 293.506 for using a computer to register voters, is the Thursday preceding the
40 primary or general election, unless the system is used to register voters for the
41 election pursuant to NRS 293.5842 or 293.5847.

42 (4) By computer using the system established by the Secretary of State
43 pursuant to NRS 293.671, is the Thursday preceding the primary or general
44 election, unless the system is used to register voters for the election pursuant to
45 NRS 293.5842 or 293.5847.

46 (b) If a recall or special election is not held on the same day as a primary or
47 general election, the last day to register to vote for the recall or special election by
48 any method of registration is the third Saturday preceding the recall or special
49 election.

50 2. Except as otherwise provided in NRS 293.5772 to 293.5887, inclusive,
51 after the deadlines for the close of registration for a primary or general election set
52 forth in subsection 1, no person may register to vote for the election.

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

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

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

7 (2) If the county clerk has designated a county facility pursuant to NRS
8 293.5035, the location of that facility.

9 ➤ If no such newspaper is published in the county, the publication may be made in
10 a newspaper of general circulation published in the nearest county in this State.

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

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

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

20 **Sec. 13.** NRS 293D.230 is hereby amended to read as follows:

21 293D.230 1. In addition to any other method of registering to vote set forth
22 in chapter 293 of NRS, a covered voter may use a federal postcard application, as
23 prescribed under section 101(b)(2) of the Uniformed and Overseas Citizens
24 Absentee Voting Act, 52 U.S.C. § 20301(b)(2), or the application's electronic
25 equivalent, to apply to register to vote, if the federal postcard application *or the*
26 *application's electronic equivalent* is received by the appropriate local elections
27 official ~~by the seventh day~~ before the ~~election~~ *time set pursuant to NRS*
28 *293.273 for closing the polls on election day*. If the federal postcard application *or*
29 *the application's electronic equivalent* is received after the ~~seventh day before the~~
30 ~~election~~ *time set for closing the polls*, it must be treated as an application to
31 register to vote for subsequent elections. *Upon receipt of the electronic equivalent*
32 *of the federal postcard application pursuant to this subsection, the local elections*
33 *official shall affix, mark or otherwise acknowledge receipt of the application by*
34 *means of a time stamp on the application.*

35 2. A covered voter may use the declaration accompanying the federal write-in
36 absentee ballot, as prescribed under section 103 of the Uniformed and Overseas
37 Citizens Absentee Voting Act, 52 U.S.C. § 20303, to apply to register to vote
38 simultaneously with the submission of the federal write-in absentee ballot, if the
39 declaration ~~is~~ *and the federal write-in absentee ballot are* received ~~by the~~
40 ~~seventh day~~ before the ~~election~~ *time set pursuant to NRS 293.273 for closing*
41 *the polls on election day*. If the declaration is received after the ~~seventh day before~~
42 ~~the election~~ *time set for closing the polls*, it must be treated as an application to
43 register to vote for subsequent elections.

44 3. The Secretary of State shall ensure that the system of approved electronic
45 transmission described in subsection 2 of NRS 293D.200 is capable of accepting:

46 (a) Both a federal postcard application and any other approved electronic
47 registration application sent to the appropriate local elections official; and

48 (b) A digital signature or an electronic signature of a covered voter on the
49 documents described in paragraph (a).

50 4. The covered voter may use the system of approved electronic transmission
51 or any other method set forth in chapter 293 of NRS to register to vote.

1 **Sec. 14.** NRS 293D.300 is hereby amended to read as follows:

2 293D.300 1. A covered voter who is registered to vote in this State may
3 apply for a military-overseas ballot by submitting a federal postcard application, as
4 prescribed under section 101(b)(2) of the Uniformed and Overseas Citizens
5 Absentee Voting Act, 52 U.S.C. § 20301(b)(2), or the application's electronic
6 equivalent, if the federal postcard application *or the application's electronic*
7 *equivalent* is received by the appropriate local elections official ~~[by the seventh~~
8 ~~day]~~ before the ~~[election.] time set pursuant to NRS 293.273 for closing the polls~~
9 ~~on election day.~~

10 2. A covered voter who is not registered to vote in this State may use the
11 federal postcard application or the application's electronic equivalent
12 simultaneously to apply to register to vote pursuant to NRS 293D.230 and to apply
13 for a military-overseas ballot, if the federal postcard application *or the*
14 *application's electronic equivalent* is received by the appropriate local elections
15 official ~~[by the seventh day]~~ before the ~~[election.] time set pursuant to NRS~~
16 ~~293.273 for closing the polls on election day.~~ If the federal postcard application is
17 received after the ~~[seventh day before the election.] time set for closing the polls,~~ it
18 must be treated as an application to register to vote for subsequent elections.

19 3. *Upon receipt of the electronic equivalent of the federal postcard*
20 *application pursuant to subsection 1 or 2, the local elections official shall affix,*
21 *mark or otherwise acknowledge receipt of the application by means of a time*
22 *stamp on the application.*

23 4. The Secretary of State shall ensure that the system of approved electronic
24 transmission described in subsection 2 of NRS 293D.200 is capable of accepting
25 the submission of:

26 (a) Both a federal postcard application and any other approved electronic
27 military-overseas ballot application sent to the appropriate local elections official;
28 and

29 (b) A digital signature or an electronic signature of a covered voter on the
30 documents described in paragraph (a).

31 ~~[4.]~~ 5. A covered voter may use approved electronic transmission or any
32 other method approved by the Secretary of State to apply for a military-overseas
33 ballot.

34 ~~[5.]~~ 6. A covered voter may use the declaration accompanying the federal
35 write-in absentee ballot, as prescribed under section 103 of the Uniformed and
36 Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20303, as an application for a
37 military-overseas ballot simultaneously with the submission of the federal write-in
38 absentee ballot, if the declaration ~~[is]~~ *and the federal write-in absentee ballot are*
39 *received by the appropriate local elections official [by the seventh day]* before the
40 ~~[election.] time set pursuant to NRS 293.273 for closing the polls on election day.~~

41 ~~[6.]~~ 7. To receive the benefits of this chapter, a covered voter must inform the
42 appropriate local elections official that he or she is a covered voter. Methods of
43 informing the appropriate local elections official that a person is a covered voter
44 include, without limitation:

45 (a) The use of a federal postcard application or federal write-in absentee ballot;

46 (b) The use of an overseas address on an approved voting registration
47 application or ballot application; and

48 (c) The inclusion on an application to register to vote or an application for a
49 military-overseas ballot of other information sufficient to identify that the person is
50 a covered voter.

51 ~~[7.]~~ 8. This chapter does not prohibit a covered voter from applying for an
52 absent ballot pursuant to the provisions of chapter 293 or 293C of NRS or voting in
53 person.

1 **Sec. 15.** NRS 293D.310 is hereby amended to read as follows:

2 293D.310 An application for a military-overseas ballot is timely if received
3 ~~[by the seventh day]~~ before the ~~[election.]~~ *time set pursuant to NRS 293.273 for*
4 *closing the polls on election day.* An application for a military-overseas ballot for a
5 primary election, whether or not timely, is effective as an application for a military-
6 overseas ballot for the general election.

7 **Sec. 16.** NRS 293D.400 is hereby amended to read as follows:

8 293D.400 A military-overseas ballot must be received by the appropriate
9 local elections official not later than the ~~[close of]~~ *time set pursuant to NRS*
10 *293.273 for closing* the polls ~~[.]~~ *on election day.*

11 **Sec. 17.** 1. This section becomes effective upon passage and approval.

12 2. Sections 1 to 16, inclusive, of this act become effective:

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

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