

Amendment No. 721

Assembly Amendment to Senate Bill No. 60 First Reprint (BDR 24-412)

Proposed by: Assembly Committee on Legislative Operations and Elections

Amendment Box: Replaces Amendment No. 696.

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to S.B. 60 R1 (§§ 1.5, 7, 7.6).

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.



SENATE BILL NO. 60—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE SECRETARY OF STATE)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections. (BDR 24-412)

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

CONTAINS UNFUNDED MANDATE (§§ 1.5, 7, 7.6)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

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 any registered voter to use the system of approved electronic transmission to request and cast a ballot under certain circumstances; revising provisions relating to mail ballots; revising provisions relating to a recount and contest of a presidential election; setting forth a specific form of a declaration of candidacy for an independent candidate for partisan office; revising the methods for paying certain filing fees; revising provisions governing members of election boards; revising provisions relating to when certain candidates may be declared elected at a primary election; revising provisions relating to the form of certain ballots; revising the deadline for a hearing of an election contest; revising provisions relating to counting ballots and standards for counting votes; revising provisions relating to risk-limiting audits; revising provisions relating to an application to preregister or register to vote; revising prohibitions relating to tampering or interfering with certain election equipment or computer programs; requiring the Secretary of State to adopt by regulation a cyber-incident response plan for elections; revising the deadline by which a withdrawal of candidacy must be presented by certain candidates; revising the definition of “uniformed-service voter”; revising provisions relating to the limit on contributions to a candidate for office; delaying the effective date of certain provisions relating to automatic voter registration; repealing certain provisions relating to elections; making various other changes relating to elections; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires ~~[-, with certain exceptions, the county clerk and city clerk to prepare and distribute a mail ballot for every election to each active registered voter in the county or city and each person who registers to vote or updates his or her voter registration information not later than 14 days before the election. (NRS 293.269911, 293C.263)]~~ the Secretary of State to establish a system of approved electronic transmission through which: (1) certain military and overseas electors and voters; or (2) certain registered electors and voters with a disability may register to vote, request a ballot and cast a ballot. (NRS 293.269951, 293D.200) Sections 1.5 and 7.6 of this bill ~~[authorize a]~~ require the Secretary of State to allow any registered voter to [request a replacement mail] use the system of approved electronic transmission to apply for and cast a ballot if the registered voter: (1) does not have access to his or her ~~[original]~~ mail ballot; and (2) is unable to go to the polls because of an illness or disability resulting in confinement, hospitalization, serious illness or is suddenly called away from home. ~~[Sections 1.5 and 7.6 authorize a registered voter to designate in such a request a person to mark and sign a replacement mail ballot on his or her behalf. Sections 6.15, 6.2, 9.6 and 9.8 of this bill make conforming changes to provide that this provision is an exception to the prohibitions on a person marking or signing a mail ballot on behalf of another person.]~~ Sections 6.55 and 10.5 of this bill require the county and city clerks to notify the public of the provisions of **sections 1.5 and 7.6**.

Existing federal law requires a certificate of ascertainment of appointment of presidential electors to be issued and transmitted to the Archivist of the United States not later than 6 days before the time fixed for the meeting of the electors, which is the first Tuesday after the second Wednesday in December. (3 U.S.C. §§ 5, 7) Existing state law authorizes a candidate defeated at any election to demand and receive a recount within 3 working days after the canvass of the vote. For purposes of demanding a recount in a general election, "canvass" means: (1) the canvass by the Supreme Court of the returns for a candidate for a statewide office; or (2) the canvass of the board of county commissioners of the returns for any other candidate. (NRS 293.403) The canvass by: (1) a board of county commissioners must be completed on or before the 10th day following the election; and (2) the Supreme Court is the fourth Tuesday of November after each general election. (NRS 293.387, 293.395) Each recount must be commenced within 5 days after demand, and completed within 5 days after it begins. (NRS 293.405) Existing state law further authorizes, with certain exceptions, a candidate or registered voter to contest an election by filing a statement of contest no later than 5 days after a recount is completed, and no later than 14 days after the election if no recount is demanded. (NRS 293.407, 293.413) If an election contest is filed, the court is required to set the matter for hearing not less than 5 days nor more than 10 days after the filing of the statement of contest. (NRS 293.413)

Section 1.7 of this bill establishes a different timeline for filing a recount or an election contest that applies only to the election of presidential electors. Specifically, **section 1.7** provides that a candidate for the office of presidential elector may demand and receive a recount if, on or before the 13th day following the election, the candidate files the written demand to and deposits the estimated costs of the recount with the Secretary of State. Any such recount must be: (1) commenced within 1 day after the demand is filed; and (2) completed within 5 days after the recount begins. **Section 1.7** further authorizes a candidate or any registered voter to contest the election of a candidate to the office of presidential elector not more than 2 working days after the canvass of the returns by the Supreme Court. Such an election contest must be: (1) scheduled for a judicial hearing not more than 5 days after the filing of the statement of contest; and (2) decided before the deadline to issue and submit the certificate of ascertainment pursuant to federal law.

Pursuant to **section 1.7**, for purposes of the 2024 General Election, which will be held on November 5, 2024, the deadline: (1) to demand a recount for the office of presidential elector is November 18, 2024; (2) to begin a recount for the office of presidential elector is November 19, 2024; (3) to complete a recount for the office of presidential elector is November 24, 2024, (4) to contest the election for the office of presidential elector is December 2, 2024; and (5) for the court to set any such contest for hearing is December 7, 2024. Further, the deadline under federal law to issue and transmit the certificate of ascertainment is December 11, 2024, so pursuant to **section 1.7**, the court must determine the result of any election contest of the office of presidential elector before December 11, 2024.

58 **Sections 6.35-6.5 and 7.3** of this bill make conforming changes to reflect the changes in
59 **section 1.7** to the schedule for filing a demand for a recount or an election contest for the
60 office of presidential elector.

61 **Section 11.7** of this bill requires the Secretary of State to transmit the certificate of
62 ascertainment to the Archivist.

63 **Section 6.5** requires a court to set a contest of an election for hearing not more than 5
64 days after the filing of the statement of contest for any election.

65 Existing law requires an independent candidate for partisan office to file a declaration of
66 candidacy. (NRS 293.200) Existing law further sets forth the form for a declaration of
67 candidacy for all candidates for partisan office. (NRS 293.177) **Section 1.8** of this bill sets
68 forth the form for the declaration of candidacy for an independent candidate for partisan
69 office. **Section 3** of this bill makes conforming changes to clarify that the declaration of
70 candidacy for an independent candidate must be in the form set forth in **section 1.8**.

71 Existing law sets forth certain fees for filing a declaration of candidacy and provides that
72 the fee for filing a declaration of candidacy may be paid by cash, cashier's check or certified
73 check. (NRS 293.193) **Section 2** of this bill: (1) provides that such a fee may also be paid by
74 credit card; (2) revises the description of certain offices; and (3) reorganizes existing fees set
75 forth in other provisions of existing law in to this schedule of fees.

76 Existing law provides that members of election boards continue to serve as such from the
77 day before the day of the election until the time for filing contests of the election has expired.
78 (NRS 293.225) **Section 3.5** of this bill provides instead that members continue to serve as
79 such from the day of appointment.

80 Existing law provides that, in certain circumstances, if one candidate receives a majority
81 of the votes cast in a primary election for certain nonpartisan offices, the candidate must be
82 declared elected and the candidate's name must not be placed on the ballot. (NRS 293.260,
83 293C.175; Carson City Charter § 5.010; Henderson City Charter § 5.010; Las Vegas City
84 Charter § 5.010; North Las Vegas City Charter § 5.020; Sparks City Charter § 5.020) **Sections**
85 **4, 8 and 12-17** of this bill provide that for the purposes of determining the majority of the
86 votes cast in a primary election for an office for which voters may select more than one
87 candidate, each ballot upon which a voter marked a valid choice for one or more candidates
88 for that office shall be deemed to be one vote cast in the primary election for that office.

89 Existing law provides that every ballot upon which appears the names of candidates for
90 any statewide office or for President or Vice President of the United States must contain an
91 additional line with a square in which the voter may select "None of these candidates." (NRS
92 293.269) **Section 5** of this bill provides instead that the additional line on such a ballot must
93 contain a space in which the voter may select "None of these candidates."

94 Existing law: (1) authorizes the mail ballot central counting board to begin counting
95 mail ballots 15 days before the day of the election; (2) requires the counting board to
96 prepare to count the ballots when the polls are closed; and (3) establishes certain
97 requirements for counting paper ballots. (NRS 293.269931, 293.363, 293C.26331,
98 293C.362) Sections 6.23 and 10.2 of this bill: (1) clarify that the mail ballot central
99 counting board may begin counting mail ballots before the polls are closed; and (2)
100 remove the requirements for counting paper ballots.

101 Existing law: (1) sets forth certain standards for counting votes; (2) requires the
102 Secretary of State to adopt regulations establishing uniform, statewide standards for
103 counting a vote; and (3) authorizes the Secretary of State to adopt regulations
104 establishing additional uniform statewide standards. (NRS 293.3677, 293C.369) Sections
105 6.24 and 10.4 of this bill authorize the Secretary of State to establish uniform thresholds
106 for determining whether writing or a mark must be counted as a vote.

107 Existing law provides that certain election materials, including the voted, rejected and
108 spoiled ballots, must be sealed and deposited in the vaults of the county clerk. (NRS 293.391)
109 **Section 6.25** of this bill provides that such election materials are subject to inspection for the
110 purposes of a risk-limiting audit.

111 Existing law requires each county clerk to conduct a risk-limiting audit of the results of
112 an election prior to the certification of the results of an election. (NRS 293.394) **Section 6.3** of
113 this bill removes the requirement to conduct such an audit prior to the certification of the
114 results.

115 Existing law provides that the deadline to register to vote at a voter registration agency,
116 the Department of Motor Vehicles or an automatic voter registration agency is the last day to

117 register to vote by mail. Existing law requires a county clerk to accept any application which
118 is completed by the last day to register to vote by mail if the county clerk receives the
119 application not later than 5 days after that date. (NRS 293.504, 293.5727, 293.5737) **Sections**
120 **6.6, 6.75 and 17.7** of this bill require a voter registration agency, the Department of Motor
121 Vehicles and an automatic voter registration agency to notify a voter who registers to vote
122 after this deadline that in order to vote in the upcoming election, the voter must register to
123 vote by computer or at a polling place or polling place for early voting.

124 Existing law requires the Secretary of State to prescribe the form for applications to
125 preregister or register to vote. (NRS 293.5235) **Section 6.65** of this bill requires an application
126 to preregister or register to vote to include an option for a voter to elect not to receive a mail
127 ballot. **Sections 6.1 and 9.2** of this bill make conforming changes to provide that a county
128 clerk and city clerk shall not distribute a mail ballot to a person who has elected not to receive
129 a mail ballot.

130 Existing federal law sets forth certain requirements for the removal of a voter from the
131 official list of eligible voters which prohibit a state from removing the name of a registered
132 voter unless the voter: (1) confirms a change of residence outside of the registrar's jurisdiction
133 in writing; or (2) fails to respond to a notice sent to his or her residence and has not voted or
134 appeared to vote for a period of time after a notice has been mailed to his or her residence. (52
135 U.S.C. § 20507) **Sections 6.7 and 6.9** of this bill require a county clerk to mail a notice and
136 conduct any correction or removal of a registered voter in accordance with existing federal
137 law.

138 Existing law provides a penalty for a person who tampers or interferes or attempts to
139 tamper or interfere with any computer program used to count ballots. (NRS 293.755) **Section**
140 **6.8** of this bill instead prohibits a person from tampering or interfering or attempting to tamper
141 or interfere with any computer program used to conduct an election.

142 Existing law prohibits a person from being preregistered or registered to vote in more
143 than one county at a time. (NRS 293.810) **Section 6.9** instead prohibits a person from being
144 preregistered or registered to vote in more than one state at a time.

145 Existing law requires a county or city clerk or other election official to immediately
146 notify the Secretary of State if the clerk or official identifies or is informed of a confirmed
147 attack or attempted attack on the security of an information system used by the clerk or
148 official. (NRS 293.875) **Section 7** of this bill requires the Secretary of State to adopt by
149 regulation a cyber-incident response plan for elections. **Section 7** also requires a county or
150 city clerk or other election official to notify the Secretary of State of any cyber-incident or
151 attempted cyber-incident on the security of an information system used by the county or city
152 clerk or other election official in accordance with the cyber-incident response plan.

153 Existing law provides that a withdrawal of candidacy must be presented: (1) for a
154 candidate for city office, to the city clerk within 2 days after the last day for filing for
155 candidacy; and (2) for all other candidates, to the county clerk within 7 days after the last day
156 for filing. (NRS 293.202, 293C.195) **Section 9** of this bill requires a withdrawal of candidacy
157 by a candidate for a city office to be presented within 7 days, consistent with the requirement
158 for all other candidates.

159 Existing law authorizes uniformed-service voters and certain other voters to vote in an
160 election using a system of approved electronic transmission, a federal postcard application or
161 the federal write-in absentee ballot. (Chapter 293D of NRS) **Section 11** of this bill revises the
162 definition of "uniformed-service voter"³ to include a member of the active or reserve
163 components of the Space Force of the United States who is on active duty.

164 Existing law sets forth certain limits on making or committing to make any contributions
165 to a candidate for office, except for a federal office, and provides that no contribution made,
166 committed or accepted for a primary election or general election affects the limitation on
167 contributions for a special election to recall a public officer. (NRS 294A.100) **Section 11.3** of
168 this bill also provides that no contribution made, committed or accepted for a special election
169 other than a special election to recall a public officer affects the limitation on contributions for
170 a special election to recall a public officer.

171 Beginning on January 1, 2024, existing law expands the agencies which provide
172 automatic voter registration services and establishes certain requirements for an automatic
173 voter registration agency to transmit certain voter registration information to the Secretary of
174 State and county clerks. (Chapter 555, Statutes of Nevada 2021, at page 3849) **Section 17.7** of
175 this bill delays the effective date of these provisions until January 1, 2025.

176
177
178
179
180

Section 19 of this bill repeals certain provisions that: (1) prohibit a counting board from commencing to count the votes until all ballots are accounted for; (2) provide for a recount at a hearing of any contest; and (3) require the county clerk to transmit the number of registered voters in the county and their political affiliation to the Secretary of State before certain elections.

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 the provisions set forth as sections 1.5 and 1.7 of this act.

Sec. 1.5. 1. ~~Any~~ The Secretary of State shall allow any registered voter [may submit a written request] to [the county clerk for a replacement mail] use the system of approved electronic transmission established pursuant to NRS 293D.200 to apply for and cast a ballot in every election where the system of approved electronic transmission is available to a covered voter to apply for and cast a military-overseas ballot if the registered voter does not have access to his or her mail ballot and is unable to go to the polls because:

(a) ~~Of an illness or disability resulting in confinement in a hospital, sanatorium, dwelling or nursing home; or~~

(b) ~~The registered voter is suddenly hospitalized, becomes seriously ill or is called away from home.~~

2. ~~A written request submitted pursuant to subsection 1 must include, without limitation:~~

~~(a) The name, address and signature of the registered voter requesting the replacement mail ballot;~~

~~(b) The name, address and signature of the person designated by the registered voter to obtain, deliver and return the replacement mail ballot for the registered voter;~~

~~(c) A brief statement of the illness or disability of the registered voter or of facts sufficient to establish that the registered voter was called away from home and cannot obtain his or her original mail ballot;~~

~~(d) If the registered voter is confined in a hospital, sanatorium, dwelling or nursing home, a statement that he or she will be confined therein on the day of the election; and~~

~~(e) Unless the person designated pursuant to paragraph (b) will mark and sign the replacement mail ballot on behalf of the registered voter pursuant to subsection 5, a statement signed under penalty of perjury that only the registered voter will mark and sign the replacement mail ballot.~~

~~3. If the county clerk determines that a request submitted pursuant to subsection 1 includes the information required pursuant to subsection 2, the county clerk shall, at the office of the county clerk, deliver the replacement mail ballot to the person designated in the request to obtain the replacement mail ballot for the registered voter.~~

~~4. Except as otherwise provided in subsection 5, the registered voter must vote the mail ballot in accordance with the requirements of NRS 293.269-17.~~

~~5. A person designated in the request submitted pursuant to subsection 1 may, on behalf of and at the direction of the registered voter, mark and sign the replacement mail ballot. If the person marks and signs the replacement mail ballot pursuant to this section, the person must:~~

~~(a) Indicate next to his or her signature that the replacement mail ballot has been marked and signed on behalf of the registered voter; and~~

43

~~1 (b) Submit a written statement with the replacement mail ballot that includes
2 the name, address and signature of the person.~~

~~3 6. A replacement mail ballot prepared by or on behalf of a registered voter
4 pursuant to this section must be mailed or delivered to the county clerk in
5 accordance with NRS 293.269(2).~~

~~6 7. The county clerk shall cancel the original mail ballot.~~

~~7 8. The procedure authorized by this section is subject to all other provisions
8 of this chapter relating to voting by mail ballot to the extent that those provisions
9 are not inconsistent with the provisions of this section.] The deadlines for a
10 registered voter to use the system of approved electronic transmission pursuant to
11 subsection 1 to apply for and cast a ballot are the same as the deadlines set forth
12 in NRS 293D.310 and 293D.400 for a covered voter to apply for and cast a
13 military-overseas ballot.~~

14 3. Upon receipt of an application and ballot cast by a registered voter in
15 accordance with subsection 1 using the system of approved electronic
16 transmission established pursuant to NRS 293D.200, the local elections official
17 shall affix, mark or otherwise acknowledge receipt of the application and ballot
18 by means of a time stamp on the application.

19 4. The Secretary of State shall ensure that the registered voter may provide
20 his or her digital signature or electronic signature on any document or other
21 material that is necessary for the registered voter to request and cast a ballot.

22 5. The Secretary of State shall prescribe the form and content of a
23 declaration for use by a registered voter who does not have access to his or her
24 mail ballot and is unable to go to the polls to swear or affirm specific
25 representations pertaining to identity, eligibility to vote, status as a registered
26 voter and timely and proper completion of a ballot.

27 6. The Secretary of State shall prescribe the duties of the county clerk upon
28 receipt of a ballot sent by a registered voter using the system of approved
29 electronic transmission pursuant to this section, including, without limitation, the
30 procedures to be used in accepting, handling and counting the ballot.

31 7. The Secretary of State shall make available to a registered voter using the
32 system of approved electronic transmission pursuant to this section information
33 regarding instructions on using the system for approved electronic transmission
34 to apply for and cast a ballot.

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

37 9. As used in this section:

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

39 (b) "Digital signature" has the meaning ascribed to it in NRS 720.060.

40 (c) "Electronic signature" has the meaning ascribed to it in NRS 719.100.

41 (d) "Military-overseas ballot" has the meaning ascribed to it in NRS
42 293D.050.

43 Sec. 1.7. For the purposes of an election to the office of presidential
44 elector:

45 1. The following requirements apply to a demand for a recount:

46 (a) A candidate for the office of presidential elector may demand and receive
47 a recount of the vote to determine the number of votes received for the candidate
48 and the number of votes received for the person who won the election if, on or
49 before the 13th day following the election, the candidate who demands the
50 recount:

51 (1) Files in writing a demand with the Secretary of State; and

1 of candidacy for this office; that my telephone number is, and the
 2 address at which I receive mail, if different than my residence, is; that
 3 I am registered as a member of the Party; that I am a qualified
 4 elector pursuant to Section 1 of Article 2 of the Constitution of the State of
 5 Nevada; that if I have ever been convicted of treason or a felony, my civil
 6 rights have been restored; that I have not, in violation of the provisions of
 7 NRS 293.176, changed the designation of my political party or political
 8 party affiliation on an official application to register to vote in any state
 9 since December 31 before the closing filing date for this election; that I
 10 generally believe in and intend to support the concepts found in the
 11 principles and policies of that political party in the coming election; that if
 12 nominated as a candidate of the Party at the ensuing election, I
 13 will accept that nomination and not withdraw; that I will not knowingly
 14 violate any election law or any law defining and prohibiting corrupt and
 15 fraudulent practices in campaigns and elections in this State; that I will
 16 qualify for the office if elected thereto, including, but not limited to,
 17 complying with any limitation prescribed by the Constitution and laws of
 18 this State concerning the number of years or terms for which a person may
 19 hold the office; that I understand that knowingly and willfully filing a
 20 declaration of candidacy which contains a false statement is a crime
 21 punishable as a gross misdemeanor and also subjects me to a civil action
 22 disqualifying me from entering upon the duties of the office; and that I
 23 understand that my name will appear on all ballots as designated in this
 24 declaration.

25
 26
 27 (Designation of name)

28
 29
 30 (Signature of candidate for office)

31
 32 Subscribed and sworn to before me
 33 this day of the month of of the year

34
 35
 36 Notary Public or other person
 37 authorized to administer an oath

38
 39 (b) *For an independent candidate for partisan office:*

40
 41 ***DECLARATION OF CANDIDACY OF FOR THE***
 42 ***OFFICE OF***

43
 44 ***State of Nevada***

45
 46 ***County of***

47
 48 ***For the purpose of having my name placed on the official ballot at the***
 49 ***general election as an independent candidate for the office of, I, the***
 50 ***undersigned, do swear or affirm under penalty of perjury that I***
 51 ***actually, as opposed to constructively, reside at, in the City or Town***
 52 ***of, County of, State of Nevada; that my actual, as opposed to***
 53 ***constructive, residence in the State, district, county, township, city or***

1 *other area prescribed by law to which the office pertains began on a date*
 2 *at least 30 days immediately preceding the date of the close of filing of*
 3 *declarations of candidacy for this office; that my telephone number is*
 4 *....., and the address at which I receive mail, if different than my*
 5 *residence, is; that I am a qualified elector pursuant to Section 1 of*
 6 *Article 2 of the Constitution of the State of Nevada; that if I have ever*
 7 *been convicted of treason or a felony, my civil rights have been restored;*
 8 *that I will not knowingly violate any election law or any law defining and*
 9 *prohibiting corrupt and fraudulent practices in campaigns and elections*
 10 *in this State; that I will qualify for the office if elected thereto, including,*
 11 *but not limited to, complying with any limitation prescribed by the*
 12 *Constitution and laws of this State concerning the number of years or*
 13 *terms for which a person may hold the office; that I understand that*
 14 *knowingly and willfully filing a declaration of candidacy which contains*
 15 *a false statement is a crime punishable as a gross misdemeanor and also*
 16 *subjects me to a civil action disqualifying me from entering upon the*
 17 *duties of the office; and that I understand that my name will appear on*
 18 *all ballots as designated in this declaration.*

19
 20 (Designation of name)

21
 22
 23 (Signature of candidate for office)

24
 25 *Subscribed and sworn to before me*
 26 *this day of the month of of the year*

27
 28
 29 *Notary Public or other person*
 30 *authorized to administer an oath*

31
 32 (c) For nonpartisan office:

33
 34 DECLARATION OF CANDIDACY OF FOR THE
 35 OFFICE OF

36
 37 State of Nevada

38
 39 County of

40
 41 For the purpose of having my name placed on the official ballot as a
 42 candidate for the office of, I, the undersigned, do
 43 swear or affirm under penalty of perjury that I actually, as opposed to
 44 constructively, reside at, in the City or Town of, County of
 45, State of Nevada; that my actual, as opposed to constructive,
 46 residence in the State, district, county, township, city or other area
 47 prescribed by law to which the office pertains began on a date at least 30
 48 days immediately preceding the date of the close of filing of declarations of
 49 candidacy for this office; that my telephone number is, and the
 50 address at which I receive mail, if different than my residence, is;
 51 that I am a qualified elector pursuant to Section 1 of Article 2 of the
 52 Constitution of the State of Nevada; that if I have ever been convicted of
 53 treason or a felony, my civil rights have been restored; that if nominated as

a nonpartisan candidate at the ensuing election, I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

Subscribed and sworn to before me
this day of the month of of the year

.....
Notary Public or other person
authorized to administer an oath

3. The address of a candidate which must be included in the declaration of candidacy pursuant to subsection 2 must be the street address of the residence where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration of candidacy must not be accepted for filing if the candidate fails to comply with the following provisions of this subsection or, if applicable, the provisions of subsection 4:

(a) The candidate shall not list the candidate’s address as a post office box unless a street address has not been assigned to his or her residence; and

(b) Except as otherwise provided in subsection 4, the candidate shall present to the filing officer:

(1) A valid driver’s license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate’s residential address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the candidate’s name and residential address, but not including a voter registration card.

4. If the candidate executes an oath or affirmation under penalty of perjury stating that the candidate is unable to present to the filing officer the proof of residency required by subsection 3 because a street address has not been assigned to the candidate’s residence or because the rural or remote location of the candidate’s residence makes it impracticable to present the proof of residency required by subsection 3, the candidate shall present to the filing officer:

(a) A valid driver’s license or identification card issued by a governmental agency that contains a photograph of the candidate; and

(b) Alternative proof of the candidate’s residential address that the filing officer determines is sufficient to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050. The Secretary of State

1 may adopt regulations establishing the forms of alternative proof of the candidate’s
 2 residential address that the filing officer may accept to verify where the candidate
 3 actually, as opposed to constructively, resides in accordance with NRS 281.050.

4 5. The filing officer shall retain a copy of the proof of identity and residency
 5 provided by the candidate pursuant to subsection 3 or 4. Such a copy:

6 (a) May not be withheld from the public; and

7 (b) Must not contain the social security number, driver’s license or
 8 identification card number or account number of the candidate.

9 6. By filing the declaration of candidacy, the candidate shall be deemed to
 10 have appointed the filing officer for the office as his or her agent for service of
 11 process for the purposes of a proceeding pursuant to NRS 293.182. Service of such
 12 process must first be attempted at the appropriate address as specified by the
 13 candidate in the declaration of candidacy. If the candidate cannot be served at that
 14 address, service must be made by personally delivering to and leaving with the
 15 filing officer duplicate copies of the process. The filing officer shall immediately
 16 send, by registered or certified mail, one of the copies to the candidate at the
 17 specified address, unless the candidate has designated in writing to the filing officer
 18 a different address for that purpose, in which case the filing officer shall mail the
 19 copy to the last address so designated.

20 7. If the filing officer receives credible evidence indicating that a candidate
 21 has been convicted of a felony and has not had his or her civil rights restored, the
 22 filing officer:

23 (a) May conduct an investigation to determine whether the candidate has been
 24 convicted of a felony and, if so, whether the candidate has had his or her civil rights
 25 restored; and

26 (b) Shall transmit the credible evidence and the findings from such
 27 investigation to the Attorney General, if the filing officer is the Secretary of State,
 28 or to the district attorney, if the filing officer is a person other than the Secretary of
 29 State.

30 8. The receipt of information by the Attorney General or district attorney
 31 pursuant to subsection 7 must be treated as a challenge of a candidate pursuant to
 32 subsections 4 and 5 of NRS 293.182 to which the provisions of NRS 293.2045
 33 apply.

34 9. Any person who knowingly and willfully files a declaration of candidacy
 35 which contains a false statement in violation of this section is guilty of a gross
 36 misdemeanor.

37 **Sec. 2.** NRS 293.193 is hereby amended to read as follows:

38 293.193 1. Fees as listed in this section for filing declarations of candidacy
 39 must be paid to the filing officer by cash, *credit card*, cashier’s check or certified
 40 check.

41

42	United States Senator.....	\$500
43	Representative in Congress.....	300
44	Governor.....	300
45	Justice of the Supreme Court.....	300
46	Any state office, other than Governor or justice of the Supreme	
47	Court.....	200
48	<i>Independent candidate for the office of President of the</i>	
49	<i>United States.....</i>	<i>250</i>
50	<i>Lieutenant Governor.....</i>	<i>200</i>
51	<i>Secretary of State, State Treasurer, State Controller or</i>	
52	<i>Attorney General.....</i>	<i>200</i>
53	<i>Court of Appeals judge.....</i>	<i>200</i>

1 *Member of the State Board of Education*..... 200
 2 District judge 150
 3 Justice of the peace 100
 4 Any county office 100
 5 State Senator 100
 6 Assemblyman or Assemblywoman 100
 7 *Trustee of a county school district, hospital or hospital district* 30
 8 Any *other* district office other than district judge 30
 9 Constable or other town or township office 30
 10 *Member of the Board of Regents of the University of Nevada* 0
 11 *Any other office which receives no compensation* 0
 12

13 For the purposes of this subsection, trustee of a county school district, hospital or
 14 hospital district is not a county office.

15 2. No filing fee may be required from a candidate for an office the holder of
 16 which receives no compensation.

17 3. The county clerk shall pay to the county treasurer all filing fees received
 18 from candidates. The county treasurer shall deposit the money to the credit of the
 19 general fund of the county.

20 4. Except as otherwise provided in NRS 293.194, a filing fee paid pursuant to
 21 this section is not refundable.

22 **Sec. 3.** NRS 293.200 is hereby amended to read as follows:

23 293.200 1. An independent candidate for partisan office must file with the
 24 appropriate filing officer as set forth in NRS 293.185:

25 (a) A copy of the petition of candidacy that he or she intends to subsequently
 26 circulate for signatures. The copy must be filed not earlier than the January 2
 27 preceding the date of the election and not later than 10 working days before the last
 28 day to file the petition pursuant to subsection 4. The copy of the petition must be
 29 filed with the appropriate filing officer before the petition may be circulated for
 30 signatures.

31 (b) Either of the following:

32 (1) A petition of candidacy signed by a number of registered voters equal
 33 to at least 1 percent of the total number of ballots cast in:

34 (I) This State for that office at the last preceding general election in
 35 which a person was elected to that office, if the office is a statewide office;

36 (II) The county for that office at the last preceding general election in
 37 which a person was elected to that office, if the office is a county office; or

38 (III) The district for that office at the last preceding general election in
 39 which a person was elected to that office, if the office is a district office.

40 (2) A petition of candidacy signed by 250 registered voters if the candidate
 41 is a candidate for statewide office, or signed by 100 registered voters if the
 42 candidate is a candidate for any office other than a statewide office.

43 2. The petition may consist of more than one document. Each document must
 44 bear the name of the county in which it was circulated, and only registered voters of
 45 that county may sign the document. If the office is not a statewide office, only the
 46 registered voters of the county, district or municipality in question may sign the
 47 document. The documents that are circulated for signature in a county must be
 48 submitted to that county clerk for verification in the manner prescribed in NRS
 49 293.1276 to 293.1279, inclusive, not later than 10 working days before the last day
 50 to file the petition pursuant to subsection 4. Each person who signs the petition
 51 shall add to his or her signature the address of the place at which the person actually
 52 resides, the date that he or she signs the petition and the name of the county where
 53 he or she is registered to vote. The person who circulates each document of the

1 petition shall sign an affidavit attesting that the signatures on the document are
2 genuine to the best of his or her knowledge and belief and were signed in his or her
3 presence by persons registered to vote in that county.

4 3. The petition of candidacy may state the principle, if any, which the person
5 qualified represents.

6 4. Petitions of candidacy must be filed not earlier than the first Monday in
7 March preceding the general election and not later than 5 p.m. on the third Friday in
8 June.

9 5. No petition of candidacy may contain the name of more than one candidate
10 for each office to be filled.

11 6. A person may not file as an independent candidate if he or she is proposing
12 to run as the candidate of a political party.

13 7. The names of independent candidates must be placed on the general
14 election ballot and must not appear on the primary election ballot.

15 8. If the sufficiency of the petition of the candidacy of any person seeking to
16 qualify pursuant to this section is challenged, all affidavits and documents in
17 support of the challenge must be filed not later than 5 p.m. on the fourth Friday in
18 June. Any judicial proceeding resulting from the challenge must be set for hearing
19 not more than 5 days after the fourth Friday in June.

20 9. Any challenge pursuant to subsection 8 must be filed with:

21 (a) The First Judicial District Court if the petition of candidacy was filed with
22 the Secretary of State.

23 (b) The district court for the county where the petition of candidacy was filed if
24 the petition was filed with a county clerk.

25 10. The district court in which the challenge is filed shall give priority to such
26 proceedings over all other matters pending with the court, except for criminal
27 proceedings.

28 11. An independent candidate for partisan office must file a declaration of
29 candidacy *in the form required by NRS 293.177* with the appropriate filing officer
30 and pay the filing fee required by NRS 293.193 not earlier than the first Monday in
31 March of the year in which the election is held and not later than 5 p.m. on the
32 second Friday after the first Monday in March.

33 **Sec. 3.5.** NRS 293.225 is hereby amended to read as follows:

34 293.225 1. Members of election boards continue *to serve* as such from the
35 day ~~[before the day of the election,]~~ *of appointment* until the time for filing
36 contests of the election has expired.

37 2. Each member of an election board is subject to call by the board of county
38 commissioners or city council to correct any errors discovered during the canvass
39 of votes by the board of county commissioners or city council.

40 3. Reserve election board officers must be appointed by the county or city
41 clerk, if practicable, to fill any vacancy which occurs on the day of the election, and
42 the reserve officers must be compensated if they serve at the polls.

43 4. If a vacancy occurs in any election board on the day of the election and no
44 reserves are available, the election board may appoint, at the polling place, any
45 registered voter who is willing to serve and satisfies the election board that he or
46 she possesses the qualifications required to perform the services required.

47 **Sec. 4.** NRS 293.260 is hereby amended to read as follows:

48 293.260 1. If there is no contest of election for nomination to a particular
49 office, neither the title of the office nor the name of the candidate may appear on
50 the ballot at the primary election.

51 2. If a major political party has two or more candidates for a particular office,
52 the person who receives the highest number of votes at the primary election must be
53 declared the nominee of that major political party for the office.

1 3. If not more than the number of candidates to be elected have filed for
2 nomination for:

3 (a) Any partisan office or the office of judge of a district court, judge of the
4 Court of Appeals or justice of the Supreme Court, the names of those candidates
5 must be omitted from all ballots for a primary election and placed on all ballots for
6 the general election.

7 (b) Any nonpartisan office, other than the office of judge of a district court,
8 judge of the Court of Appeals, justice of the Supreme Court or member of a town
9 advisory board, the names of those candidates must appear on the ballot for a
10 primary election unless the candidates were nominated pursuant to subsection 2 of
11 NRS 293.165. If a candidate receives one or more votes at the primary election, the
12 candidate must be declared elected to the office and his or her name must not be
13 placed on the ballot for the general election. If a candidate does not receive one or
14 more votes at the primary election, his or her name must be placed on the ballot for
15 the general election.

16 (c) The office of member of a town advisory board, the candidate must be
17 declared elected to the office and no election must be held for that office.

18 4. If there are not more than twice the number of candidates to be elected to a
19 nonpartisan office, the candidates must, without a primary election, be declared the
20 nominees for the office, and the names of the candidates must be omitted from all
21 ballots for a primary election and placed on all ballots for the general election.

22 5. If there are more than twice the number of candidates to be elected to a
23 nonpartisan office, the names of the candidates must appear on the ballot for a
24 primary election. Except as otherwise provided in NRS 293.400, those candidates
25 who receive the highest number of votes at the primary election, not to exceed
26 twice the number to be elected, must be declared nominees for the office and the
27 names of those candidates must be placed on the ballot for the general election,
28 except that if one of those candidates receives a majority of the votes cast in the
29 primary election for:

30 (a) The office of judge of a district court, judge of the Court of Appeals or
31 justice of the Supreme Court, the candidate must be declared the only nominee for
32 the office and only his or her name must be placed on the ballot for the general
33 election.

34 (b) Any other nonpartisan office, the candidate must be declared elected to the
35 office and his or her name must not be placed on the ballot for the general election.

36 ↪ *For the purposes of determining whether a candidate received a majority of*
37 *the votes cast in the primary election for a nonpartisan office for which voters*
38 *were authorized to select more than one candidate, each ballot upon which a*
39 *voter marked a valid choice for one or more candidates for that office shall be*
40 *deemed to be one vote cast in the primary election for that office.*

41 **Sec. 5.** NRS 293.269 is hereby amended to read as follows:

42 293.269 1. Every ballot upon which appears the names of candidates for
43 any statewide office or for President and Vice President of the United States shall
44 contain for each office an additional line equivalent to the lines on which the
45 candidates' names appear and placed at the end of the group of lines containing the
46 names of the candidates for that office. Each additional line shall contain a ~~square~~
47 *space* in which the voter may express a choice of that line in the same manner as
48 the voter would express a choice of a candidate, and the line shall read "None of
49 these candidates."

50 2. Only votes cast for the named candidates shall be counted in determining
51 nomination or election to any statewide office or presidential nominations or the
52 selection of presidential electors, but for each office the number of ballots on which
53 the additional line was chosen shall be listed following the names of the candidates

1 and the number of their votes in every posting, abstract and proclamation of the
2 results of the election.

3 3. Every sample ballot or other instruction to voters prescribed or approved
4 by the Secretary of State shall clearly explain that the voter may mark the choice of
5 the line "None of these candidates" only if the voter has not voted for any candidate
6 for the office.

7 **Sec. 6.** (Deleted by amendment.)

8 **Sec. 6.1.** NRS 293.269911 is hereby amended to read as follows:

9 293.269911 1. Except as otherwise provided in this section, the county clerk
10 shall prepare and distribute to each active registered voter in the county and each
11 person who registers to vote or updates his or her voter registration information not
12 later than the 14 days before the election a mail ballot for every election. The
13 county clerk shall make reasonable accommodations for the use of the mail ballot
14 by a person who is elderly or disabled, including, without limitation, by providing,
15 upon request, the mail ballot in 12-point type to a person who is elderly or disabled.

16 2. The county clerk shall allow a voter to elect not to receive a mail ballot
17 pursuant to this section by submitting to the county clerk a written notice in the
18 form prescribed by the county clerk which must be received by the county clerk not
19 later than 60 days before the day of the election.

20 3. The county clerk shall not distribute a mail ballot to any person who:

21 (a) Registers to vote for the election pursuant to the provisions of NRS
22 293.5772 to 293.5887, inclusive; ~~for~~

23 (b) Elects not to receive a mail ballot pursuant to subsection 2 ~~(b)~~; or

24 (c) *Elects not to receive a mail ballot at the time the person preregistered or*
25 *registered to vote.*

26 4. The mail ballot must include all offices, candidates and measures upon
27 which the voter is entitled to vote at the election.

28 5. Except as otherwise provided in subsections 2 and 3, the mail ballot must
29 be distributed to:

30 (a) Each active registered voter who:

31 (1) Resides within the State, not later than 20 days before the election; and

32 (2) Except as otherwise provided in paragraph (c), resides outside the
33 State, not later than 40 days before the election.

34 (b) Each active registered voter who registers to vote after the dates set for
35 distributing mail ballots pursuant to paragraph (a) but who is eligible to receive a
36 mail ballot pursuant to subsection 1, not later than 13 days before the election.

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

41 6. In the case of a special election where no candidate for federal office will
42 appear on the ballot, the mail ballot must be distributed to each active registered
43 voter not later than 15 days before the special election.

44 7. Any untimely legal action which would prevent the mail ballot from being
45 distributed to any voter pursuant to this section is moot and of no effect.

46 **Sec. 6.15.** ~~NRS 293.269917 is hereby amended to read as follows:~~

47 ~~— 293.269917 1. Except as otherwise provided in NRS 293.269919 and~~
48 ~~section 1.5 of this act and chapter 293D of NRS, in order to vote a mail ballot, the~~
49 ~~voter must, in accordance with the instructions:~~

50 ~~— (a) Mark and fold the mail ballot;~~

51 ~~— (b) Deposit the mail ballot in the return envelope and seal the return envelope;~~

52 ~~— (c) Affix his or her signature on the return envelope in the space provided for~~
53 ~~the signature; and~~

~~1. (d) Mail or deliver the return envelope in a manner authorized by law.~~

~~2. Except as otherwise provided in chapter 293D of NRS, voting must be only upon candidates whose names appear upon the mail ballot as prepared pursuant to NRS 293.269911, and no person may write in the name of an additional candidate for any office.~~

~~3. If a mail ballot has been sent to a voter who applies to vote in person at a polling place, including, without limitation, a polling place for early voting, the voter must, in addition to complying with all other requirements for voting in person that are set forth in this chapter, surrender his or her mail ballot or sign an affirmation under penalty of perjury that the voter has not voted during the election. A person who receives a surrendered mail ballot shall mark it "Cancelled." **(Deleted by amendment.)**~~

Sec. 6.2. NRS 293.269919 is hereby amended to read as follows:

~~293.269919 1. Except as otherwise provided in this section [.] or **section 1.5 of this act**, a person shall not mark and sign a mail ballot on behalf of a voter or assist a voter to mark and sign a mail ballot pursuant to the provisions of NRS 293.269911 to 293.269937, inclusive.~~

~~2. At the direction of a voter who has a physical disability, is at least 65 years of age or is unable to read or write, a person may mark and sign a mail ballot on behalf of the voter or assist the voter to mark and sign a mail ballot pursuant to this section.~~

~~3. If a person marks and signs a mail ballot on behalf of a voter pursuant to this section, the person must indicate next to his or her signature that the mail ballot has been marked and signed on behalf of the voter.~~

~~4. If a person assists a voter to mark and sign a mail ballot pursuant to this section, the person or the voter must include on the return envelope his or her name, address and signature.] **(Deleted by amendment.)**~~

Sec. 6.23. NRS 293.363 is hereby amended to read as follows:

293.363 1. [When] Mail ballots must be counted by the mail ballot central counting board pursuant to NRS 293.269931.

2. Ballots cast using a mechanical voting system must not be counted until the polls are closed. [., the counting board shall prepare to count the ballots voted.] The counting procedure must be public and , to the extent practicable, continue without adjournment until completed.

~~[2. If the ballots are paper ballots, the counting board shall prepare in the following manner:~~

~~(a) The container that holds the ballots or the ballot box must be opened and the ballots contained therein counted by the counting board and opened far enough to ascertain whether each ballot is single. If two or more ballots are found folded together to present the appearance of a single ballot, they must be laid aside until the count of the ballots is completed. If a majority of the inspectors are of the opinion that the ballots folded together were voted by one person, the ballots must be rejected and placed in an envelope, upon which must be written the reason for their rejection. The envelope must be signed by the counting board officers and placed in the container or ballot box after the count is completed.~~

~~(b) If the ballots in the container or box are found to exceed in number the number of names as are indicated on the roster as having voted, the ballots must be replaced in the container or box, and a counting board officer, with his or her back turned to the container or box, shall draw out a number of ballots equal to the excess. The excess ballots must be marked on the back thereof with the words "Excess ballots not counted." The ballots when so marked must be immediately sealed in an envelope and returned to the county clerk with the other ballots rejected for any cause.~~

~~(c) When it has been ascertained that the number of ballots agrees with the number of names of registered voters shown to have voted, the board shall proceed to count. If there is a discrepancy between the number of ballots and the number of voters, a record of the discrepancy must be made.~~

Sec. 6.24. NRS 293.3677 is hereby amended to read as follows:

293.3677 1. When counting a vote in an election, if more choices than permitted by the instructions for a ballot are marked for any office or question, the vote for that office or question may not be counted. ~~if the marks meet or exceed the threshold established by regulation pursuant to subsection 3.~~

2. Except as otherwise provided in subsection 1, in an election in which a mechanical voting system is used whereby a vote is cast by darkening a designated space on the ballot:

(a) A vote must be counted if the designated space is darkened or there is a writing in the designated space, including, without limitation, a cross or check; and

(b) Except as otherwise provided in paragraph (a), a writing or other mark on the ballot, including, without limitation, a cross, check, tear or scratch may not be counted as a vote. ~~unless the writing or mark meets or exceeds the threshold established by regulation pursuant to subsection 3.~~

3. The Secretary of State:

(a) May adopt regulations establishing ~~additional~~ :

(1) Additional uniform, statewide standards, not inconsistent with this section, for counting a vote cast by a method of voting described in subsection 2; and

(2) Uniform thresholds for determining whether writing or a mark on a ballot must be counted as a vote; and

(b) Shall adopt regulations establishing uniform, statewide standards for counting a vote cast by each method of voting used in this State that is not described in subsection 2, including, without limitation, a vote cast on a mechanical recording device which directly records the votes electronically.

Sec. 6.25. NRS 293.391 is hereby amended to read as follows:

293.391 1. The voted ballots, rejected ballots, spoiled ballots, challenge lists, records printed on paper of voted ballots collected pursuant to NRS 293B.400, reports prepared pursuant to NRS 293.269937 and stubs of the ballots used, enclosed and sealed, must, after canvass of the votes by the board of county commissioners, be deposited in the vaults of the county clerk. The records of voted ballots that are maintained in electronic form must, after canvass of the votes by the board of county commissioners, be sealed and deposited in the vaults of the county clerk. The tally lists collected pursuant to this title must, after canvass of the votes by the board of county commissioners, be deposited in the vaults of the county clerk without being sealed. All materials described by this subsection must be preserved for at least 22 months, and all such sealed materials must be destroyed immediately after the preservation period. A notice of the destruction must be published by the clerk in at least one newspaper of general circulation in the county not less than 2 weeks before the destruction.

2. Unused ballots, enclosed and sealed, must, after canvass of the votes by the board of county commissioners, be deposited in the vaults of the county clerk and preserved for at least the period during which the election may be contested and adjudicated, after which the unused ballots may be destroyed.

3. The rosters containing the signatures of those persons who voted in the election and the tally lists deposited with the board of county commissioners are subject to the inspection of any elector who may wish to examine them at any time after their deposit with the county clerk.

1 4. A contestant of an election may inspect all of the material regarding that
2 election which is preserved pursuant to subsection 1 or 2, except the voted ballots
3 and records printed on paper of voted ballots collected pursuant to NRS 293B.400
4 which are deposited with the county clerk.

5 5. The voted ballots and records printed on paper of voted ballots collected
6 pursuant to NRS 293B.400 which are deposited with the county clerk are not
7 subject to the inspection of anyone, except in cases of a contested election, and then
8 only by the judge, body or board before whom the election is being contested, or by
9 the parties to the contest, jointly, pursuant to an order of such judge, body or board.

10 **6. All of the materials preserved pursuant to subsection 1 which are**
11 **deposited with the county clerk are subject to inspection in a risk-limiting audit**
12 **that is conducted in accordance with the regulations adopted pursuant to NRS**
13 **293.394.**

14 **Sec. 6.3.** NRS 293.394 is hereby amended to read as follows:

15 293.394 1. The Secretary of State shall adopt regulations for conducting a
16 risk-limiting audit of an election, which may include, without limitation:

- 17 (a) Procedures to conduct a risk-limiting audit;
18 (b) Criteria for which elections must be audited; and
19 (c) Criteria to determine the scope of the risk-limiting audit.

20 2. In accordance with the regulations adopted by the Secretary of State
21 pursuant to this section, each county clerk shall conduct a risk-limiting audit of the
22 results of an election . ~~[prior to the certification of the results of the election~~
23 ~~pursuant to NRS 293.395.]~~

24 3. As used in this section, "risk-limiting audit" means an audit protocol that:

- 25 (a) Makes use of statistical principles and methods; and
26 (b) Is designed to limit the risk of certifying an incorrect election outcome.

27 **Sec. 6.35.** NRS 293.403 is hereby amended to read as follows:

28 293.403 1. ~~[A]~~ **Except as otherwise provided in section 1.7 of this act, a**
29 candidate defeated at any election may demand and receive a recount of the vote for
30 the office for which he or she is a candidate to determine the number of votes
31 received for the candidate and the number of votes received for the person who won
32 the election if, within 3 working days after the canvass of the vote and the
33 certification by the county clerk or city clerk of the abstract of votes, the candidate
34 who demands the recount:

35 (a) Files in writing a demand with the officer with whom the candidate filed his
36 or her declaration of candidacy; and

37 (b) Deposits in advance the estimated costs of the recount with that officer.

38 2. Any voter at an election may demand and receive a recount of the vote for
39 a ballot question if, within 3 working days after the canvass of the vote and the
40 certification by the county clerk or city clerk of the abstract of votes, the voter:

41 (a) Files in writing a demand with:

42 (1) The Secretary of State, if the demand is for a recount of a ballot
43 question affecting more than one county; or

44 (2) The county or city clerk who will conduct the recount, if the demand is
45 for a recount of a ballot question affecting only one county or city; and

46 (b) Deposits in advance the estimated costs of the recount with the person to
47 whom the demand was made.

48 3. The estimated costs of the recount must be determined by the person with
49 whom the advance is deposited based on regulations adopted by the Secretary of
50 State defining the term "costs."

51 4. As used in this section, "canvass" means:

52 (a) In any primary election, the canvass by the board of county commissioners
53 of the returns for a candidate or ballot question voted for in one county or the

1 canvass by the board of county commissioners last completing its canvass of the
2 returns for a candidate or ballot question voted for in more than one county.

3 (b) In any primary city election, the canvass by the city council of the returns
4 for a candidate or ballot question voted for in the city.

5 (c) In any general election:

6 (1) The canvass by the Supreme Court of the returns for a candidate for a
7 statewide office or a statewide ballot question; or

8 (2) The canvass of the board of county commissioners of the returns for
9 any other candidate or ballot question, as provided in paragraph (a).

10 (d) In any general city election, the canvass by the city council of the returns
11 for a candidate or ballot question voted for in the city.

12 **Sec. 6.4.** NRS 293.404 is hereby amended to read as follows:

13 293.404 1. Where a recount is demanded pursuant to the provisions of NRS
14 293.403, *or section 1.7 of this act*, the:

15 (a) County clerk of each county affected by the recount shall employ a recount
16 board to conduct the recount in the county, and shall act as chair of the recount
17 board unless the recount is for the office of county clerk, in which case the registrar
18 of voters of the county, if a registrar of voters has been appointed for the county,
19 shall act as chair of the recount board. If a registrar of voters has not been appointed
20 for the county, the chair of the board of county commissioners, if the chair is not a
21 candidate on the ballot, shall act as chair of the recount board. If the recount is for
22 the office of county clerk, a registrar of voters has not been appointed for the
23 county and the chair of the board of county commissioners is a candidate on the
24 ballot, the chair of the board of county commissioners shall appoint another
25 member of the board of county commissioners who is not a candidate on the ballot
26 to act as chair of the recount board. A member of the board of county
27 commissioners who is a candidate on the ballot may not serve as a member of the
28 recount board.

29 (b) City clerk shall employ a recount board to conduct the recount in the city,
30 and shall act as chair of the recount board unless the recount is for the office of city
31 clerk, in which case the mayor of the city, if the mayor is not a candidate on the
32 ballot, shall act as chair of the recount board. If the recount is for the office of city
33 clerk and the mayor of the city is a candidate on the ballot, the mayor of the city
34 shall appoint another member of the city council who is not a candidate on the
35 ballot to act as chair of the recount board. A member of the city council who is a
36 candidate on the ballot may not serve as a member of the recount board.

37 2. Each candidate for the office affected by the recount and the voter who
38 demanded the recount, if any, may be present in person or by an authorized
39 representative, but may not be a member of the recount board.

40 3. The recount must include a count and inspection of all ballots, including
41 rejected ballots, and must determine whether all ballots are marked as required by
42 law. All ballots must be recounted in the same manner in which the ballots were
43 originally tabulated.

44 4. The county or city clerk shall unseal and give to the recount board all
45 ballots to be counted.

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

48 **Sec. 6.43.** NRS 293.405 is hereby amended to read as follows:

49 293.405 1. If the person who demanded the recount does not prevail, and it
50 is found that the sum deposited was less than the cost of the recount, the person
51 shall, upon demand, pay the deficiency to the county clerk, city clerk or Secretary
52 of State, as the case may be. If the sum deposited is in excess of the cost, the excess
53 must be refunded to the person.

1 2. If the person who demanded the recount prevails, the sum deposited with
2 the Secretary of State, county clerk or city clerk must be refunded to the person and
3 the cost of the recount must be paid as follows:

4 (a) If the recount concerns an office or ballot question for which voting is not
5 statewide, the cost must be borne by the county or city which conducted the
6 recount.

7 (b) If the recount concerns an office or ballot question for which voting is
8 statewide, the clerk of each county shall submit a statement of its costs in the
9 recount to the Secretary of State for review and approval. The Secretary of State
10 shall submit the statements to the State Board of Examiners, which shall repay the
11 allowable costs from the Reserve for Statutory Contingency Account to the
12 respective counties.

13 3. ~~Each~~ *Except as otherwise provided in section 1.7 of this act, each*
14 recount must be commenced within 5 days after demand, and must be completed
15 within 5 days after it is begun.

16 4. After the recount of a precinct is completed, that precinct must not be
17 subject to another recount for the same office or ballot question at the same
18 election.

19 **Sec. 6.47.** NRS 293.407 is hereby amended to read as follows:

20 293.407 1. A candidate at any election, or any registered voter of the
21 appropriate political subdivision, may contest the election of any candidate, except
22 for the office of United States Senator or Representative in Congress.

23 2. Except where the contest involves the general election for the office of
24 Governor, Lieutenant Governor, Assemblyman, Assemblywoman, State Senator,
25 justice of the Supreme Court or judge of the Court of Appeals, a candidate or voter
26 who wishes to contest an election, including election to the office of presidential
27 elector, must, within the time prescribed in NRS 293.413, *or section 1.7 of this act,*
28 *as applicable,* file with the clerk of the district court a written statement of contest,
29 setting forth:

30 (a) The name of the contestant and that the contestant is a registered voter of
31 the political subdivision in which the election to be contested or part of it was held;

32 (b) The name of the defendant;

33 (c) The office to which the defendant was declared elected;

34 (d) The particular grounds of contest and the section of Nevada Revised
35 Statutes pursuant to which the statement is filed; and

36 (e) The date of the declaration of the result of the election and the body or
37 board which canvassed the returns thereof.

38 3. The contestant shall verify the statement of contest in the manner provided
39 for the verification of pleadings in civil actions.

40 4. All material regarding a contest filed by a contestant with the clerk of the
41 district court must be filed in triplicate.

42 5. The contestant must notify the defendant that a statement of contest has
43 been filed pursuant to this section.

44 **Sec. 6.5.** NRS 293.413 is hereby amended to read as follows:

45 293.413 1. ~~The~~ *Except as otherwise provided in section 1.7 of this act,*
46 *the* statement of contest provided for in NRS 293.407 shall be filed with the clerk
47 of the district court no later than 5 days after a recount is completed, and no later
48 than 14 days after the election if no recount is demanded. The parties to a contest
49 shall be denominated contestant and defendant.

50 2. The court shall set the matter for hearing not ~~less~~ *more* than 5 days ~~nor~~
51 ~~more than 10 days~~ after the filing of the statement of contest. Election contests
52 shall take precedence over all regular business of the court in order that results of
53 elections shall be determined as soon as practicable.

1 3. The court may refer the contest to a special master in the manner provided
2 by the Nevada Rules of Civil Procedure, and such special master shall have all
3 powers necessary for a proper determination of the contest.

4 **Sec. 6.55.** NRS 293.469 is hereby amended to read as follows:

5 293.469 Each county clerk is encouraged to:

6 1. Not later than the earlier date of the notice provided pursuant to NRS
7 293.203 or the first notice provided pursuant to subsection 3 of NRS 293.560,
8 notify the public, through means designed to reach members of the public who are
9 elderly or disabled, of the provisions of NRS 293.269911, 293.269951, 293.2955
10 and 293.296 **H and section 1.5 of this act.**

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

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

19 (a) Related to elections; and

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

21 **Sec. 6.6.** NRS 293.504 is hereby amended to read as follows:

22 293.504 1. The following offices shall serve as voter registration agencies:

23 (a) Such offices that provide public assistance as are designated by the
24 Secretary of State;

25 (b) Each office that receives money from the State of Nevada to provide
26 services to persons with disabilities in this State;

27 (c) The offices of the Department of Motor Vehicles;

28 (d) The offices of the city and county clerks;

29 (e) Such other county and municipal facilities as a county clerk or city clerk
30 may designate pursuant to NRS 293.5035 or 293C.520, as applicable;

31 (f) Recruitment offices of the United States Armed Forces; and

32 (g) Such other offices as the Secretary of State deems appropriate.

33 2. Each voter registration agency shall:

34 (a) Post in a conspicuous place, in at least 12-point type, instructions for
35 preregistering and registering to vote;

36 (b) Except as otherwise provided in subsection 3 and NRS 293.5732 to
37 293.5757, inclusive, distribute applications to preregister or register to vote which
38 may be returned by mail with any application for services or assistance from the
39 agency or submitted for any other purpose and with each application for
40 recertification, renewal or change of address submitted to the agency that relates to
41 such services, assistance or other purpose;

42 (c) Provide the same amount of assistance to an applicant in completing an
43 application to preregister or register to vote as the agency provides to a person
44 completing any other forms for the agency; and

45 (d) Accept completed applications to preregister or register to vote.

46 3. A voter registration agency is not required to provide an application to
47 preregister or register to vote pursuant to paragraph (b) of subsection 2 to a person
48 who applies for or receives services or assistance from the agency or submits an
49 application for any other purpose if the person affirmatively declines to preregister
50 or register to vote and submits to the agency a written form that meets the
51 requirements of 52 U.S.C. § 20506(a)(6). Information related to the declination to
52 preregister or register to vote may not be used for any purpose other than voter
53 registration.

1 4. Except as otherwise provided in this subsection and NRS 293.5727 and
2 293.5747, any application to preregister or register to vote accepted by a voter
3 registration agency must be transmitted to the county clerk not later than 10 days
4 after the application is accepted. The applications must be forwarded daily during
5 the 2 weeks immediately preceding the last day to register to vote by mail pursuant
6 to NRS 293.560 or 293C.527, as applicable. The county clerk shall accept any
7 application which is obtained from a voter registration agency pursuant to this
8 section and completed by the last day to register to vote by mail pursuant to NRS
9 293.560 or 293C.527, as applicable, if the county clerk receives the application not
10 later than 5 days after that date.

11 5. *A voter registration agency shall provide notice to a voter who submits an*
12 *application to register to vote after the last day to register to vote by mail for an*
13 *election pursuant to NRS 293.560 or 293C.527 that to vote in the upcoming*
14 *election, the voter must complete an application to register to vote by computer*
15 *using the system established by the Secretary of State pursuant to NRS 293.671 or*
16 *in person pursuant to NRS 293.5772 to 293.5887, inclusive.*

17 6. The Secretary of State shall cooperate with the Secretary of Defense to
18 develop and carry out procedures to enable persons in this State to apply to
19 preregister or register to vote at recruitment offices of the United States Armed
20 Forces.

21 **Sec. 6.65.** NRS 293.5235 is hereby amended to read as follows:

22 293.5235 1. Except as otherwise provided in NRS 293.502 and chapter
23 293D of NRS, a person may preregister or register to vote by:

24 (a) Mailing an application to preregister or register to vote to the county clerk
25 of the county in which the person resides.

26 (b) A computer using:

27 (1) The system established by the Secretary of State pursuant to NRS
28 293.671; or

29 (2) A system established by the county clerk, if the county clerk has
30 established a system pursuant to NRS 293.506 for using a computer to preregister
31 or register to vote.

32 (c) Any other method authorized by the provisions of this title.

33 2. The county clerk shall, upon request, mail an application to preregister or
34 register to vote to an applicant. The county clerk shall make the applications
35 available at various public places in the county.

36 3. Except as otherwise provided in NRS 293.5772 to 293.5887, inclusive:

37 (a) An application to preregister to vote may be used to correct information in a
38 previous application.

39 (b) An application to register to vote may be used to correct information in the
40 registrar of voters' register.

41 4. An application to preregister or register to vote which is mailed to an
42 applicant by the county clerk or made available to the public at various locations or
43 voter registration agencies in the county may be returned to the county clerk by
44 mail or in person. For the purposes of this section, an application which is
45 personally delivered to the county clerk shall be deemed to have been returned by
46 mail.

47 5. The applicant must complete the application, including, without limitation,
48 checking the boxes described in paragraphs (b) and (c) of subsection 12 and signing
49 the application.

50 6. The county clerk shall, upon receipt of an application, determine whether
51 the application is complete.

52 7. If the county clerk determines that the application is complete, he or she
53 shall, within 10 days after receiving the application, mail to the applicant:

1 (a) A notice that the applicant is preregistered or registered to vote, as
2 applicable. If the applicant is registered to vote, the county clerk must also mail to
3 the applicant a voter registration card; or

4 (b) A notice that the person's application to preregister to vote or the registrar
5 of voters' register has been corrected to reflect any changes indicated on the
6 application.

7 8. Except as otherwise provided in subsections 5 and 6 of NRS 293.518 and
8 NRS 293.5767, if the county clerk determines that the application is not complete,
9 the county clerk shall, as soon as possible, mail a notice to the applicant that
10 additional information is required to complete the application. If the applicant
11 provides the information requested by the county clerk within 15 days after the
12 county clerk mails the notice, the county clerk shall, within 10 days after receiving
13 the information, mail to the applicant:

14 (a) A notice that the applicant is:

15 (1) Preregistered to vote; or

16 (2) Registered to vote and a voter registration card; or

17 (b) A notice that the person's application to preregister to vote or the registrar
18 of voters' register has been corrected to reflect any changes indicated on the
19 application.

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

22 9. The applicant shall be deemed to be preregistered or registered or to have
23 corrected the information in the application to preregister to vote or the registrar of
24 voters' register on the date the application is postmarked or received by the county
25 clerk, whichever is earlier.

26 10. If the applicant fails to check the box described in paragraph (b) of
27 subsection 12, the application shall not be considered invalid, and the county clerk
28 shall provide a means for the applicant to correct the omission at the time the
29 applicant appears to vote in person at the assigned polling place.

30 11. The Secretary of State shall prescribe the form for applications to
31 preregister or register to vote by:

32 (a) Mail, which must be used to preregister or register to vote by mail in this
33 State.

34 (b) Computer, which must be used to preregister or register to vote by
35 computer using:

36 (1) The system established by the Secretary of State pursuant to NRS
37 293.671; or

38 (2) A system established by the county clerk, if the county clerk has
39 established a system pursuant to NRS 293.506 for using a computer to preregister
40 or register to vote.

41 12. The application to preregister or register to vote by mail must include:

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

43
44 NOTICE: You are urged to return your application to the County Clerk
45 in person or by mail. If you choose to give your completed application to
46 another person to return to the County Clerk on your behalf, and the person
47 fails to deliver the application to the County Clerk, you will not be
48 preregistered or registered to vote, as applicable. Please retain the duplicate
49 copy or receipt from your application to preregister or register to vote.

50
51 (b) The question, "Are you a citizen of the United States?" and boxes for the
52 applicant to check to indicate whether or not the applicant is a citizen of the United
53 States.

1 (c) If the application is to:

2 (1) Preregister to vote, the question, “Are you at least 17 years of age and
3 not more than 18 years of age?” and boxes to indicate whether or not the applicant
4 is at least 17 years of age and not more than 18 years of age.

5 (2) Register to vote, the question, “Will you be at least 18 years of age on
6 or before election day?” and boxes for the applicant to check to indicate whether or
7 not the applicant will be at least 18 years of age or older on election day.

8 (d) A statement instructing the applicant not to complete the application if the
9 applicant checked “no” in response to the question set forth in:

10 (1) If the application is to preregister to vote, paragraph (b) or
11 subparagraph (1) of paragraph (c).

12 (2) If the application is to register to vote, paragraph (b) or subparagraph
13 (2) of paragraph (c).

14 (e) A statement informing the applicant that if the application is submitted by
15 mail and the applicant is preregistering or registering to vote for the first time, the
16 applicant must submit the information set forth in paragraph (a) of subsection 2 of
17 NRS 293.2725 to avoid the requirements of subsection 1 of NRS 293.2725 upon
18 voting for the first time.

19 *(f) An option for an applicant to elect not to receive a mail ballot.*

20 13. Except as otherwise provided in subsections 5 and 6 of NRS 293.518, the
21 county clerk shall not preregister or register a person to vote pursuant to this section
22 unless that person has provided all of the information required by the application.

23 14. The county clerk shall mail, by postcard, the notices required pursuant to
24 subsections 7 and 8. If the postcard is returned to the county clerk by the United
25 States Postal Service because the address is fictitious or the person does not live at
26 that address, the county clerk shall attempt to determine whether the person’s
27 current residence is other than that indicated on the application to preregister or
28 register to vote in the manner set forth in NRS 293.530.

29 15. A person who, by mail, preregisters or registers to vote pursuant to this
30 section may be assisted in completing the application to preregister or register to
31 vote by any other person. The application must include the mailing address and
32 signature of the person who assisted the applicant. The failure to provide the
33 information required by this subsection will not result in the application being
34 deemed incomplete.

35 16. An application to preregister or register to vote must be made available to
36 all persons, regardless of political party affiliation.

37 17. An application must not be altered or otherwise defaced after the
38 applicant has completed and signed it. An application must be mailed or delivered
39 in person to the office of the county clerk within 10 days after it is completed.

40 18. A person who willfully violates any of the provisions of subsection 15, 16
41 or 17 is guilty of a category E felony and shall be punished as provided in NRS
42 193.130.

43 19. The Secretary of State shall adopt regulations to carry out the provisions
44 of this section.

45 **Sec. 6.7.** NRS 293.5307 is hereby amended to read as follows:

46 293.5307 If a county clerk enters into an agreement pursuant to NRS
47 293.5303, the county clerk shall review each notice of a change of address filed
48 with the United States Postal Service by a resident of the county and identify each
49 resident who is a registered voter and has moved to a new address. ~~{Before~~
50 ~~removing or correcting information in the statewide voter registration list, the}~~ *The*
51 county clerk shall , *in accordance with 52 U.S.C. § 20507*, mail a notice to each
52 such registered voter and follow the procedures set forth in NRS 293.530.

1 **Sec. 6.75.** NRS 293.5727 is hereby amended to read as follows:

2 293.5727 1. Except as otherwise provided in this section, the Department of
3 Motor Vehicles shall provide an application to preregister or register to vote to each
4 person who applies for the issuance or renewal of any type of driver's license or
5 identification card issued by the Department.

6 2. The county clerk shall use the applications to preregister or register to vote
7 which are signed and completed pursuant to subsection 1 to preregister or register
8 an applicant to vote or to correct the preregistration or registration of the applicant,
9 as applicable. An application that is not signed must not be used to preregister or
10 register or correct the preregistration or registration of the applicant.

11 3. For the purposes of this section, each employee specifically authorized to
12 do so by the Director of the Department may oversee the completion of an
13 application. The authorized employee shall check the application for completeness
14 and verify the information required by the application. Each application must
15 include a duplicate copy or receipt to be retained by the applicant upon completion
16 of the form. The Department shall, except as otherwise provided in this subsection,
17 forward each application on a weekly basis to the county clerk or, if applicable, to
18 the registrar of voters of the county in which the applicant resides. The applications
19 must be forwarded daily during the 2 weeks immediately preceding the last day to
20 register to vote by mail pursuant to NRS 293.560 or 293C.527, as applicable.

21 4. The Department ~~is~~:

22 (a) *Is* not required to provide an application to register to vote pursuant to
23 subsection 1 to a person who declines to apply to register to vote pursuant to this
24 section and submits to the Department a written form that meets the requirements
25 of 52 U.S.C. § 20506(a)(6). Information related to the declination to apply to
26 register to vote must not be used for any purpose other than voter registration.

27 (b) *Shall provide notice to a voter who submits an application to register to*
28 *vote after the last day to register to vote by mail in an election pursuant to NRS*
29 *293.560 or 293C.527 that to vote in the upcoming election, the voter must*
30 *complete an application to register to vote by computer using the system*
31 *established by the Secretary of State pursuant to NRS 293.671 or in person*
32 *pursuant to NRS 293.5772 to 293.5887, inclusive.*

33 5. The county clerk shall accept any application to:

34 (a) Preregister to vote at any time.

35 (b) Register to vote which is obtained from the Department of Motor Vehicles
36 pursuant to this section and completed by the last day to register to vote by mail
37 pursuant to NRS 293.560 or 293C.527, as applicable, if the county clerk receives
38 the application not later than 5 days after that date.

39 6. Upon receipt of an application, the county clerk or field registrar of voters
40 shall determine whether the application is complete. If the county clerk or field
41 registrar of voters determines that the application is complete, he or she shall notify
42 the applicant and the applicant shall be deemed to be preregistered or registered as
43 of the date of the submission of the application. If the county clerk or field registrar
44 of voters determines that the application is not complete, he or she shall notify the
45 applicant of the additional information required. The applicant shall be deemed to
46 be preregistered or registered as of the date of the initial submission of the
47 application if the additional information is provided within 15 days after the notice
48 for the additional information is mailed. If the applicant has not provided the
49 additional information within 15 days after the notice for the additional information
50 is mailed, the incomplete application is void. Any notification required by this
51 subsection must be given by mail at the mailing address on the application not more
52 than 7 working days after the determination is made concerning whether the
53 application is complete.

1 7. The county clerk shall use any form submitted to the Department to correct
2 information on a driver's license or identification card to correct information on a
3 previous application to preregister or register unless the person indicates on the
4 form that the correction is not to be used for the purposes of preregistration or voter
5 registration. The Department shall forward each such form to the county clerk or, if
6 applicable, to the registrar of voters of the county in which the person resides in the
7 same manner provided by subsection 3 for applications to preregister or register to
8 vote.

9 8. Upon receipt of a form to correct information, the county clerk shall
10 compare the information to that contained in the database created by the Secretary
11 of State pursuant to NRS 293.675. The county clerk shall correct the information to
12 reflect any changes indicated on the form. After making any changes, the county
13 clerk shall notify the person by mail that the records have been corrected.

14 9. The Secretary of State shall, with the approval of the Director, adopt
15 regulations to:

16 (a) Establish any procedure necessary to provide a person who applies to
17 preregister to vote or an elector who applies to register to vote pursuant to this
18 section the opportunity to do so;

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

21 (c) Provide for the transfer of the completed applications of preregistration or
22 registration from the Department to the appropriate county clerk.

23 **Sec. 6.8.** NRS 293.755 is hereby amended to read as follows:

24 293.755 1. A person who tampers or interferes with, or attempts to tamper
25 or interfere with, a mechanical voting system, mechanical voting device or any
26 computer program used ~~to count ballots~~ *to conduct an election* with the intent to
27 prevent the proper operation of that device, system or program is guilty of a
28 category D felony and shall be punished as provided in NRS 193.130.

29 2. A person who tampers or interferes with, or attempts to tamper or interfere
30 with, a mechanical voting system, mechanical voting device or any computer
31 program used to ~~count ballots~~ *conduct an election* with the intent to influence the
32 outcome of an election is guilty of a category B felony and shall be punished by
33 imprisonment in the state prison for a minimum term of not less than 2 years and a
34 maximum term of not more than 20 years.

35 3. The county or city clerk shall report any alleged violation of this section to
36 the district attorney who shall cause appropriate proceedings to be instituted and
37 prosecuted in a court of competent jurisdiction without delay.

38 **Sec. 6.9.** NRS 293.810 is hereby amended to read as follows:

39 293.810 1. It is unlawful for any person to be preregistered to vote or
40 registered as a voter in more than one ~~county~~ *state* at one time.

41 2. *If a county clerk receives information from another state that a person is*
42 *registered to vote in that state, the county clerk shall, in accordance with 52*
43 *U.S.C. § 20507, mail a notice to each such registered voter and follow the*
44 *procedures set forth in NRS 293.530 or 293.541, as applicable.*

45 **Sec. 7.** NRS 293.875 is hereby amended to read as follows:

46 293.875 1. At least once each year, each county or city clerk and all
47 members of their staff whose duties include administering an election must
48 complete a training class on cybersecurity that is approved by the Secretary of
49 State.

50 2. *The Secretary of State shall adopt by regulation a cyber-incident*
51 *response plan for elections. Each county and city clerk and other local election*
52 *official is required to comply with the requirements of the cyber-incident*
53 *response plan.* If any county or city clerk or other local election official identifies

1 or is informed of a confirmed ~~[attack]~~ *cyber-incident* or attempted ~~[attack]~~ *cyber-*
2 *incident* on the security of an information system used by the county or city clerk
3 or other local election official, the county or city clerk or other local election
4 official shall ~~[immediately]~~ notify the Secretary of State regarding such ~~[attack]~~
5 *cyber-incident* or attempted ~~[attack]~~ *cyber-incident in accordance with the cyber-*
6 *incident response plan adopted by the Secretary of State pursuant to this*
7 *subsection.*

8 **Sec. 7.3.** NRS 293B.400 is hereby amended to read as follows:

9 293B.400 1. Except as otherwise provided in this section, if a recount is
10 demanded pursuant to the provisions of NRS 293.403 *or section 1.7 of this act* or if
11 an election is contested pursuant to NRS 293.407, *or section 1.7 of this act*, the
12 county or city clerk shall ensure that each mechanical recording device which
13 directly recorded votes electronically for the applicable election provides a record
14 printed on paper of each ballot voted on that device.

15 2. In carrying out the requirements of this section, the county or city clerk
16 shall:

17 (a) Print only the records required for the recount or contest; and

18 (b) Collect those records and deposit them in the vaults of the county or city
19 clerk pursuant to NRS 293.391 or 293C.390.

20 **Sec. 7.6.** Chapter 293C of NRS is hereby amended by adding thereto a new
21 section to read as follows:

22 1. ~~[Any]~~ *The Secretary of State shall allow any registered voter [may submit*
23 *a written request] to [the city clerk for a replacement mail] use the system of*
24 *approved electronic transmission established pursuant to NRS 293D.200 to apply*
25 *for and cast a ballot in every election where the system of approved electronic*
26 *transmission is available to a covered voter to request and cast a military-overseas*
27 *ballot if the registered voter does not have access to his or her mail ballot and is*
28 *unable to go to the polls because:*

29 (a) *Of an illness or disability resulting in confinement in a hospital,*
30 *sanatorium, dwelling or nursing home; or*

31 (b) *The registered voter is suddenly hospitalized, becomes seriously ill or is*
32 *called away from home.*

33 2. ~~[A written request submitted pursuant to subsection 1 must include,~~
34 ~~without limitation:~~

35 ~~—(a) The name, address and signature of the registered voter requesting the~~
36 ~~replacement mail ballot;~~

37 ~~—(b) The name, address and signature of the person designated by the~~
38 ~~registered voter to obtain, deliver and return the replacement mail ballot for the~~
39 ~~registered voter;~~

40 ~~—(c) A brief statement of the illness or disability of the registered voter or of~~
41 ~~facts sufficient to establish that the registered voter was called away from home~~
42 ~~and cannot obtain his or her original mail ballot;~~

43 ~~—(d) If the registered voter is confined in a hospital, sanatorium, dwelling or~~
44 ~~nursing home, a statement that he or she will be confined therein on the day of~~
45 ~~the election; and~~

46 ~~—(e) Unless the person designated pursuant to paragraph (b) will mark and~~
47 ~~sign the replacement mail ballot on behalf of the registered voter pursuant to~~
48 ~~subsection 5, a statement signed under penalty of perjury that only the registered~~
49 ~~voter will mark and sign the replacement mail ballot.~~

50 3. ~~If the city clerk determines that a request submitted pursuant to~~
51 ~~subsection 1 includes the information required pursuant to subsection 2, the city~~
52 ~~clerk shall, at the office of the city clerk, deliver the replacement mail ballot to the~~

1 ~~person designated in the request to obtain the replacement mail ballot for the~~
2 ~~registered voter.~~

3 ~~4. Except as otherwise provided in subsection 5, the registered voter must~~
4 ~~vote the mail ballot in accordance with the requirements of NRS 293C.26316.~~

5 ~~5. A person designated in the request submitted pursuant to subsection 1~~
6 ~~may, on behalf of and at the direction of the registered voter, mark and sign the~~
7 ~~replacement mail ballot. If the person marks and signs the replacement mail~~
8 ~~ballot pursuant to this section, the person must:~~

9 ~~(a) Indicate next to his or her signature that the replacement mail ballot has~~
10 ~~been marked and signed on behalf of the registered voter; and~~

11 ~~(b) Submit a written statement with the replacement mail ballot that includes~~
12 ~~the name, address and signature of the person.~~

13 ~~6. A replacement mail ballot prepared by or on behalf of a registered voter~~
14 ~~pursuant to this section must be mailed or delivered to the city clerk in~~
15 ~~accordance with NRS 293C.26321.~~

16 ~~7. The city clerk shall cancel the original mail ballot.~~

17 ~~8. The procedure authorized by this section is subject to all other provisions~~
18 ~~of this chapter relating to voting by mail ballot to the extent that those provisions~~
19 ~~are not inconsistent with the provisions of this section.] The deadlines for a~~
20 ~~registered voter to use the system of approved electronic transmission pursuant to~~
21 ~~subsection 1 to apply for and cast a ballot are the same as the deadlines set forth~~
22 ~~in NRS 293D.310 and 293D.400 for a covered voter to apply for and cast a~~
23 ~~military-overseas ballot.~~

24 3. Upon receipt of an application and ballot cast by a registered voter in
25 accordance with subsection 1 using the system of approved electronic
26 transmission established pursuant to NRS 293D.200, the local elections official
27 shall affix, mark or otherwise acknowledge receipt of the application and ballot
28 by means of a time stamp on the application.

29 4. The Secretary of State shall ensure that the registered voter may provide
30 his or her digital signature or electronic signature on any document or other
31 material that is necessary for the registered voter to request and cast a ballot.

32 5. The Secretary of State shall prescribe the form and content of a
33 declaration for use by a registered voter who does not have access to his or her
34 mail ballot and is unable to go to the polls to swear or affirm specific
35 representations pertaining to identity, eligibility to vote, status as a registered
36 voter and timely and proper completion of a ballot.

37 6. The Secretary of State shall prescribe the duties of the city clerk upon
38 receipt of a ballot sent by a registered voter using the system of approved
39 electronic transmission pursuant to this section, including, without limitation, the
40 procedures to be used in accepting, handling and counting the ballot.

41 7. The Secretary of State shall make available to a registered voter using the
42 system of approved electronic transmission pursuant to this section information
43 regarding instructions on using the system for approved electronic transmission
44 to apply for and cast a ballot.

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

47 9. As used in this section:

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

49 (b) "Digital signature" has the meaning ascribed to it in NRS 720.060.

50 (c) "Electronic signature" has the meaning ascribed to it in NRS 719.100.

51 (d) "Military-overseas ballot" has the meaning ascribed to it in NRS
52 293D.050.

1 **Sec. 8.** NRS 293C.175 is hereby amended to read as follows:

2 293C.175 1. A primary city election must be held in each city of population
3 category one, and in each city of population category two that has so provided by
4 ordinance, on the second Tuesday in June of each even-numbered year, at which
5 time there must be nominated candidates for offices to be voted for at the next
6 general city election.

7 2. A candidate for an office to be voted for at the primary or general city
8 election must file a declaration of candidacy with the city clerk not earlier than:

9 (a) For the office of judge of a municipal court, the first Monday in January of
10 the year in which the applicable election is to be held and not later than 5 p.m. on
11 the second Friday after the first Monday in January.

12 (b) For any other office, the first Monday in March of the year in which the
13 applicable election is to be held and not later than 5 p.m. on the second Friday after
14 the first Monday in March.

15 3. At the time that a candidate files a declaration of candidacy, the city clerk
16 shall charge and collect from the candidate, and the candidate must pay to the city
17 clerk, a filing fee in an amount fixed by the governing body of the city by ordinance
18 or resolution. The filing fees collected by the city clerk must be deposited to the
19 credit of the general fund of the city.

20 4. All candidates, except as otherwise provided in NRS 266.220, must be
21 voted upon by the electors of the city at large.

22 5. If, in a primary city election held in a city of population category one or
23 two, one candidate receives a majority of votes cast in that election for the office
24 for which he or she is a candidate, the candidate must be declared elected to the
25 office and the candidate's name must not be placed on the ballot for the general city
26 election. If, in the primary city election, no candidate receives a majority of votes
27 cast in that election for the office for which he or she is a candidate, the names of
28 the two candidates receiving the highest number of votes must be placed on the
29 ballot for the general city election. *For the purposes of determining whether a*
30 *candidate received a majority of the votes cast in the primary election for an*
31 *office upon which voters were authorized to select more than one candidate, each*
32 *ballot upon which a voter marked a valid choice for one or more candidates for*
33 *that office shall be deemed to be one vote cast in the primary city election for that*
34 *office.*

35 **Sec. 9.** NRS 293C.195 is hereby amended to read as follows:

36 293C.195 A withdrawal of candidacy for a city office must be in writing and
37 presented to the city clerk by the candidate in person within ~~7~~ 7 days, excluding
38 Saturdays, Sundays and holidays, after the last day for filing a declaration of
39 candidacy. *If the withdrawal of candidacy is submitted in a timely manner*
40 *pursuant to the provisions of this subsection, the withdrawal shall be deemed*
41 *effective after the seventh day, excluding Saturdays, Sundays and holidays, after*
42 *the last day for filing.*

43 **Sec. 9.2.** NRS 293C.263 is hereby amended to read as follows:

44 293C.263 1. Except as otherwise provided in this section, the city clerk
45 shall prepare and distribute to each active registered voter in the city and each
46 person who registers to vote or updates his or her voter registration information not
47 later than the 14 days before the election a mail ballot for every election. The city
48 clerk shall make reasonable accommodations for the use of the mail ballot by a
49 person who is elderly or disabled, including, without limitation, by providing, upon
50 request, the mail ballot in 12-point type to a person who is elderly or disabled.

51 2. The city clerk shall allow a voter to elect not to receive a mail ballot
52 pursuant to this section by submitting to the city clerk a written notice in the form

1 prescribed by the city clerk which must be received by the city clerk not later than
2 60 days before the day of the election.

3 3. The city clerk shall not distribute a mail ballot to any person who:

4 (a) Registers to vote for the election pursuant to the provisions of NRS
5 293.5772 to 293.5887, inclusive; ~~for~~

6 (b) Elects not to receive a mail ballot pursuant to subsection 2 ~~H~~; or

7 *(c) Elects not to receive a mail ballot at the time the person preregistered or*
8 *registered to vote.*

9 4. The mail ballot must include all offices, candidates and measures upon
10 which the voter is entitled to vote at the election.

11 5. Except as otherwise provided in subsections 2 and 3, the mail ballot must
12 be distributed to:

13 (a) Each active registered voter who:

14 (1) Resides within the State, not later than 20 days before the election; and

15 (2) Except as otherwise provided in paragraph (b), resides outside the
16 State, not later than 40 days before the election.

17 (b) Each active registered voter who registers to vote after the dates set for
18 distributing mail ballots pursuant to paragraph (a) but who is eligible to receive a
19 mail ballot pursuant to subsection 1, not later than 13 days before the election.

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

24 6. In the case of a special election where no candidate for federal office will
25 appear on the ballot, the mail ballot must be distributed to each active registered
26 voter not later than 15 days before the special election.

27 7. Any untimely legal action which would prevent the mail ballot from being
28 distributed to any voter pursuant to this section is moot and of no effect.

29 **Sec. 9.6.** ~~[NRS 293C.26316 is hereby amended to read as follows:~~

30 ~~— 293C.26316 1. Except as otherwise provided in NRS 293C.26318 and~~
31 ~~section 7.6 of this act and chapter 293D of NRS, in order to vote a mail ballot, the~~
32 ~~voter must, in accordance with the instructions:~~

33 ~~— (a) Mark and fold the mail ballot;~~

34 ~~— (b) Deposit the mail ballot in the return envelope and seal the return envelope;~~

35 ~~— (c) Affix his or her signature on the return envelope in the space provided for~~
36 ~~the signature; and~~

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

38 ~~— 2. Except as otherwise provided in chapter 293D of NRS, voting must be only~~
39 ~~upon candidates whose names appear upon the mail ballot as prepared pursuant to~~
40 ~~NRS 293C.263, and no person may write in the name of an additional candidate for~~
41 ~~any office.~~

42 ~~— 3. If a mail ballot has been sent to a voter who applies to vote in person at a~~
43 ~~polling place, including, without limitation, a polling place for early voting, the~~
44 ~~voter must, in addition to complying with all other requirements for voting in~~
45 ~~person that are set forth in this chapter, surrender his or her mail ballot or sign an~~
46 ~~affirmation under penalty of perjury that the voter has not voted during the election.~~
47 ~~A person who receives a surrendered mail ballot shall mark it "Cancelled."}]~~
48 **(Deleted by amendment.)**

49 **Sec. 9.8.** ~~[NRS 293C.26318 is hereby amended to read as follows:~~

50 ~~— 293C.26318 1. Except as otherwise provided in this section, and section 7.6~~
51 ~~of this act, a person shall not mark and sign a mail ballot on behalf of a voter or~~
52 ~~assist a voter to mark and sign a mail ballot pursuant to the provisions of NRS~~
53 ~~293C.263 to 293C.26337, inclusive.~~

~~2. At the direction of a voter who has a physical disability, is at least 65 years of age or is unable to read or write, a person may mark and sign a mail ballot on behalf of the voter or assist the voter to mark and sign a mail ballot pursuant to this section.~~

~~2. If a person marks and signs a mail ballot on behalf of a voter pursuant to this section, the person must indicate next to his or her signature that the mail ballot has been marked and signed on behalf of the voter.~~

~~4. If a person assists a voter to mark and sign a mail ballot pursuant to this section, the person must include on the return envelope his or her name, address and signature.] (Deleted by amendment.)~~

Sec. 10. (Deleted by amendment.)

Sec. 10.2. NRS 293C.362 is hereby amended to read as follows:

293C.362 1. ~~[When]~~ Mail ballots must be counted by the mail ballot central counting board pursuant to NRS 293C.26331.

2. Ballots cast using a mechanical voting system must not be counted until the polls are closed. [the counting board shall prepare to count the ballots voted.] The counting procedure must be public and , to the extent practicable, continue without adjournment until completed.

~~[2. If the ballots are paper ballots, the counting board shall prepare in the following manner:~~

~~(a) The container that holds the ballots or the ballot box must be opened and the ballots contained therein counted by the counting board and opened far enough to determine whether each ballot is single. If two or more ballots are found folded together to present the appearance of a single ballot, they must be laid aside until the count of the ballots is completed. If a majority of the inspectors are of the opinion that the ballots folded together were voted by one person, the ballots must be rejected and placed in an envelope, upon which must be written the reason for their rejection. The envelope must be signed by the counting board officers and placed in the container or ballot box after the count is completed.~~

~~(b) If the ballots in the container or box are found to exceed the number of names as are indicated on the roster as having voted, the ballots must be replaced in the container or box and a counting board officer shall, with his or her back turned to the container or box, draw out a number of ballots equal to the excess. The excess ballots must be marked on the back thereof with the words "Excess ballots not counted." The ballots when so marked must be immediately sealed in an envelope and returned to the city clerk with the other ballots rejected for any cause.~~

~~(c) When it has been determined that the number of ballots agrees with the number of names of registered voters shown to have voted, the board shall proceed to count. If there is a discrepancy between the number of ballots and the number of voters, a record of the discrepancy must be made.]~~

Sec. 10.4. NRS 293C.369 is hereby amended to read as follows:

293C.369 1. When counting a vote in an election, if more choices than permitted by the instructions for a ballot are marked for any office or question, the vote for that office or question may not be counted [.] if the marks meet or exceed the threshold established by regulation pursuant to subsection 3.

2. Except as otherwise provided in subsection 1, in an election in which a mechanical voting system is used whereby a vote is cast by darkening a designated space on the ballot:

(a) A vote must be counted if the designated space is darkened or there is a writing in the designated space, including, without limitation, a cross or check; and

(b) Except as otherwise provided in paragraph (a), a writing or other mark on the ballot, including, without limitation, a cross, check, tear or scratch may not be

1 counted as a vote, ~~it~~ unless the writing or mark meets or exceeds the threshold
 2 established by regulation pursuant to subsection 3.

3 3. The Secretary of State:

4 (a) May adopt regulations establishing ~~additional~~ :

5 (1) Additional uniform, statewide standards, not inconsistent with this
 6 section, for counting a vote cast by a method of voting described in subsection 2;
 7 and

8 (2) Uniform thresholds for determining whether writing or a mark on a
 9 ballot must be counted as a vote; and

10 (b) Shall adopt regulations establishing uniform, statewide standards for
 11 counting a vote cast by each method of voting used in this State that is not
 12 described in subsection 2, including, without limitation, a vote cast on a mechanical
 13 recording device which directly records the votes electronically.

14 **Sec. 10.5.** NRS 293C.720 is hereby amended to read as follows:

15 293C.720 Each city clerk is encouraged to:

16 1. Not later than the earlier date of the first notice provided pursuant to
 17 subsection 3 of NRS 293.560 or NRS 293C.187, notify the public, through means
 18 designed to reach members of the public who are elderly or disabled, of the
 19 provisions of NRS 293C.263, 293C.281 and 293C.282 ~~it~~ and section 7.6 of this
 20 act.

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

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

29 (a) Related to elections; and

30 (b) Made available by the city clerk to the public in printed form.

31 **Sec. 11.** NRS 293D.090 is hereby amended to read as follows:

32 293D.090 "Uniformed-service voter" means an elector who is:

33 1. A member of the active or reserve components of the Army, Navy, Air
 34 Force, Marine Corps, ~~and~~ Coast Guard or Space Force of the United States who is
 35 on active duty;

36 2. A member of the Merchant Marine, the Commissioned Corps of the Public
 37 Health Service or the Commissioned Corps of the National Oceanic and
 38 Atmospheric Administration of the United States;

39 3. A member of the National Guard or state militia unit who is on activated
 40 status; or

41 4. A spouse or dependent of a person described in subsection 1, 2 or 3.

42 **Sec. 11.3.** NRS 294A.100 is hereby amended to read as follows:

43 294A.100 1. A person shall not make or commit to make a contribution or
 44 contributions to a candidate for any office, except a federal office, in an amount
 45 which exceeds \$5,000 for the primary election, regardless of the number of
 46 candidates for the office, and \$5,000 for the general election, regardless of the
 47 number of candidates for the office, during the period:

48 (a) Beginning January 1 of the year immediately following the last general
 49 election for the office and ending December 31 immediately following the next
 50 general election for the office, if that office is a state, district, county or township
 51 office; or

52 (b) Beginning from 30 days after the last election for the office and ending 30
 53 days after the next general city election for the office, if that office is a city office.

1 2. A candidate shall not accept a contribution or commitment to make a
2 contribution made in violation of subsection 1.

3 3. No contribution made, committed to be made or accepted pursuant to this
4 section to a candidate for a primary election, ~~for~~ general election *or special*
5 *election other than a special election to recall a public officer* affects the
6 limitations on the amount of contributions that may be committed, contributed or
7 accepted pursuant to NRS 294A.115 for a special election to recall a public officer.

8 4. A person who willfully violates any provision of this section is guilty of a
9 category E felony and shall be punished as provided in NRS 193.130.

10 **Sec. 11.7.** NRS 298.055 is hereby amended to read as follows:

11 298.055 The *Secretary of State shall submit the* certificate of ascertainment
12 ~~submitted~~ to the Archivist of the United States pursuant to 3 U.S.C. § ~~6~~ *5. The*
13 *certificate of ascertainment* must include a statement that:

14 1. Each nominee for presidential elector shall serve as a presidential elector
15 unless a vacancy occurs in the position of presidential elector held by that nominee
16 for presidential elector before the conclusion of the meeting of presidential electors
17 held pursuant to 3 U.S.C. § 7; and

18 2. If a person is appointed pursuant to NRS 298.065 to fill a vacancy in a
19 position of presidential elector, the Secretary of State will submit an amended
20 certificate of ascertainment to the Archivist.

21 **Sec. 12.** Section 5.010 of the Charter of Carson City, being chapter 213,
22 Statutes of Nevada 1969, as last amended by chapter 295, Statutes of Nevada 2015,
23 at page 1481, is hereby amended to read as follows:

24 Sec. 5.010 Primary election.

25 1. A primary election must be held on the date fixed by the election
26 laws of this state for statewide elections, at which time there must be
27 nominated candidates for offices to be voted for at the next general election.

28 2. A candidate for any office to be voted for at any primary election
29 must file a declaration of candidacy as provided by the election laws of this
30 state.

31 3. All candidates for the office of Mayor and Supervisor, and
32 candidates for the office of Municipal Judge if a third department of the
33 Municipal Court has been established, must be voted upon by the registered
34 voters of Carson City at large.

35 4. If only two persons file for a particular office, their names must not
36 appear on the primary ballot but their names must be placed on the ballot
37 for the general election.

38 5. If in the primary election one candidate receives a majority of votes
39 cast in that election for the office for which he or she is a candidate, the
40 candidate must be declared elected to the office and his or her name must
41 not be placed on the ballot for the general election. If in the primary
42 election no candidate receives a majority of votes cast in that election for
43 the office for which he or she is a candidate, the names of the two
44 candidates receiving the highest numbers of votes must be placed on the
45 ballot for the general election. *For the purposes of determining whether a*
46 *candidate received a majority of the votes cast in the primary election for*
47 *an office for which voters were authorized to select more than one*
48 *candidate, each ballot upon which a voter marked a valid choice for one*
49 *or more candidates for that office shall be deemed to be one vote cast in*
50 *the primary election for that office.*

1 **Sec. 13.** Section 5.010 of the Charter of the City of Henderson, being chapter
2 266, Statutes of Nevada 1971, as last amended by chapter 558, Statutes of Nevada
3 2019, at page 3553, is hereby amended to read as follows:

4 Sec. 5.010 Primary municipal election.

5 1. A primary municipal election must be held:

6 (a) On the first Tuesday after the first Monday in April 2019; and

7 (b) Beginning in 2022, on the second Tuesday in June of each even-
8 numbered year,

9 ↳ at which time there must be nominated candidates for offices to be voted
10 for at the next general municipal election.

11 2. A candidate for any office to be voted for at any primary municipal
12 election must file a declaration of candidacy as provided by the election
13 laws of this State.

14 3. All candidates for elective office must be voted upon by the
15 registered voters of the City at large.

16 4. If in the primary municipal election no candidate receives a
17 majority of votes cast in that election for the office for which he or she is a
18 candidate, the names of the two candidates receiving the highest number of
19 votes must be placed on the ballot for the general municipal election. If in
20 the primary municipal election, regardless of the number of candidates for
21 an office, one candidate receives a majority of votes cast in that election for
22 the office for which he or she is a candidate, he or she must be declared
23 elected and no general municipal election need be held for that office. Such
24 candidate shall enter upon his or her respective duties at:

25 (a) If the primary municipal election was held in 2019, the second
26 regular meeting of the City Council held in June 2019.

27 (b) If the primary municipal election was held on the second Tuesday
28 of June of an even-numbered year, the first regular meeting of the City
29 Council held in January of the year following the primary municipal
30 election.

31 5. *For the purposes of determining whether a candidate received a*
32 *majority of the votes cast in the primary municipal election for an office*
33 *for which voters were authorized to select more than one candidate, each*
34 *ballot upon which a voter marked a valid choice for one or more*
35 *candidates for that office shall be deemed to be one vote cast in the*
36 *primary municipal election for that office.*

37 **Sec. 14.** Section 5.010 of the Charter of the City of Henderson, being chapter
38 266, Statutes of Nevada 1971, as last amended by chapters 350 and 558, Statutes of
39 Nevada 2019, at pages 2179 and 3553, respectively, is hereby amended to read as
40 follows:

41 Sec. 5.010 Primary municipal election.

42 1. A primary municipal election must be held:

43 (a) On the first Tuesday after the first Monday in April 2019; and

44 (b) Beginning in 2022, on the second Tuesday in June of each even-
45 numbered year,

46 ↳ at which time there must be nominated candidates for offices to be voted
47 for at the next general municipal election.

48 2. A candidate for any office to be voted for at any primary municipal
49 election must file a declaration of candidacy as provided by the election
50 laws of this State.

51 3. All candidates for elective office, other than candidates for the
52 office of Council Member, must be voted upon by the registered voters of
53 the City at large.

1 4. A candidate for the office of Council Member must be voted upon
2 only by the registered voters of the ward that he or she seeks to represent.

3 5. If in the primary municipal election no candidate receives a
4 majority of votes cast in that election for the office for which he or she is a
5 candidate, the names of the two candidates receiving the highest number of
6 votes must be placed on the ballot for the general municipal election. If in
7 the primary municipal election, regardless of the number of candidates for
8 an office, one candidate receives a majority of votes cast in that election for
9 the office for which he or she is a candidate, he or she must be declared
10 elected and no general municipal election need be held for that office. Such
11 candidate shall enter upon his or her respective duties at:

12 (a) If the primary municipal election was held in 2019, the second
13 regular meeting of the City Council held in June 2019.

14 (b) If the primary municipal election was held on the second Tuesday
15 of June of an even-numbered year, the first regular meeting of the City
16 Council held in January of the year following the primary municipal
17 election.

18 6. *For the purposes of determining whether a candidate received a*
19 *majority of the votes cast in the primary municipal election for an office*
20 *for which voters were authorized to select more than one candidate, each*
21 *ballot upon which a voter marked a valid choice for one or more*
22 *candidates for that office shall be deemed to be one vote cast in the*
23 *primary municipal election for that office.*

24 **Sec. 15.** Section 5.010 of the Charter of the City of Las Vegas, being chapter
25 517, Statutes of Nevada 1983, as last amended by chapter 558, Statutes of Nevada
26 2019, at page 3558, is hereby amended to read as follows:

27 Sec. 5.010 Primary municipal elections.

28 1. A primary municipal election must be held in the City:

29 (a) On the first Tuesday after the first Monday in April 2019; and

30 (b) Beginning in 2022, on the second Tuesday in June of each even-
31 numbered year.

32 2. In the primary municipal elections:

33 (a) The candidates for Council Member who are to be nominated must
34 be nominated and voted for separately according to the respective wards.

35 (b) If the City Council has established an additional department or
36 departments of the Municipal Court pursuant to section 4.010 and, as a
37 result, more than one office of Municipal Judge is to be filled in any
38 election, the candidates for those offices must be nominated and voted upon
39 separately according to the respective departments.

40 3. Each candidate for municipal office must file a declaration of
41 candidacy with the City Clerk. All filing fees collected by the City Clerk
42 must be paid into the City Treasury.

43 4. If, in the primary municipal election, regardless of the number of
44 candidates for an office, one candidate receives a majority of votes which
45 are cast in that election for the office for which he or she is a candidate, he
46 or she must be declared elected for the term which commences on the day
47 of the first regular meeting of the City Council next succeeding the meeting
48 at which the canvass of the returns is made, and no general municipal
49 election need be held for that office. If, in the primary municipal election,
50 no candidate receives a majority of votes which are cast in that election for
51 the office for which he or she is a candidate, the names of the two
52 candidates who receive the highest number of votes must be placed on the
53 ballot for the general municipal election.

1 **5. For the purposes of determining whether a candidate received a**
2 **majority of the votes cast in the primary municipal election for an office**
3 **for which voters were authorized to select more than one candidate, each**
4 **ballot upon which a voter marked a valid choice for one or more**
5 **candidates for that office shall be deemed to be one vote cast in the**
6 **primary municipal election for that office.**

7 **Sec. 16.** Section 5.020 of the Charter of the City of North Las Vegas, being
8 chapter 573, Statutes of Nevada 1971, as last amended by chapter 558, Statutes of
9 Nevada 2019, at page 3562, is hereby amended to read as follows:

10 Sec. 5.020 Primary municipal elections; declaration of candidacy.

11 1. The City Council shall provide by ordinance for candidates for
12 elective office to declare their candidacy and file the necessary documents.
13 The seats for City Council Members must be designated by the numbers
14 one through four, which numbers must correspond with the wards the
15 candidates for City Council Members will seek to represent. A candidate
16 for the office of City Council Member shall include in his or her declaration
17 of candidacy the number of the ward which he or she seeks to represent.
18 Each candidate for City Council must be designated as a candidate for the
19 City Council seat that corresponds with the ward that he or she seeks to
20 represent.

21 2. A primary municipal election must be held:

22 (a) On the Tuesday following the first Monday in April 2019; and

23 (b) Beginning in 2022, on the second Tuesday in June of each even-
24 numbered year.

25 3. In the primary municipal election:

26 (a) A candidate for the office of City Council Member must be voted
27 upon only by the registered voters of the ward that he or she seeks to
28 represent.

29 (b) Candidates for all other elective offices must be voted upon by the
30 registered voters of the City at large.

31 4. Except as otherwise provided in subsection 5, after the primary
32 municipal election, the names of the two candidates who receive the highest
33 number of votes must be placed on the ballot for the general municipal
34 election.

35 5. If, regardless of the number of candidates for an office, one
36 candidate receives a majority of the total votes cast for that office in the
37 primary municipal election, he or she must be declared elected to that office
38 and no general municipal election need be held for that office. **For the**
39 **purposes of determining whether a candidate received a majority of the**
40 **votes cast in the primary municipal election for an office for which voters**
41 **were authorized to select more than one candidate, each ballot upon**
42 **which a voter marked a valid choice for one or more candidates for that**
43 **office shall be deemed to be one vote cast in the primary municipal**
44 **election for that office.**

45 **Sec. 17.** Section 5.020 of the Charter of the City of Sparks, being chapter
46 470, Statutes of Nevada 1975, as last amended by chapter 158, Statutes of Nevada
47 2021, at page 716, is hereby amended to read as follows:

48 Sec. 5.020 Primary elections.

49 1. At the primary election:

50 (a) Candidates for the offices of Mayor, City Attorney and Municipal
51 Judge must be voted upon by the registered voters of the City at large.

1 (b) Candidates to represent a ward as a member of the City Council
2 must be voted upon by the registered voters of the ward to be represented
3 by them.

4 2. If at 5 p.m. on the last day for filing a declaration of candidacy:

5 (a) There is only one candidate who has filed for nomination for an
6 office, that candidate must be declared elected to the office and no election
7 may be held for that office.

8 (b) Except as otherwise provided in paragraph (a), not more than twice
9 the number of candidates to be elected have filed for nomination for an
10 office, the names of those candidates must be omitted from all ballots for a
11 primary election and placed on all ballots for a general election.

12 (c) More than twice the number of candidates to be elected have filed
13 for nomination for an office, the names of the candidates must be placed on
14 the ballot for the primary election.

15 3. If at the primary election:

16 (a) One candidate receives the majority of votes cast in the election for
17 the office for which he or she is a candidate, he or she must be declared
18 elected to the office and no general election need be held for that office.

19 (b) No candidate receives the majority of votes cast in the election for
20 the office for which he or she is a candidate, the names of the two
21 candidates who receive the highest number of votes must be placed on the
22 ballot for the general election.

23 *↳ For the purposes of determining whether a candidate received a*
24 *majority of the votes cast in the primary election for an office for which*
25 *votes were authorized to select more than one candidate, each ballot*
26 *upon which a voter marked a valid choice for one or more candidates for*
27 *that office shall be deemed to be one vote cast in the primary election for*
28 *that office.*

29 **Sec. 17.3** Section 22 of chapter 555, Statutes of Nevada 2021, at page 3866,
30 is hereby amended to read as follows:

31 Sec. 22. NRS 293.5747 is hereby amended to read as follows:

32 293.5747 1. An automatic voter registration agency is required to
33 electronically transmit the following information of a person to the
34 Secretary of State and county clerk using the system established pursuant to
35 NRS 293.5732:

36 (a) An electronic facsimile of the signature of the person, if the
37 automatic voter registration agency is capable of recording, storing and
38 transmitting to the county clerk an electronic facsimile of the signature of
39 the person;

40 (b) The first or given name and the surname of the person;

41 (c) The address at which the person actually resides as set forth in NRS
42 293.486 and, if different, the address at which the person may receive mail,
43 including, without limitation, a post office box or general delivery;

44 (d) The date of birth of the person;

45 (e) At least one of the following:

46 (1) The number indicated on the person's current and valid driver's
47 license or identification card issued by the Department of Motor Vehicles;
48 or

49 (2) The last four digits of the person's social security number; and

50 (f) A description of the documentation presented to the automatic voter
51 registration agency that indicates the person is a citizen of the United
52 States.

1 2. Except as otherwise provided in section 3 of this act, the automatic
2 voter registration agency shall electronically transmit to the Secretary of
3 State and the appropriate county clerk the information described in
4 subsection 1:

5 (a) Except as otherwise provided in paragraph (b), not later than 5
6 working days after collecting the information; and

7 (b) During the 2 weeks immediately preceding the fifth Sunday
8 preceding an election, not later than 1 working day after collecting the
9 information.

10 **3. *An automatic voter registration agency shall provide notice to a***
11 ***voter who submits an application to register to vote after the last day to***
12 ***register to vote by mail for an election pursuant to NRS 293.560 or***
13 ***293C.527 that to vote in the upcoming election, the voter must complete***
14 ***an application to register to vote by computer using the system established***
15 ***by the Secretary of State pursuant to NRS 293.671 or in person pursuant***
16 ***to NRS 293.5772 to 293.5887, inclusive.***

17 **Sec. 17.7.** Section 36 of chapter 555, Statutes of Nevada 2021, at page 3876,
18 is hereby amended to read as follows:

19 Sec. 36. 1. This section becomes effective upon passage and approval.

20 2. Sections 32.3 and 32.7 of this act become effective on July 1, 2021.

21 3. Sections 1 to 32, inclusive, and 33, 34 and 35 of this act become
22 effective:

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

26 (b) On January 1, ~~2024~~ 2025, for all other purposes.

27 **Sec. 18.** The provisions of NRS 354.599 do not apply to any additional
28 expenses of a local government that are related to the provisions of this act.

29 **Sec. 19.** NRS 293.365, 293.423, 293.567 and 293C.365 are hereby repealed.

30 **Sec. 20.** 1. This section becomes effective upon passage and approval.

31 2. Sections 1 to 12, inclusive, and 15 to 19, inclusive, of this act become
32 effective on July 1, 2023.

33 3. Section 13 of this act becomes effective on July 1, 2023, if the question set
34 forth in subsection 2 of section 5 of Assembly Bill No. 282 of the 2019 Legislative
35 Session, chapter 350, Statutes of Nevada 2019, at page 2181, is not approved and
36 ratified by the registered voters of the City of Henderson at the 2022 General
37 Election.

38 4. Section 14 of this act becomes effective on July 1, 2023, if the question set
39 forth in subsection 2 of section 5 of Assembly Bill No. 282 of the 2019 Legislative
40 Session, chapter 350, Statutes of Nevada 2019, at page 2181, is approved and
41 ratified by the registered voters of the City of Henderson at the 2022 General
42 Election.

LEADLINES OF REPEALED SECTIONS

293.365 Accounting for all paper ballots before counting of votes begins.

293.423 Recount of ballots at hearing of contest.

293.567 Number of registered voters in county to be transmitted by
county clerk to Secretary of State before certain elections.

293C.365 Accounting for all paper ballots before counting of votes begins.