

ASSEMBLY BILL NO. 4—COMMITTEE OF THE WHOLE

JULY 31, 2020

Referred to Committee of the Whole

SUMMARY—Revises provisions relating to elections.
(BDR 24-13)

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

CONTAINS UNFUNDED MANDATE (§§ 11-13, 15, 16, 20, 22-27, 85)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to elections; enacting provisions for conducting elections adversely affected by certain emergencies or disasters; revising provisions governing election procedures for absent ballots, mailing ballots and other mail ballots; making various other changes relating to elections; prohibiting certain unlawful acts relating to elections; providing for the transfer, disbursement and use of certain funds to pay certain expenses relating to elections; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes certain procedures for conducting elections. (Title 24 of NRS) In particular, existing law establishes general procedures for conducting state, county and city elections which are set forth in chapter 293 of NRS. Additionally, existing law establishes various other procedures for conducting city elections which are set forth in chapter 293C of NRS and which apply to cities that are incorporated and governed under several different legal provisions, including general laws governing municipal incorporation, specific laws governing the commission form of municipal government and special laws enacting city charters for municipal purposes. (Nev. Const. Art. 8, §§ 1, 8; chapters 266, 267 and 268 of NRS) When the Legislature deems it necessary to ensure consistency in the administration, interpretation and application of particular election procedures across all state, county and city elections, the Legislature must amend the statutory provisions in both chapters 293 and 293C of NRS, and in related laws and charters, in order to align all the provisions and make them uniform in their operation for Nevada's elections.



Under existing law, a state of emergency or a declaration of disaster may be proclaimed by the Governor or by resolution of the Legislature if the Governor or Legislature, as applicable, finds that: (1) an attack upon the United States has occurred or is anticipated in the immediate future, or any natural, technological or man-made emergency or disaster of major proportions has actually occurred within this State; and (2) the protection of the health, safety and welfare of the inhabitants of this State requires an invocation of certain additional governmental powers. During the period when such a state of emergency or declaration of disaster exists or continues, the Governor is given certain additional governmental powers and has the authority to perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population. (NRS 414.070)

Sections 2-27 of this bill enact election procedures which are intended to ensure that Nevada's elections are conducted safely and securely when the occurrence or existence of an emergency or disaster in this State will adversely affect the public's health, safety and welfare and the ability of elections officials to prepare for and conduct the affected elections under such circumstances. **Sections 28-83** of this bill make conforming changes to some of the existing election procedures set forth in chapters 293 and 293C of NRS, and in related laws and charters, in order to align all the provisions and make them uniform in their operation for Nevada's elections.

Under **section 2** of this bill, the Legislature finds and declares that if an emergency or disaster occurs or exists in this State, **sections 2-27** ensure that: (1) elections officials have certainty concerning the procedures to prepare for and conduct the affected elections safely and securely and are able to carry out their official powers and duties so that the public's health, safety and welfare are protected and the security and integrity of the affected elections are preserved; and (2) the voters have faith and confidence that they can participate in the affected elections and exercise their right to vote without fear for their health, safety and welfare under such circumstances.

Section 8 of this bill enumerates the circumstances under which elections are deemed to be affected elections subject to **sections 2-27**. Specifically, **section 8** provides that if a state of emergency or declaration of disaster is proclaimed by the Governor or by resolution of the Legislature for the entire State of Nevada, then certain primary elections, primary city elections, general elections, general city elections and special elections are deemed to be affected elections subject to **sections 2-27** if the state of emergency or declaration of disaster is in effect on a specific date, as designated by statute, preceding the election. **Section 8** also provides that if such a state of emergency or declaration of disaster is proclaimed after the statutorily designated date preceding the particular election, the Governor may order that the election is deemed to be an affected election subject to **sections 2-27** if the Governor finds that: (1) the health, safety and welfare of voters and elections personnel or the security and integrity of the election may be adversely affected by the emergency or disaster; and (2) elections officials have sufficient time to comply with the requirements of **sections 2-27** and federal law for the election. Finally, **section 8** provides that if a state of emergency or declaration of disaster is proclaimed by the Governor or by resolution of the Legislature for one or more specific areas of the State of Nevada affected by the emergency or disaster but not for the entire State of Nevada, the Governor may order that an election in one or more of those specific areas is deemed to be an affected election subject to **sections 2-27** if the Governor finds that: (1) the health, safety and welfare of voters and elections personnel or the security and integrity of the election may be adversely affected by the emergency or disaster; and (2) elections officials have sufficient time to comply with the requirements of **sections 2-27** and federal law for the election.



Sections 9 and 10 of this bill establish rules and standards for interpreting and applying **sections 2-27** in conjunction with existing provisions governing the affected elections. First, **sections 2-27** supersede and preempt any conflicting provisions governing the affected elections, but all other existing provisions which do not conflict with **sections 2-27** must be applied to the affected elections. Second, **sections 2-27** do not prohibit a covered voter from registering to vote or requesting or casting a military-overseas ballot in any affected elections under existing provisions of state and federal law known as the Uniformed Military and Overseas Absentee Voters Act. (Chapter 293D of NRS; 52 U.S.C. §§ 20301 et seq.) Third, **sections 2-27** must be interpreted and applied to achieve their intended public purposes to: (1) protect the public's health, safety and welfare; and (2) ensure that every person who is eligible and wants to register to vote in any affected election is able to do so safely and securely and every voter who wants to cast a ballot in any affected election is able to do so safely and securely.

Sections 11-14 of this bill establish various requirements relating to polling places and voter registration for affected elections subject to **sections 2-27**, including requirements relating to: (1) polling places established for early voting by personal appearance; (2) polling places established as vote centers; (3) voter registration at polling places on election day and during certain periods preceding election day; and (4) polling places established within the boundaries of an Indian reservation or colony or within certain residential developments operated exclusively for elderly persons. (NRS 293.2733, 293.2735, 293.3072-293.3075, 293.356-293.361, 293.5772-293.5887, 293C.2675, 293C.268, 293C.3032-293C.3035, 293C.355-293C.361)

Sections 15-27 of this bill establish various requirements relating to: (1) the preparation and distribution of mail ballots to each active registered voter within certain periods preceding the affected elections subject to **sections 2-27**; and (2) the procedures for voting, returning, verifying and counting the mail ballots for the affected elections.

Under existing law, there are certain election procedures for state, county and city elections relating to absent ballots distributed to absent voters who do not vote at polling places. (NRS 293.3088-293.340, 293C.304-293C.340) Existing law also provides that the election procedures for absent ballots generally apply to mailing ballots distributed to voters who reside in mailing precincts and absent ballot mailing precincts. (NRS 293.343-293.355, 293C.342-293C.352) Finally, **sections 15-27** establish certain election procedures for the mail ballots distributed to active registered voters for affected elections subject to **sections 2-27**. Because these particular election procedures relating to absent ballots, mailing ballots and mail ballots serve similar purposes, **sections 15-83** make conforming changes in order to align all the provisions and make them uniform in their operation for Nevada's elections.

Under existing law, at the request of a voter who has a physical disability or is at least 65 years of age or under certain other circumstances, a person may mark and sign an absent ballot on behalf of the voter or assist the voter to mark and sign the absent ballot if the person complies with certain requirements. (NRS 293.316, 293.3165, 293C.317, 293C.318) **Sections 19, 28, 29, 35, 56, 57 and 65** of this bill provide that at the request of a voter who has a physical disability, is at least 65 years of age or is unable to read or write or under certain other circumstances, a person may mark and sign an absent ballot, mailing ballot or mail ballot on behalf of the voter or assist the voter to mark and sign such a ballot if the person complies with certain requirements.

Existing law sets forth the procedures and deadlines for timely returning an absent ballot, and the same procedures and deadlines also apply to the timely return of a mailing ballot. (NRS 293.317, 293.355, 293C.319, 293C.352) **Sections 20, 37 and 67** of this bill provide that to be timely returned by mail, an absent ballot,



mailing ballot or mail ballot must be postmarked on or before the day of the election and received by the county or city clerk not later than 5 p.m. on the seventh day following the election. **Sections 20, 37 and 67** also provide that if the county or city clerk is unable to determine the date of the postmark on such a ballot, but the ballot is received by the clerk not later than 5 p.m. on the third day following the election, the ballot is deemed to have been postmarked on or before the day of the election.

Under existing law, a voter may authorize a member of the voter's family or certain other persons to return an absent ballot or mailing ballot to the county or city clerk on behalf of the voter if certain requirements are met. (NRS 293.316, 293.330, 293.353, 293C.317, 293C.330) **Sections 21, 40, 44, 70 and 75** of this bill: (1) allow a voter to authorize any person to return an absent ballot, mailing ballot or mail ballot to the county or city clerk on behalf of the voter; and (2) prohibit a person from willfully failing to return such a ballot to the county or city clerk on behalf of the voter under certain circumstances or from willfully engaging in acts that deny the voter the right to return such a ballot or impede, obstruct, prevent or interfere with the return of such a ballot. **Section 53** of this bill additionally prohibits a person from engaging in acts that alter, change, deface, damage or destroy an absent ballot, mailing ballot, mail ballot or certain other ballots without the voter's permission.

Existing law establishes procedures that the county or city clerk must follow to verify the signature of a voter on an absent ballot or mailing ballot. (NRS 293.325, 293.355, 293C.325, 293C.352) **Sections 23, 39 and 69** of this bill revise these existing procedures and set forth standards for determining when there is a reasonable question of fact as to whether the signature used for an absent ballot, mailing ballot or mail ballot matches the signature of the voter. **Sections 23, 39 and 69** also require the county or city clerk to contact a voter under certain circumstances and advise the voter of the procedures and deadlines for correcting or rectifying certain errors, omissions and problems associated with the signature requirements for the ballot in order for the ballot to be counted.

Existing law establishes procedures that counting boards must follow when they count the returned absent ballots and mailing ballots for an election, and such boards generally must wait until 4 working days before the election to begin their process of counting the returned absent ballots and mailing ballots. (NRS 293.325, 293.355, 293.384, 293.385, 293C.325, 293C.352, 293C.382, 293C.385) **Sections 22-27, 39, 48, 49, 69, 79 and 80** of this bill revise these existing procedures and provide that such counting boards can begin their process of counting the returned absent ballots, mailing ballots and mail ballots 15 days before the election.

Under existing case law, the Nevada Supreme Court has held that if petitioners who bring lawsuits challenging Nevada's election laws do not timely file and diligently prosecute their lawsuits before elections officials prepare and distribute ballots for the election as required by law, the lawsuits are rendered "moot," and their claims must be dismissed without reaching the merits of the claims. (*Beebe v. Koontz*, 72 Nev. 247, 253-54 (1956); *Miller v. Burk*, 124 Nev. 579, 599 n.70 (2008); *Burdish v. Miller*, Nos. 56795 and 56893, 2010 WL 3929070 (Nev. Oct. 6, 2010); *Fasano v. Ashjian*, No. 56040, 2010 WL 4340813 (Nev. Oct. 28, 2010)) Existing statutory law similarly codifies this mootness doctrine with regard to absent ballots by stating that any legal action which would prevent absent ballots from being distributed to voters is moot and of no effect. (NRS 293.309, 293C.305) **Sections 15, 32, 43, 62, 73 and 74** of this bill provide that this mootness doctrine applies to absent ballots, mailing ballots and mail ballots by stating that any untimely legal action which would prevent the distribution of such ballots to voters is moot and of no effect.

Under existing law, with certain exceptions, counties and cities must pay the costs necessarily incurred in preparing for and conducting elections in those



counties and cities, including the costs of providing all ballots, forms and other supplies to be used at such elections. (NRS 293.443-293.460) **Section 84** of this bill provides for the transfer, disbursement and use of certain federal money to pay certain costs related to preparing for and conducting the 2020 General Election pursuant to **sections 2-27**.

Finally, **section 85** of this bill makes the provisions of this bill apply retroactively from and after July 1, 2020, and thereby apply to any state of emergency or declaration of disaster proclaimed by the Governor or by resolution of the Legislature before, on or after the effective date of this bill if the state of emergency or declaration of disaster was in effect on July 1, 2020, or remains in effect or becomes effective on or after July 1, 2020. As a result, the provisions of this bill apply to: (1) the 2020 General Election and every other election held on the same day as the 2020 General Election, which are deemed to be affected elections subject to the provisions of **sections 2-27**; and (2) any other election held on or after the effective date of this bill if the election is deemed to be an affected election in accordance with the provisions of **sections 2-27**. However, **section 85** also provides that the provisions of this bill do not apply to any criminal or civil offense committed before the effective date of this bill.

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 2 to 29, inclusive, of this act.

Sec. 2. *The Legislature hereby finds and declares that:*

1. The State of Nevada faces a substantial and continuing danger that the occurrence or existence of an emergency or disaster in this State will adversely affect the public's health, safety and welfare and the ability of elections officials to prepare for and conduct an affected election safely and securely under such circumstances.

2. If an emergency or disaster occurs or exists in this State, the provisions of sections 2 to 27, inclusive, of this act ensure that:

(a) Elections officials have certainty concerning the procedures to prepare for and conduct an affected election safely and securely and are able to carry out their official powers and duties so that the public's health, safety and welfare are protected and the security and integrity of the affected election are preserved under such circumstances; and

(b) The voters have faith and confidence that they can participate in the affected election and exercise their right to vote without fear for their health, safety and welfare under such circumstances.

Sec. 3. *As used in sections 2 to 27, inclusive, of this act, unless the context otherwise requires, the words and terms defined*



1 in sections 4 to 7, inclusive, of this act have the meanings ascribed
2 to them in those sections.

3 **Sec. 4. 1.** “Active registered voter” or “voter” means a
4 registered voter who has an active registration and who has not
5 been designated as inactive pursuant to the provisions of this title.

6 2. The term includes, without limitation, a covered voter who
7 registers to vote or has registered to vote pursuant to the
8 provisions of chapter 293D of NRS or the Uniformed and
9 Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq.

10 **Sec. 5.** “Affected election” or “election” means a primary
11 election, primary city election, general election, general city
12 election or special election which, in accordance with the
13 provisions of section 8 of this act, is deemed to be an affected
14 election that is subject to the provisions of sections 2 to 27,
15 inclusive, of this act.

16 **Sec. 6. 1.** “Mail ballot” means a mail ballot distributed to
17 an active registered voter in an affected election pursuant to the
18 provisions of sections 2 to 27, inclusive, of this act.

19 2. The term does not include:

20 (a) An absent ballot.

21 (b) A mailing ballot distributed to a voter in a mailing precinct
22 or an absent ballot mailing precinct pursuant to NRS 293.343 to
23 293.355, inclusive, and section 29 of this act, 293C.112 or
24 293C.342 to 293C.352, inclusive, and section 57 of this act.

25 **Sec. 7.** “Vote center” means a polling place established by
26 the county or city clerk, as applicable, pursuant to the provisions
27 of NRS 293.3072 to 293.3075, inclusive, or 293C.3032 to
28 293C.3035, inclusive, as applicable, where any person entitled to
29 vote by personal appearance in the county or city, as applicable,
30 may do so on the day of the election.

31 **Sec. 8. 1.** Except as otherwise provided in this section, if a
32 state of emergency or declaration of disaster is proclaimed by the
33 Governor or by resolution of the Legislature pursuant to NRS
34 414.070 for the entire State of Nevada, the following elections are
35 deemed to be affected elections that are subject to the provisions of
36 sections 2 to 27, inclusive, of this act:

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

40 (b) A primary city election:

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



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

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

(d) A general city election:

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

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

(e) A special election, if:

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

(2) The special election is held on the same day as a primary election, primary city election, general election or general city election that is subject to the provisions of sections 2 to 27, inclusive, of this act.

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

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

(b) Elections officials have sufficient time to comply with the requirements set forth in sections 2 to 27, inclusive, of this act, and any applicable requirements set forth in federal law for the election.

3. If a state of emergency or declaration of disaster is proclaimed by the Governor or by resolution of the Legislature pursuant to NRS 414.070 for one or more specific areas of the State of Nevada affected by the emergency or disaster but not for the entire State of Nevada as provided in subsection 1 or 2, the



Governor may order that an election in one or more of those specific areas is deemed to be an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act if the Governor finds that:

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

(b) Elections officials have sufficient time to comply with the requirements set forth in sections 2 to 27, inclusive, of this act, and any applicable requirements set forth in federal law for the election.

Sec. 9. 1. *Except as otherwise provided in subsection 2, if any election is deemed to be an affected election:*

(a) The provisions of sections 2 to 27, inclusive, of this act supersede and preempt any conflicting provisions of any other statute or charter, ordinance, interpretation, regulation or rule governing the election; and

(b) The provisions of any other statute or charter, ordinance, interpretation, regulation or rule governing the election which do not conflict with the provisions of sections 2 to 27, inclusive, of this act must be applied to the election, including, without limitation:

(1) Provisions relating to the registration of electors, updating voter registration information, the voting of registered voters and conducting the election; and

(2) Provisions relating to the compilation and canvass of election returns and ties, recounts and contests of election.

2. *The provisions of sections 2 to 27, inclusive, of this act do not prohibit a covered voter from registering to vote or requesting or casting a military-overseas ballot in any affected election pursuant to the provisions of chapter 293D of NRS or the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq.*

Sec. 10. 1. *The provisions of sections 2 to 27, inclusive, of this act must be liberally construed and broadly interpreted to achieve their intended public purposes to:*

(a) Protect the public's health, safety and welfare; and

(b) Ensure that:

(1) Every person who is eligible and wants to register to vote in any affected election is able to do so safely and securely.

(2) Every voter who wants to cast a ballot in any affected election is able to do so safely and securely.

2. *If there is any uncertainty or doubt regarding the construction, interpretation or application of the provisions of sections 2 to 27, inclusive, of this act, that uncertainty or doubt*



1 *must be resolved in favor of carrying out the public purposes of*
2 *those provisions.*

3 **Sec. 11.** 1. *Except as otherwise provided in this section, if*
4 *any affected election is:*

5 *(a) A primary election or general election, the provisions of*
6 *NRS 293.356 to 293.361, inclusive, governing early voting by*
7 *personal appearance apply to the election.*

8 *(b) A primary city election or general city election, the*
9 *provisions of NRS 293C.355 to 293C.361, inclusive, governing*
10 *early voting by personal appearance apply to the election if the city*
11 *has provided for early voting by personal appearance pursuant to*
12 *NRS 293C.110.*

13 2. *If the affected election is a primary election or general*
14 *election, the county clerk must establish:*

15 *(a) In a county whose population is 700,000 or more, at least*
16 *35 polling places for early voting by personal appearance, which*
17 *may be any combination of temporary or permanent polling places*
18 *for early voting.*

19 *(b) In a county whose population is 100,000 or more but less*
20 *than 700,000, at least 17 polling places for early voting by*
21 *personal appearance, which may be any combination of temporary*
22 *or permanent polling places for early voting.*

23 *(c) In a county whose population is less than 100,000, at least*
24 *1 permanent polling place for early voting by personal*
25 *appearance.*

26 3. *In addition to the polling places for early voting*
27 *established pursuant to subsection 2, the county clerk must*
28 *establish a temporary polling place for early voting by personal*
29 *appearance within the boundaries of an Indian reservation or*
30 *Indian colony that is located in whole or in part within the county*
31 *if:*

32 *(a) The Indian tribe submits a request to the county clerk for*
33 *the establishment of such a temporary polling place for early*
34 *voting; and*

35 *(b) The request described in paragraph (a) is submitted to the*
36 *county clerk:*

37 *(1) For a primary election, not later than the April 1*
38 *preceding the primary election; or*

39 *(2) For a general election, not later than the September 1*
40 *preceding the general election.*

41 4. *If the affected election is a primary city election or a*
42 *general city election and the city has provided for early voting by*
43 *personal appearance pursuant to NRS 293C.110, the city clerk*
44 *must establish at least one permanent polling place for early*
45 *voting by personal appearance in the city.*



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

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

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

(1) For a primary city election:

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

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

(2) For a general city election:

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

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

Sec. 12. 1. Except as otherwise provided in this section, for any affected election, the county or city clerk, as applicable, may establish one or more polling places as vote centers for the day of the election.

2. If the affected election is a primary election or general election, the county clerk:

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

(b) In a county whose population is 100,000 or more but less than 700,000, must establish at least 30 vote centers for the day of the election.

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

Sec. 13. 1. If any affected election is a primary election, primary city election, general election or general city election, the provisions of NRS 293.5772 to 293.5887, inclusive, apply to the election.

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



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

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

3. If, for a primary election or general election, the county clerk in a county whose population is less than 100,000 does not establish at least one vote center for the day of the election pursuant to section 12 of this act, the county clerk must establish polling places for the election precincts in the county for the day of the election where:

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

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

4. If, for a primary city election or general city election, the city clerk does not establish at least one vote center for the day of the election pursuant to section 12 of this act, the city clerk must establish polling places for the election precincts in the city for the day of the election where:

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

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

Sec. 14. 1. Except as otherwise provided in this section, if any affected election is:

(a) A primary election or general election, the provisions of NRS 293.2733 and 293.2735 apply to a request for the establishment of a polling place for the election.

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

2. The request for the establishment of:

(a) A polling place pursuant to NRS 293.2733 or 293.2735 must be submitted to the county clerk not later than the April 1 before the primary election or the September 1 before the general election, as applicable.

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

(1) For a primary city election:

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



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

(2) For a general city election:

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

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

Sec. 15. 1. Except as otherwise provided in this subsection, for any affected election, the county or city clerk, as applicable, shall prepare and distribute to each active registered voter in the county or city, as applicable, a sample ballot and a mail ballot for the election. The county or city clerk shall not distribute a mail ballot to any person who registers to vote for the election pursuant to the provisions of NRS 293.5772 to 293.5887, inclusive, but may distribute a sample ballot available at a polling place to such a person.

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

3. Except as otherwise provided in subsection 4, the mail ballot must be distributed to:

(a) Each active registered voter who:

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

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

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

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

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

Sec. 16. 1. Except as otherwise provided in subsection 2 and chapter 293D of NRS, for any affected election, the county or city clerk, as applicable, shall send to each active registered voter by first-class mail, or by any class of mail if the Official Election



Mail logo or an equivalent logo or mark created by the United States Postal Service is properly placed:

- (a) A mail ballot;*
- (b) A return envelope;*
- (c) An envelope or sleeve into which the mail ballot is inserted to ensure its secrecy;*
- (d) An identification envelope, if applicable; and*
- (e) Instructions.*

2. In sending a mail ballot to each active registered voter, the county or city clerk shall use an envelope that may not be forwarded to an address of the voter that is different from the address to which the mail ballot is mailed.

3. The return envelope must include postage prepaid by first-class mail if the active registered voter is within the boundaries of the United States, its territories or possessions or on a military base.

4. Before sending a mail ballot to an active registered voter, the county or city clerk shall record:

- (a) The date the mail ballot is issued;*
- (b) The name of the voter to whom the mail ballot is issued, his or her precinct or district and his or her political affiliation, if any, unless all the offices on the mail ballot are nonpartisan offices;*
- (c) The number of the mail ballot; and*
- (d) Any remarks the county or city clerk finds appropriate.*

Sec. 17. *1. Except as otherwise provided in subsection 2, for any affected election, if a person applied by mail or computer to register to vote, or preregistered to vote by mail or computer and is subsequently deemed to be registered to vote, and the person has not previously voted in any election for federal office in this State, the county or city clerk, as applicable, must inform the person that he or she must include a copy of the information required in paragraph (b) of subsection 1 of NRS 293.2725 in the return envelope with the mail ballot.*

2. The provisions of subsection 1 do not apply to a person who:

(a) Registers to vote by mail or computer, or preregisters to vote by mail or computer and is subsequently deemed to be registered to vote, and submits with his or her application to preregister or register to vote:

- (1) A copy of a current and valid photo identification; or*
- (2) A copy of a current utility bill, bank statement, paycheck or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card;*



(b) Registers to vote by mail or computer and submits with his or her application to register to vote a driver's license number or at least the last four digits of his or her social security number, if a state or local election official has matched that information with an existing identification record bearing the same number, name and date of birth as provided by the person in the application;

(c) Registers to vote pursuant to NRS 293.5732 to 293.5757, inclusive, and at that time presents to the Department of Motor Vehicles:

(1) A copy of a current and valid photo identification;

(2) A copy of a current utility bill, bank statement, paycheck or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card; or

(3) A driver's license number or at least the last four digits of his or her social security number, if a state or local election official has matched that information with an existing identification record bearing the same number, name and date of birth as provided by the person in the application;

(d) Is entitled to vote pursuant to the provisions of chapter 293D of NRS or the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq.;

(e) Is provided the right to vote otherwise than in person pursuant to the provisions of the Voting Accessibility for the Elderly and Handicapped Act, 52 U.S.C. §§ 20101 et seq.; or

(f) Is entitled to vote otherwise than in person pursuant to the provisions of any other federal law.

3. If a person fails to provide the identification required pursuant to paragraph (b) of subsection 1 of NRS 293.2725 with his or her mail ballot:

(a) The mail ballot must be treated as a provisional ballot; and

(b) The county or city clerk must:

(1) Contact the person;

(2) Allow the person to provide the identification required before 5 p.m. on the third day following the election; and

(3) If the identification required pursuant to paragraph (b) of subsection 1 of NRS 293.2725 is provided, ensure the mail ballot is delivered to the appropriate mail ballot central counting board.

Sec. 18. 1. Except as otherwise provided in section 19 of this act and chapter 293D of NRS, in order to vote a mail ballot for any affected election, the voter must, in accordance with the instructions:

(a) Mark and fold the mail ballot;



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

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

(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 section 15 of this act, 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 or chapter 293C of NRS, as applicable, 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."

Sec. 19. 1. Except as otherwise provided in this section, for any affected election, 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 sections 2 to 27, inclusive, of this act.

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:

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

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

4. If a person assists a voter to mark and sign a mail ballot pursuant to this section, the person or the voter must submit a written statement with the mail ballot that includes the name, address and signature of the person who provided the assistance.

Sec. 20. 1. Except as otherwise provided in subsection 2 and chapter 293D of NRS, in order for a mail ballot to be counted for any affected election, the mail ballot must be:

(a) Before the time set for closing of the polls, delivered by hand to the county or city clerk, as applicable, or any ballot drop



box established in the county or city, as applicable, pursuant to this section; or

(b) Mailed to the county or city clerk, as applicable, and:

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

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

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

3. Each county or city clerk must establish at least one location in the county or city, as applicable, for a ballot drop box where mail ballots can be delivered by hand and collected during the period for early voting and on election day.

4. A ballot drop box must be:

(a) Constructed of metal or any other rigid material of sufficient strength and resistance to protect the security of the mail ballots; and

(b) Capable of securely receiving and holding the mail ballots and being locked.

5. A ballot drop box must be:

(a) Placed in an accessible and convenient location at the office of the county or city clerk, as applicable, or a polling place in the county or city, as applicable; and

(b) Made available for use during the hours when the office of the county or city clerk, as applicable, or the polling place is open for business or voting, as applicable.

Sec. 21. 1. Except as otherwise provided in subsection 2, at the request of a voter whose mail ballot has been prepared by or on behalf of the voter for an affected election, a person authorized by the voter may return the mail ballot on behalf of the voter by mail or personal delivery to the county or city clerk, as applicable, or any ballot drop box established in the county or city, as applicable, pursuant to section 20 of this act.

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

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

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

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



1 (1) Before the end of the third day after the day of receipt,
2 if the person receives the mail ballot from the voter four or more
3 days before the day of the election; or

4 (2) Before the deadline established by the United States
5 Postal Service for the mail ballot to be postmarked on the day of
6 the election or before the polls close on the day of the election, as
7 applicable to the type of delivery, if the person receives the mail
8 ballot from the voter three or fewer days before the day of the
9 election.

10 3. A person who violates any provision of subsection 2 is
11 guilty of a category E felony and shall be punished as provided in
12 NRS 193.130.

13 **Sec. 22.** 1. For any affected election, the county or city
14 clerk, as applicable, shall establish procedures for the processing
15 and counting of mail ballots.

16 2. The procedures established pursuant to subsection 1:

17 (a) May authorize mail ballots to be processed and counted by
18 electronic means; and

19 (b) Must not conflict with the provisions of sections 2 to 27,
20 inclusive, of this act.

21 **Sec. 23.** 1. Except as otherwise provided in NRS 293D.200,
22 for any affected election, when a mail ballot is returned by or on
23 behalf of a voter to the county or city clerk, as applicable, and a
24 record of its return is made in the mail ballot record for the
25 election, the clerk or an employee in the office of the clerk shall
26 check the signature used for the mail ballot in accordance with the
27 following procedure:

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

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

36 2. For purposes of subsection 1:

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

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



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

(2) There are only slight dissimilarities between the signature used for the mail ballot and the signatures of the voter available in the records of the clerk.

3. Except as otherwise provided in subsection 4, if the clerk determines that the voter is entitled to cast the mail ballot, the clerk shall deposit the mail ballot in the proper ballot box or place the mail ballot, unopened, in a container that must be securely locked or under the control of the clerk at all times. The clerk shall deliver the mail ballots to the mail ballot central counting board to be processed and prepared for counting.

4. If the clerk determines when checking the signature used for the mail ballot that the voter failed to affix his or her signature or failed to affix it in the manner required by law for the mail ballot or that there is a reasonable question of fact as to whether the signature used for the mail ballot matches the signature of the voter, but the voter is otherwise entitled to cast the mail ballot, the clerk shall contact the voter and advise the voter of the procedures to provide a signature or a confirmation that the signature used for the mail ballot belongs to the voter, as applicable. For the mail ballot to be counted, the voter must provide a signature or a confirmation, as applicable, not later than 5 p.m. on the ninth day following the election.

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

(a) Contact the voter;

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

(c) After a signature or a confirmation is provided, as applicable, ensure the mail ballot is delivered to the mail ballot central counting board.

6. The procedures established pursuant to subsection 5 for contacting a voter must require the clerk to contact the voter, as soon as possible after receipt of the mail ballot, by:

(a) Mail;



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

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

Sec. 24. 1. For any affected election, the county or city clerk, as applicable, shall appoint a mail ballot central counting board for the election.

2. The clerk shall appoint and notify voters to act as election board officers for the mail ballot central counting board in such numbers as the clerk determines to be required by the volume of mail ballots required to be sent to each active registered voter in the county or city, as applicable, for the election. The voters appointed as election board officers for the mail ballot central counting board must not all be of the same political party. No candidate for nomination or election or a relative of the candidate within the second degree of consanguinity or affinity may be appointed as such an election board officer.

3. The clerk's deputies who perform duties in connection with elections shall be deemed officers of the mail ballot central counting board.

4. The mail ballot central counting board is under the direction of the clerk.

Sec. 25. 1. For any affected election, the mail ballot central counting board may begin counting the received mail ballots 15 days before the day of the election. The board must complete the count of all mail ballots on or before the ninth day following the election. The counting procedure must be public.

2. If two or more mail ballots are found folded together to present the appearance of a single ballot, they must be laid aside. If a majority of the inspectors are of the opinion that the mail ballots folded together were voted by one person, the mail 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 an election board officer and placed in the container or ballot box after the count is completed.

Sec. 26. Except as otherwise provided in NRS 293D.200, for any affected election, each mail ballot central counting board shall process the mail ballots in the following manner:

1. The name of the voter, as shown on the return envelope, must be checked as if the voter were voting in person;

2. If the board determines that the voter is entitled to cast a mail ballot, the return envelope must be opened, the numbers on the mail ballot and return envelope compared, the number strip or stub detached from the mail ballot and, if the numbers are the same, the mail ballot must be counted;



1 3. An election board officer shall indicate in the roster
2 "Voted" by the name of the voter; and

3 4. When all mail ballots delivered to the board have been
4 voted or rejected, except as otherwise provided in NRS 293D.200,
5 the empty envelopes and the envelopes containing rejected mail
6 ballots must be returned to the clerk. On all envelopes containing
7 rejected mail ballots, the cause of rejection must be noted and the
8 envelope signed by an election board officer.

9 **Sec. 27.** 1. For any affected election, the voting results of
10 the mail ballot vote in each precinct must be certified and
11 submitted to the county or city clerk, as applicable, who shall have
12 the results added to the votes of the precinct that were not cast by
13 mail ballot. The returns of the mail ballot vote must be reported
14 separately from the other votes that were not cast by mail ballot in
15 the precinct unless reporting the returns separately would violate
16 the secrecy of a voter's ballot.

17 2. The clerk shall develop a procedure to ensure that each
18 mail ballot is kept secret.

19 3. No voting results of mail ballots may be released until all
20 polling places are closed and all votes have been cast on the day of
21 the election. Any person who disseminates to the public in any way
22 information pertaining to the count of mail ballots before all
23 polling places are closed and all votes have been cast on the day of
24 the election is guilty of a misdemeanor.

25 **Sec. 28.** 1. Except as otherwise provided in this section and
26 NRS 293.316, a person shall not mark and sign an absent ballot
27 on behalf of an absent voter or assist an absent voter to mark and
28 sign an absent ballot pursuant to NRS 293.3088 to 293.340,
29 inclusive.

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

35 3. If a person marks and signs an absent ballot on behalf of
36 an absent voter pursuant to this section, the person must:

37 (a) Indicate next to his or her signature that the absent ballot
38 has been marked and signed on behalf of the voter; and

39 (b) Submit a written statement with the absent ballot that
40 includes the name, address and signature of the person.

41 4. If a person assists an absent voter to mark and sign an
42 absent ballot pursuant to this section, the person or the voter must
43 submit a written statement with the absent ballot that includes the
44 name, address and signature of the person who provided the
45 assistance.



Sec. 29. 1. *Except as otherwise provided in this section, a person shall not mark and sign a mailing ballot on behalf of a voter or assist a voter to mark and sign a mailing ballot pursuant to NRS 293.343 to 293.355, 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 mailing ballot on behalf of the voter or assist the voter to mark and sign a mailing ballot pursuant to this section.

3. If a person marks and signs a mailing ballot on behalf of a voter pursuant to this section, the person must:

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

(b) Submit a written statement with the mailing ballot that includes the name, address and signature of the person.

4. If a person assists a voter to mark and sign a mailing ballot pursuant to this section, the person or the voter must submit a written statement with the mailing ballot that includes the name, address and signature of the person who provided the assistance.

Sec. 30. NRS 293.272 is hereby amended to read as follows:

293.272 1. Except as otherwise provided in subsection 2 and in NRS 293.2725 and 293.3083, a person who registered by mail or computer to vote shall, for the first election in which the person votes at which that registration is valid, vote in person unless he or she has previously voted in the county in which he or she is registered to vote.

2. The provisions of subsection 1 do not apply to a person who:

(a) Is entitled to vote in the manner prescribed in NRS 293.343 to 293.355, inclusive ~~§~~, *and section 29 of this act;*

(b) Is entitled to vote an absent ballot pursuant to federal law, NRS 293.316 or chapter 293D of NRS;

(c) Is disabled;

(d) Is provided the right to vote otherwise than in person pursuant to the Voting Accessibility for the Elderly and Handicapped Act, 52 U.S.C. §§ 20101 et seq.;

(e) Submits or has previously submitted a written request for an absent ballot that is signed by the registered voter before a notary public or other person authorized to administer an oath; ~~or~~

(f) Requests an absent ballot in person at the office of the county clerk ~~§~~; *or*

(g) Is sent a mail ballot pursuant to the provisions of section 16 of this act and includes a copy of the information required pursuant to paragraph (b) of subsection 1 of NRS 293.2725 with his or her voted mail ballot, if required pursuant to section 17 of this act.



Sec. 31. NRS 293.3088 is hereby amended to read as follows:

293.3088 As used in NRS 293.3088 to 293.340, inclusive, *and section 28 of this act*, “sufficient written notice” means a:

1. Written request for an absent ballot which is signed by the registered voter and returned to the county clerk in person or by mail or approved electronic transmission;

2. Form prescribed by the Secretary of State which is completed and signed by the registered voter and returned to the county clerk in person or by mail or approved electronic transmission; or

3. Form provided by the Federal Government.

Sec. 32. NRS 293.309 is hereby amended to read as follows:

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

2. The ballot must be prepared and ready for distribution to ~~{a}~~:

(a) *Each* registered voter who:

~~{a}~~ (1) Resides within the State, not later than 20 days before the election in which it is to be used; *and*

~~{b}~~ (2) Except as otherwise provided in paragraph ~~{e}~~ (b), resides outside the State, not later than 40 days before a primary or general election, if possible. ~~{; or~~

~~—(c) Requested an absent~~

(b) *Each covered voter who is entitled to have a military-overseas ballot transmitted* pursuant to the provisions of *chapter 293D of NRS* or the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq., not later than ~~{45 days before the election.}~~ *the time required by those provisions.*

3. Any *untimely* legal action which would prevent the ballot from being ~~{issued}~~ *distributed to any voter* pursuant to subsection 2 is moot and of no effect.

Sec. 33. NRS 293.310 is hereby amended to read as follows:

293.310 1. Except as otherwise provided in NRS 293.330 and chapter 293D of NRS, a registered voter who requests and receives an absent ~~{voter's}~~ ballot may vote only by absent ballot at the election for which the absent ballot was issued.

2. If a registered voter has requested an absent ballot and the *absent* ballot has been mailed or issued, the county clerk shall notify the appropriate election board that the registered voter has requested an absent ballot.



Sec. 34. NRS 293.313 is hereby amended to read as follows:

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

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

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

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

3. A county clerk shall consider a request from a voter who has
given sufficient written notice on a form provided by the Federal
Government as a request for an absent ballot for the primary and
general elections immediately following the date on which the
county clerk received the request.

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

Sec. 35. NRS 293.316 is hereby amended to read as follows:

293.316 1. Any registered voter who is unable to go to the
polls:

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

(b) Because the registered voter is suddenly hospitalized,
becomes seriously ill or is called away from home after the time has
elapsed for requesting an absent ballot ~~{as provided in}~~ **for the
election pursuant to subsection 1 of** NRS 293.313,

↪ may submit a written request to the county clerk for an absent
ballot. The request ~~{may}~~ **must** be submitted ~~{at any time}~~ before 5
p.m. on the day of the election.

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

3. A written request submitted pursuant to subsection 1 must
include:

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

(b) The name, address and signature of the person designated by
the registered voter to obtain, deliver and return the **absent** 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 after the time had elapsed for requesting ~~an~~ *the* absent ballot;

(d) If the 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 ~~an~~ *the* absent 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 *absent* ballot.

4. Except as otherwise provided in subsection 5, ~~after marking~~ *in order to vote* the *absent* ballot, the *registered* voter must ~~be~~

~~—(a) Place it~~, *in accordance with the instructions:*

~~(a) Mark and fold the absent ballot;~~

~~(b) Deposit the absent ballot~~ in the ~~identification~~ *return* envelope ~~be~~

~~—(b) and seal the return envelope;~~

~~(c) Affix his or her signature on the back of~~ the *return* envelope ~~be and~~

~~—(c) Return it to the office of the county clerk~~ *in the space provided for the signature; and*

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

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

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

~~—6. A request for an~~; *and*

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

6. An absent ballot ~~submitted~~ *prepared by or on behalf of the registered voter* pursuant to this section must be ~~made, and the ballot~~ *mailed or* delivered to ~~the voter and returned to~~ the county clerk ~~be, not later than the time the polls close on election day~~ *in accordance with NRS 293.317.*

7. The procedure authorized by this section is subject to all other provisions of this chapter relating to voting by absent ballot to the extent that those provisions are not inconsistent with the provisions of this section.



Sec. 36. NRS 293.3165 is hereby amended to read as follows:

293.3165 1. ~~[A]~~ *Except as otherwise provided in this section, a* registered voter who provides sufficient written notice to the ~~[appropriate]~~ county clerk may request that the registered voter receive an absent ballot for all elections at which the registered voter is eligible to vote. *The written notice is effective for all elections that are conducted after the registered voter provides the written notice to the county clerk, except that the written notice is not effective for the next ensuing election unless the written notice is provided to the county clerk before the time has elapsed for requesting an absent ballot for the election pursuant to subsection 1 of NRS 293.313.*

2. Except as otherwise provided in ~~[subsection 4.]~~ *this section or for an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act,* upon receipt of ~~[a request submitted by a]~~ *the written notice provided by the* registered voter pursuant to subsection 1, the county clerk shall:

(a) Issue an absent ballot to the registered voter for each primary election, general election and special election , other than a special city election , that is conducted after ~~[the date]~~ *the written [statement is submitted to the county clerk.] notice is effective pursuant to subsection 1.*

(b) Inform the applicable city clerk of receipt of the written ~~[statement.]~~ *notice provided by the registered voter.* Upon ~~[receipt]~~ *being informed* of the *written* notice ~~[from]~~ *by* the county clerk, the city clerk shall issue an absent ballot for each primary city election, general city election and special city election that is conducted after the ~~[date the city clerk receives]~~ *written* notice ~~[from the county clerk.]~~

~~3. If, at the direction of a registered voter with a physical disability or who is at least 65 years of age, a person:~~

~~—(a) Marks and signs an absent ballot issued to the registered voter pursuant to the provisions of this section on behalf of the registered voter, the person must:~~

~~——(1) Indicate next to his or her signature that the ballot has been marked and signed on behalf of the registered voter; and~~

~~——(2) Submit a written statement with the absent ballot that includes the name, address and signature of the person.~~

~~—(b) Assists the registered voter to mark and sign an absent ballot issued to the registered voter pursuant to the provisions of this section, the person or registered voter must submit a written statement with the absent ballot that includes the name, address and signature of the person.~~

~~4. A]~~ *is effective pursuant to subsection 1.*



3. *The* county clerk ~~{may}~~ *must* not mail an absent ballot requested by a registered voter pursuant to subsection 1 if, after the request is submitted:

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

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

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

~~{5.}~~ 4. The procedure authorized pursuant to this section is subject to all other provisions of this chapter relating to voting by absent ballot to the extent that those provisions are not inconsistent with the provisions of this section.

Sec. 37. NRS 293.317 is hereby amended to read as follows:

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

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

(b) Mailed to the county clerk and:

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

(2) Received by the county clerk ~~{within the period for the counting of absent ballots pursuant to subsection 2 of NRS 293.333.}~~ *not later than 5 p.m. on the seventh day following the election.*

2. If an absent ballot is received *by mail* not ~~{more than 3 days after the day of}~~ *later than 5 p.m. on the third day following* the election and the date of the postmark cannot be determined, the absent ballot shall be deemed to have been postmarked on or before the day of the election.

Sec. 38. NRS 293.323 is hereby amended to read as follows:

293.323 1. Except as otherwise provided in subsection 2 and chapter 293D of NRS ~~{.}~~ *or for an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act*, if the request for an absent ballot is made by mail or approved electronic transmission, the county clerk shall, as soon as the ~~{official}~~ absent ballot for the precinct or district in which the ~~{applicant}~~ *absent voter* resides has been ~~{printed.}~~ *prepared pursuant to NRS 293.309*, send to the voter by first-class mail, or by any class of mail if the Official Election Mail logo or an equivalent logo or mark created by the United States Postal Service is properly placed on the ~~{official}~~ absent ballot:

(a) An absent ballot;

(b) A return envelope;



(c) An envelope or similar device into which the *absent* ballot is inserted to ensure its secrecy;

(d) An identification envelope, if applicable; and

(e) Instructions.

2. If the county clerk fails to send an absent ballot pursuant to subsection 1 to ~~{a}~~ *an absent* voter who resides within the continental United States, the county clerk may use approved electronic transmission to send an absent ballot and instructions to the voter. The voter may mail *or deliver* the absent ballot to the county clerk *in a manner authorized by law* or submit the absent ballot by approved electronic transmission.

3. The return envelope sent pursuant to subsection 1 must include postage prepaid by first-class mail if the absent voter is within the boundaries of the United States, its territories or possessions or on a military base.

4. Nothing may be enclosed or sent with an absent ballot except as required by subsection 1 or 2 and chapter 293D of NRS.

5. Before depositing ~~{a}~~ *an absent* ballot in the mail or sending ~~{a}~~ *an absent* ballot by approved electronic transmission, the county clerk shall record ~~{the}~~ :

(a) *The* date the *absent* ballot is issued ~~{, the}~~ ;

(b) *The* name of the ~~{registered}~~ *absent* voter to whom ~~{it}~~ *the absent ballot* is issued, ~~{the registered voter's}~~ *his or her* precinct or district ~~{,}~~ and *his or her* political affiliation, if any, ~~{the}~~ *unless all the offices on the absent ballot are nonpartisan offices;*

(c) *The* number of the *absent* ballot ; and ~~{any}~~

(d) *Any* remarks the county clerk finds appropriate.

6. The Secretary of State shall adopt regulations to carry out the provisions of subsection 2.

Sec. 39. NRS 293.325 is hereby amended to read as follows:

293.325 1. Except as otherwise provided in NRS 293D.200, when an absent ballot is returned by ~~{a registered}~~ *or on behalf of an absent* voter to the county clerk through the mail, by facsimile machine or other approved electronic transmission or in person, and *a* record ~~{thereof}~~ *of its return* is made in the absent ballot record ~~{book,}~~ *for the election*, the county clerk *or an employee in the office of the county clerk* shall check the signature *used for the absent ballot* in accordance with the following procedure:

(a) The county clerk *or employee* shall check the signature ~~{on the return envelope, facsimile or other approved electronic transmission}~~ *used for the absent ballot* against all signatures of the voter available in the records of the county clerk.

(b) If at least two employees in the office of the county clerk believe there is a reasonable question of fact as to whether the signature ~~{on}~~ *used for* the absent ballot matches the signature of the



1 voter, the county clerk shall contact the voter and ask the voter to
2 confirm whether the signature ~~{on}~~ *used for* the absent ballot
3 belongs to the voter.

4 2. *For purposes of subsection 1:*

5 (a) *There is a reasonable question of fact as to whether the*
6 *signature used for the absent ballot matches the signature of the*
7 *voter if the signature used for the absent ballot differs in multiple,*
8 *significant and obvious respects from the signatures of the voter*
9 *available in the records of the county clerk.*

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

13 (1) *The signature used for the absent ballot is a variation of*
14 *the signature of the voter caused by the substitution of initials for*
15 *the first or middle name or the use of a common nickname and it*
16 *does not otherwise differ in multiple, significant and obvious*
17 *respects from the signatures of the voter available in the records of*
18 *the county clerk; or*

19 (2) *There are only slight dissimilarities between the*
20 *signature used for the absent ballot and the signatures of the voter*
21 *available in the records of the county clerk.*

22 3. Except as otherwise provided in subsection ~~{3.}~~ 4, if the
23 county clerk determines ~~{pursuant to subsection 1}~~ that the absent
24 voter is entitled to cast ~~{a}~~ *the absent* ballot and:

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

30 (b) An absent ballot central counting board has been appointed,
31 the county clerk shall deposit the *absent* ballot in the proper ballot
32 box or place the *absent* ballot, unopened, in a container that must be
33 securely locked or under the control of the county clerk at all times.
34 At the end of each day before election day, the county clerk may
35 remove the *absent* ballots from each ballot box, neatly stack the
36 *absent* ballots in a container and seal the container with a numbered
37 seal. Not earlier than ~~{4-working}~~ 15 days before the election, the
38 county clerk shall deliver the *absent* ballots to the absent ballot
39 central counting board to be processed and prepared for counting
40 pursuant to the procedures established by the Secretary of State to
41 ensure the confidentiality of the prepared ballots until after the polls
42 have closed pursuant to NRS 293.273 or 293.305.

43 ~~{3.}~~ 4. If the county clerk determines when checking the
44 signature ~~{of the voter pursuant to subsection 1}~~ *used for the absent*
45 *ballot* that the absent voter ~~{did not sign the return envelope as~~



~~required pursuant to NRS 293.330~~ failed to affix his or her signature or failed to affix it in the manner required by law for the absent ballot or that there is a reasonable question of fact as to whether the signature used for the absent ballot matches the signature of the voter, but the voter is otherwise entitled to cast ~~the absent~~ ballot, the county clerk shall contact the ~~absent~~ voter and advise the voter of the procedures to provide a signature ~~established pursuant to subsection 4.~~ or a confirmation that the signature used for the absent ballot belongs to the voter, as applicable. For the absent ballot to be counted, the ~~absent~~ voter must provide a signature ~~within the period for the counting of absent ballots pursuant to subsection 2 of NRS 293.333.~~

~~4. Each~~ or a confirmation, as applicable, not later than 5 p.m. on the seventh day following the election or, if applicable, the ninth day following an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act.

5. The county clerk shall prescribe procedures for ~~an~~ absent voter who ~~did not sign the return envelope of an~~ failed to affix his or her signature or failed to affix it in the manner required by law for the absent ballot, or for whom there is a reasonable question of fact as to whether the signature used for the absent ballot matches the signature of the voter, in order to:

(a) Contact the voter;

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

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

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

(a) Mail;

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

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

Sec. 40. NRS 293.330 is hereby amended to read as follows:

293.330 1. Except as otherwise provided in *this section*, subsection 2 of NRS 293.323, *section 28 of this act* and chapter 293D of NRS, ~~and any regulations adopted pursuant thereto, when an absent voter receives~~ in order to vote an absent ballot, the absent voter must, ~~mark and fold it~~ in accordance with the instructions ~~;~~ deposit it):



- 1 (a) *Mark and fold the absent ballot;*
- 2 (b) *Deposit the absent ballot* in the return envelope ~~{ }~~ *and* seal
- 3 the *return* envelope ~~{, affix}~~ ;
- 4 (c) *Affix* his or her signature on ~~{the back of}~~ the *return*
- 5 envelope in the space provided ~~{therefor and mail}~~ *for the*
- 6 *signature; and*
- 7 (d) *Mail* or deliver the return envelope ~~{ }~~ *in a manner*
- 8 *authorized by law.*

9 2. Except as otherwise provided in subsection 3, if ~~{an absent}~~

10 *a* voter who has requested ~~{a}~~ *an absent* ballot by mail applies to

11 vote the *absent* ballot in person at:

12 (a) The office of the county clerk, the ~~{absent}~~ voter must mark

13 *and fold* the *absent* ballot, ~~{seal}~~ *deposit* it in the return envelope

14 *and seal the return envelope* and affix his or her signature in the

15 same manner as provided in subsection 1, and deliver the *return*

16 envelope to the clerk.

17 (b) A polling place, including, without limitation, a polling place

18 for early voting, the ~~{absent}~~ voter must surrender the absent ballot

19 and provide satisfactory identification before being issued a ballot to

20 vote at the polling place. A person who receives a surrendered

21 absent ballot shall mark it “Cancelled.”

22 3. If ~~{an absent}~~ *a* voter who has requested ~~{a}~~ *an absent* ballot

23 by mail applies to vote in person at the office of the county clerk or

24 a polling place, including, without limitation, a polling place for

25 early voting, and the voter does not have the absent ballot to deliver

26 or surrender, the voter must be issued a ballot to vote if the voter:

- 27 (a) Provides satisfactory identification;
- 28 (b) Is a registered voter who is otherwise entitled to vote; and
- 29 (c) Signs an affirmation under penalty of perjury on a form
- 30 prepared by the Secretary of State declaring that the voter has not
- 31 voted during the election.

32 4. Except as otherwise provided in ~~{NRS 293.316 and~~

33 ~~293.3165, it is unlawful for any person to return an absent ballot~~

34 ~~other than the voter who requested the absent ballot or,}~~ *subsection*

35 *5*, at the request of ~~{the voter, a member of the voter's family. A~~

36 ~~person who returns an}~~ *a voter whose* absent ballot ~~{and who is a~~

37 ~~member of the family of}~~ *has been prepared by or on behalf of the*

38 *voter for an election, a person authorized by* the voter ~~{who~~

39 ~~requested}~~ *may return* the absent ballot ~~{shall, under penalty of~~

40 ~~perjury, indicate on a form prescribed by the county clerk that the~~

41 ~~person is a member of the family}~~ *on behalf* of the voter ~~{who~~

42 ~~requested the}~~ *by mail or personal delivery to the county clerk.*

43 5. *Except for an election board officer in the course of the*

44 *election board officer's official duties, a person shall not willfully:*



(a) *Impede, obstruct, prevent or interfere with the return of a voter's absent ballot ~~[and that the voter requested that]~~;*

(b) *Deny a voter the ~~[person]~~ right to return the voter's absent ballot ~~[.]~~; or*

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

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

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

6. A person who violates ~~[the provisions of this]~~ any provision of subsection 5 is guilty of a category E felony and shall be punished as provided in NRS 193.130.

Sec. 41. NRS 293.333 is hereby amended to read as follows:

293.333 1. Except as otherwise provided in NRS 293D.200, on the day of an election, the election boards receiving the absent ~~[voters']~~ ballots from the county clerk shall, in the presence of a majority of the election board officers, remove the *absent* ballots from the ballot box and the containers in which the *absent* ballots were transported pursuant to NRS 293.325 and deposit the *absent* ballots in the regular ballot box in the following manner:

(a) The name of the voter, as shown on the return envelope or approved electronic transmission, must be ~~[called and]~~ checked as if the voter were voting in person;

(b) The signature ~~[on the back of the return envelope or on the approved electronic transmission]~~ *used for the absent ballot* must be ~~[compared with that on the application to register to vote;]~~ *checked in accordance with the procedure set forth in NRS 293.325;*

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

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



2. ~~[Counting of]~~ *The board must complete the count of all absent ballots ~~[must continue through]~~ on or before the seventh day following the election ~~[]~~ or, if applicable, the ninth day following an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act.*

Sec. 42. NRS 293.343 is hereby amended to read as follows:

293.343 1. ~~[A]~~ *Except as otherwise provided for an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act, a* registered voter who resides in an election precinct in which there were not more than 200 voters registered for the last preceding general election, or in a precinct in which it appears to the satisfaction of the county clerk and Secretary of State that there are not more than 200 registered voters, may vote at any election regulated by this chapter in the manner provided in NRS ~~[293.345]~~ **293.343** to 293.355, inclusive ~~[]~~, *and section 29 of this act.*

2. ~~[Whenever]~~ *Except as otherwise provided for an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act, whenever* the county clerk has designated a precinct as a mailing precinct, registered voters residing in that precinct may vote at any election regulated by this chapter in the manner provided in NRS ~~[293.345]~~ **293.343** to 293.355, inclusive ~~[]~~, *and section 29 of this act.*

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

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

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

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

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

(b) May designate certain polling places for early voting as the polling places where such a voter may vote in person, pursuant to



paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353, during the period for early voting, if it is impractical for the county clerk to provide at each polling place for early voting a ballot in every form required in the county.

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

Sec. 43. NRS 293.345 is hereby amended to read as follows:

293.345 1. ~~{Before}~~ *Except as otherwise provided for an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act, before* 5 p.m. on the last business day preceding the first day of the period for early voting for any primary election or general election, the county clerk shall cause to be mailed to each registered voter in each mailing precinct and in each absent ballot mailing precinct ~~{an official}~~ *a* mailing ballot, and accompanying supplies, as specified in NRS 293.350.

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

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

Sec. 44. NRS 293.353 is hereby amended to read as follows:

293.353 1. Except as otherwise provided in ~~{subsection 2 or 3, upon receipt of}~~ *this section, section 29 of this act and chapter 293D of NRS, in order to vote* a mailing ballot, ~~{from the county clerk,}~~ the registered voter must, in accordance with the instructions ~~{mark}~~ :

(a) *Mark* and fold the *mailing* ballot ~~{deposit}~~ ;

(b) *Deposit the mailing ballot in the return envelope* and seal the ~~{ballot in the}~~ return envelope ~~{affix}~~ ;

(c) *Affix* his or her signature on ~~{the back of}~~ the *return* envelope ~~{and mail}~~ *in the space provided for the signature; and*

(d) *Mail or deliver* the *return* envelope ~~{to the county clerk,}~~ *in a manner authorized by law.*

2. Except as otherwise provided in subsection 3, if a registered voter who has received a mailing ballot applies to vote in person at:

(a) The office of the county clerk, the registered voter must mark *and fold* the *mailing* ballot, ~~{place and seal}~~ *deposit* it in the return envelope *and seal the return envelope* and affix his or her



signature in the same manner as provided in subsection 1, and deliver the **return** envelope to the clerk.

(b) One of the polling places on election day or a polling place for early voting in the county designated pursuant to subsection 3 or 4 of NRS 293.343, the registered voter must surrender the mailing ballot and provide satisfactory identification before being issued a ballot to vote at the polling place. A person who receives a surrendered mailing ballot shall mark it “Cancelled.”

3. If a registered voter who has received a mailing ballot wishes to vote in person at the office of the county clerk or at one of the polling places on election day or a polling place for early voting in the county designated pursuant to subsection 3 or 4 of NRS 293.343, and the voter does not have the mailing ballot to deliver or surrender, the voter must be issued a ballot to vote if the voter:

(a) Provides satisfactory identification;

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

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

4. ~~It is unlawful for any person to return a mailing ballot other than the registered voter to whom the ballot was sent or, Except as otherwise provided in subsection 5, at the request of [the voter, a member of the family of that voter. A person who returns a] a voter whose mailing ballot [and who is a member of the family of] has been prepared by or on behalf of the voter for an election, a person authorized by the voter [who received] may return the mailing ballot [shall, under penalty of perjury, indicate on a form prescribed by the county clerk that the person is a member of the family] on behalf of the voter [who received the] by mail or personal delivery to the county clerk.~~

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

(a) *Impede, obstruct, prevent or interfere with the return of a voter’s mailing ballot [and that the voter requested that he or she] ;*

(b) *Deny a voter the right to return the voter’s mailing ballot [-] ; or*

(c) *If the person receives the voter’s mailing ballot and authorization to return the mailing ballot on behalf of the voter by mail or personal delivery, fail to return the mailing ballot, unless otherwise authorized by the voter, by mail or personal delivery:*

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

(2) *Before the deadline established by the United States Postal Service for the mailing ballot to be postmarked on the day*



of the election or before the polls close on the day of the election, as applicable to the type of delivery, if the person receives the mailing ballot from the voter three or fewer days before the day of the election.

6. A person who violates ~~[the provisions of this]~~ any provision of subsection 5 is guilty of a category E felony and shall be punished as provided in NRS 193.130.

Sec. 45. NRS 293.355 is hereby amended to read as follows:

293.355 1. ~~[Upon receipt of the return envelope from]~~ *When a mailing ballot is returned by or on behalf of* a registered voter of a mailing precinct or absent ballot mailing precinct, whether through the mail or in person at the office of the county clerk pursuant to paragraph (a) of subsection 2 of NRS 293.353, the county clerk shall follow the same procedure as in the case of absent ballots.

2. Ballots voted in person at a polling place pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353, or at the office of the county clerk pursuant to subsection 3 of NRS 293.353, by registered voters of a mailing precinct or absent ballot mailing precinct must be processed and reported by the appointed election board or county clerk in the same manner as required by law for absent ballots voted in person pursuant to NRS 293.330.

Sec. 46. NRS 293.363 is hereby amended to read as follows:

293.363 *Except as otherwise provided for an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act:*

1. When the polls are closed, the counting board shall prepare to count the ballots voted. The counting procedure must be public and continue without adjournment until completed.

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

~~[1-]~~ (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.

~~[2-]~~ (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,



1 and a counting board officer, with his or her back turned to the
2 container or box, shall draw out a number of ballots equal to the
3 excess. The excess ballots must be marked on the back thereof with
4 the words “Excess ballots not counted.” The ballots when so marked
5 must be immediately sealed in an envelope and returned to the
6 county clerk with the other ballots rejected for any cause.

7 ~~§3.1~~ (c) When it has been ascertained that the number of ballots
8 agrees with the number of names of registered voters shown to have
9 voted, the board shall proceed to count. If there is a discrepancy
10 between the number of ballots and the number of voters, a record of
11 the discrepancy must be made.

12 **Sec. 47.** NRS 293.365 is hereby amended to read as follows:

13 293.365 ~~§No~~ *Except as otherwise provided for an affected*
14 *election that is subject to the provisions of sections 2 to 27,*
15 *inclusive, of this act, no* counting board in any precinct, district or
16 polling place in which paper ballots are used may commence to
17 count the votes until all ballots used or unused are accounted for.

18 **Sec. 48.** NRS 293.384 is hereby amended to read as follows:

19 293.384 1. Not earlier than ~~§4-working~~ 15 days before the
20 election, the counting board, if it is responsible for counting absent
21 ballots, or the absent ballot central counting board shall withdraw all
22 the *absent* ballots from each ballot box or container that holds
23 absent ballots received before that day and ascertain that each box or
24 container has the required number of *absent* ballots according to the
25 county clerk’s absent ~~§voters’~~ ballot record ~~§for the election~~.

26 2. The counting board or absent ballot central counting board
27 shall count the number of *absent* ballots in the same manner as
28 election boards.

29 **Sec. 49.** NRS 293.385 is hereby amended to read as follows:

30 293.385 1. Each day after the initial withdrawal of the *absent*
31 ballots pursuant to NRS 293.384 and before the day of the election,
32 the counting board, if it is responsible for counting absent ballots, or
33 the absent ballot central counting board shall withdraw from the
34 appropriate ballot boxes or containers all the *absent* ballots received
35 the previous day and ascertain that each box or container has the
36 required number of *absent* ballots according to the county clerk’s
37 absent ~~§voters’~~ ballot record ~~§for the election~~.

38 2. If any absent ballots are received by the county clerk on
39 election day *and the county clerk has determined that the absent*
40 *voters are entitled to cast the absent ballots* pursuant to NRS
41 ~~§293.316, §~~ 293.325, the county clerk shall deposit the absent ballots
42 in the appropriate ballot boxes or containers.

43 3. Not earlier than ~~§4-working~~ 15 days before the election, the
44 appropriate board shall, in public, count the votes cast on the absent
45 ballots.



4. If paper ballots are used, the results of the absent ballot vote in each precinct must be certified and submitted to the county clerk who shall have the results added to the regular votes of the precinct. The returns of absent ballots must be reported separately from the regular votes of the precinct, unless reporting the returns separately would violate the secrecy of a voter's ballot. The county clerks shall develop a procedure to ensure that each ballot is kept secret.

5. Any person who disseminates to the public in any way information pertaining to the count of absent ballots before the polls close is guilty of a misdemeanor.

Sec. 50. NRS 293.387 is hereby amended to read as follows:

293.387 1. As soon as the returns from all the precincts and districts in any county have been received by the board of county commissioners, the board shall meet and canvass the returns. The canvass must be completed on or before the 10th day following the election ~~or~~ *or, if applicable, the 13th day following an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act.*

2. In making its canvass, the board shall:

(a) Note separately any clerical errors discovered; and

(b) Take account of the changes resulting from the discovery, so that the result declared represents the true vote cast.

3. The county clerk shall, as soon as the result is declared, enter upon the records of the board an abstract of the result, which must contain the number of votes cast for each candidate. The board, after making the abstract, shall cause the county clerk to certify the abstract and, by an order made and entered in the minutes of its proceedings, to make:

(a) A copy of the certified abstract; and

(b) A mechanized report of the abstract in compliance with regulations adopted by the Secretary of State,

and transmit them to the Secretary of State ~~[not more than 7 working days after]~~ *on or before the 10th day following the election or, if applicable, the 13th day following an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act.*

4. The Secretary of State shall, immediately after any primary election, compile the returns for all candidates voted for in more than one county. The Secretary of State shall make out and file in his or her office an abstract thereof, and shall certify to the county clerk of each county the name of each person nominated, and the name of the office for which the person is nominated.

Sec. 51. NRS 293.393 is hereby amended to read as follows:

293.393 1. On or before the 10th day after any general election or any other election at which votes are cast for any United States Senator, Representative in Congress, member of the



Legislature or any state officer who is elected statewide ~~or~~ *or, if applicable, on or before the 13th day after an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act,* the board of county commissioners shall open the returns of votes cast and make abstracts of the votes.

2. Abstracts of votes must be prepared in the manner prescribed by the Secretary of State by regulation.

3. The county clerk shall make out a certificate of election to each of the persons having the highest number of votes for the district, county and township offices.

4. Each certificate must be delivered to the person elected upon application at the office of the county clerk.

Sec. 52. NRS 293.5837 is hereby amended to read as follows:

293.5837 1. Through the Thursday preceding the day of the election, an elector may register to vote in the county or city, as applicable, in which the elector is eligible to vote by submitting an application to register to vote by computer using the system established by the Secretary of State pursuant to NRS 293.671 before the elector appears at a polling place described in subsection 2 to vote in person.

2. If an elector submits an application to register to vote pursuant to this section, the elector may vote only in person:

(a) During the period for early voting, at any polling place for early voting by personal appearance in the county or city, as applicable, in which the elector is eligible to vote; or

(b) On the day of the election, at:

(1) A polling place established pursuant to NRS 293.3072 or 293C.3032 ~~[, if one has been established]~~ *or section 12 of this act,* in the county or city, as applicable, in which the elector is eligible to vote; or

(2) The polling place for his or her election precinct.

3. To vote in person, an elector who submits an application to register to vote pursuant to this section must:

(a) Appear before the close of polls at a polling place described in subsection 2;

(b) Inform an election board officer that, before appearing at the polling place, the elector submitted an application to register to vote by computer using the system established by the Secretary of State pursuant to NRS 293.671; and

(c) Except as otherwise provided in subsection 4, provide his or her current and valid driver's license or identification card issued by the Department of Motor Vehicles which shows his or her physical address as proof of the elector's identity and residency.

4. If the driver's license or identification card issued by the Department of Motor Vehicles to the elector does not have the



1 elector's current residential address, the following documents may
2 be used to establish the residency of the elector if the current
3 residential address of the elector, as indicated on his or her
4 application to register to vote, is displayed on the document:

5 (a) A military identification card;

6 (b) A utility bill, including, without limitation, a bill for electric,
7 gas, oil, water, sewer, septic, telephone, cellular telephone or cable
8 television service;

9 (c) A bank or credit union statement;

10 (d) A paycheck;

11 (e) An income tax return;

12 (f) A statement concerning the mortgage, rental or lease of a
13 residence;

14 (g) A motor vehicle registration;

15 (h) A property tax statement; or

16 (i) Any other document issued by a governmental agency.

17 5. Subject to final verification, if an elector submits an
18 application to register to vote and appears at a polling place to vote
19 in person pursuant to this section:

20 (a) The elector shall be deemed to be conditionally registered to
21 vote at the polling place upon:

22 (1) The determination that the elector submitted the
23 application to register to vote by computer using the system
24 established by the Secretary of State pursuant to NRS 293.671 and
25 that the application to register to vote is complete; and

26 (2) The verification of the elector's identity and residency
27 pursuant to this section.

28 (b) After the elector is deemed to be conditionally registered to
29 vote at the polling place pursuant to paragraph (a), the elector:

30 (1) May vote in the election only at that polling place;

31 (2) Must vote as soon as practicable and before leaving that
32 polling place; and

33 (3) Must vote by casting a provisional ballot, unless it is
34 verified, at that time, that the elector is qualified to register to vote
35 and to cast a regular ballot in the election at that polling place.

36 **Sec. 53.** NRS 293.730 is hereby amended to read as follows:

37 293.730 1. ~~[A]~~ *Except for an election board officer in the*
38 *course of the election board officer's official duties, a* person shall
39 not:

40 (a) Remain in or outside of any polling place so as to interfere
41 with the conduct of the election.

42 (b) ~~[Except an election board officer, receive]~~ *Accept* from any
43 voter a ballot prepared by *or on behalf of* the voter ~~[]~~, *other than*
44 *an absent ballot, mailing ballot, mail ballot or military-overseas*



ballot prepared by or on behalf of the voter with his or her authorization pursuant to this title.

(c) Remove a ballot from any polling place before the closing of the polls.

(d) Apply for or receive a ballot at any election precinct or district other than one at which the person is entitled to vote.

(e) Show his or her ballot to ~~any~~ *another* person, after voting, so as to reveal any of ~~the names voted for.~~ *his or her votes on the ballot, other than on his or her absent ballot, mailing ballot, mail ballot or military-overseas ballot prepared by or on behalf of the voter with his or her authorization pursuant to this title.*

(f) Inside a polling place, ask another person for *his or her name, address or political affiliation or for* whom he or she intends to vote.

(g) ~~Except an election board officer,~~ *Send, transmit, distribute or deliver a ballot to a voter [-], other than an absent ballot, mailing ballot, mail ballot or military-overseas ballot when permitted pursuant to this title.*

(h) ~~Except an election board officer in the course of the election board officer's official duties, inside a polling place, ask another person his or her name, address or political affiliation.~~ *when permitted by the voter, alter, change, deface, damage or destroy an absent ballot, mailing ballot, mail ballot or military-overseas ballot prepared by or on behalf of the voter with his or her authorization pursuant to this title.*

2. A voter shall not:

(a) ~~Receive~~ *Accept* a ballot from ~~any~~ *another* person, other than an election board officer ~~in the course of the election board officer's official duties or a person who sends, transmits, distributes or delivers an absent ballot, mailing ballot, mail ballot or military-overseas ballot to the voter when permitted pursuant to this title.~~

(b) Deliver to an election board ~~for to any member thereof~~ *officer in the course of the election board officer's official duties* any ballot other than the one received.

(c) Place any mark upon his or her ballot by which it may afterward be identified as the one *that he or she* voted ~~by the person.~~ *, other than any such mark that is permitted to be placed on an absent ballot, mailing ballot, mail ballot or military-overseas ballot prepared by or on behalf of the voter with his or her authorization pursuant to this title.*

3. Any person who violates any provision of this section is guilty of a category E felony and shall be punished as provided in NRS 193.130.



Sec. 54. NRS 293B.370 is hereby amended to read as follows:
293B.370 The absent ballot mailing precinct inspection board shall:

1. Perform functions similar to those of the central ballot inspection board and the ballot duplicating board as those functions are applicable to absent and mailing ballots.

2. Bundle the empty ~~{absentee}~~ *absent* and mailing *ballot* return envelopes according to ballot type or precinct and deliver the bundles to the county clerk.

3. Treat any ~~{absentee}~~ *absent* or mailing *ballot return* envelope found not to contain a ballot as a rejected ballot and place each such envelope in a separate larger envelope on which must be written the ballot code or precinct and the reason for the rejection.

Sec. 55. Chapter 293C of NRS is hereby amended by adding thereto the provisions set forth as sections 56 and 57 of this act.

Sec. 56. *1. Except as otherwise provided in this section and NRS 293C.317, a person shall not mark and sign an absent ballot on behalf of an absent voter or assist an absent voter to mark and sign an absent ballot pursuant to NRS 293C.304 to 293C.340, inclusive.*

2. At the direction of an absent 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 an absent ballot on behalf of the voter or assist the voter to mark and sign an absent ballot pursuant to this section.

3. If a person marks and signs an absent ballot on behalf of an absent voter pursuant to this section, the person must:

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

(b) Submit a written statement with the absent ballot that includes the name, address and signature of the person.

4. If a person assists an absent voter to mark and sign an absent ballot pursuant to this section, the person or the voter must submit a written statement with the absent ballot that includes the name, address and signature of the person who provided the assistance.

Sec. 57. *1. Except as otherwise provided in this section, a person shall not mark and sign a mailing ballot on behalf of a voter or assist a voter to mark and sign a mailing ballot pursuant to NRS 293C.342 to 293C.352, 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 mailing ballot on behalf of the voter or assist the voter to mark and sign a mailing ballot pursuant to this section.



3. *If a person marks and signs a mailing ballot on behalf of a voter pursuant to this section, the person must:*

(a) *Indicate next to his or her signature that the mailing ballot has been marked and signed on behalf of the voter; and*

(b) *Submit a written statement with the mailing ballot that includes the name, address and signature of the person.*

4. *If a person assists a voter to mark and sign a mailing ballot pursuant to this section, the person or the voter must submit a written statement with the mailing ballot that includes the name, address and signature of the person who provided the assistance.*

Sec. 58. NRS 293C.110 is hereby amended to read as follows:

293C.110 1. Except as otherwise provided in subsection 2 and NRS 293.5817, the conduct of any city election is under the control of the governing body of the city, and it shall, by ordinance, provide for the holding of the election, appoint the necessary election officers and election boards and do all other things required to carry the election into effect.

2. Except as otherwise provided in NRS 293C.112, the governing body of the city shall provide for:

(a) Absent ballots to be voted in a city election pursuant to NRS 293C.304 to ~~[293C.325, inclusive, and 293C.330 to]~~ 293C.340, inclusive ~~[,]~~ *and section 56 of this act, except for the provisions of NRS 293C.327 and 293C.328 unless the governing body of the city provides for the applicability of those provisions pursuant to paragraph (b); and*

(b) The conduct of:

(1) Early voting by personal appearance in a city election pursuant to NRS 293.5772 to 293.5887, inclusive, and 293C.355 to 293C.361, inclusive;

(2) Voting by absent ballot in person in a city election pursuant to NRS 293C.327 ~~[,]~~ *and 293C.328; or*

(3) Both early voting by personal appearance as described in subparagraph (1) and voting by absent ballot in person as described in subparagraph (2).

Sec. 59. NRS 293C.112 is hereby amended to read as follows:

293C.112 1. The governing body of a city may conduct a city election in which all ballots must be cast by mail if:

(a) The election is a special election; or

(b) The election is a primary city election or general city election in which the ballot includes only:

(1) Offices and ballot questions that may be voted on by the registered voters of only one ward; or

(2) One office or ballot question.

2. The provisions of NRS 293.5772 to 293.5887, inclusive, 293C.265 to 293C.302, inclusive, 293C.304 to 293C.340, inclusive,



and section 56 of this act and 293C.355 to 293C.361, inclusive, do not apply to an election conducted pursuant to this section.

3. For the purposes of an election conducted pursuant to this section, each precinct in the city shall be deemed to have been designated a mailing precinct pursuant to NRS 293C.342.

Sec. 60. NRS 293C.265 is hereby amended to read as follows:

293C.265 1. Except as otherwise provided in subsection 2 and in NRS 293.2725 and 293.3083, a person who registered by mail or computer to vote shall, for the first city election in which the person votes at which that registration is valid, vote in person unless he or she has previously voted in the county in which he or she is registered to vote.

2. The provisions of subsection 1 do not apply to a person who:

(a) Is entitled to vote in the manner prescribed in NRS 293C.342 to 293C.352, inclusive ~~H~~, *and section 57 of this act*;

(b) Is entitled to vote an absent ballot pursuant to federal law, NRS 293C.317 or chapter 293D of NRS;

(c) Is disabled;

(d) Is provided the right to vote otherwise than in person pursuant to the Voting Accessibility for the Elderly and Handicapped Act, 52 U.S.C. §§ 20101 et seq.;

(e) Submits or has previously submitted a written request for an absent ballot that is signed by the registered voter before a notary public or other person authorized to administer an oath; ~~or~~

(f) Requests an absent ballot in person at the office of the city clerk ~~H~~; *or*

(g) Is sent a mail ballot pursuant to the provisions of section 16 of this act and includes a copy of the information required pursuant to paragraph (b) of subsection 1 of NRS 293.2725 with his or her voted mail ballot, if required pursuant to section 17 of this act.

Sec. 61. NRS 293C.304 is hereby amended to read as follows:

293C.304 As used in NRS 293C.304 to 293C.340, inclusive, *and section 56 of this act*, “sufficient written notice” means a:

1. Written request for an absent ballot that is signed by the registered voter and returned to the city clerk in person or by approved electronic transmission;

2. Form prescribed by the Secretary of State that is completed and signed by the registered voter and returned to the city clerk in person or by mail or facsimile machine; or

3. Form provided by the Federal Government.

Sec. 62. NRS 293C.305 is hereby amended to read as follows:

293C.305 1. The city clerk shall prepare an absent ballot for the use of registered voters who have requested absent ballots. The city clerk shall make reasonable accommodations for the use of the



absent ballot by a person who is elderly or disabled, including, without limitation, by providing, upon request, the absent ballot in 12-point type to a person who is elderly or disabled.

2. The ballot must be prepared and ready for distribution to : ~~{a registered voter who:}~~

(a) Except as otherwise provided in paragraph (b), *each registered voter who* resides within or outside this State, not later than 20 days before the election in which it will be used.

(b) ~~{Requested an absent}~~ *Each covered voter who is entitled to have a military-overseas* ballot *transmitted* pursuant to the provisions of *chapter 293D of NRS or* the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq., not later than ~~{45 days before the election.}~~ *the time required by those provisions.*

3. Any *untimely* legal action that would prevent the ballot from being ~~{issued}~~ *distributed to any voter* pursuant to subsection 2 is moot and of no effect.

Sec. 63. NRS 293C.307 is hereby amended to read as follows:

293C.307 1. Except as otherwise provided in NRS 293C.330 ~~{}~~ *and chapter 293D of NRS*, a registered voter who requests and receives an absent ~~{voter's}~~ ballot may vote only by absent ballot at the election for which the absent ballot was issued.

2. If a registered voter has requested an absent ballot and the *absent* ballot has been mailed or issued, the city clerk shall notify the appropriate election board that the registered voter has requested an absent ballot.

Sec. 64. NRS 293C.310 is hereby amended to read as follows:

293C.310 1. Except as otherwise provided in NRS 293.502 , ~~{and}~~ 293C.265, *293C.317 and 293C.318*, a registered voter may request an absent ballot if, before 5 p.m. on the 14th calendar day preceding the election, the registered voter:

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

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

2. A city clerk shall consider a request from a voter who has given sufficient written notice on a form provided by the Federal Government as:

(a) A request for the primary city election and the general city election unless otherwise specified in the request; and

(b) A request for an absent ballot for the primary and general elections immediately following the date on which the city clerk received the request.

3. It is unlawful for a person fraudulently to request an absent ballot in the name of another person or to induce or coerce another person fraudulently to request an absent ballot in the name of



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

Sec. 65. NRS 293C.317 is hereby amended to read as follows:

293C.317 1. Any registered voter who is unable to go to the polls:

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

(b) Because the registered voter is suddenly hospitalized, becomes seriously ill or is called away from home after the time has elapsed for requesting an absent ballot ~~[as provided in]~~ *for the election pursuant to subsection 1 of* NRS 293C.310,

↪ may submit a written request to the city clerk for an absent ballot. The request ~~[may]~~ *must* be submitted ~~[at any time]~~ before 5 p.m. on the day of the election.

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

3. A written request submitted pursuant to subsection 1 must include:

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

(b) The name, address and signature of the person designated by the registered voter to obtain, deliver and return the *absent* 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 after the time had elapsed for requesting ~~[an]~~ *the* absent ballot;

(d) If the 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 ~~[an]~~ *the* absent 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 *absent* ballot.

4. Except as otherwise provided in subsection 5, ~~[after marking]~~ *in order to vote* the *absent* ballot, the *registered* voter must ~~[~~

~~—(a) Place it], in accordance with the instructions:~~

(a) Mark and fold the absent ballot;

(b) Deposit the absent ballot in the [identification] return envelope ~~[~~



1 ~~—(b)—~~ *and seal the return envelope;*

2 (c) Affix his or her signature on ~~{the back of}~~ the *return*
3 *envelope* ~~{; and~~

4 ~~—(e)—~~ *Return it to the office of the city clerk.* *in the space*
5 *provided for the signature; and*

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

8 5. A person designated in a request submitted pursuant to
9 subsection 1 may, on behalf of and at the direction of the registered
10 voter, mark and sign the absent ballot. If the person marks and signs
11 the *absent* ballot ~~{;}~~ *pursuant to this section*, the person ~~{shall~~
12 ~~indicate}~~ *must:*

13 (a) *Indicate* next to his or her signature that the *absent* ballot
14 has been marked and signed on behalf of the registered voter ~~{;~~

15 ~~—6.—~~ *A request for an* ; *and*

16 (b) *Submit a written statement with the absent ballot that*
17 *includes the name, address and signature of the person.*

18 6. An absent ballot ~~{submitted}~~ *prepared by or on behalf of the*
19 *registered voter* pursuant to this section must be ~~{made, and the~~
20 ~~ballot}~~ *mailed or* delivered to ~~{the voter and returned to}~~ the city
21 clerk ~~{, not later than the time the polls close on election day.}~~ *in*
22 *accordance with NRS 293C.319.*

23 7. The procedure authorized by this section is subject to all
24 other provisions of this chapter relating to voting by absent ballot to
25 the extent that those provisions are not inconsistent with the
26 provisions of this section.

27 **Sec. 66.** NRS 293C.318 is hereby amended to read as follows:

28 293C.318 1. ~~{A}~~ *Except as otherwise provided in this*
29 *section, a* registered voter who provides sufficient written notice to
30 the ~~{appropriate}~~ city clerk may request that the registered voter
31 receive an absent ballot for all elections at which the registered voter
32 is eligible to vote. *The written notice is effective for all elections*
33 *that are conducted after the registered voter provides the written*
34 *notice to the city clerk, except that the written notice is not*
35 *effective for the next ensuing election unless the written notice is*
36 *provided to the city clerk before the time has elapsed for*
37 *requesting an absent ballot for the election pursuant to subsection*
38 *1 of NRS 293C.310.*

39 2. Except as otherwise provided in ~~{subsection 4.}~~ *this section*
40 *or for an affected election that is subject to the provisions of*
41 *sections 2 to 27, inclusive, of this act,* upon receipt of ~~{a request~~
42 ~~submitted by a}~~ *the written notice provided by the* registered voter
43 pursuant to subsection 1, the city clerk shall:

44 (a) Issue an absent ballot to the registered voter for each primary
45 city election, general city election and special city election that is



1 conducted after ~~{the date}~~ the written ~~{statement is submitted to the~~
2 ~~city clerk.}~~ *notice is effective pursuant to subsection 1.*

3 (b) Inform the county clerk of receipt of the written ~~{statement.}~~
4 *notice provided by the registered voter.* Upon ~~{receipt}~~ *being*
5 *informed* of the *written* notice ~~{from}~~ *by* the city clerk, the county
6 clerk shall issue an absent ballot for each primary election, general
7 election and special election ~~{that is not}~~, *other than* a *special* city
8 election, that is conducted after the ~~{date the county clerk receives}~~
9 *written* notice ~~{from the city clerk.}~~

10 ~~—3. If, at the direction of a registered voter with a physical~~
11 ~~disability or who is at least 65 years of age, a person:~~

12 ~~—(a) Marks and signs an absent ballot issued to the registered~~
13 ~~voter pursuant to the provisions of this section on behalf of the~~
14 ~~registered voter, the person must:~~

15 ~~—(1) Indicate next to his or her signature that the ballot has~~
16 ~~been marked and signed on behalf of the registered voter; and~~

17 ~~—(2) Submit a written statement with the absent ballot that~~
18 ~~includes the name, address and signature of the person.~~

19 ~~—(b) Assists the registered voter to mark and sign an absent ballot~~
20 ~~issued to the registered voter pursuant to this section, the person or~~
21 ~~registered voter must submit a written statement with the absent~~
22 ~~ballot that includes the name, address and signature of the person.~~

23 ~~—4. A} is effective pursuant to subsection 1.~~

24 *3. The* city clerk ~~{may}~~ *must* not mail an absent ballot
25 requested by a registered voter pursuant to subsection 1 if, after the
26 request is submitted:

27 (a) The registered voter is designated inactive pursuant to
28 NRS 293.530;

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

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

34 ~~{5.}~~ *4.* The procedure authorized pursuant to this section is
35 subject to all other provisions of this chapter relating to voting by
36 absent ballot to the extent that those provisions are not inconsistent
37 with the provisions of this section.

38 **Sec. 67.** NRS 293C.319 is hereby amended to read as follows:

39 293C.319 1. Except as otherwise provided in *this section*,
40 subsection 2 ~~{}~~ *of NRS 293C.322 and NRS 293D.200*, absent
41 ballots, including special absent ballots, must be:

42 (a) Delivered by hand to the city clerk before the time set for
43 closing of the polls pursuant to NRS 293C.267; or

44 (b) Mailed to the city clerk and:

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



(2) Received by the city clerk ~~{within the period for the counting of absent ballots pursuant to subsection 2 of NRS 293C.332.}~~ *not later than 5 p.m. on the seventh day following the election.*

2. If an absent ballot is received *by mail* not ~~{more than 3 days after the day of}~~ *later than 5 p.m. on the third day following* the election and the date of the postmark cannot be determined, the absent ballot shall be deemed to have been postmarked on or before the day of the election.

Sec. 68. NRS 293C.322 is hereby amended to read as follows:

293C.322 1. Except as otherwise provided in subsection 2 and chapter 293D of NRS ~~{}~~ *or for an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act*, if the request for an absent ballot is made by mail or approved electronic transmission, the city clerk shall, as soon as the ~~{official}~~ absent ballot for the precinct or district in which the ~~{applicant}~~ *absent voter* resides has been ~~{printed,}~~ *prepared pursuant to NRS 293C.305*, send to the voter by first-class mail, or by any class of mail if the Official Election Mail logo or an equivalent logo or mark created by the United States Postal Service is properly placed on the ~~{official}~~ absent ballot:

- (a) An absent ballot;
- (b) A return envelope;
- (c) An envelope or similar device into which the *absent* ballot is inserted to ensure its secrecy; ~~{and}~~
- (d) *An identification envelope, if applicable; and*
- (e) Instructions.

2. If the city clerk fails to send an absent ballot pursuant to subsection 1 to ~~{a}~~ *an absent* voter who resides within the continental United States, the city clerk may use approved electronic transmission to send an absent ballot and instructions to the voter. The voter may mail *or deliver* the absent ballot to the city clerk *in a manner authorized by law* or submit the absent ballot by approved electronic transmission.

3. The return envelope sent pursuant to subsection 1 must include postage prepaid by first-class mail if the absent voter is within the boundaries of the United States, its territories or possessions or on a military base.

4. Nothing may be enclosed or sent with an absent ballot except as required by subsection 1 or 2 and chapter 293D of NRS.

5. Before depositing ~~{a}~~ *an absent* ballot ~~{with the United States Postal Service}~~ *in the mail* or sending ~~{a}~~ *an absent* ballot by approved electronic transmission, the city clerk shall record ~~{the}~~ :

- (a) *The* date the *absent* ballot is issued ~~{, the}~~ ;



(b) *The name of the ~~registered~~ absent voter to whom ~~it~~ the absent ballot is issued, ~~the registered voter's~~ his or her precinct or district ~~the~~ and his or her political affiliation, if any, unless all the offices on the absent ballot are nonpartisan offices;*

(c) *The number of the absent ballot ; and ~~any~~*

(d) *Any* remarks the city clerk finds appropriate.

6. The Secretary of State shall adopt regulations to carry out the provisions of subsection 2.

Sec. 69. NRS 293C.325 is hereby amended to read as follows:

293C.325 1. Except as otherwise provided in NRS 293D.200, when an absent ballot is returned by ~~a registered~~ *or on behalf of an absent* voter to the city clerk through the mail, by facsimile machine or other approved electronic transmission or in person, and a record ~~thereof~~ *of its return* is made in the absent ballot record ~~book,~~ *for the election,* the city clerk *or an employee in the office of the city clerk* shall check the signature *used for the absent ballot* in accordance with the following procedure:

(a) The city clerk *or employee* shall check the signature ~~on the return envelope, facsimile or other approved electronic transmission~~ *used for the absent ballot* against all signatures of the voter available in the records of the city clerk.

(b) If at least two employees in the office of the city clerk believe there is a reasonable question of fact as to whether the signature ~~on~~ *used for* the absent ballot matches the signature of the voter, the city clerk shall contact the voter and ask the voter to confirm whether the signature ~~on~~ *used for* the absent ballot belongs to the voter.

2. *For purposes of subsection 1:*

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

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

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

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



3. Except as otherwise provided in subsection ~~[3.]~~ 4, if the city clerk determines ~~[pursuant to subsection 1]~~ that the absent voter is entitled to cast *the absent* ballot and:

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

(b) An absent ballot central counting board has been appointed, the city clerk shall deposit the *absent* ballot in the proper ballot box or place the *absent* ballot, unopened, in a container that must be securely locked or under the control of the city clerk at all times. At the end of each day before election day, the city clerk may remove the *absent* ballots from each ballot box, neatly stack the *absent* ballots in a container and seal the container with a numbered seal. Not earlier than ~~[4-working]~~ 15 days before the election, the city clerk shall deliver the *absent* ballots to the absent ballot central counting board to be processed and prepared for counting pursuant to the procedures established by the Secretary of State to ensure the confidentiality of the prepared ballots until after the polls have closed pursuant to NRS 293C.267 or 293C.297.

~~[3.]~~ 4. If the city clerk determines when checking the signature ~~[of the absent voter pursuant to subsection 1]~~ *used for the absent ballot* that the absent voter ~~[did not sign the return envelope as required pursuant to NRS 293.330]~~ *failed to affix his or her signature or failed to affix it in the manner required by law for the absent ballot or that there is a reasonable question of fact as to whether the signature used for the absent ballot matches the signature of the voter*, but *the voter* is otherwise entitled to cast ~~[a]~~ *the absent* ballot, the city clerk shall contact the ~~[absent]~~ voter and advise the ~~[absent]~~ voter of the procedures to provide a signature ~~[established pursuant to subsection 4.]~~ *or a confirmation that the signature used for the absent ballot belongs to the voter, as applicable*. For the absent ballot to be counted, the ~~[absent]~~ voter must provide a signature ~~[within the period for the counting of absent ballots pursuant to subsection 2 of NRS 293C.332.]~~

~~—4.—~~ *Each or a confirmation, as applicable, not later than 5 p.m. on the seventh day following the election or, if applicable, the ninth day following an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act.*

5. *The* city clerk shall prescribe procedures for ~~[a]~~ *an absent* voter who ~~[did not sign the return envelope of an]~~ *failed to affix his or her signature or failed to affix it in the manner required by law for the absent ballot, or for whom there is a reasonable question*



1 *of fact as to whether the signature used for the absent ballot*
2 *matches the signature of the voter,* in order to:

3 (a) Contact the voter;

4 (b) Allow the voter to provide a signature ~~[]~~ *or a confirmation*
5 *that the signature used for the absent ballot belongs to the voter,*
6 *as applicable;* and

7 (c) After a signature *or a confirmation* is provided, *as*
8 *applicable,* ensure the absent ballot is delivered to the appropriate
9 election board or the absent ballot central counting board, as
10 applicable.

11 *6. The procedures established pursuant to subsection 5 for*
12 *contacting an absent voter must require the city clerk to contact*
13 *the voter, as soon as possible after receipt of the absent ballot, by:*

14 (a) Mail;

15 (b) Telephone, if a telephone number for the voter is available
16 *in the records of the city clerk; and*

17 (c) Electronic mail, if the voter has provided the clerk with
18 *sufficient information to contact the voter by such means.*

19 **Sec. 70.** NRS 293C.330 is hereby amended to read as follows:

20 293C.330 1. Except as otherwise provided in *this section,*
21 subsection 2 of NRS 293C.322 , *section 56 of this act* and chapter
22 293D of NRS, ~~[and any regulations adopted pursuant thereto, when~~
23 ~~an absent voter receives]~~ *in order to vote* an absent ballot, the absent
24 voter must , ~~[mark and fold it]~~ in accordance with the instructions ~~[~~
25 ~~deposit it]~~ :

26 (a) *Mark and fold the absent ballot;*

27 (b) *Deposit the absent ballot* in the return envelope ~~[]~~ *and* seal
28 the *return* envelope ~~[affix]~~ ;

29 (c) *Affix* his or her signature on ~~[the back of]~~ the *return*
30 envelope in the space provided ~~[therefor and mail]~~ *for the*
31 *signature; and*

32 (d) *Mail* or deliver the return envelope ~~[]~~ *in a manner*
33 *authorized by law.*

34 2. Except as otherwise provided in subsection 3, if ~~[an absent]~~
35 *a* voter who has requested ~~[a]~~ *an absent* ballot by mail applies to
36 vote the *absent* ballot in person at:

37 (a) The office of the city clerk, the ~~[absent]~~ voter must mark *and*
38 *fold* the *absent* ballot, ~~[seal]~~ *deposit* it in the return envelope *and*
39 *seal the return envelope* and affix his or her signature in the same
40 manner as provided in subsection 1, and deliver the *return* envelope
41 to the city clerk.

42 (b) A polling place, including, without limitation, a polling place
43 for early voting, the ~~[absent]~~ voter must surrender the absent ballot
44 and provide satisfactory identification before being issued a ballot to



1 vote at the polling place. A person who receives a surrendered
2 absent ballot shall mark it “Cancelled.”

3 3. If ~~{an absent}~~ *a* voter who has requested ~~{a}~~ *an absent* ballot
4 by mail applies to vote in person at the office of the city clerk or a
5 polling place, including, without limitation, a polling place for early
6 voting, and the voter does not have the absent ballot to deliver or
7 surrender, the voter must be issued a ballot to vote if the voter:

8 (a) Provides satisfactory identification;

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

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

13 4. Except as otherwise provided in ~~{NRS 293C.317 and~~
14 ~~293C.318, it is unlawful for any person to return an absent ballot~~
15 ~~other than the voter who requested the absent ballot or,}~~ *subsection*
16 *5*, at the request of ~~{the voter, a member of the voter’s family. A~~
17 ~~person who returns an}~~ *a voter whose* absent ballot ~~{and who is a~~
18 ~~member of the family of}~~ *has been prepared by or on behalf of the*
19 *voter for an election, a person authorized by the voter {who*
20 *requested}* *may return* the absent ballot ~~{shall, under penalty of~~
21 ~~perjury, indicate on a form prescribed by the city clerk that the~~
22 ~~person is a member of the family}~~ *on behalf* of the voter ~~{who~~
23 ~~requested the}~~ *by mail or personal delivery to the city clerk.*

24 5. *Except for an election board officer in the course of the*
25 *election board officer’s official duties, a person shall not willfully:*

26 (a) *Impede, obstruct, prevent or interfere with the return of a*
27 *voter’s absent ballot {and that the voter requested that} ;*

28 (b) *Deny a voter the {person} right to return the voter’s absent*
29 *ballot [-] ; or*

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

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

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

43 6. A person who violates ~~{the provisions of this}~~ *any provision*
44 *of subsection 5* is guilty of a category E felony and shall be
45 punished as provided in NRS 193.130.



Sec. 71. NRS 293C.332 is hereby amended to read as follows:
293C.332 1. Except as otherwise provided in NRS 293D.200, on the day of an election, the election boards receiving the absent ~~[voters']~~ ballots from the city clerk shall, in the presence of a majority of the election board officers, remove the *absent* ballots from the ballot box and the containers in which the *absent* ballots were transported pursuant to NRS 293C.325 and deposit the *absent* ballots in the regular ballot box in the following manner:

(a) The name of the voter, as shown on the return envelope or approved electronic transmission, must be ~~[called and]~~ checked as if the voter were voting in person;

(b) The signature ~~[on the back of the return envelope or on the approved electronic transmission]~~ *used for the absent ballot* must be ~~[compared with that on the application to register to vote;]~~ *checked in accordance with the procedure set forth in NRS 293C.325;*

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

(d) The election board officers shall indicate in the roster “Voted” by the name of the voter.

2. ~~[Counting of]~~ *The board must complete the count of all absent ballots [must continue through] on or before the seventh day following the election [-] or, if applicable, the ninth day following an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act.*

Sec. 72. NRS 293C.342 is hereby amended to read as follows:

293C.342 1. ~~[A]~~ *Except as otherwise provided for an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act,* a registered voter who resides in an election precinct in which there were not more than 200 voters registered for the last preceding city general election, or in a precinct in which it appears to the satisfaction of the city clerk and Secretary of State that there are not more than 200 registered voters, may vote at any election regulated by this chapter in the manner provided in NRS ~~[293C.345]~~ *293C.342* to 293C.352, inclusive ~~[-],~~ *and section 57 of this act.*

2. ~~[Whenever]~~ *Except as otherwise provided for an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act,* whenever the city clerk has designated a precinct as a mailing precinct, registered voters residing in that precinct may vote at any election regulated by this chapter in the



manner provided in NRS ~~[293C.345]~~ 293C.342 to 293C.352, inclusive ~~[, and section 57 of this act]~~.

Sec. 73. NRS 293C.345 is hereby amended to read as follows:

293C.345 *1. Except as otherwise provided in NRS 293C.115 ~~[, or for an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act]~~, the city clerk shall mail to each registered voter in each mailing precinct and in each absent ballot mailing precinct, before 5 p.m. on the third Thursday in March and before 5 p.m. on the fourth Tuesday in May of any year in which a general city election is held, ~~[an official]~~ a mailing ballot to be voted by the voter at the election.*

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

Sec. 74. NRS 293C.345 is hereby amended to read as follows:

293C.345 ~~[Before]~~
1. Except as otherwise provided for an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act, before 5 p.m. on the last business day preceding the first day of the period for early voting for any primary city election or general city election, as applicable, the city clerk shall mail to each registered voter in each mailing precinct and in each absent ballot mailing precinct ~~[an official]~~ a mailing ballot to be voted by the voter at the election.

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

Sec. 75. NRS 293C.350 is hereby amended to read as follows:

293C.350 ~~[Upon receipt of]~~
1. Except as otherwise provided in section 57 of this act and chapter 293D of NRS, in order to vote a mailing ballot, ~~[from the city clerk,]~~ the registered voter must ~~[~~

~~*—1. Immediately after opening the envelope, mark*~~ , *in accordance with the instructions:*

(a) Mark and fold the mailing ballot;

~~*[2. Place]*~~

(b) Deposit the mailing ballot in the return envelope ~~[~~

~~*—3.] and seal the return envelope;*~~

(c) Affix his or her signature on ~~[the back of]~~ the return envelope ~~[, and]~~

~~*—4.] in the space provided for the signature; and*~~

(d) Mail or deliver the return envelope ~~[to the city clerk.] in a manner authorized by law.~~

2. Except as otherwise provided in subsection 3, at the request of a voter whose mailing ballot has been prepared by or on behalf



1 of the voter for an election, a person authorized by the voter may
2 return the mailing ballot on behalf of the voter by mail or personal
3 delivery to the city clerk.

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

6 (a) Impede, obstruct, prevent or interfere with the return of a
7 voter's mailing ballot;

8 (b) Deny a voter the right to return the voter's mailing ballot;
9 or

10 (c) If the person receives the voter's mailing ballot and
11 authorization to return the mailing ballot on behalf of the voter by
12 mail or personal delivery, fail to return the mailing ballot, unless
13 otherwise authorized by the voter, by mail or personal delivery:

14 (1) Before the end of the third day after the day of receipt,
15 if the person receives the mailing ballot from the voter four or
16 more days before the day of the election; or

17 (2) Before the deadline established by the United States
18 Postal Service for the mailing ballot to be postmarked on the day
19 of the election or before the polls close on the day of the election,
20 as applicable to the type of delivery, if the person receives the
21 mailing ballot from the voter three or fewer days before the day of
22 the election.

23 4. A person who violates any provision of subsection 3 is
24 guilty of a category E felony and shall be punished as provided in
25 NRS 193.130.

26 **Sec. 76.** NRS 293C.352 is hereby amended to read as follows:

27 293C.352 ~~{Upon receipt of the return envelope from the}~~ When
28 a mailing ballot is returned by or on behalf of a registered voter,
29 the city clerk shall follow the same procedure as in the case of
30 absent ballots.

31 **Sec. 77.** NRS 293C.362 is hereby amended to read as follows:

32 293C.362 *Except as otherwise provided for an affected*
33 *election that is subject to the provisions of sections 2 to 27,*
34 *inclusive, of this act:*

35 1. When the polls are closed, the counting board shall prepare
36 to count the ballots voted. The counting procedure must be public
37 and continue without adjournment until completed.

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

40 ~~{-}~~ (a) The container that holds the ballots or the ballot box
41 must be opened and the ballots contained therein counted by the
42 counting board and opened far enough to determine whether each
43 ballot is single. If two or more ballots are found folded together to
44 present the appearance of a single ballot, they must be laid aside
45 until the count of the ballots is completed. If a majority of the



1 inspectors are of the opinion that the ballots folded together were
2 voted by one person, the ballots must be rejected and placed in an
3 envelope, upon which must be written the reason for their rejection.
4 The envelope must be signed by the counting board officers and
5 placed in the container or ballot box after the count is completed.

6 ~~[2-]~~ (b) If the ballots in the container or box are found to exceed
7 the number of names as are indicated on the roster as having voted,
8 the ballots must be replaced in the container or box and a counting
9 board officer shall, with his or her back turned to the container or
10 box, draw out a number of ballots equal to the excess. The excess
11 ballots must be marked on the back thereof with the words "Excess
12 ballots not counted." The ballots when so marked must be
13 immediately sealed in an envelope and returned to the city clerk
14 with the other ballots rejected for any cause.

15 ~~[3-]~~ (c) When it has been determined that the number of ballots
16 agrees with the number of names of registered voters shown to have
17 voted, the board shall proceed to count. If there is a discrepancy
18 between the number of ballots and the number of voters, a record of
19 the discrepancy must be made.

20 **Sec. 78.** NRS 293C.365 is hereby amended to read as follows:

21 293C.365 ~~[A]~~ *Except as otherwise provided for an affected*
22 *election that is subject to the provisions of sections 2 to 27,*
23 *inclusive, of this act, a* counting board in any precinct, district or
24 polling place in which paper ballots are used may not begin to count
25 the votes until all ballots used or unused are accounted for.

26 **Sec. 79.** NRS 293C.382 is hereby amended to read as follows:

27 293C.382 1. Not earlier than ~~[4-working]~~ 15 days before the
28 election, the counting board, if it is responsible for counting absent
29 ballots, or the absent ballot central counting board shall withdraw *all*
30 the *absent* ballots from each ballot box or container that holds
31 absent ballots received before that day and determine whether each
32 box or container has the required number of *absent* ballots
33 according to the city clerk's absent ~~[voters']~~ *ballot* record ~~[]~~ *for the*
34 *election.*

35 2. The counting board or absent ballot central counting board
36 shall count the number of *absent* ballots in the same manner as
37 election boards.

38 **Sec. 80.** NRS 293C.385 is hereby amended to read as follows:

39 293C.385 1. Each day after the initial withdrawal of the
40 *absent* ballots pursuant to NRS 293C.382 and before the day of the
41 election, the counting board, if it is responsible for counting absent
42 ballots, or the absent ballot central counting board shall withdraw
43 from the appropriate ballot boxes or containers all the *absent* ballots
44 received the previous day and determine whether each box or



1 container has the required number of *absent* ballots according to the
2 city clerk's absent ~~[voters']~~ ballot record ~~[]~~ *for the election.*

3 2. If any absent ballots are received by the city clerk on
4 election day *and the city clerk has determined that the absent*
5 *voters are entitled to cast the absent ballots* pursuant to NRS
6 ~~[293C.317.]~~ *293C.325*, the city clerk shall deposit the absent ballots
7 in the appropriate ballot boxes or containers.

8 3. Not earlier than ~~[4-working]~~ *15* days before the election, the
9 appropriate board shall, in public, count the votes cast on the absent
10 ballots.

11 4. If paper ballots are used, the results of the absent ballot vote
12 in each precinct must be certified and submitted to the city clerk,
13 who shall have the results added to the regular votes of the precinct.
14 The returns of absent ballots must be reported separately from the
15 regular votes of the precinct, unless reporting the returns separately
16 would violate the secrecy of a voter's ballot. The city clerks shall
17 develop a procedure to ensure that each ballot is kept secret.

18 5. Any person who disseminates to the public information
19 relating to the count of absent ballots before the polls close is guilty
20 of a misdemeanor.

21 **Sec. 81.** NRS 293C.387 is hereby amended to read as follows:

22 293C.387 1. The election returns from a special election,
23 primary city election or general city election must be filed with the
24 city clerk, who shall immediately place the returns in a safe or vault
25 designated by the city clerk. No person may handle, inspect or in
26 any manner interfere with the returns until they are canvassed by the
27 mayor and the governing body of the city.

28 2. After the governing body of a city receives the returns from
29 all the precincts and districts in the city, it shall meet with the mayor
30 to canvass the returns. The canvass must be completed on or before
31 the 10th day following the election ~~[]~~ *or, if applicable, the 13th day*
32 *following an affected election that is subject to the provisions of*
33 *sections 2 to 27, inclusive, of this act.*

34 3. In completing the canvass of the returns, the governing body
35 of the city and the mayor shall:

36 (a) Note separately any clerical errors discovered; and

37 (b) Take account of the changes resulting from the discovery, so
38 that the result declared represents the true vote cast.

39 4. After the canvass is completed, the governing body of the
40 city and mayor shall declare the result of the canvass.

41 5. The city clerk shall enter upon the records of the governing
42 body of the city an abstract of the result. The abstract must be
43 prepared in the manner prescribed by regulations adopted by the
44 Secretary of State and must contain the number of votes cast for
45 each candidate.



6. After the abstract is entered, the:

(a) City clerk shall seal the election returns, maintain them in a vault for at least 22 months and give no person access to them during that period, unless access is ordered by a court of competent jurisdiction or by the governing body of the city.

(b) Governing body of the city shall, by an order made and entered in the minutes of its proceedings, cause the city clerk to:

(1) Certify the abstract;

(2) Make a copy of the certified abstract;

(3) Make a mechanized report of the abstract in compliance with regulations adopted by the Secretary of State;

(4) Transmit a copy of the certified abstract and the mechanized report of the abstract to the Secretary of State ~~within 7 working days after~~ *on or before the 10th day following the election* ~~or, if applicable, the 13th day following an affected election that is subject to the provisions of sections 2 to 27, inclusive, of this act; and~~

(5) Transmit on paper or by electronic means to each public library in the city, or post on a website maintained by the city or the city clerk on the Internet or its successor, if any, a copy of the certified abstract within 30 days after the election.

7. After the abstract of the results from a:

(a) Primary city election has been certified, the city clerk shall certify the name of each person nominated and the name of the office for which the person is nominated.

(b) General city election has been certified, the city clerk shall:

(1) Issue under his or her hand and official seal to each person elected a certificate of election; and

(2) Deliver the certificate to the persons elected upon their application at the office of the city clerk.

8. The officers elected to the governing body of the city qualify and enter upon the discharge of their respective duties on the first regular meeting of that body next succeeding that in which the canvass of returns was made pursuant to subsection 2.

Sec. 82. NRS 298.250 is hereby amended to read as follows:

298.250 1. If a former resident of the State of Nevada otherwise qualified to vote in another state in any election for President and Vice President of the United States has commenced his or her residence in the other state after the 30th day next preceding that election and for this reason does not satisfy the requirements for registration in the other state, the former resident may vote for President and Vice President only in that election:

(a) In person in the county of the State of Nevada which was his or her former residence, if the former resident is otherwise qualified to vote there; or



(b) By absent ballot in the county of the State of Nevada which was his or her former residence, if the former resident is otherwise qualified to vote there and complies with the applicable requirements of NRS ~~293.340~~ 293.3088 to 293.340, inclusive ~~1~~, and section 28 of this act.

2. The Secretary of State may, in a manner consistent with the election laws of this State, adopt regulations to effectuate the purposes of this section.

Sec. 83. NRS 306.040 is hereby amended to read as follows:

306.040 1. Upon determining that the number of signatures on a petition to recall is sufficient pursuant to NRS 293.1276 to 293.1279, inclusive, the Secretary of State shall notify the county clerk, the filing officer and the public officer who is the subject of the petition.

2. A person who signs a petition to recall may request the filing officer to strike the person's name from the petition on or before the date that is the later of:

(a) Ten days, Saturdays, Sundays and holidays excluded, after the verification of signatures is complete; or

(b) The date a complaint is filed pursuant to subsection 6.

3. If the filing officer receives a request pursuant to subsection 2, the filing officer must strike the name of the person from the petition. If the filing officer receives a sufficient number of requests to strike names from the petition such that the petition no longer contains enough valid signatures, the filing officer shall not issue a call for a special election, and a special election must not be held to recall the public officer who is the subject of the petition.

4. Except as otherwise provided in subsection 3, not sooner than 20 days and not later than 30 days, Saturdays, Sundays and holidays excluded, after the Secretary of State completes the notification required by subsection 1, if a complaint is not filed pursuant to subsection 6, the filing officer shall issue a call for a special election in the jurisdiction in which the public officer who is the subject of the petition was elected to determine whether the people will recall the public officer.

5. The call for a special election pursuant to subsection 4 or 7 must include, without limitation:

(a) The last day on which a person may register to vote in order to qualify to vote in the special election pursuant to NRS 293.560 or 293C.527;

(b) The last day on which a petition to nominate other candidates for the office may be filed; and

(c) Whether any person is entitled to vote in the special election in a mailing precinct or an absent ballot mailing precinct pursuant to NRS 293.343 to 293.355, inclusive, and section 29 of this act or



~~[293C.345]~~ 293C.342 to 293C.352, inclusive ~~[H]~~, and section 57 of this act.

6. The legal sufficiency of the petition, including without limitation, the validity of signatures on the petition, may be challenged by filing a complaint in district court not later than 15 days, Saturdays, Sundays and holidays excluded, after the Secretary of State completes the notification required by subsection 1. All affidavits and documents in support of the challenge must be filed with the complaint. The court shall set the matter for hearing not later than 30 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings.

7. Upon the conclusion of the hearing, if the court determines that the petition is legally sufficient, it shall order the filing officer to issue a call for a special election in the jurisdiction in which the public officer who is the subject of the petition was elected to determine whether the people will recall the public officer. If the court determines that the petition is not legally sufficient, it shall order the filing officer to cease any further proceedings regarding the petition.

Sec. 84. 1. The Chief of the Budget Division shall transfer the sum of \$2,000,000 from Budget Account 101-1327 to the Secretary of State for the costs related to the preparation and distribution of mail ballots pursuant to the provisions of sections 2 to 27, inclusive, of this act for the 2020 General Election.

2. The provisions of section 10 of chapter 525, Statutes of Nevada 2019, at page 3144, do not apply to any money received by the Secretary of State from sources other than the State General Fund or the State Highway Fund for the costs related to the preparation and distribution of mail ballots pursuant to the provisions of sections 2 to 27, inclusive, of this act for the 2020 General Election.

3. If the State of Nevada receives money from the Federal Government that the State of Nevada is authorized to use for the costs related to the 2020 General Election on or after the effective date of this section, the Chief of the Budget Division shall disburse the money that is so received in accordance with the provisions of chapter 353 of NRS to the Secretary of State. On and after the date of such a disbursement, the Secretary of State shall expend the money disbursed pursuant to this subsection before expending any of the money transferred pursuant to subsection 1 that remains on the date of the disbursement. If any money remains from a disbursement made pursuant to this subsection, such money, to the extent available, must be transferred to Budget Account 101-1327 in an amount to reimburse that account for the money transferred



pursuant to subsection 1 that was expended by the Secretary of State.

4. All money transferred pursuant to subsection 1 must be expended by the Secretary of State on or before December 30, 2020. Any remaining balance of the money must not be committed for expenditure on or after December 30, 2020, by the Secretary of State or any entity to which the money is granted or otherwise transferred in any manner, and any portion of the money remaining must not be spent for any purpose after December 30, 2020, by either the Secretary of State or the entity to which the money was subsequently granted or transferred, and must be reverted to Budget Account 101-1327.

5. As used in section:

(a) “2020 General Election” means the general election held throughout the State of Nevada on the first Tuesday after the first Monday of November 2020 and every other election held on the same day as the 2020 General Election pursuant to the provisions of title 24 of NRS or any other law or city charter.

(b) “Chief of the Budget Division” means the Chief of the Budget Division of the Office of Finance created by NRS 223.400.

(c) “Mail ballot” has the meaning ascribed to it in section 6 of this act.

Sec. 85. 1. Except as otherwise provided in subsection 2, the provisions of this act apply retroactively from and after July 1, 2020, and apply to:

(a) Any state of emergency or declaration of disaster proclaimed by the Governor or by resolution of the Legislature pursuant to NRS 414.070 before, on or after the effective date of this section if the state of emergency or declaration of disaster was in effect on July 1, 2020, or remains in effect or becomes effective on or after July 1, 2020;

(b) The 2020 General Election held throughout the State of Nevada on the first Tuesday after the first Monday of November 2020 and every other election held on the same day as the 2020 General Election pursuant to the provisions of title 24 of NRS or any other law or city charter, and all of those elections are deemed to be affected elections that are subject to the provisions of sections 2 to 27, inclusive, of this act notwithstanding any other provisions of law; and

(c) Any other primary election, primary city election, general election, general city election or special election held pursuant to the provisions of title 24 of NRS or any other law or city charter on or after the effective date of this section if the election is deemed to be an affected election in accordance with the provisions of sections 2 to 27, inclusive, of this act.



1 2. The provisions of this act do not apply to any criminal or
2 civil offense committed before the effective date of this section.

3 **Sec. 86.** Notwithstanding the provisions of NRS 218D.430 and
4 218D.435, a committee may vote on this act before the expiration of
5 the period prescribed for the return of a fiscal note in
6 NRS 218D.475.

7 **Sec. 87.** The provisions of NRS 354.599 do not apply to any
8 additional expenses of a local government that are related to the
9 provisions of this act.

10 **Sec. 88.** 1. This section and sections 1 to 73, inclusive, and
11 75 to 87, inclusive, of this act become effective upon passage and
12 approval.

13 2. Section 74 of this act becomes effective on July 1, 2021.

