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SECOND REPRINT

A.B. 121

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

FEBRUARY 15, 2021

JOINT SPONSORS: SENATORS OHRENSCHALL,
SPEARMAN AND LANGE

Referred to Committee on Legislative Operations and Elections

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

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

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

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



* A B 1 2 1 R 2 *

Legislative Counsel's Digest:

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

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

19 Existing law authorizes certain uniformed military and overseas voters to: (1)
20 use a federal postcard application or the application's electronic equivalent to apply
21 to register to vote; or (2) use the declaration accompanying the federal write-in
22 absentee ballot to apply to register to vote simultaneously with the submission of
23 the federal write-in absentee ballot if the application or the declaration, as
24 applicable, is received by the appropriate elections official by the seventh day
25 before the election. (NRS 293D.230) Existing law further authorizes certain
26 uniformed military and overseas voters to submit an application for a military-
27 overseas ballot by the seventh day before the election. (NRS 293D.300, 293D.310)
28 Existing law also requires a military-overseas ballot to be received by the
29 appropriate local elections official not later than the close of the polls. (NRS
30 293D.400) **Sections 13-16** of this bill provide that the deadline for certain
31 uniformed military and overseas voters to: (1) submit a federal postcard application
32 or the application's electronic equivalent to apply to register to vote; (2) submit the
33 federal write-in absentee ballot and register to vote simultaneously using the
34 declaration accompanying the federal write-in absentee ballot; or (3) apply for a
35 military-overseas ballot and return the military-overseas ballot to the appropriate
36 local elections official is the time set for closing the polls on election day pursuant
37 to NRS 293.273, which is currently 7 p.m. As a result of the changes made by
38 **sections 13-16**, a person with a disability may also use the system of approved
39 electronic transmission to register to vote, request an absent ballot and cast an
40 absent ballot until the time set for closing the polls on election day.

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

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



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

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

3 **1. The Secretary of State shall allow:**

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

13 **(b) A registered voter with a disability to use the system of**
14 **approved electronic transmission established pursuant to NRS**
15 **293D.200 to apply for and cast an absent ballot in every election**
16 **where the system of approved electronic transmission is available**
17 **to a covered voter to request and cast a military-overseas ballot,**
18 **including, without limitation, an affected election. The deadlines**
19 **for a registered voter with a disability to use the system of**
20 **approved electronic transmission to request and cast an absent**
21 **ballot are the same as the deadlines set forth in NRS 293D.310**
22 **and 293D.400 for a covered voter to request and cast a military-**
23 **overseas ballot.**

24 **2. Upon receipt of an application and ballot cast by a person**
25 **with a disability using the system of approved electronic**
26 **transmission established pursuant to NRS 293D.200, the local**
27 **elections official shall affix, mark or otherwise acknowledge**
28 **receipt of the application and ballot by means of a time stamp on**
29 **the application.**

30 **3. The Secretary of State shall ensure that an elector with a**
31 **disability or a registered voter with a disability may provide his or**
32 **her digital signature or electronic signature on any document or**
33 **other material that is necessary for the elector or registered voter**
34 **to register to vote, apply for an absent ballot or cast an absent**
35 **ballot, as applicable.**

36 **4. The Secretary of State shall prescribe the form and content**
37 **of a declaration for use by an elector with a disability or a**
38 **registered voter with a disability to swear or affirm specific**
39 **representations pertaining to identity, eligibility to vote, status as**
40 **such an elector or registered voter and timely and proper**
41 **completion of an absent ballot.**



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

6 6. *The Secretary of State shall make available to an elector*
7 *with a disability or a registered voter with a disability information*
8 *regarding instructions on using the system for approved electronic*
9 *transmission to register to vote and apply for and cast an absent*
10 *ballot.*

11 7. *The Secretary of State shall adopt any regulation necessary*
12 *to carry out the provisions of this section.*

13 8. *As used in this section:*

14 (a) *“Affected election” has the meaning ascribed to it in*
15 *NRS 293.8811.*

16 (b) *“Covered voter” has the meaning ascribed to it in*
17 *NRS 293D.030.*

18 (c) *“Digital signature” has the meaning ascribed to it in*
19 *NRS 720.060.*

20 (d) *“Electronic signature” has the meaning ascribed to it in*
21 *NRS 719.100.*

22 (e) *“Military-overseas ballot” has the meaning ascribed to it in*
23 *NRS 293D.050.*

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

25 293.250 1. Except as otherwise provided in chapter 293D of
26 NRS, the Secretary of State shall, in a manner consistent with the
27 election laws of this State, prescribe:

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

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

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

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

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

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

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



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

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

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

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

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

40 7. A county clerk:

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

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



1 **Sec. 3.** NRS 293.313 is hereby amended to read as follows:
2 293.313 1. Except as otherwise provided in *subsection 2 and*
3 NRS 293.272, 293.316, 293.3165 and 293.502, a registered voter
4 may request an absent ballot if, before 5 p.m. on the 14th calendar
5 day preceding the election, the registered voter:

6 (a) Provides sufficient written notice to the county clerk; and
7 (b) Has identified himself or herself to the satisfaction of the
8 county clerk.

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

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

15 ~~3.~~ 4. A county clerk shall consider a request from a voter
16 who has given sufficient written notice on a form provided by the
17 Federal Government as a request for an absent ballot for the primary
18 and general elections immediately following the date on which the
19 county clerk received the request.

20 ~~4.~~ 5. It is unlawful for a person fraudulently to request an
21 absent ballot in the name of another person or to induce or coerce
22 another person fraudulently to request an absent ballot in the name
23 of another person. A person who violates this subsection is guilty of
24 a category E felony and shall be punished as provided in
25 NRS 193.130.

26 **Sec. 4.** NRS 293.317 is hereby amended to read as follows:
27 293.317 1. Except as otherwise provided in this section,
28 subsection 2 of NRS 293.323 and NRS 293D.200, *and section 1 of*
29 *this act*, absent ballots, including special absent ballots, must be:

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

32 (b) Mailed to the county clerk and:
33 (1) Postmarked on or before the day of election; and
34 (2) Received by the county clerk not later than 5 p.m. on the
35 seventh day following the election.

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

40 **Sec. 5.** NRS 293.325 is hereby amended to read as follows:
41 293.325 1. Except as otherwise provided in NRS 293D.200,
42 *and section 1 of this act*, when an absent ballot is returned by or on
43 behalf of an absent voter to the county clerk through the mail, by
44 facsimile machine or other approved electronic transmission or in
45 person, and a record of its return is made in the absent ballot record



1 for the election, the county clerk or an employee in the office of the
2 county clerk shall check the signature used for the absent ballot in
3 accordance with the following procedure:

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

7 (b) If at least two employees in the office of the county clerk
8 believe there is a reasonable question of fact as to whether the
9 signature used for the absent ballot matches the signature of the
10 voter, the county clerk shall contact the voter and ask the voter to
11 confirm whether the signature used for the absent ballot belongs to
12 the voter.

13 2. For purposes of subsection 1:

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

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

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

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

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

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

39 (b) An absent ballot central counting board has been appointed,
40 the county clerk shall deposit the absent ballot in the proper ballot
41 box or place the absent ballot, unopened, in a container that must be
42 securely locked or under the control of the county clerk at all times.
43 At the end of each day before election day, the county clerk may
44 remove the absent ballots from each ballot box, neatly stack the
45 absent ballots in a container and seal the container with a numbered



1 seal. Not earlier than 15 days before the election, the county clerk
2 shall deliver the absent ballots to the absent ballot central counting
3 board to be processed and prepared for counting pursuant to the
4 procedures established by the Secretary of State to ensure the
5 confidentiality of the prepared ballots until after the polls have
6 closed pursuant to NRS 293.273 or 293.305.

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

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

26 (a) Contact the voter;

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

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

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

36 (a) Mail;

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

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

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

42 293.330 1. Except as otherwise provided in this section,
43 subsection 2 of NRS 293.323, NRS 293.329 and chapter 293D of
44 NRS, *and section 1 of this act*, in order to vote an absent ballot, the
45 absent voter must, in accordance with the instructions:



1 (a) Mark and fold the absent ballot;
2 (b) Deposit the absent ballot in the return envelope and seal the
3 return envelope;

4 (c) Affix his or her signature on the return envelope 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 2. Except as otherwise provided in subsection 3, if a voter who
9 has requested an absent ballot by mail applies to vote the absent
10 ballot in person at:

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

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

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

26 (a) Provides satisfactory identification;

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

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

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

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

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

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

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



1 (1) Before the end of the third day after the day of receipt, if
2 the person receives the absent 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 absent 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 absent
8 ballot from the voter three or fewer days before the day of the
9 election.

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

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

14 293.333 1. Except as otherwise provided in NRS 293D.200,
15 *and section 1 of this act*, on the day of an election, the election
16 boards receiving the absent ballots from the county clerk shall, in
17 the presence of a majority of the election board officers, remove the
18 absent ballots from the ballot box and the containers in which the
19 absent ballots were transported pursuant to NRS 293.325 and
20 deposit the absent ballots in the regular ballot box in the following
21 manner:

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

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

27 (c) If the board determines that the voter is entitled to cast the
28 absent ballot, the return envelope must be opened, the numbers on
29 the absent ballot and return envelope or approved electronic
30 transmission compared, the number strip or stub detached from the
31 absent ballot and, if the numbers are the same, the absent ballot
32 deposited in the regular ballot box; and

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

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

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

40 293.335 When all absent ballots delivered to the election
41 boards have been voted or rejected, except as otherwise provided in
42 NRS 293D.200, *and section 1 of this act*, the empty envelopes and
43 the envelopes and approved electronic transmissions containing
44 rejected ballots must be returned to the county clerk. On all
45 envelopes and approved electronic transmissions containing rejected



1 ballots the cause of rejection must be noted and the envelope or
2 approved electronic transmission signed by a majority of the
3 election board officers.

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


5 293.340 1. In counties in which an absent ballot central
6 counting board is appointed the county clerk shall provide a ballot
7 box in the county clerk's office for each different ballot listing in the
8 county.

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

11 3. Except as otherwise provided in NRS 293D.200, *and section*
12 *1 of this act*, each absent ballot voted must be deposited in a ballot
13 box according to the precinct or district of the absent voter voting
14 such ballot.

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

16 293.469 Each county clerk is encouraged to:

17 1. Not later than the earlier date of the notice provided pursuant
18 to NRS 293.203 or the first notice provided pursuant to subsection 3
19 of NRS 293.560, notify the public, through means designed to reach
20 members of the public who are elderly or disabled, of the provisions
21 of NRS 293.2955, 293.296, 293.313, 293.316 and 293.3165  *and*
22 *section 1 of this act*.

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

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

33 (a) Related to elections; and

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

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

37 293.517 1. Any person who meets the qualifications set forth
38 in NRS 293.4855 residing within the county may preregister to vote
39 and any elector residing within the county may register to vote:

40 (a) Except as otherwise provided in NRS 293.560 and
41 293C.527, by appearing before the county clerk, a field registrar or a
42 voter registration agency, completing the application to preregister
43 or register to vote, giving true and satisfactory answers to all
44 questions relevant to his or her identity and right to preregister or
45 register to vote, and providing proof of residence and identity;



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

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

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

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

10 (1) Established by the Secretary of State pursuant to NRS
11 293.671; or

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

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

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

27 2. In addition to the methods for registering to vote described
28 in subsection 1, an elector may register to vote pursuant to NRS
29 293.5772 to 293.5887, inclusive.

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

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

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

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

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



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

4 (d) At any voter registration agency; or

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

7 (1) Established by the Secretary of State pursuant to NRS
8 293.671; or

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

12 ➤ If the elector fails to register under his or her new name, the
13 elector may be challenged pursuant to the provisions of NRS
14 293.303 or 293C.292 and may be required to furnish proof of
15 identity and subsequent change of name.

16 6. Except as otherwise provided in subsection 8 and NRS
17 293.5742 to 293.5757, inclusive, 293.5767 and 293.5772 to
18 293.5887, inclusive, an elector who registers to vote pursuant to
19 paragraph (a) of subsection 1 shall be deemed to be registered upon
20 the completion of an application to register to vote.

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

26 8. If a person or an elector submits an application to preregister
27 or register to vote or an affidavit described in paragraph (c) of
28 subsection 1 of NRS 293.507 that contains any handwritten
29 additions, erasures or interlineations, the county clerk may object to
30 the application if the county clerk believes that because of such
31 handwritten additions, erasures or interlineations, the application is
32 incomplete or that, except as otherwise provided in NRS 293D.210,
33 the person is not eligible to preregister pursuant to NRS 293.4855 or
34 the elector is not eligible to vote pursuant to NRS 293.485, as
35 applicable. If the county clerk objects pursuant to this subsection, he
36 or she shall immediately notify the person or elector, as applicable,
37 and the district attorney of the county. Not later than 5 business days
38 after the district attorney receives such notification, the district
39 attorney shall advise the county clerk as to whether:

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

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



1 9. If the district attorney advises the county clerk to process the
2 application pursuant to subsection 8, the county clerk shall
3 immediately issue a voter registration card to the applicant, unless
4 the applicant is preregistered to vote and does not currently meet the
5 requirements to be issued a voter registration card pursuant to
6 NRS 293.4855.

7 **Sec. 11.3.** NRS 293.540 is hereby amended to read as follows:
8 293.540 1. The county clerk shall cancel the preregistration

9 of a person:

10 (a) If the county clerk has personal knowledge of the death of
11 the person or if an authenticated certificate of the death of the
12 person is filed in the county clerk's office.

13 (b) At the request of the person.

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

17 (d) As required by NRS 293.541.

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

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

22 (a) If the county clerk has personal knowledge of the death of
23 the person or if an authenticated certificate of the death of the
24 person is filed in the county clerk's office.

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

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

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

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

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

38 ~~(g)~~ (f) If the county clerk has discovered an incorrect
39 registration pursuant to the provisions of NRS 293.5235, 293.530 or
40 293.535 and the elector has failed to respond or appear to vote
41 within the required time.

42 ~~(h)~~ (g) As required by NRS 293.541.

43 ~~(i)~~ (h) Upon verification that the application to register to vote
44 is a duplicate if the county clerk has the original or another duplicate
45 of the application on file in the county clerk's office.



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

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

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

~~3. If the registration of an elector is cancelled pursuant to the provisions of paragraph (e) of subsection 2 of NRS 293.540, the elector may reregister immediately.~~

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

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

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

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

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

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

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

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

(4) By computer using the system established by the Secretary of State pursuant to NRS 293.671, is the Thursday preceding the primary or general election, unless the system is used



1 to register voters for the election pursuant to NRS 293.5842 or
2 293.5847.

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

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

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

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

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

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

20 ↪ If no such newspaper is published in the county, the publication
21 may be made in a newspaper of general circulation published in the
22 nearest county in this State.

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

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

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

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

36 293D.230 1. In addition to any other method of registering to
37 vote set forth in chapter 293 of NRS, a covered voter may use a
38 federal postcard application, as prescribed under section 101(b)(2)
39 of the Uniformed and Overseas Citizens Absentee Voting Act, 52
40 U.S.C. § 20301(b)(2), or the application's electronic equivalent, to
41 apply to register to vote, if the federal postcard application *or the*
42 *application's electronic equivalent* is received by the appropriate
43 local elections official ~~[by the seventh day]~~ before the ~~[election.]~~
44 *time set pursuant to NRS 293.273 for closing the polls on election*
45 *day.* If the federal postcard application *or the application's*



1 *electronic equivalent* is received after the ~~{seventh day before the~~
2 ~~election.}~~ *time set for closing the polls*, it must be treated as an
3 application to register to vote for subsequent elections. *Upon receipt*
4 *of the electronic equivalent of the federal postcard application*
5 *pursuant to this subsection, the local elections official shall affix,*
6 *mark or otherwise acknowledge receipt of the application by*
7 *means of a time stamp on the application.*

8 2. A covered voter may use the declaration accompanying the
9 federal write-in absentee ballot, as prescribed under section 103 of
10 the Uniformed and Overseas Citizens Absentee Voting Act, 52
11 U.S.C. § 20303, to apply to register to vote simultaneously with the
12 submission of the federal write-in absentee ballot, if the declaration
13 ~~{is}~~ *and the federal write-in absentee ballot are* received ~~{by the~~
14 ~~seventh day}~~ before the ~~{election.}~~ *time set pursuant to NRS*
15 *293.273 for closing the polls on election day.* If the declaration is
16 received after the ~~{seventh day before the election.}~~ *time set for*
17 *closing the polls*, it must be treated as an application to register to
18 vote for subsequent elections.

19 3. The Secretary of State shall ensure that the system of
20 approved electronic transmission described in subsection 2 of NRS
21 293D.200 is capable of accepting:

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

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

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

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

31 293D.300 1. A covered voter who is registered to vote in this
32 State may apply for a military-overseas ballot by submitting a
33 federal postcard application, as prescribed under section 101(b)(2)
34 of the Uniformed and Overseas Citizens Absentee Voting Act, 52
35 U.S.C. § 20301(b)(2), or the application's electronic equivalent, if
36 the federal postcard application *or the application's electronic*
37 *equivalent* is received by the appropriate local elections official ~~{by~~
38 ~~the seventh day}~~ before the ~~{election.}~~ *time set pursuant to NRS*
39 *293.273 for closing the polls on election day.*

40 2. A covered voter who is not registered to vote in this State
41 may use the federal postcard application or the application's
42 electronic equivalent simultaneously to apply to register to vote
43 pursuant to NRS 293D.230 and to apply for a military-overseas
44 ballot, if the federal postcard application *or the application's*
45 *electronic equivalent* is received by the appropriate local elections



1 official ~~[by the seventh day]~~ before the ~~[election.]~~ *time set pursuant*
2 *to NRS 293.273 for closing the polls on election day.* If the federal
3 postcard application is received after the ~~[seventh day before the~~
4 ~~election.]~~ *time set for closing the polls,* it must be treated as an
5 application to register to vote for subsequent elections.

6 3. *Upon receipt of the electronic equivalent of the federal*
7 *postcard application pursuant to subsection 1 or 2, the local*
8 *elections official shall affix, mark or otherwise acknowledge*
9 *receipt of the application by means of a time stamp on the*
10 *application.*

11 4. The Secretary of State shall ensure that the system of
12 approved electronic transmission described in subsection 2 of NRS
13 293D.200 is capable of accepting the submission of:

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

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

19 ~~[4.]~~ 5. A covered voter may use approved electronic
20 transmission or any other method approved by the Secretary of State
21 to apply for a military-overseas ballot.

22 ~~[5.]~~ 6. A covered voter may use the declaration accompanying
23 the federal write-in absentee ballot, as prescribed under section 103
24 of the Uniformed and Overseas Citizens Absentee Voting Act, 52
25 U.S.C. § 20303, as an application for a military-overseas ballot
26 simultaneously with the submission of the federal write-in absentee
27 ballot, if the declaration ~~[is]~~ *and the federal write-in absentee ballot*
28 *are* received by the appropriate local elections official ~~[by the~~
29 ~~seventh day]~~ before the ~~[election.]~~ *time set pursuant to NRS*
30 *293.273 for closing the polls on election day.*

31 ~~[6.]~~ 7. To receive the benefits of this chapter, a covered voter
32 must inform the appropriate local elections official that he or she is
33 a covered voter. Methods of informing the appropriate local
34 elections official that a person is a covered voter include, without
35 limitation:

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

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

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

43 ~~[7.]~~ 8. This chapter does not prohibit a covered voter from
44 applying for an absent ballot pursuant to the provisions of chapter
45 293 or 293C of NRS or voting in person.



1 **Sec. 15.** NRS 293D.310 is hereby amended to read as follows:
2 293D.310 An application for a military-overseas ballot is
3 timely if received ~~[by the seventh day]~~ before the ~~[election.]~~ *time set*
4 *pursuant to NRS 293.273 for closing the polls on election day.* An
5 application for a military-overseas ballot for a primary election,
6 whether or not timely, is effective as an application for a military-
7 overseas ballot for the general election.

8 **Sec. 16.** NRS 293D.400 is hereby amended to read as follows:
9 293D.400 A military-overseas ballot must be received by the
10 appropriate local elections official not later than the ~~[close of]~~ *time*
11 *set pursuant to NRS 293.273 for closing* the polls ~~[.]~~ *on election*
12 *day.*

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

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

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

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

