

ASSEMBLY BILL NO. 242—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE JOINT INTERIM STANDING COMMITTEE
ON LEGISLATIVE OPERATIONS AND ELECTIONS)

MARCH 3, 2023

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-365)

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

CONTAINS UNFUNDED MANDATE (§§ 6, 9, 17)
(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; requiring ballots and votes be counted using a mechanical voting system; revising provisions relating to accommodations for certain voters who are elderly or have a disability; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides that voting at any election conducted under title 24 of
2 NRS must be on printed ballots or by any other system approved by the Secretary
3 of State or specifically authorized by law. (NRS 293.270) Existing law also
4 provides that mechanical voting systems may be used to cast, register, record and
5 count ballots or votes in all statewide, county, city and district elections of any kind
6 held in this State. (NRS 293B.050) **Section 9** of this bill provides that ballots or
7 votes: (1) may be cast, registered and recorded using a mechanical voting system;
8 and (2) must be counted using a mechanical voting system. **Sections 1, 10-13, 20,**
9 **22-24, 26, 28, 30, 32, 34, 36, 38, 41, 43, 45 and 47** of this bill make conforming
10 changes to require the use of a mechanical voting system for counting votes and
11 clarify that the use of a mechanical voting system for casting ballots is authorized
12 but not required.

13 Existing law requires that, with certain exceptions, each polling place must
14 have at least one voting booth that is specifically designed, designated and
15 equipped for voters who are elderly or voters with a disability. (NRS 293.2955,
16 293C.281) **Sections 6 and 17** of this bill instead require, with certain exceptions,



17 that each polling place must have at least two such voting booths and additional
18 voting booths if determined necessary by the county clerk or city clerk. **Sections 6**
19 **and 17** further require each county clerk, city clerk and all election board officers
20 to complete training in the use of the voting booths and specially equipped voting
21 devices in order to assist such voters. **Sections 8 and 19** of this bill make
22 conforming changes to revise existing internal references relating to **sections 6 and**
23 **17**.

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

1 **Section 1.** NRS 293.207 is hereby amended to read as follows:

2 293.207 1. Election precincts must be established on the
3 basis of the number of registered voters therein, with a maximum of
4 5,000 registered voters who are not designated inactive pursuant to
5 NRS 293.530 per precinct in those precincts in which a mechanical
6 voting system is used ~~[]~~ *for casting ballots*.

7 2. Except as otherwise provided in subsections 3 and 4, the
8 county clerk may consolidate two or more contiguous election
9 precincts into a single voting district to conduct a particular election
10 as public convenience, necessity and economy may require.

11 3. If a county clerk proposes to consolidate two or more
12 contiguous election precincts, in whole or in part, pursuant to
13 subsection 2, the county clerk shall, at least 14 days before
14 consolidating the precincts, cause notice of the proposed
15 consolidation to be:

16 (a) Posted in the manner prescribed for a regular meeting of the
17 board of county commissioners; and

18 (b) Mailed to each Assemblyman, Assemblywoman, State
19 Senator, county commissioner and, if applicable, member of the
20 governing body of a city who represents residents of a precinct
21 affected by the consolidation.

22 4. A person may file a written objection to the proposed
23 consolidation with the county clerk. The county clerk shall consider
24 each written objection filed pursuant to this subsection before
25 consolidating the precincts.

26 **Sec. 2.** (Deleted by amendment.)

27 **Sec. 3.** (Deleted by amendment.)

28 **Sec. 4.** (Deleted by amendment.)

29 **Sec. 5.** (Deleted by amendment.)

30 **Sec. 6.** NRS 293.2955 is hereby amended to read as follows:

31 293.2955 1. Except as otherwise provided in subsection 2, at
32 all times during which a polling place is open:

33 (a) The polling place must:



1 (1) Be accessible to a voter who is elderly or a voter with a
2 disability; and

3 (2) Have at least ~~one~~ *two* voting ~~booth~~ *booths* that ~~is~~
4 *are*:

5 (I) Designed to allow a voter in a wheelchair to vote;

6 (II) Designated for use by a voter who is elderly or a voter
7 with a disability;

8 (III) Equipped to allow a voter who is elderly or a voter
9 with a disability to vote with the same privacy as a voter who is not
10 elderly or as a voter without a disability; and

11 (IV) Equipped with a mechanical recording device which
12 directly records the votes electronically and which may be used by a
13 voter with a disability; and

14 (b) Either:

15 (1) The polling place must have a separate line for voters
16 with disabilities or who are not physically able to wait in line to
17 vote. Voters in this separate line must be allowed to vote before any
18 voter who is not disabled and is physically able to wait in line to
19 vote; or

20 (2) An election board officer at the polling place must allow
21 voters with disabilities or who are not physically able to wait in line
22 to move to the front of the line of voters waiting to vote.

23 2. A polling place that does not comply with the provisions of
24 paragraph (a) of subsection 1 may be used if necessary because of a
25 natural disaster, including, without limitation, an earthquake, flood,
26 fire or storm.

27 3. *If, in the opinion of the county clerk, more than two voting*
28 *booths described in subparagraph (2) of paragraph (a) of*
29 *subsection 1 are required to accommodate the needs of voters who*
30 *are elderly or voters with a disability, the county clerk shall place*
31 *additional voting booths at the polling place as needed.*

32 4. At each polling place, the county clerk is encouraged to:

33 (a) Post in a conspicuous place, in at least 12-point type,
34 instructions for voting;

35 (b) Provide ballots in alternative audio and visual formats for
36 use by a voter who is elderly or a voter with a disability; and

37 (c) Provide, in alternative audio and visual formats for use by a
38 voter who is elderly or a voter with a disability, all materials that
39 are:

40 (1) Related to the election; and

41 (2) Made available to a voter in printed form at the polling
42 place.

43 ~~[4.]~~ 5. As an alternative to carrying out the functions described
44 in subsection ~~[3.]~~ 4, if, in the opinion of the county clerk, the needs
45 of voters who are elderly or disabled requiring the use of specially



1 equipped voting devices will be best served by placing such devices
2 at centralized voting locations, the county clerk may so provide. If
3 the county clerk provides for the placement of specially equipped
4 voting devices at centralized locations, a voter who is elderly or
5 disabled and requires the use of such a device to be able to cast a
6 ballot without assistance may cast his or her ballot at any centralized
7 voting location designated by the county clerk.

8 ***6. Each county clerk and all election board officers must***
9 ***complete training in the use of the voting booths and specially***
10 ***equipped voting devices required pursuant to this section to ensure***
11 ***that the county clerk and election board officers are able to assist***
12 ***voters who are elderly or voters with a disability in the use of such***
13 ***voting booths and devices.***

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

15 **Sec. 8.** NRS 293.565 is hereby amended to read as follows:

16 293.565 1. Except as otherwise provided in subsection 3,
17 sample ballots must include:

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

19 (b) The fiscal note or description of anticipated financial effect,
20 as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015,
21 295.095 or 295.230 for each proposed constitutional amendment,
22 statewide measure, measure to be voted upon only by a special
23 district or political subdivision and advisory question;

24 (c) An explanation, as provided pursuant to NRS 218D.810,
25 293.250, 293.481, 295.121 or 295.230, of each proposed
26 constitutional amendment, statewide measure, measure to be voted
27 upon only by a special district or political subdivision and advisory
28 question;

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

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

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

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

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



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

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

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

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

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

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

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

32
33 **NOTICE: THE LOCATION OF YOUR POLLING PLACE OR**
34 **PLACES HAS CHANGED SINCE THE LAST ELECTION**
35

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

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

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

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



1 NOTICE: TO RECEIVE A SAMPLE BALLOT IN
2 LARGE TYPE, CALL (Insert appropriate telephone number)
3

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

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

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

15 12. The county clerk shall include in each sample ballot a
16 statement indicating that the county clerk will, upon request of a
17 voter who is elderly or disabled, make reasonable accommodations
18 to allow the voter to vote at his or her polling place or places and
19 provide reasonable assistance to the voter in casting his or her vote,
20 including, without limitation, providing appropriate materials to
21 assist the voter. In addition, if the county clerk has provided
22 pursuant to subsection ~~4~~ 5 of NRS 293.2955 for the placement at
23 centralized voting locations of specially equipped voting devices for
24 use by voters who are elderly or disabled, the county clerk shall
25 include in the sample ballot a statement indicating:

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

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

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

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

36 **Sec. 8.5.** NRS 293B.033 is hereby amended to read as follows:

37 293B.033 "Mechanical voting system" means a system of
38 voting whereby a voter may cast a vote:

39 1. On a device which mechanically or electronically compiles a
40 total of the number of votes cast for each candidate and for or
41 against each measure voted on; or

42 2. By marking a paper ballot , *including, without limitation, a*
43 *mail ballot*, which is subsequently counted on an electronic
44 tabulator, counting device or computer.



1 **Sec. 9.** NRS 293B.050 is hereby amended to read as follows:
2 293B.050 At all statewide, county, city and district elections of
3 any kind held in this State, ballots or votes ~~{may}~~ :

4 1. *May* be cast, registered ~~{}~~ and recorded ~~{and counted}~~ by
5 means of a mechanical voting system.

6 2. *Must be counted by means of a mechanical voting system.*

7 **Sec. 10.** NRS 293B.105 is hereby amended to read as follows:
8 293B.105 The board of county commissioners of any county or
9 the city council or other governing body of any city ~~{may}~~ :

10 1. *May* purchase and adopt for use at elections any mechanical
11 voting system and mechanical recording device ~~{. The system or~~
12 ~~device may be used at any or all elections held in the county or city,}~~
13 for voting ~~{}~~ and registering ~~{and counting}~~ votes cast.

14 2. *Must purchase and adopt for use at elections a mechanical*
15 *voting system for counting votes cast.*

16 **Sec. 11.** NRS 293B.110 is hereby amended to read as follows:

17 293B.110 ~~{A}~~ *Except as otherwise provided in NRS*
18 *293B.050, a* mechanical voting system or mechanical recording
19 device may be adopted *and used* for some of the precincts or
20 districts in the same county or city, while the remainder of the
21 precincts or districts in that county or city may be furnished with
22 paper ballots or any other mechanical voting system or mechanical
23 recording device.

24 **Sec. 12.** NRS 293B.130 is hereby amended to read as follows:

25 293B.130 1. Before any election , ~~{where a mechanical~~
26 ~~voting system is to be used,}~~ the county clerk shall prepare or cause
27 to be prepared a computer program on cards, tape or other material
28 suitable for use with the computer or counting device to be
29 employed for counting the votes cast. The program must cause the
30 computer or counting device to operate in the following manner:

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

32 (b) All unlawful votes, including, without limitation, overvotes
33 or, in a primary election or presidential preference primary election,
34 votes cast for a candidate of a major political party other than the
35 party, if any, of the registration of the voter must not be counted.

36 (c) If the election is:

37 (1) A primary election held in an even-numbered year;

38 (2) A presidential preference primary election; or

39 (3) A general election,

40 ➔ the total votes, other than mail ballots, must be accumulated by
41 precinct.

42 (d) The computer or counting device must halt or indicate by
43 appropriate signal if a ballot is encountered which lacks a code
44 identifying the precinct in which it was voted and, in a primary



1 election or presidential preference primary election, identifying the
2 major political party of the voter.

3 2. The program must be prepared under the supervision of the
4 accuracy certification board appointed pursuant to the provisions of
5 NRS 293B.140.

6 3. The county clerk shall take such measures as he or she
7 deems necessary to protect the program from being altered or
8 damaged.

9 **Sec. 13.** NRS 293B.175 is hereby amended to read as follows:

10 293B.175 In those districts or precincts in which a mechanical
11 voting system is used ~~{ }~~ *for casting ballots*, the list of offices and
12 candidates and the statements of measures appropriate for use with
13 ~~{that}~~ *a mechanical voting* system in combination with the device
14 upon which a vote is registered is an official ballot.

15 **Sec. 14.** (Deleted by amendment.)

16 **Sec. 15.** (Deleted by amendment.)

17 **Sec. 16.** (Deleted by amendment.)

18 **Sec. 17.** NRS 293C.281 is hereby amended to read as follows:

19 293C.281 1. Except as otherwise provided in subsection 2, at
20 all times during which a polling place is open:

21 (a) The polling place must:

22 (1) Be accessible to a voter who is elderly or a voter with a
23 disability; and

24 (2) Have at least ~~one~~ *two* voting ~~booth~~ *booths* that ~~is~~
25 *are*:

26 (I) Designed to allow a voter in a wheelchair to vote;

27 (II) Designated for use by a voter who is elderly or a voter
28 with a disability;

29 (III) Equipped to allow a voter who is elderly or a voter
30 with a disability to vote with the same privacy as a voter who is not
31 elderly or as a voter without a disability; and

32 (IV) Equipped with a mechanical recording device which
33 directly records the votes electronically and which may be used by
34 persons with disabilities; and

35 (b) Either:

36 (1) The polling place must have a separate line for voters
37 with disabilities or who are not physically able to wait in line to
38 vote. Voters in this separate line must be allowed to vote before any
39 voter who is not disabled and is physically able to wait in line to
40 vote; or

41 (2) An election board officer at the polling place must allow
42 voters with disabilities or who are not physically able to wait in line
43 to move to the front of the line of voters waiting to vote.

44 2. A polling place that does not comply with the provisions of
45 paragraph (a) of subsection 1 may be used if necessary because of a



1 natural disaster, including, without limitation, an earthquake, flood,
2 fire or storm.

3 3. *If, in the opinion of the city clerk, more than two voting*
4 *booths described in subparagraph (2) of paragraph (a) of*
5 *subsection 1 are required to accommodate the needs of voters who*
6 *are elderly or voters with a disability, the city clerk shall place*
7 *additional voting booths at the polling place as needed.*

8 4. At each polling place, the city clerk is encouraged to:

9 (a) Post in a conspicuous place, in at least 12-point type,
10 instructions for voting;

11 (b) Provide ballots in alternative audio and visual formats for
12 use by a voter who is elderly or a voter with a disability; and

13 (c) Provide, in alternative audio and visual formats for use by a
14 voter who is elderly or a voter with a disability, all materials that
15 are:

16 (1) Related to the election; and

17 (2) Made available to a voter in printed form at the polling
18 place.

19 ~~[4.]~~ 5. As an alternative to carrying out the functions described
20 in subsection ~~[3.]~~ 4, if, in the opinion of the city clerk, the needs of
21 voters who are elderly or disabled requiring the use of specially
22 equipped voting devices will be best served by placing such devices
23 at centralized voting locations, the city clerk may so provide. If the
24 city clerk provides for the placement of specially equipped voting
25 devices at centralized locations, a voter who is elderly or disabled
26 and requires the use of such a device to be able to cast a ballot
27 without assistance may cast his or her ballot at any centralized
28 voting location designated by the city clerk.

29 6. *Each city clerk and all election board officers must*
30 *complete training in the use of the voting booths and specially*
31 *equipped voting devices required pursuant to this section to ensure*
32 *that the city clerk and election board officers are able to assist*
33 *voters who are elderly or voters with a disability in the use of such*
34 *voting booths and devices.*

35 **Sec. 18.** (Deleted by amendment.)

36 **Sec. 19.** NRS 293C.530 is hereby amended to read as follows:

37 293C.530 1. A city clerk may establish a system for
38 distributing sample ballots by electronic means to each registered
39 voter who elects to receive a sample ballot by electronic means.
40 Such a system may include, without limitation, electronic mail or
41 electronic access through an Internet website. If a city clerk
42 establishes such a system and a registered voter elects to receive a
43 sample ballot by electronic means, the city clerk shall distribute the
44 sample ballot to the registered voter by electronic means pursuant to



1 the procedures and requirements set forth by regulations adopted by
2 the Secretary of State.

3 2. If a registered voter does not elect to receive a sample ballot
4 by electronic means pursuant to subsection 1, the city clerk shall
5 distribute the sample ballot to the registered voter by mail.

6 3. Except as otherwise provided in subsection 4, before the
7 period for early voting for any election begins, the city clerk shall
8 distribute to each registered voter in the city by mail or electronic
9 means, as applicable, the sample ballot for his or her precinct, with a
10 notice informing the voter of the location of his or her polling place
11 or places. If the location of the polling place or places has changed
12 since the last election:

13 (a) The city clerk shall mail a notice of the change to each
14 registered voter in the city not sooner than 10 days before
15 distributing the sample ballots; or

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

18
19 **NOTICE: THE LOCATION OF YOUR POLLING PLACE OR**
20 **PLACES HAS CHANGED SINCE THE LAST ELECTION**
21

22 4. If a person registers to vote less than 20 days before the date
23 of an election, the city clerk is not required to distribute to the
24 person the sample ballot for that election by mail or electronic
25 means.

26 5. Except as otherwise provided in subsection 7, a sample
27 ballot required to be distributed pursuant to this section must:

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

29 (b) Include the description of the anticipated financial effect and
30 explanation of each citywide measure and advisory question,
31 including arguments for and against the measure or question, as
32 required pursuant to NRS 295.205 or 295.217; and

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

35
36 **NOTICE: TO RECEIVE A SAMPLE BALLOT IN**
37 **LARGE TYPE, CALL (Insert appropriate telephone number)**
38

39 6. The word "Incumbent" must appear on the sample ballot
40 next to the name of the candidate who is the incumbent, if required
41 pursuant to NRS 293.2565.

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



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

5 9. If a person requests a sample ballot in large type, the city
6 clerk shall ensure that all future sample ballots distributed to that
7 person from the city are in large type.

8 10. The city clerk shall include in each sample ballot a
9 statement indicating that the city clerk will, upon request of a voter
10 who is elderly or disabled, make reasonable accommodations to
11 allow the voter to vote at his or her polling place or places and
12 provide reasonable assistance to the voter in casting his or her vote,
13 including, without limitation, providing appropriate materials to
14 assist the voter. In addition, if the city clerk has provided pursuant to
15 subsection ~~4~~ 5 of NRS 293C.281 for the placement at centralized
16 voting locations of specially equipped voting devices for use by
17 voters who are elderly or disabled, the city clerk shall include in the
18 sample ballot a statement indicating:

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

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

22 (c) That a voter who is elderly or disabled may cast his or her
23 ballot at such a centralized voting location rather than at the voter's
24 regularly designated polling place or places.

25 11. The cost of distributing sample ballots for a city election
26 must be borne by the city holding the election.

27 **Sec. 20.** NRS 293C.600 is hereby amended to read as follows:

28 293C.600 1. Before any election where a mechanical voting
29 system will be used ~~4~~ *for casting ballots*, the city clerk shall
30 prepare or cause to be prepared a computer program on cards, tape
31 or other material suitable for use with the computer or counting
32 device to be employed for counting the votes cast. The program
33 must cause the computer or counting device to operate in the
34 following manner:

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

36 (b) All unlawful votes, including, but not limited to, overvotes
37 must not be counted.

38 (c) The computer or counting device must halt or indicate by
39 appropriate signal if a ballot is encountered that lacks a code
40 identifying the precinct in which it was voted.

41 2. The program must be prepared under the supervision of the
42 accuracy certification board appointed pursuant to the provisions of
43 NRS 293B.140.

44 3. The city clerk shall take such measures as he or she deems
45 necessary to protect the program from being altered or damaged.



1 **Sec. 21.** (Deleted by amendment.)

2 **Sec. 22.** NRS 295.045 is hereby amended to read as follows:

3 295.045 1. A petition for referendum must be filed with the
4 Secretary of State not less than 120 days before the date of the next
5 succeeding general election.

6 2. The Secretary of State shall certify the questions to the
7 county clerks.

8 3. The title of the statute or resolution must be set out on the
9 ballot, and the question printed upon the ballot for the information
10 of the voters must be as follows: "Shall the statute (setting out its
11 title) be approved?"

12 4. Where a mechanical voting system is used ~~[]~~ *for casting*
13 *ballots*, the title of the statute must appear on the list of offices and
14 candidates and the statements of measures to be voted on and may
15 be condensed to no more than 25 words.

16 5. The votes cast upon the question must be counted and
17 canvassed as the votes for state officers are counted and canvassed.

18 **Sec. 23.** NRS 295.170 is hereby amended to read as follows:

19 295.170 1. The subject matter of such questions must be
20 stated concisely on the ballot, and the question printed upon the
21 ballot for the information of the voter must be as follows: "Shall the
22 act (setting out the title thereof) be approved?"

23 2. Where a mechanical voting system is used ~~[]~~ *for casting*
24 *ballots*, the title of the act must appear on the list of offices and
25 candidates and the statements of measures to be voted on and may
26 be condensed by the district attorney to 20 words.

27 3. The district attorney shall prepare an explanation of each
28 such question, which must be placed on the ballot or the list of
29 offices and candidates and the statements of measures to be voted
30 on, or posted in the polling place.

31 4. The votes cast upon such question must be counted and
32 canvassed as the votes for county officers are counted and
33 canvassed.

34 **Sec. 24.** NRS 306.060 is hereby amended to read as follows:

35 306.060 1. If the officer against whom the petition is filed
36 furnishes no justification of the officer's course in office, none need
37 appear on the ballot at the election upon the officer's recall.

38 2. Where a mechanical voting system is used ~~[]~~ *for casting*
39 *ballots*, the reason for demanding the recall of the officer and the
40 officer's justification need not ~~[be printed]~~ *appear* on the ballot, but
41 must be printed on sample ballots, which must be presented to
42 registered voters upon their application to vote.

43 **Sec. 25.** (Deleted by amendment.)



1 **Sec. 26.** Section 5.090 of the Charter of the City of Caliente,
2 being chapter 31, Statutes of Nevada 1971, at page 67, is hereby
3 amended to read as follows:

4 Sec. 5.090 ~~[Voting—machines.]~~ *Mechanical voting*
5 *systems.*

6 1. The City Council ~~[may]~~ *shall* provide for the use of
7 mechanical or other devices for ~~[voting-or]~~ counting the votes
8 ~~[not inconsistent]~~ *in accordance* with ~~[law-or]~~ *the election*
9 *laws of this State and any* regulations of the Secretary of
10 State.

11 2. *If the City Council provides for the use of*
12 *mechanical or other devices for voting, such provision must*
13 *be in accordance with the election laws of this State and any*
14 *regulations of the Secretary of State.*

15 **Sec. 27.** (Deleted by amendment.)

16 **Sec. 28.** Section 5.080 of the Charter of the City of Carlin,
17 being chapter 344, Statutes of Nevada 1971, at page 616, is hereby
18 amended to read as follows:

19 Sec. 5.080 ~~[Voting—machines.]~~ *Mechanical voting*
20 *systems.*

21 1. The Board of Council Members ~~[may]~~ *shall* provide
22 for the use of mechanical or other devices for ~~[voting-or]~~
23 counting the votes ~~[not inconsistent]~~ *in accordance* with ~~[law~~
24 ~~or]~~ *the election laws of this State and any* regulations of the
25 Secretary of State.

26 2. *If the Board of Council Members provides for the*
27 *use of mechanical or other devices for voting, such*
28 *provision must be in accordance with the election laws of*
29 *this State and any regulations of the Secretary of State.*

30 **Sec. 29.** (Deleted by amendment.)

31 **Sec. 30.** Section 5.090 of the Charter of Carson City, being
32 chapter 213, Statutes of Nevada 1969, at page 306, is hereby
33 amended to read as follows:

34 Sec. 5.090 ~~[Voting—machines.]~~ *Mechanical voting*
35 *systems.*

36 1. The Board ~~[may]~~ *shall* provide for the use of
37 mechanical or other devices for ~~[voting-or]~~ counting the votes
38 ~~[not inconsistent]~~ *in accordance* with ~~[law-or]~~ *the election*
39 *laws of this State and any* regulations of the Secretary of
40 State.

41 2. *If the Board provides for the use of mechanical or*
42 *other devices for voting, such provision must be in*
43 *accordance with the election laws of this State and any*
44 *regulations of the Secretary of State.*

45 **Sec. 31.** (Deleted by amendment.)



1 **Sec. 32.** Section 5.080 of the Charter of the City of Elko,
2 being chapter 276, Statutes of Nevada 1971, as amended by chapter
3 51, Statutes of Nevada 2001, at page 464, is hereby amended to read
4 as follows:

5 Sec. 5.080 ~~[Voting—machines.]~~ *Mechanical voting*
6 *systems.*

7 1. The City Council ~~[may]~~ *shall* provide for the use of
8 mechanical or other devices for ~~[voting-or]~~ counting votes
9 ~~[that is not inconsistent]~~ *in accordance* with ~~[law-or-the]~~ *the*
10 *election laws of this State and any* regulations of the
11 Secretary of State.

12 2. *If the City Council provides for the use of*
13 *mechanical or other devices for voting, such provision must*
14 *be in accordance with the election laws of this State and any*
15 *regulations of the Secretary of State.*

16 **Sec. 33.** (Deleted by amendment.)

17 **Sec. 34.** Section 5.090 of the Charter of the City of Henderson,
18 being chapter 266, Statutes of Nevada 1971, at page 417, is hereby
19 amended to read as follows:

20 Sec. 5.090 ~~[Voting—machines.]~~ *Mechanical voting*
21 *systems.*

22 1. The City Council ~~[may]~~ *shall* provide for the use of
23 mechanical or other devices for ~~[voting-or]~~ counting the votes
24 ~~[not inconsistent]~~ *in accordance* with ~~[law-or]~~ *the election*
25 *laws of this State and any* regulations of the Secretary of
26 State.

27 2. *If the City Council provides for the use of*
28 *mechanical or other devices for voting, such provision must*
29 *be in accordance with the election laws of this State and any*
30 *regulations of the Secretary of State.*

31 **Sec. 35.** (Deleted by amendment.)

32 **Sec. 36.** Section 5.090 of the Charter of the City of Las Vegas,
33 being chapter 517, Statutes of Nevada 1983, at page 1416, is hereby
34 amended to read as follows:

35 Sec. 5.090 ~~[Voting—machines.]~~ *Mechanical voting*
36 *systems.*

37 1. The City Council ~~[may]~~ *shall* provide for the use of
38 mechanical or other devices for ~~[voting-or-for]~~ counting the
39 votes ~~[, or both, which are not inconsistent]~~ *in accordance*
40 with the ~~[law-or-the]~~ *election laws of this State and any*
41 regulations of the Secretary of State.

42 2. *If the City Council provides for the use of*
43 *mechanical or other devices for voting, such provision must*
44 *be in accordance with the election laws of this State and any*
45 *regulations of the Secretary of State.*



1 **Sec. 37.** (Deleted by amendment.)

2 **Sec. 38.** Section 5.090 of the Charter of the City of Mesquite,
3 being chapter 325, Statutes of Nevada 2017, at page 1887, is hereby
4 amended to read as follows:

5 Sec. 5.090 ~~[Voting—machines.]~~ *Mechanical voting*
6 *systems.*

7 1. The City Council ~~[may]~~ *shall* provide for the use of
8 mechanical or other devices for ~~[voting-or]~~ counting the votes
9 ~~[not-inconsistent]~~ *in accordance* with ~~[law-or]~~ *the election*
10 *laws of this State and any* regulations of the Secretary of
11 State.

12 2. *If the City Council provides for the use of*
13 *mechanical or other devices for voting, such provision must*
14 *be in accordance with the election laws of this State and any*
15 *regulations of the Secretary of State.*

16 **Sec. 39.** (Deleted by amendment.)

17 **Sec. 40.** (Deleted by amendment.)

18 **Sec. 41.** Section 5.090 of the Charter of the City of Reno,
19 being chapter 662, Statutes of Nevada 1971, at page 1979, is hereby
20 amended to read as follows:

21 Sec. 5.090 ~~[Voting—machines.]~~ *Mechanical voting*
22 *systems.*

23 1. The City Council ~~[may]~~ *shall* provide for the use of
24 mechanical or other devices for ~~[voting-or]~~ counting the votes
25 ~~[not-inconsistent]~~ *in accordance* with ~~[law-or]~~ *the election*
26 *laws of this State and any* regulations of the Secretary of
27 State.

28 2. *If the City Council provides for the use of*
29 *mechanical or other devices for voting, such provision must*
30 *be in accordance with the election laws of this State and any*
31 *regulations of the Secretary of State.*

32 **Sec. 42.** (Deleted by amendment.)

33 **Sec. 43.** Section 5.090 of the Charter of the City of Sparks,
34 being chapter 470, Statutes of Nevada 1975, at page 737, is hereby
35 amended to read as follows:

36 Sec. 5.090 ~~[Voting—machines.]~~ *Mechanical voting*
37 *systems.*

38 1. The City Council ~~[may]~~ *shall* provide for the use of
39 mechanical or other devices for ~~[voting-or]~~ counting the votes
40 ~~[not-inconsistent]~~ *in accordance* with ~~[law-or]~~ *the election*
41 *laws of this State and any* regulations of the Secretary of
42 State.

43 2. *If the City Council provides for the use of*
44 *mechanical or other devices for voting, such provision must*



1 *be in accordance with the election laws of this State and any*
2 *regulations of the Secretary of State.*

3 **Sec. 44.** (Deleted by amendment.)

4 **Sec. 45.** Section 5.080 of the Charter of the City of Wells,
5 being chapter 275, Statutes of Nevada 1971, at page 470, is hereby
6 amended to read as follows:

7 Sec. 5.080 ~~[Voting—machines.]~~ *Mechanical voting*
8 *systems.*

9 1. The Board of Council Members ~~[may]~~ *shall* provide
10 for the use of mechanical or other devices for ~~[voting-or]~~
11 counting the votes ~~[not inconsistent]~~ *in accordance* with ~~[law~~
12 ~~or]~~ *the election laws of this State and any* regulations of the
13 Secretary of State.

14 2. *If the Board of Council Members provides for the*
15 *use of mechanical or other devices for voting, such*
16 *provision must be in accordance with the election laws of*
17 *this State and any regulations of the Secretary of State.*

18 **Sec. 46.** (Deleted by amendment.)

19 **Sec. 47.** Section 5.080 of the Charter of the City of Yerington,
20 being chapter 465, Statutes of Nevada 1971, at page 913, is hereby
21 amended to read as follows:

22 Sec. 5.080 ~~[Voting—machines.]~~ *Mechanical voting*
23 *systems.*

24 1. The City Council ~~[may]~~ *shall* provide for the use of
25 mechanical or other devices for ~~[voting-or]~~ counting the votes
26 ~~[not inconsistent]~~ *in accordance* with ~~[law-or]~~ *the election*
27 *laws of this State and any* regulations of the Secretary of
28 State.

29 2. *If the City Council provides for the use of*
30 *mechanical or other devices for voting, such provision must*
31 *be in accordance with the election laws of this State and any*
32 *regulations of the Secretary of State.*

33 **Sec. 48.** The provisions of NRS 354.599 do not apply to any
34 additional expenses of a local government that are related to the
35 provisions of this act.

36 **Sec. 49.** (Deleted by amendment.)

37 **Sec. 50.** This act becomes effective on July 1, 2023.

