

Assembly Bill No. 242–Committee on
Legislative Operations and Elections

CHAPTER.....

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:

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

Existing law requires that, with certain exceptions, each polling place must have at least one voting booth that is specifically designed, designated and equipped for voters who are elderly or voters with a disability. (NRS 293.2955, 293C.281) **Sections 6 and 17** of this bill instead require, with certain exceptions, that each polling place must have at least two such voting booths and additional voting booths if determined necessary by the county clerk or city clerk. **Sections 6 and 17** further require each county clerk, city clerk and all election board officers to complete training in the use of the voting booths and specially equipped voting devices in order to assist such voters. **Sections 8 and 19** of this bill make conforming changes to revise existing internal references relating to **sections 6 and 17**.

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

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

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

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

2. Except as otherwise provided in subsections 3 and 4, the county clerk may consolidate two or more contiguous election



precincts into a single voting district to conduct a particular election as public convenience, necessity and economy may require.

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

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

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

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

Secs. 2-5. (Deleted by amendment.)

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

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

(a) The polling place must:

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

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

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

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

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

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

(b) Either:

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



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

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

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

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

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

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

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

(1) Related to the election; and

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

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

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

Sec. 7. (Deleted by amendment.)

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

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



- (a) If applicable, the statement required by NRS 293.267;
 - (b) The fiscal note or description of anticipated financial effect, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015, 295.095 or 295.230 for each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;
 - (c) An explanation, as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.121 or 295.230, of each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;
 - (d) Arguments for and against each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question, and rebuttals to each argument, as provided pursuant to NRS 218D.810, 293.250, 293.252 or 295.121; and
 - (e) The full text of each proposed constitutional amendment.
2. If, pursuant to the provisions of NRS 293.2565, the word “Incumbent” must appear on the ballot next to the name of the candidate who is the incumbent, the word “Incumbent” must appear on the sample ballot next to the name of the candidate who is the incumbent.
3. Sample ballots that are mailed to registered voters may be printed without the full text of each proposed constitutional amendment if:
- (a) The cost of printing the sample ballots would be significantly reduced if the full text of each proposed constitutional amendment were not included;
 - (b) The county clerk ensures that a sample ballot that includes the full text of each proposed constitutional amendment is provided at no charge to each registered voter who requests such a sample ballot; and
 - (c) The sample ballots provided to each polling place include the full text of each proposed constitutional amendment.
4. A county clerk may establish a system for distributing sample ballots by electronic means to each registered voter who elects to receive a sample ballot by electronic means. Such a system may include, without limitation, electronic mail or electronic access through an Internet website. If a county clerk establishes such a system and a registered voter elects to receive a sample ballot by electronic means, the county clerk shall distribute the sample ballot to the registered voter by electronic means pursuant to the



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

- (a) The addresses of such centralized voting locations;
- (b) The types of specially equipped voting devices available at such centralized voting locations; and
- (c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at his or her regularly designated polling place or places.

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

Sec. 8.5. NRS 293B.033 is hereby amended to read as follows:
293B.033 “Mechanical voting system” means a system of voting whereby a voter may cast a vote:

1. On a device which mechanically or electronically compiles a total of the number of votes cast for each candidate and for or against each measure voted on; or
2. By marking a paper ballot , *including, without limitation, a mail ballot*, which is subsequently counted on an electronic tabulator, counting device or computer.

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

1. *May* be cast, registered ~~[+] and~~ recorded ~~[and-counted]~~ by means of a mechanical voting system.

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

Sec. 10. NRS 293B.105 is hereby amended to read as follows:
293B.105 The board of county commissioners of any county or the city council or other governing body of any city ~~[may]~~ :



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

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

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

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

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

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

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

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

(c) If the election is:

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

(2) A presidential preference primary election; or

(3) A general election,

↳ the total votes, other than mail ballots, must be accumulated by precinct.

(d) The computer or counting device must halt or indicate by appropriate signal if a ballot is encountered which lacks a code identifying the precinct in which it was voted and, in a primary election or presidential preference primary election, identifying the major political party of the voter.

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

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



Sec. 13. NRS 293B.175 is hereby amended to read as follows:
293B.175 In those districts or precincts in which a mechanical voting system is used ~~[]~~ *for casting ballots*, the list of offices and candidates and the statements of measures appropriate for use with ~~[that] a mechanical voting~~ system in combination with the device upon which a vote is registered is an official ballot.

Secs. 14-16. (Deleted by amendment.)

Sec. 17. NRS 293C.281 is hereby amended to read as follows:
293C.281 1. Except as otherwise provided in subsection 2, at all times during which a polling place is open:

(a) The polling place must:

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

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

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

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

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

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

(b) Either:

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

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

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

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

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



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

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

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

(1) Related to the election; and

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

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

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

Sec. 18. (Deleted by amendment.)

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

293C.530 1. A city clerk may establish a system for distributing sample ballots by electronic means to each registered voter who elects to receive a sample ballot by electronic means. Such a system may include, without limitation, electronic mail or electronic access through an Internet website. If a city clerk establishes such a system and a registered voter elects to receive a sample ballot by electronic means, the city clerk shall distribute the sample ballot to the registered voter by electronic means pursuant to the procedures and requirements set forth by regulations adopted by the Secretary of State.

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

3. Except as otherwise provided in subsection 4, before the period for early voting for any election begins, the city clerk shall



distribute to each registered voter in the city by mail or electronic means, as applicable, the sample ballot for his or her precinct, with a notice informing the voter of the location of his or her polling place or places. If the location of the polling place or places has changed since the last election:

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

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

NOTICE: THE LOCATION OF YOUR POLLING PLACE OR PLACES HAS CHANGED SINCE THE LAST ELECTION

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

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

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

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

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

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

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

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

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



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

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

- (a) The addresses of such centralized voting locations;
- (b) The types of specially equipped voting devices available at such centralized voting locations; and
- (c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at the voter's regularly designated polling place or places.

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

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

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

- (a) All lawful votes cast by each voter must be counted.
- (b) All unlawful votes, including, but not limited to, overvotes must not be counted.
- (c) The computer or counting device must halt or indicate by appropriate signal if a ballot is encountered that lacks a code identifying the precinct in which it was voted.

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

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

Sec. 21. (Deleted by amendment.)



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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 25. (Deleted by amendment.)



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

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

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

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

Sec. 27. (Deleted by amendment.)

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

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

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

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

Sec. 29. (Deleted by amendment.)

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

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

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

2. *If the Board provides for the use of mechanical or other devices for voting, such provision must be in*



accordance with the election laws of this State and any regulations of the Secretary of State.

Sec. 31. (Deleted by amendment.)

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

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

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

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

Sec. 33. (Deleted by amendment.)

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

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

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

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

Sec. 35. (Deleted by amendment.)

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

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

1. The City Council ~~[may]~~ *shall* provide for the use of mechanical or other devices for ~~[voting or for]~~ counting the votes ~~[, or both, which are not inconsistent]~~ *in accordance*



with the ~~[law or the]~~ *election laws of this State and any regulations of the Secretary of State.*

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

Sec. 37. (Deleted by amendment.)

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

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

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

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

Secs. 39 and 40. (Deleted by amendment.)

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

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

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

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

Sec. 42. (Deleted by amendment.)

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

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



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

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

Sec. 44. (Deleted by amendment.)

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

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

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

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

Sec. 46. (Deleted by amendment.)

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

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

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

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

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

Sec. 49. (Deleted by amendment.)



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

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