

ASSEMBLY BILL NO. 253—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 11, 2015

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing the administration of elections. (BDR 24-1125)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§37, 38, 48, 49)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

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

AN ACT relating to elections; providing for photographs of voters to be included in election board registers and rosters for early voting; requiring county clerks and city clerks to provide certain equipment relating to such photographs to election board officers and to deputy clerks for early voting; requiring the Department of Motor Vehicles to provide digital colored photographs of registered voters to the Secretary of State or a county clerk upon request; revising provisions relating to the identification of a registered voter who is unable to sign his or her name; prohibiting the inclusion of certain information in a list of registered voters made available to the public; requiring county clerks to create electronic election board registers; making various other changes relating to elections; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Sections 44, 46, 53 and 54** of this bill provide for photographs of voters to be
2 included in rosters for early voting and election board registers under certain
3 circumstances. **Section 40** of this bill requires the Secretary of State to adopt
4 regulations setting forth the procedures for obtaining photographs of registered
5 voters that are required under certain circumstances to be included in rosters for
6 early voting and election board registers, and **section 39** of this bill requires the



* A B 2 5 3 R 1 *

7 Department of Motor Vehicles to provide such photographs to the Secretary of
8 State or county clerks upon request.

9 **Sections 41, 44, 50 and 53** of this bill require the election board officer or
10 deputy clerk for early voting, as applicable, to compare the photograph included in
11 the election board register or roster for early voting, if any, to the appearance of the
12 person applying to vote. If the election board officer or deputy clerk for early
13 voting: (1) believes that the person in the photograph is the person applying to vote,
14 the election board officer or deputy clerk for early voting shall allow the person to
15 vote; or (2) does not believe that the person in the photograph is the person
16 applying to vote, the election board officer or deputy clerk for early voting shall
17 allow the person to vote if the person provides a written affirmation signed under
18 penalty of perjury that he or she is the registered voter who he or she claims to be.
19 If the election board register or roster for early voting does not contain a
20 photograph next to the person's name, the election board officer or deputy clerk for
21 early voting shall request that the person authorize the election board officer or
22 deputy clerk for early voting to take a photograph of the person or provide to the
23 election board officer or deputy clerk for early voting his or her driver's license
24 number or identification card number, if any. If, in response to such a request, the
25 person: (1) provides his or her driver's license number or identification card
26 number, the election board officer or deputy clerk for early voting shall record the
27 number in the election board register or roster for early voting and allow the person
28 to vote; (2) authorizes the election board officer or deputy clerk for early voting to
29 take the person's photograph, the election board officer or deputy clerk for early
30 voting shall take the photograph and allow the person to vote; or (3) declines to
31 comply with the request, the election board officer or deputy clerk for early voting
32 shall allow the person to vote if the person provides a written affirmation signed
33 under penalty of perjury that he or she is the registered voter who he or she claims
34 to be.

35 **Sections 37, 38, 48 and 49** of this bill require county clerks and city clerks to
36 provide election board officers and deputy clerks for early voting with the
37 equipment necessary to take digital colored photographs of voters.

38 **Sections 43 and 52** of this bill prohibit a voter from being challenged on the
39 basis that: (1) the voter declines to comply with a request to provide his or her
40 driver's license number or identification card number at the time he or she appears
41 to vote in person; (2) the voter does not have a driver's license or identification
42 card; (3) the election board register or roster for early voting does not contain a
43 photograph of the voter; (4) the voter declines to comply with a request that he or
44 she authorize an election board officer or deputy clerk for early voting to take his or
45 her photograph; or (5) an election board officer or a deputy clerk for early voting
46 does not believe that the person applying to vote is the same person in the
47 photograph contained in the election board register or roster for early voting.

48 **Sections 42 and 51** of this bill make various changes to provisions governing
49 the identification of a voter who is unable to sign his or her name.

50 **Section 45** of this bill prohibits certain information about a registered voter,
51 including a photograph, from being included on any list of registered voters made
52 available to the public.

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

- 1 **Section 1.** (Deleted by amendment.)
- 2 **Sec. 2.** (Deleted by amendment.)
- 3 **Sec. 3.** (Deleted by amendment.)



- 1 **Sec. 4.** (Deleted by amendment.)
- 2 **Sec. 5.** (Deleted by amendment.)
- 3 **Sec. 6.** (Deleted by amendment.)
- 4 **Sec. 7.** (Deleted by amendment.)
- 5 **Sec. 8.** (Deleted by amendment.)
- 6 **Sec. 9.** (Deleted by amendment.)
- 7 **Sec. 10.** (Deleted by amendment.)
- 8 **Sec. 11.** (Deleted by amendment.)
- 9 **Sec. 12.** (Deleted by amendment.)
- 10 **Sec. 13.** (Deleted by amendment.)
- 11 **Sec. 14.** (Deleted by amendment.)
- 12 **Sec. 15.** (Deleted by amendment.)
- 13 **Sec. 16.** (Deleted by amendment.)
- 14 **Sec. 17.** (Deleted by amendment.)
- 15 **Sec. 18.** (Deleted by amendment.)
- 16 **Sec. 19.** (Deleted by amendment.)
- 17 **Sec. 20.** (Deleted by amendment.)
- 18 **Sec. 21.** (Deleted by amendment.)
- 19 **Sec. 22.** (Deleted by amendment.)
- 20 **Sec. 23.** (Deleted by amendment.)
- 21 **Sec. 24.** (Deleted by amendment.)
- 22 **Sec. 25.** (Deleted by amendment.)
- 23 **Sec. 26.** (Deleted by amendment.)
- 24 **Sec. 27.** (Deleted by amendment.)
- 25 **Sec. 28.** (Deleted by amendment.)
- 26 **Sec. 29.** (Deleted by amendment.)
- 27 **Sec. 30.** (Deleted by amendment.)
- 28 **Sec. 31.** (Deleted by amendment.)
- 29 **Sec. 32.** (Deleted by amendment.)
- 30 **Sec. 33.** (Deleted by amendment.)
- 31 **Sec. 34.** (Deleted by amendment.)
- 32 **Sec. 35.** (Deleted by amendment.)
- 33 **Sec. 36.** Chapter 293 of NRS is hereby amended by adding
- 34 thereto the provisions set forth as sections 37, 38 and 39 of this act.
- 35 **Sec. 37.** *A county clerk shall provide each election board*
- 36 *officer with the equipment necessary to:*
- 37 1. *Take a digital colored photograph of a person pursuant to*
- 38 *NRS 293.277; and*
- 39 2. *Store each photograph taken of a person and each driver's*
- 40 *license number and identification card number provided by a*
- 41 *person pursuant to NRS 293.277 in a secure manner that may not*
- 42 *be modified, copied or destroyed.*
- 43 **Sec. 38.** *A county clerk shall provide each deputy clerk for*
- 44 *early voting with the equipment necessary to:*



1 ***1. Take a digital colored photograph of a person pursuant to***
2 ***NRS 293.3585; and***

3 ***2. Store each photograph taken of a person and each driver's***
4 ***license number and identification card number provided by a***
5 ***person pursuant to NRS 293.3585 in a secure manner that may***
6 ***not be modified, copied or destroyed.***

7 ***Sec. 39. The Department of Motor Vehicles shall provide***
8 ***digital colored photographs of registered voters to the Secretary of***
9 ***State or to a county clerk upon request. The Secretary of State and***
10 ***the Department shall enter into a cooperative agreement to carry***
11 ***out the provisions of this section.***

12 ***Sec. 40.*** NRS 293.247 is hereby amended to read as follows:

13 293.247 1. The Secretary of State shall adopt regulations, not
14 inconsistent with the election laws of this State, for the conduct of
15 primary, general, special and district elections in all cities and
16 counties. Permanent regulations of the Secretary of State that
17 regulate the conduct of a primary, general, special or district
18 election and are effective on or before the last business day of
19 February immediately preceding a primary, general, special or
20 district election govern the conduct of that election.

21 2. The Secretary of State shall prescribe the forms for a
22 declaration of candidacy, certificate of candidacy, acceptance of
23 candidacy and any petition which is filed pursuant to the general
24 election laws of this State.

25 3. The regulations must prescribe:

- 26 (a) The duties of election boards;
- 27 (b) The type and amount of election supplies;
- 28 (c) The manner of printing ballots and the number of ballots to
29 be distributed to precincts and districts;
- 30 (d) The method to be used in distributing ballots to precincts and
31 districts;
- 32 (e) The method of inspection and the disposition of ballot boxes;
- 33 (f) The form and placement of instructions to voters;
- 34 (g) The recess periods for election boards;
- 35 (h) The size, lighting and placement of voting booths;
- 36 (i) The amount and placement of guardrails and other furniture
37 and equipment at voting places;
- 38 (j) The disposition of election returns;
- 39 (k) The procedures to be used for canvasses, ties, recounts and
40 contests, including, without limitation, the appropriate use of a
41 paper record created when a voter casts a ballot on a mechanical
42 voting system that directly records the votes electronically;
- 43 (l) The procedures to be used to ensure the security of the ballots
44 from the time they are transferred from the polling place until they
45 are stored pursuant to the provisions of NRS 293.391 or 293C.390;



1 (m) The procedures to be used to ensure the security and
2 accuracy of computer programs and tapes used for elections;

3 (n) The procedures to be used for the testing, use and auditing of
4 a mechanical voting system which directly records the votes
5 electronically and which creates a paper record when a voter casts a
6 ballot on the system;

7 (o) The procedures to be used for the disposition of absent
8 ballots in case of an emergency;

9 (p) The acceptable standards for the sending and receiving of
10 applications, forms and ballots, by approved electronic transmission,
11 by the county clerks and the electors or registered voters who are
12 authorized to use approved electronic transmission pursuant to the
13 provisions of this title;

14 (q) The forms for applications to register to vote and any other
15 forms necessary for the administration of this title; ~~and~~

16 (r) *The procedures for obtaining photographs of registered*
17 *voters that are required to be included in election board registers*
18 *and rosters for early voting;*

19 (s) *The procedures to be followed by election board officers*
20 *and deputy clerks for early voting, as applicable, to take*
21 *photographs and obtain driver's license numbers and*
22 *identification card members pursuant to NRS 293.277, 293.3585,*
23 *293C.270 and 293C.3585; and*

24 (t) Such other matters as determined necessary by the Secretary
25 of State.

26 4. The Secretary of State may provide interpretations and take
27 other actions necessary for the effective administration of the
28 statutes and regulations governing the conduct of primary, general,
29 special and district elections in this State.

30 5. The Secretary of State shall prepare and distribute to each
31 county and city clerk copies of:

32 (a) Laws and regulations concerning elections in this State;

33 (b) Interpretations issued by the Secretary of State's Office; and

34 (c) Any Attorney General's opinions or any state or federal
35 court decisions which affect state election laws or regulations
36 whenever any of those opinions or decisions become known to the
37 Secretary of State.

38 **Sec. 41.** NRS 293.277 is hereby amended to read as follows:

39 293.277 1. Except as otherwise provided in NRS 293.541 ~~†~~
40 *and subject to the provisions of subsections 2, 3 and 4,* if a
41 person's name appears in the election board register or if the person
42 provides an affirmation pursuant to NRS 293.525, the person is
43 entitled to vote and must sign his or her name in the election board
44 register when he or she applies to vote. The signature must be
45 compared by an election board officer with the signature or a



1 facsimile thereof on the person's original application to register to
2 vote or one of the forms of identification listed in subsection 2.

3 2. Except as otherwise provided in NRS 293.2725, the forms of
4 identification which may be used individually to identify a voter at
5 the polling place are:

6 (a) The card issued to the voter at the time he or she registered
7 to vote;

8 (b) A driver's license;

9 (c) An identification card issued by the Department of Motor
10 Vehicles;

11 (d) A military identification card; or

12 (e) Any other form of identification issued by a governmental
13 agency which contains the voter's signature and physical description
14 or picture.

15 **3. *If the election board register contains a photograph next to***
16 ***the person's name, an election board officer shall compare the***
17 ***photograph with the appearance of the person. If the election***
18 ***board officer:***

19 (a) *Believes that the person in the photograph is the person*
20 *applying to vote, the election board officer shall allow the person*
21 *to vote.*

22 (b) *Does not believe that the person in the photograph is the*
23 *person applying to vote, the election board officer shall allow the*
24 *person to vote if the person provides a written affirmation signed*
25 *under penalty of perjury and in the form prescribed by the*
26 *Secretary of State that he or she is the registered voter who he or*
27 *she claims to be.*

28 **4. *If the election board register does not contain a***
29 ***photograph next to the person's name, an election board officer***
30 ***shall request that the person authorize the election board officer to***
31 ***take a photograph of the person or provide to the election board***
32 ***officer his or her driver's license number or identification card***
33 ***number, if any. If the person:***

34 (a) *Provides to the election board officer the person's driver's*
35 *license number or identification card number, the election board*
36 *officer shall record the number in the election board register and*
37 *allow the person to vote.*

38 (b) *Authorizes the election board officer to take the person's*
39 *photograph, the election board officer shall take the photograph*
40 *and allow the person to vote.*

41 (c) *Declines to comply with the election board officer's*
42 *request, the election board officer shall allow the person to vote if*
43 *the person provides a written affirmation signed under penalty of*
44 *perjury and in the form prescribed by the Secretary of State that*
45 *he or she is the registered voter who he or she claims to be.*



1 **Sec. 42.** NRS 293.283 is hereby amended to read as follows:
2 293.283 Any registered voter who is unable to sign his or her
3 name must be identified by answering questions covering the
4 personal data which is reported on the original application to
5 register to vote. The officer in charge of the roster shall *mark,*
6 stamp, write , ~~to~~ print *or otherwise indicate* "Identified as" *next* to
7 ~~the left of~~ the voter's name.

8 **Sec. 43.** NRS 293.303 is hereby amended to read as follows:
9 293.303 1. A person applying to vote may be challenged:

10 (a) ~~Orally~~ *Except as otherwise provided in subsection 10,*
11 *orally* by any registered voter of the precinct upon the ground that
12 he or she is not the person entitled to vote as claimed or has voted
13 before at the same election. A registered voter who initiates a
14 challenge pursuant to this paragraph must submit an affirmation that
15 is signed under penalty of perjury and in the form prescribed by the
16 Secretary of State stating that the challenge is based on the personal
17 knowledge of the registered voter.

18 (b) On any ground set forth in a challenge filed with the county
19 clerk pursuant to the provisions of NRS 293.547.

20 2. If a person is challenged, an election board officer shall
21 tender the challenged person the following oath or affirmation:

22 (a) If the challenge is on the ground that the challenged person
23 does not belong to the political party designated upon the register, "I
24 swear or affirm under penalty of perjury that I belong to the political
25 party designated upon the register";

26 (b) If the challenge is on the ground that the register does not
27 show that the challenged person designated the political party to
28 which he or she claims to belong, "I swear or affirm under penalty
29 of perjury that I designated on the application to register to vote the
30 political party to which I claim to belong";

31 (c) If the challenge is on the ground that the challenged person
32 does not reside at the residence for which the address is listed in the
33 election board register, "I swear or affirm under penalty of perjury
34 that I reside at the residence for which the address is listed in the
35 election board register";

36 (d) If the challenge is on the ground that the challenged person
37 previously voted a ballot for the election, "I swear or affirm under
38 penalty of perjury that I have not voted for any of the candidates or
39 questions included on this ballot for this election"; or

40 (e) If the challenge is on the ground that the challenged person is
41 not the person he or she claims to be, "I swear or affirm under
42 penalty of perjury that I am the person whose name is in this
43 election board register."



1 ↳ The oath or affirmation must be set forth on a form prepared by
2 the Secretary of State and signed by the challenged person under
3 penalty of perjury.

4 3. Except as otherwise provided in subsection 4, if the
5 challenged person refuses to execute the oath or affirmation so
6 tendered, he or she must not be issued a ballot, and the officer in
7 charge of the election board register shall write the words
8 “Challenged” opposite his or her name in the election
9 board register.

10 4. If the challenged person refuses to execute the oath or
11 affirmation set forth in paragraph (a) or (b) of subsection 2, the
12 election board officers shall issue the person a nonpartisan ballot.

13 5. If the challenged person refuses to execute the oath or
14 affirmation set forth in paragraph (c) of subsection 2, the election
15 board officers shall inform the person that he or she is entitled to
16 vote only in the manner prescribed in NRS 293.304.

17 6. If the challenged person executes the oath or affirmation and
18 the challenge is not based on the ground set forth in paragraph (e) of
19 subsection 2, the election board officers shall issue the person a
20 partisan ballot.

21 7. If the challenge is based on the ground set forth in paragraph
22 (c) of subsection 2, and the challenged person executes the oath or
23 affirmation, the election board shall not issue the person a ballot
24 until he or she furnishes satisfactory identification which contains
25 proof of the address at which the person actually resides. For the
26 purposes of this subsection, a voter registration card issued pursuant
27 to NRS 293.517 does not provide proof of the address at which a
28 person resides.

29 8. If the challenge is based on the ground set forth in paragraph
30 (e) of subsection 2 and the challenged person executes the oath or
31 affirmation, the election board shall not issue the person a ballot
32 unless the person:

33 (a) Furnishes official identification which contains a photograph
34 of the person, such as a driver’s license or other official document;
35 or

36 (b) Brings before the election board officers a person who is at
37 least 18 years of age who:

38 (1) Furnishes official identification which contains a
39 photograph of that person, such as a driver’s license or other official
40 document; and

41 (2) Executes an oath or affirmation under penalty of perjury
42 that the challenged person is who he or she swears to be.

43 9. The election board officers shall:

44 (a) Record on the challenge list:

45 (1) The name of the challenged person;



1 (2) The name of the registered voter who initiated the
2 challenge; and

3 (3) The result of the challenge; and

4 (b) If possible, orally notify the registered voter who initiated
5 the challenge of the result of the challenge.

6 ***10. No person may be challenged pursuant to paragraph (a)***
7 ***of subsection 1 because:***

8 (a) *The person declines to comply with a request to provide his*
9 *or her driver's license number or identification card number at the*
10 *time he or she appears to vote in person pursuant to NRS 293.277*
11 *or 293.3585;*

12 (b) *The person does not have a driver's license or*
13 *identification card;*

14 (c) *The election board register or roster for early voting does*
15 *not contain a photograph of the person;*

16 (d) *The person declines to comply with a request that he or she*
17 *authorize an election board officer or a deputy clerk for early*
18 *voting to take the person's photograph; or*

19 (e) *An election board officer or a deputy clerk for early voting*
20 *believes that the person applying to vote is not the same person in*
21 *the photograph contained in the election board register or roster*
22 *for early voting.*

23 **Sec. 44.** NRS 293.3585 is hereby amended to read as follows:

24 293.3585 1. Upon the appearance of a person to cast a ballot
25 for early voting, the deputy clerk for early voting shall:

26 (a) Determine that the person is a registered voter in the county;

27 (b) Instruct the voter to sign the roster for early voting; ~~and~~

28 (c) Verify the signature of the voter against that contained on the
29 original application to register to vote or a facsimile thereof, the
30 card issued to the voter at the time of registration or some other
31 piece of official identification ~~+~~; and

32 (d) *Comply with the provisions of subsection 2 or 3, as*
33 *applicable.*

34 2. *If the roster for early voting contains a photograph next to*
35 *the person's name, a deputy clerk for early voting shall compare*
36 *the photograph with the appearance of the person. If the deputy*
37 *clerk for early voting:*

38 (a) *Believes that the person in the photograph is the person*
39 *applying to vote, the deputy clerk for early voting shall allow the*
40 *person to vote.*

41 (b) *Does not believe that the person in the photograph is the*
42 *person applying to vote, the deputy clerk for early voting shall*
43 *allow the person to vote if the person provides a written*
44 *affirmation signed under penalty of perjury and in the form*



1 *prescribed by the Secretary of State that he or she is the registered*
2 *voter who he or she claims to be.*

3 *3. If the roster for early voting does not contain a photograph*
4 *next to the person's name, the deputy clerk for early voting shall*
5 *request that the person authorize the deputy clerk for early voting*
6 *to take a photograph of the person or provide to the deputy clerk*
7 *for early voting his or her driver's license number or identification*
8 *card number, if any. If the person:*

9 *(a) Provides to the deputy clerk for early voting the person's*
10 *driver's license number or identification card number, the deputy*
11 *clerk for early voting shall record the number in the roster for*
12 *early voting and allow the person to vote.*

13 *(b) Authorizes the deputy clerk for early voting to take the*
14 *person's photograph, the deputy clerk for early voting shall take*
15 *the photograph and allow the person to vote.*

16 *(c) Declines to comply with the deputy clerk for early voting's*
17 *request, the deputy clerk for early voting shall allow the person to*
18 *vote if the person provides a written affirmation signed under*
19 *penalty of perjury and in the form prescribed by the Secretary of*
20 *State that he or she is the registered voter who he or she claims to*
21 *be.*

22 **4.** The county clerk shall prescribe a procedure, approved by
23 the Secretary of State, to determine that the voter has not already
24 voted pursuant to this section.

25 ~~3-~~ **5.** The roster for early voting must contain:

26 (a) The voter's name, the address where he or she is registered
27 to vote, his or her voter identification number, ~~and~~ a place for the
28 voter's signature ~~and the voter's photograph, if a photograph of~~
29 *the voter has been obtained pursuant to subsection 3, NRS*
30 *293.277, 293C.270 or 293C.3585 or section 39 of this act;*

31 (b) The voter's precinct or voting district number; and

32 (c) The date of voting early in person.

33 ~~4-~~ **6.** When a voter is entitled to cast a ballot and has
34 identified himself or herself to the satisfaction of the deputy clerk
35 for early voting, the voter is entitled to receive the appropriate ballot
36 or ballots, but only for his or her own use at the polling place for
37 early voting.

38 ~~5-~~ **7.** If the ballot is voted on a mechanical recording device
39 which directly records the votes electronically, the deputy clerk for
40 early voting shall:

41 (a) Prepare the mechanical recording device for the voter;

42 (b) Ensure that the voter's precinct or voting district and the
43 form of ballot are indicated on the voting receipt, if the county clerk
44 uses voting receipts; and

45 (c) Allow the voter to cast a vote.



1 ~~16.1~~ 8. A voter applying to vote early by personal appearance
2 may be challenged pursuant to NRS 293.303.

3 **Sec. 45.** NRS 293.440 is hereby amended to read as follows:

4 293.440 1. Any person who desires a copy of any list of the
5 persons who are registered to vote in any precinct, district or county
6 may obtain a copy by applying at the office of the county clerk and
7 paying therefor a sum of money equal to 1 cent per name on the list,
8 except that one copy of each original and supplemental list for
9 each precinct, district or county must be provided both to the state
10 central committee of any major political party and to the county
11 central committee of any major political party, and to the executive
12 committee of any minor political party upon request, without
13 charge.

14 2. Except as otherwise provided in NRS 293.5002 and
15 293.558, the copy of the list provided pursuant to this section must
16 indicate the address, date of birth, telephone number and the serial
17 number on each application to register to vote. *The copy of the list*
18 *must not include a photograph of a person or indicate any portion*
19 *of a person's driver's license number, identification card number*
20 *or social security number.* If the county maintains this information
21 in a computer database, the date of the most recent addition or
22 revision to an entry, if made on or after July 1, 1989, must be
23 included in the database and on any resulting list of the information.
24 The date must be expressed numerically in the order of month, day
25 and year.

26 3. A county may not pay more than 10 cents per folio or more
27 than \$6 per thousand copies for printed lists for a precinct or district.

28 4. A county which has a system of computers capable of
29 recording information on magnetic tape or diskette shall, upon
30 request of the state central committee or county central committee
31 of any major political party or the executive committee of any minor
32 political party which has filed a certificate of existence with the
33 Secretary of State, record for both the state central committee and
34 the county central committee of the major political party, if
35 requested, and for the executive committee of the minor political
36 party, if requested, on magnetic tape or diskette supplied by it:

37 (a) The list of persons who are registered to vote and the
38 information required in subsection 2; and

39 (b) Not more than four times per year, as requested by the state
40 or county central committee or the executive committee:

41 (1) A complete list of the persons who are registered to vote
42 with a notation for the most recent entry of the date on which the
43 entry or the latest change in the information was made; or



1 (2) A list that includes additions and revisions made to the
2 list of persons who are registered to vote after a date specified by the
3 state or county central committee or the executive committee.

4 5. If a political party does not provide its own magnetic tape or
5 diskette, or if a political party requests the list in any other form that
6 does not require printing, the county clerk may charge a fee to cover
7 the actual cost of providing the tape, diskette or list.

8 6. Any state or county central committee of a major political
9 party, any executive committee of a minor political party or any
10 member or representative of such a central committee or executive
11 committee who receives without charge a list of the persons who are
12 registered to vote in any precinct, district or county pursuant to this
13 section shall not:

14 (a) Use the list for any purpose that is not related to an election;
15 or

16 (b) Sell the list for compensation or other valuable
17 consideration.

18 **Sec. 46.** NRS 293.510 is hereby amended to read as follows:

19 293.510 1. In counties where computers are not used to
20 register voters, the county clerk shall:

21 (a) Segregate original applications to register to vote according
22 to the precinct in which the registered voters reside and arrange the
23 applications in each precinct or district in alphabetical order. The
24 applications for each precinct or district must be kept in a separate
25 binder which is marked with the number of the precinct or district.
26 ~~This binder constitutes the~~ *For each precinct and district, the*
27 *county clerk shall create a computer listing which contains the*
28 *information included in the applications to register to vote and a*
29 *photograph of each registered voter whose photograph has been*
30 *obtained pursuant to NRS 293.277, 293.3585, 293C.270 or*
31 *293C.3585 or section 39 of this act. This computer listing is the*
32 election board register.

33 (b) Arrange the duplicate applications of registration in
34 alphabetical order for the entire county and keep them in binders or
35 a suitable file which constitutes the registrar of voters' register.

36 2. In any county where a computer is used to register voters,
37 the county clerk shall:

38 (a) Arrange the original applications to register to vote for the
39 entire county in a manner in which an original application may be
40 quickly located. These original applications constitute the registrar
41 of voters' register.

42 (b) Segregate the applications to register to vote in a computer
43 file according to the precinct or district in which the registered
44 voters reside, and for each precinct or district have printed a
45 computer listing which contains the applications to register to vote



1 in alphabetical order. These listings of applications to register to
2 vote must be placed in separate binders which are marked with the
3 number of the precinct or district. These binders constitute the
4 election board registers.

5 **Sec. 47.** Chapter 293C of NRS is hereby amended by adding
6 thereto the provisions set forth as sections 48 and 49 of this act.

7 **Sec. 48.** *A city clerk shall provide each election board officer*
8 *with any equipment necessary to:*

9 *1. Take a digital colored photograph of a person pursuant to*
10 *NRS 293C.270; and*

11 *2. Store each photograph taken of a person and each driver's*
12 *license number and identification card number provided by a*
13 *person pursuant to NRS 293C.270 in a secure manner that may*
14 *not be modified, copied or destroyed.*

15 **Sec. 49.** *A city clerk shall provide each deputy clerk for early*
16 *voting with any equipment necessary to:*

17 *1. Take a digital colored photograph of a person pursuant to*
18 *NRS 293C.3585; and*

19 *2. Store each photograph taken of a person and each driver's*
20 *license number and identification card number provided by a*
21 *person pursuant to NRS 293C.3585 in a secure manner that may*
22 *not be modified, copied or destroyed.*

23 **Sec. 50.** NRS 293C.270 is hereby amended to read as follows:

24 293C.270 1. ~~¶~~ *Except as otherwise provided in NRS*
25 *293.541, and subject to the provisions of subsections 2, 3 and 4, if*

26 a person's name appears in the election board register or if
27 the person provides an affirmation pursuant to NRS 293C.525, the
28 person is entitled to vote and must sign his or her name in the
29 election board register when he or she applies to vote. The signature
30 must be compared by an election board officer with the signature or
31 a facsimile thereof on the person's original application to register to
32 vote or one of the forms of identification listed in subsection 2.

33 2. The forms of identification that may be used to identify a
34 voter at the polling place are:

35 (a) The card issued to the voter at the time he or she registered
36 to vote;

37 (b) A driver's license;

38 (c) An identification card issued by the Department of Motor
39 Vehicles;

40 (d) A military identification card; or

41 (e) Any other form of identification issued by a governmental
42 agency that contains the voter's signature and physical description
43 or picture.

44 *3. If the election board register contains a photograph next to*
45 *the person's name, an election board officer shall compare the*



1 *photograph with the appearance of the person. If the election*
2 *board officer:*

3 *(a) Believes that the person in the photograph is the person*
4 *applying to vote, the election board officer shall allow the person*
5 *to vote.*

6 *(b) Does not believe that the person in the photograph is the*
7 *person applying to vote, the election board officer shall allow the*
8 *person to vote if the person provides a written affirmation signed*
9 *under penalty of perjury and in the form prescribed by the*
10 *Secretary of State that he or she is the registered voter who he or*
11 *she claims to be.*

12 *4. If the election board register does not contain a*
13 *photograph next to the person's name, an election board officer*
14 *shall request that the person authorize the election board officer to*
15 *take a photograph of the person or provide to the election board*
16 *officer his or her driver's license number or identification card*
17 *number, if any. If the person:*

18 *(a) Provides to the election board officer the person's driver's*
19 *license number or identification card number, the election board*
20 *officer shall record the number in the election board register and*
21 *allow the person to vote.*

22 *(b) Authorizes the election board officer to take the person's*
23 *photograph, the election board officer shall take the photograph*
24 *and allow the person to vote.*

25 *(c) Declines to comply with the election board officer's*
26 *request, the election board officer shall allow the person to vote if*
27 *the person provides a written affirmation signed under penalty of*
28 *perjury and in the form prescribed by the Secretary of State that*
29 *he or she is the registered voter who he or she claims to be.*

30 **Sec. 51.** NRS 293C.272 is hereby amended to read as follows:

31 293C.272 Any registered voter who is unable to sign his or her
32 name must be identified by answering questions covering the
33 personal data that is reported on the original application to register
34 to vote. The officer in charge of the roster shall **mark**, stamp, write ,
35 ~~or~~ print **or otherwise indicate** "Identified as" **next** to ~~the left of~~
36 the voter's name.

37 **Sec. 52.** NRS 293C.292 is hereby amended to read as follows:

38 293C.292 1. A person applying to vote may be challenged:

39 ~~Orally~~ **Except as otherwise provided in subsection 9,**
40 **orally** by any registered voter of the precinct or district upon the
41 ground that he or she is not the person entitled to vote as claimed or
42 has voted before at the same election; or

43 (b) On any ground set forth in a challenge filed with the county
44 clerk pursuant to the provisions of NRS 293.547.



1 2. If a person is challenged, an election board officer shall
2 tender the challenged person the following oath or affirmation:

3 (a) If the challenge is on the ground that the challenged person
4 does not reside at the residence for which the address is listed in the
5 election board register, "I swear or affirm under penalty of perjury
6 that I reside at the residence for which the address is listed in the
7 election board register";

8 (b) If the challenge is on the ground that the challenged person
9 previously voted a ballot for the election, "I swear or affirm under
10 penalty of perjury that I have not voted for any of the candidates or
11 questions included on this ballot for this election"; or

12 (c) If the challenge is on the ground that the challenged person is
13 not the person he or she claims to be, "I swear or affirm under
14 penalty of perjury that I am the person whose name is in this
15 election board register."

16 ➔ The oath or affirmation must be set forth on a form prepared by
17 the Secretary of State and signed by the challenged person under
18 penalty of perjury.

19 3. If the challenged person refuses to execute the oath or
20 affirmation so tendered, he or she must not be issued a ballot, and
21 the officer in charge of the election board register shall write the
22 words "Challenged" opposite his or her name in the
23 election board register.

24 4. If the challenged person refuses to execute the oath or
25 affirmation set forth in paragraph (a) of subsection 2, the election
26 board officers shall inform the person that he or she is entitled to
27 vote only in the manner prescribed in NRS 293C.295.

28 5. If the challenged person executes the oath or affirmation and
29 the challenge is not based on the ground set forth in paragraph (c) of
30 subsection 2, the election board officers shall issue him or her a
31 ballot.

32 6. If the challenge is based on the ground set forth in paragraph
33 (a) of subsection 2, and the challenged person executes the oath or
34 affirmation, the election board shall not issue the person a ballot
35 until he or she furnishes satisfactory identification that contains
36 proof of the address at which the person actually resides. For the
37 purposes of this subsection, a voter registration card issued pursuant
38 to NRS 293.517 does not provide proof of the address at which a
39 person resides.

40 7. If the challenge is based on the ground set forth in paragraph
41 (c) of subsection 2 and the challenged person executes the oath or
42 affirmation, the election board shall not issue the person a ballot
43 unless the person:



1 (a) Furnishes official identification which contains a photograph
2 of the person, such as a driver's license or other official document;
3 or

4 (b) Brings before the election board officers a person who is at
5 least 18 years of age who:

6 (1) Furnishes official identification which contains a
7 photograph of the person, such as a driver's license or other official
8 document; and

9 (2) Executes an oath or affirmation under penalty of perjury
10 that the challenged person is who he or she swears to be.

11 8. The election board officers shall:

12 (a) Record on the challenge list:

13 (1) The name of the challenged person;

14 (2) The name of the registered voter who initiated the
15 challenge; and

16 (3) The result of the challenge; and

17 (b) If possible, orally notify the registered voter who initiated
18 the challenge of the result of the challenge.

19 ***9. No person may be challenged pursuant to paragraph (a) of***
20 ***subsection 1 because:***

21 ***(a) The person declines to comply with a request to provide his***
22 ***or her driver's license number or identification card number at the***
23 ***time he or she appears to vote in person pursuant to NRS***
24 ***293C.270 or 293C.3585;***

25 ***(b) The person does not have a driver's license or***
26 ***identification card;***

27 ***(c) The election board register or roster for early voting does***
28 ***not contain a photograph of the person;***

29 ***(d) The person declines to comply with a request that he or she***
30 ***authorize an election board officer or a deputy clerk for early***
31 ***voting to take the person's photograph; or***

32 ***(e) An election board officer or a deputy clerk for early voting***
33 ***believes that the person applying to vote is not the same person in***
34 ***the photograph contained in the election board register or roster***
35 ***for early voting.***

36 **Sec. 53.** NRS 293C.3585 is hereby amended to read as
37 follows:

38 293C.3585 1. Upon the appearance of a person to cast a
39 ballot for early voting, the deputy clerk for early voting shall:

40 (a) Determine that the person is a registered voter in the county;

41 (b) Instruct the voter to sign the roster for early voting; ~~and~~

42 (c) Verify the signature of the voter against that contained on the
43 original application to register to vote or a facsimile thereof, the
44 card issued to the voter at the time of registration or some other
45 piece of official identification ~~†~~; ***and***



1 (d) *Comply with the provisions of subsection 2 or 3, as*
2 *applicable.*

3 2. *If the roster for early voting contains a photograph next to*
4 *the person's name, a deputy clerk for early voting shall compare*
5 *the photograph with the appearance of the person. If the deputy*
6 *clerk for early voting:*

7 (a) *Believes that the person in the photograph is the person*
8 *applying to vote, the deputy clerk for early voting shall allow the*
9 *person to vote.*

10 (b) *Does not believe that the person in the photograph is the*
11 *person applying to vote, the deputy clerk for early voting shall*
12 *allow the person to vote if the person provides a written*
13 *affirmation signed under penalty of perjury and in the form*
14 *prescribed by the Secretary of State that he or she is the registered*
15 *voter who he or she claims to be.*

16 3. *If the roster for early voting does not contain a photograph*
17 *next to the person's name, the deputy clerk for early voting shall*
18 *request that the person authorize the deputy clerk for early voting*
19 *to take a photograph of the person or provide to the deputy clerk*
20 *for early voting his or her driver's license number or identification*
21 *card number, if any. If the person:*

22 (a) *Provides to the deputy clerk for early voting the person's*
23 *driver's license number or identification card number, the deputy*
24 *clerk for early voting shall record the number in the roster for*
25 *early voting and allow the person to vote.*

26 (b) *Authorizes the deputy clerk for early voting to take the*
27 *person's photograph, the deputy clerk for early voting shall take*
28 *the photograph and allow the person to vote.*

29 (c) *Declines to comply with the deputy clerk for early voting's*
30 *request, the deputy clerk for early voting shall allow the person to*
31 *vote if the person provides a written affirmation signed under*
32 *penalty of perjury and in the form prescribed by the Secretary of*
33 *State that he or she is the registered voter who he or she claims to*
34 *be.*

35 4. The city clerk shall prescribe a procedure, approved by the
36 Secretary of State, to determine that the voter has not already voted
37 pursuant to this section.

38 ~~3-~~ 5. The roster for early voting must contain:

39 (a) The voter's name, the address where he or she is registered
40 to vote, his or her voter identification number, ~~and~~ a place for the
41 voter's signature ~~and~~ *and the voter's photograph, if a photograph of*
42 *the voter has been obtained pursuant to subsection 3, NRS*
43 *293.277, 293.3585 or 293C.270 or section 39 of this act;*

44 (b) The voter's precinct or voting district number; and

45 (c) The date of voting early in person.



1 ~~{4}~~ 6. When a voter is entitled to cast a ballot and has
2 identified himself or herself to the satisfaction of the deputy clerk
3 for early voting, the voter is entitled to receive the appropriate ballot
4 or ballots, but only for his or her own use at the polling place for
5 early voting.

6 ~~{5}~~ 7. If the ballot is voted on a mechanical recording device
7 which directly records the votes electronically, the deputy clerk for
8 early voting shall:

9 (a) Prepare the mechanical recording device for the voter;

10 (b) Ensure that the voter's precinct or voting district and the
11 form of ballot are indicated on the voting receipt, if the city clerk
12 uses voting receipts; and

13 (c) Allow the voter to cast a vote.

14 ~~{6}~~ 8. A voter applying to vote early by personal appearance
15 may be challenged pursuant to NRS 293C.292.

16 **Sec. 54.** NRS 293C.535 is hereby amended to read as follows:

17 293C.535 1. Except as otherwise provided by special charter,
18 registration of electors in incorporated cities must be accomplished
19 in the manner provided in this chapter.

20 2. The county clerk shall use the ~~{statewide voter registration~~
21 ~~list}~~ *election board register created by the county clerk pursuant to*
22 *NRS 293.510* to prepare for the city clerk of each incorporated city
23 within the county ~~{the}~~ *an electronic* election board register of all
24 electors eligible to vote at a regular or special city election. *The*
25 *entries in the election board register must be arranged*
26 *alphabetically with the surnames first.*

27 3. The official register must be prepared in suitable books, one
28 for each ward or other voting district within each incorporated city.
29 ~~{The entries in the election board register must be arranged~~
30 ~~alphabetically with the surnames first.}~~

31 4. The county clerk shall keep duplicate originals or copies of
32 the applications to register to vote contained in the official register
33 in the county clerk's office.

34 **Sec. 55.** The provisions of NRS 354.599 do not apply to any
35 additional expenses of a local government that are related to the
36 provisions of this act.

37 **Sec. 56.** This act becomes effective:

38 1. Upon passage and approval for the purposes of adopting
39 regulations and other preparatory administrative tasks that are
40 necessary to carry out the provisions of this act; and

41 2. On January 1, 2016, for all other purposes.



