

ASSEMBLY BILL NO. 264—ASSEMBLYMEN KASAMA, HARDY, KRASNER, TITUS; HAFEN, HANSEN, LEAVITT, MATTHEWS, O’NEILL, ROBERTS, TOLLES AND WHEELER

MARCH 15, 2021

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections. (BDR 24-637)

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

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

AN ACT relating to elections; setting forth certain requirements for a program or activity to remove the names of persons who are ineligible to vote; authorizing the Secretary of State to enter into certain agreements to maintain the statewide voter registration list; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the county clerk of each county to conduct certain
2 activities to ensure the accuracy of the registrar of voters’ register, to correct the
3 statewide registration list and cancel the registration of a voter under certain
4 circumstances. (NRS 293.5235, 293.530, 293.535) Existing law further requires
5 that any program or activity conducted within a county to remove the names of
6 persons who are ineligible to vote must be completed not later than 90 days before
7 the next primary or general election. (NRS 293.503) **Section 1** of this bill requires a
8 county clerk to submit an affidavit to the Secretary of State before each primary or
9 general election affirming that the county clerk has conducted a program or activity
10 to remove the names of persons who are ineligible to vote. **Section 1** also requires
11 the Secretary of State to: (1) establish the date by which the affidavit must be
12 submitted; and (2) post the affidavits on the Internet website of the Secretary of
13 State.

14 Existing law requires the Secretary of State to establish and maintain an official
15 statewide voter registration list. (NRS 293.675) **Section 2** of this bill authorizes the
16 Secretary of State to enter into an agreement with a district court, federal court or
17 federal agency pursuant to which the court or agency provides the Secretary of
18 State with certain information that the Secretary of State deems necessary to
19 maintain the statewide voter registration list.



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

1 **Section 1.** NRS 293.503 is hereby amended to read as follows:

2 293.503 1. The county clerk of each county where a registrar
3 of voters has not been appointed pursuant to NRS 244.164:

4 (a) Is ex officio county registrar and registrar for all precincts
5 within the county.

6 (b) Shall have the custody of all books, documents and papers
7 pertaining to preregistration or registration provided for in this
8 chapter.

9 2. All books, documents and papers pertaining to
10 preregistration or registration are official records of the office of the
11 county clerk.

12 3. The county clerk shall maintain records of any program or
13 activity that is conducted within the county to ensure the accuracy
14 and currency of the registrar of voters' register for not less than 2
15 years after creation. The records must include the names and
16 addresses of any person to whom a notice is mailed pursuant to NRS
17 293.5235, 293.530, or 293.535 and whether the person responded to
18 the notice.

19 4. Any program or activity that is conducted within the county
20 for the purpose of removing the name of each person who is
21 ineligible to vote in the county from the registrar of voters' register
22 must be complete not later than 90 days before the next primary or
23 general election.

24 5. *The county clerk shall submit to the Secretary of State*
25 *before any primary or general election an affidavit attesting that*
26 *the county clerk has conducted a program or activity within the*
27 *county for the purpose of removing the name of each person who*
28 *is ineligible to vote in the county from the registrar of voters'*
29 *register. The Secretary of State shall:*

30 (a) *Establish the date by which such an affidavit must be*
31 *submitted, which must be after the date by which the program or*
32 *activity must be completed pursuant to subsection 4; and*

33 (b) *Post the affidavits received from each county clerk on the*
34 *Internet website of the Secretary of State.*

35 6. Except as otherwise provided by subsection ~~6.~~ 7, all
36 records maintained by the county clerk pursuant to subsection 3
37 must be available for public inspection.

38 ~~6.~~ 7. Except as otherwise provided in NRS 239.0115, any
39 information relating to where a person preregisters or registers to
40 vote must remain confidential and is not available for public
41 inspection. Such information may only be used by an election
42 officer for purposes related to preregistration and registration.



Sec. 2. NRS 293.675 is hereby amended to read as follows:

293.675 1. The Secretary of State shall establish and maintain an official statewide voter registration list, which may be maintained on the Internet, in consultation with each county and city clerk.

2. The statewide voter registration list must:

(a) Be a uniform, centralized and interactive computerized list;

(b) Serve as the single method for storing and managing the official list of registered voters in this State;

(c) Serve as the official list of registered voters for the conduct of all elections in this State;

(d) Contain the name and registration information of every legally registered voter in this State;

(e) Include a unique identifier assigned by the Secretary of State to each legally registered voter in this State;

(f) Except as otherwise provided in subsection 7, be coordinated with the appropriate databases of other agencies in this State;

(g) Be electronically accessible to each state and local election official in this State at all times;

(h) Except as otherwise provided in subsection ~~8~~ 9, allow for data to be shared with other states under certain circumstances; and

(i) Be regularly maintained to ensure the integrity of the registration process and the election process.

3. Each county and city clerk shall:

(a) Except for information related to the preregistration of persons to vote, electronically enter into the statewide voter registration list all information related to voter registration obtained by the county or city clerk at the time the information is provided to the county or city clerk; and

(b) Provide the Secretary of State with information concerning the voter registration of the county or city and other reasonable information requested by the Secretary of State in the form required by the Secretary of State to establish or maintain the statewide voter registration list.

4. In establishing and maintaining the statewide voter registration list, the Secretary of State shall enter into a cooperative agreement with the Department of Motor Vehicles to match information in the database of the statewide voter registration list with information in the appropriate database of the Department of Motor Vehicles to verify the accuracy of the information in an application to register to vote.

5. The Department of Motor Vehicles shall enter into an agreement with the Social Security Administration pursuant to 52 U.S.C. § 21083, to verify the accuracy of information in an application to register to vote.



1 6. The Department of Motor Vehicles shall ensure that its
2 database:

3 (a) Is capable of processing any information related to an
4 application to register to vote, an application to update voter
5 registration information or a request to verify the accuracy of voter
6 registration information as quickly as is feasible; and

7 (b) Does not limit the number of applications to register to vote,
8 applications to update voter registration information or requests to
9 verify the accuracy of voter registration information that may be
10 processed by the database in any given day.

11 7. Except as otherwise provided in NRS 481.063 or any
12 provision of law providing for the confidentiality of information, the
13 Secretary of State may enter into an agreement with an agency of
14 this State pursuant to which the agency provides to the Secretary of
15 State any information in the possession of the agency that the
16 Secretary of State deems necessary to maintain the statewide voter
17 registration list.

18 8. *The Secretary of State may enter into an agreement with*
19 *any district court, federal court or federal agency pursuant to*
20 *which the court or agency provides to the Secretary of State any*
21 *information in the possession of the court or agency, including,*
22 *without limitation, any information deemed confidential pursuant*
23 *to state law, that the Secretary of State deems necessary to*
24 *maintain the statewide voter registration list.*

25 9. The Secretary of State may:

26 (a) Request from the chief officer of elections of another state
27 any information which the Secretary of State deems necessary to
28 maintain the statewide voter registration list; and

29 (b) Provide to the chief officer of elections of another state any
30 information which is requested and which the Secretary of State
31 deems necessary for the chief officer of elections of that state to
32 maintain a voter registration list, if the Secretary of State is satisfied
33 that the information provided pursuant to this paragraph will be used
34 only for the maintenance of that voter registration list.

35 **Sec. 3.** 1. This section becomes effective upon passage and
36 approval.

37 2. Sections 1 and 2 of this act become effective:

38 (a) Upon passage and approval for the purpose of adopting
39 regulations and performing any other preparatory administrative
40 tasks; and

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

