

SENATE BILL NO. 101—SENATORS SETTELMAYER,  
HARDY; AND HAMMOND

FEBRUARY 4, 2021

JOINT SPONSOR: ASSEMBLYMAN WHEELER

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.  
(BDR 24-599)

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

CONTAINS UNFUNDED MANDATE (§ 1)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to elections; authorizing a registered voter to notify the county clerk that the registered voter wants to be required to present photo identification to vote in person at a polling place; requiring, with certain exceptions, such a registered voter to present photo identification in order to vote in person at a polling place; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, a registered voter who appears at a polling place to vote is identified by verifying his or her signature with the signature, or facsimile thereof, on the person's application to register to vote or, if the signature does not match, by answering questions, providing additional information or providing certain proof of identification. (NRS 293.277, 293.285, 293C.270, 293C.275) **Section 1** of this bill authorizes a registered voter to notify the county clerk of the county in which the registered voter resides that the registered voter wants to be required to provide photo identification in order to vote in person at a polling place. If the registered voter provides such notification, the registered voter must present photo identification to vote in person at a polling place in every election but is still allowed to vote by absent ballot or by mail without providing photo identification. **Section 1** further requires: (1) each county clerk to establish a system for such a registered voter to notify the county clerk that he or she no longer wants to be required to provide photo identification to vote in person; and (2) the Secretary of



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State to set forth by regulation the acceptable forms of photo identification. Sections 2-22 of this bill make conforming changes to existing voting procedures related to requiring such registered voters to present photo identification before voting in person at a polling place.

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

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

*1. A registered voter may notify the county clerk of the county in which the registered voter resides that the registered voter wants to be required to provide photo identification in order to vote in person at a polling place. If a registered voter provides such notification to the county clerk, the registered voter:*

*(a) Except as otherwise provided in subsection 2 and NRS 293.3081, must provide photo identification in order to vote in person at a polling place in every primary election, general election, primary city election, general city election and special election.*

*(b) Is not required to provide photo identification to:*

*(1) Vote by absent ballot or military-overseas ballot; or*

*(2) Vote by mail in the manner prescribed by NRS 293.343 to 293.355, inclusive, 293.8801 to 293.8887, inclusive, 293C.112 or 293C.342 to 293C.352, inclusive.*

*2. Each county clerk shall establish a procedure for a registered voter who has provided the notification described in subsection 1 to notify the county clerk that the registered voter no longer wants to be required to provide photo identification in order to vote in person at a polling place.*

*3. The Secretary of State shall adopt regulations necessary to carry out the provisions of this section, including, without limitation, setting forth the acceptable forms of photo identification that a registered voter is required to provide pursuant to this section in order to vote in person.*

**Sec. 2.** NRS 293.2725 is hereby amended to read as follows:

293.2725 1. Except as otherwise provided in subsection ~~2~~<sup>2.1</sup>, in NRS 293.3081, 293.3083 and 293.5772 to 293.5887, inclusive, and in federal law, a person who registers to vote by mail or computer or registers to vote pursuant to NRS 293.5742, or a person who preregisters to vote by mail or computer and is subsequently deemed to be registered to vote, and who has not previously voted in an election for federal office in this State:

(a) May vote at a polling place only if the person presents to the election board officer at the polling place:



(1) A current and valid photo identification of the person, which shows his or her physical address; or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card; and

(b) May vote by mail only if the person provides to the county or city clerk:

(1) A copy of a current and valid photo identification of the person, which shows his or her physical address; or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card.

➤ If there is a question as to the physical address of the person, the election board officer or clerk may request additional information.

2. *In addition to any applicable requirements of subsection 1, a person who has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place must provide photo identification.*

3. The provisions of subsection 1 do not apply to a person who:

(a) Registers to vote by mail or computer, or preregisters to vote by mail or computer and is subsequently deemed to be registered to vote, and submits with an application to preregister or register to vote:

(1) A copy of a current and valid photo identification; or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card;

(b) Except as otherwise provided in subsection ~~3.3~~ 4, registers to vote by mail or computer and submits with an application to register to vote a driver's license number or at least the last four digits of his or her social security number, if a state or local election official has matched that information with an existing identification record bearing the same number, name and date of birth as provided by the person in the application;

(c) Registers to vote pursuant to NRS 293.5742, and at that time presents to the Department of Motor Vehicles:

(1) A copy of a current and valid photo identification;

(2) A copy of a current utility bill, bank statement, paycheck or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card; or



(3) A driver's license number or at least the last four digits of his or her social security number, if a state or local election official has matched that information with an existing identification record bearing the same number, name and date of birth as provided by the person in the application;

(d) Is entitled to vote an absent ballot pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq.;

(e) Is provided the right to vote otherwise than in person under the Voting Accessibility for the Elderly and Handicapped Act, 52 U.S.C. §§ 20101 et seq.; or

(f) Is entitled to vote otherwise than in person under any other federal law.

~~3.1~~ 4. The provisions of subsection 1 apply to a person described in paragraph (b) of subsection ~~2.1~~ 3, if the voter registration card issued to the person is mailed by the county clerk to the person and returned to the county clerk by the United States Postal Service.

**Sec. 3.** NRS 293.277 is hereby amended to read as follows:

293.277 1. Except as otherwise provided in *this section and* NRS 293.283, 293.541 and 293.5772 to 293.5887, inclusive, if a person's name appears in the roster or if the person provides an affirmation pursuant to NRS 293.525, the person is entitled to vote and must sign his or her name in the roster or on a signature card when he or she applies to vote. The signature must be compared by an election board officer with the signature or a facsimile thereof on the person's application to register to vote or one of the forms of identification listed in subsection ~~2.1~~ 3.

2. *If a person has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place, the person must provide photo identification before that person may vote in person at the polling place.*

3. Except as otherwise provided in NRS 293.2725 ~~1.1~~ and *section 1 of this act*, the forms of identification which may be used individually to identify a voter at the polling place are:

(a) The voter registration card issued to the voter;

(b) A driver's license;

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

(d) A military identification card; or

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



~~§ 4.~~ 4. The county clerk shall prescribe a procedure, approved by the Secretary of State, to verify that the voter has not already voted in that county in the current election.

**Sec. 4.** NRS 293.283 is hereby amended to read as follows:

293.283 1. If, because of physical limitations, a registered voter is unable to sign his or her name in the roster or on a signature card as required by NRS 293.277, the voter must be identified by:

(a) *If the voter has not notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place:*

(1) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;

~~§(b)~~ (2) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

~~§(c)~~ (3) Providing the election board officer with proof of identification as described in *subsection 3 of* NRS 293.277 other than the voter registration card issued to the voter.

(b) *If the voter has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place, providing photo identification.*

2. If the identity of the voter is verified, the election board officer shall indicate in the roster "Identified" by the voter's name.

**Sec. 5.** NRS 293.285 is hereby amended to read as follows:

293.285 1. Except as otherwise provided in NRS 293.283 and 293.5772 to 293.5887, inclusive:

(a) A registered voter applying to vote shall state his or her name to the election board officer in charge of the roster; and

(b) The election board officer shall:

(1) Announce the name of the registered voter;

(2) Instruct the registered voter to sign the roster or signature card;

(3) Verify the signature of the registered voter in the manner set forth in NRS 293.277; ~~and~~

(4) *If the voter has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place, require that the voter provide photo identification; and*

(5) Verify that the registered voter has not already voted in that county in the current election.

2. If the signature does not match ~~§~~ *and the voter has not notified the county clerk pursuant to section 1 of this act that he or*



1 *she wants to be required to provide photo identification to vote in*  
2 *person at a polling place*, the voter must be identified by:

3 (a) Answering questions from the election board officer  
4 covering the personal data which is reported on the application to  
5 register to vote;

6 (b) Providing the election board officer, orally or in writing,  
7 with other personal data which verifies the identity of the voter; or

8 (c) Providing the election board officer with proof of  
9 identification as described in *subsection 3 of* NRS 293.277 other  
10 than the voter registration card issued to the voter.

11 3. If the signature of the voter has changed in comparison to  
12 the signature on the application to preregister or register to vote, the  
13 voter must update his or her signature on a form prescribed by the  
14 Secretary of State.

15 **Sec. 6.** NRS 293.287 is hereby amended to read as follows:

16 293.287 1. A registered voter applying to vote at any primary  
17 election shall give his or her name and political affiliation, if any, to  
18 the election board officer in charge of the roster, and the officer  
19 shall ~~immediately~~ :

20 (a) *Immediately* announce the name and political affiliation ~~of~~  
21 *of the voter; and*

22 (b) *If the voter has notified the county clerk pursuant to*  
23 *section 1 of this act that he or she wants to be required to provide*  
24 *photo identification to vote in person at a polling place, require*  
25 *that the voter provide photo identification.*

26 2. Any person's right to vote may be challenged by any  
27 registered voter upon:

28 (a) Any of the grounds allowed for a challenge in NRS 293.303;

29 (b) The ground that the person applying does not belong to the  
30 political party designated upon the roster; or

31 (c) The ground that the roster does not show that the person  
32 designated the political party to which he or she claims to belong.

33 3. Any such challenge must be disposed of in the manner  
34 provided by NRS 293.303.

35 4. A registered voter who has designated on his or her  
36 application to register to vote an affiliation with a minor political  
37 party may vote a nonpartisan ballot at the primary election.

38 **Sec. 7.** NRS 293.3025 is hereby amended to read as follows:

39 293.3025 The Secretary of State and each county and city clerk  
40 shall ensure that a copy of each of the following is posted in a  
41 conspicuous place at each polling place on election day:

42 1. A sample ballot;

43 2. Information concerning the date and hours of operation of  
44 the polling place;



3. Instructions for voting and casting a ballot, including a provisional ballot pursuant to NRS 293.3078 to 293.3086, inclusive, or a provisional ballot pursuant to NRS 293.5772 to 293.5887, inclusive;

4. Instructions concerning the identification required for persons who ~~registered~~ :

(a) *Registered* by mail or computer and are first-time voters for federal office in this State; *or*

(b) *Notified the county clerk pursuant to section 1 of this act that they want to be required to provide photo identification to vote in person at the polling place;*

5. Information concerning the accessibility of polling places to persons with disabilities;

6. General information concerning federal and state laws which prohibit acts of fraud and misrepresentation; and

7. Information concerning the eligibility of a candidate, a ballot question or any other matter appearing on the ballot as a result of a judicial determination or by operation of law, if any.

**Sec. 8.** NRS 293.3075 is hereby amended to read as follows:

293.3075 1. Except as otherwise provided in NRS 293.283 and 293.5772 to 293.5887, inclusive, upon the appearance of a person to cast a ballot at a polling place established pursuant to NRS 293.3072, the election board officer shall:

(a) Determine that the person is a registered voter in the county and has not already voted in that county in the current election;

(b) Instruct the voter to sign the roster or a signature card; ~~and~~

(c) *If the voter has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place, require that the voter provide photo identification; and*

(d) Verify the signature of the voter in the manner set forth in NRS 293.277.

2. If the signature of the voter does not match ~~it~~ *and the voter has not notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place,* the voter must be identified by:

(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;

(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

(c) Providing the election board officer with proof of identification as described in *subsection 3 of* NRS 293.277 other than the voter registration card issued to the voter.





3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.

4. The county clerk shall prescribe a procedure, approved by the Secretary of State, to verify that the voter has not already voted in that county in the current election.

5. When a voter is entitled to cast a ballot and has identified himself or herself to the satisfaction of the election board officer, the voter is entitled to receive the appropriate ballot or ballots, but only for his or her own use at the polling place where he or she applies to vote.

6. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the election board officer shall:

(a) Prepare the mechanical voting device for the voter;

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

(c) Allow the voter to cast a vote.

7. A voter applying to vote at a polling place established pursuant to NRS 293.3072 may be challenged pursuant to NRS 293.303.

**Sec. 9.** NRS 293.3081 is hereby amended to read as follows:

293.3081 A person at a polling place may cast a provisional ballot in an election pursuant to NRS 293.3078 to 293.3086, inclusive, if the person complies with the applicable provisions of NRS 293.3082 and:

1. Declares that he or she has registered to vote and is eligible to vote at that election in that jurisdiction, but ~~his or her~~ :

(a) *The person's* name does not appear on a voter registration list as a voter eligible to vote in that election in that jurisdiction ~~for an~~ ;

(b) *An* election official asserts that the person is not eligible to vote in that election in that jurisdiction; *or*

(c) *If the person notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place, the person does not provide photo identification;*

2. Applies by mail or computer, on or after January 1, 2003, to register to vote and has not previously voted in an election for federal office in this State and fails to provide the identification required pursuant to paragraph (a) of subsection 1 of NRS 293.2725 to the election board officer at the polling place; or





3. Declares that he or she is entitled to vote after the polling place would normally close as a result of a court order or other order extending the time established for the closing of polls pursuant to a law of this State in effect 10 days before the date of the election.

**Sec. 10.** NRS 293.3082 is hereby amended to read as follows:

293.3082 1. Before a person may cast a provisional ballot pursuant to NRS 293.3081, the person must complete a written affirmation on a form provided by an election board officer, as prescribed by the Secretary of State, at the polling place which includes:

(a) The name of the person casting the provisional ballot;

(b) The reason for casting the provisional ballot;

(c) A statement in which the person casting the provisional ballot affirms under penalty of perjury that he or she is a registered voter in the jurisdiction and is eligible to vote in the election;

(d) The date and type of election;

(e) The signature of the person casting the provisional ballot;

(f) The signature of the election board officer;

(g) A unique affirmation identification number assigned to the person casting the provisional ballot;

(h) If the person is casting the provisional ballot pursuant to *paragraph (a) or (b) of subsection 1 of NRS 293.3081:*

(1) An indication by the person as to whether or not he or she provided the required identification at the time the person applied to register to vote;

(2) The address of the person as listed on the application to register to vote;

(3) Information concerning the place, manner and approximate date on which the person applied to register to vote;

(4) Any other information that the person believes may be useful in verifying that the person has registered to vote; and

(5) A statement informing the voter that if the voter does not provide identification at the time the voter casts the provisional ballot, the required identification must be provided to the county or city clerk not later than 5 p.m. on the Friday following election day and that failure to do so will result in the provisional ballot not being counted;

*(i) If the person is casting the provisional ballot pursuant to paragraph (c) of subsection 1 of NRS 293.3081, a statement informing the voter that the voter must provide the required photo identification to the county or city clerk not later than 5 p.m. on the Friday following election day and that failure to do so will result in the provisional ballot not being counted;*

*(j) If the person is casting the provisional ballot pursuant to subsection 2 of NRS 293.3081:*



(1) The address of the person as listed on the application to register to vote;

(2) The voter registration number, if any, issued to the person; and

(3) A statement informing the voter that the required identification must be provided to the county or city clerk not later than 5 p.m. on the Friday following election day and that failure to do so will result in the provisional ballot not being counted; and

~~(((~~ (k) If the person is casting the provisional ballot pursuant to subsection 3 of NRS 293.3081, the voter registration number, if any, issued to the person.

2. After a person completes a written affirmation pursuant to subsection 1:

(a) The election board officer shall provide the person with a receipt that includes the unique affirmation identification number described in subsection 1 and that explains how the person may use the free access system established pursuant to NRS 293.3086 to ascertain whether the person's vote was counted, and, if the vote was not counted, the reason why the vote was not counted;

(b) The voter's name and applicable information must be entered into the roster in a manner which indicates that the voter cast a provisional ballot; and

(c) The election board officer shall issue a provisional ballot to the person to vote.

**Sec. 11.** NRS 293.330 is hereby amended to read as follows:

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

(a) Mark and fold the absent ballot;

(b) Deposit the absent ballot in the return envelope and seal the return envelope;

(c) Affix his or her signature on the return envelope in the space provided for the signature; and

(d) Mail or deliver the return envelope in a manner authorized by law.

2. Except as otherwise provided in subsection 3, if a voter who has requested an absent ballot by mail applies to vote the absent ballot in person at:

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



(b) A polling place, including, without limitation, a polling place for early voting, the voter must surrender the absent ballot and provide satisfactory identification , *including, without limitation, the photo identification required pursuant to section 1 of this act, if applicable*, before being issued a ballot to vote at the polling place. A person who receives a surrendered absent ballot shall mark it "Cancelled."

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

(a) Provides satisfactory identification ~~§~~ , *including, without limitation, the photo identification required pursuant to section 1 of this act, if applicable*;

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

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

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

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

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

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

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

(1) Before the end of the third day after the day of receipt, if the person receives the absent ballot from the voter four or more days before the day of the election; or

(2) Before the deadline established by the United States Postal Service for the absent ballot to be postmarked on the day of the election or before the polls close on the day of the election, as applicable to the type of delivery, if the person receives the absent ballot from the voter three or fewer days before the day of the election.

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



**Sec. 12.** NRS 293.353 is hereby amended to read as follows:

293.353 1. Except as otherwise provided in this section, NRS 293.352 and chapter 293D of NRS, in order to vote a mailing ballot, the registered voter must, in accordance with the instructions:

(a) Mark and fold the mailing ballot;

(b) Deposit the mailing ballot in the return envelope and seal the return envelope;

(c) Affix his or her signature on the return envelope in the space provided for the signature; and


(d) Mail or deliver the return envelope in a manner authorized by law.

2. Except as otherwise provided in subsection 3, if a registered voter who has received a mailing ballot applies to vote in person at:

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

(b) One of the polling places on election day or a polling place for early voting in the county designated pursuant to subsection 3 or 4 of NRS 293.343, the registered voter must surrender the mailing ballot and provide satisfactory identification , *including, without limitation, the photo identification required pursuant to section 1 of this act, if applicable*, before being issued a ballot to vote at the polling place. A person who receives a surrendered mailing ballot shall mark it "Cancelled."

3. If a registered voter who has received a mailing ballot wishes to vote in person at the office of the county clerk or at one of the polling places on election day or a polling place for early voting in the county designated pursuant to subsection 3 or 4 of NRS 293.343, and the voter does not have the mailing ballot to deliver or surrender, the voter must be issued a ballot to vote if the voter:

(a) Provides satisfactory identification  , *including, without limitation, the photo identification required pursuant to section 1 of this act*;

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

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

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



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

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

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

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

(1) Before the end of the third day after the day of receipt, if the person receives the mailing ballot from the voter four or more days before the day of the election; or

(2) Before the deadline established by the United States Postal Service for the mailing ballot to be postmarked on the day of the election or before the polls close on the day of the election, as applicable to the type of delivery, if the person receives the mailing ballot from the voter three or fewer days before the day of the election.

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

**Sec. 13.** NRS 293.3585 is hereby amended to read as follows:

293.3585 1. Except as otherwise provided in NRS 293.283 and 293.5772 to 293.5887, inclusive, upon the appearance of a person to cast a ballot for early voting, an election board officer shall:


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

(b) Instruct the voter to sign the roster for early voting or a signature card.

(c) Verify the signature of the voter in the manner set forth in NRS 293.277.

(d) *If the voter has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place, require the voter to provide photo identification.*

(e) Verify that the voter has not already voted in that county in the current election.

2. If the signature of the voter does not match  *and the voter has not notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place*, the voter must be identified by:



(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;

(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

(c) Providing the election board officer with proof of identification as described in *subsection 3 of* NRS 293.277 other than the voter registration card issued to the voter.

3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.

4. The county clerk shall prescribe a procedure, approved by the Secretary of State, to verify that the voter has not already voted in that county in the current election.

5. The roster for early voting or a signature card, as applicable, must contain:

(a) The voter's name, the address where he or she is registered to vote, his or her voter identification number , *an indication of whether the voter has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place* and a place for the voter's signature;

(b) The voter's precinct or voting district number, if that information is available; and

(c) The date of voting early in person.

6. When a voter is entitled to cast a ballot and has identified himself or herself to the satisfaction of the election board officer, *including, without limitation, providing photo identification as required pursuant to section 1 of this act, if applicable*, the voter is entitled to receive the appropriate ballot or ballots, but only for his or her own use at the polling place for early voting.

7. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the election board officer shall:

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

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

(c) Allow the voter to cast a vote.

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

**Sec. 14.** NRS 293.511 is hereby amended to read as follows:

293.511 If a registrar of voters' register or roster is kept by computer, the register or roster, as applicable, must include the



1 name, address, precinct, political affiliation and signature or  
2 facsimile thereof of each voter , *an indication of whether the voter*  
3 *has notified the county clerk pursuant to section 1 of this act that*  
4 *he or she wants to be required to provide photo identification to*  
5 *vote in person at a polling place* and any additional information  
6 required by the county clerk.

7 **Sec. 15.** NRS 293.5235 is hereby amended to read as follows:

8 293.5235 1. Except as otherwise provided in NRS 293.502  
9 and chapter 293D of NRS, a person may preregister or register to  
10 vote by:

11 (a) Mailing an application to preregister or register to vote to the  
12 county clerk of the county in which the person resides.

13 (b) A computer using:

14 (1) The system established by the Secretary of State pursuant  
15 to NRS 293.671; or

16 (2) A system established by the county clerk, if the county  
17 clerk has established a system pursuant to NRS 293.506 for using a  
18 computer to preregister or register to vote.

19 (c) Any other method authorized by the provisions of this title.

20 2. The county clerk shall, upon request, mail an application to  
21 preregister or register to vote to an applicant. The county clerk shall  
22 make the applications available at various public places in the  
23 county.

24 3. Except as otherwise provided in NRS 293.5772 to 293.5887,  
25 inclusive:

26 (a) An application to preregister to vote may be used to correct  
27 information in a previous application.

28 (b) An application to register to vote may be used to correct  
29 information in the registrar of voters' register.

30 4. An application to preregister or register to vote which is  
31 mailed to an applicant by the county clerk or made available to the  
32 public at various locations or voter registration agencies in the  
33 county may be returned to the county clerk by mail or in person. For  
34 the purposes of this section, an application which is personally  
35 delivered to the county clerk shall be deemed to have been returned  
36 by mail.

37 5. The applicant must complete the application, including,  
38 without limitation, checking the boxes described in paragraphs (b)  
39 and (c) of subsection 12 and signing the application.

40 6. The county clerk shall, upon receipt of an application,  
41 determine whether the application is complete.

42 7. If the county clerk determines that the application is  
43 complete, he or she shall, within 10 days after receiving the  
44 application, mail to the applicant:





(a) A notice that the applicant is preregistered or registered to vote, as applicable. If the applicant is registered to vote, the county clerk must also mail to the applicant a voter registration card; or

(b) A notice that the person's application to preregister to vote or the registrar of voters' register has been corrected to reflect any changes indicated on the application.

8. Except as otherwise provided in subsections 5 and 6 of NRS 293.518 and NRS 293.5767, if the county clerk determines that the application is not complete, the county clerk shall, as soon as possible, mail a notice to the applicant that additional information is required to complete the application. If the applicant provides the information requested by the county clerk within 15 days after the county clerk mails the notice, the county clerk shall, within 10 days after receiving the information, mail to the applicant:

(a) A notice that the applicant is:

(1) Preregistered to vote; or

(2) Registered to vote and a voter registration card; or

(b) A notice that the person's application to preregister to vote or the registrar of voters' register has been corrected to reflect any changes indicated on the application.

➡ If the applicant does not provide the additional information within the prescribed period, the application is void.

9. The applicant shall be deemed to be preregistered or registered or to have corrected the information in the application to preregister to vote or the registrar of voters' register on the date the application is postmarked or received by the county clerk, whichever is earlier.

10. If the applicant fails to check the box described in paragraph (b) of subsection 12, the application shall not be considered invalid, and the county clerk shall provide a means for the applicant to correct the omission at the time the applicant appears to vote in person at the assigned polling place.

11. The Secretary of State shall prescribe the form for applications to preregister or register to vote by:

(a) Mail, which must be used to preregister or register to vote by mail in this State.

(b) Computer, which must be used to preregister or register to vote by computer using:

(1) The system established by the Secretary of State pursuant to NRS 293.671; or

(2) A system established by the county clerk, if the county clerk has established a system pursuant to NRS 293.506 for using a computer to preregister or register to vote.

12. The application to preregister or register to vote by mail must include:



(a) A notice in at least 10-point type which states:

NOTICE: You are urged to return your application to the County Clerk in person or by mail. If you choose to give your completed application to another person to return to the County Clerk on your behalf, and the person fails to deliver the application to the County Clerk, you will not be preregistered or registered to vote, as applicable. Please retain the duplicate copy or receipt from your application to preregister or register to vote.

(b) The question, "Are you a citizen of the United States?" and boxes for the applicant to check to indicate whether or not the applicant is a citizen of the United States.

(c) If the application is to:

(1) Preregister to vote, the question, "Are you at least 17 years of age and not more than 18 years of age?" and boxes to indicate whether or not the applicant is at least 17 years of age and not more than 18 years of age.

(2) Register to vote, the question, "Will you be at least 18 years of age on or before election day?" and boxes for the applicant to check to indicate whether or not the applicant will be at least 18 years of age or older on election day.

(d) A statement instructing the applicant not to complete the application if the applicant checked "no" in response to the question set forth in:

(1) If the application is to preregister to vote, paragraph (b) or subparagraph (1) of paragraph (c).

(2) If the application is to register to vote, paragraph (b) or subparagraph (2) of paragraph (c).

(e) A statement informing the applicant that if the application is submitted by mail and the applicant is preregistering or registering to vote for the first time, the applicant must submit the information set forth in paragraph (a) of subsection ~~2~~ 3 of NRS 293.2725 to avoid the requirements of subsection 1 of NRS 293.2725 upon voting for the first time.

13. Except as otherwise provided in subsections 5 and 6 of NRS 293.518, the county clerk shall not preregister or register a person to vote pursuant to this section unless that person has provided all of the information required by the application.

14. The county clerk shall mail, by postcard, the notices required pursuant to subsections 7 and 8. If the postcard is returned to the county clerk by the United States Postal Service because the address is fictitious or the person does not live at that address, the county clerk shall attempt to determine whether the person's current



1 residence is other than that indicated on the application to  
2 preregister or register to vote in the manner set forth in  
3 NRS 293.530.

4 15. A person who, by mail, preregisters or registers to vote  
5 pursuant to this section may be assisted in completing the  
6 application to preregister or register to vote by any other person.  
7 The application must include the mailing address and signature of  
8 the person who assisted the applicant. The failure to provide the  
9 information required by this subsection will not result in the  
10 application being deemed incomplete.

11 16. An application to preregister or register to vote must be  
12 made available to all persons, regardless of political party affiliation.

13 17. An application must not be altered or otherwise defaced  
14 after the applicant has completed and signed it. An application must  
15 be mailed or delivered in person to the office of the county clerk  
16 within 10 days after it is completed.

17 18. A person who willfully violates any of the provisions of  
18 subsection 15, 16 or 17 is guilty of a category E felony and shall be  
19 punished as provided in NRS 193.130.

20 19. The Secretary of State shall adopt regulations to carry out  
21 the provisions of this section.

22 **Sec. 16.** NRS 293C.270 is hereby amended to read as follows:

23 293C.270 1. Except as otherwise provided in *this section and*  
24 NRS 293.5772 to 293.5887, inclusive, and 293C.272, if a person's  
25 name appears in the roster or if the person provides an affirmation  
26 pursuant to NRS 293C.525, the person is entitled to vote and must  
27 sign his or her name in the roster or on a signature card when he or  
28 she applies to vote. The signature must be compared by an election  
29 board officer with the signature or a facsimile thereof on the  
30 person's application to register to vote or one of the forms of  
31 identification listed in subsection ~~2~~ 3.

32 2. ~~The~~ *If a person has notified the county clerk pursuant to*  
33 *section 1 of this act that he or she wants to be required to provide*  
34 *photo identification to vote in person at a polling place, the person*  
35 *must provide photo identification before that person may vote in*  
36 *person at the polling place.*

37 3. *Except as otherwise provided in section 1 of this act, the*  
38 forms of identification that may be used to identify a voter at the  
39 polling place are:

- 40 (a) The voter registration card issued to the voter;  
41 (b) A driver's license;  
42 (c) An identification card issued by the Department of Motor  
43 Vehicles;  
44 (d) A military identification card; or



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

~~[3-]~~ 4. The city clerk shall prescribe a procedure, approved by the Secretary of State, to verify that the voter has not already voted in that city in the current election.

**Sec. 17.** NRS 293C.272 is hereby amended to read as follows:

293C.272 1. If, because of physical limitations, a registered voter is unable to sign his or her name in the roster or on a signature card as required by NRS 293C.270, the voter must be identified by:

(a) *If the voter has not notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place:*

(1) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;

~~[(b)]~~ (2) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

~~[(c)]~~ (3) Providing the election board officer with proof of identification as described in *subsection 3 of* NRS 293C.270 other than the voter registration card issued to the voter.

(b) *If the voter has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place, providing photo identification.*

2. If the identity of the voter is verified, the election board officer shall indicate in the roster "Identified" by the voter's name.

**Sec. 18.** NRS 293C.275 is hereby amended to read as follows:

293C.275 1. Except as otherwise provided in NRS 293.5772 to 293.5887, inclusive, and 293C.272:

(a) A registered voter who applies to vote must state his or her name to the election board officer in charge of the roster; and

(b) The election board officer shall:

(1) Announce the name of the registered voter;

(2) Instruct the registered voter to sign the roster or signature card;

(3) Verify the signature of the registered voter in the manner set forth in NRS 293C.270; ~~and~~

(4) *If the registered voter has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place, require that the registered voter provide photo identification; and*

(5) Verify that the registered voter has not already voted in that city in the current election.



2. If the signature does not match ~~[ ]~~ *and the registered voter has not notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place,* the voter must be identified by:

(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;

(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

(c) Providing the election board officer with proof of identification as described in *subsection 3 of* NRS 293C.270 other than the voter registration card issued to the voter.

3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.

**Sec. 19.** NRS 293C.277 is hereby amended to read as follows:

293C.277 1. A registered voter who applies to vote at an election must give his or her name to the election board officer in charge of the roster, and the officer shall ~~[immediately]~~ :

(a) *Immediately* announce the name of the voter ~~[ ]~~; *and*

(b) *If the voter has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place, require that the voter provide photo identification.*

2. Any person's right to vote may be challenged by a registered voter upon any of the grounds allowed for a challenge in NRS 293C.292. Any such challenge must be disposed of in the manner provided in NRS 293C.292.

**Sec. 20.** NRS 293C.3035 is hereby amended to read as follows:

293C.3035 1. Except as otherwise provided in NRS 293.5772 to 293.5887, inclusive, and 293C.272, upon the appearance of a person to cast a ballot at a polling place established pursuant to NRS 293C.3032, if any, the election board officer shall:

(a) Determine that the person is a registered voter in the city and has not already voted in that city in the current election;

(b) Instruct the voter to sign the roster or a signature card; ~~[and]~~

(c) Verify the signature of the voter in the manner set forth in NRS 293C.270 ~~[ ]~~; *and*

(d) *If the voter has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place, require that the voter provide photo identification.*



2. If the signature of the voter does not match **[X]** *and the voter has not notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place*, the voter must be identified by:

(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;

(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

(c) Providing the election board officer with proof of identification as described in *subsection 3 of* NRS 293C.270 other than the voter registration card issued to the voter.

3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.

4. The city clerk shall prescribe a procedure, approved by the Secretary of State, to verify that the voter has not already voted in that city in the current election.

5. When a voter is entitled to cast a ballot and has identified himself or herself to the satisfaction of the election board officer, the voter is entitled to receive the appropriate ballot or ballots, but only for his or her own use at the polling place where he or she applies to vote.

6. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the election board officer shall:

(a) Prepare the mechanical voting device for the voter;

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

(c) Allow the voter to cast a vote.

7. A voter applying to vote at a polling place established pursuant to NRS 293C.3032, if any, may be challenged pursuant to NRS 293C.292.

**Sec. 21.** NRS 293C.330 is hereby amended to read as follows:

293C.330 1. Except as otherwise provided in this section, subsection 2 of NRS 293C.322, NRS 293C.329 and chapter 293D of NRS, in order to vote an absent ballot, the absent voter must, in accordance with the instructions:

(a) Mark and fold the absent ballot;

(b) Deposit the absent ballot in the return envelope and seal the return envelope;

(c) Affix his or her signature on the return envelope in the space provided for the signature; and



(d) Mail or deliver the return envelope in a manner authorized by law.


2. Except as otherwise provided in subsection 3, if a voter who has requested an absent ballot by mail applies to vote the absent ballot in person at:

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

(b) A polling place, including, without limitation, a polling place for early voting, the voter must surrender the absent ballot and provide satisfactory identification, *including, without limitation, photo identification required pursuant to section 1 of this act, if applicable*, before being issued a ballot to vote at the polling place.

A person who receives a surrendered absent ballot shall mark it “Cancelled.”

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

(a) Provides satisfactory identification , *including, without limitation, photo identification required pursuant to section 1 of this act, if applicable*;

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

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

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

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

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

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

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





(1) Before the end of the third day after the day of receipt, if the person receives the absent ballot from the voter four or more days before the day of the election; or

(2) Before the deadline established by the United States Postal Service for the absent ballot to be postmarked on the day of the election or before the polls close on the day of the election, as applicable to the type of delivery, if the person receives the absent ballot from the voter three or fewer days before the day of the election.

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

**Sec. 22.** NRS 293C.3585 is hereby amended to read as follows:

293C.3585 1. Except as otherwise provided in NRS 293.5772 to 293.5887, inclusive, and 293C.272, upon the appearance of a person to cast a ballot for early voting, an election board officer shall:


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

(b) Instruct the voter to sign the roster for early voting or a signature card.

(c) Verify the signature of the voter in the manner set forth in NRS 293C.270.

(d) *If the person has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place, require the person to provide photo identification.*

(e) Verify that the voter has not already voted in that city in the current election.

2. If the signature does not match  *and the person has not notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place,* the voter must be identified by:

(a) Answering questions from the election board officer covering the personal data which is reported on the application to register to vote;

(b) Providing the election board officer, orally or in writing, with other personal data which verifies the identity of the voter; or

(c) Providing the election board officer with proof of identification as described in *subsection 3 of* NRS 293C.270 other than the voter registration card issued to the voter.

3. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the voter must update his or her signature on a form prescribed by the Secretary of State.



4. The city clerk shall prescribe a procedure, approved by the Secretary of State, to verify that the voter has not already voted in that city in the current election.

5. The roster for early voting or signature card, as applicable, must contain:

(a) The voter's name, the address where he or she is registered to vote, his or her voter identification number , *an indication whether the voter has notified the county clerk pursuant to section 1 of this act that he or she wants to be required to provide photo identification to vote in person at a polling place* and a place for the voter's signature;

(b) The voter's precinct or voting district number, if that information is available; and

(c) The date of voting early in person.

6. When a voter is entitled to cast a ballot and has identified himself or herself to the satisfaction of the election board officer, the voter is entitled to receive the appropriate ballot or ballots, but only for his or her own use at the polling place for early voting.

7. If the ballot is voted on a mechanical recording device which directly records the votes electronically, the election board officer shall:

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

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

(c) Allow the voter to cast a vote.

8. A voter applying to vote early by personal appearance may be challenged pursuant to NRS 293C.292.

**Sec. 23.** 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. 24.** 1. This section becomes effective upon passage and approval.

2. Sections 1 to 23, inclusive, of this act become effective:

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

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

