

SENATE BILL NO. 263—SENATOR SETTELMAYER

MARCH 16, 2021

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-896)

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; eliminating the requirement to cancel a person's voter registration if a person changes his or her party affiliation; revising provisions related to military and overseas voters; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the county clerk to cancel the registration of a person if he or she requests to affiliate or change his or her affiliation with a political party and provides that the person may reregister immediately. (NRS 293.540, 293.543) **Sections 1 and 2** of this bill revise these provisions to remove the requirement for the county clerk to cancel the registration of a person who requests to affiliate or change his or her affiliation with a political party.

Existing law requires the Secretary of State to establish a system of approved electronic transmission for covered voters, who are uniformed-service voters, overseas voters and the spouses and dependents of such persons, to apply for, receive and send documents related to registering to vote and voting. (NRS 293D.030, 293D.200) Existing law also authorizes a covered voter to submit an application to register to vote or an application for a military-overseas ballot until the seventh day before an election. (NRS 293D.230, 293D.300, 293D.310) **Sections 2.6-5.5** of this bill revise the deadlines for a covered voter to apply to register to vote, apply for a military-overseas ballot and cast a military-overseas ballot.

Section 2.6 of this act provides that a covered voter who is not a registered voter in this State may use the electronic equivalent of the federal postcard application created using the system of approved electronic transmission to simultaneously apply to register to vote and submit a military-overseas ballot. **Section 2.6** also sets forth the deadlines for submitting the electronic equivalent of the federal postcard application and the military-overseas ballot which differ depending on whether those documents are submitted by mail or by electronic mail or facsimile machine.



25 **Section 2.8** of this bill clarify that a “military-overseas ballot” includes any
26 ballot by a covered voter in accordance with chapter 293D of NRS where the
27 covered voter has indicated his or her voting choices.

28 **Section 3** of this bill provides that a covered voter may simultaneously apply to
29 register to vote and request a military-overseas ballot by submitting the standard
30 federal postcard or the application’s electronic equivalent by the seventh day before
31 the election.

32 **Section 4** provides that a covered voter who is registered vote in this State may
33 apply for a military-overseas ballot by submitting a federal postcard application or
34 the application’s electronic equivalent if the federal postcard application or the
35 application’s electronic equivalent is received by the seventh day before the
36 election.

37 **Sections 5 and 5.5** of this bill make conforming changes related to the
38 amendments to the deadlines as set forth in **sections 2.6-4**.

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

1 **Section 1.** NRS 293.1277 is hereby amended to read as
2 follows:

3 293.1277 1. If the Secretary of State finds that the total
4 number of signatures submitted to all the county clerks is 100
5 percent or more of the number of registered voters needed to declare
6 the petition sufficient, the Secretary of State shall immediately so
7 notify the county clerks. After the notification, each of the county
8 clerks shall determine the number of registered voters who have
9 signed the documents submitted in the county clerk’s county and, in
10 the case of a petition for initiative or referendum proposing a
11 constitutional amendment or statewide measure, shall tally the
12 number of signatures for each petition district contained or fully
13 contained within the county clerk’s county. This determination must
14 be completed within 9 days, excluding Saturdays, Sundays and
15 holidays, after the notification pursuant to this subsection regarding
16 a petition containing signatures which are required to be verified
17 pursuant to NRS 293.128, 295.056, 298.109 or 306.110, within 20
18 days, excluding Saturdays, Sundays and holidays, after the
19 notification pursuant to this subsection regarding a petition
20 containing signatures which are required to be verified pursuant to
21 NRS 306.035, and within 3 days, excluding Saturdays, Sundays and
22 holidays, after the notification pursuant to this subsection regarding
23 a petition containing signatures which are required to be verified
24 pursuant to NRS 293.172 or 293.200. For the purpose of verification
25 pursuant to this section, the county clerk shall not include in his or
26 her tally of total signatures any signature included in the incorrect
27 petition district.

28 2. Except as otherwise provided in subsections 3 and 4, if more
29 than 500 names have been signed on the documents submitted to a



1 county clerk, the county clerk shall examine the signatures by
2 sampling them at random for verification. The random sample of
3 signatures to be verified must be drawn in such a manner that every
4 signature which has been submitted to the county clerk is given an
5 equal opportunity to be included in the sample. The sample must
6 include an examination of:

7 (a) Except as otherwise provided in paragraph (b), at least 500
8 or 5 percent of the signatures, whichever is greater.

9 (b) If the petition is for the recall of a public officer who holds a
10 statewide office, at least 25 percent of the signatures.

11 ↪ If documents were submitted to the county clerk for more than
12 one petition district wholly contained within that county, a separate
13 random sample must be performed for each petition district.

14 3. If a petition district comprises more than one county and the
15 petition is for an initiative or referendum proposing a constitutional
16 amendment or a statewide measure, and if more than 500 names
17 have been signed on the documents submitted for that petition
18 district, the appropriate county clerks shall examine the signatures
19 by sampling them at random for verification. The random sample of
20 signatures to be verified must be drawn in such a manner that every
21 signature which has been submitted to the county clerks within the
22 petition district is given an equal opportunity to be included in the
23 sample. The sample must include an examination of at least 500 or 5
24 percent of the signatures presented in the petition district, whichever
25 is greater. The Secretary of State shall determine the number of
26 signatures that must be verified by each county clerk within the
27 petition district.

28 4. If a petition is for the recall of a public officer who does not
29 hold a statewide office, each county clerk:

30 (a) Shall not examine the signatures by sampling them at
31 random for verification;

32 (b) Shall examine for verification every signature on the
33 documents submitted to the county clerk; and

34 (c) When determining the total number of valid signatures on
35 the documents, shall remove each name of a registered voter who
36 submitted a request to have his or her name removed from the
37 petition pursuant to NRS 306.015.

38 5. In determining from the records of registration the number
39 of registered voters who signed the documents, the county clerk may
40 use the signatures contained in the file of applications to register to
41 vote. If the county clerk uses that file, the county clerk shall ensure
42 that every application in the file is examined, including any
43 application in his or her possession which may not yet be entered
44 into the county clerk's records. Except as otherwise provided in
45 subsection 6, the county clerk shall rely only on the appearance of



1 the signature and the address and date included with each signature
2 in making his or her determination.

3 6. If:

4 (a) Pursuant to NRS 293.506, a county clerk establishes a
5 system to allow persons to register to vote by computer;

6 (b) A person registers to vote using the system established by
7 the Secretary of State pursuant to NRS 293.671;

8 (c) A person registers to vote pursuant to *chapter 293D of* NRS
9 ~~293D.230~~ and signs his or her application to register to vote using
10 a digital signature or an electronic signature; or

11 (d) A person registers to vote pursuant to NRS 293.5742,
12 ↪ the county clerk may rely on such other indicia as prescribed by
13 the Secretary of State in making his or her determination.

14 7. In the case of a petition for initiative or referendum
15 proposing a constitutional amendment or statewide measure, when
16 the county clerk is determining the number of registered voters who
17 signed the documents from each petition district contained fully or
18 partially within the county clerk's county, he or she must use the
19 statewide voter registration list available pursuant to NRS 293.675.

20 8. Except as otherwise provided in subsection 10, upon
21 completing the examination, the county clerk shall immediately
22 attach to the documents a certificate properly dated, showing the
23 result of the examination, including the tally of signatures by
24 petition district, if required, and transmit the documents with the
25 certificate to the Secretary of State. In the case of a petition for
26 initiative or referendum proposing a constitutional amendment or
27 statewide measure, if a petition district comprises more than one
28 county, the appropriate county clerks shall comply with the
29 regulations adopted by the Secretary of State pursuant to this section
30 to complete the certificate. A copy of this certificate must be filed in
31 the clerk's office. When the county clerk transmits the certificate to
32 the Secretary of State, the county clerk shall notify the Secretary of
33 State of the number of requests to remove a name received by the
34 county clerk pursuant to NRS 295.055 or pursuant to NRS 306.015
35 for a petition to recall a public officer who holds a statewide office,
36 if applicable.

37 9. A person who submits a petition to the county clerk which is
38 required to be verified pursuant to NRS 293.128, 293.172, 293.200,
39 295.056, 298.109, 306.035 or 306.110 must be allowed to witness
40 the verification of the signatures. A public officer who is the subject
41 of a recall petition must also be allowed to witness the verification
42 of the signatures on the petition.

43 10. For any petition containing signatures which are required to
44 be verified pursuant to the provisions of NRS 293.200, 306.035 or
45 306.110 for any county, district or municipal office within one



1 county, the county clerk shall not transmit to the Secretary of State
2 the documents containing the signatures of the registered voters.

3 11. The Secretary of State shall by regulation establish further
4 procedures for carrying out the provisions of this section.

5 **Sec. 1.5.** NRS 293.540 is hereby amended to read as follows:

6 293.540 1. The county clerk shall cancel the preregistration
7 of a person:

8 (a) If the county clerk has personal knowledge of the death of
9 the person or if an authenticated certificate of the death of the
10 person is filed in the county clerk's office.

11 (b) At the request of the person.

12 (c) If the county clerk has discovered an incorrect preregistration
13 pursuant to the provisions of NRS 293.5235 and the person has
14 failed to respond within the required time.

15 (d) As required by NRS 293.541.

16 (e) Upon verification that the application to preregister to vote is
17 a duplicate if the county clerk has the original or another duplicate
18 of the application on file in the county clerk's office.

19 2. The county clerk shall cancel the registration of a person:

20 (a) If the county clerk has personal knowledge of the death of
21 the person or if an authenticated certificate of the death of the
22 person is filed in the county clerk's office.

23 (b) If the county clerk is provided a certified copy of a court
24 order stating that the court specifically finds by clear and convincing
25 evidence that the person lacks the mental capacity to vote because
26 he or she cannot communicate, with or without accommodations, a
27 specific desire to participate in the voting process.

28 (c) Upon the determination that the person has been convicted of
29 a felony and is currently incarcerated.

30 (d) Upon the production of a certified copy of the judgment of
31 any court directing the cancellation to be made.

32 ~~(e) Upon the request of any registered voter to affiliate with any
33 political party or to change affiliation, if that change is made before
34 the end of the last day to register to vote in the election.~~

35 ~~(f)~~ (f) At the request of the person.

36 ~~(g)~~ (g) If the county clerk has discovered an incorrect
37 registration pursuant to the provisions of NRS 293.5235, 293.530 or
38 293.535 and the elector has failed to respond or appear to vote
39 within the required time.

40 ~~(h)~~ (h) As required by NRS 293.541.

41 ~~(i)~~ (i) Upon verification that the application to register to vote
42 is a duplicate if the county clerk has the original or another duplicate
43 of the application on file in the county clerk's office.



Sec. 2. NRS 293.543 is hereby amended to read as follows:

293.543 1. If the registration of an elector is cancelled pursuant to paragraph (b) of subsection 2 of NRS 293.540, the county clerk shall reregister the elector upon notice from the clerk of the district court that the elector has been found by the district court to have the mental capacity to vote. The court must include the finding in a court order and, not later than 30 days after issuing the order, provide a certified copy of the order to the county clerk of the county in which the person is a resident and to the Office of the Secretary of State.

2. If the registration of an elector is cancelled pursuant to paragraph (c) of subsection 2 of NRS 293.540, the elector may reregister upon release from prison.

~~3. If the registration of an elector is cancelled pursuant to the provisions of paragraph (e) of subsection 2 of NRS 293.540, the elector may reregister immediately.~~

~~4.]~~ If the registration of an elector is cancelled pursuant to the provisions of paragraph ~~[(f)]~~ (e) of subsection 2 of NRS 293.540, after the close of registration for a primary election, the elector may not reregister until after the primary election.

~~5.]~~ 4. A county clerk shall not require an elector to present evidence, including without limitation, a court order or any other document, to prove that the elector satisfies the requirements of subsection 2.

Sec. 2.2. NRS 293.560 is hereby amended to read as follows:

293.560 1. Except as otherwise provided in NRS 293.502, 293.5772 to 293.5887, inclusive, ~~[293D.230 and 293D.300:]~~ and *chapter 293D of NRS:*

(a) For a primary or general election, or a recall or special election that is held on the same day as a primary or general election, the last day to register to vote:

(1) By mail is the fourth Tuesday preceding the primary or general election.

(2) By appearing in person at the office of the county clerk or, if open, a county facility designated pursuant to NRS 293.5035, is the fourth Tuesday preceding the primary or general election.

(3) By computer, if the county clerk has established a system pursuant to NRS 293.506 for using a computer to register voters, is the Thursday preceding the primary or general election, unless the system is used to register voters for the election pursuant to NRS 293.5842 or 293.5847.

(4) By computer using the system established by the Secretary of State pursuant to NRS 293.671, is the Thursday preceding the primary or general election, unless the system is used



1 to register voters for the election pursuant to NRS 293.5842 or
2 293.5847.

3 (b) If a recall or special election is not held on the same day as a
4 primary or general election, the last day to register to vote for the
5 recall or special election by any method of registration is the third
6 Saturday preceding the recall or special election.

7 2. Except as otherwise provided in NRS 293.5772 to 293.5887,
8 inclusive, after the deadlines for the close of registration for a
9 primary or general election set forth in subsection 1, no person may
10 register to vote for the election.

11 3. Except for a recall or special election held pursuant to
12 chapter 306 or 350 of NRS:

13 (a) The county clerk of each county shall cause a notice signed
14 by him or her to be published in a newspaper having a general
15 circulation in the county indicating:

16 (1) The day and time that each method of registration for the
17 election, as set forth in subsection 1, will be closed; and

18 (2) If the county clerk has designated a county facility
19 pursuant to NRS 293.5035, the location of that facility.

20 ↪ If no such newspaper is published in the county, the publication
21 may be made in a newspaper of general circulation published in the
22 nearest county in this State.

23 (b) The notice must be published once each week for 4
24 consecutive weeks next preceding the day that the last method of
25 registration for the election, as set forth in subsection 1, will be
26 closed.

27 4. The offices of the county clerk, a county facility designated
28 pursuant to NRS 293.5035 and other ex officio registrars may
29 remain open on the last Friday in October in each even-numbered
30 year.

31 5. A county facility designated pursuant to NRS 293.5035 may
32 be open during the periods described in this section for such hours
33 of operation as the county clerk may determine, as set forth in
34 subsection 3 of NRS 293.5035.

35 **Sec. 2.4.** NRS 293C.527 is hereby amended to read as follows:
36 293C.527 1. Except as otherwise provided in NRS 293.502,
37 293.5772 to 293.5887, inclusive, ~~[293D.230 and 293D.300:]~~ *and*
38 *chapter 293D of NRS:*

39 (a) For a primary city election or general city election, or a recall
40 or special city election that is held on the same day as a primary city
41 election or general city election, the last day to register to vote:

42 (1) By mail is the fourth Tuesday preceding the primary city
43 election or general city election.

44 (2) By appearing in person at the office of the city clerk or, if
45 open, a municipal facility designated pursuant to NRS 293C.520, is



1 the fourth Tuesday preceding the primary city election or general
2 city election.

3 (3) By computer, if the county clerk of the county in which
4 the city is located has established a system pursuant to NRS 293.506
5 for using a computer to register voters, is the Thursday preceding
6 the primary city election or general city election, unless the system
7 is used to register voters for the election pursuant to NRS 293.5842
8 or 293.5847.

9 (4) By computer using the system established by the
10 Secretary of State pursuant to NRS 293.671, is the Thursday
11 preceding the primary city election or general city election, unless
12 the system is used to register voters for the election pursuant to NRS
13 293.5842 or 293.5847.

14 (b) If a recall or special city election is not held on the same day
15 as a primary city election or general city election, the last day to
16 register to vote for the recall or special city election by any method
17 of registration is the third Saturday preceding the recall or special
18 city election.

19 2. Except as otherwise provided in NRS 293.5772 to 293.5887,
20 inclusive, after the deadlines for the close of registration for a
21 primary city election or general city election set forth in subsection
22 1, no person may register to vote for the election.

23 3. Except for a recall or special city election held pursuant to
24 chapter 306 or 350 of NRS:

25 (a) The city clerk of each city shall cause a notice signed by him
26 or her to be published in a newspaper having a general circulation in
27 the city indicating:

28 (1) The day and time that each method of registration for the
29 election, as set forth in subsection 1, will be closed; and

30 (2) If the city clerk has designated a municipal facility
31 pursuant to NRS 293C.520, the location of that facility.

32 ↪ If no newspaper is of general circulation in that city, the
33 publication may be made in a newspaper of general circulation in
34 the nearest city in this State.

35 (b) The notice must be published once each week for 4
36 consecutive weeks next preceding the day on which the last method
37 of registration for the election, as set forth in subsection 1, will be
38 closed.

39 4. A municipal facility designated pursuant to NRS 293C.520
40 may be open during the periods described in this section for such
41 hours of operation as the city clerk may determine, as set forth in
42 subsection 3 of NRS 293C.520.



1 **Sec. 2.6.** Chapter 293D of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *A covered voter who is not registered to vote in this State*
4 *may use the electronic equivalent of the federal postcard*
5 *application, as prescribed under section 101(b)(2) of the*
6 *Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C.*
7 *§ 20301(b)(2), created using the system of approved electronic*
8 *transmission described in subsection 2 of NRS 293D.200 to apply*
9 *to simultaneously register to vote and submit a military-overseas*
10 *ballot.*

11 2. *The electronic equivalent of the federal postcard*
12 *application and the military-overseas ballot must be sent by the*
13 *covered voter:*

14 (a) *By mail, postmarked on or before the day of the election*
15 *and received by the appropriate elections official by the deadline*
16 *for receiving absent ballots set forth in paragraph (b) of*
17 *subsection 1 of NRS 293.317; or*

18 (b) *By electronic mail or facsimile machine and received by*
19 *the appropriate local elections official before the time set for the*
20 *closing of polls pursuant to NRS 293.273.*

21 3. *If the electronic equivalent of the federal postcard is*
22 *received after the applicable deadline set forth in subsection 2, it*
23 *must be treated as an application to register to vote for subsequent*
24 *elections.*

25 **Sec. 2.8.** NRS 293D.050 is hereby amended to read as
26 follows:

27 293D.050 “Military-overseas ballot” means:

28 1. A federal write-in absentee ballot described in section 103 of
29 the Uniformed and Overseas Citizens Absentee Voting Act, 52
30 U.S.C. § 20303;

31 2. A ballot specifically prepared or distributed for use by a
32 covered voter in accordance with this chapter; or

33 3. Any other ballot cast by a covered voter in accordance with
34 this chapter ~~and~~ *where the covered voter has indicated his or her*
35 *voting choices.*

36 **Sec. 3.** NRS 293D.230 is hereby amended to read as follows:

37 293D.230 1. ~~In addition to any other method of registering~~
38 ~~to vote set forth in chapter 293 of NRS, a~~ A covered voter may use
39 a federal postcard application, as prescribed under section 101(b)(2)
40 of the Uniformed and Overseas Citizens Absentee Voting Act, 52
41 U.S.C. § 20301(b)(2), ~~for the application’s electronic equivalent,~~
42 *simultaneously* apply to register to vote ~~and~~ *and request a military-*
43 *overseas ballot* if the federal postcard application is received *by* the
44 appropriate local elections official by the seventh day before the
45 election. If the federal postcard application is received after the



1 seventh day before the election, it must be treated as an application
2 to register to vote for subsequent elections.

3 2. A covered voter may use the declaration accompanying the
4 federal write-in absentee ballot, as prescribed under section 103 of
5 the Uniformed and Overseas Citizens Absentee Voting Act, 52
6 U.S.C. § 20303, to apply to register to vote simultaneously with the
7 submission of the federal write-in absentee ballot, if the declaration
8 ~~is received~~ *and federal write-in absentee ballot are sent:*

9 (a) *By mail, postmarked on or before the day of the election*
10 *and received by the ~~seventh day before the election.~~ appropriate*
11 *local elections official by the deadline for receiving absent ballots*
12 *set forth in paragraph (b) of subsection 1 of NRS 293.317; or*

13 (b) *By electronic mail or facsimile machine and received by*
14 *the appropriate local elections official before the time set for the*
15 *closing of polls pursuant to NRS 293.273.*

16 ➔ If the declaration is received after the ~~seventh day before the~~
17 ~~election.~~ *applicable deadline set forth in this subsection,* it must be
18 treated as an application to register to vote for subsequent elections.

19 3. The Secretary of State shall ensure that the system of
20 approved electronic transmission described in subsection 2 of NRS
21 293D.200 is capable of accepting:

22 (a) Both a federal postcard application and any other approved
23 electronic registration application sent to the appropriate local
24 elections official; and

25 (b) A digital signature or an electronic signature of a covered
26 voter on the documents described in paragraph (a).

27 4. The covered voter may use the system of approved
28 electronic transmission or any other method set forth in chapter 293
29 of NRS to register to vote.

30 **Sec. 4.** NRS 293D.300 is hereby amended to read as follows:

31 293D.300 1. A covered voter who is registered to vote in this
32 State may apply for a military-overseas ballot by submitting a
33 federal postcard application, as prescribed under section 101(b)(2)
34 of the Uniformed and Overseas Citizens Absentee Voting Act, 52
35 U.S.C. § 20301(b)(2), or the application's electronic equivalent ~~is~~
36 *created using the system of approved electronic transmission*
37 *described in subsection 2 of NRS 293D.200,* if the federal postcard
38 application *or the application's electronic equivalent* is received by
39 the appropriate local elections official by the seventh day before the
40 election.

41 ~~[2.—A covered voter who is not registered to vote in this State~~
42 ~~may use the federal postcard application or the application's~~
43 ~~electronic equivalent simultaneously to apply to register to vote~~
44 ~~pursuant to NRS 293D.230 and to apply for a military overseas~~
45 ~~ballot, if the federal postcard application is received by the~~



1 ~~appropriate local elections official by the seventh day before the~~
2 ~~election.]~~ If the federal postcard application is received after the
3 seventh day before the election, it must be treated as an application
4 ~~[to register to vote]~~ *for a military-overseas ballot* for subsequent
5 elections.

6 3. The Secretary of State shall ensure that the system of
7 approved electronic transmission described in subsection 2 of NRS
8 293D.200 is capable of accepting the submission of:

9 (a) Both a federal postcard application and any other approved
10 electronic military-overseas ballot application sent to the appropriate
11 local elections official; and

12 (b) A digital signature or an electronic signature of a covered
13 voter on the documents described in paragraph (a).

14 4. A covered voter may use approved electronic transmission
15 or any other method approved by the Secretary of State to apply for
16 a military-overseas ballot.

17 5. A covered voter may use the declaration accompanying the
18 federal write-in absentee ballot, as prescribed under section 103 of
19 the Uniformed and Overseas Citizens Absentee Voting Act, 52
20 U.S.C. § 20303, as an application for a military-overseas ballot
21 simultaneously with the submission of the federal write-in absentee
22 ballot, if the declaration ~~[is received]~~ *and federal write-in absentee*
23 *ballot are sent:*

24 (a) *By mail, postmarked on or before the day of the election*
25 *and received* by the appropriate local elections official by the
26 ~~[seventh day before the election.]~~ *deadline for receiving absent*
27 *ballots set forth in paragraph (b) of subsection 1 of NRS 293.317;*
28 *or*

29 (b) *By electronic mail or facsimile machine and received by*
30 *the appropriate local elections official before the time set for the*
31 *closing of polls pursuant to NRS 293.273.*

32 6. To receive the benefits of this chapter, a covered voter must
33 inform the appropriate local elections official that he or she is a
34 covered voter. Methods of informing the appropriate local elections
35 official that a person is a covered voter include, without limitation:

36 (a) The use of a federal postcard application or federal write-in
37 absentee ballot;

38 (b) The use of an overseas address on an approved voting
39 registration application or ballot application; and

40 (c) The inclusion on an application to register to vote or an
41 application for a military-overseas ballot of other information
42 sufficient to identify that the person is a covered voter.

43 7. This chapter does not prohibit a covered voter from applying
44 for an absent ballot pursuant to the provisions of chapter 293 or
45 293C of NRS or voting in person.



1 **Sec. 5.** NRS 293D.310 is hereby amended to read as follows:
2 293D.310 **1.** An application for a military-overseas ballot is
3 timely if received by the ~~[seventh day before the election.]~~ *deadlines*
4 *set forth in NRS 293D.230, 293D.300 or section 2.6 of this act, as*
5 *applicable.*

6 **2.** An application for a military-overseas ballot for a primary
7 election, whether or not timely, is effective as an application for a
8 military-overseas ballot for the general election.

9 **Sec. 5.5.** NRS 293D.400 is hereby amended to read as
10 follows:

11 293D.400 ~~[A]~~ *Except as otherwise provided in NRS 293D.230*
12 *and 293D.300, a military-overseas ballot that is sent:*

13 **1.** *By mail, must be postmarked on or before the day of the*
14 *election and received by the appropriate local elections official by*
15 *the deadline for receiving absent ballots set forth in paragraph (b)*
16 *of subsection 1 of NRS 293.317; and*

17 **2.** *By electronic mail or facsimile, must be received by the*
18 *appropriate elections official by not later than the ~~[close]~~ time set*
19 *for the closing of the polls ~~[]~~ pursuant to NRS 293.373.*

20 **Sec. 6.** **1.** This section becomes effective upon passage and
21 approval.

22 **2.** Sections 1 to 5.5, inclusive, of this act become effective:

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

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

