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SENATE BILL NO. 492—COMMITTEE ON  
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 27, 2017

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Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to polling places.  
(BDR 24-450)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: No.

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

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AN ACT relating to elections; authorizing the county clerk in counties with larger populations to establish polling places where any registered voter of the county may vote in person on the day of a primary or general election; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires a county clerk to establish the boundaries of election  
2 precincts and authorizes election precincts to be combined into election districts.  
3 (NRS 293.205-293.209) Existing law prohibits a person from applying for or  
4 receiving a ballot at any election precinct or district other than the one at which the  
5 person is entitled to vote. (NRS 293.730)  
6 **Section 2** of this bill authorizes the county clerk of a county whose population  
7 is 100,000 or more (currently Clark and Washoe Counties) to establish one or more  
8 polling places in the county where any person entitled to vote in the county by  
9 personal appearance may do so on the day of a primary or general election. **Section**  
10 **3** of this bill requires the county clerk to publicize the location of any such polling  
11 place. **Section 4** of this bill requires the county clerk to prepare a roster of eligible  
12 voters in the county for any such polling place. **Section 5** of this bill sets forth the  
13 procedure for a person to vote in person at any such polling place. **Sections 6-15** of  
14 this bill make conforming changes.

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

1       **Section 1.** Chapter 293 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this  
3 act.

4       **Sec. 2. 1.** *In each county whose population is 100,000 or*  
5 *more, the county clerk may establish one or more polling places in*  
6 *the county where any person entitled to vote in the county by*  
7 *personal appearance may do so on the day of a primary election or*  
8 *general election.*

9       **2.** *Any person entitled to vote in the county by personal*  
10 *appearance may do so at any polling place established pursuant to*  
11 *subsection 1.*

12       **Sec. 3. 1.** *In each county whose population is 100,000 or*  
13 *more, if the county clerk establishes one or more polling places*  
14 *pursuant to section 2 of this act, the county clerk shall publish*  
15 *during the week before the election in a newspaper of general*  
16 *circulation a notice of the location of each such polling place.*

17       **2.** *The county clerk shall post a list of the locations*  
18 *established pursuant to section 2 of this act, if any, on any bulletin*  
19 *board used for posting notice of meetings of the board of county*  
20 *commissioners. The list must be posted continuously for a period*  
21 *beginning not later than the fifth business day before the election*  
22 *and ending at 7 p.m. on the day of the election. The county clerk*  
23 *shall make copies of the list available to the public during the*  
24 *period of posting in reasonable quantities without charge.*

25       **3.** *No additional polling place may be established pursuant to*  
26 *section 2 of this act after the publication pursuant to this section.*

27       **Sec. 4. 1.** *For each polling place established pursuant to*  
28 *section 2 of this act, the county clerk shall prepare a roster that*  
29 *contains, for every registered voter in the county, the voter's name,*  
30 *the address where he or she is registered to vote, his or her voter*  
31 *identification number, the voter's precinct or district number and*  
32 *a place for the voter's signature.*

33       **2.** *The roster must be delivered or caused to be delivered by*  
34 *the county clerk to an election board officer of the proper polling*  
35 *place before the opening of the polls.*

36       **Sec. 5. 1.** *Except as otherwise provided in NRS 293.283,*  
37 *upon the appearance of a person to cast a ballot at a polling place*  
38 *established pursuant to section 2 of this act, the election board*  
39 *officer shall:*

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

42       **(b)** *Instruct the voter to sign the roster.*



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

3 (d) Verify that the voter has not already voted in the current  
4 election.

5 2. If the signature of the voter does not match, the voter must  
6 be identified by:

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

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

13 (c) Providing the election board officer with proof of  
14 identification as described in NRS 293.277 other than the card  
15 issued to the voter at the time he or she registered to vote.

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

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

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

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

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

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

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

36 7. A voter applying to vote at a polling place established  
37 pursuant to section 2 of this act may be challenged pursuant to  
38 NRS 293.303.

39 **Sec. 6.** NRS 293.2546 is hereby amended to read as follows:  
40 293.2546 The Legislature hereby declares that each voter has  
41 the right:

42 1. To receive and cast a ballot that:

43 (a) Is written in a format that allows the clear identification of  
44 candidates; and



- 1 (b) Accurately records the voter's preference in the selection of  
2 candidates.
- 3 2. To have questions concerning voting procedures answered  
4 and to have an explanation of the procedures for voting posted in a  
5 conspicuous place at the polling place.
- 6 3. To vote without being intimidated, threatened or coerced.
- 7 4. To vote on election day if the voter is waiting in line *to vote*  
8 *before 7 p.m.* at ~~his or her~~ a polling place *at which he or she is*  
9 *entitled* to vote ~~before 7 p.m.~~ and the voter has not already cast a  
10 vote in that election.
- 11 5. To return a spoiled ballot and is entitled to receive another  
12 ballot in its place.
- 13 6. To request assistance in voting, if necessary.
- 14 7. To a sample ballot which is accurate, informative and  
15 delivered in a timely manner.
- 16 8. To receive instruction in the use of the equipment for voting  
17 during early voting or on election day.
- 18 9. To have nondiscriminatory equal access to the elections  
19 system, including, without limitation, a voter who is elderly,  
20 disabled, a member of a minority group, employed by the military or  
21 a citizen who is overseas.
- 22 10. To have a uniform, statewide standard for counting and  
23 recounting all votes accurately.
- 24 11. To have complaints about elections and election contests  
25 resolved fairly, accurately and efficiently.
- 26 **Sec. 7.** NRS 293.273 is hereby amended to read as follows:  
27 293.273 1. Except as otherwise provided in subsection 2 and  
28 NRS 293.305, at all elections held under the provisions of this title,  
29 the polls must open at 7 a.m. and close at 7 p.m.
- 30 2. ~~Whenever~~ *Except as otherwise provided in this*  
31 *subsection, whenever* at any election all the votes of the polling  
32 place, as shown on the roster, have been cast, the election board  
33 officers shall close the polls, and the counting of votes must begin  
34 and continue without unnecessary delay until the count is  
35 completed. *This subsection does not apply to a polling place*  
36 *established pursuant to section 2 of this act.*
- 37 3. Upon opening the polls, one of the election board officers  
38 shall cause a proclamation to be made that all present may be aware  
39 of the fact that applications of registered voters to vote will be  
40 received.
- 41 4. No person other than election board officers engaged in  
42 receiving, preparing or depositing ballots may be permitted inside  
43 the guardrail during the time the polls are open, except by authority  
44 of the election board as necessary to keep order and carry out the  
45 provisions of this title.



1     **Sec. 8.** NRS 293.275 is hereby amended to read as follows:  
2     293.275 ~~Not~~

3     **1. Except as otherwise provided in subsection 2, an** election  
4 board may **not** perform its duty in serving registered voters at any  
5 polling place in any election provided for in this title, unless it has  
6 before it the roster for the polling place.

7     **2. In each county whose population is 100,000 or more, if a**  
8 **county clerk establishes a polling place pursuant to section 2 of**  
9 **this act, the election board may perform its duty in serving**  
10 **registered voters at the polling place in an election if the election**  
11 **board has before it the roster for the county.**

12     **Sec. 9.** NRS 293.277 is hereby amended to read as follows:

13     293.277 1. Except as otherwise provided in NRS 293.283  
14 and 293.541, if a person's name appears in the roster or if the person  
15 provides an affirmation pursuant to NRS 293.525, the person is  
16 entitled to vote and must sign his or her name in the roster when he  
17 or she applies to vote. The signature must be compared by an  
18 election board officer with the signature or a facsimile thereof on the  
19 person's application to register to vote or one of the forms of  
20 identification listed in subsection 2.

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

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

26     (b) A driver's license;

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

29     (d) A military identification card; or

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

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

36     **Sec. 10.** NRS 293.285 is hereby amended to read as follows:

37     293.285 1. Except as otherwise provided in NRS 293.283, a  
38 registered voter applying to vote shall state his or her name to the  
39 election board officer in charge of the roster, and the officer shall  
40 immediately announce the name, instruct the voter to sign the roster  
41 , ~~and~~ verify the signature of the voter in the manner set forth in  
42 NRS 293.277 ~~H~~ **and verify that the registered voter has not**  
43 **already voted in the current election.**

44     2. If the signature does not match, the voter must be identified  
45 by:



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

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

6 (c) Providing the election board officer with proof of  
7 identification as described in NRS 293.277 other than the card  
8 issued to the voter at the time he or she registered to vote.

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

13 **Sec. 11.** NRS 293.296 is hereby amended to read as follows:

14 293.296 1. Any registered voter who by reason of a physical  
15 disability or an inability to read or write English is unable to mark a  
16 ballot or use any voting device without assistance is entitled to  
17 assistance from a consenting person of his or her own choice,  
18 except:

19 (a) The voter's employer or an agent of the voter's employer; or

20 (b) An officer or agent of the voter's labor organization.

21 2. A person providing assistance pursuant to this section to a  
22 voter in casting a vote shall not disclose any information with  
23 respect to the casting of that ballot.

24 3. The right to assistance in casting a ballot may not be denied  
25 or impaired when the need for assistance is apparent or is known to  
26 the election board or any member thereof or when the registered  
27 voter requests such assistance in any manner.

28 4. In addition to complying with the requirements of this  
29 section, the county clerk and election board officer shall, upon the  
30 request of a registered voter with a physical disability, make  
31 reasonable accommodations to allow the voter to vote at ~~his or her~~  
32 *a polling place ~~H~~ at which he or she is entitled to vote.*

33 **Sec. 12.** NRS 293.4689 is hereby amended to read as follows:

34 293.4689 1. If a county clerk maintains a website on the  
35 Internet for information related to elections, the website must  
36 contain public information maintained, collected or compiled by the  
37 county clerk that relates to elections, which must include, without  
38 limitation:

39 (a) The locations of polling places for casting a ballot on  
40 election day in such a format that a registered voter may search the  
41 list to determine the location of the polling place *or places* at which  
42 the registered voter is ~~required~~ *entitled* to cast a ballot; and

43 (b) The abstract of votes required pursuant to the provisions of  
44 NRS 293.388.



1 2. The abstract of votes required to be maintained on the  
2 website pursuant to paragraph (b) of subsection 1 must be  
3 maintained in such a format as to permit the searching of the  
4 abstract of votes for specific information.

5 3. If the information required to be maintained by a county  
6 clerk pursuant to subsection 1 may be obtained by the public from a  
7 website on the Internet maintained by the Secretary of State, another  
8 county clerk or a city clerk, the county clerk may provide a  
9 hyperlink to that website to comply with the provisions of  
10 subsection 1 with regard to that information.

11 **Sec. 13.** NRS 293.565 is hereby amended to read as follows:

12 293.565 1. Except as otherwise provided in subsection 3,  
13 sample ballots must include:

14 (a) If applicable, the statement required by NRS 293.267;

15 (b) The fiscal note or description of anticipated financial effect,  
16 as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015,  
17 295.095 or 295.230 for each proposed constitutional amendment,  
18 statewide measure, measure to be voted upon only by a special  
19 district or political subdivision and advisory question;

20 (c) An explanation, as provided pursuant to NRS 218D.810,  
21 293.250, 293.481, 295.121 or 295.230, of each proposed  
22 constitutional amendment, statewide measure, measure to be voted  
23 upon only by a special district or political subdivision and advisory  
24 question;

25 (d) Arguments for and against each proposed constitutional  
26 amendment, statewide measure, measure to be voted upon only by a  
27 special district or political subdivision and advisory question, and  
28 rebuttals to each argument, as provided pursuant to NRS 218D.810,  
29 293.250, 293.252 or 295.121; and

30 (e) The full text of each proposed constitutional amendment.

31 2. If, pursuant to the provisions of NRS 293.2565, the word  
32 "Incumbent" must appear on the ballot next to the name of the  
33 candidate who is the incumbent, the word "Incumbent" must appear  
34 on the sample ballot next to the name of the candidate who is the  
35 incumbent.

36 3. Sample ballots that are mailed to registered voters may be  
37 printed without the full text of each proposed constitutional  
38 amendment if:

39 (a) The cost of printing the sample ballots would be significantly  
40 reduced if the full text of each proposed constitutional amendment  
41 were not included;

42 (b) The county clerk ensures that a sample ballot that includes  
43 the full text of each proposed constitutional amendment is provided  
44 at no charge to each registered voter who requests such a sample  
45 ballot; and



1 (c) The sample ballots provided to each polling place include the  
2 full text of each proposed constitutional amendment.

3 4. A county clerk may establish a system for distributing  
4 sample ballots by electronic means to each registered voter who  
5 elects to receive a sample ballot by electronic means. Such a system  
6 may include, without limitation, electronic mail or electronic access  
7 through an Internet website. If a county clerk establishes such a  
8 system and a registered voter elects to receive a sample ballot by  
9 electronic means, the county clerk shall distribute the sample ballot  
10 to the registered voter by electronic means pursuant to the  
11 procedures and requirements set forth by regulations adopted by the  
12 Secretary of State.

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

16 6. Before the period for early voting for any election begins,  
17 the county clerk shall distribute to each registered voter in the  
18 county by mail or electronic means, as applicable, the sample ballot  
19 for his or her precinct, with a notice informing the voter of the  
20 location of his or her polling place **H or places**. If the location of  
21 the polling place **or places** has changed since the last election:

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

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

27  
28 NOTICE: THE LOCATION OF YOUR POLLING PLACE **OR**  
29 **PLACES** HAS CHANGED SINCE THE LAST ELECTION  
30

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

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

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

36  
37 NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
38 LARGE TYPE, CALL (Insert appropriate telephone number)  
39

40 8. A portion of a sample ballot that contains a facsimile of the  
41 display area of a voting device may include material in less than  
42 12-point type to the extent necessary to make the facsimile fit on the  
43 pages of the sample ballot.

44 9. The sample ballot distributed to a person who requests a  
45 sample ballot in large type by exercising the option provided





1 pursuant to NRS 293.508, or in any other manner, must be prepared  
2 in at least 14-point type, or larger when practicable.

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

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

17 (a) The addresses of such centralized voting locations;

18 (b) The types of specially equipped voting devices available at  
19 such centralized voting locations; and

20 (c) That a voter who is elderly or disabled may cast his or her  
21 ballot at such a centralized voting location rather than at his or her  
22 regularly designated polling place.

23 12. The cost of distributing sample ballots for any election  
24 other than a primary or general election must be borne by the  
25 political subdivision holding the election.

26 **Sec. 14.** NRS 293.730 is hereby amended to read as follows:

27 293.730 1. A person shall not:

28 (a) Remain in or outside of any polling place so as to interfere  
29 with the conduct of the election.

30 (b) Except an election board officer, receive from any voter a  
31 ballot prepared by the voter.

32 (c) Remove a ballot from any polling place before the closing of  
33 the polls.

34 (d) Apply for or receive a ballot at any election precinct or  
35 district other than ~~the~~ one at which the person is entitled to vote.

36 (e) Show his or her ballot to any person, after voting, so as to  
37 reveal any of the names voted for.

38 (f) Inside a polling place, ask another person for whom he or she  
39 intends to vote.

40 (g) Except an election board officer, deliver a ballot to a voter.

41 (h) Except an election board officer in the course of the election  
42 board officer's official duties, inside a polling place, ask another  
43 person his or her name, address or political affiliation.

44 2. A voter shall not:



1 (a) Receive a ballot from any person other than an election  
2 board officer.

3 (b) Deliver to an election board or to any member thereof any  
4 ballot other than the one received.

5 (c) Place any mark upon his or her ballot by which it may  
6 afterward be identified as the one voted by the person.

7 3. Any person who violates any provision of this section is  
8 guilty of a category E felony and shall be punished as provided in  
9 NRS 193.130.

10 **Sec. 15.** NRS 293.790 is hereby amended to read as follows:

11 293.790 If any person whose vote has been rejected offers to  
12 vote at the same election, at any polling place other than ~~the~~ one in  
13 which the person is ~~registered~~ *entitled* to vote, such person is  
14 guilty of a gross misdemeanor.

15 **Sec. 16.** This act becomes effective on July 1, 2017.

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