

Amendment No. 381

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| Assembly Amendment to Assembly Bill No. 286 | (BDR 24-530) |
| Proposed by: Assembly Committee on Legislative Operations and Elections | |
| Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes | |

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| Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 286 (§§ 5-8). |
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| ASSEMBLY ACTION | | Initial and Date | | SENATE ACTION | | Initial and Date | | | |
|-----------------|--------------------------|------------------|--------------------------|---------------|--------------|--------------------------|------|--------------------------|-------|
| Adopted | <input type="checkbox"/> | Lost | <input type="checkbox"/> | _____ | Adopted | <input type="checkbox"/> | Lost | <input type="checkbox"/> | _____ |
| Concurred In | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ | Concurred In | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ |
| Receded | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ | Receded | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ |

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

HAC/ERS



Date: 4/22/2023

A.B. No. 286—Makes various changes relating to elections. (BDR 24-530)



ASSEMBLY BILL NO. 286—ASSEMBLYMEN BRITTNEY MILLER, C.H. MILLER; ANDERSON, BACKUS, BILBRAY-AXELROD, COHEN, CONSIDINE, D’SILVA, DURAN, GONZÁLEZ, GORELOW, LA RUE HATCH, MARZOLA, MONROE-MORENO, MOSCA, NEWBY, NGUYEN, PETERS, SUMMERS-ARMSTRONG, TAYLOR, THOMAS, TORRES AND WATTS

MARCH 14, 2023

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to elections. (BDR 24-530)

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

CONTAINS UNFUNDED MANDATE (§§ 5 ~~[, 6, 7, 13, 14]~~ -8)
(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; ~~[providing for the establishment of polling places in]~~ **requiring a person who administers** a county **or city jail** ~~[, city jail, local facility for the detention of children, regional facility for the treatment and rehabilitation of children and state facility for the detention of children,]~~ **to establish a policy that ensures a person who is detained in the jail may register to vote and vote in an election;** requiring the Secretary of State to allow certain ~~[prisoners]~~ **persons detained in a county jail or city jail** to use a certain system of approved electronic transmission to ~~[preregister and]~~ register to vote and to cast a ballot ~~[, requiring such a jail or facility to allow certain prisoners to register to vote; requiring such a jail or facility to allow a prisoner to vote and return his or her mail ballot,]~~ **in an election;** requiring ~~[such]~~ **the person who administers a county or city jail** ~~[or facility]~~ to submit a report to the Secretary of State after each election; **prohibiting electioneering near certain areas of a jail; providing a penalty;** and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires a county clerk to ~~[establish polling places for a primary election,~~
2 ~~presidential preference primary election or general election. (NRS 293.2731, 298.690)~~
3 Existing law further requires, under certain circumstances, a county or city clerk to establish a
4 polling place in certain locations such as an Indian reservation or Indian colony located in
5 whole or in part within the county or city and in a residential development exclusively for
6 elderly persons. (NRS 293.2733, 293.2735, 293C.2675, 293C.268) **cancel the registration**
7 **of a voter upon the determination that the person has been convicted of a felony and is**
8 **currently incarcerated. (NRS 293.540) Unless a person has been convicted of a felony,**

9 existing law does not prohibit a person who is detained in a county or city jail from
 10 registering to vote or voting in an election.

11 Section 5 of this bill requires each ~~county clerk~~ person who administers a county or
 12 city jail to ~~coordinate with the person who administers each county jail, city jail, local~~
 13 facility for the detention of children, regional facility for the treatment and rehabilitation of
 14 children or state facility for the detention of children in the county to establish a ~~polling~~
 15 place in each such jail or facility exclusively for prisoners. **policy that ensures that: (1) a**
 16 **person who is detained** in the jail ~~for facility who are registered voters in the county to~~ **and**
 17 **is a registered voter may** vote in ~~person on the day of~~ each primary election, presidential
 18 preference primary election, **primary city election, general election** and general **city**
 19 **election** ~~in~~ **in which the person is eligible to vote; and (2) a person detained in the jail and**
 20 **is a qualified elector may register to vote in each such election.** Section 5 ~~clarifies that,~~
 21 ~~with certain exceptions, the provisions of election law apply to the polling places established~~
 22 ~~in such jails and facilities, voting at such polling places and registering to vote on the day of~~
 23 ~~the election at such polling places.~~ **requires such a policy to: (1) be developed in**
 24 **coordination with the county clerk and, if applicable, the city clerk; (2) be consistent**
 25 **with existing provisions of law relating to elections; (3) ensure the safety of any election**
 26 **board officer or other person who assists in the conduct of registering to vote or voting**
 27 **at the jail; (4) ensure that a person who registers to vote or votes in jail may do so**
 28 **without coercion or intimidation; (5) ensure the secrecy of the ballot; and (6) set forth a**
 29 **process for same-day voter registration.** Section 5 further requires, ~~(1) under certain~~
 30 ~~circumstances, the county clerk to provide at least one mechanical voting device to the polling~~
 31 ~~place in the jail or facility; and (2) the jail ~~or facility~~ to post in a prominent location and set~~
 32 ~~forth in the ~~prisoner~~ handbook for detained persons certain information relating to elections~~
 33 ~~and voting in the jail, ~~or facility.~~ Section 13 of this bill sets forth similar requirements for the~~
 34 ~~establishment of such polling places in a jail or facility for a primary city election and general~~
 35 ~~city election.~~

36 Section 6 of this bill requires the Secretary of State to allow: (1) an elector who is ~~a~~
 37 ~~prisoner~~ **detained** in a county **or city jail** ~~, city jail, local facility for the detention of~~
 38 ~~children, regional facility for the treatment and rehabilitation of children or state facility for~~
 39 ~~the detention of children] to use the system of approved electronic transmission established~~
 40 ~~for covered voters who are overseas or in the military to register to vote; and (2) a registered~~
 41 ~~voter who is detained in a county or city jail, city jail, local facility for the detention of~~
 42 ~~children, regional facility for the treatment and rehabilitation of children or state facility for~~
 43 ~~the detention of children] to use the system of approved electronic transmission to apply for~~
 44 ~~and cast a ballot in every election where the system of approved electronic transmission is~~
 45 ~~available to a covered voter who is overseas or in the military, ~~or facility.~~ and (3) allow certain~~
 46 ~~prisoners to preregister to vote.~~ **Section 16.3 of this bill requires the Secretary of State to**
 47 **prescribe the procedures to be followed and the requirements of the use of the system of**
 48 **approved electronic transmission by electors and voters who are detained in a county or**
 49 **city jail.**

50 Section 7 of this bill requires each county **or city jail** ~~, city jail, local facility for the~~
 51 ~~detention of children, regional facility for the treatment and rehabilitation of children or state~~
 52 ~~facility for the detention of children to allow: (1) a family member of a prisoner to bring to the~~
 53 ~~prisoner in the jail or facility the prisoner's mail ballot; and (2) a prisoner to vote the mail~~
 54 ~~ballot, return the mail ballot, and, if applicable, cure any signature defect on the mail ballot.~~
 55 ~~Section 14 of this bill sets forth similar requirements for city elections.~~

56 ~~Sections~~ **to: (1) provide each person detained in the jail with a reasonable amount of**
 57 **privacy to vote; (2) provide each person detained in the jail with a pen to vote his or her**
 58 **mail ballot; (3) allow the county clerk to establish a process for the collection of mail**
 59 **ballots in the jail; and (4) allow a person, under certain circumstances, to cure any defect**
 60 **in a signature on a mail ballot.**

61 Section 8 ~~and 15~~ of this bill ~~require~~ **requires** each person who administers a county **or**
 62 **city jail** ~~, city jail, local facility for the detention of children, regional facility for the~~
 63 ~~treatment and rehabilitation of children or state facility for the detention of children] to submit~~
 64 ~~a report to the Secretary of State not later than 30 days after each primary election,~~
 65 ~~presidential preference primary election, general election, primary city election and general~~
 66 ~~city election.~~

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~~Sections 10 and 16~~ **16.5 and 16.7** of this bill [provide that no member of the general public may observe the conduct of voting at a polling place established pursuant to section 5 or 13 without approval from the person who administers the jail or facility.
 — Section 11 of this bill requires the county clerk to prepare a roster for each polling place established in a county jail, city jail, local facility for the detention of children, regional facility for the treatment and rehabilitation of children or state facility for the detention of children.
 — Sections 2-4 of this bill, respectively, define the terms “local facility for the detention of children,” “regional facility for the treatment and rehabilitation of children” and “state facility for the detention of children.” Section 9 of this bill makes a conforming change to indicate the proper placement of sections 2-4 in the Nevada Revised Statutes.] **prohibit electioneering near the area of a county or city jail where a person detained in the jail may vote.**

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

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Section 1. Chapter 293 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this act.
Sec. 2. ~~“Local facility for the detention of children” has the meaning ascribed to it in NRS 62A.190.~~ **(Deleted by amendment.)**
Sec. 3. ~~“Regional facility for the treatment and rehabilitation of children” has the meaning ascribed to it in NRS 62A.280.~~ **(Deleted by amendment.)**
Sec. 4. ~~“State facility for the detention of children” has the meaning ascribed to it in NRS 62A.330.~~ **(Deleted by amendment.)**
Sec. 5. **1. Each** ~~county clerk shall coordinate with the~~ **person who administers** ~~each~~ **a county or city jail** ~~, city jail, local facility for the detention of children, regional facility for the treatment and rehabilitation of children or state facility for the detention of children in the county to~~ **shall establish a** ~~polling place in each such jail or facility exclusively for prisoners in~~ **policy that ensures that:**
 (a) A person who is detained in the jail ~~for facility who are registered voters in the county to vote in person on the day of~~ **and is a registered voter may vote in each primary election, presidential preference primary election** ~~and~~ **, primary city election, general election** ~~and~~ **and general city election in which the person is eligible to vote; and**
 (b) A person who is detained in the jail and is a qualified elector may register to vote in each primary election, presidential preference primary election, primary city election, general election and general city election in which the person is eligible to register to vote.
2. If ~~prisoners~~ **qualified electors or registered voters of a county are detained in a jail or facility located in another county pursuant to an agreement entered into pursuant to subsection 2 of NRS 211.010, the county clerk shall coordinate with the person who administers the jail in the county where** ~~the prisoners~~ **such qualified electors or registered voters are detained to establish a** ~~polling place~~ **procedure for those** ~~prisoners who are registered voters~~ **persons to register to vote and vote** ~~in person on the day of the election.~~
~~2. Except as otherwise provided in this section or by specific statute, the provisions of this title relating to elections, including, without limitation:~~
~~(a) Polling places, apply to a polling place established pursuant to this section, including, without limitation, the requirements set forth in NRS 293.2955 for a polling place to be accessible to a voter with a disability.~~

~~1 (b) Voting in person on election day, apply to a prisoner who is a registered
2 voter who applies to vote at a polling place established pursuant to this section.~~

~~3 (c) Same day voter registration, apply to a prisoner who is an elector who
4 applies to vote on election day at a polling place established pursuant to this
5 section. A person who administers the jail or facility shall not prohibit~~

6 3. Each policy or procedure established pursuant to subsection 1 or 2, as
7 applicable, must:

8 (a) Be developed in coordination with the county clerk and, if applicable, the
9 city clerk;

10 (b) Be consistent with the provisions of this title relating to elections;

11 (c) Ensure the safety of any election board officer or other person who
12 assists in the conduct of registering to vote or voting at the jail;

13 (d) Ensure that a person who registers to vote or votes in a jail may do so
14 without coercion or intimidation;

15 (e) Ensure the secrecy of the ballot, including, without limitation, the mail
16 ballot; and

17 (f) Set forth a process that allows for same-day voter registration and allows
18 a family member of a ~~prisoner from providing~~ person detained in the jail to
19 provide the ~~prisoner~~ person in the jail ~~for facility~~ with the necessary
20 information to register to vote on the day of the election pursuant to NRS
21 293.5847.

~~22 {3. If a jail or facility has the technical ability to have a voting booth
23 equipped with a mechanical recording device, the county clerk must provide a
24 polling place established pursuant to this section with at least one mechanical
25 voting device.~~

~~26 4. A county jail, city jail, local facility for the detention of children, regional
27 facility for the treatment and rehabilitation of children or state facility for the
28 detention of children shall not prohibit or restrict any prisoner who is eligible to
29 vote or register to vote in a primary election, presidential preference primary
30 election or general election from doing so.~~

~~31 5. Every~~

32 4. Each county or city jail ~~[city jail, local facility for the detention of
33 children, regional facility for the treatment and rehabilitation of children or state
34 facility for the detention of children]~~ shall post in a prominent location and set
35 forth in the ~~prisoner~~ handbook for detained persons information relating to
36 elections and voting in the jail, ~~for facility,~~ including, without limitation,
37 qualifications to register to vote and to vote and the options and procedures for
38 registering to vote and voting at the jail. ~~for facility.~~

~~39 6. 5. Nothing in this section authorizes a person convicted of a felony in
40 this State who has not had his or her right to vote restored pursuant to NRS
41 213.157 to vote or to register to vote ~~at a polling place established pursuant to
42 this section.~~~~

~~43 7. 6. The Secretary of State shall adopt regulations to carry out the
44 provisions of this section.~~

45 Sec. 6. 1. Except as otherwise provided in this section, the Secretary of
46 State shall allow ~~it~~ during the period of early voting and on election day:

47 (a) An elector who is ~~prisoner~~ detained in a county or city jail ~~[city jail,
48 local facility for the detention of children, regional facility for the treatment and
49 rehabilitation of children or state facility for the detention of children]~~ to use the
50 system of approved electronic transmission established pursuant to NRS
51 293D.200 to register to vote in every election where the system of approved
52 electronic transmission is available to a covered voter to register to vote. The
53 deadline for such an elector to use the system of approved electronic transmission

1 to register to vote is the same as the deadline set forth in NRS 293D.230 for a
2 covered voter to register to vote.

3 (b) A registered voter who is ~~[a prisoner]~~ in the custody of a county or city
4 jail ~~[, city jail, local facility for the detention of children, regional facility for the~~
5 ~~treatment and rehabilitation of children or state facility for the detention of~~
6 ~~children]~~ to use the system of approved electronic transmission established
7 pursuant to NRS 293D.200 to apply for and cast a ballot in every election where
8 the system of approved electronic transmission is available to a covered voter to
9 request and cast a military-overseas ballot. The deadlines for such a registered
10 voter to use the system of approved electronic transmission to request and cast a
11 ballot are the same as the deadlines set forth in NRS 293D.310 and 293D.400 for
12 a covered voter to request and cast a military-overseas ballot.

13 ~~[(c) A prisoner who is a citizen of the United States who is 17 years of age or~~
14 ~~older but less than 18 years of age and has continuously resided in this State for~~
15 ~~30 days or longer to preregister to vote using the system of approved electronic~~
16 ~~transmission established pursuant to NRS 293D.200. If a prisoner preregisters to~~
17 ~~vote pursuant to this paragraph, the provisions of NRS 293.4855 apply.]~~

18 2. Upon receipt of an application and ballot cast by a ~~[prisoner]~~ person
19 using the system of approved electronic transmission established pursuant to
20 NRS 293D.200, the local elections official shall affix, mark or otherwise
21 acknowledge receipt of the application and ballot by means of a time stamp on
22 the application.

23 3. The Secretary of State shall ensure that an elector or a registered voter
24 may provide his or her digital signature or electronic signature on any document
25 or other material that is necessary for the elector or registered voter to register to
26 vote, apply for a ballot or cast a ballot, as applicable.

27 4. The Secretary of State shall prescribe the form and content of a
28 declaration for use by an elector or a registered voter to swear or affirm specific
29 representations pertaining to identity, eligibility to vote, status as such an elector
30 or registered voter and timely and proper completion of a ballot.

31 5. The Secretary of State shall prescribe the duties of the county and city
32 clerks upon receipt of a ballot sent by a registered voter using the system of
33 approved electronic transmission pursuant to this section, including, without
34 limitation, the procedures to be used in accepting, handling and counting the
35 ballot.

36 6. The Secretary of State shall make available to an elector or registered
37 voter who is ~~[a prisoner]~~ detained in a county or city jail ~~[, city jail, local facility~~
38 ~~for the detention of children, regional facility for the treatment and rehabilitation~~
39 ~~of children or state facility for the detention of children information regarding]~~
40 instructions on using the system of approved electronic transmission to register to
41 vote and apply for and cast a ballot.

42 7. A county or city jail ~~[, city jail, local facility for the detention of children,~~
43 ~~regional facility for the treatment and rehabilitation of children or state facility~~
44 ~~for the detention of children]~~ shall not prohibit, restrict or monitor the use of the
45 system of approved electronic transmission established pursuant to NRS
46 293D.200 by any ~~[prisoner,]~~ person who is detained in the jail.

47 8. The provisions of this section do not require a county or city jail to allow
48 a person detained in the jail to use the system of approved electronic transmission
49 established pursuant to NRS 293D.200 unless the jail has the technology that is
50 necessary for a person to use the system of approved electronic transmission. A
51 county or city jail that has the technology necessary for a person to use the
52 system of approved electronic transmission shall not prohibit, restrict or monitor

the use of the system of approved electronic transmission by a person detained in the jail.

9. The Secretary of State shall adopt any regulation necessary to carry out the provisions of this section.

~~9.~~ 10. As used in this section:

(a) "Covered voter" has the meaning ascribed to it in NRS 293D.030.

(b) "Digital signature" has the meaning ascribed to it in NRS 720.060.

(c) "Electronic signature" has the meaning ascribed to it in NRS 719.100.

(d) "Military-overseas ballot" has the meaning ascribed to it in NRS 293D.050.

~~Sec. 7. 1. Each county or city jail, city jail, local facility for the detention of children, regional facility for the treatment and rehabilitation of children or state facility for the detention of children~~ shall:

~~(a) Allow a family member of a prisoner to bring to the prisoner in the jail or facility the prisoner's mail ballot that was mailed to the prisoner by the county clerk;~~

~~(b)~~ Provide each prisoner person detained in the jail with a reasonable amount of privacy to vote, [his or her mail ballot,] which may, without limitation, be in a common area, visitation area, room or cell;

~~(c)~~ (b) Provide each prisoner person detained in the jail with a pen with black or blue ink to vote his or her mail ballot;

~~(d) Allow the prisoner to return his or her mail ballot by mail such that the mail ballot is postmarked and received by the county clerk pursuant to NRS 293.269921, authorize a person to return the mail ballot on behalf of the prisoner pursuant to NRS 293.269923 or allow the prisoner to return his or her mail ballot by drop box established pursuant to paragraph (c);~~

~~(e)~~ (c) Allow the county clerk to establish a [drop box] process for the collection of the mail ballots [of prisoners and to collect the mail ballots from the drop box] voted by persons detained in the jail that includes a method for documenting the chain of custody of mail ballots; and

~~(f)~~ (d) If applicable, allow the prisoner person to cure any defect in the signature on [the] a mail ballot pursuant to NRS 293.269927.

~~2. A county or city jail, city jail, local facility for the detention of children, regional facility for the treatment and rehabilitation of children or state facility for the detention of children~~ shall not open a mail ballot after a prisoner has voted and sealed the mail ballot. ~~[unless the jail or facility has a reasonable suspicion of a prohibited activity.]~~

~~Sec. 8. Not later than 30 days after each primary election, presidential preference primary election [or], primary city election, general election [or] and general city election, each person who administers [the] a county jail [or] city jail, local facility for the detention of children, regional facility for the treatment and rehabilitation of children or state facility for the detention of children~~ shall submit in a report to the Secretary of State:

1. An explanation of the process the jail ~~[or facility]~~ used to comply with the requirements of sections 5, 6 and 7 of this act for the election; and

2. A summary of each complaint received by the jail ~~[or facility]~~ from a ~~[prisoner] person detained in the jail~~ relating to registering to vote or voting in the election.

~~Sec. 9. [NRS 293.010 is hereby amended to read as follows:~~

~~293.010 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 293.016 to 293.121, inclusive, and sections 2, 3 and 4 of this act have the meanings ascribed to them in those sections.] (Deleted by amendment.)~~

1 **Sec. 10.** ~~[NRS 293.274 is hereby amended to read as follows:~~

2 ~~293.274 1. [The] Except as otherwise provided in this subsection, the~~
3 ~~county clerk shall allow members of the general public to observe the conduct of~~
4 ~~voting at a polling place. No member of the general public may observe the~~
5 ~~conduct of voting at a polling place established pursuant to section 5 of this act~~
6 ~~without the approval of the person who administers the county jail, city jail, local~~
7 ~~facility for the detention of children, regional facility for the treatment and~~
8 ~~rehabilitation of children or state facility for the detention of children, as~~
9 ~~applicable.~~

10 ~~2. A member of the general public shall not photograph the conduct of voting~~
11 ~~at a polling place or record the conduct of voting on audiotape or any other means~~
12 ~~of sound or video reproduction.~~

13 ~~3. For the purposes of this section, a member of the general public does not~~
14 ~~include any person who:~~

15 ~~(a) Gathers information for communication to the public;~~

16 ~~(b) Is employed or engaged by or has contracted with a newspaper, periodical,~~
17 ~~press association, or radio or television station; and~~

18 ~~(c) Is acting solely within his or her professional capacity.] (Deleted by~~
19 ~~amendment.)~~

20 **Sec. 11.** ~~[NRS 293.563 is hereby amended to read as follows:~~

21 ~~293.563 1. During the interval between the closing of registration and the~~
22 ~~election, the county clerk shall prepare for:~~

23 ~~(a) Each polling place:~~

24 ~~(1) A roster containing the registered voters eligible to vote at the polling~~
25 ~~place; and~~

26 ~~(2) A roster designated for electors who apply to register to vote or apply~~
27 ~~to vote at the polling place pursuant to NRS 293.5772 to 293.5887, inclusive; and~~

28 ~~(b) Each polling place established pursuant to NRS 293.3072 or 293.3032 or~~
29 ~~section 5 or 13 of this act a roster containing the registered voters eligible to vote in~~
30 ~~the county or city, respectively.~~

31 ~~2. The rosters must be delivered or caused to be delivered by the county or~~
32 ~~city clerk to an election board officer of the proper polling place before the opening~~
33 ~~of the polls.] (Deleted by amendment.)~~

34 **Sec. 12.** ~~[Chapter 293C of NRS is hereby amended by adding thereto the~~
35 ~~provisions set forth as sections 13, 14 and 15 of this act.] (Deleted by~~
36 ~~amendment.)~~

37 **Sec. 13.** ~~[1. Each city clerk shall coordinate with the person who~~
38 ~~administers each county jail, city jail, local facility for the detention of children,~~
39 ~~regional facility for the treatment and rehabilitation of children or state facility~~
40 ~~for the detention of children in the city to establish a polling place in each such~~
41 ~~jail or facility exclusively for prisoners in the jail or facility who are registered~~
42 ~~voters in the city to vote in person on the day of each primary city election and~~
43 ~~general city election.~~

44 ~~2. Except as otherwise provided in this section or by specific statute, the~~
45 ~~provisions of this title relating to city elections, including, without limitation:~~

46 ~~(a) Polling places, apply to a polling place established pursuant to this~~
47 ~~section, including, without limitation, the requirements set forth in NRS~~
48 ~~293C.281 for a polling place to be accessible to a voter with a disability.~~

49 ~~(b) Voting in person on election day, apply to a prisoner who is a registered~~
50 ~~voter who applies to vote at a polling place established pursuant to this section.~~

51 ~~(c) Same day voter registration, apply to a prisoner who is an elector who~~
52 ~~applies to vote on election day at a polling place established pursuant to this~~
53 ~~section. A person who administers the jail or facility shall not prohibit a family~~

~~1 member of a prisoner from providing the prisoner in the jail with the necessary
2 information to register to vote on the day of the election pursuant to NRS
3 293.5847.~~

~~4 3. If a jail or facility has the technical ability to have a voting booth
5 equipped with a mechanical recording device, the city clerk must provide a
6 polling place established pursuant to this section with at least one mechanical
7 voting device.~~

~~8 4. A county jail, city jail, local facility for the detention of children, regional
9 facility for the treatment and rehabilitation of children or state facility for the
10 detention of children shall not prohibit or restrict any prisoner who is eligible to
11 vote or register to vote in a primary city election or general city election from
12 doing so.~~

~~13 5. Every county jail, city jail, local facility for the detention of children,
14 regional facility for the treatment and rehabilitation of children or state facility
15 for the detention of children shall post in a prominent location and set forth in
16 the prisoner handbook information relating to elections and voting in the jail or
17 facility, including, without limitation, qualifications to register to vote and to vote
18 and the options and procedures for registering to vote and voting at the jail or
19 facility in city elections.~~

~~20 6. Nothing in this section authorizes a person convicted of a felony in this
21 State who has not had his or her right to vote restored pursuant to NRS 213.157
22 to vote or to register to vote at a polling place established pursuant to this section.~~

~~23 7. The Secretary of State shall adopt regulations to carry out the provisions
24 of this section.] (Deleted by amendment.)~~

~~25 Sec. 14. [1. Each county jail, city jail, local facility for the detention of
26 children, regional facility for the treatment and rehabilitation of children or state
27 facility for the detention of children shall:~~

~~28 (a) Allow a family member of a prisoner to bring to the prisoner in the jail or
29 facility the prisoner's mail ballot that was mailed to the prisoner by the city clerk;~~

~~30 (b) Provide each prisoner with a reasonable amount of privacy to vote his or
31 her mail ballot, which may, without limitation, be in a common area, visitation
32 area, room or cell;~~

~~33 (c) Provide each prisoner with a pen with black or blue ink to vote his or her
34 mail ballot;~~

~~35 (d) Allow the prisoner to return his or her mail ballot by mail such that the
36 mail ballot is postmarked and received by the city clerk pursuant to NRS
37 293C.26321, authorize a person to return the mail ballot on behalf of the prisoner
38 pursuant to NRS 293C.26323 or allow the prisoner to return his or her mail
39 ballot by drop box established pursuant to paragraph (e);~~

~~40 (e) Allow the city clerk to establish a drop box for the collection of the mail
41 ballots of prisoners and to collect the mail ballots from the drop box; and~~

~~42 (f) If applicable, allow the prisoner to cure any defect in signature on the
43 mail ballot pursuant to NRS 293C.26327.~~

~~44 2. A county jail, city jail, local facility for the detention of children, regional
45 facility for the treatment and rehabilitation of children or state facility for the
46 detention of children shall not open a mail ballot after a prisoner has voted and
47 sealed the mail ballot unless the jail or facility has a reasonable suspicion of a
48 prohibited activity.] (Deleted by amendment.)~~

~~49 Sec. 15. [Not later than 30 days after each primary city election or general
50 city election, each person who administers the county jail, city jail, local facility
51 for the detention of children, regional facility for the treatment and rehabilitation
52 of children or state facility for the detention of children shall submit in a report to
53 the Secretary of State:~~

~~1. An explanation of the process the jail or facility used to comply with the requirements of sections 13 and 14 of this act for the election; and~~

~~2. A summary of each complaint received by the jail or facility from a prisoner relating to registering to vote or voting in the election.] (Deleted by amendment.)~~

Sec. 16. [NRS 293C.269 is hereby amended to read as follows:

~~293C.269 1. [The] Except as otherwise provided in this subsection, the city clerk shall allow members of the general public to observe the conduct of voting at a polling place for a city election. No member of the general public may observe the conduct of voting at a polling place established pursuant to section 13 of this act without the approval of the person who administers the county jail, city jail, local facility for the detention of children, regional facility for the treatment and rehabilitation of children or state facility for the detention of children, as applicable.~~

~~2. A member of the general public shall not photograph the conduct of voting at a polling place for a city election or record the conduct of voting on audiotape or any other means of sound or video reproduction.~~

~~3. For the purposes of this section, a member of the general public does not include any person who:~~

~~(a) Gathers information for communication to the public;~~

~~(b) Is employed or engaged by or has contracted with a newspaper, periodical, press association, or radio or television station; and~~

~~(c) Is acting solely within his or her professional capacity.] (Deleted by amendment.)~~

Sec. 16.3. NRS 293.250 is hereby amended to read as follows:

293.250 1. Except as otherwise provided in chapter 293D of NRS, the Secretary of State shall, in a manner consistent with the election laws of this State, prescribe:

(a) The form of all ballots, mail ballots, diagrams, sample ballots, certificates, notices, declarations, applications to preregister and register to vote, lists, applications, registers, rosters, statements and abstracts required by the election laws of this State.

(b) The procedures to be followed and the requirements of:

(1) The system established by the Secretary of State pursuant to NRS 293.671 for using a computer to register voters.

(2) The use of the system of approved electronic transmission established pursuant to NRS 293D.200 by electors and voters with disabilities pursuant to NRS 293.269951.

(3) The use of the system of approved electronic transmission established pursuant to NRS 293D.200 by electors and voters who are detained in a county or city jail.

2. Except as otherwise provided in chapter 293D of NRS, the Secretary of State shall prescribe with respect to the matter to be printed on every kind of ballot:

(a) The placement and listing of all offices, candidates and measures upon which voting is statewide, which must be uniform throughout the State.

(b) The listing of all other candidates required to file with the Secretary of State, and the order of listing all offices, candidates and measures upon which voting is not statewide, from which each county or city clerk shall prepare appropriate ballot forms for use in any election in his or her county.

3. The Secretary of State shall place the condensation of each proposed constitutional amendment or statewide measure near the spaces or devices for indicating the voter's choice.

1 4. The fiscal note for, explanation of, arguments for and against, and rebuttals
2 to such arguments of each proposed constitutional amendment or statewide measure
3 must be included on all sample ballots.

4 5. The condensations and explanations for constitutional amendments and
5 statewide measures proposed by initiative or referendum must be prepared by the
6 Secretary of State, upon consultation with the Attorney General. The arguments and
7 rebuttals for or against constitutional amendments and statewide measures proposed
8 by initiative or referendum must be prepared in the manner set forth in NRS
9 293.252. The fiscal notes for constitutional amendments and statewide measures
10 proposed by initiative or referendum must be prepared by the Secretary of State,
11 upon consultation with the Fiscal Analysis Division of the Legislative Counsel
12 Bureau. The condensations, explanations, arguments, rebuttals and fiscal notes
13 must be in easily understood language and of reasonable length, and whenever
14 feasible must be completed by August 1 of the year in which the general election is
15 to be held. The explanations must include a digest. The digest must include a
16 concise and clear summary of any existing laws directly related to the constitutional
17 amendment or statewide measure and a summary of how the constitutional
18 amendment or statewide measure adds to, changes or repeals such existing laws.
19 For a constitutional amendment or statewide measure that creates, generates,
20 increases or decreases any public revenue in any form, the first paragraph of the
21 digest must include a statement that the constitutional amendment or statewide
22 measure creates, generates, increases or decreases, as applicable, public revenue.

23 6. The names of candidates for township and legislative or special district
24 offices must be printed only on the ballots furnished to voters of that township or
25 district.

26 7. A county clerk:

27 (a) May divide paper ballots into two sheets in a manner which provides a clear
28 understanding and grouping of all measures and candidates.

29 (b) Shall prescribe the color or colors of the ballots and voting receipts used in
30 any election which the clerk is required to conduct.

31 **Sec. 16.5. NRS 293.361 is hereby amended to read as follows:**

32 293.361 1. During the time a polling place for early voting is open for
33 voting, a person may not electioneer for or against any candidate, measure or
34 political party in or within 100 feet from the entrance to the voting area. **During the**
35 **time that a person detained in a county or city jail may vote in the jail, a person**
36 **may not electioneer for or against any candidate, measure or political party in or**
37 **within 100 feet from the entrance of the voting area of the jail.**

38 2. During the period of early voting, the county clerk shall keep continuously
39 posted:

40 (a) At the entrance to the room or area, as applicable, in which the polling
41 place for early voting is located a sign on which is printed in large letters "Polling
42 Place for Early Voting"; and

43 (b) At the outer limits of the area within which electioneering is prohibited, a
44 sign on which is printed in large letters "Distance Marker: No electioneering
45 between this point and the entrance to the polling place."

46 3. Ropes or other suitable objects may be used at the polling place to ensure
47 compliance with this section. Persons who are not expressly permitted by law to be
48 in a polling place must be excluded from the polling place to the extent practicable.

49 4. Any person who willfully violates the provisions of this section is guilty of
50 a gross misdemeanor.

51 **Sec. 16.7. NRS 293.740 is hereby amended to read as follows:**

52 293.740 1. Except as otherwise provided in subsection 2, it is unlawful
53 inside a polling place, ~~to~~ within 100 feet from the entrance to the building or

1 other structure in which a polling place is located ~~H~~, inside the area of a county
2 or city jail where a person detained in the jail may vote or within 100 feet from
3 the entrance of the area in a jail where a person detained in the jail may vote;

4 (a) For any person to solicit a vote or speak to a voter on the subject of
5 marking the voter's ballot.

6 (b) For any person, including an election board officer, to do any
7 electioneering on election day.

8 ➤ The county clerk or registrar of voters shall ensure that, at the outer limits of the
9 area within which electioneering is prohibited, notices are continuously posted on
10 which are printed in large letters "Distance Marker: No electioneering between this
11 point and the entrance to the polling place."

12 2. The provisions of subsection 1 do not apply to the conduct of a person in a
13 private residence or on commercial or residential property that is within 100 feet
14 from the entrance to a building or other structure in which a polling place is located.
15 The provisions of subsection 1 are not intended to prohibit a person from voting
16 solely because he or she is wearing a prohibited political insignia and is reasonably
17 unable to remove the insignia or cover it. In such a case, the election board officer
18 shall take such action as is necessary to allow the voter to vote as expediently as
19 possible and then assist the voter in exiting the polling place as soon as is possible.

20 3. Any person who violates any provision of this section is guilty of a gross
21 misdemeanor.

22 4. As used in this section, "electioneering" means campaigning for or against
23 a candidate, ballot question or political party by:

24 (a) Posting signs relating to the support of or opposition to a candidate, ballot
25 question or political party;

26 (b) Distributing literature relating to the support of or opposition to a
27 candidate, ballot question or political party;

28 (c) Using loudspeakers to broadcast information relating to the support of or
29 opposition to a candidate, ballot question or political party;

30 (d) Buying, selling, wearing or displaying any badge, button or other insignia
31 which is designed or tends to aid or promote the success or defeat of any political
32 party or a candidate or ballot question to be voted upon at that election; or

33 (e) Soliciting signatures to any kind of petition.

34 **Sec. 17.** The provisions of NRS 354.599 do not apply to any additional
35 expenses of a local government that are related to the provisions of this act.

36 **Sec. 18.** 1. This section and section 17 of this act become effective upon
37 passage and approval.

38 2. Sections 1 to ~~H6~~ 16.7, inclusive, of this act, become effective:

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

42 (b) On January 1, 2024, for all other purposes.