

ASSEMBLY BILL NO. 272—ASSEMBLYMEN FRIERSON, BENITEZ-THOMPSON, DIAZ, CARLTON, FLORES; ARAUJO, BILBRAY-AXELROD, BROOKS, BUSTAMANTE ADAMS, CARRILLO, COHEN, DALY, FUMO, JOINER, MCCURDY II, MILLER, MONROE-MORENO, NEAL, OHRENSCHALL, SPIEGEL, SPRINKLE, SWANK, THOMPSON, WATKINS AND YEAGER

MARCH 8, 2017

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections. (BDR 24-851)

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

CONTAINS UNFUNDED MANDATE (§§ 2-4, 6, 9, 10, 15-17, 27-29, 31, 37-39)
(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; requiring each county and city clerk to establish polling places where any registered voter of the county or city, respectively, may vote in person on the day of certain elections; requiring county and city clerks to establish polling places within the boundaries of Indian reservations and colonies; requiring the preparation and use of electronic rosters; extending the hours for voting on election day; requiring voting materials to be provided in Mandarin and Cantonese; extending the period for early voting; 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) **Section 2** of this bill requires a county
- 6 clerk to establish one or more polling places in the county where any person
- 7 entitled to vote in the county by personal appearance may do so on the day of a
- 8 primary or general election. **Section 3** of this bill requires the county clerk to



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9 publicize the location of such polling places. **Section 4** of this bill requires the
10 county clerk to prepare a roster of eligible voters in the county for any such polling
11 place. **Section 5** of this bill sets forth the procedure for a person to vote in person at
12 any such polling place. **Sections 27-30** of this bill set forth corresponding
13 provisions requiring city clerks to establish polling places where any person who is
14 entitled to vote in the city by personal appearance may do so on the day of the
15 primary city or general city election. **Sections 8, 10-15, 18, 22-25, 33-37 and 40-42**
16 of this bill make conforming changes.

17 **Sections 6 and 31** of this bill require, under certain circumstances, county and
18 city clerks, respectively, to establish at least one polling place within the boundaries
19 of an Indian reservation or Indian colony at a location or locations approved by the
20 Indian tribe.

21 Existing law generally requires a voter to sign his or her name in a roster when
22 the voter applies to vote in person. (NRS 293.277, 293.285, 293C.270, 293C.275)
23 Existing law also provides that a roster may be in printed or electronic form.
24 **Section 7** of this bill requires a roster to be in electronic form. **Sections 19 and 21**
25 of this bill make conforming changes.

26 Existing law requires voting materials to be provided in English and any other
27 languages necessary to be in compliance with federal law. (NRS 293.2699) **Section**
28 **9** of this bill requires that voting materials also be provided in Mandarin and
29 Cantonese.

30 Existing law provides that the polls close at 7 p.m. on election day. (NRS
31 293.273, 293C.267) **Sections 10 and 33** of this bill provide that the polls close at
32 9 p.m. on election day. **Section 8** of this bill makes a conforming change.

33 Existing law authorizes a county or city clerk to establish permanent polling
34 places for early voting by personal appearance and provides that the period for
35 early voting begins the third Saturday preceding an election and extends through
36 the Friday before election day, Sundays and federal holidays excepted. (NRS
37 293.3564, 293.3568, 293C.3564, 293C.3568) **Sections 15 and 37** of this bill
38 require a county or city clerk to establish at least one permanent polling place for
39 early voting. **Sections 16 and 38** of this bill extend the period for early voting until
40 the Sunday before election day. **Sections 17 and 39** of this bill require, under
41 certain circumstances, a county or city clerk to establish at least one temporary
42 place for early voting within the boundaries of an Indian reservation or Indian
43 colony.

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 6, inclusive, of this
3 act.

4 **Sec. 2. 1.** *Each county clerk shall establish one or more*
5 *polling places in the county where any person entitled to vote in*
6 *the county by personal appearance may do so on the day of the*
7 *primary election or general election.*

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

11 **Sec. 3. 1.** *Each county clerk shall publish during the week*
12 *before the election in a newspaper of general circulation a notice*



1 of the location of each polling place established by the county
2 clerk pursuant to section 2 of this act.

3 2. The county clerk shall post a list of each location
4 established pursuant to section 2 of this act on any bulletin board
5 used for posting notice of meetings of the board of county
6 commissioners. The list must be posted continuously for a period
7 beginning not later than the fifth business day before the election
8 and ending at 9 p.m. on the day of the election. The county clerk
9 shall make copies of the list available to the public during the
10 period of posting in reasonable quantities without charge.

11 3. No additional polling place may be established pursuant to
12 section 2 of this act after the publication pursuant to this section.

13 **Sec. 4.** For each polling place established pursuant to section
14 2 of this act, the county clerk shall prepare a roster that contains,
15 for every registered voter in the county, the voter's name, the
16 address where he or she is registered to vote, his or her voter
17 identification number, the voter's precinct or district number and
18 a place for the voter's signature.

19 **Sec. 5. 1.** Upon the appearance of a person to cast a ballot
20 at a polling place established pursuant to section 2 of this act, the
21 election board officer shall:

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

24 (b) Instruct the voter to sign the roster; and

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

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

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

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

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

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

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

43 5. A voter applying to vote at a polling place established
44 pursuant to section 2 of this act may be challenged pursuant to
45 NRS 293.303.



1 **Sec. 6.** *If an Indian reservation or Indian colony is located in*
2 *whole or in part within a county, the county clerk must establish at*
3 *least one polling place within the boundaries of the Indian*
4 *reservation or Indian colony at a location or locations, as*
5 *applicable, approved by the Indian tribe.*

6 **Sec. 7.** NRS 293.095 is hereby amended to read as follows:
7 293.095 “Roster” means the record in ~~printed or~~ electronic
8 form furnished to election board officers which contains a list of
9 eligible voters and is to be used for obtaining the signature of each
10 person applying for a ballot.

11 **Sec. 8.** NRS 293.2546 is hereby amended to read as follows:
12 293.2546 The Legislature hereby declares that each voter has
13 the right:

14 1. To receive and cast a ballot that:

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

17 (b) Accurately records the voter’s preference in the selection of
18 candidates.

19 2. To have questions concerning voting procedures answered
20 and to have an explanation of the procedures for voting posted in a
21 conspicuous place at the polling place.

22 3. To vote without being intimidated, threatened or coerced.

23 4. To vote on election day if the voter is waiting in line *before*
24 *9 p.m.* at ~~his or her~~ a polling place *at which he or she is entitled to*
25 *vote before 7 p.m.* and the voter has not already cast a vote in that
26 election.

27 5. To return a spoiled ballot and is entitled to receive another
28 ballot in its place.

29 6. To request assistance in voting, if necessary.

30 7. To a sample ballot which is accurate, informative and
31 delivered in a timely manner.

32 8. To receive instruction in the use of the equipment for voting
33 during early voting or on election day.

34 9. To have nondiscriminatory equal access to the elections
35 system, including, without limitation, a voter who is elderly,
36 disabled, a member of a minority group, employed by the military or
37 a citizen who is overseas.

38 10. To have a uniform, statewide standard for counting and
39 recounting all votes accurately.

40 11. To have complaints about elections and election contests
41 resolved fairly, accurately and efficiently.

42 **Sec. 9.** NRS 293.2699 is hereby amended to read as follows:

43 293.2699 1. Each voting system used by a county or city
44 shall provide voting materials in :

45 (a) English ;



1 (b) *Mandarin and Cantonese*; and ~~other languages~~

2 (c) *Every language in which voting materials are required to*
3 *be prepared* in ~~compliance with the provisions of 42 U.S.C. §~~
4 ~~1973aa-1a.~~ *any county or city in the State pursuant to 52 U.S.C. §*
5 *10503.*

6 2. As used in this section, the term “voting materials” has the
7 meaning ascribed to it in ~~42~~ *52* U.S.C. § ~~1973aa-1a.~~ *10503.*

8 **Sec. 10.** NRS 293.273 is hereby amended to read as follows:

9 293.273 1. Except as otherwise provided in subsection 2 and
10 NRS 293.305, at all elections held under the provisions of this title,
11 the polls must open at 7 a.m. and close at ~~7~~ *9* p.m.

12 2. Whenever at any election all the votes of ~~the~~ *a* polling
13 place ~~as shown on the roster,~~ *not designated pursuant to section*
14 *2 of this act as a site where any person entitled to vote in the*
15 *county by personal appearance may do so on the day of the*
16 *election* have been cast, *as shown by the roster*, the election board
17 officers shall close the ~~polls,~~ *polling place*, and the counting of
18 votes must begin and continue without unnecessary delay until the
19 count is completed.

20 3. Upon opening the polls, one of the election board officers
21 shall cause a proclamation to be made that all present may be aware
22 of the fact that applications of registered voters to vote will be
23 received.

24 4. No person other than election board officers engaged in
25 receiving, preparing or depositing ballots may be permitted inside
26 the guardrail during the time the polls are open, except by authority
27 of the election board as necessary to keep order and carry out the
28 provisions of this title.

29 **Sec. 11.** NRS 293.275 is hereby amended to read as follows:

30 293.275 ~~No~~

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

35 *2. For a polling place designated pursuant to section 2 or 27*
36 *of this act, an election board may perform its duty in serving*
37 *registered voters at the polling place in an election if the election*
38 *board has before it the roster for the county or city, as applicable.*

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

40 293.277 1. Except as otherwise provided in NRS 293.283
41 and 293.541, if a person’s name appears in the roster or if the person
42 provides an affirmation pursuant to NRS 293.525, the person is
43 entitled to vote and must sign his or her name in the roster when he
44 or she applies to vote. The signature must be compared by an
45 election board officer with the signature or a facsimile thereof on the



1 person's application to register to vote or one of the forms of
2 identification listed in subsection 2.

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

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

8 (b) A driver's license;

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

11 (d) A military identification card; or

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

15 **3. *The county clerk shall prescribe a procedure, approved by***
16 ***the Secretary of State, to determine that the voter has not already***
17 ***voted in the election.***

18 **Sec. 13.** NRS 293.285 is hereby amended to read as follows:

19 293.285 1. Except as otherwise provided in NRS 293.283, a
20 registered voter applying to vote shall state his or her name to the
21 election board officer in charge of the roster, and the officer shall
22 immediately announce the name, instruct the voter to sign the roster
23 , ~~and~~ verify the signature of the voter in the manner set forth in
24 NRS 293.277 ~~H~~ ***and verify that the registered voter has not***
25 ***already voted in the current election.***

26 2. If the signature does not match, the voter must be identified
27 by:

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

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

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

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

40 **Sec. 14.** NRS 293.296 is hereby amended to read as follows:

41 293.296 1. Any registered voter who by reason of a physical
42 disability or an inability to read or write English is unable to mark a
43 ballot or use any voting device without assistance is entitled to
44 assistance from a consenting person of his or her own choice,
45 except:



- 1 (a) The voter's employer or an agent of the voter's employer; or
2 (b) An officer or agent of the voter's labor organization.
- 3 2. A person providing assistance pursuant to this section to a
4 voter in casting a vote shall not disclose any information with
5 respect to the casting of that ballot.
- 6 3. The right to assistance in casting a ballot may not be denied
7 or impaired when the need for assistance is apparent or is known to
8 the election board or any member thereof or when the registered
9 voter requests such assistance in any manner.
- 10 4. In addition to complying with the requirements of this
11 section, the county clerk and election board officer shall, upon the
12 request of a registered voter with a physical disability, make
13 reasonable accommodations to allow the voter to vote at ~~his or her~~
14 *a polling place ~~H~~ at which he or she is entitled to vote.*
- 15 **Sec. 15.** NRS 293.3564 is hereby amended to read as follows:
16 293.3564 1. ~~The~~ *Each* county clerk ~~may~~ *shall* establish ~~at~~
17 *least one* permanent polling ~~places~~ *place* for early voting by
18 personal appearance in the county . ~~at the locations selected~~
19 ~~pursuant to NRS 293.3561.~~
- 20 ~~2. Except as otherwise provided in subsection 3, any~~
21 *2. Any* person entitled to vote early by personal appearance
22 may do so at any polling place for early voting.
- 23 ~~3. If it is impractical for the county clerk to provide at each~~
24 ~~polling place for early voting a ballot in every form required in the~~
25 ~~county, the county clerk may:~~
- 26 ~~(a) Provide appropriate forms of ballots for all offices within a~~
27 ~~township, city, town or county commissioner election district, as~~
28 ~~determined by the county clerk; and~~
- 29 ~~(b) Limit voting at that polling place to registered voters in that~~
30 ~~township, city, town or county commissioner election district.]~~
- 31 **Sec. 16.** NRS 293.3568 is hereby amended to read as follows:
32 293.3568 1. The period for early voting by personal
33 appearance begins the third Saturday preceding a primary or general
34 election and extends through the ~~Friday~~ *Sunday* before election
35 day, ~~Sundays and~~ federal holidays excepted.
- 36 2. The county clerk may:
- 37 (a) Include any ~~Sunday or~~ federal holiday that falls within the
38 period for early voting by personal appearance.
- 39 (b) Require a permanent polling place for early voting to remain
40 open until 8 p.m. on any Saturday that falls within the period for
41 early voting.
- 42 3. A permanent polling place for early voting must remain
43 open:
- 44 (a) On Monday through Friday:



1 (1) During the first week of early voting, from 8 a.m. until
2 6 p.m.

3 (2) During the second week of early voting, from 8 a.m. until
4 6 p.m., or until 8 p.m. if the county clerk so requires.

5 (b) On any Saturday that falls within the period for early voting,
6 for at least 4 hours between 10 a.m. and 6 p.m.

7 ~~(c) If the county clerk includes a~~ *On any* Sunday that falls
8 within the period for early voting, ~~pursuant to subsection 2,~~ during
9 such hours as the county clerk may establish.

10 **Sec. 17.** NRS 293.3572 is hereby amended to read as follows:

11 293.3572 1. In addition to permanent polling places for early
12 voting, *except as otherwise provided in subsection 2,* the county
13 clerk may establish temporary branch polling places for early voting
14 which may include, without limitation, the clerk's office pursuant to
15 NRS 293.3561.

16 2. *If an Indian reservation or Indian colony is located in*
17 *whole or in part within a county, the county clerk must establish at*
18 *least one temporary branch polling place for early voting within*
19 *the boundaries of the Indian reservation or Indian colony. The*
20 *location and hours of operation of such a temporary branch*
21 *polling place for early voting must be approved by the Indian tribe.*

22 3. The provisions of subsection 3 of NRS 293.3568 do not
23 apply to a temporary *branch* polling place. Voting at a temporary
24 branch polling place may be conducted on any one or more days and
25 during any hours within the period for early voting by personal
26 appearance, as determined by the county clerk.

27 ~~3-~~ 4. The schedules for conducting voting are not required to
28 be uniform among the temporary branch polling places.

29 ~~4-~~ 5. The legal rights and remedies which inure to the owner
30 or lessor of private property are not impaired or otherwise affected
31 by the leasing of the property for use as a temporary branch polling
32 place for early voting, except to the extent necessary to conduct
33 early voting at that location.

34 **Sec. 18.** NRS 293.4689 is hereby amended to read as follows:

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

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

44 (b) The abstract of votes required pursuant to the provisions of
45 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. 19.** NRS 293.511 is hereby amended to read as follows:

12 293.511 ~~[(f) a] The registrar of voters' register or [roster is kept~~
13 ~~by computer, the register or]~~ roster, as applicable, must include the
14 name, address, precinct, political affiliation and signature or
15 facsimile thereof of each voter and any additional information
16 required by the county clerk.

17 **Sec. 20.** NRS 293.541 is hereby amended to read as follows:

18 293.541 1. The county clerk shall cancel the registration of a
19 voter if:

20 (a) After consultation with the district attorney, the district
21 attorney determines that there is probable cause to believe that
22 information in the registration concerning the identity or residence
23 of the voter is fraudulent;

24 (b) The county clerk provides a notice as required pursuant to
25 subsection 2 or executes an affidavit of cancellation pursuant to
26 subsection 3; and

27 (c) The voter fails to present satisfactory proof of identity and
28 residence pursuant to subsection 2, 4 or 5.

29 2. Except as otherwise provided in subsection 3, the county
30 clerk shall notify the voter by registered or certified mail, return
31 receipt requested, of a determination made pursuant to subsection 1.
32 The notice must set forth the grounds for cancellation. Unless the
33 voter, within 15 days after the return receipt has been filed in the
34 office of the county clerk, presents satisfactory proof of identity and
35 residence to the county clerk, the county clerk shall cancel the
36 voter's registration.

37 3. If insufficient time exists before a pending election to
38 provide the notice required by subsection 2, the county clerk shall
39 execute an affidavit of cancellation and file the affidavit of
40 cancellation with the registrar of voters' register and ~~f;~~

41 ~~—(a) In counties where records of registration are not kept by~~
42 ~~computer, the county clerk shall attach a copy of the affidavit of~~
43 ~~cancellation in the roster.~~

44 ~~—(b) In counties where records of registration are kept by~~
45 ~~computer, the county clerk shall have the affidavit of cancellation~~



1 ~~printed on the computer entry for the registration and~~ add a copy of
2 ~~the affidavit~~ to the roster.

3 4. If a voter appears to vote at the election next following the
4 date that an affidavit of cancellation was executed for the voter
5 pursuant to this section, the voter must be allowed to vote only if the
6 voter furnishes:

7 (a) Official identification which contains a photograph of the
8 voter, including, without limitation, a driver's license or other
9 official document; and

10 (b) Satisfactory identification that contains proof of the address
11 at which the voter actually resides and that address is consistent with
12 the address listed on the roster.

13 5. If a determination is made pursuant to subsection 1
14 concerning information in the registration to vote of a voter and an
15 absent ballot or a ballot voted by a voter who resides in a mailing
16 precinct is received from the voter, the ballot must be kept separate
17 from other ballots and must not be counted unless the voter presents
18 satisfactory proof to the county clerk of identity and residence
19 before such ballots are counted on election day.

20 6. For the purposes of this section, a voter registration card
21 issued pursuant to NRS 293.517 does not provide proof of the:

22 (a) Address at which a person actually resides; or

23 (b) Residence or identity of a person.

24 **Sec. 21.** NRS 293.547 is hereby amended to read as follows:

25 293.547 1. After the 30th day but not later than the 25th day
26 before any election, a written challenge may be filed with the county
27 clerk.

28 2. A registered voter may file a written challenge if:

29 (a) He or she is registered to vote in the same precinct as the
30 person whose right to vote is challenged; and

31 (b) The challenge is based on the personal knowledge of the
32 registered voter.

33 3. The challenge must be signed and verified by the registered
34 voter and name the person whose right to vote is challenged and the
35 ground of the challenge.

36 4. A challenge filed pursuant to this section must not contain
37 the name of more than one person whose right to vote is challenged.
38 The county clerk shall not accept for filing any challenge which
39 contains more than one such name.

40 5. The county clerk shall:

41 (a) File the challenge in the registrar of voters' register and ~~f~~:

42 ~~(1) In counties where records of registration are not kept by~~
43 ~~computer, he or she shall attach a copy of the challenge to the~~
44 ~~challenged registration in the roster.~~



1 ~~—— (2) In counties where records of registration are kept by~~
2 ~~computer, he or she shall have the challenge printed on the~~
3 ~~computer entry for the challenged registration and~~ add a copy of ~~{it}~~
4 *the challenge* to the roster.

5 (b) Within 5 days after a challenge is filed, mail a notice in the
6 manner set forth in NRS 293.530 to the person whose right to vote
7 has been challenged pursuant to this section informing the person of
8 the challenge. If the person fails to respond or appear to vote within
9 the required time, the county clerk shall cancel the person's
10 registration. A copy of the challenge and information describing
11 how to reregister properly must accompany the notice.

12 (c) Immediately notify the district attorney. A copy of the
13 challenge must accompany the notice.

14 6. Upon receipt of a notice pursuant to this section, the district
15 attorney shall investigate the challenge within 14 days and, if
16 appropriate, cause proceedings to be instituted and prosecuted in a
17 court of competent jurisdiction without delay. The court shall give
18 such proceedings priority over other civil matters that are not
19 expressly given priority by law. Upon court order, the county clerk
20 shall cancel the registration of the person whose right to vote has
21 been challenged pursuant to this section.

22 **Sec. 22.** NRS 293.563 is hereby amended to read as follows:

23 293.563 1. During the interval between the closing of
24 registration and the election, the county clerk shall prepare for
25 ~~{each}~~ :

26 (a) *Each* polling place a roster containing the registered voters
27 eligible to vote at the polling place.

28 (b) *Each polling place designated pursuant to section 2 or 27*
29 *of this act a roster containing the registered voters eligible to vote*
30 *in the county or city, respectively.*

31 2. The ~~{roster}~~ *rosters* must be delivered or caused to be
32 delivered by the county or city clerk to an election board officer of
33 the proper polling place before the opening of the polls.

34 **Sec. 23.** NRS 293.565 is hereby amended to read as follows:

35 293.565 1. Except as otherwise provided in subsection 3,
36 sample ballots must include:

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

38 (b) The fiscal note or description of anticipated financial effect,
39 as provided pursuant to NRS 218D.810, 293.250, 293.481, 295.015,
40 295.095 or 295.230 for each proposed constitutional amendment,
41 statewide measure, measure to be voted upon only by a special
42 district or political subdivision and advisory question;

43 (c) An explanation, as provided pursuant to NRS 218D.810,
44 293.250, 293.481, 295.121 or 295.230, of each proposed
45 constitutional amendment, statewide measure, measure to be voted



1 upon only by a special district or political subdivision and advisory
2 question;

3 (d) Arguments for and against each proposed constitutional
4 amendment, statewide measure, measure to be voted upon only by a
5 special district or political subdivision and advisory question, and
6 rebuttals to each argument, as provided pursuant to NRS 218D.810,
7 293.250, 293.252 or 295.121; and

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

9 2. If, pursuant to the provisions of NRS 293.2565, the word
10 "Incumbent" must appear on the ballot next to the name of the
11 candidate who is the incumbent, the word "Incumbent" must appear
12 on the sample ballot next to the name of the candidate who is the
13 incumbent.

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

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

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

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

26 4. A county clerk may establish a system for distributing
27 sample ballots by electronic means to each registered voter who
28 elects to receive a sample ballot by electronic means. Such a system
29 may include, without limitation, electronic mail or electronic access
30 through an Internet website. If a county clerk establishes such a
31 system and a registered voter elects to receive a sample ballot by
32 electronic means, the county clerk shall distribute the sample ballot
33 to the registered voter by electronic means pursuant to the
34 procedures and requirements set forth by regulations adopted by the
35 Secretary of State.

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

39 6. Before the period for early voting for any election begins,
40 the county clerk shall distribute to each registered voter in the
41 county by mail or electronic means, as applicable, the sample ballot
42 for his or her precinct, with a notice informing the voter of the
43 location of his or her polling place **+** *or places*. If the location of
44 the polling place *or places* has changed since the last election:



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

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

6
7 NOTICE: THE LOCATION OF YOUR POLLING PLACE **OR**
8 **PLACES** HAS CHANGED SINCE THE LAST ELECTION
9

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

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

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

15
16 NOTICE: TO RECEIVE A SAMPLE BALLOT IN
17 LARGE TYPE, CALL (Insert appropriate telephone number)
18

19 8. A portion of a sample ballot that contains a facsimile of the
20 display area of a voting device may include material in less than
21 12-point type to the extent necessary to make the facsimile fit on the
22 pages of the sample ballot.

23 9. The sample ballot distributed to a person who requests a
24 sample ballot in large type by exercising the option provided
25 pursuant to NRS 293.508, or in any other manner, must be prepared
26 in at least 14-point type, or larger when practicable.

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

30 11. The county clerk shall include in each sample ballot a
31 statement indicating that the county clerk will, upon request of a
32 voter who is elderly or disabled, make reasonable accommodations
33 to allow the voter to vote at his or her polling place **or places** and
34 provide reasonable assistance to the voter in casting his or her vote,
35 including, without limitation, providing appropriate materials to
36 assist the voter. In addition, if the county clerk has provided
37 pursuant to subsection 4 of NRS 293.2955 for the placement at
38 centralized voting locations of specially equipped voting devices for
39 use by voters who are elderly or disabled, the county clerk shall
40 include in the sample ballot a statement indicating:

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

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



1 (c) That a voter who is elderly or disabled may cast his or her
2 ballot at such a centralized voting location rather than at his or her
3 regularly designated polling place ~~H~~ *or places.*

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

7 **Sec. 24.** NRS 293.730 is hereby amended to read as follows:

8 293.730 1. A person shall not:

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

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

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

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

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

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

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

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

25 2. A voter shall not:

26 (a) Receive a ballot from any person other than an election
27 board officer.

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

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

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

35 **Sec. 25.** NRS 293.790 is hereby amended to read as follows:

36 293.790 If any person whose vote has been rejected offers to
37 vote at the same election, at any polling place other than ~~the~~ one in
38 which the person is ~~registered~~ *entitled* to vote, such person is
39 guilty of a gross misdemeanor.

40 **Sec. 26.** Chapter 293C of NRS is hereby amended by adding
41 thereto the provisions set forth as sections 27 to 31, inclusive, of this
42 act.

43 **Sec. 27. 1.** *Each city clerk shall establish one or more*
44 *polling places in the city where any person entitled to vote in the*



1 *city by personal appearance may do so on the day of the primary*
2 *city election or general city election.*

3 *2. Any person entitled to vote in the city by personal*
4 *appearance may do so at any polling place established pursuant to*
5 *subsection 1.*

6 **Sec. 28.** *1. Each city clerk shall publish during the week*
7 *before the election in a newspaper of general circulation a notice*
8 *of the location of each polling place established by the city clerk*
9 *pursuant to section 27 of this act.*

10 *2. The city clerk shall post a list of each location established*
11 *pursuant to section 27 of this act on any bulletin board used for*
12 *posting notice of meetings of the governing body of the city. The*
13 *list must be posted continuously for a period beginning not later*
14 *than the fifth business day before the election and ending at 9 p.m.*
15 *on the day of the election. The city clerk shall make copies of the*
16 *list available to the public during the period of posting in*
17 *reasonable quantities without charge.*

18 *3. No additional polling place may be established pursuant to*
19 *section 27 of this act after the publication pursuant to this section.*

20 **Sec. 29.** *For each polling place established pursuant to*
21 *section 27 of this act, the city clerk shall prepare a roster that*
22 *contains, for every registered voter in the city, the voter's name,*
23 *the address where he or she is registered to vote, his or her voter*
24 *identification number, the voter's precinct or district number and*
25 *a place for the voter's signature.*

26 **Sec. 30.** *1. Upon the appearance of a person to cast a ballot*
27 *at a polling place established pursuant to section 27 of this act, the*
28 *election board officer shall:*

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

31 *(b) Instruct the voter to sign the roster; and*

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

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

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

42 *4. If the ballot is voted on a mechanical recording device*
43 *which directly records the votes electronically, the election board*
44 *officer shall:*

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



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

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

5 5. A voter applying to vote at a polling place established
6 pursuant to section 27 of this act may be challenged pursuant to
7 NRS 293C.292.

8 **Sec. 31.** *If an Indian reservation or Indian colony is located*
9 *in whole or in part within a city, the city clerk must establish at*
10 *least one polling place within the boundaries of the Indian*
11 *reservation or Indian colony at a location or locations, as*
12 *applicable, approved by the Indian tribe.*

13 **Sec. 32.** NRS 293C.112 is hereby amended to read as follows:

14 293C.112 1. The governing body of a city may conduct a city
15 election in which all ballots must be cast by mail if:

16 (a) The election is a special election; or

17 (b) The election is a primary city election or general city
18 election in which the ballot includes only:

19 (1) Offices and ballot questions that may be voted on by the
20 registered voters of only one ward; or

21 (2) One office or ballot question.

22 2. The provisions of NRS 293C.265 to 293C.302, inclusive,
23 *and section 31 of this act*, 293C.305 to 293C.340, inclusive, and
24 293C.355 to 293C.361, inclusive, do not apply to an election
25 conducted pursuant to this section.

26 3. For the purposes of an election conducted pursuant to this
27 section, each precinct in the city shall be deemed to have been
28 designated a mailing precinct pursuant to NRS 293C.342.

29 **Sec. 33.** NRS 293C.267 is hereby amended to read as follows:

30 293C.267 1. Except as otherwise provided in subsection 2
31 and NRS 293C.297, at all elections held pursuant to the provisions
32 of this chapter, the polls must open at 7 a.m. and close at ~~7~~ 9 p.m.

33 2. Whenever at any election all the votes of ~~the~~ a polling
34 place ~~is~~ *not designated pursuant to section 27 of this act as a site*
35 *where any person entitled to vote in the city by personal*
36 *appearance may do so on the day of the election have been cast*
37 as shown on the roster, ~~have been cast,~~ the election board officers
38 shall close the ~~polls~~ *polling place* and the counting of votes must
39 begin and continue without unnecessary delay until the count is
40 completed.

41 3. Upon opening the polls, one of the election board officers
42 shall cause a proclamation to be made so that all present may be
43 aware of the fact that applications of registered voters to vote will be
44 received.



1 4. No person other than election board officers engaged in
2 receiving, preparing or depositing ballots may be permitted inside
3 the guardrail during the time the polls are open, except by authority
4 of the election board as necessary to keep order and carry out the
5 provisions of this chapter.

6 **Sec. 34.** NRS 293C.270 is hereby amended to read as follows:

7 293C.270 1. Except as otherwise provided in NRS 293C.272,
8 if a person's name appears in the roster or if the person provides an
9 affirmation pursuant to NRS 293C.525, the person is entitled to vote
10 and must sign his or her name in the roster when he or she applies to
11 vote. The signature must be compared by an election board officer
12 with the signature or a facsimile thereof on the person's application
13 to register to vote or one of the forms of identification listed in
14 subsection 2.

15 2. The forms of identification that may be used to identify a
16 voter at the polling place are:

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

19 (b) A driver's license;

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

22 (d) A military identification card; or

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

26 **3. *The city clerk shall prescribe a procedure, approved by the***
27 ***Secretary of State, to determine that the voter has not already***
28 ***voted in the current election.***

29 **Sec. 35.** NRS 293C.275 is hereby amended to read as follows:

30 293C.275 1. Except as otherwise provided in NRS 293C.272,
31 a registered voter who applies to vote must state his or her name to
32 the election board officer in charge of the roster, and the officer
33 shall immediately announce the name, instruct the voter to sign the
34 roster, ~~and~~ verify the signature of the voter in the manner set forth
35 in NRS 293C.270 ~~and~~ ***and verify that the registered voter has not***
36 ***already voted in the current election.***

37 2. If the signature does not match, the voter must be identified
38 by:

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

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



1 (c) Providing the election board officer with proof of
2 identification as described in NRS 293C.270 other than the card
3 issued to the voter at the time he or she registered to vote.

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

8 **Sec. 36.** NRS 293C.282 is hereby amended to read as follows:

9 293C.282 1. Any registered voter who, because of a physical
10 disability or an inability to read or write English, is unable to mark a
11 ballot or use any voting device without assistance is entitled to
12 assistance from a consenting person of his or her own choice,
13 except:

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

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

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

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

23 4. In addition to complying with the requirements of this
24 section, the city clerk and election board officer shall, upon the
25 request of a registered voter with a physical disability, make
26 reasonable accommodations to allow the voter to vote at ~~his or her~~
27 a polling place ~~at which he or she is entitled to vote.~~

28 **Sec. 37.** NRS 293C.3564 is hereby amended to read as
29 follows:

30 293C.3564 1. The city clerk ~~may~~ *in a city providing for*
31 *early voting pursuant to subparagraph (1) of paragraph (b) of*
32 *subsection 2 of NRS 293C.110 shall establish at least one*
33 permanent polling ~~places~~ *place* for early voting by personal
34 appearance in the city at the locations selected pursuant to
35 NRS 293C.3561.

36 2. Any person entitled to vote early by personal appearance
37 may do so at any polling place for early voting.

38 **Sec. 38.** NRS 293C.3568 is hereby amended to read as
39 follows:

40 293C.3568 1. The period for early voting by personal
41 appearance begins the third Saturday preceding a primary city
42 election or general city election, and extends through the ~~Friday~~
43 *Sunday* before election day, ~~Sundays—and~~ federal holidays
44 excepted.

45 2. The city clerk may:



1 (a) Include any ~~{Sunday or}~~ federal holiday that falls within the
2 period for early voting by personal appearance.

3 (b) Require a permanent polling place for early voting to remain
4 open until 8 p.m. on any Saturday that falls within the period for
5 early voting.

6 3. A permanent polling place for early voting must remain
7 open:

8 (a) On Monday through Friday:

9 (1) During the first week of early voting, from 8 a.m. until
10 6 p.m.

11 (2) During the second week of early voting, from 8 a.m. until
12 6 p.m., or until 8 p.m. if the city clerk so requires.

13 (b) On any Saturday that falls within the period for early voting,
14 for at least 4 hours between 10 a.m. and 6 p.m.

15 (c) ~~{If the city clerk includes a}~~ **On any** Sunday that falls within
16 the period for early voting pursuant to subsection 2, during such
17 hours as the city clerk may establish.

18 **Sec. 39.** NRS 293C.3572 is hereby amended to read as
19 follows:

20 293C.3572 1. In addition to permanent polling places for
21 early voting, the city clerk may establish temporary branch polling
22 places for early voting pursuant to NRS 293C.3561.

23 2. *If an Indian reservation or Indian colony is located in*
24 *whole or in part within a city, the city clerk must establish at least*
25 *one temporary branch polling place for early voting within the*
26 *boundaries of the Indian reservation or Indian colony. The*
27 *location and hours of operation of such a temporary branch*
28 *polling place for early voting must be approved by the Indian tribe.*

29 3. The provisions of subsection 3 of NRS 293C.3568 do not
30 apply to a temporary **branch** polling place. Voting at a temporary
31 branch polling place may be conducted on any one or more days and
32 during any hours within the period for early voting by personal
33 appearance, as determined by the city clerk.

34 ~~{3-}~~ 4. The schedules for conducting voting are not required to
35 be uniform among the temporary branch polling places.

36 ~~{4-}~~ 5. The legal rights and remedies which inure to the owner
37 or lessor of private property are not impaired or otherwise affected
38 by the leasing of the property for use as a temporary branch polling
39 place for early voting, except to the extent necessary to conduct
40 early voting at that location.

41 **Sec. 40.** NRS 293C.530 is hereby amended to read as follows:

42 293C.530 1. A city clerk may establish a system for
43 distributing sample ballots by electronic means to each registered
44 voter who elects to receive a sample ballot by electronic means.
45 Such a system may include, without limitation, electronic mail or



1 electronic access through an Internet website. If a city clerk
2 establishes such a system and a registered voter elects to receive a
3 sample ballot by electronic means, the city clerk shall distribute the
4 sample ballot to the registered voter by electronic means pursuant to
5 the procedures and requirements set forth by regulations adopted by
6 the Secretary of State.

7 2. If a registered voter does not elect to receive a sample ballot
8 by electronic means pursuant to subsection 1, the city clerk shall
9 distribute the sample ballot to the registered voter by mail.

10 3. Before the period for early voting for any election begins,
11 the city clerk shall distribute to each registered voter in the city by
12 mail or electronic means, as applicable, the sample ballot for his or
13 her precinct, with a notice informing the voter of the location of his
14 or her polling place **H or places**. If the location of the polling place
15 **or places** has changed since the last election:

16 (a) The city clerk shall mail a notice of the change to each
17 registered voter in the city not sooner than 10 days before
18 distributing the sample ballots; or

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

21
22 NOTICE: THE LOCATION OF YOUR POLLING PLACE **OR**
23 **PLACES** HAS CHANGED SINCE THE LAST ELECTION
24

25 4. Except as otherwise provided in subsection 6, a sample
26 ballot required to be distributed pursuant to this section must:

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

28 (b) Include the description of the anticipated financial effect and
29 explanation of each citywide measure and advisory question,
30 including arguments for and against the measure or question, as
31 required pursuant to NRS 295.205 or 295.217; and

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

34
35 NOTICE: TO RECEIVE A SAMPLE BALLOT IN
36 LARGE TYPE, CALL (Insert appropriate telephone number)
37

38 5. The word "Incumbent" must appear on the sample ballot
39 next to the name of the candidate who is the incumbent, if required
40 pursuant to NRS 293.2565.

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



1 7. The sample ballot distributed to a person who requests a
2 sample ballot in large type by exercising the option provided
3 pursuant to NRS 293.508, or in any other manner, must be prepared
4 in at least 14-point type, or larger when practicable.

5 8. If a person requests a sample ballot in large type, the city
6 clerk shall ensure that all future sample ballots distributed to that
7 person from the city are in large type.

8 9. The city clerk shall include in each sample ballot a statement
9 indicating that the city clerk will, upon request of a voter who is
10 elderly or disabled, make reasonable accommodations to allow the
11 voter to vote at his or her polling place *or places* and provide
12 reasonable assistance to the voter in casting his or her vote,
13 including, without limitation, providing appropriate materials to
14 assist the voter. In addition, if the city clerk has provided pursuant to
15 subsection 4 of NRS 293C.281 for the placement at centralized
16 voting locations of specially equipped voting devices for use by
17 voters who are elderly or disabled, the city clerk shall include in the
18 sample ballot a statement indicating:

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

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

22 (c) That a voter who is elderly or disabled may cast his or her
23 ballot at such a centralized voting location rather than at the voter's
24 regularly designated polling place ~~+~~ *or places*.

25 10. The cost of distributing sample ballots for a city election
26 must be borne by the city holding the election.

27 **Sec. 41.** NRS 293C.535 is hereby amended to read as follows:

28 293C.535 1. Except as otherwise provided by special charter,
29 registration of electors in incorporated cities must be accomplished
30 in the manner provided in this chapter.

31 2. The county clerk shall use the statewide voter registration
32 list to prepare for the city clerk of each incorporated city within the
33 county the roster of all electors eligible to vote at a regular or special
34 city election.

35 3. ~~The~~ *Except as otherwise provided in section 27 of this*
36 *act, the* rosters must be prepared, one for each ward or other voting
37 district within each incorporated city. The entries in the roster must
38 be arranged alphabetically with the surnames first.

39 4. The county clerk shall keep duplicate originals or copies of
40 the applications to register to vote in the county clerk's office.

41 **Sec. 42.** NRS 293C.715 is hereby amended to read as follows:

42 293C.715 1. If a city clerk maintains a website on the
43 Internet for information relating to elections, the website must
44 contain public information maintained, collected or compiled by the



1 city clerk that relates to elections, which must include, without
2 limitation:

3 (a) The locations of polling places for casting a ballot on
4 election day in such a form that a registered voter may search the list
5 to determine the location of the polling place *or places* at which the
6 registered voter is ~~required~~ *entitled* to cast a ballot; and

7 (b) The abstract of votes required to be posted on a website
8 pursuant to the provisions of NRS 293C.387.

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

13 3. If the information required to be maintained by a city clerk
14 pursuant to subsection 1 may be obtained by the public from
15 a website on the Internet maintained by the Secretary of State, a
16 county clerk or another city clerk, the city clerk may provide a
17 hyperlink to that website to comply with the provisions of
18 subsection 1 with regard to that information.

19 **Sec. 43.** The provisions of NRS 354.599 do not apply to any
20 additional expenses of a local government that are related to the
21 provisions of this act.

22 **Sec. 44.** This act becomes effective:

23 1. On July 1, 2017, for the purpose of adopting any regulations
24 and performing any other preparatory administrative tasks necessary
25 to carry out the provisions of this act; and

26 2. On January 1, 2018, for all other purposes.



