

Assembly Bill No. 121–Assemblymen Cohen; Anderson, Bilbray-Axelrod, Brown-May, Carlton, Duran, Flores, Frierson, González, Gorelow, Jauregui, Martinez, Marzola, Brittney Miller, C.H. Miller, Monroe-Moreno, Nguyen, Orentlicher, Peters, Summers-Armstrong, Thomas, Torres, Watts and Yeager

Joint Sponsors: Senators Ohrenschall,
Spearman and Lange

CHAPTER.....

AN ACT relating to elections; requiring the Secretary of State to allow an elector with a disability to register to vote and a registered voter with a disability to request and cast an absent ballot using the system of approved electronic transmission established for certain uniformed military and overseas voters; setting forth certain requirements for such an elector or registered voter to use the system of approved electronic transmission; eliminating the requirement to cancel a person's voter registration if a person changes his or her party affiliation; revising the deadline by which certain uniformed military and overseas voters may submit an application to register to vote or a request for a military-overseas ballot; making various other changes related to the system of approved electronic transmission established for certain uniformed military and overseas voters; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Secretary of State to establish a system of approved electronic transmission through which certain uniformed military and overseas voters may register to vote, apply for a military-overseas ballot and cast a military-overseas ballot. (NRS 293D.200) **Section 1** of this bill requires the Secretary of State to allow the system of approved electronic transmission to be used by: (1) an elector with a disability to register to vote; and (2) a registered voter with a disability to apply for and cast an absent ballot. **Section 1** also requires the system of approved electronic transmission to allow such an elector or registered voter to provide his or her digital or electronic signature on any document or other material that is necessary for the elector to register to vote or the registered voter to apply for and cast an absent ballot. **Section 1** further requires the Secretary of State to prescribe procedures to be used by local elections officials in accepting, handling and counting absent ballots received from a registered voter with a disability using the system of approved electronic transmission.

Sections 2-12 of this bill make conforming changes related to allowing the use of the system of approved electronic transmission by an elector with a disability to register to vote and a registered voter with a disability to request and cast an absent ballot.



Existing law authorizes certain uniformed military and overseas voters to: (1) use a federal postcard application or the application's electronic equivalent to apply to register to vote; or (2) use the declaration accompanying the federal write-in absentee ballot to apply to register to vote simultaneously with the submission of the federal write-in absentee ballot if the application or the declaration, as applicable, is received by the appropriate elections official by the seventh day before the election. (NRS 293D.230) Existing law further authorizes certain uniformed military and overseas voters to submit an application for a military-overseas ballot by the seventh day before the election. (NRS 293D.300, 293D.310) Existing law also requires a military-overseas ballot to be received by the appropriate local elections official not later than the close of the polls. (NRS 293D.400) **Sections 13-16** of this bill provide that the deadline for certain uniformed military and overseas voters to: (1) submit a federal postcard application or the application's electronic equivalent to apply to register to vote; (2) submit the federal write-in absentee ballot and register to vote simultaneously using the declaration accompanying the federal write-in absentee ballot; or (3) apply for a military-overseas ballot and return the military-overseas ballot to the appropriate local elections official is the time set for closing the polls on election day pursuant to NRS 293.273, which is currently 7 p.m. As a result of the changes made by **sections 13-16**, a person with a disability may also use the system of approved electronic transmission to register to vote, request an absent ballot and cast an absent ballot until the time set for closing the polls on election day.

Sections 1, 13 and 14 of this bill require a local elections official to time stamp the electronic equivalent of: (1) the federal postcard application; or (2) an application to register to vote and ballot cast by a person with a disability using the system of approved electronic transmission upon receipt.

Existing law requires the county clerk to cancel the registration of a person if he or she requests to affiliate with a political party or change his or her affiliation and provides that the person may reregister immediately. (NRS 293.540, 293.543) **Sections 11.3 and 11.7** of this bill revise these provisions to remove the requirement for the county clerk to cancel the registration of a person who requests to affiliate or change his or her affiliation with a political party.

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

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

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

1. The Secretary of State shall allow:

(a) An elector with a disability to use the system of approved electronic transmission established pursuant to NRS 293D.200 to register to vote in every election where the system of approved electronic transmission is available to a covered voter to register to vote, including, without limitation, an affected election. The deadline for an elector with a disability to use the system of approved electronic transmission to register to vote is the same as



the deadline set forth in NRS 293D.230 for a covered voter to register to vote.

(b) A registered voter with a disability to use the system of approved electronic transmission established pursuant to NRS 293D.200 to apply for and cast an absent ballot in every election where the system of approved electronic transmission is available to a covered voter to request and cast a military-overseas ballot, including, without limitation, an affected election. The deadlines for a registered voter with a disability to use the system of approved electronic transmission to request and cast an absent ballot are the same as the deadlines set forth in NRS 293D.310 and 293D.400 for a covered voter to request and cast a military-overseas ballot.

2. Upon receipt of an application and ballot cast by a person with a disability using the system of approved electronic transmission established pursuant to NRS 293D.200, the local elections official shall affix, mark or otherwise acknowledge receipt of the application and ballot by means of a time stamp on the application.

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

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

5. The Secretary of State shall prescribe the duties of the county clerk upon receipt of an absent ballot sent by a registered voter with a disability using the system of approved electronic transmission, including, without limitation, the procedures to be used in accepting, handling and counting the absent ballot.

6. The Secretary of State shall make available to an elector with a disability or a registered voter with a disability information regarding instructions on using the system for approved electronic transmission to register to vote and apply for and cast an absent ballot.

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



8. As used in this section:

(a) *“Affected election” has the meaning ascribed to it in NRS 293.8811.*

(b) *“Covered voter” has the meaning ascribed to it in NRS 293D.030.*

(c) *“Digital signature” has the meaning ascribed to it in NRS 720.060.*

(d) *“Electronic signature” has the meaning ascribed to it in NRS 719.100.*

(e) *“Military-overseas ballot” has the meaning ascribed to it in NRS 293D.050.*

Sec. 2. 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, absent 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) A system established pursuant to NRS 293.506 for using a computer to register voters and to keep records of registration.

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

(3) The use of the system of approved electronic transmission established pursuant to NRS 293D.200 by electors and voters with disabilities pursuant to section 1 of this act.

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.

4. The fiscal note for, explanation of, arguments for and against, and rebuttals to such arguments of each proposed



constitutional amendment or statewide measure must be included on all sample ballots.

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

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

7. A county clerk:

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

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

Sec. 3. NRS 293.313 is hereby amended to read as follows:

293.313 1. Except as otherwise provided in [subsection 2 and](#) NRS 293.272, 293.316, 293.3165 and 293.502, a registered voter may request an absent ballot if, before 5 p.m. on the 14th calendar day preceding the election, the registered voter:

(a) Provides sufficient written notice to the county clerk; and

(b) Has identified himself or herself to the satisfaction of the county clerk.



2. *A registered voter with a disability may use the system for approved electronic transmission established by the Secretary of State pursuant to subsection 2 of NRS 293D.200 to request an absent ballot in accordance with section 1 of this act.*

3. A registered voter may request an absent ballot for all elections held during the year he or she requests an absent ballot.

~~§3.1~~ 4. A county clerk shall consider a request from a voter who has given sufficient written notice on a form provided by the Federal Government as a request for an absent ballot for the primary and general elections immediately following the date on which the county clerk received the request.

~~§4.1~~ 5. It is unlawful for a person fraudulently to request an absent ballot in the name of another person or to induce or coerce another person fraudulently to request an absent ballot in the name of another person. A person who violates this subsection is guilty of a category E felony and shall be punished as provided in NRS 193.130.

Sec. 4. NRS 293.317 is hereby amended to read as follows:

293.317 1. Except as otherwise provided in this section, subsection 2 of NRS 293.323 and NRS 293D.200, *and section 1 of this act*, absent ballots, including special absent ballots, must be:

(a) Delivered by hand to the county clerk before the time set for closing of the polls pursuant to NRS 293.273; or

(b) Mailed to the county clerk and:

(1) Postmarked on or before the day of election; and

(2) Received by the county clerk not later than 5 p.m. on the seventh day following the election.

2. If an absent ballot is received by mail not later than 5 p.m. on the third day following the election and the date of the postmark cannot be determined, the absent ballot shall be deemed to have been postmarked on or before the day of the election.

Sec. 5. NRS 293.325 is hereby amended to read as follows:

293.325 1. Except as otherwise provided in NRS 293D.200, *and section 1 of this act*, when an absent ballot is returned by or on behalf of an absent voter to the county clerk through the mail, by facsimile machine or other approved electronic transmission or in person, and a record of its return is made in the absent ballot record for the election, the county clerk or an employee in the office of the county clerk shall check the signature used for the absent ballot in accordance with the following procedure:

(a) The county clerk or employee shall check the signature used for the absent ballot against all signatures of the voter available in the records of the county clerk.



(b) If at least two employees in the office of the county clerk believe there is a reasonable question of fact as to whether the signature used for the absent ballot matches the signature of the voter, the county clerk shall contact the voter and ask the voter to confirm whether the signature used for the absent ballot belongs to the voter.

2. For purposes of subsection 1:

(a) There is a reasonable question of fact as to whether the signature used for the absent ballot matches the signature of the voter if the signature used for the absent ballot differs in multiple, significant and obvious respects from the signatures of the voter available in the records of the county clerk.

(b) There is not a reasonable question of fact as to whether the signature used for the absent ballot matches the signature of the voter if:

(1) The signature used for the absent ballot is a variation of the signature of the voter caused by the substitution of initials for the first or middle name or the use of a common nickname and it does not otherwise differ in multiple, significant and obvious respects from the signatures of the voter available in the records of the county clerk; or

(2) There are only slight dissimilarities between the signature used for the absent ballot and the signatures of the voter available in the records of the county clerk.

3. Except as otherwise provided in subsection 4, if the county clerk determines that the absent voter is entitled to cast the absent ballot and:

(a) No absent ballot central counting board has been appointed, the county clerk shall neatly stack, unopened, the absent ballot with any other absent ballot received that day in a container and deliver, or cause to be delivered, that container to the appropriate election board.

(b) An absent ballot central counting board has been appointed, the county clerk shall deposit the absent ballot in the proper ballot box or place the absent ballot, unopened, in a container that must be securely locked or under the control of the county clerk at all times. At the end of each day before election day, the county clerk may remove the absent ballots from each ballot box, neatly stack the absent ballots in a container and seal the container with a numbered seal. Not earlier than 15 days before the election, the county clerk shall deliver the absent ballots to the absent ballot central counting board to be processed and prepared for counting pursuant to the procedures established by the Secretary of State to ensure the



confidentiality of the prepared ballots until after the polls have closed pursuant to NRS 293.273 or 293.305.

4. If the county clerk determines when checking the signature used for the absent ballot that the absent voter failed to affix his or her signature or failed to affix it in the manner required by law for the absent ballot or that there is a reasonable question of fact as to whether the signature used for the absent ballot matches the signature of the voter, but the voter is otherwise entitled to cast the absent ballot, the county clerk shall contact the voter and advise the voter of the procedures to provide a signature or a confirmation that the signature used for the absent ballot belongs to the voter, as applicable. For the absent ballot to be counted, the voter must provide a signature or a confirmation, as applicable, not later than 5 p.m. on the seventh day following the election or, if applicable, the ninth day following an affected election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive.

5. The county clerk shall prescribe procedures for an absent voter who failed to affix his or her signature or failed to affix it in the manner required by law for the absent ballot, or for whom there is a reasonable question of fact as to whether the signature used for the absent ballot matches the signature of the voter, in order to:

- (a) Contact the voter;
- (b) Allow the voter to provide a signature or a confirmation that the signature used for the absent ballot belongs to the voter, as applicable; and

- (c) After a signature or a confirmation is provided, as applicable, ensure the absent ballot is delivered to the appropriate election board or the absent ballot central counting board, as applicable.

6. The procedures established pursuant to subsection 5 for contacting an absent voter must require the county clerk to contact the voter, as soon as possible after receipt of the absent ballot, by:

- (a) Mail;
- (b) Telephone, if a telephone number for the voter is available in the records of the county clerk; and
- (c) Electronic mail, if the voter has provided the county clerk with sufficient information to contact the voter by such means.

Sec. 6. NRS 293.330 is hereby amended to read as follows:

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

- (a) Mark and fold the absent ballot;



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

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

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

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

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

(b) A polling place, including, without limitation, a polling place for early voting, the voter must surrender the absent ballot and provide satisfactory identification before being issued a ballot to vote at the polling place. A person who receives a surrendered absent ballot shall mark it “Cancelled.”

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

(a) Provides satisfactory identification;

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

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

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

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

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

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

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



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

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

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

Sec. 7. NRS 293.333 is hereby amended to read as follows:

293.333 1. Except as otherwise provided in NRS 293D.200, *and section 1 of this act*, on the day of an election, the election boards receiving the absent ballots from the county clerk shall, in the presence of a majority of the election board officers, remove the absent ballots from the ballot box and the containers in which the absent ballots were transported pursuant to NRS 293.325 and deposit the absent ballots in the regular ballot box in the following manner:

(a) The name of the voter, as shown on the return envelope or approved electronic transmission, must be checked as if the voter were voting in person;

(b) The signature used for the absent ballot must be checked in accordance with the procedure set forth in NRS 293.325;

(c) If the board determines that the voter is entitled to cast the absent ballot, the return envelope must be opened, the numbers on the absent ballot and return envelope or approved electronic transmission compared, the number strip or stub detached from the absent ballot and, if the numbers are the same, the absent ballot deposited in the regular ballot box; and

(d) The election board officers shall indicate in the roster “Voted” by the name of the voter.

2. The board must complete the count of all absent ballots on or before the seventh day following the election or, if applicable, the ninth day following an affected election that is subject to the provisions of NRS 293.8801 to 293.8887, inclusive.

Sec. 8. NRS 293.335 is hereby amended to read as follows:

293.335 When all absent ballots delivered to the election boards have been voted or rejected, except as otherwise provided in NRS 293D.200, *and section 1 of this act*, the empty envelopes and the envelopes and approved electronic transmissions containing



rejected ballots must be returned to the county clerk. On all envelopes and approved electronic transmissions containing rejected ballots the cause of rejection must be noted and the envelope or approved electronic transmission signed by a majority of the election board officers.

Sec. 9. NRS 293.340 is hereby amended to read as follows:

293.340 1. In counties in which an absent ballot central counting board is appointed the county clerk shall provide a ballot box in the county clerk's office for each different ballot listing in the county.

2. On each such box there must appear a statement indicating the precincts and district for which such box has been designated.

3. Except as otherwise provided in NRS 293D.200, **and section 1 of this act**, each absent ballot voted must be deposited in a ballot box according to the precinct or district of the absent voter voting such ballot.

Sec. 10. NRS 293.469 is hereby amended to read as follows:

293.469 Each county clerk is encouraged to:

1. Not later than the earlier date of the notice provided pursuant to NRS 293.203 or the first notice provided pursuant to subsection 3 of NRS 293.560, notify the public, through means designed to reach members of the public who are elderly or disabled, of the provisions of NRS 293.2955, 293.296, 293.313, 293.316 and 293.3165 **and section 1 of this act**.

2. Provide in alternative audio and visual formats information concerning elections, information concerning how to preregister or register to vote and information concerning the manner of voting for use by a person who is elderly or disabled, including, without limitation, providing such information through a telecommunications device that is accessible to a person who is deaf.

3. Not later than 5 working days after receiving the request of a person who is elderly or disabled, provide to the person, in a format that can be used by the person, any requested material that is:

(a) Related to elections; and

(b) Made available by the county clerk to the public in printed form.

Sec. 11. NRS 293.517 is hereby amended to read as follows:

293.517 1. Any person who meets the qualifications set forth in NRS 293.4855 residing within the county may preregister to vote and any elector residing within the county may register to vote:

(a) Except as otherwise provided in NRS 293.560 and 293C.527, by appearing before the county clerk, a field registrar or a



voter registration agency, completing the application to preregister or register to vote, giving true and satisfactory answers to all questions relevant to his or her identity and right to preregister or register to vote, and providing proof of residence and identity;

(b) By completing and mailing or personally delivering to the county clerk an application to preregister or register to vote pursuant to the provisions of NRS 293.5235;

(c) Pursuant to the provisions of NRS 293.5727 or 293.5742 or chapter 293D of NRS ~~H~~ **or section 1 of this act;**

(d) At his or her residence with the assistance of a field registrar pursuant to NRS 293.5237;

(e) By submitting an application to preregister or register to vote by computer using the system:

(1) Established by the Secretary of State pursuant to NRS 293.671; or

(2) Established by the county clerk, if the county clerk has established a system pursuant to NRS 293.506 for using a computer to register voters; or

(f) By any other method authorized by the provisions of this title.

➡ The county clerk shall require a person to submit official identification as proof of residence and identity, such as a driver's license or other official document, before preregistering or registering the person. If the applicant preregisters or registers to vote pursuant to this subsection and fails to provide proof of residence and identity, the applicant must provide proof of residence and identity before casting a ballot in person or by mail or after casting a provisional ballot pursuant to NRS 293.3078 to 293.3086, inclusive. For the purposes of this subsection, a voter registration card does not provide proof of the residence or identity of a person.

2. In addition to the methods for registering to vote described in subsection 1, an elector may register to vote pursuant to NRS 293.5772 to 293.5887, inclusive.

3. Except as otherwise provided in NRS 293.5732 to 293.5757, inclusive, the application to preregister or register to vote must be signed and verified under penalty of perjury by the person preregistering or the elector registering.

4. Each person or elector who is or has been married must be preregistered or registered under his or her own given or first name, and not under the given or first name or initials of his or her spouse.

5. A person or an elector who is preregistered or registered and changes his or her name must complete a new application to



preregister or register to vote, as applicable. The person or elector may obtain a new application:

- (a) At the office of the county clerk or field registrar;
- (b) By submitting an application to preregister or register to vote pursuant to the provisions of NRS 293.5235;
- (c) By submitting a written statement to the county clerk requesting the county clerk to mail an application to preregister or register to vote;
- (d) At any voter registration agency; or
- (e) By submitting an application to preregister or register to vote by computer using the system:

(1) Established by the Secretary of State pursuant to NRS 293.671; or

(2) Established by the county clerk, if the county clerk has established a system pursuant to NRS 293.506 for using a computer to register voters.

➤ If the elector fails to register under his or her new name, the elector may be challenged pursuant to the provisions of NRS 293.303 or 293C.292 and may be required to furnish proof of identity and subsequent change of name.

6. Except as otherwise provided in subsection 8 and NRS 293.5742 to 293.5757, inclusive, 293.5767 and 293.5772 to 293.5887, inclusive, an elector who registers to vote pursuant to paragraph (a) of subsection 1 shall be deemed to be registered upon the completion of an application to register to vote.

7. After the county clerk determines that the application to register to vote of a person is complete and that, except as otherwise provided in NRS 293D.210, the person is eligible to vote pursuant to NRS 293.485, the county clerk shall issue a voter registration card to the voter.

8. If a person or an elector submits an application to preregister or register to vote or an affidavit described in paragraph (c) of subsection 1 of NRS 293.507 that contains any handwritten additions, erasures or interlineations, the county clerk may object to the application if the county clerk believes that because of such handwritten additions, erasures or interlineations, the application is incomplete or that, except as otherwise provided in NRS 293D.210, the person is not eligible to preregister pursuant to NRS 293.4855 or the elector is not eligible to vote pursuant to NRS 293.485, as applicable. If the county clerk objects pursuant to this subsection, he or she shall immediately notify the person or elector, as applicable, and the district attorney of the county. Not later than 5 business days



after the district attorney receives such notification, the district attorney shall advise the county clerk as to whether:

(a) The application is complete and, except as otherwise provided in NRS 293D.210, the person is eligible to preregister pursuant to NRS 293.4855 or the elector is eligible to vote pursuant to NRS 293.485; and

(b) The county clerk should proceed to process the application.

9. If the district attorney advises the county clerk to process the application pursuant to subsection 8, the county clerk shall immediately issue a voter registration card to the applicant, unless the applicant is preregistered to vote and does not currently meet the requirements to be issued a voter registration card pursuant to NRS 293.4855.

Sec. 11.3. NRS 293.540 is hereby amended to read as follows:

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

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

(b) At the request of the person.

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

(d) As required by NRS 293.541.

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

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

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

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

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

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

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



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

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

~~[(h)]~~ (g) As required by NRS 293.541.

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

Sec. 11.7. NRS 293.543 is hereby amended to read as follows:

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

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

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

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

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

Sec. 12. NRS 293.560 is hereby amended to read as follows:

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

5. A county facility designated pursuant to NRS 293.5035 may be open during the periods described in this section for such hours



of operation as the county clerk may determine, as set forth in subsection 3 of NRS 293.5035.

Sec. 13. NRS 293D.230 is hereby amended to read as follows:

293D.230 1. In addition to any other method of registering to vote set forth in chapter 293 of NRS, a covered voter may use a federal postcard application, as prescribed under section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20301(b)(2), or the application's electronic equivalent, to apply to register to vote, if the federal postcard application *or the application's electronic equivalent* is received by the appropriate local elections official ~~{by the seventh day}~~ before the ~~{election.}~~ *time set pursuant to NRS 293.273 for closing the polls on election day.* If the federal postcard application *or the application's electronic equivalent* is received after the ~~{seventh day before the election.}~~ *time set for closing the polls,* it must be treated as an application to register to vote for subsequent elections. *Upon receipt of the electronic equivalent of the federal postcard application pursuant to this subsection, the local elections official shall affix, mark or otherwise acknowledge receipt of the application by means of a time stamp on the application.*

2. A covered voter may use the declaration accompanying the federal write-in absentee ballot, as prescribed under section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20303, to apply to register to vote simultaneously with the submission of the federal write-in absentee ballot, if the declaration ~~{is}~~ *and the federal write-in absentee ballot are* received ~~{by the seventh day}~~ before the ~~{election.}~~ *time set pursuant to NRS 293.273 for closing the polls on election day.* If the declaration is received after the ~~{seventh day before the election.}~~ *time set for closing the polls,* it must be treated as an application to register to vote for subsequent elections.

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

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

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

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



Sec. 14. NRS 293D.300 is hereby amended to read as follows:

293D.300 1. A covered voter who is registered to vote in this State may apply for a military-overseas ballot by submitting a federal postcard application, as prescribed under section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20301(b)(2), or the application's electronic equivalent, if the federal postcard application *or the application's electronic equivalent* is received by the appropriate local elections official ~~{by the seventh day}~~ before the ~~{election.}~~ *time set pursuant to NRS 293.273 for closing the polls on election day.*

2. A covered voter who is not registered to vote in this State may use the federal postcard application or the application's electronic equivalent simultaneously to apply to register to vote pursuant to NRS 293D.230 and to apply for a military-overseas ballot, if the federal postcard application *or the application's electronic equivalent* is received by the appropriate local elections official ~~{by the seventh day}~~ before the ~~{election.}~~ *time set pursuant to NRS 293.273 for closing the polls on election day.* If the federal postcard application is received after the ~~{seventh day before the election.}~~ *time set for closing the polls,* it must be treated as an application to register to vote for subsequent elections.

3. *Upon receipt of the electronic equivalent of the federal postcard application pursuant to subsection 1 or 2, the local elections official shall affix, mark or otherwise acknowledge receipt of the application by means of a time stamp on the application.*

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

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

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

~~{4.}~~ 5. A covered voter may use approved electronic transmission or any other method approved by the Secretary of State to apply for a military-overseas ballot.

~~{5.}~~ 6. A covered voter may use the declaration accompanying the federal write-in absentee ballot, as prescribed under section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20303, as an application for a military-overseas ballot simultaneously with the submission of the federal write-in absentee ballot, if the declaration ~~{is}~~ *and the federal write-in absentee ballot*



are received by the appropriate local elections official ~~{by the seventh day}~~ before the ~~{election.}~~ **time set pursuant to NRS 293.273 for closing the polls on election day.**

~~{6.}~~ **7.** To receive the benefits of this chapter, a covered voter must inform the appropriate local elections official that he or she is a covered voter. Methods of informing the appropriate local elections official that a person is a covered voter include, without limitation:

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

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

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

~~{7.}~~ **8.** This chapter does not prohibit a covered voter from applying for an absent ballot pursuant to the provisions of chapter 293 or 293C of NRS or voting in person.

Sec. 15. NRS 293D.310 is hereby amended to read as follows:

293D.310 An application for a military-overseas ballot is timely if received ~~{by the seventh day}~~ before the ~~{election.}~~ **time set pursuant to NRS 293.273 for closing the polls on election day.** An application for a military-overseas ballot for a primary election, whether or not timely, is effective as an application for a military-overseas ballot for the general election.

Sec. 16. NRS 293D.400 is hereby amended to read as follows:

293D.400 A military-overseas ballot must be received by the appropriate local elections official not later than the ~~{close-off}~~ **time set pursuant to NRS 293.273 for closing the polls** ~~{.}~~ **on election day.**

Sec. 17. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 16, inclusive, of this act become effective:

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

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



