

ASSEMBLY BILL NO. 242—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE JOINT INTERIM STANDING COMMITTEE
ON LEGISLATIVE OPERATIONS AND ELECTIONS)

MARCH 3, 2023

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-365)

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

CONTAINS UNFUNDED MANDATE (§§ 6, 17)
(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; revising provisions relating to the authorized methods of voting in an election under certain circumstances; revising provisions relating to accommodations for certain voters who are elderly or have a disability; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that voting at any election conducted under title 24 of
2 NRS must be on printed ballots or by any other system approved by the Secretary
3 of State or specifically authorized by law. (NRS 293.270) Existing law also
4 provides that mechanical voting systems may be used to cast, register, record and
5 count ballots or votes in all statewide, county, city and district elections of any kind
6 held in this State. (NRS 293B.050) **Sections 5, 9 and 15** of this bill prohibit the
7 marking of paper ballots by hand when voting in person at the polls at an election
8 in this State and instead require that all votes cast in person at a polling place be
9 cast using a mechanical voting system. **Sections 2, 4, 7, 11, 14, 16, 18, 21, 25, 27,**
10 **29, 31, 33, 35, 37, 39, 40, 42, 44 and 46** of this bill make conforming changes to
11 remove references to paper ballots and printing on paper ballots. **Sections 1, 3, 10,**
12 **12, 13, 20, 22-24, 26, 28, 30, 32, 34, 36, 38, 41, 43, 45 and 47** of this bill make
13 conforming changes to require the use of a mechanical voting system when voting
14 in person. **Section 49** of this bill makes conforming changes to repeal certain
15 provisions relating to paper ballots and the discretionary use of mechanical voting



16 systems. **Section 8.5** of this bill revises the term “mechanical voting system” to
17 include marking a mail ballot which is subsequently counted on an electronic
18 tabulator.

19 Existing law requires that, with certain exceptions, each polling place must
20 have at least one voting booth that is specifically designed, designated and
21 equipped for voters who are elderly or voters with a disability. (NRS 293.2955,
22 293C.281) **Sections 6 and 17** of this bill instead require, with certain exceptions,
23 that each polling place must have at least two such voting booths and additional
24 voting booths if determined necessary by the county clerk or city clerk. **Sections 6**
25 **and 17** further require each county clerk, city clerk and all election board officers
26 to complete training in the use of the voting booths and specially equipped voting
27 devices in order to assist such voters. **Sections 8 and 19** of this bill make
28 conforming changes to revise existing internal references relating to **sections 6**
29 **and 17**.

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

1 **Section 1.** NRS 293.207 is hereby amended to read as follows:

2 293.207 1. Election precincts must be established on the
3 basis of the number of registered voters therein, with a maximum of
4 5,000 registered voters who are not designated inactive pursuant to
5 NRS 293.530 per precinct . ~~in those precincts in which a~~
6 ~~mechanical voting system is used.]~~

7 2. Except as otherwise provided in subsections 3 and 4, the
8 county clerk may consolidate two or more contiguous election
9 precincts into a single voting district to conduct a particular election
10 as public convenience, necessity and economy may require.

11 3. If a county clerk proposes to consolidate two or more
12 contiguous election precincts, in whole or in part, pursuant to
13 subsection 2, the county clerk shall, at least 14 days before
14 consolidating the precincts, cause notice of the proposed
15 consolidation to be:

16 (a) Posted in the manner prescribed for a regular meeting of the
17 board of county commissioners; and

18 (b) Mailed to each Assemblyman, Assemblywoman, State
19 Senator, county commissioner and, if applicable, member of the
20 governing body of a city who represents residents of a precinct
21 affected by the consolidation.

22 4. A person may file a written objection to the proposed
23 consolidation with the county clerk. The county clerk shall consider
24 each written objection filed pursuant to this subsection before
25 consolidating the precincts.

26 **Sec. 2.** NRS 293.250 is hereby amended to read as follows:

27 293.250 1. Except as otherwise provided in chapter 293D of
28 NRS, the Secretary of State shall, in a manner consistent with the
29 election laws of this State, prescribe:



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

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

6 (1) A system established pursuant to NRS 293.506 for using
7 a computer to register voters and to keep records of registration.

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

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

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

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

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

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

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

31 5. The condensations and explanations for constitutional
32 amendments and statewide measures proposed by initiative or
33 referendum must be prepared by the Secretary of State, upon
34 consultation with the Attorney General. The arguments and rebuttals
35 for or against constitutional amendments and statewide measures
36 proposed by initiative or referendum must be prepared in the
37 manner set forth in NRS 293.252. The fiscal notes for constitutional
38 amendments and statewide measures proposed by initiative or
39 referendum must be prepared by the Secretary of State, upon
40 consultation with the Fiscal Analysis Division of the Legislative
41 Counsel Bureau. The condensations, explanations, arguments,
42 rebuttals and fiscal notes must be in easily understood language and
43 of reasonable length, and whenever feasible must be completed by
44 August 1 of the year in which the general election is to be held. The
45 explanations must include a digest. The digest must include a



1 concise and clear summary of any existing laws directly related to
2 the constitutional amendment or statewide measure and a summary
3 of how the constitutional amendment or statewide measure adds to,
4 changes or repeals such existing laws. For a constitutional
5 amendment or statewide measure that creates, generates, increases
6 or decreases any public revenue in any form, the first paragraph of
7 the digest must include a statement that the constitutional
8 amendment or statewide measure creates, generates, increases or
9 decreases, as applicable, public revenue.

10 6. The names of candidates for township and legislative or
11 special district offices must ~~[be printed]~~ *appear* only on the ballots
12 furnished to voters of that township or district.

13 7. A county clerk:

14 (a) May divide ~~[paper]~~ ballots into two sheets in a manner which
15 provides a clear understanding and grouping of all measures and
16 candidates.

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

19 **Sec. 3.** NRS 293.267 is hereby amended to read as follows:

20 293.267 1. Ballots for a general election must contain the
21 names of candidates who were nominated at the primary election,
22 the names of the candidates of a minor political party and the names
23 of independent candidates.

24 2. Except as otherwise provided in NRS 293.2565, names of
25 candidates must be grouped alphabetically under the title and length
26 of term of the office for which those candidates filed.

27 3. Except as otherwise provided in subsection 4:

28 (a) Immediately following the name of each candidate for a
29 partisan office must appear the name or abbreviation of his or her
30 political party, the words "no political party" or the abbreviation
31 "NPP," as the case may be.

32 (b) Immediately following the name of each candidate for a
33 nonpartisan office must appear the word "nonpartisan" or the
34 abbreviation "NP."

35 4. ~~[Where a]~~ *For ballots cast using a mechanical voting*
36 *system, [of voting other than by paper ballot is used.]* the Secretary
37 of State may provide for any placement of the name or abbreviation
38 of the political party, the words "no political party" or "nonpartisan"
39 or the abbreviation "NPP" or "NP," as appropriate, which clearly
40 relates the designation to the name of the candidate to whom it
41 applies.

42 5. If the Legislature rejects a statewide measure proposed by
43 initiative and proposes a different measure on the same subject
44 which the Governor approves, the measure proposed by the
45 Legislature and approved by the Governor must be listed on the



1 ballot before the statewide measure proposed by initiative. Each
2 ballot and sample ballot upon which the measures appear must
3 contain a statement that reads substantially as follows:

4
5 The following questions are alternative approaches to the
6 same issue, and only one approach may be enacted into law.
7 Please vote for only one.

8 **Sec. 4.** NRS 293.2693 is hereby amended to read as follows:

9 293.2693 ~~[If a county or city uses paper ballots, including,~~
10 ~~without limitation, for mail ballots, the]~~ **The** county or city clerk
11 shall provide a voter education program specific to the voting
12 system used by the county or city. The voter education program
13 must include, without limitation, information concerning the effect
14 of overvoting and the procedures for correcting a vote on a ballot
15 before it is cast and counted and for obtaining a replacement ballot.

16 **Sec. 5.** NRS 293.270 is hereby amended to read as follows:

17 293.270 1. Voting at any election regulated by this title must
18 be ~~[on-printed]~~ **by mechanical voting system, by mail** ballots or by
19 any other system approved by the Secretary of State or specifically
20 authorized by law.

21 2. ***Except as otherwise provided in subsection 3, all votes cast***
22 ***in person at a polling place at any election must be cast using a***
23 ***mechanical voting system and not by the marking of a paper ballot***
24 ***by hand. This includes votes cast by:***

25 ***(a) Provisional ballot pursuant to NRS 293.3078 to 293.3086,***
26 ***inclusive; and***

27 ***(b) Provisional ballot pursuant to NRS 293.5772 to 293.5887,***
28 ***inclusive.***

29 3. ***The requirements of subsection 2 do not:***

30 ***(a) Apply to votes cast using a mail ballot, regardless of***
31 ***whether the mail ballot is filled out at a polling place and***
32 ***deposited in a ballot drop box at the polling place.***

33 ***(b) Prohibit the use of a ballot marking device that has been***
34 ***approved by the Secretary of State pursuant to NRS 293B.1045 to***
35 ***mark a paper ballot.***

36 4. Except as otherwise provided in chapter 293D of NRS,
37 voting must be only upon candidates whose names appear upon the
38 ballot prepared by the election officers, and no person may write in
39 the name of an additional candidate for any office.

40 5. ***As used in this section, "ballot marking device" means a***
41 ***device which allows a registered voter to mark a paper ballot***
42 ***which is subsequently counted on an electronic tabulator,***
43 ***counting device or computer.***



1 **Sec. 6.** NRS 293.2955 is hereby amended to read as follows:
2 293.2955 1. Except as otherwise provided in subsection 2, at
3 all times during which a polling place is open:

4 (a) The polling place must:

5 (1) Be accessible to a voter who is elderly or a voter with a
6 disability; and

7 (2) Have at least ~~one~~ **two** voting ~~booth~~ **booths** that ~~is~~
8 **are:**

9 (I) Designed to allow a voter in a wheelchair to vote;

10 (II) Designated for use by a voter who is elderly or a voter
11 with a disability;

12 (III) Equipped to allow a voter who is elderly or a voter
13 with a disability to vote with the same privacy as a voter who is not
14 elderly or as a voter without a disability; and

15 (IV) Equipped with a mechanical recording device which
16 directly records the votes electronically and which may be used by a
17 voter with a disability; and

18 (b) Either:

19 (1) The polling place must have a separate line for voters
20 with disabilities or who are not physically able to wait in line to
21 vote. Voters in this separate line must be allowed to vote before any
22 voter who is not disabled and is physically able to wait in line to
23 vote; or

24 (2) An election board officer at the polling place must allow
25 voters with disabilities or who are not physically able to wait in line
26 to move to the front of the line of voters waiting to vote.

27 2. A polling place that does not comply with the provisions of
28 paragraph (a) of subsection 1 may be used if necessary because of a
29 natural disaster, including, without limitation, an earthquake, flood,
30 fire or storm.

31 3. *If, in the opinion of the county clerk, more than two voting*
32 *booths described in subparagraph (2) of paragraph (a) of*
33 *subsection 1 are required to accommodate the needs of voters who*
34 *are elderly or voters with a disability, the county clerk shall place*
35 *additional voting booths at the polling place as needed.*

36 4. At each polling place, the county clerk is encouraged to:

37 (a) Post in a conspicuous place, in at least 12-point type,
38 instructions for voting;

39 (b) Provide ballots in alternative audio and visual formats for
40 use by a voter who is elderly or a voter with a disability; and

41 (c) Provide, in alternative audio and visual formats for use by a
42 voter who is elderly or a voter with a disability, all materials that
43 are:

44 (1) Related to the election; and



1 (2) Made available to a voter in printed form at the polling
2 place.

3 ~~[4.]~~ 5. As an alternative to carrying out the functions described
4 in subsection ~~[3.]~~ 4, if, in the opinion of the county clerk, the needs
5 of voters who are elderly or disabled requiring the use of specially
6 equipped voting devices will be best served by placing such devices
7 at centralized voting locations, the county clerk may so provide. If
8 the county clerk provides for the placement of specially equipped
9 voting devices at centralized locations, a voter who is elderly or
10 disabled and requires the use of such a device to be able to cast a
11 ballot without assistance may cast his or her ballot at any centralized
12 voting location designated by the county clerk.

13 *6. Each county clerk and all election board officers must*
14 *complete training in the use of the voting booths and specially*
15 *equipped voting devices required pursuant to this section to ensure*
16 *that the county clerk and election board officers are able to assist*
17 *voters who are elderly or voters with a disability in the use of such*
18 *voting booths and devices.*

19 **Sec. 7.** NRS 293.363 is hereby amended to read as follows:

20 293.363 ~~[1.]~~ When the polls are closed, the counting board
21 shall prepare to count the ballots voted. The counting procedure
22 must be public and continue without adjournment until completed.

23 ~~[2.—If the ballots are paper ballots, the counting board shall~~
24 ~~prepare in the following manner:~~

25 ~~—(a) The container that holds the ballots or the ballot box must be~~
26 ~~opened and the ballots contained therein counted by the counting~~
27 ~~board and opened far enough to ascertain whether each ballot is~~
28 ~~single. If two or more ballots are found folded together to present~~
29 ~~the appearance of a single ballot, they must be laid aside until the~~
30 ~~count of the ballots is completed. If a majority of the inspectors are~~
31 ~~of the opinion that the ballots folded together were voted by one~~
32 ~~person, the ballots must be rejected and placed in an envelope, upon~~
33 ~~which must be written the reason for their rejection. The envelope~~
34 ~~must be signed by the counting board officers and placed in the~~
35 ~~container or ballot box after the count is completed.~~

36 ~~—(b) If the ballots in the container or box are found to exceed in~~
37 ~~number the number of names as are indicated on the roster as having~~
38 ~~voted, the ballots must be replaced in the container or box, and a~~
39 ~~counting board officer, with his or her back turned to the container~~
40 ~~or box, shall draw out a number of ballots equal to the excess. The~~
41 ~~excess ballots must be marked on the back thereof with the words~~
42 ~~“Excess ballots not counted.” The ballots when so marked must be~~
43 ~~immediately sealed in an envelope and returned to the county clerk~~
44 ~~with the other ballots rejected for any cause.~~



~~1 —(c) When it has been ascertained that the number of ballots
2 agrees with the number of names of registered voters shown to have
3 voted, the board shall proceed to count. If there is a discrepancy
4 between the number of ballots and the number of voters, a record of
5 the discrepancy must be made.]~~

Sec. 8. NRS 293.565 is hereby amended to read as follows:

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

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

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

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

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

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

2. If, pursuant to the provisions of NRS 293.2565, the word
“Incumbent” must appear on the ballot next to the name of the
candidate who is the incumbent, the word “Incumbent” must appear
on the sample ballot next to the name of the candidate who is the
incumbent.

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

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

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

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

4. A county clerk may establish a system for distributing
sample ballots by electronic means to each registered voter who
elects to receive a sample ballot by electronic means. Such a system



1 may include, without limitation, electronic mail or electronic access
2 through an Internet website. If a county clerk establishes such a
3 system and a registered voter elects to receive a sample ballot by
4 electronic means, the county clerk shall distribute the sample ballot
5 to the registered voter by electronic means pursuant to the
6 procedures and requirements set forth by regulations adopted by the
7 Secretary of State.

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

11 6. Except as otherwise provided in subsection 7, before the
12 period for early voting for any election begins, the county clerk shall
13 distribute to each registered voter in the county by mail or electronic
14 means, as applicable, the sample ballot for his or her precinct, with a
15 notice informing the voter of the location of his or her polling place
16 or places. If the location of the polling place or places has changed
17 since the last election:

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

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

23
24 **NOTICE: THE LOCATION OF YOUR POLLING PLACE OR**
25 **PLACES HAS CHANGED SINCE THE LAST ELECTION**
26

27 7. If a person registers to vote less than 20 days before the date
28 of an election, the county clerk is not required to distribute to the
29 person the sample ballot for that election by mail or electronic
30 means.

31 8. Except as otherwise provided in subsection 9, a sample
32 ballot required to be distributed pursuant to this section must:

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

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

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

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

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



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

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

6 12. The county clerk shall include in each sample ballot a
7 statement indicating that the county clerk will, upon request of a
8 voter who is elderly or disabled, make reasonable accommodations
9 to allow the voter to vote at his or her polling place or places and
10 provide reasonable assistance to the voter in casting his or her vote,
11 including, without limitation, providing appropriate materials to
12 assist the voter. In addition, if the county clerk has provided
13 pursuant to subsection ~~4~~ 5 of NRS 293.2955 for the placement at
14 centralized voting locations of specially equipped voting devices for
15 use by voters who are elderly or disabled, the county clerk shall
16 include in the sample ballot a statement indicating:

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

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

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

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

27 **Sec. 8.5.** NRS 293B.033 is hereby amended to read as follows:

28 293B.033 "Mechanical voting system" means a system of
29 voting whereby a voter may cast a vote:

30 1. On a device which mechanically or electronically compiles a
31 total of the number of votes cast for each candidate and for or
32 against each measure voted on; or

33 2. By marking a paper ballot, *including, without limitation, a*
34 *mail ballot*, which is subsequently counted on an electronic
35 tabulator, counting device or computer.

36 **Sec. 9.** NRS 293B.050 is hereby amended to read as follows:

37 293B.050 **1.** At all statewide, county, city and district
38 elections of any kind held in this State, ballots or votes ~~may~~ :

39 (a) *May* be cast, registered ~~and~~ and recorded ~~and counted~~ by
40 means of a mechanical voting system.

41 (b) *Must be counted by means of a mechanical voting system.*

42 2. *Except as otherwise provided in subsection 3, all votes cast*
43 *in person at a polling place in an election must be cast using a*
44 *mechanical voting system and not by the marking of a paper ballot*
45 *by hand. This includes votes cast by:*



1 (a) *Provisional ballot pursuant to NRS 293.3078 to 293.3086,*
2 *inclusive; and*

3 (b) *Provisional ballot pursuant to NRS 293.5772 to 293.5887,*
4 *inclusive.*

5 3. *The requirements of subsection 2 do not :*

6 (a) *Apply to votes cast using a mail ballot, regardless of*
7 *whether the mail ballot is filled out at a polling place and*
8 *deposited in a ballot drop box at the polling place.*

9 (b) *Prohibit the use of a ballot marking device that has been*
10 *approved by the Secretary of State pursuant to NRS 293B.1045 to*
11 *mark a paper ballot.*

12 4. *As used in this section, "ballot marking device" means a*
13 *device which allows a registered voter to mark a paper ballot*
14 *which is subsequently counted on an electronic tabulator,*
15 *counting device or computer.*

16 **Sec. 10.** NRS 293B.105 is hereby amended to read as follows:

17 293B.105 The board of county commissioners of any county or
18 the city council or other governing body of any city may purchase
19 and adopt for use at elections any mechanical voting system and
20 mechanical recording device ~~[. The system or device may be used at~~
21 ~~any or all elections held in the county or city.]~~ for voting, registering
22 and counting votes cast.

23 **Sec. 11.** NRS 293B.110 is hereby amended to read as follows:

24 293B.110 A mechanical voting system or mechanical
25 recording device may be adopted *and used* for some of the precincts
26 or districts in the same county or city, while the remainder of the
27 precincts or districts in that county or city may ~~[be furnished with~~
28 ~~paper ballots or any other]~~ *adopt and use a different* mechanical
29 voting system or mechanical recording device.

30 **Sec. 12.** NRS 293B.130 is hereby amended to read as follows:

31 293B.130 1. Before any election , ~~[where a mechanical~~
32 ~~voting system is to be used,]~~ the county clerk shall prepare or cause
33 to be prepared a computer program on cards, tape or other material
34 suitable for use with the computer or counting device to be
35 employed for counting the votes cast. The program must cause the
36 computer or counting device to operate in the following manner:

37 (a) All lawful votes cast by each voter must be counted.

38 (b) All unlawful votes, including, without limitation, overvotes
39 or, in a primary election or presidential preference primary election,
40 votes cast for a candidate of a major political party other than the
41 party, if any, of the registration of the voter must not be counted.

42 (c) If the election is:

43 (1) A primary election held in an even-numbered year;

44 (2) A presidential preference primary election; or

45 (3) A general election,



1 ↪ the total votes, other than mail ballots, must be accumulated by
2 precinct.

3 (d) The computer or counting device must halt or indicate by
4 appropriate signal if a ballot is encountered which lacks a code
5 identifying the precinct in which it was voted and, in a primary
6 election or presidential preference primary election, identifying the
7 major political party of the voter.

8 2. The program must be prepared under the supervision of the
9 accuracy certification board appointed pursuant to the provisions of
10 NRS 293B.140.

11 3. The county clerk shall take such measures as he or she
12 deems necessary to protect the program from being altered or
13 damaged.

14 **Sec. 13.** NRS 293B.175 is hereby amended to read as follows:
15 293B.175 ~~[In those districts or precincts in which a mechanical~~
16 ~~voting system is used, the] *The* list of offices and candidates and the
17 statements of measures appropriate for use with ~~[that] a mechanical~~
18 *voting* system in combination with the device upon which a vote is
19 registered is an official ballot.~~

20 **Sec. 14.** NRS 293B.365 is hereby amended to read as follows:
21 293B.365 The central ballot inspection board shall:

22 1. Receive the ballots in sealed containers.

23 2. Inspect the containers, record the number indicated on each
24 container and its seal pursuant to NRS 293.462 and remove the
25 storage devices which store the ballots voted on mechanical
26 recording devices which directly record votes electronically.

27 3. Register the numbers of ballots by precinct.

28 4. Deliver any damaged ~~[paper]~~ ballots to the ballot duplicating
29 board.

30 5. Receive duplicates of damaged ~~[paper]~~ ballots from the
31 ballot duplicating board and place the duplicates with the voted
32 ballots of the appropriate precinct.

33 6. Place each damaged original ~~[paper]~~ ballot in a separate
34 envelope and note on the outside of the envelope the appropriate
35 number of the precinct.

36 7. Reject any ~~[paper]~~ ballot that has been marked in a way that
37 identifies the voter.

38 8. Place each rejected ~~[paper]~~ ballot in a separate envelope and
39 note on the outside of the envelope the appropriate number of the
40 precinct and the reason for the board's rejection of the ballot.

41 **Sec. 15.** Chapter 293C of NRS is hereby amended by adding
42 thereto a new section to read as follows:

43 *1. Except as otherwise provided in subsection 2, all votes cast*
44 *in person at a polling place in an election must be cast using a*



1 *mechanical voting system and not by the marking of a paper ballot*
2 *by hand. This includes votes cast by:*

3 (a) *Provisional ballot pursuant to NRS 293.3078 to 293.3086,*
4 *inclusive; and*

5 (b) *Provisional ballot pursuant to NRS 293.5772 to 293.5887,*
6 *inclusive.*

7 2. *The requirements of subsection 1 do not :*

8 (a) *Apply to votes cast using a mail ballot, regardless of*
9 *whether the mail ballot is filled out at a polling place and*
10 *deposited in a ballot drop box at the polling place.*

11 (b) *Prohibit the use of a ballot marking device that has been*
12 *approved by the Secretary of State pursuant to NRS 293B.1045 to*
13 *mark a paper ballot.*

14 3. *As used in this section, "ballot marking device" means a*
15 *device which allows a registered voter to mark a paper ballot*
16 *which is subsequently counted on an electronic tabulator,*
17 *counting device or computer.*

18 **Sec. 16.** NRS 293C.262 is hereby amended to read as follows:

19 293C.262 1. The offices for which there are candidates, the
20 names of the candidates therefor and the questions to be voted upon
21 must ~~be printed~~ *appear* on ballots for a city election in the
22 following order:

23 (a) City offices:

24 (1) Mayor;

25 (2) Council members according to ward in numerical order,
26 if no wards, in alphabetical order; and

27 (3) Municipal judges.

28 (b) Questions presented to the voters of a city or a portion of a
29 city with advisory questions listed in consecutive order after any
30 other questions presented to the voters of the city.

31 2. The city clerk:

32 (a) May divide ~~paper~~ ballots into two sheets in a manner that
33 provides a clear understanding and grouping of all measures and
34 candidates.

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

37 **Sec. 17.** NRS 293C.281 is hereby amended to read as follows:

38 293C.281 1. Except as otherwise provided in subsection 2, at
39 all times during which a polling place is open:

40 (a) The polling place must:

41 (1) Be accessible to a voter who is elderly or a voter with a
42 disability; and

43 (2) Have at least ~~one~~ *two* voting ~~booth~~ *booths* that ~~is:~~
44 *are:*

45 (I) Designed to allow a voter in a wheelchair to vote;



1 (II) Designated for use by a voter who is elderly or a voter
2 with a disability;

3 (III) Equipped to allow a voter who is elderly or a voter
4 with a disability to vote with the same privacy as a voter who is not
5 elderly or as a voter without a disability; and

6 (IV) Equipped with a mechanical recording device which
7 directly records the votes electronically and which may be used by
8 persons with disabilities; and

9 (b) Either:

10 (1) The polling place must have a separate line for voters
11 with disabilities or who are not physically able to wait in line to
12 vote. Voters in this separate line must be allowed to vote before any
13 voter who is not disabled and is physically able to wait in line to
14 vote; or

15 (2) An election board officer at the polling place must allow
16 voters with disabilities or who are not physically able to wait in line
17 to move to the front of the line of voters waiting to vote.

18 2. A polling place that does not comply with the provisions of
19 paragraph (a) of subsection 1 may be used if necessary because of a
20 natural disaster, including, without limitation, an earthquake, flood,
21 fire or storm.

22 3. *If, in the opinion of the city clerk, more than two voting*
23 *booths described in subparagraph (2) of paragraph (a) of*
24 *subsection 1 are required to accommodate the needs of voters who*
25 *are elderly or voters with a disability, the city clerk shall place*
26 *additional voting booths at the polling place as needed.*

27 4. At each polling place, the city clerk is encouraged to:

28 (a) Post in a conspicuous place, in at least 12-point type,
29 instructions for voting;

30 (b) Provide ballots in alternative audio and visual formats for
31 use by a voter who is elderly or a voter with a disability; and

32 (c) Provide, in alternative audio and visual formats for use by a
33 voter who is elderly or a voter with a disability, all materials that
34 are:

35 (1) Related to the election; and

36 (2) Made available to a voter in printed form at the polling
37 place.

38 ~~[4.]~~ 5. As an alternative to carrying out the functions described
39 in subsection ~~[3.]~~ 4, if, in the opinion of the city clerk, the needs of
40 voters who are elderly or disabled requiring the use of specially
41 equipped voting devices will be best served by placing such devices
42 at centralized voting locations, the city clerk may so provide. If the
43 city clerk provides for the placement of specially equipped voting
44 devices at centralized locations, a voter who is elderly or disabled
45 and requires the use of such a device to be able to cast a ballot



1 without assistance may cast his or her ballot at any centralized
2 voting location designated by the city clerk.

3 *6. Each city clerk and all election board officers must*
4 *complete training in the use of the voting booths and specially*
5 *equipped voting devices required pursuant to this section to ensure*
6 *that the city clerk and election board officers are able to assist*
7 *voters who are elderly or voters with a disability in the use of such*
8 *voting booths and devices.*

9 **Sec. 18.** NRS 293C.362 is hereby amended to read as follows:
10 293C.362 ~~[1.]~~ When the polls are closed, the counting board
11 shall prepare to count the ballots voted. The counting procedure
12 must be public and continue without adjournment until completed.

13 ~~[2.— If the ballots are paper ballots, the counting board shall~~
14 ~~prepare in the following manner:~~

15 ~~—(a) The container that holds the ballots or the ballot box must be~~
16 ~~opened and the ballots contained therein counted by the counting~~
17 ~~board and opened far enough to determine whether each ballot is~~
18 ~~single. If two or more ballots are found folded together to present~~
19 ~~the appearance of a single ballot, they must be laid aside until the~~
20 ~~count of the ballots is completed. If a majority of the inspectors are~~
21 ~~of the opinion that the ballots folded together were voted by one~~
22 ~~person, the ballots must be rejected and placed in an envelope, upon~~
23 ~~which must be written the reason for their rejection. The envelope~~
24 ~~must be signed by the counting board officers and placed in the~~
25 ~~container or ballot box after the count is completed.~~

26 ~~—(b) If the ballots in the container or box are found to exceed the~~
27 ~~number of names as are indicated on the roster as having voted, the~~
28 ~~ballots must be replaced in the container or box and a counting~~
29 ~~board officer shall, with his or her back turned to the container or~~
30 ~~box, draw out a number of ballots equal to the excess. The excess~~
31 ~~ballots must be marked on the back thereof with the words “Excess~~
32 ~~ballots not counted.” The ballots when so marked must be~~
33 ~~immediately sealed in an envelope and returned to the city clerk~~
34 ~~with the other ballots rejected for any cause.~~

35 ~~—(c) When it has been determined that the number of ballots~~
36 ~~agrees with the number of names of registered voters shown to have~~
37 ~~voted, the board shall proceed to count. If there is a discrepancy~~
38 ~~between the number of ballots and the number of voters, a record of~~
39 ~~the discrepancy must be made.]~~

40 **Sec. 19.** NRS 293C.530 is hereby amended to read as follows:
41 293C.530 1. A city clerk may establish a system for
42 distributing sample ballots by electronic means to each registered
43 voter who elects to receive a sample ballot by electronic means.
44 Such a system may include, without limitation, electronic mail or
45 electronic access through an Internet website. If a city clerk



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

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

9 3. Except as otherwise provided in subsection 4, before the
10 period for early voting for any election begins, the city clerk shall
11 distribute to each registered voter in the city by mail or electronic
12 means, as applicable, the sample ballot for his or her precinct, with a
13 notice informing the voter of the location of his or her polling place
14 or places. If the location of the polling place or places has changed
15 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. If a person registers to vote less than 20 days before the date
26 of an election, the city clerk is not required to distribute to the
27 person the sample ballot for that election by mail or electronic
28 means.

29 5. Except as otherwise provided in subsection 7, a sample
30 ballot required to be distributed pursuant to this section must:

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

32 (b) Include the description of the anticipated financial effect and
33 explanation of each citywide measure and advisory question,
34 including arguments for and against the measure or question, as
35 required pursuant to NRS 295.205 or 295.217; and

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

38
39 **NOTICE: TO RECEIVE A SAMPLE BALLOT IN**
40 **LARGE TYPE, CALL (Insert appropriate telephone number)**
41

42 6. The word "Incumbent" must appear on the sample ballot
43 next to the name of the candidate who is the incumbent, if required
44 pursuant to NRS 293.2565.



1 7. A portion of a sample ballot that contains a facsimile of the
2 display area of a voting device may include material in less than 12-
3 point type to the extent necessary to make the facsimile fit on the
4 pages of the sample ballot.

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

9 9. If a person requests a sample ballot in large type, the city
10 clerk shall ensure that all future sample ballots distributed to that
11 person from the city are in large type.

12 10. The city clerk shall include in each sample ballot a
13 statement indicating that the city clerk will, upon request of a voter
14 who is elderly or disabled, make reasonable accommodations to
15 allow the voter to vote at his or her polling place or places and
16 provide reasonable assistance to the voter in casting his or her vote,
17 including, without limitation, providing appropriate materials to
18 assist the voter. In addition, if the city clerk has provided pursuant to
19 subsection ~~f4~~ 5 of NRS 293C.281 for the placement at centralized
20 voting locations of specially equipped voting devices for use by
21 voters who are elderly or disabled, the city clerk shall include in the
22 sample ballot a statement indicating:

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

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

26 (c) That a voter who is elderly or disabled may cast his or her
27 ballot at such a centralized voting location rather than at the voter's
28 regularly designated polling place or places.

29 11. The cost of distributing sample ballots for a city election
30 must be borne by the city holding the election.

31 **Sec. 20.** NRS 293C.600 is hereby amended to read as follows:

32 293C.600 1. Before any election, ~~[where a mechanical~~
33 ~~voting system will be used,]~~ the city clerk shall prepare or cause to
34 be prepared a computer program on cards, tape or other material
35 suitable for use with the computer or counting device to be
36 employed for counting the votes cast. The program must cause the
37 computer or counting device to operate in the following manner:

38 (a) All lawful votes cast by each voter must be counted.

39 (b) All unlawful votes, including, but not limited to, overvotes
40 must not be counted.

41 (c) The computer or counting device must halt or indicate by
42 appropriate signal if a ballot is encountered that lacks a code
43 identifying the precinct in which it was voted.



1 2. The program must be prepared under the supervision of the
2 accuracy certification board appointed pursuant to the provisions of
3 NRS 293B.140.

4 3. The city clerk shall take such measures as he or she deems
5 necessary to protect the program from being altered or damaged.

6 **Sec. 21.** NRS 293C.645 is hereby amended to read as follows:
7 293C.645 The central ballot inspection board shall:

8 1. Receive the ballots in sealed containers.

9 2. Inspect the containers, record the number indicated on each
10 container and its seal pursuant to NRS 293.462 and remove the
11 storage devices that store the ballots voted on mechanical recording
12 devices that directly record votes electronically.

13 3. Register the numbers of ballots by precinct.

14 4. Deliver any damaged ~~{paper}~~ ballots to the ballot duplicating
15 board.

16 5. Receive duplicates of damaged ~~{paper}~~ ballots from the
17 ballot duplicating board and place the duplicates with the voted
18 ballots of the appropriate precinct.

19 6. Place each damaged original ~~{paper}~~ ballot in a separate
20 envelope and note on the outside of the envelope the appropriate
21 number of the precinct.

22 7. Reject any ~~{paper}~~ ballot that has been marked in a way that
23 identifies the voter.

24 8. Place each rejected ~~{paper}~~ ballot in a separate envelope and
25 note on the outside of the envelope the appropriate number of the
26 precinct and the reason for the board's rejection of the ballot.

27 **Sec. 22.** NRS 295.045 is hereby amended to read as follows:

28 295.045 1. A petition for referendum must be filed with the
29 Secretary of State not less than 120 days before the date of the next
30 succeeding general election.

31 2. The Secretary of State shall certify the questions to the
32 county clerks.

33 3. The title of the statute or resolution must be set out on the
34 ballot, and the question ~~{printed}~~ *appear* upon the ballot for the
35 information of the voters must be as follows: "Shall the statute
36 (setting out its title) be approved?"

37 4. ~~{Where}~~ *For ballots cast using* a mechanical voting system,
38 ~~{is used,}~~ the title of the statute must appear on the list of offices and
39 candidates and the statements of measures to be voted on and may
40 be condensed to no more than 25 words.

41 5. The votes cast upon the question must be counted and
42 canvassed as the votes for state officers are counted and canvassed.

43 **Sec. 23.** NRS 295.170 is hereby amended to read as follows:

44 295.170 1. The subject matter of such questions must be
45 stated concisely on the ballot, and the question ~~{printed}~~ *appear*



1 upon the ballot for the information of the voter must be as follows:
2 “Shall the act (setting out the title thereof) be approved?”

3 2. ~~Where~~ *For ballots cast using* a mechanical voting system ,
4 ~~is used,~~ the title of the act must appear on the list of offices and
5 candidates and the statements of measures to be voted on and may
6 be condensed by the district attorney to 20 words.

7 3. The district attorney shall prepare an explanation of each
8 such question, which must be placed on the ballot or the list of
9 offices and candidates and the statements of measures to be voted
10 on, or posted in the polling place.

11 4. The votes cast upon such question must be counted and
12 canvassed as the votes for county officers are counted and
13 canvassed.

14 **Sec. 24.** NRS 306.060 is hereby amended to read as follows:

15 306.060 1. If the officer against whom the petition is filed
16 furnishes no justification of the officer’s course in office, none need
17 appear on the ballot at the election upon the officer’s recall.

18 2. ~~Where~~ *For ballots cast using* a mechanical voting system ,
19 ~~is used,~~ the reason for demanding the recall of the officer and the
20 officer’s justification need not ~~be printed~~ *appear* on the ballot, but
21 must be printed on sample ballots, which must be presented to
22 registered voters upon their application to vote.

23 **Sec. 25.** Section 5.050 of the Charter of the City of Caliente,
24 being chapter 31, Statutes of Nevada 1971, as amended by chapter
25 312, Statutes of Nevada 2003, at page 1728, is hereby amended to
26 read as follows:

27 Sec. 5.050 Names on ballots.

28 1. The full names of all candidates, except those who
29 have withdrawn, died or become ineligible, must be ~~printed~~
30 *placed* on the official ballots without party designation or
31 symbol.

32 2. If two or more candidates have the same surname or
33 surnames so similar as to be likely to cause confusion and:

34 (a) None of them is an incumbent, their middle names or
35 middle initials, if any, must be included in their names as
36 ~~printed~~ *placed* on the ballot; or

37 (b) One of them is an incumbent, the name of the
38 incumbent must be listed first and must ~~be printed~~ *appear* in
39 bold type.

40 **Sec. 26.** Section 5.090 of the Charter of the City of Caliente,
41 being chapter 31, Statutes of Nevada 1971, at page 67, is hereby
42 amended to read as follows:

43 Sec. 5.090 Voting machines. The City Council ~~may~~
44 *shall* provide for the use of mechanical or other devices for
45 voting or counting the votes ~~not inconsistent~~ *in accordance*



1 with ~~law or~~ *the election laws of this State and any*
2 regulations of the Secretary of State.

3 **Sec. 27.** Section 5.040 of the Charter of the City of Carlin,
4 being chapter 493, Statutes of Nevada 2009, at page 2937, is hereby
5 amended to read as follows:

6 Sec. 5.040 Names on ballots.

7 1. The full names of all candidates, except those who
8 have withdrawn, died or become ineligible before the close of
9 filing and any applicable period for withdrawal of candidacy,
10 must be ~~printed~~ *placed* on the official ballots without party
11 designation or symbol.

12 2. If two or more candidates have the same surname or
13 surnames so similar as to be likely to cause confusion and:

14 (a) None of them is an incumbent, their middle names or
15 middle initials, if any, must be included in their names as
16 ~~printed~~ *placed* on the ballot; or

17 (b) One of them is an incumbent, the name of the
18 incumbent must be listed first and must ~~be printed~~ *appear* in
19 bold type.

20 **Sec. 28.** Section 5.080 of the Charter of the City of Carlin,
21 being chapter 344, Statutes of Nevada 1971, at page 616, is hereby
22 amended to read as follows:

23 Sec. 5.080 Voting machines. The Board of Council
24 Members ~~may~~ *shall* provide for the use of mechanical or
25 other devices for voting or counting the votes ~~not~~
26 ~~inconsistent~~ *in accordance* with ~~law or~~ *the election laws of*
27 *this State and any* regulations of the Secretary of State.

28 **Sec. 29.** Section 5.050 of the Charter of Carson City, being
29 chapter 213, Statutes of Nevada 1969, as amended by chapter 312,
30 Statutes of Nevada 2003, at page 1729, is hereby amended to read as
31 follows:

32 Sec. 5.050 Names on ballots.

33 1. The full names of all candidates, except those who
34 have withdrawn, died or become ineligible, must be ~~printed~~
35 *placed* on the official ballots without party designation or
36 symbol.

37 2. If two or more candidates have the same surname or
38 surnames so similar as to be likely to cause confusion and:

39 (a) None of them is an incumbent, their middle names or
40 middle initials, if any, must be included in their names as
41 ~~printed~~ *placed* on the ballot; or

42 (b) One of them is an incumbent, the name of the
43 incumbent must be listed first and must ~~be printed~~ *appear* in
44 bold type.



1 **Sec. 30.** Section 5.090 of the Charter of Carson City, being
2 chapter 213, Statutes of Nevada 1969, at page 306, is hereby
3 amended to read as follows:

4 Sec. 5.090 Voting machines. The Board ~~[may]~~ *shall*
5 provide for the use of mechanical or other devices for voting
6 or counting the votes ~~[not inconsistent]~~ *in accordance* with
7 ~~[law or]~~ *the election laws of this State and any* regulations of
8 the Secretary of State.

9 **Sec. 31.** Section 5.040 of the Charter of the City of Elko,
10 being chapter 276, Statutes of Nevada 1971, as amended by chapter
11 312, Statutes of Nevada 2003, at page 1729, is hereby amended to
12 read as follows:

13 Sec. 5.040 Names on ballots.

14 1. The full names of all candidates, except those who
15 have withdrawn, died or become ineligible, must be ~~[printed]~~
16 *placed* on the official ballots without party designation or
17 symbol.

18 2. If two or more candidates have the same surname or
19 surnames so similar as to be likely to cause confusion and:

20 (a) None of them is an incumbent, their middle names or
21 middle initials, if any, must be included in their names as
22 ~~[printed]~~ *placed* on the ballot; or

23 (b) One of them is an incumbent, the name of the
24 incumbent must be listed first and must ~~[be printed]~~ *appear* in
25 bold type.

26 **Sec. 32.** Section 5.080 of the Charter of the City of Elko,
27 being chapter 276, Statutes of Nevada 1971, as amended by chapter
28 51, Statutes of Nevada 2001, at page 464, is hereby amended to read
29 as follows:

30 Sec. 5.080 Voting machines. The City Council ~~[may]~~
31 *shall* provide for the use of mechanical or other devices for
32 voting or counting votes ~~[that is not inconsistent]~~ *in*
33 *accordance* with ~~[law or the]~~ *the election laws of this State*
34 *and any* regulations of the Secretary of State.

35 **Sec. 33.** Section 5.050 of the Charter of the City of Henderson,
36 being chapter 266, Statutes of Nevada 1971, as last amended by
37 chapter 312, Statutes of Nevada 2003, at page 1729, is hereby
38 amended to read as follows:

39 Sec. 5.050 Names on ballots.

40 1. The full names of all candidates, except those who
41 have withdrawn, died or become ineligible, must be ~~[printed]~~
42 *placed* on the official ballots without party designation or
43 symbol.

44 2. If two or more candidates have the same surname or
45 surnames so similar as to be likely to cause confusion and:



1 (a) None of them is an incumbent, their middle names or
2 middle initials, if any, must be included in their names as
3 ~~printed~~ placed on the ballot; or

4 (b) One of them is an incumbent, the name of the
5 incumbent must be listed first and must ~~be printed~~ appear
6 in bold type.

7 **Sec. 34.** Section 5.090 of the Charter of the City of Henderson,
8 being chapter 266, Statutes of Nevada 1971, at page 417, is hereby
9 amended to read as follows:

10 Sec. 5.090 Voting machines. The City Council ~~may~~
11 shall provide for the use of mechanical or other devices for
12 voting or counting the votes ~~not inconsistent~~ in accordance
13 with ~~law or~~ the election laws of this State and any
14 regulations of the Secretary of State.

15 **Sec. 35.** Section 5.050 of the Charter of the City of Las Vegas,
16 being chapter 517, Statutes of Nevada 1983, as amended by chapter
17 312, Statutes of Nevada 2003, at page 1730, is hereby amended to
18 read as follows:

19 Sec. 5.050 Names on ballots.

20 1. The full names of all of the candidates, except those
21 who have withdrawn, died or become ineligible, must be
22 ~~printed~~ placed on the official ballots without party
23 designation or symbol.

24 2. If two or more candidates have the same name or
25 names which are so similar as likely to cause confusion and:

26 (a) None of them is an incumbent, their middle names or
27 middle initials, if any, must be included in their names as
28 ~~printed~~ placed on the ballots; or

29 (b) One of them is an incumbent, the name of the
30 incumbent must be listed first and must ~~be printed~~ appear
31 in bold type.

32 **Sec. 36.** Section 5.090 of the Charter of the City of Las Vegas,
33 being chapter 517, Statutes of Nevada 1983, at page 1416, is hereby
34 amended to read as follows:

35 Sec. 5.090 Voting machines. The City Council ~~may~~
36 shall provide for the use of mechanical or other devices for
37 voting or for counting the votes, or both, ~~which are not~~
38 ~~inconsistent~~ in accordance with the ~~law or the~~ election
39 laws of this State and any regulations of the Secretary of
40 State.

41 **Sec. 37.** Section 5.060 of the Charter of the City of Mesquite,
42 being chapter 325, Statutes of Nevada 2017, at page 1886, is hereby
43 amended to read as follows:

44 Sec. 5.060 Names on ballots.



1 1. The full names of all candidates, except those who
2 have withdrawn, died or become ineligible, must be ~~{printed}~~
3 *placed* on the official ballots without party designation or
4 symbol.

5 2. If two or more candidates have the same surname or
6 surnames so similar as to be likely to cause confusion and:

7 (a) None of the candidates is an incumbent, the middle
8 names or middle initials, if any, of both candidates must be
9 included in their names as ~~{printed}~~ *placed* on the ballot; or

10 (b) One of the candidates is an incumbent, the name of
11 the incumbent must be listed first and must ~~{be printed}~~
12 *appear* in bold type.

13 **Sec. 38.** Section 5.090 of the Charter of the City of Mesquite,
14 being chapter 325, Statutes of Nevada 2017, at page 1887, is hereby
15 amended to read as follows:

16 Sec. 5.090 Voting machines. The City Council ~~{may}~~
17 *shall* provide for the use of mechanical or other devices for
18 voting or counting the votes ~~{not inconsistent}~~ *in accordance*
19 with ~~{law or}~~ *the election laws of this State and any*
20 regulations of the Secretary of State.

21 **Sec. 39.** Section 5.050 of the Charter of the City of North Las
22 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
23 by chapter 312, Statutes of Nevada 2003, at page 1730, is hereby
24 amended to read as follows:

25 Sec. 5.050 Names on ballots.

26 1. The full names of all candidates, except those who
27 have withdrawn, died or become ineligible, must be ~~{printed}~~
28 *placed* on the official ballots without party designation or
29 symbol.

30 2. If two or more candidates have the same surname or
31 surnames so similar as to be likely to cause confusion and:

32 (a) None of them is an incumbent, their middle names or
33 middle initials, if any, must be included in their names as
34 ~~{printed}~~ *placed* on the ballot; or

35 (b) One of them is an incumbent, the name of the
36 incumbent must be listed first and must ~~{be printed}~~ *appear* in
37 bold type.

38 3. In any election regulated by this Charter, the names of
39 candidates as ~~{printed}~~ *placed* on the ballot shall not include
40 any title, designation or other reference which will indicate
41 the profession or occupation of such candidates.



1 **Sec. 40.** Section 5.050 of the Charter of the City of Reno,
2 being chapter 662, Statutes of Nevada 1971, as amended by chapter
3 312, Statutes of Nevada 2003, at page 1730, is hereby amended to
4 read as follows:

5 Sec. 5.050 Names on ballots.

6 1. The full names of all candidates, except those who
7 have withdrawn, died or become ineligible, must be ~~printed~~
8 *placed* on the official ballots without party designation or
9 symbol.

10 2. If two or more candidates have the same surname or
11 surnames so similar as to be likely to cause confusion and:

12 (a) None of them is an incumbent, their middle names or
13 middle initials, if any, must be included in their names as
14 ~~printed~~ *placed* on the ballot; or

15 (b) One of them is an incumbent, the name of the
16 incumbent must be listed first and must ~~be printed~~ *appear* in
17 bold type.

18 **Sec. 41.** Section 5.090 of the Charter of the City of Reno,
19 being chapter 662, Statutes of Nevada 1971, at page 1979, is hereby
20 amended to read as follows:

21 Sec. 5.090 Voting machines. The City Council ~~may~~
22 *shall* provide for the use of mechanical or other devices for
23 voting or counting the votes ~~not inconsistent~~ *in accordance*
24 with ~~law or~~ *the election laws of this State and any*
25 regulations of the Secretary of State.

26 **Sec. 42.** Section 5.050 of the Charter of the City of Sparks,
27 being chapter 470, Statutes of Nevada 1975, as amended by chapter
28 312, Statutes of Nevada 2003, at page 1731, is hereby amended to
29 read as follows:

30 Sec. 5.050 Names on ballots.

31 1. The full names of all candidates, except those who
32 have withdrawn, died or become ineligible, must be ~~printed~~
33 *placed* on the official ballots without party designation or
34 symbol.

35 2. If two or more candidates have the same surname or
36 surnames so similar as to be likely to cause confusion and:

37 (a) None of them is an incumbent, their middle names or
38 middle initials, if any, must be included in their names as
39 ~~printed~~ *placed* on the ballot; or

40 (b) One of them is an incumbent, the name of the
41 incumbent must be listed first and must ~~be printed~~ *appear* in
42 bold type.



1 **Sec. 43.** Section 5.090 of the Charter of the City of Sparks,
2 being chapter 470, Statutes of Nevada 1975, at page 737, is hereby
3 amended to read as follows:

4 Sec. 5.090 Voting machines. The City Council ~~[may]~~
5 *shall* provide for the use of mechanical or other devices for
6 voting or counting the votes ~~[not inconsistent]~~ *in accordance*
7 with ~~[Law or]~~ *the election laws of this State and any*
8 regulations of the Secretary of State.

9 **Sec. 44.** Section 5.040 of the Charter of the City of Wells,
10 being chapter 275, Statutes of Nevada 1971, as last amended by
11 chapter 493, Statutes of Nevada 2009, at page 2938, is hereby
12 amended to read as follows:

13 Sec. 5.040 Names on ballots.

14 1. The full names of all candidates, except those who
15 have withdrawn, died or become ineligible before the close of
16 filing and any applicable period for withdrawal of candidacy,
17 must be ~~[printed]~~ *placed* on the official ballots without party
18 designation or symbol.

19 2. If two or more candidates have the same surname or
20 surnames so similar as to be likely to cause confusion and:

21 (a) None of them is an incumbent, their middle names or
22 middle initials, if any, must be included in their names as
23 ~~[printed]~~ *placed* on the ballot; or

24 (b) One of them is an incumbent, the name of the
25 incumbent must be listed first and must ~~[be printed]~~ *appear* in
26 bold type.

27 **Sec. 45.** Section 5.080 of the Charter of the City of Wells,
28 being chapter 275, Statutes of Nevada 1971, at page 470, is hereby
29 amended to read as follows:

30 Sec. 5.080 Voting machines. The Board of Council
31 Members ~~[may]~~ *shall* provide for the use of mechanical or
32 other devices for voting or counting the votes ~~[not~~
33 ~~inconsistent]~~ *in accordance* with ~~[Law or]~~ *the election laws of*
34 *this State and any* regulations of the Secretary of State.

35 **Sec. 46.** Section 5.040 of the Charter of the City of Yerington,
36 being chapter 465, Statutes of Nevada 1971, as amended by chapter
37 312, Statutes of Nevada 2003, at page 1731, is hereby amended to
38 read as follows:

39 Sec. 5.040 Names on ballots.

40 1. The full names of all candidates, except those who
41 have withdrawn, died or become ineligible, must be ~~[printed]~~
42 *placed* on the official ballots without party designation or
43 symbol.

44 2. If two or more candidates have the same surname or
45 surnames so similar as to be likely to cause confusion and:



1 (a) None of them is an incumbent, their middle names or
2 middle initials, if any, must be included in their names as
3 ~~printed~~ placed on the ballot; or

4 (b) One of them is an incumbent, the name of the
5 incumbent must be listed first and must ~~be printed~~ appear
6 in bold type.

7 **Sec. 47.** Section 5.080 of the Charter of the City of Yerington,
8 being chapter 465, Statutes of Nevada 1971, at page 913, is hereby
9 amended to read as follows:

10 Sec. 5.080 Voting machines. The City Council ~~may~~
11 shall provide for the use of mechanical or other devices for
12 voting or counting the votes ~~not inconsistent~~ in accordance
13 with ~~law or~~ the election laws of this State and any
14 regulations of the Secretary of State.

15 **Sec. 48.** The provisions of NRS 354.599 do not apply to any
16 additional expenses of a local government that are related to the
17 provisions of this act.

18 **Sec. 49.** NRS 293.365, 293.373, 293B.050, 293C.365 and
19 293C.375 are hereby repealed.

20 **Sec. 50.** This act becomes effective on July 1, 2023.

TEXT OF REPEALED SECTIONS

293.365 Accounting for all paper ballots before counting of votes begins. Except as otherwise provided in NRS 293.269931, no counting board in any precinct, district or polling place in which paper ballots are used may commence to count the votes until all ballots used or unused are accounted for.

293.373 Duties of officers of counting board after ballots counted if paper ballots used. If paper ballots are used:

1. After the ballots have been counted, the voted ballots, rejected ballots, tally lists for regular ballots, tally list for rejected ballots, challenge list, stubs of used ballots, spoiled ballots and unused ballots must be sealed under cover by the counting board officers and addressed to the county clerk.

2. The rosters and tally lists must be returned to the county clerk.

293B.050 Authorization for use of mechanical voting system. At all statewide, county, city and district elections of any kind held in this State, ballots or votes may be cast, registered, recorded and counted by means of a mechanical voting system.



293C.365 Accounting for all paper ballots before counting of votes begins. Except as otherwise provided in NRS 293C.26331, a counting board in any precinct, district or polling place in which paper ballots are used may not begin to count the votes until all ballots used or unused are accounted for.

293C.375 Duties of officers of counting board after ballots counted if paper ballots used. If paper ballots are used:

1. After the ballots have been counted, the voted ballots, rejected ballots, tally lists for regular ballots, tally list for rejected ballots, challenge list, stubs of used ballots, spoiled ballots and unused ballots must be sealed under cover by the counting board officers and addressed to the city clerk.
2. The rosters and tally lists must be returned to the city clerk.

