

SENATE BILL NO. 75—SENATOR TITUS

PREFILED JANUARY 23, 2023

JOINT SPONSOR: ASSEMBLYWOMAN DICKMAN

Referred to Committee on Legislative Operations and Elections

SUMMARY—Requires the election of a registrar of voters. (BDR 24-513)

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

~

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

AN ACT relating to elections; providing that a registrar of voters is an elected office; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes a board of county commissioners in a county whose population is 100,000 or more (currently Clark and Washoe Counties) to create the office of registrar of voters and make appointments to the office. Upon appointment, a registrar of voters assumes, with certain exceptions, all powers and duties vested in and imposed upon the county clerk with respect to elections. (NRS 244.164)

Section 4 of this bill provides that the office of registrar of voters is an elected office. **Sections 1-3, 5 and 6** of this bill make conforming changes related to changing the office from an appointed to an elected office.

Section 7 of this bill provides that if a board of county commissioners has created the office of registrar of voters before January 1, 2024, a person who is a registrar of voters on January 1, 2024, may continue to serve in that office until the general election is held in November 2024.

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

Section 1. NRS 293.186 is hereby amended to read as follows:
293.186 The Secretary of State and each county clerk, or the registrar of voters of the county , if ~~one was appointed~~ *the office*



1 *of registrar of voters has been created* pursuant to NRS 244.164, or
2 city clerk who receives from a candidate for public office a
3 declaration of candidacy shall give to the candidate:

4 1. If the candidate is a candidate for judicial office, the form
5 prescribed by the Administrative Office of the Courts for the
6 making of a financial disclosure statement;

7 2. If the candidate is not a candidate for judicial office and is
8 required to file electronically the financial disclosure statement,
9 access to the electronic form prescribed by the Secretary of State; or

10 3. If the candidate is not a candidate for judicial office, is
11 required to submit the financial disclosure statement electronically
12 and has submitted an affidavit to the Secretary of State pursuant to
13 NRS 281.572, the form prescribed by the Secretary of State,
14 accompanied by instructions on how to complete the form and
15 the time by which it must be filed.

16 **Sec. 2.** NRS 293.404 is hereby amended to read as follows:

17 293.404 1. Where a recount is demanded pursuant to the
18 provisions of NRS 293.403, the:

19 (a) County clerk of each county affected by the recount shall
20 employ a recount board to conduct the recount in the county, and
21 shall act as chair of the recount board unless the recount is for the
22 office of county clerk, in which case the registrar of voters of the
23 county, if ~~the~~ *the office of* registrar of voters has been ~~appointed~~
24 *created* for the county ~~and~~ *pursuant to NRS 244.164*, shall act as
25 chair of the recount board ~~and~~, *unless the registrar of voters is a*
26 *candidate on the ballot*. If ~~the~~ *the office of* registrar of voters has
27 not been ~~appointed~~ *created* for the county ~~and~~ *or the registrar of*
28 *voters is a candidate on the ballot*, the chair of the board of county
29 commissioners, if the chair is not a candidate on the ballot, shall act
30 as chair of the recount board. If the recount is for the office of
31 county clerk, ~~the~~ *either the office of* registrar of voters has not been
32 ~~appointed~~ *created* for the county ~~and~~ *or the registrar of voters is a*
33 *candidate on the ballot*, and the chair of the board of county
34 commissioners is a candidate on the ballot, the chair of the board of
35 county commissioners shall appoint another member of the board of
36 county commissioners who is not a candidate on the ballot to act as
37 chair of the recount board. A member of the board of county
38 commissioners who is a candidate on the ballot may not serve as a
39 member of the recount board.

40 (b) City clerk shall employ a recount board to conduct the
41 recount in the city, and shall act as chair of the recount board unless
42 the recount is for the office of city clerk, in which case the mayor of
43 the city, if the mayor is not a candidate on the ballot, shall act as
44 chair of the recount board. If the recount is for the office of city
45 clerk and the mayor of the city is a candidate on the ballot, the



1 mayor of the city shall appoint another member of the city council
2 who is not a candidate on the ballot to act as chair of the recount
3 board. A member of the city council who is a candidate on the ballot
4 may not serve as a member of the recount board.

5 2. Each candidate for the office affected by the recount and the
6 voter who demanded the recount, if any, may be present in person or
7 by an authorized representative, but may not be a member of the
8 recount board.

9 3. The recount must include a count and inspection of all
10 ballots, including rejected ballots, and must determine whether all
11 ballots are marked as required by law. All ballots must be recounted
12 in the same manner in which the ballots were originally tabulated.

13 4. The county or city clerk shall unseal and give to the recount
14 board all ballots to be counted.

15 5. The Secretary of State may adopt regulations to carry out the
16 provisions of this section.

17 **Sec. 3.** NRS 293.503 is hereby amended to read as follows:

18 293.503 1. The county clerk of each county where ~~is~~ *the*
19 *office of* registrar of voters has not been ~~appointed~~ *created*
20 pursuant to NRS 244.164:

21 (a) Is ex officio county registrar and registrar for all precincts
22 within the county.

23 (b) Shall have the custody of all books, documents and papers
24 pertaining to preregistration or registration provided for in this
25 chapter.

26 2. All books, documents and papers pertaining to
27 preregistration or registration are official records of the office of the
28 county clerk.

29 3. The county clerk shall maintain records of any program or
30 activity that is conducted within the county to ensure the accuracy
31 and currency of the statewide voter registration list for not less than
32 2 years after creation. The records must include the names and
33 addresses of any person to whom a notice is mailed pursuant to NRS
34 293.5235, 293.530, or 293.535 and whether the person responded to
35 the notice.

36 4. Any program or activity that is conducted within the county
37 for the purpose of removing the name of each person who is
38 ineligible to vote in the county from the statewide voter registration
39 list must be complete not later than 90 days before the next primary
40 or general election.

41 5. Except as otherwise provided by subsection 6, all records
42 maintained by the county clerk pursuant to subsection 3 must be
43 available for public inspection.

44 6. Except as otherwise provided in NRS 239.0115, any
45 information relating to where a person preregisters or registers to



1 vote must remain confidential and is not available for public
2 inspection. Such information may only be used by an election
3 officer for purposes related to preregistration and registration.

4 **Sec. 4.** NRS 244.164 is hereby amended to read as follows:

5 244.164 1. In each county having a population of 100,000 or
6 more, the board of county commissioners may create the office of
7 registrar of voters ~~[] as an elected office and~~ prescribe the
8 qualifications, duties and compensation of that office . ~~[and make~~
9 ~~appointments to that office.]~~

10 2. *The registrar of voters shall be elected by the qualified*
11 *electors of the county, beginning at the general election*
12 *immediately following the creation of the office of registrar of*
13 *voters. The term of office of a registrar of voters is 4 years and*
14 *begins on the first Monday in January following the general*
15 *election.*

16 3. The registrar of voters ~~[, upon appointment as provided in~~
17 ~~subsection 1,]~~ shall assume all of the powers and duties vested in
18 and imposed upon the county clerk of the county with respect to
19 elections, except the duties imposed by virtue of NRS 293.393 to
20 make out and deliver certificates of election.

21 **Sec. 5.** NRS 245.043 is hereby amended to read as follows:

22 245.043 1. As used in this section:

23 (a) "County" includes Carson City.

24 (b) "County commissioner" includes the Mayor and supervisors
25 of Carson City.

26 2. Except as otherwise provided in subsection 5 , *NRS 244.164*
27 and by any special law, the elected officers of the counties of this
28 State are entitled to receive, for the appropriate fiscal year, annual
29 salaries in the base amounts specified in the following table
30 commencing on July 1 of the fiscal year. The annual salaries are in
31 full payment for all services required by law to be performed by
32 such officers. Except as otherwise provided by law, all fees and
33 commissions collected by such officers in the performance of their
34 duties must be paid into the county treasury each month without
35 deduction of any nature.

36
37 ANNUAL SALARIES

38
39

Class	County	District Attorney	Sheriff	County Clerk	County Assessor	County Recorder	County Treasurer	Public Administrator
1	Clark							
	FY 2015-2016	\$187,563	\$161,692	\$109,757	\$109,757	\$109,757	\$109,757	\$109,757
	FY 2016-2017	193,190	166,543	113,050	113,050	113,050	113,050	113,050
	FY 2017-2018	198,986	171,540	116,441	116,441	116,441	116,441	116,441
	FY 2018-2019	204,955	176,685	119,934	119,934	119,934	119,934	119,934

40
41
42
43
44
45
46



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53

Class	County	District Attorney	Sheriff	County Clerk	County Assessor	County Recorder	County Treasurer	Public Administrator
2	Washoe							
	FY 2015-2016	\$165,573	\$133,234	\$100,610	\$100,610	\$100,610	\$100,610	\$100,610
	FY 2016-2017	170,540	137,231	103,629	103,629	103,629	103,629	103,629
	FY 2017-2018	175,656	141,348	106,738	106,738	106,738	106,738	106,738
	FY 2018-2019	180,926	145,588	109,940	109,940	109,940	109,940	109,940
3	Carson City							
	FY 2015-2016	118,872	98,567	78,293	78,293	78,293	78,293	-----
	FY 2016-2017	122,438	101,524	80,642	80,642	80,642	80,642	-----
	FY 2017-2018	126,112	104,570	83,061	83,061	83,061	83,061	-----
	FY 2018-2019	129,895	107,707	85,553	85,553	85,553	85,553	-----
	Churchill							
	FY 2015-2016	118,872	98,567	78,293	78,293	78,293	78,293	-----
	FY 2016-2017	122,438	101,524	80,642	80,642	80,642	80,642	-----
	FY 2017-2018	126,112	104,570	83,061	83,061	83,061	83,061	-----
	FY 2018-2019	129,895	107,707	85,553	85,553	85,553	85,553	-----
	Douglas							
	FY 2015-2016	118,872	98,567	78,293	78,293	78,293	78,293	-----
	FY 2016-2017	122,438	101,524	80,642	80,642	80,642	80,642	-----
	FY 2017-2018	126,112	104,570	83,061	83,061	83,061	83,061	-----
	FY 2018-2019	129,895	107,707	85,553	85,553	85,553	85,553	-----
	Elko							
	FY 2015-2016	118,872	98,567	78,293	78,293	78,293	78,293	-----
	FY 2016-2017	122,438	101,524	80,642	80,642	80,642	80,642	-----
	FY 2017-2018	126,112	104,570	83,061	83,061	83,061	83,061	-----
	FY 2018-2019	129,895	107,707	85,553	85,553	85,553	85,553	-----
	Humboldt							
	FY 2015-2016	118,872	98,567	78,293	78,293	78,293	78,293	-----
	FY 2016-2017	122,438	101,524	80,642	80,642	80,642	80,642	-----
	FY 2017-2018	126,112	104,570	83,061	83,061	83,061	83,061	-----
	FY 2018-2019	129,895	107,707	85,553	85,553	85,553	85,553	-----
	Lyon							
	FY 2015-2016	118,872	98,567	78,293	78,293	78,293	78,293	-----
	FY 2016-2017	122,438	101,524	80,642	80,642	80,642	80,642	-----
	FY 2017-2018	126,112	104,570	83,061	83,061	83,061	83,061	-----
	FY 2018-2019	129,895	107,707	85,553	85,553	85,553	85,553	-----
	Nye							
	FY 2015-2016	118,872	98,567	78,293	78,293	78,293	78,293	-----
	FY 2016-2017	122,438	101,524	80,642	80,642	80,642	80,642	-----
	FY 2017-2018	126,112	104,570	83,061	83,061	83,061	83,061	-----
	FY 2018-2019	129,895	107,707	85,553	85,553	85,553	85,553	-----
4	Lander							
	FY 2015-2016	112,268	88,711	65,305	65,305	65,305	65,305	-----
	FY 2016-2017	115,636	91,372	67,264	67,264	67,264	67,264	-----
	FY 2017-2018	119,105	94,113	69,282	69,282	69,282	69,282	-----
	FY 2018-2019	122,678	96,937	71,361	71,361	71,361	71,361	-----
	Storey							
	FY 2015-2016	112,268	88,711	65,305	65,305	65,305	65,305	-----
	FY 2016-2017	115,636	91,372	67,264	67,264	67,264	67,264	-----
	FY 2017-2018	119,105	94,113	69,282	69,282	69,282	69,282	-----
	FY 2018-2019	122,678	96,937	71,361	71,361	71,361	71,361	-----



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

Class	County	District Attorney	Sheriff	County Clerk	County Assessor	County Recorder	County Treasurer	Public Administrator
	White Pine							
	FY 2015-2016	\$112,268	\$88,711	\$65,305	\$65,305	\$65,305	\$65,305	-----
	FY 2016-2017	115,636	91,372	67,264	67,264	67,264	67,264	-----
	FY 2017-2018	119,105	94,113	69,282	69,282	69,282	69,282	-----
	FY 2018-2019	122,678	96,937	71,361	71,361	71,361	71,361	-----
5	Eureka							
	FY 2015-2016	99,060	70,968	58,537	58,537	58,537	58,537	-----
	FY 2016-2017	102,033	73,097	60,293	60,293	60,293	60,293	-----
	FY 2017-2018	105,093	75,290	62,102	62,102	62,102	62,102	-----
	FY 2018-2019	108,246	77,549	63,965	63,965	63,965	63,965	-----
	Lincoln							
	FY 2015-2016	99,060	70,968	58,537	58,537	58,537	58,537	-----
	FY 2016-2017	102,033	73,097	60,293	60,293	60,293	60,293	-----
	FY 2017-2018	105,093	75,290	62,102	62,102	62,102	62,102	-----
	FY 2018-2019	108,246	77,549	63,965	63,965	63,965	63,965	-----
	Mineral							
	FY 2015-2016	99,060	70,968	58,537	58,537	58,537	58,537	-----
	FY 2016-2017	102,033	73,097	60,293	60,293	60,293	60,293	-----
	FY 2017-2018	105,093	75,290	62,102	62,102	62,102	62,102	-----
	FY 2018-2019	108,246	77,549	63,965	63,965	63,965	63,965	-----
	Pershing							
	FY 2015-2016	99,060	70,968	58,537	58,537	58,537	58,537	-----
	FY 2016-2017	102,033	73,097	60,293	60,293	60,293	60,293	-----
	FY 2017-2018	105,093	75,290	62,102	62,102	62,102	62,102	-----
	FY 2018-2019	108,246	77,549	63,965	63,965	63,965	63,965	-----
6	Esmeralda							
	FY 2015-2016	78,657	63,083	51,220	51,220	51,220	-----	-----
	FY 2016-2017	81,017	64,976	52,756	52,756	52,756	-----	-----
	FY 2017-2018	83,447	66,926	54,339	54,339	54,339	-----	-----
	FY 2018-2019	85,951	68,933	55,969	55,969	55,969	-----	-----

35 ➔ Except as otherwise provided in subsection 5, the annual salaries
36 set forth in this subsection for Fiscal Year 2018-2019 are effective
37 for that fiscal year and each fiscal year thereafter.

38 3. Except as otherwise provided in subsection 5, the annual
39 salary for county commissioners commencing on July 1 of the fiscal
40 year is:

- 41 (a) For Fiscal Year 2015-2016, 103.00 percent;
- 42 (b) For Fiscal Year 2016-2017, 106.09 percent;
- 43 (c) For Fiscal Year 2017-2018, 109.273 percent; and
- 44 (d) For Fiscal Year 2018-2019 and each fiscal year thereafter,
45 112.551 percent,

46 ➔ of the amount of the annual salary for the county commissioners
47 of that county that was in effect on January 1, 2015.

48 4. Any elected officer or county commissioner who is entitled
49 to a salary pursuant to subsection 2 or 3 may elect not to receive any
50 part of the salary to which he or she is entitled pursuant to
51 subsection 2 or 3, as applicable.



1 5. The increased annual salaries for all elected county officers
2 provided for in subsections 2 and 3 for a fiscal year must not be paid
3 in a fiscal year if the board of county commissioners determines that
4 sufficient financial resources are not available to pay increased
5 annual salaries in that fiscal year and the annual salaries paid for
6 those officers in the immediately preceding fiscal year must
7 continue to be paid. If increased annual salaries are paid in a
8 subsequent fiscal year:

9 (a) Those increased annual salaries must be in the amounts
10 provided for in subsections 2 and 3 starting with the first fiscal year
11 in which increased salaries were not paid because sufficient
12 financial resources were not available.

13 (b) An elected county officer is not entitled to any retroactive
14 payment of the salary increase for any previous fiscal year in which
15 increased annual salaries were not paid.

16 **Sec. 6.** NRS 281.574 is hereby amended to read as follows:

17 281.574 1. A list of each public officer who is required to file
18 a financial disclosure statement must be submitted electronically to
19 the Secretary of State, in a form prescribed by the Secretary of State,
20 on or before December 1 of each year by:

21 (a) Each county clerk for all public officers of the county and
22 other local governments within the county other than cities;

23 (b) Each city clerk for all public officers of the city;

24 (c) The Director of the Legislative Counsel Bureau for all public
25 officers of the Legislative Branch; and

26 (d) The Director of the Department of Administration for all
27 public officers of the Executive Branch.

28 2. Each county clerk, or the registrar of voters of the county if
29 ~~one was appointed~~ *the office has been created* pursuant to NRS
30 244.164, and each city clerk shall submit electronically to the
31 Secretary of State, in a form prescribed by the Secretary of State, a
32 list of each candidate who filed a declaration of candidacy with that
33 officer within 10 days after the last day to qualify as a candidate for
34 the applicable office.

35 **Sec. 7.** 1. If, on January 1, 2024, a board of county
36 commissioners has created the office of registrar of voters pursuant
37 to NRS 244.164, as that provision existed on December 31, 2023,
38 the person appointed as the registrar of voters may continue in office
39 until his or her successor is elected and qualified at the general
40 election held in November 2024.

41 2. Nothing in this section prohibits a person who is a registrar
42 of voters on January 1, 2024, from becoming a candidate for the
43 office of registrar of voters at the general election held in November
44 2024.



1 **Sec. 8.** 1. This section becomes effective upon passage and
2 approval.

3 2. Sections 1 to 7, inclusive, of this act become effective:

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

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

⑩

