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# CHAPTER 11

## AUDITS, REPORTING & SURVEYS

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# AUDITS, REPORTING & SURVEYS

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## County & City Reporting Requirements

### Plan for Voter Registration Applications

**On or before December 31 of each year**, each county clerk shall submit to the Secretary of State for approval a plan for the upcoming year which indicates the public locations at which applications for registration by mail will be made available to the public. The plan must include a description of the method to be used to monitor the supply of forms at each such location [NAC 293.445](#).

In addition, the plan must establish a procedure to account for each such form by its control number at each public location and a procedure for controlling the bulk distribution of the forms, including:

- The keeping of related records;
- The training of the persons who will be distributing the forms; and
- Plans for the contingent acquisition of forms in the event that the supply becomes depleted.

If no change is requested in the plan which was approved for the prior year, the clerk may resubmit the plan for the upcoming year. If the county clerk resubmits the plan, the county clerk must indicate that fact on the form prescribed by the Secretary of State .

The Secretary of State will review each plan submitted, not later than 15 days after the plan is submitted and notify each clerk if the plan meets the requirements of NAC.

## Establishment of Tribal Polling Places & Ballot Drop Boxes

Not later than **August 1 of each odd-numbered year**, each county clerk/registrar of voters shall schedule a meeting with each Indian tribe located in whole or in part within their county to discuss the details for the next regularly scheduled election, without limitation:

- The establishment and operation of polling places, temporary branch polling places or ballot drop boxes within an Indian reservation or Indian colony and the size requirements for any such polling places and temporary branch polling places;
- The dates and times of the upcoming elections for which polling places, temporary branch polling places or ballot drop boxes may be established;
- The deadlines relating to the next regularly scheduled election cycle for the Indian tribe to submit a request pursuant to [NRS 293.2733](#), [NRS 293.3572](#), [NRS 293C.2675](#) and [NRS 293C.3572](#) for the establishment of polling places, temporary branch polling places or ballot drop boxes;
- Responsibilities for the recruitment of election board officers; and
- Any other information relating to the establishment and operation of polling places, temporary branch polling places and ballot drop boxes.

Not later than **September 1 of each odd-numbered year**, each county clerk/registrar of voters shall confirm any details relating to the establishment and operation of a polling place, temporary branch polling places or ballot drop boxes. Such a meeting may address, without limitation:

- Whether the Indian tribe will request or has requested to establish any polling places, temporary branch polling places or ballot drop boxes within an Indian reservation or Indian colony and the size requirements for any such polling places and temporary branch polling places;
- The days and hours of any polling place or temporary branch polling place established within an Indian reservation or Indian colony;
- Election board officers for any polling place or temporary branch polling place established within an Indian reservation or Indian colony; and
- The deadlines relating to the next regularly scheduled election cycle for the Indian tribe to submit a request pursuant to [NRS 293.2733](#), [NRS 293.3572](#), [NRS 293C.2675](#) and [NRS 293C.3572](#); and
- On an ongoing basis during the year of an election if an Indian tribe elects to establish any polling places or temporary branch polling places within an Indian reservation or Indian colony.

## Opt-Out Notice for Tribal Polling Places & Ballot Drop Boxes

An Indian tribe may elect not to have a polling place and ballot drop box established within the boundaries of an Indian reservation or Indian colony for the day of a primary election, presidential preference primary election or general election by submitting notice to the county clerk on or before [NRS 293.2733](#):

- If the notice is for a primary election, January 15 of the year in which the primary election is to be held.
- If the notice is for a presidential preference primary election, September 15 of the year immediately preceding the year of the presidential preference primary election.
- If the notice is for a general election, June 15 of the year in which the general election is to be held.

## Plan for Disposition of Mail Ballots

**Not later than 90 days before** each election, election officials must submit a plan for approval to the Secretary of State setting forth the procedures, the clerk will use for the disposition of mail ballots in case of an emergency. In the case of an emergency, the Secretary of State may order one or more polling places to be used to accommodate voters who are unable to vote at their polling place, due to an emergency [NAC 293.321](#).

If no changes are being made to the plan, the county clerk may resubmit the plan for a subsequent election. If the county clerk resubmits the plan, the clerk must indicate that fact on a form prescribed by the Secretary of State. The Secretary of State will review each plan submitted, not later than 15 days after the plan is submitted, and notify the clerk whether the plan complies with the requirements of [NAC 293.321](#).

## Plan Ensuring Accuracy & Security of Voting

County and city election officials must submit a plan to the Secretary of State, ensuring the accuracy and security of voting, **not later than 90 days before** any election, that includes the following:

- Procedures to carry out the provisions [NRS 293.247\(3\)](#) concerning the procedures to be used to ensure the security of the ballots, results cartridges, VVPATs, blank ballot stock, chain-of-custody documents and access controls;
- Include any forms, schedules logs or checklists that are referenced in the plan;

If there is no change to the plan for the previous election, the county clerk or city clerk is not required to submit another plan to the Secretary of State. The county or city clerk must notify the Secretary of State, in writing, if there is no change to the plan.

The Secretary of State's Office will review and approve or disapprove each county or city plan, no later than 15 days after receiving the submitted document.

As used in this section, “ballot stock” means:

- The paper upon which a ballot is printed on which a voter directly indicates his or her vote; and
- The materials included with a mail ballot, including, without limitation, the mail ballot, return envelope, envelope or sleeve into which the mail ballot is inserted to ensure its secrecy and voter instructions.

### Plan for Opening & Closing Polls & Submitting Election Results

Each county clerk shall submit a plan to the Secretary of State for approval setting forth the procedures that the county clerk will use for:

- Opening and closing all polling places within the jurisdiction of the county clerk; and
- Notifying the Secretary of State of election results tabulated during the period for early voting and received on the day of election.

The plan must be submitted to the Secretary of State for approval **not later than 90 days before** each election. If no changes are being made to the plan, the county clerk may resubmit the plan for a subsequent election. If the county clerk resubmits the plan, the clerk must indicate that fact on a form prescribed by the Secretary of State.

The Secretary of State will review each plan submitted, not later than 15 days after the plan is submitted, and notify the clerk whether the plan complies with the requirements of [NAC 293.217](#).

## County Clerk Plan for Conducting a Hand Count

The Secretary of State will make available to the clerk the forms for tallying the results of the hand count not less than 90 days before the date of the election.

If a clerk intends to conduct a hand count, the clerk shall submit to the Secretary of State, **not later than 90 days before** the date of the election, a plan for conducting the hand count.

The plan must include, without limitation:

- A detailed description of how the hand count will be conducted in order to meet the applicable deadlines set forth in this chapter and title 24 of NRS for counting ballots;
- The total number of election board officers and hand count tally teams appointed that will be required to complete the hand count;
- The work schedule for the hand count, which must not be more than 16 hours in a 24- hour period. There must not be more than two separate 8-hour shifts;
- The physical location where the ballots will be hand counted and a scale diagram depicting the planned setup of the location;
- An estimated list of any items necessary to conduct the hand count, which must include, without limitation;
- Whether all such items are currently in the possession of the county and, if not, the date by which any such items will be obtained by the county; and
- The estimated cost to the county to obtain the necessary items.

Any amendment to the plans for the observation of the hand count by members of the general public in accordance with [NRS 293B.353](#) and [NAC 293.356](#) and the plan submitted pursuant to [NRS 293B.354](#).

A plan for ensuring the security of:

- The ballots consistent with the plan submitted pursuant to [NAC 293B.040](#); and
- The election board officers who conduct the hand count;
- A list of any outside vendors hired or who may be hired to consult or assist in the preparation or operation of the hand count.

A contingency plan for:

- Completing the counting of the ballots in the event that the hand count will not be completed by the date required for the canvass of returns pursuant to [NRS 293.387](#);
- Conducting any recount in accordance with [NRS 293.404](#); and
- Completing any recount by the deadline set forth in [NRS 293.405](#).

If no changes are being made to the plan, the city clerk may resubmit the plan for a subsequent election. If the city clerk resubmits the plan, the clerk must indicate that fact on the form prescribed by the Secretary of State. The Secretary of State will review each plan submitted, not later than 15 days after the plan is submitted and notify the city clerk whether the plan complies with Nevada law.

### City Clerk Plan for Conducting a Hand Count

The Secretary of State will make available to the city clerk the forms for tallying the results of the hand count not less than 90 days before the date of the city election.

If a city clerk intends to conduct a hand count pursuant to this regulation, the city clerk shall submit to the Secretary of State, **not later than 90 days before** the date of the city election, a plan for conducting the hand count.

The plan must include, without limitation:

- A detailed description of how the hand count will be conducted in order to meet the applicable deadlines set forth in NAC 293 and title 24 of NRS for counting ballots;
- The total number of election board officers and hand count tally teams appointed pursuant to this regulation that will be required to complete the hand count;
- The work schedule for the hand count, which must not be more than 16 hours in a 24- hour period. There must not be more than two separate 8-hour shifts;
- The physical location where the ballots will be hand counted and a scale diagram depicting the planned setup of the location; and
- An estimated list of any items necessary to conduct the hand count, which must include, without limitation:
  - Whether all such items are currently in the possession of the city and, if not, the date by which any such items will be obtained by the city; and
  - The estimated cost to the city to obtain the necessary items.

Any amendment to the plans for the observation of the hand count by members of the general public in accordance with [NRS 293B.353](#) and [NAC 293.356](#) and the plan submitted pursuant to [NRS 293B.354](#).

A plan for ensuring the security of:

- The ballots consistent with the plan submitted pursuant to [NAC 293B.040](#); and
- The election board officers who conduct the hand count;
- A list of any outside vendors hired or who may be hired to consult or assist in the preparation or operation of the hand count.

A contingency plan for:

- Completing the counting of the ballots in the event that the hand count will not be completed by the date required for the canvass of returns pursuant to [NRS 293C.387](#);
- Conducting any recount in accordance with [NRS 293.404](#); and
- Completing any recount by the deadline set forth in [NRS 293.405](#).

If no changes are being made to the plan, the city clerk may resubmit the plan for a subsequent election. If the city clerk resubmits the plan, the clerk must indicate that fact on the form prescribed by the Secretary of State. The Secretary of State will review each plan submitted, not later than 15 days after the plan is submitted and notify the city clerk whether the plan complies with Nevada law.

## Contingency Plan

Each county clerk shall, **not later than 60 days before** the date of any election, submit to the Secretary of State for approval a written contingency plan for:

- Election operations in the event that election operations are significantly disrupted; and
- The tabulation of ballots in the event that the county or city, as applicable, experiences a loss of central counting equipment or the use of the central counting place.

The plan must consider all potential sources of disruption to election operations, including, without limitation:

- Systemic equipment failures or malfunctions
- Power outages
- Natural disasters or infrastructure failure
- Threats of terrorism or other civil disturbances
- Unauthorized access, intrusion or hacking into election facilities or equipment

The plan must also explain how the county clerk will ensure continuity in voting if one or more polling places become temporarily or permanently unusable during the period for early voting on the day of the election, which may include, without limitation:

- Sending voters to an alternative polling place
- Seeking a court order to extend voting hours
- Requesting that voters return to the polling place after the disruptions has been resolved

In addition, to the written contingency plan required, each county clerk shall submit to the Secretary of State for approval a written contingency plan for the tabulation of ballots in the event that the county experiences a loss of the central counting equipment or the use of the central counting place. If the county clerk invokes this contingency plan, the county clerk must notify the Secretary of State in writing not later than 12 hours after doing so.



The plan:

- Must, without limitation, identify alternative counting equipment and facilities; and
- May provide for the transport of ballots across county lines for the purpose of ballot tabulation if the ballots are inventoried and can be safeguarded by election staff and election board officers in the same manner as the ballots would be protected if the ballots were not transported.

Before each election, the county clerk shall review the existing contingency plans, pursuant to [NAC 293.202](#), and update the plans as necessary. The plans need to be submitted to the Secretary of State's Office, and all election staff need to be briefed on the contingency plans.

If no changes are made to the contingency plans, the clerk may resubmit the plans for a subsequent election. If the clerk resubmits the plans, the clerk must indicate that on the form prescribed by the Secretary of State.

The Secretary of State will review each plan not later than 15 days, after submission and notify the clerk whether the plan complies with the requirements of [NAC 293.202](#).

### Plan for Ballot Drop Box Locations

Not **later than 45 days before** each election, the county clerk shall submit to the Secretary of State a list containing the following information for each ballot drop box established in the county [NAC 293.348](#):

- The unique identifier of the ballot drop box as described in [NAC 293.347](#);
- The location of the ballot drop box; and
- The dates and times during which the ballot drop box will be unlocked and accessible to persons for the submission of mail ballots.

If there is a change during an election year to any of the information submitted above, the clerk must submit an explanation for the change and an amended list not later than 24 hours after the change is made.

## Plan for Damaged Ballot Drop Boxes

**Not later than 90 before each election**, the clerk shall develop and submit a plan for approval to the Secretary of State relating to ballot drop boxes established in the county that have been tampered with or rendered inaccessible during early voting or on election day [NAC 293.351](#).

The plan must include, without limitation:

- Provision for the replacement of a ballot drop box that is tampered with or rendered inaccessible during early voting or on election day;
- The method that the county clerk will use to notify the public if a ballot drop box is tampered with or rendered inaccessible; and
- The location of the nearest ballot drop box to the ballot drop box that is tampered with or rendered inaccessible.

The plan must be submitted on a form prescribed by the Secretary of State. If no changes are made to the plan, the clerk may resubmit the plan for the subsequent election, indicating so on the submission form.

The Secretary of State will review each plan not later than 15 days, of submission and notify the clerk whether the plan complies with NAC.

## Security of Ballots, Results Cartridges & VVPAT's

Election officials across the State are responsible for ensuring the security of all ballots, results cartridges, VVPATs, election media cartridges or memory devices, blank ballot stock, chain-of-custody documents and access controls [NAC 293B.040](#), [NRS 293.124](#) and [NRS 293.247](#).

In doing so, clerks must:

- Maintain a record of the persons who are responsible for transporting the ballots, results cartridge and VVPATs from the polling place to the central counting place;
- Store ballots, results cartridges and VVPATs upon receipt in a vault or secure area that is accessible only by the county or city clerk and persons designated by the county or city clerk;
- Provide for the security and protection of the stored ballots, results cartridges and VVPATs;
- Control access to the stored ballots, results cartridges and VVPATs;
- Maintain a record of the persons allowed access to the stored ballots, results cartridges and VVPATs; and
- Require that any election board officers allowed access to the stored ballots, results cartridges and VVPATs have sworn under oath to perform their duties honestly and faithfully.

Each clerk shall, **not later than the 90th day before an election**, submit to the Secretary of State for approval using the form prescribed by the Secretary of State a plan to ensure the accuracy and security of voting in the county or city, that includes [NRS 293.3594](#):

- Procedures to ensure the security of the ballots, results cartridges, VVPATs, blank ballot stock, chain-of-custody documents and access controls; and
- Include any forms, schedules logs or checklists that are referenced in the plan.

If there is no change from the previous election, the clerk may resubmit the plans for a subsequent election indicating so on the form prescribed by the Secretary of State. The Secretary of State will review each plan received, within 15 days, and notify the clerk of any discrepancies with NAC.

### Confirmation of Accessibility Requirements

**Not earlier than 45 days before** an election, and not later than the first day the polls are open during the period of early voting, election officials must submit an accessibility form confirming the requirements of [NRS 293.2955](#), will be met at each polling place.

If the location of any polling place is changed after the date the election official submits the form to the Secretary of State's Office, the accessibility form must be re-submitted not more than five (5) business days after the location change.

### Transmission of UOCAVA Ballots

**Not later than 45 days before** an election, election officials must transmit military-overseas ballots and balloting materials to all covered voters who by that date have submitted a valid application.

If an application for a covered voter arrives after the initial transmission of ballots and ballot material to other voters, the local election official must transmit the overseas ballot and ballot material to the covered voter within two days of the application being received.

### Distribution of Mail Ballots

The county clerk shall distribute mail ballots to active registered voters:

- Outside the State, **not later than 45 days before** the election.
- Within the State, **not later than 20 days before** an election.

## Logic & Accuracy Testing of Electronic Roster

If a county clerk uses an electronic roster for an election, the county clerk must conduct logic and accuracy testing **not earlier than two weeks before, and not later than 5 p.m. on the day before the first day of early voting** by personal appearance, on the electronic roster, and certify to the Secretary of State that the testing was completed by the deadline set forth in [NRS 293.275](#).

The testing required pursuant to [NRS 293.275\(1\)](#) must confirm, without limitation:

- That each electronic roster accurately displays:
  - The date and time;
  - The date of the election and the type of election, including, without limitation, whether the election is a presidential preference primary election, primary election, general election or special election;
  - The name of the county;
  - The number of voter files contained in the electronic roster;
  - The precinct and number of voters in the precinct, if applicable;
  - The current version of the operating system; and
  - The signature records of the voters in the county.
- For at least one electronic roster assigned to each polling place, the correct functioning of the electronic roster for the following situations:
  - A registered voter in the county who appears to vote in person who has not voted in the election;
  - A registered voter in the county who appears to vote in person where the electronic roster shows that a ballot connected to the voter has already been received or voted;
  - A person who claims to be registered to vote who cannot be located in the electronic roster;
  - A registered voter who is listed as inactive in the electronic roster;
  - A registered voter who spoils his or her ballot;
  - A registered voter who appears to vote in person and brings his or her unvoted mail ballot;
  - A registered voter who would like to change his or her political party affiliation;
  - A registered voter who would like to update his or her voter registration information; and
  - A registered voter in a county with a precinct split; and
- The correct performance of the following functions of the electronic roster:
  - Printing labels;
  - Printing activation cards or ballot cards;
  - That a ballot issued by one electronic roster is indicated as issued on other electronic rosters;
  - Preparing turnout reports;
  - Preparing daily totals; and
  - That the roster uploads correctly to the office of the county clerk.

## Notification of Opening & Closing of Polls

**On election day**, for each election other than a city election, the county clerk/registrar of voters shall notify the Secretary of State, as soon as practicable, for the following [NAC 293.217](#):

- The time at which each polling place within the jurisdiction of the county clerk opened on election day;
- If the opening or closing of any polling place was delayed on election day.
  - The notification must include, without limitation, an explanation of the reason for the delay.
- The time at which each polling place within the jurisdiction of the county clerk closed on election day and all registered voters waiting to vote at the time the polls closed have voted.

If a county clerk reports a delay of an opening or closing of a polling place, the county clerk shall inform the Secretary of State when the delay has been cured and the polling place has opened or closed.

A county clerk must not report any unofficial results, on election day, related to a candidate for statewide or multicounty office or a statewide or multicounty ballot question until the Secretary of State:

- Receives the notification from every county clerk/registrar of voters;
- Verifies the unofficial election results received from a county clerk; and
- Notifies each clerk that they may report the unofficial results.

## Costs Associated with Ballot Drop Boxes/Retrieval Teams

The county clerk/registrar of voters must report costs associated with ballot drop boxes and retrieval teams **no later than 45 days after** an election for the following [NAC 293.353](#):

- The cost of purchasing, installing and performing maintenance on the ballot drop boxes established in the county; and
- Any costs associated with the retrieval teams described in [NAC 293.352](#), including, without limitation, the cost of hiring, training and paying the retrieval team.

## Mail Ballot & Same Day Registration Reporting

**Not later than 60 days after** the date of an election, each county clerk shall report to the Secretary of State, in the form prescribed by the Secretary of State:

- The number of surrendered mail ballots for that election that were not cast but were dropped off at each ballot drop box or polling place.
- The number of mail ballots cast that were dropped off at each ballot drop box or polling place.
- The number of voters who registered to vote in person during the period for early voting by personal appearance and on election day for that election.
- The number of voters who updated voter registration information during the period for early voting by personal appearance and on election day for that election.
- The number of voters who registered to vote by computer during the period for early voting by personal appearance and on election day.

## Plan Relating to the Conduct of a Recall/Special Election

If a recall or other special election is called in a county and will not occur on the same day as the primary or general election, the county clerk/registrar of voters must, as soon as practicable, notify the Secretary of State of the election and provide the following [NAC 293.203](#):

- The use of the system of approved electronic transmission established pursuant to [NRS 293D.200](#);
- The locations of polling places, including, without limitation, polling places for early voting by personal appearance and vote centers;
- The locations of ballot drop boxes for mail ballots;
- A plan for the security of ballots for early voting;
- A plan for allowing members of the general public to observe the conduct of voting at a polling place; and
- A plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of ballots at a polling place, receiving center or central counting place;
- Any plan required to be submitted to the Secretary of State by a county clerk before an election pursuant to NRS 293, 293B or 293C and NAC 293, 293B or 293C, must be submitted not more than 5 business days after receiving the notification from the Secretary of State pursuant to subsection [NRS 306.040](#); and
- The Secretary of State will review each plan, not later than 15 days after submission, and notify the county clerk whether the plan is approved or disapproved.

## County Reimbursement Claims

### Reimbursement of Ballot Stock

The Secretary of State will reimburse each county for the cost of the basic ballot stock. Reimbursements will not be made for setup and other costs, including the cost of personalized printing, stitching, binding or numbering of the ballots.

Reimbursement payments will be made after a county clerk/registrar of voters submits a claim of cost and a manufacturer's invoice showing an itemized list of all charges to the Secretary of State for the following:

- The cost of basic ballot stock for the presidential preference primary election not later than March 30 of the year in which the presidential preference primary election is held.
- The cost of basic ballot stock for the primary election not later than June 30 of the year in which the general election is held.
- The cost of basic ballot stock for ballots for the general election not later than December 31 of the year in which the general election is held.

The Secretary of State's Office will not pay any reimbursement claims presented more than 30 days past the required due date.

### Postelection Audit for Verification of Operating Systems

**Not later than 30 days after each election**, each county clerk shall audit the mechanical recording devices. The devices being audited are selected at random to verify that the hash value of the software and firmware installed matches that on file with the National Software Reference Library. Although law specifies a minimum number of units to be audited, Nevada's local election officials usually audit more units than required. The county clerk of a county whose population is 100,000 or more must randomly select a number of mechanical recording devices equal to 2 percent of the number of mechanical recording devices with attached VVPATs used in the election, or not less than 20 mechanical recording devices, whichever is greater, for the postelection certification audit, [NAC 293B.120](#). From each such mechanical recording device, the county clerk must select a vote to compare at random.

If a discrepancy of four or more votes is discovered during the postelection certification audit, the county clerk must immediately notify the Secretary of State and investigate the cause of the discrepancy. If the discrepancy cannot be resolved, the county clerk must randomly select an additional number of mechanical recording devices equal to 2 percent of the number of mechanical recording devices with attached VVPATs used in the election, or not less than 20 mechanical recording devices, whichever is greater, for the postelection certification audit. From each such mechanical recording device, the county clerk must select a vote to compare at random.

The county clerk of a county whose population is less than 100,000 must randomly select a number of mechanical recording devices equal to 3 percent of the number of mechanical recording devices with attached VVPATs used in the election, or not less than four mechanical recording devices, whichever is greater, for the postelection certification audit. From each such mechanical recording device, the county clerk must select a vote to compare at random.

If a discrepancy of four or more votes is discovered during the postelection certification audit, the county clerk must immediately notify the Secretary of State and investigate the cause of the discrepancy. If the discrepancy cannot be resolved, the county clerk must randomly select an additional number of mechanical recording devices equal to 3 percent of the number of mechanical recording devices with attached VVPATs used in the election, or not less than four mechanical recording devices, whichever is greater, for the postelection certification audit. From each such mechanical recording device, the county clerk must select a vote to compare at random.

The county clerk shall transmit the results of the audit to the Secretary of State within nine (9) working days after the date of the election. The results of the audit must include, without limitation, an explanation of any discrepancy discovered by the county clerk during the audit and, if determined, an explanation of what caused the discrepancy to occur.

Any member of the public who observes the postelection certification audit shall not interfere with the conduct of the audit.

### Risk-Limiting Audit

Each county clerk shall conduct a risk-limiting audit of the results of an election. The risk-limiting audit conducted must audit the results of one race for statewide office and one race for countywide office.

A risk-limiting audit conducted pursuant to [NRS 293.394](#) and [NAC 293.840](#) must audit the results of one race for statewide office and one race for countywide office. The Secretary of State will randomly select one race for statewide office to be audited at the election using a method determined by the Secretary of State in which all races for statewide office on the ballot at the election have an equal chance of being selected. The Secretary of State will notify each county clerk which race for statewide office has been selected for the risk-limiting audit at least 15 days before the date of the election.

Each county clerk shall randomly select one race for countywide office to be audited at the election using a method determined by the county clerk in which all races for countywide office on the ballot at the election have an equal chance of being selected. The county clerk must notify the Secretary of State which race for countywide office has been selected for the risk-limiting audit at least 15 days before the date of the election.



Each county clerk that conducts a risk-limiting audit pursuant to this section shall create a ballot manifest using the form provided by the Secretary of State that tracks the location of all accepted and tabulated ballots, including, without limitation, mail ballots, provisional ballots and ballots voted using a mechanical recording device; and allows for the retrieval of any such ballot for purposes of conducting the risk-limiting audit. Each clerk must electronically transmit the ballot manifest and record of votes cast in the election to the Secretary of State using a secure file transfer protocol site.

To conduct a risk-limiting audit the county clerk may remove the security seals to retrieve the ballots used in the audit. After the completion of a risk-limiting audit, the county clerk must return the ballots to the original location and seal the ballots. The county clerk shall maintain a record of the seals affixed to the ballots used in the risk-limiting audit.

The Secretary of State:

- Will require the use of risk-limiting audit software with the risk limit set at 5 percent; and
- May designate one or more of the following types of audit methods:
  - Ballot comparison;
  - Ballot polling; or
  - A hybrid of ballot comparison and ballot polling.

Under [NAC 293.485](#), not later than 15 days after completing a risk-limiting audit the results of the risk-limiting, each county clerk shall submit the results of the risk-limiting audit to the Secretary of State.

Not later than 10 days after receiving the results of a risk-limiting audit the Secretary of State will post the results of the risk-limiting audit on the Internet website of the Secretary of State.

## Legislative Process Report

Pursuant to [NRS 293.4695](#) the Secretary of State is required to collect the following information and report to the Legislature. Counties are required to collect such information regarding each primary and general election and submit it to the Secretary of State. The information collected and reported to the Legislature includes but is not limited to the following:

- Ballots not included in the final canvass of votes;
- Mechanical voting system malfunctions;
- Polling places that do not open during the prescribed time;
- Challenges made to the eligibility of voters;
- Complaints regarding ballots cast by mail or facsimile;
- Results of voting system audits;
- HAVA provisional ballots cast; and
- Same-day registration provisional ballots cast.

## U.S. Election Assistance Commission (EAC) Survey

The Election Administration and Voting Survey (EAVS) provides information related to election administration, registration, and voting. The survey includes national, state, and county-level data on:

- Voter Registration
- Uniformed and Overseas Voters
- Early, Absentee, and Provisional Voting
- Voting Equipment Usage
- Poll Workers, Polling Places, and Precincts

Since 2004, the EAC has conducted the EAVS following each federal general election. The EAVS asks all 50 U.S. States,<sup>1</sup> the District of Columbia, and U.S. territories to provide data about the ways in which Americans vote and how elections are administered. The EAVS provides the most comprehensive source of state and local jurisdiction level data about election administration in the United States. This data plays a vital role in helping election officials, policymakers, and other election stakeholders identify trends, anticipate, and respond to changing voter needs, and invest resources to improve election administration and the voter experience. The survey provides policymakers and the public with critical information every two years about how federal elections are conducted and helps the EAC fulfill its Congressionally mandated reporting requirements.

The EAVS data collection consists of two separate surveys: the Policy Survey and the EAVS. The Policy Survey, which is administrated in advance of each federal general election, collects data on State election policies and procedures to provide context for the quantitative data included in each State's EAVS submission.

The data collected in the Policy Survey includes information on:

- the State's voter registration and list maintenance policies
- the State's policies on how voters may participate in elections, such as by mail, in-person voting prior to Election Day, vote centers, voting under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and provisional voting
- the State's policies and practices on election certifications, recounts, and audits, and on certification of election technology
- the State's voter identification policies
- how criminal convictions affect voting rights in the State

The EAVS survey, which is due 90 days after a federal general election and collects data at the jurisdictional level on:

- voter registration, including the number of registered and eligible persons; the number of active and inactive registrants; the number of individuals who used same-day voter registration; the number of registration forms processed since the previous federal general election; the number of registration forms processed since the previous federal general election in total and by source; the number of confirmation notices sent to voters since the previous federal general election; and the number of voters removed from registration rolls since the previous federal general election
- UOCAVA voters, including the number of registered and eligible UOCAVA voters; the number of Federal Post Card Applications (FPCA) received, accepted, and rejected; the number of UOCAVA ballots transmitted, returned, counted, and rejected; and the number of Federal Write-in Absentee Ballots (FWAB) returned, counted, and rejected
- domestic civilian by-mail voting, including the number of by-mail ballots transmitted; the number of by-mail ballots transmitted to permanent by-mail voters; and the number of by mail ballots returned and rejected
- in-person voting and polling operations, including the number of in-person voters on Election Day and during early voting; the number of precincts; the number of polling places for Election Day and early voting; the number of poll workers during Election Day and early voting; the age of poll workers; and the ease of recruiting poll workers
- provisional ballots, including the number of provisional ballots submitted and their adjudication, and the number of provisional ballots rejected; and
- voter participation and election technologies, including the number of persons who successfully cast votes in the election in total and by voting mode; the source of data on election participation; use of electronic and paper poll books; use of voting technologies, location of vote tally; and general comments

Use the following link to access more information about the EAVS, including data and reports, on the U.S. EAC [website](#).