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# CHAPTER 2

## ADMINISTRATION OF ELECTIONS

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# ADMINISTRATION OF ELECTIONS

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## Applicability and Administration

The Secretary of State is the Chief Officer of Elections in Nevada and is responsible for the execution and enforcement of all provisions of state and federal law relating to elections in the state [NRS 293.124](#).

Through the Elections Division, the Secretary of State assists in the administration of elections in Nevada, enforces state and federal election laws, and provides technical information to the public and other interested parties.

The Elections Division oversees candidate filings, prepares forms and documents, recommends legislation and regulations relevant to the electoral process, responds to election-related complaints, certifies mechanical voting systems, oversees the filing of candidate Contributions and Expenses (C&E) reports and Financial Disclosure Statements (FDS), enforces laws related to Political Action Committees (PACs), and provides information to the public regarding candidates and elections. Election publications, informational material and guides are available for no charge to Election Officials and the public. They can be found on the Nevada Secretary of States website [here](#).

Communication before, during, and after an election is not only critical for the success of an election, but trust in the election process. Communication has been especially important in recent elections due to with the immense increase in election and political misinformation and disinformation.

As the chief election official, the Secretary of State understands the need to communicate election matters with all election stakeholders. This section describes the communication channels available to all stakeholders during an election cycle, including both election officials and the public. It is critical for the public to understand these communication channels are the proper avenues to direct public comments, concerns, and questions.

## Election Administrator Competencies



## Regulation of Elections

The Secretary of State is responsible for adopting regulations, also known as Nevada Administrative Code, for the conduct of elections in all cities and counties in Nevada. Regulations that regulate the conduct of a primary, general, special or district election and are effective on or before the last business day of February immediately preceding that election. A Regulation that regulates the conduct of a presidential preference primary election is effective on or before the last day of September immediately preceding that election.

In addition to the conduct of elections, law requires the Secretary of State to prescribe procedures and requirements for ballots and election-related computer systems. Following is an abbreviated list of items required by statute. The full list is available in [NRS 293.247](#) and [NRS 293.250](#).

- Procedures for primary, general, special, and district elections in all cities and counties
- Applications to register to vote and preregister to vote
- Ballots and content, including the design and form of mail ballots and sample ballots
- Lists of registered voters, including registers and rosters
- Election results, such as abstracts and certifications
- Procedures and requirements for the statewide voter registration system

## Local Election Officials

Local Election Officials such as the City Clerk, County Clerk or Registrar of Voters, are responsible for administering voter registration and elections in their respective jurisdictions. In addition to Nevada Revised Statute (NRS) and Nevada Administrative Code (NAC), local election officials must follow their municipal bylaws when administering elections.

- Local Elections Official: a city clerk, county clerk or registrar of voters, as applicable [NRS 293D.040](#).
- Clerk: the election board officer designated or assigned to make the record of the election in the roster, tally list and challenge list in the precinct, district, or polling place in which such officer is appointed [NRS 293.040](#).
- County Clerk / Registrar of Voters: Except as the term is used in [NRS 293.393](#), whenever the term “county clerk” is used in this title it means “registrar of voters” in those counties where such office has been created pursuant to the provisions of [NRS 244.164](#).

County Clerk Contact Information [here](#)

City Clerk Contact Information [here](#)

## Unlawful Acts Relating to Voters & Election Officials

Nevada law makes it a crime, to use or threaten to use any force, intimidation, coercion, violence, restraint or undue influence in connection with any election, petition or preregistration or registration of voters, a category E felony, [NRS 293.710](#) and [NRS 193.130\(e\)](#).

Election Official is defined as:

- The Secretary of State or any deputy or employee in the Elections Division of the Office of the Secretary of State who is charged with duties relating to an election;
- A registrar of voters, county clerk, city clerk or any deputy or employee in the elections division of a county or city who is charged with elections duties; or
- An election board officer or counting board officer.

It is also a crime, punishable as a category E felony, for any person to use or threaten or attempt to use any force, intimidation, coercion, violence, restraint, or undue influence with the intent to:

- Interfere with the performance of the duties of any election's official relating to an election;
- Retaliate against any elections official for performing duties relating to an election.

Disseminate any personal identifying information or sensitive information of an election's official without the consent of the election's official, knowing that the elections official could be identified by such information, if:

- The person disseminates such personal identifying information or sensitive information with the intent to aid, assist, encourage, facilitate, further or promote any criminal offense which would be reasonably likely to cause death, bodily injury or stalking or with the intent to cause harm to the elections official and with knowledge of or reckless disregard for the reasonable likelihood that the dissemination of the information may cause death, bodily injury, or stalking;
- The dissemination of the personal identifying information or sensitive information would cause a reasonable person to fear the death, bodily injury or stalking of himself or herself or a close relation or causes the death, bodily injury or stalking of the elections official whose information was disseminated or a close relation of the election's official.

Force: 10 USC § 920(g)(4)

- The use of a weapon;
- The use of such physical strength or violence as is sufficient to overcome, restrain, or injure a person; or
- Inflicting physical harm sufficient to coerce or compel submission by the victim.

## Intimidation: 18 U.S. Code § 1514

- means a serious act or course of conduct directed at a specific
  - Causes fear or apprehension in such person; and
  - Serves no legitimate purpose.

## Coercion: [NRS 207.190](#)

- Use violence or inflict injury upon the other person or any of the other person's family, or upon the other person's property, or threaten such violence or injury;
- Deprive the person of any tool, implement or clothing, or hinder the person in the use thereof;
- Attempt to intimidate the person by threats or force.

Violence: Could include, battery, assault, coercion (see above), sexual assault, reckless conduct designed to harass another person (such as stalking, arson, trespassing, destruction of the person's property, stealing of the person's property, injuring (or killing) the person's animal, carrying a concealed weapon (without a permit), falsely imprisoning the person, or unlawfully entering the persons residence.

Restraint: To prevent from doing something.

Undue influence: Is improper influence that deprives a person of freedom of choice or substitutes another's choice or desire for the person's own. Undue influence is more than just making suggestions. It involves a person who may attempt to emphasize their official position or role (e.g., as an election observer, etc.) to demand actions or privileges that would not have been otherwise afforded.

It is unlawful for any person to use or threaten or attempt to use any force, intimidation, coercion, violence, restraint, or undue influence with the intent to:

- Interfere with the performance of the duties of any election's official relating to an election; or
- Retaliate against any elections official for performing duties relating to an election.

Individuals or organizations creating an intimidating presence inside, or outside a polling place to discourage individuals from voting or influence a voter into casting their vote for a candidate of their choice, as opposed to the voter's choice.

If the intimidation of a voter is observed, the individual needs to be moved away from the voter and asked to stop the behavior/action. This applies even to individuals the voter knows personally. Every voter has the right to vote independently and in privacy. If the person refuses, contact the county election office.

If the person becomes loud, aggressive, or otherwise disruptive, please call 911. Tell them who you are, where you are and ask for assistance.

Most reports of voter intimidation are made against election workers. Whether due to implicit bias or lack of understanding of the laws governing elections, election workers across the country consciously or unconsciously engage in behaviors which are intimidating to voters. Examples of this kind of behavior include:

- Aggressively questioning voters about their citizenship, criminal record, or other;
- qualifications to vote, in a manner intended to interfere with the voters' rights;
- Spreading false information about voter requirements, such as an ability to speak English, or the need to present certain types of photo identification;
- Discussing or displaying false or misleading signs about voter fraud and the related criminal penalties;
- Discussing or commenting negatively on a voter's ethnicity, headdress, language, accent, or name, particularly toward non-English speakers and people of color.

Best practice: Election officials and staff need to be cognizant and thoughtful when engaging with voters and citizens. Maintaining good body posture, making eye-contact when having conversations, keeping a calm tone of voice, and having clear communication will help when speaking with upset or disruptive individuals.

### Request for Confidentiality

Any person listed in [NRS 293.906](#), [NRS 250.130](#) and [NRS 247.530](#) who wishes to have personal information about himself or herself that is contained in the records of the Secretary of State or a county or city clerk be kept confidential must obtain an order of a court that requires the Secretary of State or the county clerk or city clerk to maintain the personal information of the person in a confidential manner. Such an order must be based on a sworn affidavit by the person, which:

- States that the affiant qualifies as a person listed in [NRS 293.908](#), [NRS 250.140](#) and [NRS 247.540](#); and
- Sets forth sufficient justification for the request for confidentiality.

Upon receipt of such an order, the Secretary of State or a county or city clerk shall keep such information confidential and shall not:

- Disclose the confidential information to anyone, unless disclosure is specifically authorized in writing by that person; or
- Post the confidential information on the Internet or its successor, if any, or make the information available to others in any other way.

A court order that had been granted pursuant to [NRS 293.906](#), must be submitted to the Secretary of State's Office and accompanied by the [Request for Confidentiality Form](#) for processing.

A copy of a court order that has been granted confidentiality of a person pursuant to [NRS 250.140](#) and [NRS 247.540](#) must be submitted to the county clerk/registrar of voters.



If an eligible person requests confidentiality, the confidential information of that person may only be disclosed as provided in [NRS 239.0115](#) or as otherwise specifically authorized by law.

A copy of the court order and the Request for Confidentiality form can be mailed or delivered to both the Secretary of State's Carson and Las Vegas Office's.

Secretary of State  
101 N. Carson Street, Suite 3  
Carson City, NV 89701

Secretary of State  
2250 Las Vegas Blvd. North, Suite 400  
North Las Vegas, NV 89030

### Eligible People Who Can Request Confidentiality

Pursuant to [NRS 293.908](#), [NRS 250.130](#) and [NRS 247.530](#) the following people may request that personal information contained within the records of the Secretary of State, or a county or city clerk / registrar of voters be kept confidential:

- Any justice or judge in this State.
- Any senior justice or senior judge in this State.
- Any court-appointed master in this State.
- Any clerk of a court, court administrator or court executive officer in this State.
- Any county or city clerk or registrar of voters charged with the powers and duties relating to elections and any deputy appointed by such county or city clerk or registrar of voters in the elections division of the county or city.
- Any peace officer or retired peace officer.
- Any prosecutor.
- Any state or county public defender.
- Any person employed by the Office of the Attorney General who prosecutes or defends actions on behalf of the State of Nevada or any agency in the Executive Department of the State Government.
- Any person, including without limitation, a social worker, employed by this State or a political subdivision of this State who as part of his or her normal job responsibilities:
  - Interacts with the public; and
  - Performs tasks related to child welfare services or child protective services or tasks that expose the person to comparable dangers.
- Any county manager in this State.
- Any inspector, officer or investigator employed by this State, or a political subdivision of this State designated by his or her employer:
  - Who possess specialized training in code enforcement;
  - Who, as part of his or her normal job responsibilities, interacts with the public; and
  - Whose primary duties are the performance of tasks related to code enforcement.
- The spouse, domestic partner or minor child of a person described above
- The surviving spouse, domestic partner or minor child of a person described above, who was killed in the performance of his or her duties.



## Training Related to the Elections Procedure Manual

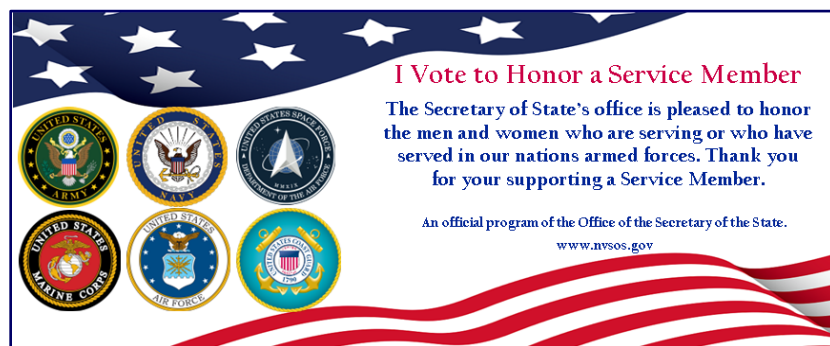
At least once every two years, the Secretary of State, Elections Division will develop and provide training to each county clerk and city clerk related to elections procedures, including, without limitation, the procedures set forth in the Elections Procedure Manual [NRS 293.2502](#).

Clerks are required to attend training provided by the Secretary of State's Office. They may request any deputy or an employee of their office whose duties relate to elections to attend the training.

The Secretary of State's Office will provide or reimburse each county or city, as applicable, for the cost of per diem allowance and travel expenses of the county clerk or city clerk for attending the training course required pursuant to [NRS 293.2504\(a\)](#), and may provide or reimburse the county or city, as applicable, for the cost of per diem allowance and travel expenses of any deputy or employee of the county or city clerk for attending the training course required pursuant to [NRS 293.2504\(b\)](#).

## Vote to Honor a Service Member

The I Vote to Honor a Service Member is a program to recognize the service and dedication of the men and women who are or have served in our armed forces by encouraging voters to cast their ballot in the names of those who fight to defend our liberty and to protect our right to vote.



The Office of the Secretary of State invites Nevadans to show their support for a family member, a friend, a neighbor or a military unit by submitting a personal message or tribute. Participants will receive a pin to wear when they go to cast their ballot.

To participate in the program, please complete an online form [here](#) and send to:

Secretary of State  
Attn: I Vote to Honor  
101 N. Carson Street, Suite 3  
Carson City, NV 89701  
[NVElect@sos.nv.gov](mailto:NVElect@sos.nv.gov)

Personal message or tribute comments provided will be posted in the testimonial section [here](#).

## Political History of Nevada

In 1910, Nevada's Secretary of State, William Douglas, issued the first *Political History of Nevada*, a reference tool in the form of a pamphlet, that provided a collection of facts and interesting accounts of Nevada's political history, data, and election results dating back to the beginning of Nevada's becoming a State in 1864.

The Political History of Nevada is typically updated and published every ten years and is produced jointly with the Research Division of the Legislative Counsel Bureau. The 2016 edition is available online to view or print, on both the Secretary of State's website and the Legislative Counsel Bureau's website.

### 2016 Political History of Nevada

#### Introduction

Chapter 1	Politics in Nevada, Circa 2016
Chapter 2	Facts About Nevada
Chapter 3	Historical and Political Data
Chapter 4	Campaigning, Voter Registration, and Casting Ballots in Nevada
Chapter 5	Federal and Statewide Office Holders
Chapter 6	The Nevada Judiciary
Chapter 7	State Legislature
Chapter 8	Legislative Redistricting
Chapter 9	Election Results

## Helen J. Stewart Award

The Helen J. Stewart Award recognizes outstanding Nevada high school seniors for civic participation in their community by encouraging voter registration among eligible Nevada high school students. The award was established by Secretary of State, Barbra Cegavske in 2016 and is available annually to any Nevada high school.

The award is available annually to any Nevada high school. To apply for the Helen J. Stewart Award, please complete and submit an award nomination form. Questions about the Helen J. Stewart Award can be sent to [sosexec@sos.nv.gov](mailto:sosexec@sos.nv.gov).

For more information about the award, including past Recipients, please visit the Helen J. Stewart award [webpage](#).

Helen J. Stewart married and moved to Nevada in 1873 from California and resided with her husband and three children in the Pioche, Nevada area. In 1882 Helen moved with her husband and children to the Las Vegas Valley to take possession of the Las Vegas Ranch. Two more children were born in the Las Vegas Valley. Helen operated the Ranch after the death of her husband in 1884. Helen Stewart became the first woman elected to the Clark County School District's Board of Trustees in 1916. She donated land in 1922 for the Las Vegas Grammar School, which became the first public school attended by Native American students from the Southern Paiute Indian Colony.