

**THE AUTOMATIC VOTER REGISTRATION INITIATIVE**

Explanation -- Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

**The People of the State of Nevada do enact as follows:**

**Section 1.** Chapter 293 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

**Sec. 2. 1.** *The Secretary of State, the Department of Motor Vehicles and each county clerk shall cooperatively establish a system by which voter registration information that is collected pursuant to section 4 of this act by the Department from a person who submits an application for the issuance or renewal of or change of address for any type of driver's license or identification card issued by the Department must be transmitted electronically to the Secretary of State and the county clerks for the purpose of registering the person to vote or updating the voter registration information of the person for the purpose of correcting the statewide voter registration list pursuant to NRS 293.530.*

**2.** *The system established pursuant to subsection 1 must:*

*(a) Ensure the secure electronic storage of information collected pursuant to section 4 of this act, the secure transmission of such information to the Secretary of State and county clerks and the secure electronic storage of such information by the Secretary of State and county clerks;*

*(b) Provide for the destruction of records by the Department as required by subsection 2 of section 5 of this act; and*

*(c) Enable the county clerks to receive, view and collate the information into individual electronic documents pursuant to paragraph (c) of subsection 1 of section 6 of this act.*

**Sec. 3. 1.** *The Department of Motor Vehicles shall follow the procedures described in this section and sections 4 and 5 of this act if a person applies to the Department for the issuance or renewal of or change of address for any type of driver's license or identification card issued by the Department.*

**2.** *Before concluding the person's transaction with the Department, the Department shall notify each person described in subsection 1:*

*(a) Of the qualifications to vote in this State, as provided by NRS 293.485;*

*(b) That, unless the person affirmatively declines in writing to apply to register to vote or have his or her voter registration information updated, as applicable:*

*(1) The person is deemed to have consented to the transmission of information to the Secretary of State and the county clerks for the purpose of registering the person to vote or updating the voter registration information of the person for the purpose of correcting the statewide voter registration list pursuant to NRS 293.530; and*

*(2) The Department will transmit to the county clerk of the county in which the person resides all information required to register the person to vote pursuant to this chapter or to update the voter registration information of the person for the purpose of correcting the statewide voter registration list pursuant to NRS 293.530;*

(c) That:

(1) *Indicating a political party affiliation or indicating that the person is not affiliated with a political party is voluntary;*

(2) *The person may indicate a political party affiliation on a paper or electronic form provided by the Department; and*

(3) *The person will not be able to vote at a primary election or primary city election for candidates for partisan offices of a major political party unless the person updates his or her voter registration information to indicate a major political party affiliation; and*

(d) *Of the provisions of subsections 2 and 3 of section 7 of this act.*

3. *The failure or refusal of the person to acknowledge that he or she has received the notice required by subsection 2:*

(a) *Is not a declination by the person to apply to register to vote or have his or her voter registration information updated; and*

(b) *Shall not be deemed to affect any duty of the Department, the Secretary of State or any county clerk:*

(1) *Relating to the application of the person to register to vote; or*

(2) *To update the voter registration information of the person.*

4. *The Department:*

(a) *Shall prescribe by regulation the form of the notice required by subsection 2 and the procedure for providing it; and*

(b) *Shall not require the person to acknowledge that he or she has received the notice required by subsection 2.*

Sec. 4. 1. *Unless the person affirmatively declines in writing to apply to register to vote or have his or her voter registration information updated, as applicable, if a person applies to the Department of Motor Vehicles for the issuance or renewal of or change of address for a driver's license or identification card issued by the Department, the Department shall collect from the person:*

(a) *A paper or electronic affirmation signed under penalty of perjury that the person is eligible to vote;*

(b) *An electronic facsimile of the signature of the person, if the Department is capable of recording, storing and transmitting to the county clerk an electronic facsimile of the signature of the person;*

(c) *Any personal information which the person has not already provided to the Department and which is required for the person to register to vote or to update the voter registration information of the person, including:*

***(1) The first or given name and the surname of the person;***

***(2) The address at which the voter actually resides as set forth in NRS 293.486 and, if different, the address at which the person may receive mail, including, without limitation, a post office box or general delivery;***

***(3) The date of birth of the person;***

***(4) Except as otherwise provided in subsection 2, one of the following:***

***(I) The number indicated on the person's current and valid driver's license or identification card issued by the Department, if the person has such a driver's license or identification card; or***

***(II) The last four digits of the person's social security number, if the person does not have a driver's license or identification card issued by the Department and has a social security number; and***

***(5) The political party affiliation, if any, indicated by the person; and***

***(d) The paper or electronic form, if any, completed by the person and indicating his or her political party affiliation.***

***2. If the person does not have the identification described in subparagraph (4) of paragraph (c) of subsection 1, the person must sign an affidavit stating that he or she does not have a current and valid driver's license or identification card issued by the Department or a social security number. Upon receipt of the affidavit, the county clerk shall issue an identification number to the person which must be the same number as the unique identifier assigned to the person for the purpose of the statewide voter registration list.***

***Sec. 5. 1. Except as otherwise provided in this subsection, the Department of Motor Vehicles shall electronically transmit to the Secretary of State and the appropriate county clerk the information and any electronic documents collected from a person pursuant to section 4 of this act:***

***(a) Except as otherwise provided in paragraph (b), not later than 5 working days after collecting the information; and***

***(b) During the 2 weeks immediately preceding the fifth Sunday preceding an election, not later than 1 working day after collecting the information.***

***2. The Department shall destroy any record containing information collected pursuant to section 4 of this act that is not otherwise collected by the Department in the normal course of business immediately after transmitting the information to the Secretary of State and county clerk pursuant to subsection 1.***

***3. The Department shall forward the following paper documents on a weekly basis to the appropriate county clerk, or daily during the 2 weeks immediately preceding the fifth Sunday preceding an election:***

***(a) Each signed affirmation collected pursuant to paragraph (a) of subsection 1 of section 4 of this act;***

***(b) Any completed form indicating a political party affiliation collected pursuant to paragraph (d) of subsection 1 of section 4 of this act; and***

***(c) Any affidavit signed pursuant to subsection 2 of section 4 of this act.***

***Sec. 6. 1. Unless the person affirmatively declines in writing to apply to register to vote or have his or her voter registration information updated, as applicable, if a person applies to the Department of Motor Vehicles for the issuance or renewal of or change of address for any type of driver's license or identification card issued by the Department:***

***(a) The person shall be deemed an applicant to register to vote.***

***(b) Any action taken by the person pursuant to section 4 of this act shall be deemed an act of applying to register to vote.***

***(c) Upon receipt of the information collected from the person and transmitted to a county clerk by the Department of Motor Vehicles, the county clerk shall collate the information into an individual electronic document, which shall be deemed an application to register to vote.***

***(d) Unless the applicant is already registered to vote, the date on which the person applies to register to vote pursuant to section 4 of this act shall be deemed the date on which the applicant registered to vote.***

***2. If the county clerk determines that the application is complete and that the applicant is eligible to vote pursuant to NRS 293.485, the name of the applicant must appear on the statewide voter registration list and the appropriate roster, and the person must be provided all sample ballots and any other voter information provided to registered voters. If the county clerk determines that the application is not complete, he or she shall notify the applicant that additional information is required in accordance with the provisions of NRS 293.524.***

***3. For each applicant who applies to register to vote pursuant to section 4 of this act:***

***(a) The electronic facsimile of the signature of the applicant shall be deemed to be the facsimile of the signature on the person's application to register to vote to be used for the comparison purposes of NRS 293.277 if:***

***(1) An electronic facsimile of the signature has been collected and transmitted to the county clerk of the county in which the applicant resides pursuant to sections 4 and 5 of this act, respectively; and***

***(2) The county clerk is capable of receiving, storing and using the facsimile of the signature for that purpose; or***

***(b) If the conditions described in paragraph (a) are not met, the signature of the applicant on the affirmation signed pursuant to paragraph (a) of subsection 1 of section 4 of this act shall be deemed to be the signature on the person's application to register to vote for the purpose of making a facsimile thereof to be used for the comparison purposes of NRS 293.277.***

***4. If an applicant is already registered to vote, the county clerk shall use the voter registration information of the applicant transmitted by the Department of Motor Vehicles to correct the statewide voter registration list pursuant to NRS 293.530, if necessary.***

***Sec. 7. 1. A person who affirmatively declines in writing to apply to register to vote or have his or her voter registration information updated, as applicable, pursuant to section 4 of this act may apply to register to vote at the Department of Motor Vehicles pursuant to NRS 293.524.***

***2. Whether a person applies to register to vote or have his or her voter registration information updated, as applicable, pursuant to section 4 of this act must not affect the provision of services or assistance to the person by the Department, and the fact of a person applying to register to vote or have his or her voter registration information updated, as applicable, pursuant to section 4 of this act or declining to do so must not be disclosed to the public.***

***3. Any information collected pursuant to sections 2 to 7, inclusive, of this act must not be used for any purpose other than voter registration.***

***4. Except as otherwise provided in this subsection, the Secretary of State shall adopt regulations necessary to carry out the provisions of sections 2 to 7, inclusive, of this act. The Secretary of State shall not require a person to provide any documentation in order to apply to register to vote or have his or her voter registration information updated, as applicable, pursuant to section 4 of this act that is not required by section 4 of this act or federal law, including, without limitation, documentation to prove the person's identity, citizenship or residence.***

**Sec. 8.** NRS 293.12757 is hereby amended to read as follows:

293.12757 A person may sign a petition required under the election laws of this State on or after the date the person is deemed to be registered to vote pursuant to NRS 293.517 , ~~for~~ subsection 7 of NRS 293.5235 ~~or~~ ***section 6 of this act.***

**Sec. 9.** NRS 293.1277 is hereby amended to read as follows:

293.1277 1. If the Secretary of State finds that the total number of signatures submitted to all the county clerks is 100 percent or more of the number of registered voters needed to declare the petition sufficient, the Secretary of State shall immediately so notify the county clerks. After the notification, each of the county clerks shall determine the number of registered voters who have signed the documents submitted in the county clerk's county and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, shall tally the number of signatures for each petition district contained or fully contained within the county clerk's county. This determination must be completed within 9 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 293.128, 295.056, 298.109, 306.035 or 306.110, and within 3 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 293.172 or 293.200. For the purpose of verification pursuant to this section, the county clerk shall not include in his or her tally of total signatures any signature included in the incorrect petition district.

2. Except as otherwise provided in subsection 3, if more than 500 names have been signed on the documents submitted to a county clerk, the county clerk shall examine the signatures by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the county clerk is given an equal opportunity to be included in the sample. The sample must include an examination of at least 500 or 5 percent of the signatures, whichever is greater. If documents were submitted to the county clerk for more than one petition district wholly contained within that county, a separate random sample must be performed for each petition district.

3. If a petition district comprises more than one county and the petition is for an initiative or referendum proposing a constitutional amendment or a statewide measure, and if more than 500 names have been signed on the documents submitted for that petition district, the appropriate county clerks shall examine the signatures by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a

manner that every signature which has been submitted to the county clerks within the petition district is given an equal opportunity to be included in the sample. The sample must include an examination of at least 500 or 5 percent of the signatures presented in the petition district, whichever is greater. The Secretary of State shall determine the number of signatures that must be verified by each county clerk within the petition district.

4. In determining from the records of registration the number of registered voters who signed the documents, the county clerk may use the signatures contained in the file of applications to register to vote. If the county clerk uses that file, the county clerk shall ensure that every application in the file is examined, including any application in his or her possession which may not yet be entered into the county clerk's records. Except as otherwise provided in subsection 5, the county clerk shall rely only on the appearance of the signature and the address and date included with each signature in making his or her determination.

5. If:

(a) Pursuant to NRS 293.506, a county clerk establishes a system to allow persons to register to vote by computer; ~~{or};~~

(b) A person registers to vote pursuant to NRS 293D.230 and signs his or her application to register to vote using a digital signature or an electronic signature ~~{t}~~ ; or

(c) *A person registers to vote pursuant to section 4 of this act*, the county clerk may rely on such other indicia as prescribed by the Secretary of State in making his or her determination.

6. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, when the county clerk is determining the number of registered voters who signed the documents from each petition district contained fully or partially within the county clerk's county, he or she must use the statewide voter registration list available pursuant to NRS 293.675.

7. Except as otherwise provided in subsection 9, upon completing the examination, the county clerk shall immediately attach to the documents a certificate properly dated, showing the result of the examination, including the tally of signatures by petition district, if required, and transmit the documents with the certificate to the Secretary of State. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, if a petition district comprises more than one county, the appropriate county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the certificate. A copy of this certificate must be filed in the clerk's office. When the county clerk transmits the certificate to the Secretary of State, the county clerk shall notify the Secretary of State of the number of requests to remove a name received by the county clerk pursuant to NRS 295.055 or 306.015.

8. A person who submits a petition to the county clerk which is required to be verified pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110 must be allowed to witness the verification of the signatures. A public officer who is the subject of a recall petition must also be allowed to witness the verification of the signatures on the petition.

9. For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not transmit to the Secretary of State the documents containing the signatures of the registered voters.

10. The Secretary of State shall by regulation establish further procedures for carrying out the provisions of this section.

Sec. 10. NRS 293.2725 is hereby amended to read as follows:

293.2725 1. Except as otherwise provided in subsection 2, in NRS 293.3081 and 293.3083 and in federal law, a person who registers by mail or computer ~~[to vote]~~ in this State *or registers to vote pursuant to section 4 of this act* and who has not previously voted in an election for federal office in this State:

(a) May vote at a polling place only if the person presents to the election board officer at the polling place:

(1) A current and valid photo identification of the person, which shows his or her physical address; or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card issued pursuant to NRS 293.517; and

(b) May vote by mail only if the person provides to the county or city clerk:

(1) A copy of a current and valid photo identification of the person, which shows his or her physical address; or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card issued pursuant to NRS 293.517.

If there is a question as to the physical address of the person, the election board officer or clerk may request additional information.

2. The provisions of subsection 1 do not apply to a person who:

(a) Registers to vote by mail and submits with an application to register to vote:

(1) A copy of a current and valid photo identification; or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card issued pursuant to NRS 293.517;

(b) Except as otherwise provided in subsection 3, registers to vote by mail or computer and submits with an application to register to vote a driver's license number or at least the last four digits of his or her social security number, if a state or local election official has matched that information with an existing identification record bearing the same number, name and date of birth as provided by the person in the application;

(c) *Registers to vote pursuant to section 4 of this act and at that time presents to the Department of Motor Vehicles:*

*(1) A copy of a current and valid photo identification;*

*(2) A copy of a current utility bill, bank statement, paycheck or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card issued pursuant to NRS 293.517; or*

*(3) A driver's license number or at least the last four digits of his or her social security number, if a state or local election official has matched that information with an existing identification record bearing the same number, name and date of birth as provided by the person in the application;*

(d) Is entitled to vote an absent ballot pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq.;

~~((d))~~ (e) Is provided the right to vote otherwise than in person under the Voting Accessibility for the Elderly and Handicapped Act, 52 U.S.C. §§ 20101 et seq.; or

~~((e))~~ (f) Is entitled to vote otherwise than in person under any other federal law.

3. The provisions of subsection 1 apply to a person described in paragraph (b) of subsection 2 if the voter registration card issued to the person pursuant to subsection 6 of NRS 293.517 is mailed by the county clerk to the person and returned to the county clerk by the United States Postal Service.

**Sec. 11.** NRS 293.504 is hereby amended to read as follows:

293.504 1. The following offices shall serve as voter registration agencies:

(a) Such offices that provide public assistance as are designated by the Secretary of State;

(b) Each office that receives money from the State of Nevada to provide services to persons with disabilities in this State;

(c) The offices of the Department of Motor Vehicles;

(d) The offices of the city and county clerks;

(e) Such other county and municipal facilities as a county clerk or city clerk may designate pursuant to NRS 293.5035 or 293C.520, as applicable;

(f) Recruitment offices of the United States Armed Forces; and

(g) Such other offices as the Secretary of State deems appropriate.

2. Each voter registration agency shall:

(a) Post in a conspicuous place, in at least 12-point type, instructions for registering to vote;

(b) Except as otherwise provided in subsection 3 ~~and sections 2 to 7, inclusive, of this act~~, distribute applications to register to vote which may be returned by mail with any application for services or assistance from the agency or submitted for any other purpose and with each application for recertification, renewal or change of address submitted to the agency that relates to such services, assistance or other purpose;

(c) Provide the same amount of assistance to an applicant in completing an application to register to vote as the agency provides to a person completing any other forms for the agency; and

(d) Accept completed applications to register to vote.

3. A voter registration agency is not required to provide an application to register to vote pursuant to paragraph (b) of subsection 2 to a person who applies for or receives services or assistance from the agency or submits an application for any other purpose if the person declines to register to vote and submits to the agency a written form that meets the requirements of ~~[42] 52 U.S.C. § [1973gg-5(a)(6)–No information]~~ 20506(a)(6). Information related to the declination to register to vote may *not* be used for any purpose other than voter registration.

4. Except as otherwise provided in this subsection, ~~{and}~~ NRS 293.524 ~~{,}~~ *and section 5 of this act*, any application to register to vote accepted by a voter registration agency must be transmitted to the county clerk not later than 10 days after the application is accepted. The applications must be forwarded daily during the 2 weeks immediately preceding the fifth Sunday preceding an election. The county clerk shall accept any application to register to vote which is obtained from a voter registration agency pursuant to this section and completed by the fifth Sunday preceding an election if the county clerk receives the application not later than 5 days after that date.
5. The Secretary of State shall cooperate with the Secretary of Defense to develop and carry out procedures to enable persons in this State to apply to register to vote at recruitment offices of the United States Armed Forces.

**Sec. 12.** NRS 293.510 is hereby amended to read as follows:

**293.510 1.** ~~{In}~~ *Except as otherwise provided in subsection 3, in* counties where computers are not used to register voters, the county clerk shall:

- (a) Segregate original applications to register to vote according to the precinct in which the registered voters reside and arrange the applications in each precinct or district in alphabetical order. The applications for each precinct or district must be kept separately for each precinct or district. These applications must be used to prepare the rosters.
- (b) Arrange the duplicate applications of registration in alphabetical order for the entire county and keep them in binders or a suitable file which constitutes the registrar of voters' register.

**2.** ~~{In}~~ *Except as otherwise provided in subsection 3, in* any county where a computer is used to register voters, the county clerk shall:

- (a) Arrange the original applications to register to vote for the entire county in a manner in which an original application may be quickly located. These original applications constitute the registrar of voters' register.
- (b) Segregate the applications to register to vote in a computer file according to the precinct or district in which the registered voters reside, and for each precinct or district have printed a computer listing which contains the applications to register to vote in alphabetical order. These listings of applications to register to vote must be used to prepare the rosters.

**3.** *From the applications to register to vote received by each county clerk, the county clerk shall:*

- (a) Segregate the applications electronically transmitted by the Department of Motor Vehicles pursuant to subsection 1 of section 5 of this act in a computer file according to the precinct or district in which the registered voters reside; and*
- (b) Arrange the applications in each precinct or district in alphabetical order.*

**Sec. 13.** NRS 293.517 is hereby amended to read as follows:

**293.517 1.** Any elector residing within the county may register to vote:

- (a) Except as otherwise provided in NRS 293.560 and 293C.527, by appearing before the county clerk, a field registrar or a voter registration agency, completing the application to register to vote, giving true and satisfactory answers to all questions relevant to his or her identity and right to vote, and providing proof of residence and identity;

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

(c) Pursuant to the provisions of NRS 293.524 or chapter 293D of NRS ~~{§}~~ *or section 4 of this act*;

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

(e) By submitting an application to register to vote by computer, if the county clerk has established a system pursuant to NRS 293.506 for using a computer to register voters.

The county clerk shall require a person to submit official identification as proof of residence and identity, such as a driver's license or other official document, before registering the person. If the applicant registers to vote pursuant to this subsection and fails to provide proof of residence and identity, the applicant must provide proof of residence and identity before casting a ballot in person or by mail or after casting a provisional ballot pursuant to NRS 293.3081 or 293.3083. For the purposes of this subsection, a voter registration card issued pursuant to subsection 6 does not provide proof of the residence or identity of a person.

2. ~~{The}~~ *Except as otherwise provided in sections 2 to 7, inclusive, of this act, the* application to register to vote must be signed and verified under penalty of perjury by the elector registering.

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

4. An elector who is registered and changes his or her name must complete a new application to register to vote. The elector may obtain a new application:

(a) At the office of the county clerk or field registrar;

(b) By submitting an application to register to vote pursuant to the provisions of NRS 293.5235;

(c) By submitting a written statement to the county clerk requesting the county clerk to mail an application to register to vote;

(d) At any voter registration agency; or

(e) By submitting an application to register to vote by computer, if the county clerk has established a system pursuant to NRS 293.506 for using a computer to register voters.

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

5. Except as otherwise provided in subsection 7 1~~{§}~~ *and sections 4 to 7, inclusive, of this act*, an elector who registers to vote pursuant to paragraph (a) of subsection 1 shall be deemed to be registered upon the completion of an application to register to vote.

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

(a) The name, address, political affiliation and precinct number of the voter;

(b) The date of issuance; and

(c) The signature of the county clerk.

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

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

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

If the District Attorney advises the county clerk to process the application to register to vote, the county clerk shall immediately issue a voter registration card to the applicant pursuant to subsection 6.

**Sec. 14.** NRS 293.518 is hereby amended to read as follows:

293.518 1. ~~{At}~~ *Except as otherwise provided in sections 3 and 4 of this act, at the time an elector registers to vote the elector must indicate:*

(a) A political party affiliation; or

(b) That he or she is not affiliated with a political party.

An elector who indicates that he or she is “independent” shall be deemed not affiliated with a political party.

2. If an elector indicates that he or she is not affiliated with a political party, or is independent, the county clerk or field registrar of voters shall list the elector’s political party as nonpartisan.

3. If an elector indicates an affiliation with a major political party or a minor political party that has filed a certificate of existence with the Secretary of State, the county clerk or field registrar of voters shall list the elector’s political party as indicated by the elector.

4. If an elector indicates an affiliation with a minor political party that has not filed a certificate of existence with the Secretary of State, the county clerk or field registrar of voters shall:

(a) List the elector’s political party as the party indicated in the application to register to vote.

(b) When compiling data related to voter registration for the county, report the elector’s political party as “other party.”

5. If an elector does not make any of the indications described in subsection 1, the county clerk or field registrar of voters shall:

(a) List the elector’s political party as nonpartisan; and

(b) Mail to the elector a notice setting forth that the elector has been registered to vote as a nonpartisan because the elector did not make any of the indications described in subsection 1.

Sec. 15. NRS 293.524 is hereby amended to read as follows:

293.524 1. ~~{The}~~ *Except as otherwise provided in this section, the* Department of Motor Vehicles shall provide ~~{an}~~ *a paper* application to register to vote to each person who ~~{applies}~~:

(a) *Applies* for the issuance or renewal of any type of driver's license or identification card issued by the Department ~~{-}~~; and

(b) *Does not apply to register to vote pursuant to section 4 of this act.*

2. The county clerk shall use the **paper** applications to register to vote which are signed and completed pursuant to subsection 1 to register applicants to vote or to correct information in the registrar of voters' register. ~~{An}~~ **A paper** application that is not signed must not be used to register or correct the registration of the applicant.

3. For the purposes of this section, each employee specifically authorized to do so by the Director of the Department may oversee the completion of ~~{an}~~ **a paper** application. The authorized employee shall check the **paper** application for completeness and verify the information required by the **paper** application. Each **paper** application must include a duplicate copy or receipt to be retained by the applicant upon completion of the form. The Department shall, except as otherwise provided in this subsection, forward each **paper** application on a weekly basis to the county clerk or, if applicable, to the registrar of voters of the county in which the applicant resides. The **paper** applications must be forwarded daily during the 2 weeks immediately preceding the fifth Sunday preceding an election.

4. *The Department is not required to provide a paper application to register to vote pursuant to subsection 1 to a person who declines to apply to register to vote pursuant to this section and submits to the Department a written form that meets the requirements of 52 U.S.C. § 20506(a)(6). Information related to the declination to apply to register to vote must not be used for any purpose other than voter registration.*

5. The county clerk shall accept any **paper** application to register to vote which is obtained from the Department of Motor Vehicles pursuant to this section and completed by the fifth Sunday preceding an election if the county clerk receives the **paper** application not later than 5 days after that date. Upon receipt of ~~{an}~~ **a paper** application, the county clerk or field registrar of voters shall determine whether the **paper** application is complete. If the county clerk or field registrar of voters determines that the **paper** application is complete, he or she shall notify the applicant and the applicant shall be deemed to be registered as of the date of the submission of the **paper** application. If the county clerk or field registrar of voters determines that the **paper** application is not complete, he or she shall notify the applicant of the additional information required. The applicant shall be deemed to be registered as of the date of the initial submission of the **paper** application if the additional information is provided within 15 days after the notice for the additional information is mailed. If the applicant has not provided the additional information within 15 days after the notice for the additional information is mailed, the incomplete **paper** application is void. Any notification required by this subsection must be given by mail at the mailing address on the **paper** application not more than 7 working days after the determination is made concerning whether the **paper** application is complete.

~~{5-}~~ 6. The county clerk shall use any form submitted to the Department to correct information on a driver's license or identification card to correct information in the registrar of voters' register, unless the person indicates on the form that the correction is not to be used for the purposes of voter registration. The Department shall

forward each such form to the county clerk or, if applicable, to the registrar of voters of the county in which the person resides in the same manner provided by subsection 3 for *paper* applications to register to vote.

~~§6-]~~ 7. Upon receipt of a form to correct information, the county clerk shall compare the information to that contained in the registrar of voters' register. If the person is a registered voter, the county clerk shall correct the information to reflect any changes indicated on the form. After making any changes, the county clerk shall notify the person by mail that the records have been corrected.

~~§7-]~~ 8. The Secretary of State shall, with the approval of the Director, adopt regulations to:

- (a) Establish any procedure necessary to provide an elector who applies to register to vote pursuant to this section the opportunity to do so;
- (b) Prescribe the contents of any forms or *paper* applications which the Department is required to distribute pursuant to this section; and
- (c) Provide for the transfer of the completed *paper* applications of registration from the Department to the appropriate county clerk for inclusion in the rosters and registrar of voters' register.

**Sec. 16.** NRS 293.530 is hereby amended to read as follows:

293.530 Except as otherwise provided in NRS 293.541:

1. County clerks may use any reliable and reasonable means available to correct the portions of the statewide voter registration list which are relevant to the county clerks and to determine whether a registered voter's current residence is other than that indicated on the voter's application to register to vote.
2. A county clerk may, with the consent of the board of county commissioners, make investigations of registration in the county by census, by house-to-house canvass or by any other method.
3. A county clerk shall cancel the registration of a voter pursuant to this section if:
  - (a) The county clerk mails a written notice to the voter which the United States Postal Service is required to forward;
  - (b) The county clerk mails a return postcard with the notice which has a place for the voter to write his or her new address, is addressed to the county clerk and has postage guaranteed;
  - (c) The voter does not respond; and
  - (d) The voter does not appear to vote in an election before the polls have closed in the second general election following the date of the notice.
4. For the purposes of this section, the date of the notice is deemed to be 3 days after it is mailed.
5. The county clerk shall maintain records of:
  - (a) Any notice mailed pursuant to subsection 3;
  - (b) Any response to such notice; and
  - (c) Whether a person to whom a notice is mailed appears to vote in an election,

for not less than 2 years after creation.

6. The county clerk shall use any postcards which are returned to correct the portions of the statewide voter registration list which are relevant to the county clerk.

7. If a voter fails to return the postcard mailed pursuant to subsection 3 within 30 days, the county clerk shall designate the voter as inactive on the voter's application to register to vote.

8. The Secretary of State shall adopt regulations to prescribe the method for maintaining a list of voters who have been designated as inactive pursuant to subsection 7.

9. *If:*

*(a) The name of a voter is added to the statewide voter registration list pursuant to section 6 of this act; or*

*(b) The voter registration information of a voter whose name is on the statewide voter registration list is updated pursuant to section 6 of this act,*

*the county clerk shall provide written notice of the addition or change to the voter not later than 5 working days after the addition or change is made. Except as otherwise provided in this subsection, the notice must be mailed to the current residence of the voter. The county clerk may send the notice by electronic mail if the voter confirms the validity of the electronic mail address to which the notice will be sent by responding to a confirmation inquiry sent to that electronic mail address. Such a confirmation inquiry must be sent for each notice sent pursuant to this subsection.*

Sec. 17. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 130.312, 130.712, 136.050, 159.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.5002, 293.503, 293.558, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.16925, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534, 433A.360, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 450.140, 453.164, 453.720, 453A.610, 453A.700,

458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 481.063, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.583, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.353, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.212, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524, 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, **and section 7 of this act**, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.
3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.
4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:
  - (a) Shall not refuse to provide a copy of that public record in a readily available medium because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.
  - (b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

**Sec. 18.** NRS 483.290 is hereby amended to read as follows:

483.290 1. An application for an instruction permit or for a driver's license must:

- (a) Be made upon a form furnished by the Department.

(b) Be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge.

(c) Be accompanied by the required fee.

(d) State the full legal name, date of birth, sex, address of principal residence and mailing address, if different from the address of principal residence, of the applicant and briefly describe the applicant.

(e) State whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal.

(f) Include such other information as the Department may require to determine the competency and eligibility of the applicant.

2. Every applicant must furnish proof of his or her full legal name and age by displaying:

(a) An original or certified copy of the required documents as prescribed by regulation; or

(b) A photo identification card issued by the Department of Corrections pursuant to NRS 209.511.

3. The Department shall adopt regulations prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department pursuant to paragraph (a) of subsection 2.

4. At the time of applying for a driver's license, an applicant may, if eligible, register to vote pursuant to NRS 293.524 ~~[ ]~~ *or section 4 of this act.*

5. Every applicant who has been assigned a social security number must furnish proof of his or her social security number by displaying:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department, including, without limitation, records of employment or federal income tax returns.

6. The Department may refuse to accept a driver's license issued by another state, the District of Columbia or any territory of the United States if the Department determines that the other state, the District of Columbia or the territory of the United States has less stringent standards than the State of Nevada for the issuance of a driver's license.

7. With respect to any document presented by a person who was born outside of the United States to prove his or her full legal name and age, the Department:

(a) May, if the document has expired, refuse to accept the document or refuse to issue a driver's license to the person presenting the document, or both; and

(b) Shall issue to the person presenting the document a driver's license that is valid only during the time the applicant is authorized to stay in the United States, or if there is no definite end to the time the applicant is authorized to stay, the driver's license is valid for 1 year beginning on the date of issuance.

8. The Administrator shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license in accordance with this section to a person who is a citizen of any state, the District of Columbia, any territory of the United States or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue a driver's license to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States.

9. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an instruction permit or for a driver's license. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006.

**Sec. 19.** NRS 483.850 is hereby amended to read as follows:

**483.850** 1. Every application for an identification card must be made upon a form provided by the Department and include, without limitation:

(a) The applicant's:

(1) Full legal name.

(2) Date of birth.

(3) State of legal residence.

(4) Current address of principal residence and mailing address, if different from his or her address of principal residence, in this State, unless the applicant is on active duty in the military service of the United States.

(b) A statement from:

(1) A resident stating that he or she does not hold a valid driver's license or identification card from any state or jurisdiction; or

(2) A seasonal resident stating that he or she does not hold a valid Nevada driver's license.

2. When the form is completed, the applicant must sign the form and verify the contents before a person authorized to administer oaths.

3. An applicant who has been issued a social security number must provide to the Department for inspection:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department bearing the social security number of the applicant, including, without limitation, records of employment or federal income tax returns.

4. At the time of applying for an identification card, an applicant may, if eligible, register to vote pursuant to NRS 293.524 ~~[-]~~ *or section 4 of this act*.

5. A person who possesses a driver's license or identification card issued by another state or jurisdiction who wishes to apply for an identification card pursuant to this section shall surrender to the Department the driver's license or identification card issued by the other state or jurisdiction at the time the person applies for an identification card pursuant to this section.

**Sec. 20.** The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

**Sec. 21.** This act becomes effective:

1. Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act; and
2. On January 1, 2018, for all other purposes.

**DESCRIPTION OF EFFECT**

This initiative proposes an amendment to the Nevada Code to provide for automatic voter registration of citizens qualified to vote when they obtain services from the Department of Motor Vehicles (“DMV”), such as applying for a driver’s license. The amendment will make it more convenient for qualified citizens to register and update their registration information by requiring the DMV to transmit qualified citizens’ information to the Secretary of State (“Secretary”) to register them to vote or update their registration information. It is designed to increase the accuracy of registration rolls by ensuring that qualified citizens who move within Nevada and update their contact information at the DMV will have their voter registration information automatically updated. The amendment directs the DMV to securely handle voter information. It also directs the Secretary and DMV to use electronic forms where possible to reduce costs and waste, and prohibits the use of information provided to the DMV to assist it in voter registration services for purposes other than for voter registration. The amendment will not change voter eligibility requirements or the services provided by the DMV. Those who do not want the DMV to facilitate their voter registration may affirmatively decline this assistance.

County of \_\_\_\_\_

(Only registered voters of this county may sign below)

Petition District: \_\_\_\_\_

(Only registered voters of this petition district may sign below)

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County of \_\_\_\_\_

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Petition District: \_\_\_\_\_

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**DESCRIPTION OF EFFECT**

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Petition District: \_\_\_\_\_ (Only registered voters of this petition district may sign below)

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