

NEVADA

VOTER REGISTRATION

These resources are current as of 10/9/08: We do our best to periodically update these resources and welcome any comments or questions regarding new developments in the law. Please email us at advocacy@afj.org.

This guide summarizes key aspects of laws governing voter registration on the state level. It is not intended to provide legal advice or to serve as a substitute for legal advice

In some jurisdictions, city and/or county regulations may also apply to certain political activities. Check with the appropriate local jurisdiction before undertaking any activity.

DEADLINE FOR REGISTRATION

- **Deadline for registering**
 - Voter registration is offered up to 9 p.m. on the third Tuesday preceding a primary or general election. This includes municipal primary and general elections. Nev. Rev. Stat. § 293.560. For the 2008 general election, the deadline to register in person is Tuesday, October 14.
 - In the case of a recall or special election, registration must close the third Saturday preceding those elections, except in the case where the recall is held the same day as the primary city or general election. In that case registration must then close on the third Tuesday preceding the election. Nev. Rev. Stat. § 293.560.
- **Does state offer Election Day registration?**
 - No.
- **Does state allow by-mail registration?**
 - Yes, Nevada allows by-mail registration. A completed and signed voter registration application must be sent to the county clerk where the applicant resides. If the application is determined to be

complete by the county clerk then a notice will be mailed within 10 days after receipt of the application. This notice will inform the applicant that they are registered to vote and include a voter registration card, or a notice will be sent informing the applicant that the changes requested have been made. Nev. Rev. Stat. § 293.5235; Nev. Admin. Code § 293.414.

- Exception to Mail Registration: A person is required to register in person if he/she complies with the required registration set forth in the Uniformed and Overseas Citizens Absentee Voting Act, is discharged from the Armed Forces not more than 60 days before an election, presents evidence of his discharge to the county clerk, and is not registered to vote at the close of registration for that election. Nev. Rev. Stat. § 293.502.
 - Note that if an elector chooses to register to vote by mail, the elector will need to vote in person for the first election in which they vote, unless they have previously voted in the county which they registered. However, this requirement does not apply to:
 - those mail in precincts, where the population is not enough to merit a organized election
 - absent ballot due to illness, disability or absence, disabled, elector that has previously submitted a written request for an absent ballot that is signed before a notary or other authorized administrator (pursuant to Nev. Rev. Stat. § 293C.265)
 - or requests an absent ballot in person at the office of the county clerk, (Nev. Rev. Stat. §§ 293.272; 293C.265).
 - The state does not currently have on-line registration. County clerks may, with the approval of the board of county commissioners, establish a system for using a computer to register voters. Nev. Rev. Stat. § 293.506. For any such counties, the Secretary of State shall prescribe a special registration form to be used in counties where registrations are preformed and records of registration are kept by computer. Nev. Rev. Stat. § 293.507.
- **May voter register before turning 18?**
 - To be eligible to vote in Nevada, a U.S. citizen must be at least 18 years of age and continuously reside in the state and county 30 days, and precinct 10 days preceding the next election. Nev. Rev. Stat. § 293.485. This doesn't exclude eligible people who make the residence requirement or whose 18th birthday is on or before the next succeeding election. Nev. Rev. Stat. § 293.485.

PHOTO ID REQUIREMENTS

- **Required for registration? If so, what kinds of ID?**
 - A voter is not required to present identification when registering to vote. However, if the voter does not present ID at the time of registration, he or she will be required to present ID when voting, as described below.

- **Required for voting? If so, what kinds of ID?**
 - A voter's signature must be compared by an election board to the original application to register to vote or to various forms of identification that may be used to identify a voter at the polling place. Permissible forms of ID include the following:
 - the card issued to the voter at the time he registered to vote;
 - a driver's license;
 - an identification card issued by the Department of Motor Vehicles, a military identification card;
 - or any other form of identification issued by a governmental agency which contains the voter's signature and physical description or picture. Nev. Rev. Stat. §§ 293.277; 293C.3585.
 - Note: Any registered voter who is unable to sign his name when voting must be identified by answering questions covering the personal data which is reported on the original application to register to vote. The officer in charge of the roster shall stamp, write or print "Identified as" to the left of the voter's name. Nev. Rev. Stat. §§ 293.283; NRS 293C.272.
 - The Secretary of State interprets "official identification" to mean a government-issued, or otherwise official articles that establishes both identity and residence.
 - The following are necessary to "establish identity and residency" in Nevada in order to vote:
 - Establishing Identification:
 - A current and valid Nevada driver's license;
 - A current and valid identification card issued by the Department;
 - A current and valid identification card issued by a branch of US Armed Forces;
 - A current and valid identification card issued by a sheriff of a Nevada county to an employee as a condition of his employment;
 - A current and valid identification card issued by an agency of the State of Nevada or United States, including, without limitation, a public school or accredited private school;
 - A current and valid United States passport;

- A current and valid insurance plan identification card or employee card which the county clerk determines, in his discretion, to be a reliable indication of identification;
 - A current and valid tribal identification card;
 - Or any other official article which the county clerk determines, in his discretion, to be a reliable indication of the true name and identity of the person.
- Establishing residency: (in addition to the information listed above)
 - A current and valid utility bill, including, without limitation, a bill for electricity, gas, oil, water, sewer, septic, telephone, cellular telephone or cable television;
 - A current and valid bank or credit union statement;
 - A current and valid paycheck;
 - A current and valid income tax return;
 - A current and valid statement concerning the mortgage, rental or lease of a residence;
 - A current and valid motor vehicle registration;
 - A current and valid document issued by a governmental agency;
 - A current and valid property tax statement; or
 - Any other official article which the county clerk determines, in his discretion, to be a reliable indication of the true residential address of the person.
- In addition, registered voters in their first Nevada election who did not show identification when they registered will need to show a form of identification the first time they vote, whether they vote in person or by mail.
 - Vote in person: A person who votes in person must present a current and valid photo identification, or 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. Nev. Rev. Stat. §§ 293.2725; 293C.265.
 - Vote by mail: Similarly, a person who votes by mail who has not previously voted in an election for federal office in Nevada must provide the county or city clerk with one of the items mentioned above as a form of identification. Nev. Rev. Stat. § 293.2725.
- This identification requirement does not apply to a voter who registered to vote by mail and already submitted one of the identification components required, or previously submitted a driver's license number or the last four digitals of their Social

Security number to successfully match the information with an existing identification record. Nev. Rev. Stat. § 293.2725.

- Additionally, this does not apply to a voter who votes by absent ballot pursuant to the Uniformed Overseas Citizens Absentee Voting Act, the right to vote otherwise than in person under the Voting Accessibility for the Elderly and Handicapped Act, or any other federal law. Nev. Rev. Stat. § 293.2725.

- **Requirement to provide proof of citizenship to register and/or vote?**
 - Yes, by providing a combination of forms pursuant to Nev. Admin. Code § 293.395

VOTER REGISTRATION DRIVES

Note: Further information regarding conducting a voter registration drive may be found at: <http://sos.state.nv.us/elections/voter/pdf/VoterRegistrationDrives.pdf>

- **Does state accept National Voter Registration Act (NVRA) registration forms? Any restrictions?**
 - Yes, the state accepts the National Voter Registration Act (NVRA) form without restrictions.
- **May groups “cage” completed registration forms (i.e. asks voters to mail them back to the group, which will then send them to the appropriate elections registrar(s))? If so, may they copy the forms or any of the data included on them? If so, any deadlines for sending the completed forms to the state or to local officials?**
 - If registration drives retain the completed application to submit on behalf of the applicant, he or she is required to print their name in the designated area of the receipt at the bottom of the Nevada Voter Registration Application. Nev. Rev. Stat. § 293.505(13).
 - Five or more completed applications in the field registrar’s possession need to be forwarded to the county clerk, but in no case may any number of them be held for more than 10 days. Nev. Rev. Stat. § 293.505(4). Furthermore field registrars shall forward to the county clerk all completed applications immediately after the fifth Sunday preceding an election. Within 5 days after the fifth Sunday preceding any general election or general city election, a field registrar shall return all unused applications. Nev. Rev. Stat. § 293.505(4).
 - There are no statutes that reference copying voter registration forms, based on an inquiry with the Secretary of State’s office.
- **May a group “pre-fill” some or all of the form before sending/giving it to a would-be registrant?**

- No. Forms must be completed completely by each individual unless otherwise provided. See below.
- **May voter registration drive workers assist a voter in completing their registration form?**
 - If a person assists an elector with completing the form for the application to register to vote, that person shall enter their name on the duplicate copy or receipt retained by the voter upon completion of the form. Nev. Rev. Stat. § 293.505.
 - A person who, by mail, registers to vote may be assisted in completing the application to register to vote by any other person. The application must include the mailing address and signature of the person who assisted the applicant. The failure to provide the information required by this subsection will not result in the application being deemed incomplete, but willfully violating this provision may be a category E felony. Nev. Rev. Stat. § 293.5235.
 - The registration or reregistration of electors who are unable to sign their names must be made upon personal application of those electors at the office of the county clerk where they may be identified or in the presence of a field registrar. If such an elector is unable to appear in person at the office of the county clerk, a field registrar or an employee of the office of the county clerk to the elector will be sent to identify the elector. The electors described in this section may use a mark or cross in place of a signature. Nev. Rev. Stat. § 293.520.
- **Does the state require training of voter registration workers?**
 - No, training is not required for registration drives. Helpful information regarding voter registration drives can be found at: <http://www.sos.state.nv.us/elections/voter/pdf/VoterRegistrationDrives.pdf>.
 - If a political party or entities requests more than 50 in a 12-month period, the clerk may assess a charge, not to exceed the cost of printing the applications. Nev. Rev. Stat. § 293.443.
- **Does state require registration of voter registration drives? If so, for by-mail drives, too?**
 - The only specific requirement for registration drives is that “Anytime an individual or organization requests 50 or more voter registration applications, they must first submit a Mail Distribution Plan. The Mail Distribution Plan is required whether requesting voter registration applications from the respective County Clerk/Registrar or from the Nevada Secretary of State’s Office. All voter registration applications are issued unique control numbers which are tracked

by the Secretary of State's Office as well as by the County Clerks/Registrars of Voters." Nev. Admin. Code § 293.425.

- The Mail Distribution Plan form can be accessed at:
<http://www.sos.state.nv.us/elections/voter/pdf/MailDistributionPlan001.pdf>.
- **Any requirement that a group must provide information to voters about how they may contact the group to determine the status of their registration?**
 - No.
- **May a group pay voter registration drive workers? If so, is it permissible to pay on a per-voter-registered basis?**
 - It is unlawful for a person to provide compensation for registering voters based on the total number of voters a person registers or the total number of voters a person registers in a particular party. A violation of this provision results in a category E felony. Nev. Rev. Stat. § 293.805.

CONTACT INFORMATION FOR STATE AND LOCAL AGENCIES

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FOR FURTHER ASSISTANCE

For assistance regarding these resources or for more information about federal law, please contact our attorney one-on-one counseling service:

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