Ross Miller, Nevada Secretary of State

Guide to Conducting Voter Registration Drives

What is the purpose of this guide?

As the state's chief elections officer, the Nevada Secretary of State is responsible for overseeing all municipal, county, and statewide elections (NRS 293.124). This responsibility includes oversight of voter registration drives in Nevada.

This guide is provided to assist individuals and organizations in conducting voter registration drives according to applicable federal and state law. State law referenced in this guide can be found in Title 24 of the *Nevada Revised Statutes* (NRS) and Chapter 293 of the *Nevada Administrative Code* (NAC).

What is a "Voter Registration Drive?"

The term "voter registration drive" refers to the act of acquiring voter registration applications for distribution to citizens and/or assisting applicants with the completion or submission of their voter registration applications.

Who can conduct voter registration drives in Nevada?

Generally, any individual or organization may distribute voter registration applications. Such individuals and/or organizations are subject to all applicable state and federal laws.

How do I obtain voter registration applications?

Official Nevada Voter Registration Application forms are available from the offices of the Nevada Secretary of State or local county clerks/registrars. The National Voter Registration Form can be accessed online on the website of the United States Election Assistance Commission at http://www.eac.gov/files/voter/nvra_update.pdf.

Requests for 50 or more forms from either the Nevada Secretary of State or local county clerks/registrars, requires the completion of a Mail-In Application Distribution Plan. The form for the Plan is available online at www.nvsos.gov, or in person at the offices of the Nevada Secretary of State or local county clerks/registrars. The Mail-In Application Distribution Plan requires the name and contact information of the person distributing the forms; the area of Nevada where the forms will be distributed; and, the quantity and control numbers of the applications issued (NAC 293.425).

Can a voter registration application be used for anything other than registering to vote?

Yes. An individual who is already a registered voter may submit a new voter registration application in order to update information, such as a change of name, address, or party affiliation (NAC 293.410). Applications indicating such changes may be subject to the same regulations as applications for first-time registrants.

What applications can be used when conducting a voter registration drive in Nevada?

Only the official Nevada Voter Registration Application prescribed by the Nevada Secretary of State and federally authorized voter registration applications will be accepted in the State of Nevada. Federally authorized forms include the National Voter Registration Form (prescribed by the U.S. Election Assistance Commission) and military/overseas citizen voter registration applications (prescribed by the Federal Voting Assistance Program). Altered or unauthorized voter registration applications will not be accepted for registration. Voter registration applications may not be electronically or manually modified. Unauthorized copies of registration applications will also not be accepted (NRS 293.507, 293.501; NAC 293.420, 293.440).

What responsibilities come with being a custodian of voter registration applications?

Voter registration applications provided to individuals or organizations conducting registration drives remain the property of the Nevada Secretary of State and/or respective county clerks/registrars. The applications do not become the property of those who apply for and receive the applications. When the registration drive is complete in accordance with all applicable deadlines, all completed and uncompleted forms, must be returned to the respective county clerk (NRS 293.503). If you retain completed applications to submit on behalf of applicants, you must print your name in the designated area of the applicant's receipt at the bottom of the Nevada Voter Registration Application (NRS 293.505).

Who *officially* registers voters?

Completing and signing a registration application alone does not guarantee successful completion of the registration process. Voter registration is not complete until the information contained on a registration form is verified by the respective county clerk/registrar of voters. Actual registration of voters may only be done by authorized persons such as certified voter registration agencies, field registrars, and certain employees of the county clerk/registrar of voters offices (*McMillian v. Sadler* (25 Nev. 131)).

In a voter registration drive, the role of an individual or organization is to distribute and/or collect voter registration applications. Only the county clerk/registrar of voters has the authority to verify and process those applications, and complete the registration process.

What if I want to conduct a voter registration drive on public property?

If you are planning to conduct a voter registration drive on public property, you should contact the relevant city, county, state or federal entity and notify them of your intent. If using public property, you should also inquire as to whether any time, place and manner restrictions are applicable. Title 24 of the Nevada Revised Statutes states a public building (only areas open to the general public) must be specifically designated for any person or group, to gather signatures on a petition, but does not specify conducting voter registration drives (NRS 293.127565).

What if I want to conduct a voter registration drive on private property?

If you plan to conduct a voter registration drive on private property, you must first request and secure permission from the management of the premises. Private property includes such places as shopping malls and grocery stores. The parking areas of such premises are also often private property. Conducting voter registration drives on private property without permission may be treated as trespassing.

In what situations may I provide assistance to a voter registration applicant?

As an individual or organization conducting a voter registration drive, you may assist in filling out a registration form *only if you are requested to do so by the applicant* (NAC 293.440). If assistance is provided, you are required to fill out the acknowledgement section of the voter registration application. On the official Nevada Voter Registration application, "Box 13" and the bottom receipt of the application are the applicable sections to be completed when assistance is provided. ***Failure to provide this information is a felony*** (NRS 293.5235). Please note, only field registrars appointed by the county clerk/registrar of voters or an employee of a voter registration agency may provide assistance without completing the applicable section of the voter registration form.

Is it legal to provide compensation for registering voters?

No. Pursuant to NRS 293.805, it is unlawful for any person to provide compensation for registering voters based on either the total number of voters a person registers or the total number of voters a person registers in a particular political party. Violation of this provision results in a category E felony and is punished as provided in NRS 193.130.

What information am I required to share with potential applicants?

1. Completed registration applications must be received by the respective county clerk/registrar of voters before the close of registration in order for the applicant to be registered for the coming election (NRS 293.560). If the application is received after the close of registration, the applicant will become registered for the following election (NRS 293.513).

2. Actual registration will not become effective until the application is verified by the county clerk/registrar of voters (NRS 293.517). However, for the purpose of signing petitions, registration may be considered effective on the date an applicant signs the petition and completes the application. The applicant shall be deemed registered or to have corrected the information in the register on the date the application is postmarked or received by the county clerk, whichever is earlier (NRS 293.12757, 293.5235).

3. Applicants have a choice as to how applications will be delivered to the respective county clerk/registrar office. Those who choose to mail their registration application must be informed that they are responsible for postage costs (NAC 293.435). If you retain the completed registration application to submit on behalf of the applicant, you must print your name in the designated area of the applicant's receipt at the bottom of the Nevada Voter Registration Application (NRS 293.505(13)). Applications left in the custody of the person or organization conducting the drive must be returned to the county clerk/registrar within ten (10) days. When sent by mail by the organizer of the voter registration drive, postage must be paid by the organizer (NAC 293.435).

In conducting a voter registration drive, an individual or organization may not:

1. Bribe, offer to bribe or use any other corrupt means, directly or indirectly, to influence any elector in giving his voter or to deter him from giving it (NRS 293.700);
2. Use or threaten to use any force, coercion, violence, restraint or undue influence (NRS 293.710);
3. Inflict or threaten to inflict any physical or mental injury, damage, harm or loss upon the person or property of another (NRS 293.710);
4. Expose or publish or threaten to expose or publish any fact concerning another in order to induce or compel other to vote or refrain from voting for any candidate or any question (NRS 293.710);
5. Impede or prevent, by abduction, duress or fraudulent contrivance, the free exercise of the franchise by any voter, or thereby to compel, induce or prevail upon any elector to give or refrain from giving his vote (NRS 293.710);
6. Discharge or change the place of employment of any employee with the intent to impede or prevent the free exercise of the franchise by such employee (NRS 293.710);
7. Willfully give false answers to questions propounded by the registrar or field registrar of voters relating to the information called for by the application to register to vote (NRS 293.800);
8. Knowingly encourage another person to willfully falsify his application or violate any of the provisions of the election laws of Nevada. (NRS 293.800);
9. Knowingly falsify an application to register to vote, knowingly cause an application to be falsified, or provide money or other compensation to another for a falsified application to register to vote (42 USC Sec. 1973i; NRS 293.800);
10. Provide compensation for registering voters based on total number of voters a person registers or the total number of voters a person registers in a particular political party (NRS 293.805);
11. Mark, stamp, or partially or fully complete someone's application unless requested to do so by the applicant and without completing the portion of voter registration application for those helping complete someone's voter registration application (NAC 293.440, NRS 293.5235);
12. Induce, aid or abet a person in causing his name to be registered, when he/she is not an elector or will not be an elector on or before the day of the next ensuing election in the precinct or district in which he causes or endeavors to register (NRS 293.800); or
13. Solicit a contribution for any organization the title of which incorporates the name, or any form of the name, of any political party in this State without first obtaining written approval therefore, or a charter for that organization, from the central or executive committee of that political party the name of which is being used or incorporated in the title of that organization for the county in which money solicited. (NRS 293.820). NOTE: A person or organization does not need a charter or written approval if that person or organization is: 1) publicly organized for the sole and limited purpose of supporting the candidacy of a particular candidate in a single election; 2) chartered by a national political party or organization; or 3) chartered by a state central committee in Nevada.

What are the penalties for violating any of the prohibited acts listed above?

The above listed acts range from gross misdemeanors to felonies. In addition to the respective criminal penalties associated with these violations, a person who violates the election provisions noted in this guide is subject to a civil penalty up to $20,000 for *each* violation (NRS 193.130, 293.840). Complaints alleging violations of these or any other election laws or regulations will initiate investigation by the Nevada Secretary of State's office and prosecution, if necessary, by the Nevada Attorney General.

Contact Information

Nevada Secretary of State's Office
Elections Division
101 N. Carson St., Ste. 3
Carson City, NV 89701-4786
Telephone: 775/684-5705 Fax: 775/684-5718
www.nvsos.gov

Kimberly Carrubba
775/684-7126
kcarrubba@sos.nv.gov

Ryan High
775/684-5650
rhigh@sos.nv.gov

Nevada County Clerks & Registrars of Voters

CARSON CITY
Alan Glover, County Clerk
(775)-887-2087
elections@ci.carson-city.nv.us

CHURCHILL COUNTY
Kelly Helton, County Clerk
(775)-423-6028
khelton@churchillcounty.org

CLARK COUNTY
Larry Lomax, Registrar
(702)-455-VOTE (8683)
elinfo@co.clark.nv.us

DOUGLAS COUNTY
Ted Thran, County Clerk
(775) 782-9023
tthran@co.douglas.nv.us

ELKO COUNTY
Win Smith, County Clerk
(775) 753-4600
wsmith@elkocountynv.net

ESMERALDA COUNTY
Lacinda Elgan, County Clerk
(775) 485-6367
celgan@citlink.net

EUREKA COUNTY
Jackie Berg, County Clerk
(775) 237-5262
jberg_ecct@eurekanv.org

HUMBOLDT COUNTY
Tami Rae Spero, County Clerk
(775)-623-6343
coclerkts@hcnv.us

LANDER COUNTY
Gladys Burris, County Clerk
(775) 635-5738
clerk@landercounty.org

LINCOLN COUNTY
Lisa C. Lloyd, County Clerk
(775) 962-5390
llloyd@lincolnnv.com

LYON COUNTY
Nikki Bryan, County Clerk
(775)-463-6501
nbryan@lyon-county.org

MINERAL COUNTY
Cherrie George, County Clerk
(775) 945-2446
clerk-treasurer@mineralcountynv.org

NYE COUNTY
Sandra Merlino, County Clerk
(775) 482-8127
smerlino@co.nye.nv.us

PERSHING COUNTY
Donna Giles, County Clerk
(775) 273-2208
dgiles@pershingcounty.net

STOREY COUNTY
Vanessa Dixon, County Clerk
(775)-847-0969
vdixon@storeycounty.org

WASHOE COUNTY
Dan Burk, Registrar
(775) 328-3670
electionsdepartment@washoecounty.us

WHITE PINE COUNTY
JoAnn Malone, County Clerk
(775) 289-2341
wpclerk@mwpower.net