

# Election Statute Navigator: Nevada

The Election Law Program prepared this Election Law Navigator to highlight state election statutes particularly relevant to the 2020 cycle. The Election Law Navigator is updated as of October 19, 2020. Please contact [elect@wm.edu](mailto:elect@wm.edu) with questions or suggestions. To access COVID-specific legal information impacting this state's election process, please use this link: <https://ebenchmark.org/nevada/covid/#tracker>.

## *Voter Registration*

- Voter permitted to register up to and including Election Day (aka Same Day Registration) **NRS 293.5847**
- Voters (other than above) register prior to Election Day **NRS 293.560**
  - Generally, for registration in person or by mail, the fourth Tuesday preceding the election
  - Generally, for online, the Thursday preceding the election
- Online registration available **NRS 293.506**
- Registration via mail available **NRS 293.560(1)(a)(1)**
- In-Person registration available **NRS 293.5035**; **NRS 293.504**
  - Locations: Department of Motor Vehicles, City Clerk Offices, Military Recruitment Offices, Other Approved Offices
- Automatic Voter Registration **NRS 293.5732**
  - Participating Agencies: Department of Motor Vehicles in conjunction with Secretary of State and County Clerks
- Preregistration allowed **NRS 293.4855**
  - Must be at least 17 years old and meet all other statutory requirements for registration
- Residency requirement **NRS 293.485**
  - 30 Days
- Prior conviction eligibility – See state code for specifics **NRS 293.540(2)(c)**
- Voters judged mentally incompetent or under guardianship for a mental disability cannot vote **NRS 293.540(2)(b)**
- Voter list maintenance guidelines
  - Generally **NRS 293.530**
  - Change of Address **NRS 293.5303**; **NRS 393.5307**

## *State Absentee, Early, and Mail Voting*

- Early voting allowed **NRS 293.3564**
  - Period of Early Voting **NRS 293.3568**

- Third Saturday before an election through the Friday immediately preceding the election
- No-excuse absentee voting [NRS 293.313](#)
- Online absentee ballot application available [NRS 293.3088\(1\)](#)
- Absentee ballot application is verified – [NRS 293.320](#)
- Permanent absentee voting options [NRS 293.3165](#)
  - For voters with disabilities or voters who are at least 65
- Copy of Voter ID required with absentee ballot – [See this website](#)
  - If you are voting in Nevada in the first time and did not show an ID upon registering, then you need to provide documents that show both identification and residency
- Absentee ballot verification details [NRS 293.325](#)
- State allows voters to correct signature discrepancies [NRS 293.325](#)
- Someone other than the voter can return an absentee or mail ballot on behalf of the voter [NRS 293.353](#)
  - Can only be a family member at the voter’s request
- Deadline by which election official must receive absentee/mailed ballots [NRS 293.317](#)
  - Close of polls on election day
- State accepts postmarked ballots that arrive after election day [NRS 293.317](#)
- State is required to provide secrecy sleeve for absentee/mail ballot [NRS 293.323\(c\)](#)
- Absentee/Mail ballot processing and counting procedures
  - Processing [NRS 293.325](#)
  - Counting [NRS 293.333](#)
- Spoiling/Replacement/Correction ballot restrictions
  - Replacement [NRS 293.2696\(3\)](#)
  - Correction [NRS 293.325](#)

### *In-Person Voter ID*

- No document required to vote

### *Provisional Voting*

- Provisional ballot availability **NRS 293.3078**
- Time allotted to determine the status of provisional ballot [NRS 293.387](#)
  - 6 working days following the election
- Provisional ballot rejection reasons [NRS 293.3085](#)
  - When a voter cast the wrong ballot for the address they are registered to vote at
- Method for informing voters whether provisional vote was counted [NRS 293.3086](#)

## *Polling Place*

- Polling Place availability and requirements
  - Accessibility [NRS 293.2955](#)
  - Indian Reservations [NRS 293.2733](#)
- Electioneering or campaigning is permitted on the premises of the polling place [NRS 293.740](#)
- Electioneering or campaigning must not be closer than 100 feet to the entrance of the polling place [NRS 293.740](#)
- Rules governing poll observers [NRS 293.274](#)
- Poll watcher qualifications [NRS 293.274](#)
- National Guard permitted to step in as poll workers [NRS 293.217\(1\)](#)
  - Nothing evidently prohibiting it
- Police presence [NRS 293.217](#)
  - Deputy Sheriffs required to be there
- Photography restrictions [NRS 293.274](#)

## *State Emergency Rules and How Elections are Affected*

- Governor has authority to set rules and procedures [NRS 414.070\(6\)](#)
  - Does not give the Governor blanket authority to suspend statutes, but if civilian safety is at issue, then the Governor would have that authority
- Explicit remedies in election statute [NRS 293.2955\(2\)](#)
  - Allows for polling place to not have to meet all requirements if reason is due to natural disaster
  - Amended by [NV AB4](#) on 8/3/2020

## *Counting Rules*

- Voting system requirements [NRS 293.2696](#); [NRS 293.2699](#)
- Counting procedures [NRS 293.3625](#); [NRS 293.363](#); [NRS 293.367](#); [NRS 293.3677](#)

## *Contest/Protest, Recount Rules*

- Contest filing guidelines [NRS 293.407](#); [NRS 293.410](#); [NRS 293.413](#)
- Challenging a candidate [NRS 293.182](#)
- Challenging a voter [NRS 293.187](#)
- Contest/Protest recount [NRS 293.403](#)
  - If requested in writing within 3 days of certification, and if paid in advance
  - No requirement based on the closeness of the results