

BATTLE-BORN ELECTION SECURITY AND TRANSPARENCY ACT

Assembly Bill No. 777

AN ACT relating to elections; reforming voter registration, absentee voting, Election Day procedures, vote counting, reporting, and auditing to enhance the integrity, transparency, and public trust in Nevada's electoral process; ensuring compliance with Executive Orders 14248, _____ and _____ on federal election security; repealing Assembly Bill 321 of the 2021 Legislative Session; and providing other matters properly relating thereto.

Legislative Counsel's Digest

This bill enacts comprehensive reforms to Nevada's election laws to align with one or more presidential Executive Orders signed March 25, 2025, _____ & _____, (hereafter "EOs") strengthening security, transparency, and public confidence in the electoral process. Key provisions include:

- Requiring biennial in-person voter registration with proof of eligibility and a unique Personal Identification Number (PIN).
- Restricting absentee voting to verified cases with witnessed and secured return envelopes.
- Designating Election Day as a state holiday with uniform voting hours and privacy protections.
- Mandating hand-counted paper ballots at precincts with hashed records for integrity.
- Enhancing transparency through public access to election data, student auditing, and strict chain-of-custody protocols.
- Ensuring election workers are U.S. citizens and prohibiting the receipt or use of any non-governmental funding for any election purpose.
- Repealing Assembly Bill 321 (2021) to eliminate conflicting provisions.
- Establishing penalties for non-compliance.

These standards apply uniformly to all elections in Nevada—federal, state, and local—for consistency and integrity.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Title and Purpose

1. This Act shall be known as the "Battle-Born Election Security and Transparency Act."
2. The purpose of this Act is to reform Nevada's election laws to comply with the EO's, ensuring an accurate, secure, transparent, and publicly verifiable electoral process.

Section 2. Amendments to Voter Registration (NRS 293.251, NRS 293.252, NRS 293.675 to NRS 293.679)

NRS 293.675 - Forms and Procedures for Voter Registration

1. A person shall only be eligible to vote if, and only if:
 - i) such person is a citizen of the United States of America and whose principal place of residence is the State of Nevada; and
 - ii) (A) such person has cast a ballot within the State of Nevada within the 24 months preceding any election in which the person intends to cast a ballot; or
(B) such person has registered to vote as set forth in this section within the 24 months preceding any election in which the person intends to cast a ballot.

2. The Secretary of State shall prescribe a single paper form for voter registration signed under penalty of perjury. The prospective voter shall provide to the County Clerk in person: the completed voter registration form, proof of identity, proof of U.S. citizenship, and proof of Nevada residency.
3. The Secretary of State shall require County Clerks to utilize state and federal databases, including, but not limited to, the Nevada Department of Employment Training and Rehabilitation, the Nevada Department of Motor Vehicles, the United States Citizenship and Immigration Services, Social Security Administration, United States Postal Service, and National Crime Information Center, to verify voter eligibility as required above.
4. Upon verification of voter eligibility, the County Clerk shall deliver a voter registration card which identifies the specific person issuing the card and which contains a Personal Identification Number (PIN) unique to the voter for use during voting and ballot processing.
5. A person not eligible to vote shall be removed from the voter eligibility roll. The County Clerk shall be required, on a quarterly basis, to certify in writing to the Secretary of State, that all ineligible persons have been removed from the voter eligibility roll. The Secretary of State shall make that certification available to the public.

NRS 293.251 Acceptance of Federal Mail Voter Registration Form

1. Notwithstanding the prohibition on online or automatic voter registration, the County Clerk shall accept any federally authorized mail voter registration form issued by the Election Assistance Commission pursuant to 52 U.S.C. 20508, provided that:
 - a. The completed form is submitted in person by the prospective voter to the County Clerk;
 - b. The completed form is accompanied by documentary proof of United States citizenship, as defined in NRS 293.675, including a copy of:
 - i. A United States passport;
 - ii. An identification document compliant with the REAL ID Act of 2005 (Pub. L. 109-13, Div. B) that indicates the applicant is a citizen of the United States;
 - iii. An official military identification card that indicates the applicant is a citizen of the United States;
 - iv. A valid Federal or State government-issued photo identification, if such identification establishes that the applicant is a United States citizen; or
 - v. Other proof of United States citizenship; and
 - c. The completed form is accompanied by proof of identity and proof of Nevada residency, as required by NRS 293.675. The County Clerk shall verify the eligibility of the applicant using the procedures and databases specified in NRS 293.675 before issuing a voter registration card.

NRS 293.252 - Automatic Re-Registration Through Voting

1. The act of casting a ballot in any election in the State of Nevada shall automatically extend the voter's registration for an additional 24-month period if:
 - a. the voter was eligible to vote in the election in which the ballot was cast, as verified by the County Clerk using the voter's unique Voter Identification Number (VIN) and Personal Identification Number (PIN) pursuant to NRS 293.675 and NRS 293.679;
 - b. the County Clerk confirms the voter's identity and eligibility at the time of voting using the procedures established in NRS 293.685;
 - c. the voter's ballot is cast in person at a polling place or through an absentee ballot that complies with the verification and witnessing requirements of NRS 293.682; and

- d. the County Clerk updates the paper-based voter registration list and the secure electronic database, as required by NRS 293.677, to reflect the new 24-month registration period, effective from the date of the election in which the ballot was cast.
2. The County Clerk shall document the re-registration in the voter registration list, including the date of the election, the voter's unique VIN and the updated registration expiration date. The County Clerk shall make such documentation available for public inspection as required by NRS 293.677.

NRS 293.676 – Prohibited Methods of Registration

Except as provided in NRS 293.252, online registration, automatic registration through the Department of Motor Vehicles, any other governmental agency, or any non-governmental entity is prohibited.

NRS 293.677 - Voter Registration Lists

1. The County Clerk shall maintain a paper-based voter registration list, including the initial date of registration, mirrored by a standardized, read-only digital list published on the county's public website immediately upon the County Clerk's certification to the Secretary of State that ineligible persons have been removed from the voter eligibility roll. County Clerks shall cross-reference lists with all other Nevada counties to prevent duplicate registrations. All updates, additions, or cancellations must be documented on paper and preserved for public inspection. In addition thereto, the County Clerk shall publish such list no less than 30 days before each election.
2. In addition to the paper-based voter registration list required by **NRS 293.677**, the County Clerk may only use a secure, American-made electronic database with no remote access capabilities to maintain the voter eligibility roll, provided it meets the security standards of the EOs.
3. The voter registration referenced in part a) shall include the voter's: unique voter identification number assigned at the time of registration, full legal name, DOB, residential address, date of initial registration, name of official or clerk registering the voter, and the date of the election in which the voter last voted.
4. If a voter ceases to become eligible, that person shall be removed from the voter eligibility list and entered into an ineligible voter archive list. The ineligible voter archive list shall include all of the information on the voter eligibility list for that voter, the date on which the voter became ineligible, the reason for the voter's ineligibility, and the date on which the voter was removed from the eligible voter list.

NRS 293.678 - Voter Roll Review and Removal Procedures

1. Within 60 days of the effective date of this Act, each County Clerk shall conduct an initial review of the voter eligibility roll to identify and remove ineligible voters, including:
 - a. Deceased individuals;
 - b. Persons no longer residing in Nevada;
 - c. Non-citizens of the United States; or
 - d. Persons convicted of disqualifying felonies for the period specified under applicable law.
2. The County Clerk shall use state and federal databases as specified in NRS 293.675, including, but not limited to, the Nevada Department of Employment Training and Rehabilitation, the Nevada Department of Motor Vehicles, the United States Citizenship and Immigration Services, the Social Security Administration, the United States Postal

Service National Change of Address (NCOA) database, and the National Crime Information Center to verify voter eligibility.

3. Quarterly reviews and removals shall be conducted thereafter no later than the last day of March, June, September, and December each year, following the same procedures.
4. For each voter removed, the County Clerk shall document in an ineligible voter archive, as required by NRS 293.677, the voter's full legal name, unique VIN, reason for removal, and date of removal. Such documentation shall be preserved for public inspection as required by NRS 293.677 for a period of seven years.

NRS 293.679 - Unique Voter Identification Number

The Secretary of State shall assign a unique Voter Identification Number to each registered voter at the time of registration, distinct from the PIN, for use in polling place verification and election recordkeeping.

Section 3. Amendments to Absentee Voting (NRS 293.680 to NRS 293.682)

NRS 293.680 - Eligibility for Absentee Ballots

Absentee ballots shall only be issued to voters providing documented proof of necessity, limited to:

- (a) Medical conditions preventing in-person voting, certified by a physician;
- (b) Absence from the county on Election Day with a Declaration of travel;
- (c) Military or overseas status under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA, 52 U.S.C. § 20301 et seq.);
- (d) Senior citizens aged 65 or older;
- (e) Out-of-town students enrolled in educational institutions;
- (f) Voters hospitalized on Election Day; or
- (g) Voters required to be absent from their precinct to care for a disabled person, with documented proof of caregiving responsibility.

NRS 293.681 - Issuance of Absentee Ballots

Absentee ballots shall be visually distinct for military and non-military voters and include a ballot choice hash for integrity verification. Ballots shall be mailed only after eligibility verification, using secure, tamper-evident inner and outer return envelopes preprinted with a barcode for tracking by any shipping company authorized by the federal government for the delivery of ballots.

NRS 293.682 - Return and Processing of Absentee Ballots

1. All absentee ballots must be witnessed, before return; the witness shall verify the voter's identity and attest that the ballot was completed by the voter to whom it was issued, by printing his/her name, the date and affixing his/her signature. Absentee ballots must be received by the county clerk by 5:00 p.m. on the day before Election Day and shall be processed and counted at the precinct level on Election Day under public observation, using the hand-tabulation procedures in NRS 293.561.
2. Once cast, absentee ballots may not be altered or cured.
3. The County Clerk shall establish a distinct physical precinct for the tabulation of absentee ballots which address shall appear on all ballot return envelopes.

Section 4. Amendments to Election Day Procedures (NRS 293.683 to NRS 293.685)

NRS 293.683 - Election Day as a State Holiday

Election Day, as defined for federal and state general elections, is designated a state holiday in Nevada. All state and local government offices, except those necessary for election administration, shall be closed to encourage voter participation.

NRS 293.684 - Voting Hours

Polls shall open at 7:00 a.m. Polls shall remain open until the later of 8:00 p.m. Pacific Time on Election Day, or until such time as the last registered voter in line, as of 8:00 p.m., shall have completed his or her ballot. No extensions beyond 8:00 p.m. shall be permitted except by emergency proclamation of the Governor.

NRS 293.685 - Precinct Standards and Voting Process

The County Clerk shall establish a sufficient number of precincts such that each precinct shall serve approximately 1500 but not more than 2000 registered voters. Voting shall use hand-marked paper ballots, printed on security-grade paper with serialized numerical control, microprinting, watermarks, and Mylar holograms to prevent duplication. Ballots shall be issued in sequential order from the lowest to the highest. Ballots shall be deposited into translucent, locked containers and a separate container for “change of registration” cards. Electronic voting systems, including voting machines and tabulation equipment, are prohibited, except for Ballot Marking Devices (BMDs) for voters with disabilities as required by 52 U.S. Code § 21081.

Section 5. Vote Counting and Reporting (NRS 293.561, NRS 293.590, NRS 293.686, NRS 293.687)

NRS 293.686 - Counting of Votes

Only paper ballots shall be counted for the tabulation and determination of election results (digital versions of ballots shall be made by the County Clerk for other purposes, including but not limited to, of Student Auditing Programs and Public Access.) Votes shall be counted manually at the precinct where cast, using a hand-tabulation method as described in this Chapter NRS 293.561. Counting shall occur under high-definition video surveillance with bipartisan teams of election officials and at least two witnesses of different political parties, present at all times.

NRS 293.561 - Hand-Tabulation Procedures

The A-Count-Able method shall be the official hand count method for all counties.

NRS 293.687- Certification and Reporting of Results

Unofficial precinct results shall be posted outside each precinct immediately upon completion of counting and uploaded to the county’s public website within 1 hour. Official results shall be reported only upon completion of the verification process. Results shall be reported separately for military absentee, non-military absentee, and in-person votes. Any and all scanned election records shall be hashed, with hashes reported at the precinct and stored in multiple secure locations for integrity verification. County clerks shall certify results only after vote tabulation is completed with the goal of resolving all discrepancies by midnight on Election Night.

NRS 293.590 - Election Transparency Agents

Each County Clerk, in their discretion, shall designate capable officials, not involved in the tabulation process, as Election Transparency Agents responsible for preserving and publicizing

all election records, including ballot images, tally sheets, chain-of-custody logs, and video footage, on county websites within 72 hours of precinct counting.

Section 6. Amendments to Auditing and Transparency (NRS 293.600 to 293.604)

NRS 293.600 - Student Auditing Program

The Secretary of State, in coordination with the Nevada Department of Education, shall establish a voluntary civics education program for students in grades 6-12 to audit precinct ballots by re-tabulating results with any discrepancies reported to County Clerks.

NRS 293.601 - Public Access to Election Data

All election data, including voter registration lists pursuant to NRS 293.677, precinct tabulations, chain-of-custody records pursuant to NRS 293.602, ballot images, and statistical analyses, shall be publicized and accessible on county websites in a downloadable format for independent auditing, with updates posted no later than 72 hours after precinct counting. Records shall be retained for seven years. Digital copies of all documents shall be available to the public without charge.

NRS 293.602 - Ballot Custody Chain

All ballots and election records shall be transported from the precinct to the County Clerk following strict chain-of-custody procedures, by bipartisan teams. Each team member shall certify in writing a description of the documents in their possession, the date, time and place the documents were received and the date, time and place where the documents were delivered.

NRS 293.603 - Election Workers and Funding

All election workers shall be U.S. citizens who have passed background checks (TCA or Firearm check) and are eligible to perform election functions, as determined by the County Clerk. No funds or resources from private sources shall be accepted for election administration.

NRS 293.604 – Voter Registration Record Maintenance and Auditing

1. The County Clerk shall maintain all voter registration records, including paper-based lists, ineligible voter archives, and re-registration records pursuant to NRS 293.252, in a secure, tamper-evident manner for seven years.
2. The Secretary of State shall conduct an annual audit of each county's voter registration records, verifying compliance with NRS 293.251, NRS 293.252, NRS 293.675, NRS 293.676, NRS 293.677, and NRS 293.678, including cross-referencing with Federal and State databases specified in NRS 293.675 to ensure accuracy and removal of ineligible voters.
3. Audit results shall be published on the Secretary of State's website within 30 days of completion and made available for public inspection. The Audit Report shall identify each disqualified person by name, precinct and VIN. The Audit Report shall also state which databases were consulted.

Section 7. Repeal of Assembly Bill 321 (2021)

Assembly Bill 321 of the 81st Session of the Nevada Legislature (2021) is repealed in its entirety.

Section 8. Compliance with Executive Orders

1. The Secretary of State shall ensure that all provisions of this Act are implemented in full compliance with applicable Federal Executive Orders.
2. The Secretary of State shall submit an annual compliance report to the White House Office of Federal Election Security (OFES), detailing Nevada's adherence to the standards of applicable Executive Orders for election security and integrity.
3. The Secretary of State shall cooperate with the White House Office of Federal Election Security (OFES) and other federal agencies as mandated by applicable Executive Orders, and relevant state agencies.
4. All election-related technology and infrastructure shall be acquired from an equipment list approved by the Secretary of State which equipment must be verified to be American-made, have no remote access capabilities, and use trusted supply chains in compliance with applicable Federal Executive Orders.

Section 9. Penalties

NRS 293.605 – Penalties for Non-compliance

1. Any government official or person acting under their authority or supervision who willfully, intentionally, through recklessness or gross negligence, fails to comply with any relevant provision imposing duties within this Act shall be guilty of a Category D felony for each offense.
2. Any failure resulting from the negligent breach of any relevant provision shall be guilty of a gross misdemeanor.
3. For the purposes of this section, “relevant provision” means any provision within this Act.
4. Any registered voter may bring a civil action to enforce the provisions of this Act. Jurisdiction and venue of any such action shall be in the District Court of the County in which such voter is registered. In the event multiple actions are filed, all such actions shall be joined and consolidated with the first such action filed which is still pending.
5. The prevailing party in any such action shall be entitled to recover reasonable attorney fees, expert fees and costs not to exceed \$250,000.

Section 10. Severability

If any provision of this Act, or its application, is held invalid, such invalidity shall not affect the remaining provisions, which shall continue in full force and effect.

Section 11. Effective Date

This Act becomes effective upon passage and approval.

This Act provides a robust framework to safeguard Nevada's elections, ensuring integrity and public trust while meeting Federal standards.