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**IN THE FIRST JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA IN AND FOR CARSON CITY**

EMILY PERSAUD-ZAMORA, an individual,

Plaintiff,

vs.

BARBARA CEGAVSKE, in her official
capacity as NEVADA SECRETARY OF
STATE,

Defendant.

Case No.: 220C 0071 17

Dept. No.: 7

**MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF
CHALLENGING INITIATIVE
PETITION S-05-2022**

PLAINTIFF'S MEMORANDUM OF POINTS AND AUTHORITIES

COMES NOW, Plaintiff Emily Persaud-Zamora, an individual registered to vote in Nevada, by and through her attorneys of record, hereby submits this Memorandum of Points and Authorities in Support of the Complaint for Declaratory and Injunctive Relief Challenging Initiative Petition S-05-2022 as follows:

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I. INTRODUCTION

Initiative Petition S-05-2022 (“the Petition”) seeks to amend Chapter 293 of the Nevada Revised Statutes to impose a photo identification requirement on in-person voters and require that Nevada provide a new form of free photo identification to be used for voting purposes for any voter who lacks an ID with their photo and signature. In certain circumstances, the Petition would also limit the kinds of identification voters can use to match or identify a signature.

If the Petition were enacted, it would require Nevada to expend substantial funds, including to create a new photo identification for voters and for voter education and public outreach, revised and additional election materials, and expanded poll worker training. The Petition would not raise one cent to pay for these expenditures, and the Nevada Constitution is clear that such unfunded mandates are void. *Rogers v. Heller*, 117 Nev. 169, 173, 18 P.3d 1034, 1036 (2001).

Further, the Petition’s description of effect does not describe each of the changes it would make, nor does it do so accurately for those effects it does describe. An initiative’s description of effect “must be straightforward, succinct, and nonargumentative, and it must not be deceptive or misleading.” *Educ. Initiative PAC v. Comm. to Protect Nev. Jobs*, 129 Nev. 35, 42, 293 P.3d 874, 879 (2013) (quotation marks and citation omitted). The Petition violates this requirement. The information in the description is incomplete, confusing, and misleading, ultimately failing to “explain the[] ramifications of the proposed amendment” and inform signatories “of the nature and effect of that which is proposed,” as NRS 295.009(1)(b) requires. *Nev. Judges Ass’n v. Lau*, 112 Nev. 51, 59, 910 P.2d 898, 903 (1996); *Stumpf v. Lau*, 108 Nev. 826, 833, 839 P.2d 120, 124 (1992) (emphasis omitted), *overruled in part on other grounds by Herbst Gaming, Inc. v. Heller*, 122 Nev. 877, 888, 141 P.3d 1224, 1231 (2006).

For these reasons, the Petition does not comply with the requirements of Nevada law, and the Court should enjoin the Secretary from taking any further action on it in its current form.

II. THE INITIATIVE PETITION

On May 13, 2022, Raj Mourey, on behalf of the R.I.S.E. Nevada – Restoring Integrity in State Elections political action committee, filed Initiative Petition S-05-2022, styled as the

1 “Initiative to Restore Integrity of State Elections” (the “Petition”), with the Nevada Secretary of
2 State. *See* Exhibit 1, a true and accurate copy of the Notice of Intent to Circulate Statewide
3 Initiative or Referendum Petition associated with Initiative Petition S-05-2022.

4 The Petition seeks to amend Chapter 293 of the Nevada Revised Statutes to make several
5 significant changes to Nevada’s election process. The first major change the Petition would require
6 is that in-person voters present “valid photographic identification” to cast a ballot in all local and
7 federal elections unless they fall under the exceptions specified in NRS 293.277. Under current
8 Nevada law, voters may present a variety of forms of ID bearing their signature to vote in person,
9 including their voter registration card or a form of government-issued ID containing their signature
10 and a physical description. *See* NRS 293.277(2). The Petition seeks to amend the forms of
11 permissible ID listed in NRS 293.277(2) to prevent voters from using only their voter registration
12 card or a government-issued ID with a physical description to vote, instead requiring that *all* forms
13 of permissible identification under NRS 293.277(2) contain the voter’s picture. *See* Ex. 1 at 2
14 (proposing to amend NRS 293.277(2)(a) to require that “[t]he voter registration card issued to the
15 voter [be] **accompanied by another form of identification bearing the voter’s picture**” (emphasis
16 in original to highlight proposed change)).

17 In addition, because NRS 293.277(2) is referenced in several other statutes governing
18 Nevada voting procedures, including the processes for matching and curing signatures, the Petition
19 would also limit the forms of identification that voters may use for those purposes. *See, e.g.,* NRS
20 293.269927(8)(c) (describing mail ballot cure process), 293.57691(2)(d) (describing process by
21 which county clerks review automatic voter registration applications received without an
22 electronic signature).

23 The next significant change the Petition seeks to make would be to allow voters without a
24 photo ID bearing their signature to request from the Secretary of State a “special identification
25 document” with their signature and picture to use as identification at a polling place under NRS
26 297.277. Ex. 1 at 2. To implement this change, the Petition would require that the county clerk,
27 with the approval of the Secretary of State: “(a) Amend the voter registration card to include an
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1 option for a voter to request a special identification document; and (b) Prescribe a procedure for
2 the issuance of a special identification document.” *Id.*

3 Finally, the Petition would mandate that the Secretary of State “reallocate existing funds
4 to cover any expenditure necessary to facilitate the issuance of a special identification document.”
5 *Id.*

6 The Petition’s description of effect reads, in full:

7 If passed, this statutory measure would require all voters voting in person at a
8 Nevada polling place to present photographic identification before casting a
9 ballot. The measure would also require the Secretary of State to create a special
10 photographic identification document for voting purposes. The new
11 photographic identification document will be issued upon request to any
12 eligible voter in Nevada.

13 Ex. 1 at 3.

14 **III. LEGAL STANDARD**

15 Nevada law allows challenges to an initiative petition when the description of effect is
16 deficient. NRS 295.061. Similarly, Nevada courts have characterized Article 19, Section 6’s
17 prohibition on initiatives that mandate unfunded expenditures as a “threshold content restriction”
18 that is ripe for review before the initiative is enacted. *Herbst Gaming*, 122 Nev. at 890 n.38
19 (quoting *Rogers*, 117 Nev. at 173, 18 P.3d at 1036).

20 **IV. ARGUMENT**

21 **A. The Petition Violates the Nevada Constitution’s Prohibition on Initiatives that** 22 **Mandate Unfunded Expenditures**

23 The Petition is invalid because it mandates expenditures without providing reciprocal
24 revenues in violation of Article 19, Section 6 of the Nevada Constitution. That provision prohibits
25 any initiative that “makes an appropriation or otherwise requires the expenditure of money, unless
26 such statute or amendment also imposes a sufficient tax, not prohibited by the Constitution, or
27 otherwise constitutionally provides for raising the necessary revenue.” Nev. Const. art. 19, § 6.
28 “Section 6 applies to all proposed initiatives, without exception, and does not permit any initiative
that fails to comply with the stated conditions.” *Rogers*, 117 Nev. at 173. “If the Initiative does not

1 comply with section 6, then the Initiative is void” in its entirety, and the offending provision cannot
2 be severed to render it constitutional. *Id.* at 173, 177-78.

3 “Simply stated, an appropriation is the setting aside of funds, and an expenditure of money
4 is the payment of funds.” *Rogers*, 117 Nev. at 173. Nevada prohibits initiatives that require
5 appropriations or expenditures to “prevent[] the electorate from creating the deficit that would
6 result if government officials were forced to set aside or pay money without generating the funds
7 to do so.” *Herbst Gaming*, 122 Nev. at 891. An initiative need not “by its terms appropriate money”
8 to violate the prohibition. *Id.* at 890 n.40 (citing *State ex rel. Card v. Kaufman*, 517 S.W.2d 78, 80
9 (Mo. 1974)). Rather, “an initiative makes an appropriation or expenditure when it leaves budgeting
10 officials no discretion in appropriating or expending the money mandated by the initiative—the
11 budgeting official must approve the appropriation or expenditure, regardless of any other financial
12 considerations.” *Id.* at 890. This is precisely what the Petition does.

13 It is self-evident that the Petition proposes would come only with significant public
14 expense, as has been the case elsewhere. See Nat'l Conference of State Legislatures, *Costs of Voter*
15 *Identification*, (June 2014), [https://www.ncsl.org/documents/legismgt/elect/Voter_ID_Costs_Jun](https://www.ncsl.org/documents/legismgt/elect/Voter_ID_Costs_Jun_e2014.pdf)
16 [e2014.pdf](https://www.ncsl.org/documents/legismgt/elect/Voter_ID_Costs_Jun_e2014.pdf). The new in-person requirements alone would necessitate extensive voter education and
17 outreach, revised and additional election materials, and expanded training, which have cost
18 hundreds of thousands of dollars in states that have adopted similar laws. See *id.* at 2-3. In addition,
19 the Petition’s requirement that the county clerk “[a]mend the voter registration card to include an
20 option for a voter to request a special identification document” would mean that the state must
21 redesign and reprint all voter registration cards, yet another expense that must be incurred.

22 Creating and issuing new free IDs will also come with additional associated costs, which
23 has both been documented in other jurisdictions and recognized by the Fiscal Analysis Division
24 of the Legislative Council Bureau when analyzing past voter ID initiatives. In Ohio, for example,
25 a nonpartisan analysis found that providing free identification cards to eligible voters would cost
26 the state between \$8.50 and \$13.00 per card, taking into account increased operating costs
27 associated with extended hours of operation at offices that issue identifications and increased costs
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1 of carrying out additional education and outreach activities.¹ Indiana calculated its production costs
2 alone for the 168,264 voter identification cards that it provided to voters in 2010 to be over \$1.3
3 million.² The North Carolina legislature's fiscal impact analysis of the then-pending bill to require
4 the state to issue free voter identification cards to eligible voters concluded that the state would
5 incur \$3.2 million in startup costs followed by \$375,000 in recurring costs to administer the
6 system.³ Academic researchers in Minnesota estimated that the direct cost to the state of providing
7 free identification documents to half of the eligible voters who do not already have a valid photo
8 ID to be in excess of \$1.03 million in the first year.⁴ Simply put, there is no way in which designing,
9 printing, and administering a new form of required photo identification could be cost-free.

10 This is further evidenced by Nevada's own analysis of prior voter ID laws. Although the
11 Fiscal Analysis Division (the "Division") of the Legislative Counsel Bureau has not yet issued a
12 financial impact statement for the Petition, in 2014 and 2016, the Division determined that similar
13 voter photo ID initiatives that would require a new form of photo ID would increase the
14 expenditures of the state and local governments.⁵ As noted in each financial impact statement,

16 ¹ See Sana Haider and Amy Hanauer, *Ohio Photo Voter ID: A Picture worth \$7 Million a*
17 *Year?*, POLICY MATTERS OHIO, [http://www.policymattersohio.org/wp-](http://www.policymattersohio.org/wp-content/uploads/2012/04/PhotoVoterID_Apr2012.pdf)
18 [content/uploads/2012/04/PhotoVoterID_Apr2012.pdf](http://www.policymattersohio.org/wp-content/uploads/2012/04/PhotoVoterID_Apr2012.pdf).

19 ² See National Conference for State Legislatures, *The Canvass*, No. XVII, February 2011, p.
20 2, available at [https://www.ncsl.org/research/elections-and-campaigns/cnv-the-canvass-vol-xvii-](https://www.ncsl.org/research/elections-and-campaigns/cnv-the-canvass-vol-xvii-february-2011.aspx#Cost)
[february-2011.aspx#Cost](https://www.ncsl.org/research/elections-and-campaigns/cnv-the-canvass-vol-xvii-february-2011.aspx#Cost).

21 ³ See H.R. 351, 2011 Sess. (N.C. 2011), available at
22 <http://www.ncga.state.nc.us/Sessions/2011/FiscalNotes/House/PDF/HFN0351v1.pdf>.

23 ⁴ See Nicholas Anhut, et al, *Voter Identification: The True Cost, An Analysis of Minnesota's*
24 *Voter Identification Amendment*, The Hubert H. Humphrey School of Public Affairs, University
25 of Minnesota, at 2 (April 20, 2012), available at
https://conservancy.umn.edu/bitstream/handle/11299/123582/Anhut_Voter%20Identification%20The%20True%20Costs%20An%20Analysis%20of%20Minnesotas%20Voter%20Identification%20Amendment.pdf?sequence=1&isAllowed=y.

26 ⁵ See *Financial Impact Statement of the Voter ID Initiative* (February 13, 2014), available at
27 <https://www.nvsos.gov/sos/home/showpublisheddocument/3214/636578340122570000> (last
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1 “Legislation requiring the issuance of voter identification cards at no charge would increase the
2 expenditures of the state and local government entities required to issue the cards.” *Id.* Further, the
3 Division concluded in both analyses that “the provisions of the Initiative requiring a registered
4 voter to present his or her proof of identity to vote in person would require the Secretary of State
5 to conduct an educational campaign to inform voters of the identification requirements specified
6 within the Initiative.” *Id.*

7 Each of these expenditures is inherently required by the Petition, whose measures cannot
8 be achieved without them. The Petition itself acknowledges this and would require the Secretary
9 to “reallocate existing funds” to cover its costs. Ex. 1 at 2. But Section 6 is not triggered only when
10 an initiative would require a new appropriation—that is, “the setting aside of funds” that the
11 Legislature would not otherwise set aside. *Rogers*, 117 Nev. at 173, 18 P.3d at 1036. It is also
12 implicated when an initiative requires an expenditure—that is, “the payment of funds” for a
13 particular purpose. *Id.* By directing the Secretary to “reallocate” funds, the Petition mandates an
14 expenditure that would not otherwise exist, thereby triggering Section 6’s funding requirement.

15 The Nevada Supreme Court has already held that existing funding cannot be used to offset
16 an initiative’s costs and immunize it from Section 6’s requirements. In *Rogers v. Heller*, the Court
17 considered an initiative that would have required Nevada to fund education at a given level and
18 imposed a new tax to cover the difference between that level and then-current education funding.
19 117 Nev. at 175-76, 18 P.3d at 1038. The Court rejected the supposition that the “appropriation”
20 to be considered was only the difference between current funding levels and those that the initiative
21 would mandate. *Id.* at 176, 18 P.3d at 1038. Because “the Legislature is under no continuing
22 obligation to fund education in any particular amount” and has broad discretion to set funding at
23 whatever level it deems appropriate, the Court ruled that “the *entire* amount is a new requirement”
24 that must be considered when deciding whether the initiative complied with Section 6. *Id.* at 175-

25 _____
26 visited May 31, 2022); *Financial Impact of the Initiative to Require Voter ID* (August 4, 2016),
27 available at [https://www.nvsos.gov/sos/home/showpublisheddocument/4385/6365860236453000](https://www.nvsos.gov/sos/home/showpublisheddocument/4385/636586023645300000)
28 [00](#) (last visited May 31, 2022).

76 (emphasis added). The new tax would have been insufficient to cover the entirety of the required spending, and the Nevada Supreme Court ruled the initiative was void. *Id.* at 176-77, 18 P.3d at 1039.

The same is true here. Even if it were to use only existing funding, the Petition would eliminate the Legislature's discretion to lower present funding below the level necessary to fund the changes it mandates, as well as budgeting officials' discretion to decline to spend money for the purposes the Petition directs. The Petition accordingly leaves "budgeting officials no discretion in appropriating or expending the money mandated by the initiative—the budgeting official must approve the appropriation or expenditure" to comply with its provisions. *Herbst Gaming*, 122 Nev. at 890. And, because no portion of the Petition "provides for raising the necessary revenue," as Article 19, Section 6 requires, it is void *ab initio*. *Rogers*, 117 Nev. at 173.

B. The Petition's description of effect violates NRS 295.009(1)(b) because it is deceptive and misleading.

Under NRS 295.009(1)(b), every initiative must "[s]et forth, in not more than 200 words, a description of the effect of the initiative or referendum if the initiative or referendum is approved by the voters." The purpose is to "prevent voter confusion and promote informed decisions." *Nevadans for Nev. v. Beers*, 122 Nev. 930, 939, 142 P.3d 339, 345 (2006). The Nevada Supreme Court has repeatedly held that "a description of effect must be straightforward, succinct, and non-argumentative, and it must not be deceptive or misleading." *Educ. Initiative PAC*, 129 Nev. at 37. "The importance of the description of effect cannot be minimized, as it is what the voters see when deciding whether to even sign a petition." *Coal. for Nev.'s Future v. RIP Com. Tax, Inc.*, No. 69501, 2016 WL 2841915 at *2 (2016) (unpublished disposition) (citing *Educ. Initiative PAC*, 129 Nev. at 37). Here, the Petition's description of effect omits and misstates important details of the Petition, rendering the description invalid.

First, the description of effect is inaccurate, deceptive, and misleading. The Court must analyze "whether the information contained in the description is correct and does not misrepresent what the initiative will accomplish and how it intends to achieve those goals." *Id.* at 48. The

1 description of effect here contains several inaccurate statements. At the outset, the description
2 falsely claims that the measure “would require all voters voting in person at a Nevada polling place
3 to present photographic identification before casting a ballot” Ex. 1 at 3 (emphasis added), even
4 though the proposed statutory revisions permit some in-person voters to cast a provisional ballot
5 *without* showing photographic identification. As amended by the Petition, NRS 293.277(1) would
6 read, “Except as otherwise provided in NRS 293.283, 293.541 and 293.5772 to 293.5887,
7 inclusive, if a person’s name appears in the roster or if the person provides an affirmation pursuant
8 to NRS 293.525, and he or she presents valid photographic identification, the person is entitled to
9 vote and must sign his or her name in the roster or on a signature card when he or she applies to
10 vote.”

11 As described in the exceptions listed at the beginning of NRS 293.277(1), there are at least
12 two instances when voters may vote in person without presenting a photo ID. First, registered
13 voters who update their voter registration information after the close of registration for an election
14 may be required to cast a provisional ballot if a city or county clerk needs more time to determine
15 whether the voter is eligible to vote in the election. *See* NRS 293.5832(1), (3). Second, electors
16 who register to vote on Election Day and who do not have a driver’s license or identification card
17 issued by the Department of Motor Vehicles (DMV) with their current residential address may
18 cast a provisional ballot so long as they establish their residency by providing one of the following
19 forms of identification (most of which do not commonly include a photograph): a military
20 identification card, a utility bill, a bank or credit union statement, a paycheck, an income tax return,
21 a mortgage statement, a residential rental or lease statement, a property tax statement, or any other
22 document issued by a governmental agency. *See* NRS 293.5847. In both situations, provisional
23 ballots will be counted if they are verified using the final verification procedures applicable to
24 other provisional ballots cast in the same election, none of which require voters to present a photo
25 ID. *See* NRS 293.5832(4); 293.5847(4); 293.5872. These examples illustrate how the assertion in
26 the description of effect that *all* voters voting in person at a Nevada polling place will have to
27 present photographic identification before casting a ballot is false and misleading.

1 The description also incorrectly claims that “[t]he new photographic identification
2 document will be issued upon request to any eligible voter.” Ex. 1 at 3. This contradicts the
3 language of the proposed statutory amendments in the Petition, which provides that only “a person
4 who does not possess any document bearing his or her signature and picture may request from the
5 Secretary of State a special identification document bearing his or her signature and picture” *Id.* at
6 2 (emphasis added). A voter who possesses a student identification card bearing their signature
7 and photograph, for example, could read the description of effect and believe themselves to be
8 eligible to request a special identification document from the Secretary of State, even though the
9 proposed statutory language would prevent such a request. And, because the types of permissible
10 photo ID are not listed in the description of effect, a voter may (incorrectly) believe that because
11 they have photo ID of some kind—for example, a credit card or student ID with their picture—
12 that they will be able to use it in order to vote in-person. Thus, the description is both misleading
13 and confusing to voters in describing the circumstances in which voters would need to request and
14 use the new photo ID.

15 Second, the description fails to give a complete and accurate accounting of the Petition’s
16 significant effects as Nevada law requires. Although a description need not “explain hypothetical
17 effects” or “mention every possible effect” of the initiative, *Educ. Initiative PAC*, 129 Nev. at 37,
18 it must at very least fairly present enough information for a potential signer to make an informed
19 decision about whether to support the initiative. *See Nev. Judges Ass’n v. Lau*, 112 Nev. at 59
20 (rejecting initiative description for “failure to explain [certain] ramifications of the proposed
21 amendment,” which “renders the initiative and its explanation potentially misleading”).

22 Here, the description omits crucial information regarding how the new restrictions will
23 function. Although the description says that in-person voters will be required to “present
24 photographic identification before casting a ballot,” Ex. 1 at 3, it fails to mention that the proposed
25 changes to NRS 293.277 would also alter Nevada’s processes for voter registration and curing
26 mail ballots where an election official concludes there is a reasonable question as to whether the
27 signature on the ballot “matches” the signature for the voter on file. The proposed amendment to
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1 NRS 293.277(2), which modifies the types of identification which may be used to confirm a voter's
2 identification, would be incorporated by reference into these other election processes. As a result,
3 if the Petition becomes law, voters whose ballots are flagged as potential mismatches due to a
4 perceived signature issue will have fewer options to cure those ballots and save them from
5 rejection. It is well established that signature matching is anything but a science, and lay people in
6 particular are exceedingly prone to making errors in misidentifying a valid signature as a
7 mismatch, leading to erroneous rejection of lawful ballots.⁶ Under Nevada law, if a county clerk
8 identifies a ballot as a possible signature mismatch, they have three options for confirming the
9 voter's identity: (1) have the voter correctly answer questions about their personal data; (2) have
10 the voter provide other personal data; or (3) have the voter present proof of identification *as*
11 *described in NRS 293.277* other than a voter registration card. NRS 293.269927(8)(c). The
12 Petition's proposed changes would *prevent* a county clerk from confirming a voter's identity using
13 a government-issued identification containing the voter's signature and a physical description but
14 no photograph, as currently listed in NRS 293.277(2)(e), and would instead require photo
15 identification and of the limited type authorized by the new statutory language. The Petition's
16 description of effect makes no mention whatsoever of this substantial change to Nevada's current
17 cure procedures for ballots flagged for perceived signature mismatches.

18 In addition, the Petition would make meaningful changes to Nevada's voter registration
19 procedures, but on this topic, too, the description of effect is utterly silent. Under Nevada's
20 automatic voter registration system, individuals who renew their driver's licenses at the DMV will
21 be automatically registered to vote unless they opt out. NRS 293.5752(1). County clerks are not
22 allowed to reject these voter registration applications solely on the basis of a missing electronic
23 signature. NRS 293.57691(1). If the signature is missing, the county clerk is required to confirm
24 the person's identity in one of four ways: (1) send the prospective voter a mailed notice that the
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26 ⁶ See, e.g., David A. Graham, the Atlantic, *Signed, Sealed, Delivered, and Discarded* (Oct.
27 21, 2020), available at <https://www.theatlantic.com/ideas/archive/2020/10/signature-matching-is-the-phrenology-of-elections/616790/>.
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1 voter returns with a signature; (2) request and receive an electronic signature from the DMV or
2 another agency; (3) request and receive the person's signature through any other means approved
3 by the Secretary of State; or (4) approve the registration application when the person shows up to
4 vote at a polling place and their signature on the roster is matched against their signature on one
5 of the forms of ID described in NRS 293.277. NRS 293.57691(2)(d). As with matching a signature,
6 the Petition's proposed changes would limit the forms of identification a county clerk may rely on
7 to confirm a voter's identity to only those with a picture. But a voter would never know that the
8 petition will have any impact at all on these procedures, based on the description of effect.

9 For each of these reasons, the description "materially fails to accurately identify the
10 consequences of the referendum's passage." *Las Vegas Taxpayer Accountability Comm. v. City*
11 *Council of City of Las Vegas*, 125 Nev. 165, 184, 208 P.3d 429, 441 (2009) (invalidating
12 description that stated "referendum's passage would halt only new, additional development
13 projects" when it would "also affect existing redevelopment projects"). Both independently and
14 collectively, these significant gaps are "fatal omission that effectively prevents the signers from
15 knowing what they are signing." *Stumpf*, 108 Nev. at 832. And none of these omissions can be
16 defended on the theory that "the 200-word limitation imposed on descriptions of effect" would
17 make it "impossible to include all of the [necessary] information." *Educ. Initiative PAC*, 129 Nev.
18 at 42. The Petition's description of effect is only 60 words. There was ample room to address these
19 important—and actual—effects that are highly likely to influence a signatory's decision. The
20 failure to fully "identify what the law proposes and how it intends to achieve that proposal" is
21 inexcusable. *Id.*

22 V. CONCLUSION

23 Because the Petition mandates significant public expenditures without providing for
24 reciprocal revenues, it violates Article 19, Section 6 and is void. And because the description of
25 effect is misleading and confusing, it is legally insufficient. For the reasons set forth above, the
26 Court should grant Plaintiff's requested relief, striking the Petition and issuing an injunction
27 prohibiting the Secretary from taking further action upon it.

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DATED this 6th day of June, 2022.

By:

WILLIAM STAFFORD, ESQ. (*pro hac vice forthcoming*)
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EXHIBIT 1

RETRIEVED FROM DEMOCRACYDOCKET.COM

EXHIBIT 1

NOTICE OF INTENT TO CIRCULATE STATEWIDE INITIATIVE OR REFERENDUM PETITION

State of Nevada



Secretary of State Barbara K. Cegavske

Pursuant to NRS 295.015, before a petition for initiative or referendum may be presented to registered voters for signatures, the person who intends to circulate the petition must provide the following information:

NAME OF PERSON FILING THE PETITION

Raja Mourey

NAME(S) OF PERSON(S) AUTHORIZED TO WITHDRAW OR AMEND THE PETITION (provide up to three)

1. Raja Mourey

2.

3.

NAME OF THE POLITICAL ACTION COMMITTEE (PAC) ADVOCATING FOR THE PASSAGE OF THE INITIATIVE OR REFERENDUM (if none, leave blank)

R.I.S.E. Nevada - Restoring Integrity in State Elections

Please note, if you are creating a Political Action Committee for the purpose of advocating for the passage of the initiative or referendum, you must complete a separate PAC registration form.

Additionally, a copy of the initiative or referendum, including the description of effect, must be filed with the Secretary of State's office at the time you submit this form.

X 
Signature of Petition Filer

5/4/2022
Date

INITIATIVE TO RESTORE INTEGRITY TO STATE ELECTIONS

THE PEOPLE OF THE STATE OF NEVADA DO ENACT AS FOLLOWS:

Chapter 293 of NRS is hereby amended by adding thereto as follows:

1. *A person who does not possess any document bearing his or her signature and picture may request from the Secretary of State a special identification document bearing his or her signature and picture.*
2. *The special identification document is only valid for the purpose of identifying a voter at a polling place under NRS 293.277.*
3. *The Secretary of State shall furnish upon request a special identification document to any person who is eligible to vote.*
4. *The Secretary of State shall reallocate existing funds to cover any expenditure necessary to facilitate the issuance of a special identification document under subsection 1.*
5. *The county clerk, with the approval of the Secretary of State, shall:*
 - (a) *Amend the voter registration card to include an option for a voter to request a special identification document; and*
 - (b) *Prescribe a procedure for the issuance of a special identification document under subsection 1.*

NRS 293.277 is hereby amended to read as follows:

1. Except as otherwise provided in NRS 293.283, 293.541 and 293.5772 to 293.5887, inclusive, if a person's name appears in the roster or if the person provides an affirmation pursuant to NRS 293.525, ***and he or she presents valid photographic identification***, the person is entitled to vote and must sign his or her name in the roster or on a signature card when he or she applies to vote. The signature must be compared by an election board officer with the signature or a facsimile thereof on the person's application to register to vote or one of the forms of identification listed in subsection 2.
2. Except as otherwise provided in NRS 293.2725, the forms of identification which may be used individually to identify a voter at the polling place are:
 - a. The voter registration card issued to the voter ***accompanied by another form of identification bearing the voter's picture***;
 - b. A driver's license;
 - c. An identification card issued by the Department of Motor Vehicles;
 - d. A military identification card; or
 - e. Any other form of identification issued by a governmental agency which contains the voter's signature and ~~physical description or picture~~.
3. The county clerk shall prescribe a procedure, approved by the Secretary of State, to verify that the voter has not already voted in that county in the current election.

DESCRIPTION OF EFFECT

If passed, this statutory measure would require all voters voting in person at a Nevada polling place to present photographic identification before casting a ballot. The measure would also require the Secretary of State to create a special photographic identification document for voting purposes. The new photographic identification document will be issued upon request to any eligible voter in Nevada.

County of: _____

(Only registered voters of this county may sign below)

Petition District: _____

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

This Space For
Office Use
Only

1	PRINT YOUR NAME (First Name, Middle Name, Last Name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE _____ DATE ____/____/____	CITY	COUNTY	PETITION DISTRICT	
2	PRINT YOUR NAME (First Name, Middle Name, Last Name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE _____ DATE ____/____/____	CITY	COUNTY	PETITION DISTRICT	
3	PRINT YOUR NAME (First Name, Middle Name, Last Name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE _____ DATE ____/____/____	CITY	COUNTY	PETITION DISTRICT	
4	PRINT YOUR NAME (First Name, Middle Name, Last Name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE _____ DATE ____/____/____	CITY	COUNTY	PETITION DISTRICT	
5	PRINT YOUR NAME (First Name, Middle Name, Last Name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE _____ DATE ____/____/____	CITY	COUNTY	PETITION DISTRICT	
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	YOUR SIGNATURE _____ DATE ____/____/____	CITY	COUNTY	PETITION DISTRICT	
7	PRINT YOUR NAME (First Name, Middle Name, Last Name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE _____ DATE ____/____/____	CITY	COUNTY	PETITION DISTRICT	
8	PRINT YOUR NAME (First Name, Middle Name, Last Name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE _____ DATE ____/____/____	CITY	COUNTY	PETITION DISTRICT	

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	YOUR SIGNATURE	DATE / /	CITY	COUNTY PETITION DISTRICT	
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	YOUR SIGNATURE	DATE / /	CITY	COUNTY PETITION DISTRICT	

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	YOUR SIGNATURE DATE / /	CITY	COUNTY	PETITION DISTRICT	
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	YOUR SIGNATURE DATE / /	CITY	COUNTY	PETITION DISTRICT	
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	YOUR SIGNATURE DATE / /	CITY	COUNTY	PETITION DISTRICT	
20	PRINT YOUR NAME (First Name, Middle Name, Last Name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE DATE / /	CITY	COUNTY	PETITION DISTRICT	

AFFIDAVIT OF CIRCULATOR

(To be signed by circulator in the presence of a notary public)

STATE OF NEVADA)

COUNTY OF _____)

I, _____ (print name of circulator), being first duly sworn under penalty of perjury, depose and say:

(1) that I reside at _____ (print street, city and state); (2) that I am 18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were affixed in my presence; (5) that the number of signatures affixed thereon is _____; and (6) that each person who signed had an opportunity before signing to read the full text of the act or resolution on which the initiative is demanded.

Signature of Circulator

Subscribed and sworn to or affirmed before me this

_____ day of _____, _____.

Notary Public

Petition Packet: _____