

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

David G. Gibbs

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

- 1. David G. Gibbs
- 2.
- 3.

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

Repair the Vote

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

28 Jan 22

Date

**REFERENDUM ON THE PROVISION RELATED TO CHANGES IN VOTING PROVISIONS
FROM ASSEMBLY BILL 321 OF THE 2021 LEGISLATIVE SESSION**

Explanation – Matter in *bolded italics* and matter in brackets [~~omitted material~~] is the material from the specified sections of Assembly Bill 321 to be considered for the approval or disapproval in this referendum.

The People of the State of Nevada do enact as follows:

FULL TEXT OF THE PROPOSED MEASURE

Section 1. Section 3 of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 3. 1. Except as otherwise provided in this section, the county clerk shall prepare and distribute to each active registered voter in the county and each person who registers to vote or updates his or her voter registration information not later than the 14 days before the election a mail ballot for every election. The county clerk shall make reasonable accommodations for the use of the mail ballot by a person who is elderly or disabled, including, without limitation, by providing, upon request, the absent ballot in 12-point type to a person who is elderly or disabled.

2. The county clerk shall allow a voter to elect not to receive a mail ballot pursuant to this section by submitting to the county clerk a written notice in the form prescribed by the county clerk which must be received by the county clerk not later than 60 days before the day of the election.

3. The county clerk shall not distribute a mail ballot to any person who:

(a) Registers to vote for the election pursuant to the provisions of NRS 293.5772 to 293.5887, inclusive; or

(b) Elects not to receive a mail ballot pursuant to subsection 2.

4. The mail ballot must include all offices, candidates and measures upon which the voter is entitled to vote at the election.

5. Except as otherwise provided in subsections 2 and 3, the mail ballot must be distributed to:

(a) Each active registered voter who:

(1) Resides within the State, not later than 20 days before the election; and

(2) Except as otherwise provided in paragraph (c), resides outside the State, not later than 40 days before the election.

(b) Each active registered voter who registers to vote after the dates set for distributing mail ballots pursuant to paragraph (a) but who is eligible to receive a mail ballot pursuant to subsection 1, not later than 13 days before the election.

(c) Each covered voter who is entitled to have a military-overseas ballot transmitted pursuant to the provisions of chapter 293D of NRS or the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq., not later than the time required by those provisions.

6. In the case of a special election where no candidate for federal office will appear on the ballot, the mail ballot must be distributed to each active registered voter not later than 15 days before the special election.

7. Any untimely legal action which would prevent the mail ballot from being distributed to any voter pursuant to this section is moot and of no effect.

Section 2. Section 4 of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 4. 1. Except as otherwise provided in subsection 2, section 3 of this act and chapter 293D of NRS, the county clerk shall send to each active registered voter by first-class mail, or by any class of mail if the Official Election Mail logo or an equivalent logo or mark created by the United States Postal Service is properly placed:

(a) A mail ballot;

(b) A return envelope;

(c) An envelope or sleeve into which the mail ballot is inserted to ensure its secrecy; and

(d) Instructions.

2. In sending a mail ballot to an active registered voter, the county clerk shall use an envelope that may not be forwarded to an address of the voter that is different from the address to which the mail ballot is mailed.

3. The return envelope must include postage prepaid by first-class mail if the active registered voter is within the boundaries of the United States, its territories or possessions or on a military base.

4. Before sending a mail ballot to an active registered voter, the county clerk shall record:

(a) The date the mail ballot is issued;

(b) The name of the voter to whom the mail ballot is issued, his or her precinct or district and his or her political affiliation, if any, unless all the offices on the mail ballot are nonpartisan offices;

(c) The number of the mail ballot; and

(d) Any remarks the county clerk finds appropriate.

Section 3. Section 7 of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 7. 1. Except as otherwise provided in this section, a person shall not mark and sign a mail ballot on behalf of a voter or assist a voter to mark and sign a mail ballot pursuant to the provisions of sections 3 to 15, inclusive, of this act.

2. At the direction of a voter who has a physical disability, is at least 65 years of age or is unable to read or write, a person may mark and sign a mail ballot on behalf of the voter or assist the voter to mark and sign a mail ballot pursuant to this section.

3. If a person marks and signs a mail ballot on behalf of a voter pursuant to this section, the person must indicate next to his or her signature that the mail ballot has been marked and signed on behalf of the voter.

4. If a person assists a voter to mark and sign a mail ballot pursuant to this section, the person or the voter must include on the return envelope his or her name, address and signature.

Section 4. Section 8 of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 8. 2. If a mail ballot is received by mail not later than 5 p.m. on the third day following the election and the date of the postmark cannot be determined, the mail ballot shall be deemed to have been postmarked on or before the day of the election.

Section 5. Section 9 of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 9. 1. Except as otherwise provided in subsection 2, at the request of a voter whose mail ballot has been prepared by or on behalf of the voter, a person authorized by the voter may return the mail ballot on behalf of the voter by mail or personal delivery to the county clerk, or any ballot drop box established in the county, pursuant to section 8 of this act.

2. Except for an election board officer in the course of the election board officer's official duties, a person shall not willfully:

(a) Impede, obstruct, prevent or interfere with the return of a voter's mail ballot;

(b) Deny a voter the right to return the voter's mail ballot; or

(c) If the person receives the voter's mail ballot and authorization to return the mail ballot on behalf of the voter by mail or personal delivery, fail to return the mail ballot, unless otherwise authorized by the voter, by mail or personal delivery:

(1) Before the end of the third day after the day of receipt, if the person receives the mail ballot from the voter four or more days before the day of the election; or

(2) Before the deadline established by the United States Postal Service for the mail ballot to be postmarked on the day of the election or before the polls close on the day of the election, as applicable to the type of delivery, if the person receives the mail ballot from the voter three or fewer days before the day of the election.

3. A person who violates any provision of subsection 2 is guilty of a category E felony and shall be punished as provided in NRS 193.130.

Section 6. Section 24, subsections 2(e) and (f) of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 24. NRS 293.272 is hereby amended to read as follows:

2. The provisions of subsection 1 do not apply to a person who:

~~(e) Submits or has previously submitted a written request for an absent ballot that is signed by the registered voter before a notary public or other person authorized to administer an oath;~~

~~(f) Requests an absent ballot in person at the office of the county clerk;~~

Section 7. Section 51 of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 51. 1. Except as otherwise provided in this section, the city clerk shall prepare and distribute to each active registered voter in the city and each person who registers to vote or updates his or her voter registration information not later than the 14 days before the election a mail ballot for every election. The city clerk shall make reasonable accommodations for the use of the mail ballot by a person who is elderly or disabled, including, without limitation, by providing, upon request, the mail ballot in 12-point type to a person who is elderly or disabled.

2. The city clerk shall allow a voter to elect not to receive a mail ballot pursuant to this section by submitting to the city clerk a written notice in the form prescribed by the city clerk which must be received by the city clerk not later than 60 days before the day of the election.

3. The city clerk shall not distribute a mail ballot to any person who:

(a) Registers to vote for the election pursuant to the provisions of NRS 293.5772 to 293.5887, inclusive; or

(b) Elects not to receive a mail ballot pursuant to subsection 2.

4. The mail ballot must include all offices, candidates and measures upon which the voter is entitled to vote at the election.

5. Except as otherwise provided in subsections 2 and 3, the mail ballot must be distributed to:

(a) Each active registered voter who:

(1) Resides within the State, not later than 20 days before the election; and

(2) Except as otherwise provided in paragraph (b), resides outside the State, not later than 40 days before the election.

(b) Each active registered voter who registers to vote after the dates set for distributing mail ballots pursuant to paragraph (a) but who is eligible to receive a mail ballot pursuant to subsection 1, not later than 13 days before the election.

(c) Each covered voter who is entitled to have a military-overseas ballot transmitted pursuant to the provisions of chapter 293D of NRS or the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. §§ 20301 et seq., not later than the time required by those provisions.

6. In the case of a special election where no candidate for federal office will appear on the ballot, the mail ballot must be distributed to each active registered voter not later than 15 days before the special election.

7. Any untimely legal action which would prevent the mail ballot from being distributed to any voter pursuant to this section is moot and of no effect.

Section 8. Section 52 of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 52. 1. Except as otherwise provided in subsection 2, section 51 of this act and chapter 293D of NRS, the city clerk shall send to each active registered voter by first-class mail, or by any class of mail if the Official Election Mail logo or an equivalent logo or mark created by the United States Postal Service is properly placed:

(a) A mail ballot;

(b) A return envelope;

(c) An envelope or sleeve into which the mail ballot is inserted to ensure its secrecy; and

(d) Instructions.

2. In sending a mail ballot to an active registered voter, the city clerk shall use an envelope that may not be forwarded to an address of the voter that is different from the address to which the mail ballot is mailed.

3. The return envelope must include postage prepaid by first-class mail if the active registered voter is within the boundaries of the United States, its territories or possessions or on a military base.

4. Before sending a mail ballot to an active registered voter, the city clerk shall record:

(a) The date the mail ballot is issued;

(b) The name of the voter to whom the mail ballot is issued, his or her precinct or district and his or her political affiliation, if any, unless all the offices on the mail ballot are nonpartisan offices;

(c) The number of the mail ballot; and

(d) Any remarks the city clerk finds appropriate.

Section 9. Section 56, Subsection 2 of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 56. 2. *If a mail ballot is received by mail not later than 5 p.m. on the third day following the election and the date of the postmark cannot be determined, the mail ballot shall be deemed to have been postmarked on or before the day of the election.*

Section 10. Section 57 of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 57. 1. *Except as otherwise provided in subsection 2, at the request of a voter whose mail ballot has been prepared by or on behalf of the voter, a person authorized by the voter may return the mail ballot on behalf of the voter by mail or personal delivery to the city clerk, or any ballot drop box established in the city pursuant to section 56 of this act.*

2. *Except for an election board officer in the course of the election board officer's official duties, a person shall not willfully:*

(a) Impede, obstruct, prevent or interfere with the return of a voter's mail ballot;

(b) Deny a voter the right to return the voter's mail ballot; or

(c) If the person receives the voter's mail ballot and authorization to return the mail ballot on behalf of the voter by mail or personal delivery, fail to return the mail ballot, unless otherwise authorized by the voter, by mail or personal delivery:

(1) Before the end of the third day after the day of receipt, if the person receives the mail ballot from the voter four or more days before the day of the election; or

(2) Before the deadline established by the United States Postal Service for the mail ballot to be postmarked on the day of the election or before the polls close on the day of the election, as applicable to the type of delivery, if the person receives the mail ballot from the voter three or fewer days before the day of the election.

3. *A person who violates any provision of subsection 2 is guilty of a category E felony and shall be punished as provided in NRS 193.130.*

Section 11. Section 69, Subsection 2€ and (f) of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 69. NRS 293C.265 is hereby amended to read as follows:

2. The provisions of subsection 1 do not apply to a person who:

~~*(e) Submits or has previously submitted a written request for an absent ballot that is signed by the registered voter before a notary public or other person authorized to administer an oath;*~~

~~*(f) Requests an absent ballot in person at the office of the city clerk;*~~

Section 14. Section 86, Subsection 5(c) of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 86. NRS 306.040 is hereby amended to read as follows:

5. The call for a special election pursuant to subsection 4 or 7 must include, without limitation:

~~*(e) Whether any person is entitled to vote in the special election in a mailing precinct or an absent ballot mailing precinct pursuant to NRS 293.343 to 293.355, inclusive, or 293C.342 to 293C.352, inclusive.*~~

Section 15. Section 91 of Assembly Bill 321 of the 2021 Legislative Session:

Sec. 91. NRS 293.013, 293.015, 293.213, 293.230, 293.235, 293.243, 293.262, 293.3088, 293.309, 293.3095, 293.310, 293.313, 293.315, 293.316, 293.3165, 293.317, 293.320, 293.323, 293.325, 293.329, 293.330, 293.333, 293.335, 293.340, 293.343, 293.345, 293.350, 293.352, 293.353, 293.355, 293.3673, 293.384, 293.385, 293.8801, 293.8804, 293.8807, 293.8811, 293.8814, 293.8817, 293.8821, 293.8824, 293.8827, 293.8831, 293.8834, 293.8837, 293.8841, 293.8844, 293.8847, 293.8851, 293.8854, 293.8857, 293.8861, 293.8864, 293.8871, 293.8874, 293.8877, 293.8881, 293.8884, 293.8887, 293B.370, 293C.230, 293C.240, 293C.245, 293C.256, 293C.304, 293C.305, 293C.306, 293C.307, 293C.310, 293C.312, 293C.317, 293C.318, 293C.319, 293C.320, 293C.322, 293C.325, 293C.327, 293C.328, 293C.329, 293C.330, 293C.332, 293C.335, 293C.340, 293C.342, 293C.345, 293C.347, 293C.349, 293C.350, 293C.352, 293C.368, 293C.382, 293C.385 and 293C.650 are hereby repealed.

DESCRIPTION OF EFFECT

This referendum asks the voters to approve or disapprove of the selected provisions of Assembly Bill 321 (AB321) related to changes in the election laws. In 2021 the Legislature enacted changes to election procedures in Nevada to require that each active registered voter automatically receive a mail ballot, to permit ballot harvesting, and to require mail ballots without a legible postmark received after the close of the polls be accepted as postmarked on or before the day of the election.

If voters approve this referendum, the referenced sections of AB321 voting procedure changes cannot be amended, annulled, repealed, set aside, suspended or in any way made inoperative except by direct vote of the people.

If the voters disapprove this referendum, then automatically sending mail ballots to all active registered voters, ballot harvesting, and allowing mail ballots without a postmark received after the election day to be counted will be disallowed and cannot be amended, annulled, repealed, set aside, suspended or in any way made inoperative except by direct vote of the people.

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, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY	
2	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY	
3	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY	
4	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY	
5	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY	

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6	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY	
7	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
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8	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY	
9	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY	
10	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY		
	YOUR SIGNATURE	DATE / /	CITY	

THE FOLLOWING AFFIDAVIT MUST BE COMPLETED AND SIGNED:

AFFIDAVIT OF CIRCULATOR
(TO BE SIGNED BY CIRCULATOR)

STATE OF NEVADA)
)
COUNTY OF _____)

I, _____, (print name), 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 or referendum is demanded.

Signature of Circulator

Subscribed and sworn to or affirmed before me this
_____ day of _____, _____, by _____.

Notary Public or person authorized to administer oath

EL501C
Revised 8/2019

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