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

16 JENNIFER FLEISCHMANN, an
17 individual,

18 Plaintiff,

19 vs.

20 FRANCISCO V. AGUILAR, in his
official capacity as NEVADA
21 SECRETARY OF STATE,

22 Defendant.

Case No.: 230c00126 19

Dept. No.: 7

**COMPLAINT FOR
DECLARATORY AND
INJUNCTIVE RELIEF
CHALLENGING INITIATIVE
PETITION C-02-2023**

**Priority Matter Pursuant to NRS
295.061(1)**

Arbitration Exemption: Declaratory
and Injunctive Relief

25 Plaintiff Jennifer Fleischmann, an individual registered to vote in Nevada,
26 files this Complaint for Declaratory and Injunctive Relief against Francisco V.
27
28

1 Aguilar, in his official capacity as the Nevada Secretary of State, pursuant to
2 NRS 295.061, 30.030, and 30.010. Plaintiff alleges and complains as follows:

3 **JURISDICTION AND VENUE**

4 1. This Court has jurisdiction to hear Plaintiff's claims pursuant to
5 NRS 295.061 and to grant declaratory and injunctive relief pursuant to NRS 30.030,
6 30.040, and 33.010.

7 2. Venue is proper under NRS 13.020 and 13.040, as this action is against
8 a public officer for acting in his official capacity, and under NRS 295.061(1), which
9 provides that petitions may be challenged "by filing a complaint in the First Judicial
10 District Court."

11 **PARTIES**

12 3. Plaintiff Jennifer Fleischmann is a resident of and a registered voter in
13 Clark County, Nevada.

14 4. Defendant Francisco V. Aguilar is the Nevada Secretary of State (the
15 "Secretary") and is sued in his official capacity. The Secretary is "the Chief Officer of
16 Elections for this State" and "is responsible for the execution and enforcement of"
17 Nevada's election laws. NRS 293.124(1). The Secretary's duties also include
18 qualifying initiatives for submission to the Legislature and the electorate and
19 disqualifying initiatives that are determined to be invalid.

20 **GENERAL FACTUAL ALLEGATIONS**

21 5. On or about November 8, 2023, David G. Gibbs, on behalf of the Repair
22 the Vote political action committee, filed Initiative Petition C-02-2023 (the "Petition")
23 with the Secretary. See **Exhibit 1**, a true and accurate copy of the Notice of Intent to
24 Circulate Statewide Initiative or Referendum Petition associated with the Petition.

25 6. The Petition seeks to amend Article II of the Nevada Constitution to
26 impose two significant changes on the state's electoral system. The first of the
27 proposed new sections, Section 1B, would impose a photo-identification requirement
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1 for in-person voting in Nevada, requiring each voter to present an acceptable form of
2 government-issued photo identification in order to receive a ballot. The second new
3 section, Section 1C, would mandate that a Nevadan who votes by mail include an
4 identifying number from one of several specified government sources with their mail-
5 in ballot. *See* Ex. 1 at 2. These two changes would make Nevada’s voter-identification
6 laws among the strictest in the country. *See Voter ID Laws*, Nat’l Conf. of State
7 Legislatures, <https://www.ncsl.org/elections-and-campaigns/voter-id> (Nov. 9, 2023).

8 7. The Petition’s description of effect reads in full:

9 If passed, this initiative would amend the State Constitution to
10 require that all persons voting in person present an approved photo
11 identification before being provided a ballot. It also requires that
voters submitting a mail-in ballot provide additional verification of
their identity when completing their mail-in ballot.

12 Ex. 1 at 3.

13 **FIRST CAUSE OF ACTION**

14 **Violation of Unfunded Mandate Prohibition, Nev. Const. Art. 19, Sec. 6**

15 8. The foregoing paragraphs of this Complaint are realleged and fully
16 incorporated as if set forth in full herein.

17 9. Article 19, Section 6 of the Nevada Constitution prohibits any initiative
18 that “makes an appropriation *or otherwise requires the expenditure of money*, unless
19 such statute or amendment also imposes a sufficient tax, not prohibited by the
20 Constitution, or otherwise constitutionally provides for raising the necessary
21 revenue.” (emphasis added). Accordingly, when an initiative “creat[es] a new
22 requirement for the appropriation of state funding that does not now exist,” it does
23 not comply with Article 19, Section 6 and is void. *Educ. Freedom PAC v. Reid*, 512
24 P.3d 296, 304 (Nev. 2022).

25 10. “Section 6 applies to *all* proposed initiatives, without exception, and *does*
26 *not permit* any initiative that fails to comply with the stated conditions.” *Rogers v.*
27 *Heller*, 117 Nev. 169, 173, 18 P.3d 1034, 1036 (2001) (per curiam). When an initiative
28

1 violates this “threshold content restriction” by creating an unfunded mandate, it is
2 void ab initio and pre-election intervention by the courts is warranted. *Herbst*
3 *Gaming, Inc. v. Heller*, 122 Nev. 877, 890, 141 P.3d 1224, 1233 (2006) (per curiam)
4 (quoting *Rogers*, 117 Nev. at 173, 18 P.3d at 1036).

5 11. Notably, “[t]he fact that [an] initiative leaves it up to the Legislature to
6 determine how to fund the proposed change does not exclude the initiative from the
7 funding mandate.” *Educ. Freedom PAC*, 512 P.3d at 303. “Stated differently, an
8 initiative makes an appropriation or expenditure when . . . the budgeting official
9 must approve the appropriation or expenditure, regardless of any other financial
10 considerations.” *Herbst Gaming*, 122 Nev. at 890, 141 P.3d at 1233.

11 12. Here, the Petition requires that “[e]ach voter in Nevada shall present
12 photo identification to verify their identity when voting in person . . . before being
13 provided a ballot.” Ex. 1 at 2. The Petition lists the acceptable forms of photo
14 identification, *id.*, each of which generally requires the payment of a fee to a
15 government entity.

16 13. Also on the list of acceptable forms of photo identification for voting
17 purposes is an unspecified “[o]ther form of government-issued photo identification
18 that the Legislature may approve.” *Id.* Although the petition is not explicit, it plainly
19 means to refer to an alternative form of identification that the Legislature would have
20 to make available free of cost to Nevada voters who lack another acceptable form of
21 identification. This is because, without such an option, the voter-identification law
22 would be an unconstitutional poll tax.

23 14. The U.S. Supreme Court has held that requiring voters to pay a tax or
24 fee to obtain the photo identification needed to vote constitutes an unlawful poll tax.
25 *See, e.g., Crawford v. Marion Cnty. Election Bd.*, 553 U.S. 181, 198 (2008) (opinion of
26 Stevens, J.). Accordingly, the Petition’s proposed new voter-identification
27 requirements could be effectuated consistent with federal constitutional
28

1 requirements *only if* Nevada were to offer free photo-identification materials to *all*
2 voters—which it currently does not do.

3 15. The only forms of acceptable identification listed in the Petition that can
4 currently be obtained without the payment of a fee to a government entity are
5 (presumably) an employee-identification card from the federal, state, or local
6 government, or certain tribal photo identifications. But the employee-identification
7 card is available only to Nevada voters employed by those governmental entities, and
8 tribal photo identification is available only to Nevada voters who are eligible for tribal
9 citizenship.

10 16. A Nevada state-identification card is only obtainable without paying a
11 fee in certain highly limited circumstances—specifically, if a person declares themselves
12 homeless. Nevadans under 25 years old who declare themselves homeless can receive
13 a one-time fee exemption for an original, renewal, or duplicate state-identification
14 card. Nevadans over 25 years old who declare themselves homeless are eligible only
15 for a one-time fee exemption for a *duplicate* state-identification card. *See Nevada*
16 *Identification Cards*, NEV. DEP'T OF MOTOR VEHICLES, <https://dmv.nv.gov/idcards.htm>
17 (last visited Dec. 2, 2023) (click “Fee Exemptions”).

18 17. Thus, any Nevadan who is not employed by one of the governmental
19 entities listed in the Petition, is not eligible for tribal citizenship, is not homeless (and
20 has not previously used the one-time fee exemption outlined by the DMV), or who is
21 homeless and more than 25 years old will have to pay a government fee to receive an
22 original state-identification card in order to vote under the plain language of the
23 Petition. The provision for an “[o]ther form of government-issued photo identification
24 that the Legislature may approve” accordingly must refer to a free identification
25 program that the Legislature would have to enact for the Petition’s voter-
26 identification requirement to be constitutionally implemented.

1 18. Providing for access to free voter identification for all Nevada voters
2 would necessarily require the expenditure of significant government funds. The
3 Petition is artfully drafted to try to mask this conclusion, but it is the only reasonable
4 conclusion from both the face of the Petition (which attempts to avoid the enactment
5 of a law that would be obviously and facially unconstitutional by including the
6 ambiguous “other” identification requirement), fiscal analyses of the costs of
7 implementing voter identification programs (prepared both here in Nevada and in
8 states that have considered or enacted similar laws), and recent past petitions in
9 Nevada proposing photo identification hand-in-hand with free identification.

10 19. Under NRS 295.015(4)(c), the Secretary’s office must post on its website
11 a fiscal note explaining each petition’s anticipated financial effect on state or local
12 governments within 10 business days of receiving the petition. As of the filing date of
13 this Complaint, the Financial Impact Statement for the Petition remains “pending”
14 on the Secretary’s website. *See Exhibit 2*, a true and accurate copy of the Secretary’s
15 website listing 2024 petitions, at 2; *see also 2024 Petitions & General Election Ballot*
16 *Questions*, Nev. Sec’y of State, <https://www.nvsos.gov/sos/elections/2024-petitions>
17 (Nov. 21, 2023).

18 20. However, previous financial impact statements for similar photo-
19 identification initiatives have consistently recognized that “[l]egislation requiring a
20 registered voter to present his or her proof of identity prior to voting may result in
21 additional expenditures by the state and local governments ... Legislation requiring
22 the issuance of voter identification cards at no charge *would increase* the
23 expenditures of the state and local government entities required to issue the cards[.]”
24 *Exhibit 3* (emphasis added), a true and accurate copy of the Financial Impact
25 Statement associated with the 2016 Initiative to Require Voter ID Initiative Petition;
26 *see also Exhibit 4*, a true and accurate copy of the Financial Impact Statement
27 associated with the 2016 Voter ID Initiative; *Exhibit 5*, a true and accurate copy of
28

1 the Financial Impact Statement associated with the 2014 Voter ID Initiative;
2 **Exhibit 6**, a true and accurate copy of the Financial Impact Statement associated
3 with the 2014 Voter ID Initiative.

4 21. Indeed, each of these past photo-identification initiatives sought to
5 “require the Legislature to direct one or more government entities to issue,” and
6 expressly required the Legislature to provide “at no charge, a voter identification card
7 to a person who is registered to vote in Nevada[.]” Exs. 3–6. A similar photo-
8 identification initiative in 2022 proposed requiring “the Secretary of State to create a
9 special photographic identification document for voting purposes,” which would be
10 “issued upon request to any eligible voter in Nevada.” **Exhibit 8**, a true and accurate
11 copy of the Notice of Intent to Circulate Statewide Initiative or Referendum Petition
12 associated with Petition S-07-2022, at 3. This shows that at least *five separate times*
13 when photo identification was previously proposed via a petition initiative in Nevada,
14 the initiative also proposed providing access to free voter identification—recognition
15 of the fact that this is an essential component of any valid photo-identification
16 requirement.

17 22. All of these past photo-identification initiatives were either withdrawn
18 or deemed invalid by court order, and none gathered sufficient signatures to appear
19 on the ballot.

20 23. Financial impact statements for similar photo-identification initiatives
21 have also consistently recognized that such initiatives would require extensive voter-
22 education and public-outreach campaigns, revised and additional election materials,
23 and expanded poll-worker training and wages, all of which “*will increase*
24 expenditures of state government and may increase expenditures of local government
25 entities.” Exs. 3–6 (emphasis added); *see also* **Exhibit 7**, a true and accurate copy of
26 the Financial Impact Statement associated with the 2010 Secure and Fair Elections
27 Act Initiative petition, at 2 (“[T]he provisions of the Initiative requiring the waiver of
28

1 fees for new or replacement identification cards issued in order to comply with the
2 voting requirements specified in the Initiative would result in a loss of fee revenue
3 for the state.”).

4 24. The Petition’s new mail-in ballot identification requirements would
5 require the State to spend even more funds. Mail ballots and envelopes would have
6 to be redesigned, and automated signature-verification machines would need to be
7 recalibrated to accommodate the extra verification digits added to the signature line.
8 A process for conducting the verification would also need to be developed, with
9 election officials trained on the new procedures and, if the verification is automated,
10 new software and equipment purchased. And, to the extent election officials currently
11 lack the information required to perform the verification for voters—such as voters
12 who registered to vote using a previous version of the registration form, or those who
13 acquired or cancelled their Nevada driver’s licenses after registering to vote—the new
14 verification requirement would necessitate an expensive information-gathering
15 campaign on the part of the State.

16 25. Indeed, a financial impact statement for a similar initiative requiring
17 that mail-in voters provide the last four digits of their driver’s license, state-
18 identification card, or Social Security number on their mail ballot acknowledged that
19 such requirements would “[r]equire the Secretary of State’s Office to develop
20 procedures to verify the last four digits of a voter’s driver’s license or identification
21 card number for purposes of verifying identity. These four numbers have not been
22 used for identity verification and may produce duplicate registrations, and staff will
23 be required to implement security features to protect the integrity of elections” and
24 “provide poll worker training for identification verification of voters.” Ex. 7 at 1.

25 26. The Petition cannot be enacted consistent with federal constitutional
26 requirements absent these necessary expenditures, and as such “creat[es] a new
27 requirement for the appropriation of state funding that does not now exist.” *Educ.*
28

1 *Freedom PAC*, 512 P.3d at 304. The Petition leaves “budgeting officials no discretion
2 in appropriating or expending the money mandated by the initiative—the budgeting
3 official must approve the appropriation or expenditure” to comply with its provisions.
4 *Herbst Gaming*, 122 Nev. at 890, 141 P.3d at 1233. Because the Petition *requires* an
5 appropriation and expenditure but does *not* “provide[] for raising the necessary
6 revenue” as Article 19, Section 6 requires, it is void ab initio. *Rogers*, 117 Nev. at 173,
7 18 P.3d at 1036.

8 SECOND CAUSE OF ACTION

9 **Violation of Description of Effect Requirement, NRS 295.009(1)(b)**

10 27. The foregoing paragraphs of this Complaint are realleged and fully
11 incorporated as if set forth in full herein.

12 28. NRS 295.009(1)(b) requires that initiative petitions “set forth, in not
13 more than 200 words, a description of the effect of the initiative or referendum if the
14 initiative or referendum is approved by the voters.” The purpose of the description of
15 effect is to “prevent voter confusion and promote informed decisions.” *Nevadans for*
16 *Nev. v. Beers*, 122 Nev. 930, 939, 142 P.3d 339, 345 (2006) (per curiam) (quoting
17 *Campbell v. Buckley*, 203 F.3d 738, 746 (10th Cir. 2000)).

18 29. “[A] description of effect must identify what the law proposes and how it
19 intends to achieve that proposal.” *Educ. Initiative PAC v. Comm. to Protect Nev. Jobs*,
20 129 Nev. 35, 42, 293 P. 3d 874, 879 (2013). In doing so, it “must be straightforward,
21 succinct, and nonargumentative, and it must not be deceptive or misleading.” *Id.*, 293
22 P.3d at 879 (cleaned up) (quoting *Las Vegas Taxpayer Accountability Comm. v. City*
23 *Council*, 125 Nev. 165, 183, 208 P.3d 429, 441 (2009)). A description must also
24 sufficiently “explain the[] ramifications of the proposed amendment” to allow voters
25 to make an informed decision. *Nev. Judges Ass’n v. Lau*, 112 Nev. 51, 59, 910 P.2d
26 898, 903 (1996).

27

28

1 30. While a description of effect does not need to explain *every* possible
2 effect, it must at a minimum accurately describe the main consequences of the
3 initiative. *See, e.g., Las Vegas Taxpayer Accountability Comm.*, 125 Nev. at 184, 208
4 P.3d at 441 (finding description of effect materially misleading where it “materially
5 fails to accurately identify the consequences of the referendum’s passage”). This
6 includes “the need for or nature of the revenue source” to fund a proposed initiative.
7 *Educ. Freedom PAC*, 512 P.3d at 304.

8 31. Here, the Petition’s description of effect is legally deficient: It is
9 deceptive and misleading and fails to explain the ramifications of the proposed
10 amendments such that Nevada voters would be able to make an informed decision.
11 The description is only 47 words, leaving ample space for an accurate recitation of the
12 Petition’s effects as NRS 295.009(1)(b) requires, yet it has multiple material
13 omissions.

14 32. For example, the description of effect does not describe a major
15 consequence of the Petition: that the photo-identification requirement will require
16 additional expenditures from the State to ensure that all eligible voters have free
17 access to an acceptable form of identification.

18 33. Nor does the description mention that the Petition would set differing
19 rules for voters’ use of expired identification cards depending on the individual voter’s
20 age. The Petition would amend Section 1B of the Nevada Constitution to state that,
21 “[t]o be considered valid, the photo identification must be current or expired for no
22 more than four years. If the voter is 70 years old or more, the identification can be
23 expired for any length of time, so long as it is otherwise valid.” Ex. 1 at 2. This
24 qualification is not mentioned in the description, which does not even attempt to
25 describe which forms of photo identification would be acceptable.

26 34. The description also fails to mention that, under federal law, election
27 officials must at the very least give voters who assert their eligibility a provisional
28

1 ballot. See 52 U.S.C. § 21082. The Petition cannot abrogate or circumvent this
2 mandate, and the amendments it propose would be preempted to the extent they
3 conflict with this requirement. See, e.g., *Rolf Jensen & Assocs. v. Dist. Ct.*, 128 Nev.
4 441, 445, 282 P.3d 743, 746 (2012). By failing to acknowledge the federal provisional-
5 ballot requirement, the description misleadingly suggests that the Petition would
6 have an outcome that is legally impossible. It also misleads prospective voters into
7 thinking that, without acceptable photo identification, they cannot receive *any*
8 ballot—even though federal law requires otherwise.

9 35. The description also fails to explain what “additional verification of their
10 identity” voters must provide in order to have their mail-in ballot counted. As a result
11 of this requirement, many eligible voters could have their mail-in ballots rejected
12 because they fail to provide acceptable additional verification—a material
13 consideration that is omitted from the description.

14 36. Because it does not include *any* of these important details, the Petition’s
15 47-word description of effect fails to sufficiently “identify what the law proposes and
16 how it intends to achieve that proposal.” *Educ. Initiative PAC*, 129 Nev. at 42, 293
17 P.3d at 879. Independently and collectively, these omissions and misleading
18 statements render the Petition’s description of effect legally deficient.

19 **PRAYER FOR RELIEF**

20 **WHEREFORE**, Plaintiff asks this Court to enter an order:

21 1. Declaring that the Petition does not comply with Article 19, Section 6 of
22 the Nevada Constitution because it impermissibly creates an unfunded mandate, and
23 is therefore invalid;

24 2. Declaring that the Petition’s description of effect does not comply with
25 NRS 295.009(1)(b) because it is deceptive, misleading, and fails to explain the
26 ramifications of the proposed amendment to allow voters to make an informed
27 decision, and is therefore invalid;

Exhibit 1

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit 1



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

7 Nov 23

Date

State of Nevada – Initiative Petition – Constitutional Amendment

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

Article 2 of the Nevada Constitution is hereby amended by adding thereto new sections to be designated as Section 1B and Section 1C, to read as follows:

Sec 1B. Photo Identification. Each voter in Nevada shall present photo identification to verify their identity when voting in person at a polling place during early voting or on election day before being provided a ballot. To be considered valid, the photo identification must be current or expired for no more than four years. If the voter is 70 years old or more, the identification can be expired for any length of time, so long as it is otherwise valid. Acceptable forms of identification include:

1. Nevada driver's license.
2. Identification card issued by the State of Nevada, any other State, or the US Government.
3. Employee photo identification card issued by the US government, Nevada government, or any county, municipality, board, authority, or other Nevada government entity.
4. US passport.
5. US military identification card.
6. Student photo identification card issued by a Nevada public college, university, or technical school.
7. Tribal photo identification.
8. Nevada concealed firearms permit.
9. Other form of government-issued photo identification that the Legislature may approve.

Sec 1C. Voter Verification. Each voter in Nevada who votes by mail-in ballot shall enter one of the following in the block provided next to the voter's signature for election officials to use in verifying the voter's identity:

1. The last four digits of their Nevada driver's license number.
2. If the voter does not possess a Nevada driver's license, the last four digits of their Social Security number.
3. If the voter has neither a Nevada driver's license or a Social Security number, the number provided by the county clerk when the voter registered to vote.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

DESCRIPTION OF EFFECT

If passed, this initiative would amend the State Constitution to require that all persons voting in person present an approved photo identification before being provided a ballot. It also requires that voters submitting a mail-in ballot provide additional verification of their identity when completing their mail-in ballot.

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 _____	COUNTY _____
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29	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY	
	YOUR SIGNATURE _____ DATE _____ / /	CITY _____	COUNTY _____
30	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY	
	YOUR SIGNATURE _____ DATE _____ / /	CITY _____	COUNTY _____
31	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY	
	YOUR SIGNATURE _____ DATE _____ / /	CITY _____	COUNTY _____
32	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY	
	YOUR SIGNATURE _____ DATE _____ / /	CITY _____	COUNTY _____

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

Page ____ of _____

Exhibit 2

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit 2

2024 Petitions & General Election Ballot Questions

nvsos.gov/sos/elections/2024-petitions

"FILING AN EXEMPTION TO THE NEVADA STATE BUSINESS LICENSE FOR SOLE PROPRIETOR, GENERAL PARTNERSHIP, "OTHER" NON-TITLE 7 LICENSE IS NO LONGER AVAILABLE ONLINE.

THE FORM NEEDS TO BE SUBMITTED DIRECTLY TO THE COMPLIANCE DIVISION THROUGH THIS [LINK](#)."

[Skip to Main Content](#)

- [County Precinct Maps](#)
- [2024 Petitions](#)
- [2022 Petitions](#)
- [VREMS Project](#)

[Elections](#)

[Print Feedback](#)

[Font Size: ±](#)

Updated November 21, 2023

For detailed information on the Initiative and Referendum process, please see the Secretary's guide [here](#) or contact the office at NVelect@sos.nv.gov.

Initiative Petitions to Amend the Nevada State Constitution

C-01-2023 - Declared legally deficient by Judge Russell on 11/21/2023.

Received: September 14, 2023

- [Nevadans for Reproductive Freedom PAC Information](#)
- [Financial Impact Statement](#)
- [Notice of Intent to Circulate Petition](#)

C-02-2023

Received: November 8, 2023

- Repair the Vote PAC Information
- Financial Impact Statement (pending)
- Notice of Intent to Circulate Petition

C-03-2023

Received: November 14, 2023

- Fair Maps Nevada PAC Information
- Financial Impact Statement (pending)
- Notice of Intent to Circulate Petition

C-04-2023

Received: November 14, 2023

- Fair Maps Nevada PAC Information
- Financial Impact Statement (pending)
- Notice of Intent to Circulate Petition

Initiative Petitions to Propose a New Statute or to Amend an Existing Statute

**If the following petitions gather sufficient signatures, they will be presented to the Legislature on the first day of the 2025 Legislative Session.*

None filed as of August 3, 2023

Referendum Petitions

R-01-2023 - Declared legally deficient by Judge Russell on 11/6/2023; appeal pending

Received: September 6, 2023

- Schools Over Stadiums PAC Information
- Financial Impact Statement - Preliminary
- Notice of Intent to Circulate Petition

Statewide Ballot Questions on the 2024 General Election Ballot

The final text of each ballot question and the comprehensive ballot question informational booklet will be published prior to the 2024 General Election. The information provided below is intended to increase voter awareness and to enable voters to research each topic in advance of the 2024 General Election.

Question 1 – Resulting from the passage of SJR7*

Proposes to amend the Nevada Constitution to remove the constitutional provisions governing the election and duties of the Board of Regents of the State University and to authorize the Legislature to provide by statute for the governance of the State University and for the auditing of public institutions of higher education in this State. (BDR C-944)

Question 2 – Resulting from the passage of ARJ1

Proposes to amend the Nevada Constitution to add and revise terms relating to persons with certain conditions for whose benefit certain public entities are supported by the State. (BDR C-477)

Question 3 - From the 2022 general election ballot (must remain Q3)

Shall the Nevada Constitution be amended to allow all Nevada voters the right to participate in open primary elections to choose candidates for the general election in which all voters may then rank the remaining candidates by preference for the offices of U.S. Senators, U.S. Representatives, Governor, Lieutenant Governor, Secretary of State, State Treasurer, State Controller, Attorney General, and State Legislators?

Question 4 – Resulting from the passage of AJR10*

Proposes to amend the Ordinance of the Nevada Constitution and the Nevada Constitution to remove language authorizing the use of slavery and involuntary servitude as a criminal punishment. (BDR C-496)

Question 5 – Resulting from the passage of SB428

At the General Election on November 5, 2024, a proposal must be submitted to the registered voters of this State to amend the Sales and Use Tax Act, which was enacted by the 47th Session of the Legislature of the State of Nevada and approved by the Governor in 1955, and subsequently approved by the people of this State at the General Election held on November 6, 1956. / Providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to provide an exemption from the tax for child and adult diapers.

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Exhibit 3

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Exhibit 3

FINANCIAL IMPACT OF THE INITIATIVE TO REQUIRE VOTER ID

FINANCIAL IMPACT – CANNOT BE DETERMINED

OVERVIEW

The Initiative To Require Voter ID (Initiative) proposes to amend *Nevada Revised Statutes* by adding provisions that would require a registered voter who wishes to vote in person in Nevada to present his or her proof of identity, as defined in the Initiative, to the applicable election board officer. The Initiative would also require the Legislature to direct one or more government entities to issue, at no charge, a voter identification card to a person who is registered to vote in Nevada and who does not possess any other form of proof of identity that is specified within the Initiative.

FINANCIAL IMPACT OF THE INITIATIVE

Pursuant to Article 19, Section 2 of the *Nevada Constitution*, an initiative proposing to amend the *Nevada Revised Statutes* must be approved by the Legislature and Governor within the first 40 days of the next regular session, which begins on February 6, 2017. If the Legislature and Governor approve the Initiative, it becomes law and may be amended during the next following legislative session. If the Legislature and Governor do not approve the Initiative within the first 40 days of the session, it will be submitted to the voters at the November 2018 General Election. If it is approved by the voters at that election, the Initiative becomes law and may not be amended for a period of three years.

The provisions of the Initiative would require the Legislature and Governor to approve legislation to implement these provisions. Legislation requiring a registered voter to present his or her proof of identity prior to voting may result in additional expenditures by the state and local governments, but the amount of those additional expenditures cannot be determined until the legislation is enacted. Legislation requiring the issuance of voter identification cards at no charge would increase the expenditures of the state and local government entities required to issue the cards, but until the legislation is enacted, the Fiscal Analysis Division cannot determine which government entities would be required to issue the cards, the number of cards that would be issued by each entity, or the cost of creating and issuing each card. The Fiscal Analysis Division additionally cannot predict which sources would be utilized by the Legislature to fund the associated costs related to the issuance of the cards.

The Secretary of State's Office has additionally indicated that, as a result of federal court rulings, the provisions of the Initiative requiring a registered voter to present his or her proof of identity to vote in person would require the Secretary of State to conduct an educational campaign to inform voters of the identification requirements specified within the Initiative. The campaign could include, but would not necessarily be limited to, mailings to citizens, the production of radio and television public service announcements, purchase of airtime for the announcements, purchase of newspaper advertisements, and modifications to the Secretary of State's website. Although the educational campaign will increase expenditures for the Secretary of State's Office, it is not currently possible to determine whether the Legislature will require specific criteria to be established related to the voter education campaign, whether the Legislature will require additional voter education campaigns to be conducted by local government entities, or the cost that may be incurred by state and local government entities to conduct these campaigns.

Based on the information provided above, the Fiscal Analysis Division has determined that, although the Initiative will increase expenditures of state government and may increase expenditures of local government entities, the amount of the financial impact cannot be determined with any reasonable degree of certainty.

Prepared by the Fiscal Analysis Division of the Legislative Counsel Bureau – August 4, 2016

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Exhibit 4

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit 4

FINANCIAL IMPACT OF THE VOTER ID INITIATIVE

FINANCIAL IMPACT – CANNOT BE DETERMINED

OVERVIEW

The Voter ID Initiative (Initiative) proposes to amend Article 2 of the *Nevada Constitution* by adding a new section, designated Section 11, that would require a registered voter who wishes to vote in person in Nevada to present his or her proof of identity, as defined in the Initiative, to the applicable election board officer. The Initiative would also require the Legislature to direct one or more government entities to issue, at no charge, a voter identification card to a person who is registered to vote in Nevada and who does not possess any other form of proof of identity that is specified within the Initiative.

FINANCIAL IMPACT OF THE INITIATIVE

Pursuant to Article 19, Section 4 of the *Nevada Constitution*, an initiative proposing to amend the *Nevada Constitution* must be approved by the voters at two successive general elections in order to become a part of the *Constitution*. If this Initiative is approved by voters at the November 2016 and November 2018 General Elections, the provisions of the Initiative would become effective on the fourth Thursday of November 2018 (November 27, 2018), when the votes are canvassed by the Supreme Court pursuant to NRS 293.395.

The provisions of the Initiative would require the Legislature and Governor to approve legislation to implement these provisions. Legislation requiring a registered voter to present his or her proof of identity prior to voting may result in additional expenditures by the state and local governments, but the amount of those additional expenditures cannot be determined until the legislation is enacted. Legislation requiring the issuance of voter identification cards at no charge would increase the expenditures of the state and local government entities required to issue the cards, but until the legislation is enacted, the Fiscal Analysis Division cannot determine which government entities would be required to issue the cards, the number of cards that would be issued by each entity, or the cost of creating and issuing each card. The Fiscal Analysis Division additionally cannot predict which sources would be utilized by the Legislature to fund the associated costs related to the issuance of the cards.

The Secretary of State's Office has additionally indicated that, as a result of federal court rulings, the provisions of the Initiative requiring a registered voter to present his or her proof of identity to vote in person would require the Secretary of State to conduct an educational campaign to inform voters of the identification requirements specified within the Initiative. The campaign could include, but would not necessarily be limited to, mailings to citizens, the production of radio and television public service announcements, purchase of airtime for the announcements, purchase of newspaper advertisements, and modifications to the Secretary of State's website. Although the educational campaign will increase expenditures for the Secretary of State's Office, it is not currently possible to determine whether the Legislature will require specific criteria to be established related to the voter education campaign, whether the Legislature will require additional voter education campaigns to be conducted by local government entities, or the cost that may be incurred by state and local government entities to conduct these campaigns.

Based on the information provided above, the Fiscal Analysis Division has determined that, although the Initiative will increase expenditures of state government and may increase expenditures of local government entities, the amount of the financial impact cannot be determined with any reasonable degree of certainty.

Prepared by the Fiscal Analysis Division of the Legislative Counsel Bureau – September 15, 2015

Exhibit 5

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Exhibit 5

FINANCIAL IMPACT OF THE VOTER ID INITIATIVE

FINANCIAL IMPACT – CANNOT BE DETERMINED

OVERVIEW

The Voter ID Initiative (Initiative) proposes to amend Article 2 of the *Nevada Constitution* by adding a new section, designated Section 11, that would require a registered voter who wishes to vote in person in Nevada to present his or her proof of identity, as defined in the Initiative, to the applicable election board officer. The Initiative would also require the Legislature to direct one or more government entities to issue, at no charge, a voter identification card to a person who is registered to vote in Nevada and who does not otherwise possess any other form of proof of identity that is specified within the Initiative.

FINANCIAL IMPACT OF THE INITIATIVE

Pursuant to Article 19, Section 4 of the *Nevada Constitution*, an initiative proposing to amend the *Nevada Constitution* must be approved by the voters at two successive general elections in order to become a part of the *Constitution*. If this Initiative is approved by voters at the November 2014 and November 2016 General Elections, the provisions of the Initiative would become effective on the fourth Thursday of November 2016 (November 29, 2016), when the votes are canvassed by the Supreme Court pursuant to NRS 293.395.

The provisions of the Initiative would require the Legislature and Governor to approve legislation to implement these provisions. Legislation requiring a registered voter to present his or her proof of identity prior to voting may result in additional expenditures by the state and local governments, but the amount of those additional expenditures cannot be determined until the legislation is enacted. Legislation requiring the issuance of voter identification cards at no charge would increase the expenditures of the state and local government entities required to issue the cards, but until the legislation is enacted, the Fiscal Analysis Division cannot determine which government entities would be required to issue the cards, the number of cards that would be issued by each entity, or the cost of creating and issuing each card. The Fiscal Analysis Division additionally cannot predict which sources would be utilized by the Legislature to fund the associated costs related to the issuance of the cards.

The Secretary of State's Office has additionally indicated that, as a result of federal court rulings, the provisions of the Initiative requiring a registered voter to present his or her proof of identity to vote in person would require the Secretary of State to conduct an educational campaign to inform voters of the identification requirements specified within the Initiative. The campaign could include, but would not necessarily be limited to, mailings to citizens, the production of radio and television public service announcements, purchase of airtime for the announcements, purchase of newspaper advertisements, and modifications to the Secretary of State's website. Although the educational campaign will increase expenditures for the Secretary of State's Office, it is not currently possible to determine whether the Legislature will require specific criteria to be established related to the voter education campaign, whether the Legislature will require additional voter education campaigns to be conducted by local government entities, or the cost that may be incurred by state and local government entities to conduct these campaigns.

Based on the information provided above, the Fiscal Analysis Division has determined that, although the Initiative will increase expenditures of state government and may increase expenditures of local government entities, the amount of the financial impact cannot be determined with any reasonable degree of certainty.

Prepared by the Fiscal Analysis Division of the Legislative Counsel Bureau – May 21, 2014

Exhibit 6

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Exhibit 6

FINANCIAL IMPACT OF THE VOTER ID INITIATIVE

FINANCIAL IMPACT – CANNOT BE DETERMINED

OVERVIEW

The Voter ID Initiative (Initiative) proposes to amend Article 2 of the *Nevada Constitution* by adding a new section, designated Section 11, that would require a registered voter who wishes to vote in person in Nevada to present his or her proof of identity, as defined in the Initiative, to the applicable election board officer. The Initiative would also require the Legislature to direct one or more government entities to issue, at no charge, a voter identification card to a person who is registered to vote in Nevada and who does not otherwise possess any other form of proof of identity that is specified within the Initiative.

FINANCIAL IMPACT OF THE INITIATIVE

Pursuant to Article 19, Section 4 of the *Nevada Constitution*, an initiative proposing to amend the *Nevada Constitution* must be approved by the voters at two successive general elections in order to become a part of the *Constitution*. If this Initiative is approved by voters at the November 2014 and November 2016 General Elections, the provisions of the Initiative would become effective on the fourth Thursday of November 2016 (November 29, 2016), when the votes are canvassed by the Supreme Court pursuant to NRS 293.395.

The provisions of the Initiative would require the Legislature and Governor to approve legislation to implement these provisions. Legislation requiring a registered voter to present his or her proof of identity prior to voting may result in additional expenditures by the state and local governments, but the amount of those additional expenditures cannot be determined until the legislation is enacted. Legislation requiring the issuance of voter identification cards at no charge would increase the expenditures of the state and local government entities required to issue the cards, but until the legislation is enacted, the Fiscal Analysis Division cannot determine which government entities would be required to issue the cards, the number of cards that would be issued by each entity, or the cost of creating and issuing each card. The Fiscal Analysis Division additionally cannot predict which sources would be utilized by the Legislature to fund the associated costs related to the issuance of the cards.

The Secretary of State's Office has additionally indicated that, as a result of federal court rulings, the provisions of the Initiative requiring a registered voter to present his or her proof of identity to vote in person would require the Secretary of State to conduct an educational campaign to inform voters of the identification requirements specified within the Initiative. The campaign could include, but would not necessarily be limited to, mailings to citizens, the production of radio and television public service announcements, purchase of airtime for the announcements, purchase of newspaper advertisements, and modifications to the Secretary of State's website. Although the educational campaign will increase expenditures for the Secretary of State's Office, it is not currently possible to determine whether the Legislature will require specific criteria to be established related to the voter education campaign, whether the Legislature will require additional voter education campaigns to be conducted by local government entities, or the cost that may be incurred by state and local government entities to conduct these campaigns.

Based on the information provided above, the Fiscal Analysis Division has determined that, although the Initiative will increase expenditures of state government and may increase expenditures of local government entities, the amount of the financial impact cannot be determined with any reasonable degree of certainty.

Prepared by the Fiscal Analysis Division of the Legislative Counsel Bureau – February 13, 2014

Exhibit 7

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Exhibit 7

FINANCIAL IMPACT OF THE SECURE AND FAIR ELECTIONS ACT INITIATIVE

FINANCIAL IMPACT – CANNOT BE DETERMINED

OVERVIEW

The Secure and Fair Elections Act Initiative (Initiative) proposes to amend various sections of Chapter 293 of the *Nevada Revised Statutes* relating to election law in Nevada, by requiring that government-issued identification be presented as a condition of voting in an election held within the state, and providing for the issuance of provisional ballots to persons who cannot present an acceptable form of government-issued identification. The Initiative also requires that a registered voter submitting an absentee or provisional ballot provide the last four digits of his Nevada driver's license number, state identification card number, or Social Security number.

The Initiative also proposes to amend Chapter 483 of *Nevada Revised Statutes*, relating to the issuance of driver's licenses and identification cards by the Department of Motor Vehicles, to require that the fee be waived for the issuance of a new or replacement state identification card that is requested in order to comply with the voting requirements specified in the Initiative.

FINANCIAL IMPACT OF THE INITIATIVE

Based on information the Fiscal Analysis Division received from the Office of the Secretary of State, the changes proposed within the Initiative related to changes to state election law would require systematic changes in the procedures and conduct of elections in the State. Specifically, the Initiative would:

- Require individuals who do not have a state-issued driver's license or identification card to vote using a paper provisional ballot, which would increase the printing costs incurred by local county clerks, local registrars of voters, and the Secretary of State's Office;
- Require the Secretary of State's Office to develop procedures to verify the last four digits of a voter's driver's license or identification card number for purposes of verifying identity. These four numbers have not been used for identity verification and may produce duplicate registrations, and staff will be required to implement security features to protect the integrity of elections,
- Require State and local elections officials to implement procedures and provide poll worker training for identification verification of voters; and
- Impose an identification requirement on military voters not required by existing state or federal law. Implementation by the State would increase return mail postage costs and require the Secretary of State's Office to promulgate regulations to administer the new identification requirement on military voters.

The resultant financial impact on the State or local governments to enforce these provisions of the Initiative cannot be determined at this time by the Office of the Secretary of State or the Fiscal Analysis Division with any reasonable degree of certainty.

Based on information the Fiscal Analysis Division received from the Department of Motor Vehicles, the provisions of the Initiative requiring the waiver of fees for new or replacement identification cards issued in order to comply with the voting requirements specified in the Initiative would result in a loss of fee revenue for the state. These provisions would also require the Department to implement procedures and provide staff training to its employees, and may require the Department to change its programming related to the issuance of state identification cards. However, because neither the Department of Motor Vehicles nor the Fiscal Analysis Division can predict the number of identification cards for which the fees would be waived under the provisions of the Initiative, the specific financial impact of these provisions contained within the Initiative cannot be determined with any reasonable degree of certainty.

Prepared by the Fiscal Analysis Division of the Legislative Counsel Bureau – March 11, 2010

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Exhibit 8

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Exhibit 8

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

Raja Money

Signature of Petition Filer

7-27-2022

Date

RESTORE INTEGRITY TO STATE ELECTIONS INITIATIVE

EXPLANATION: Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is language to be omitted.

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

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

THE FOLLOWING AFFIDAVIT MUST BE COMPLETED AND SIGNED:

AFFIDAVIT OF CIRCULATOR

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

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

EL502
Revised 8/19