



Nevada Advisory Committee to the U.S. Commission on Civil Rights Statement on Voting Access During the COVID-19 Pandemic

September 9, 2020

The Nevada Advisory Committee to the U.S. Commission on Civil Rights offers this statement¹ applauding the state of Nevada for its emergency order on elections, Assembly Bill 4 that ensures protections for Nevadans to vote safely at the November 3, 2020 election.² This statement coincides with the Commission's effort to examine voting rights and safe and accessible election administration in light of the COVID-19 pandemic.³

Under the emergency order, every active registered voter will automatically receive a mail-in ballot and a postage-paid envelope,⁴ effectively removing the requirement to request an absentee ballot to vote from home. In addition, the state will allow same-day voter registration at any vote center until Election Day.⁵ For voters who would like to vote in person, there will be the same number of in-person vote centers with voting machines as in a regular election.⁶

The law also allows voters the flexibility to vote in person if they initially chose to vote by mail. The voter can surrender his or her mail-in ballot at a vote center before voting or the voter can sign a document swearing not to use his or her mail-in ballot before voting in person. If the voter chooses to vote from home, he or she can put the signed ballot envelope into any mailbox or put the signed ballot envelope into any secure drop box.⁷ Drop box locations will be listed in the sample ballot;⁸ these include accessible

¹ On September 9, 2020, the Nevada Advisory Committee approved this statement in a 11 - 0 vote.

² State of Nevada, "Gov. Sisolak signs special session elections legislation," State of Nevada, Aug. 3, 2020, http://gov.nv.gov/News/Press/2020/Gov_Sisolak_signs_special_session_elections_legislation/.

³ U.S. Commission on Civil Rights, "The U.S. Commission on Civil Rights Announces COVID-19 Updates to Prior Reports on Voting Rights and Native American Needs," Jun. 5, 2020, <https://www.usccr.gov/press/2020/06-05-USCCR-COVID-Projects.pdf>.

⁴ NEV. REV. STAT. 293 § 16 (1). *See* <https://www.leg.state.nv.us/App/NELIS/REL/32nd2020Special/Bill/7150/Overview> (under text of bill).

⁵ NEV. REV. STAT. 293 § 2-27.

⁶ NEV. REV. STAT. 293 § 12 (2)(a-c).

⁷ NEV. REV. STAT. 293 § 20 (1)-(3).

locations such as the county or city clerk's office or county or city polling place.⁹ If someone decides to vote by mail, he or she can ask any trusted acquaintance to deliver the sealed ballot to a mailbox, a lockbox, or a vote center. The emergency law also permits the county election departments to start counting mail-in ballots 15 days before Election Day.¹⁰

While the Committee acknowledges Nevada's active approach to ensure that the November election is accessible, safe, and secure, the Committee strongly recommends the following:

- The Secretary of State engage in robust outreach efforts, similar to those deployed during the primaries, that include public service announcements, thorough and translated election information posted on the Secretary of State's and county election departments' websites, and informational mailers about alternative voting options. This outreach should also include intentional outreach to communities of color and underserved communities who require language access and other accessibilities that would enable them to fully participate in the franchise. Monies from the CARES Act should fund these outreach efforts.
- Governor Sisolak work in cooperation with Secretary Cegavske by providing additional support in the form of emergency orders as the legislature is not currently in session.

The Committee acknowledges that voting is a fundamental cornerstone of our country's democracy and will monitor the state's efforts to improve voting access.

The Committee also offers these resources below for Nevadans:

- Secretary of State's Facts vs. Myths About the 2020 Nevada General Election: <https://www.nvsos.gov/sos/home/showdocument?id=8842>.
- Information about the new election processes and contact information for all the county election departments: <https://www.nvsos.gov/sos/elections/election-information/2020-election/2020-general-election>.
- Coronavirus data and statistics, including demographic information related to age, gender, and race, are available on *The Nevada Independent's* online dashboard: <https://thenevadaindependent.com/coronavirus-data-nevada>.

⁸ NEV. REV. STAT. 293 § 43 (2).

⁹ NEV. REV. STAT. 293 § 20.

¹⁰ NEV. REV. STAT. 293 § 22-27, 39 (3)(b), 48 (1), 49 (3), 69 (3)(b), 79 (1) and 80 (3).