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Office of the Governor

June 1, 2023

The Honorable Nicole Cannizzaro
Majority Leader of the Nevada State Senate
Nevada Legislature
401 South Carson Street
Carson City, Nevada 89701

RE: Senate Bill 404 of the 82nd Legislative Session

Dear Leader Cannizzaro:

I am returning Senate Bill No. 404 to the 82nd Session of the Nevada Legislature without my approval, accompanied by my letters of objections.

Sincerely,

Joe Lombardo
Governor of Nevada

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June 1, 2023

The Honorable Nicole Cannizzaro
Majority Leader of the Nevada State Senate
Nevada Legislature
401 South Carson Street
Carson City, Nevada 89701

Re: Senate Bill 404 of the 82nd Legislative Session

Dear Leader Cannizzaro:

I am forwarding to you, for filing within the time limit set forth in the Nevada Constitution and without my approval, Senate Bill 404 ("SB 404"), which is titled as follows:

> AN ACT relating to elections; revising provisions relating to the challenge of a person applying to vote; authorizing a county or city clerk to order that the count of returns for early voting begin on or after the first day of early voting; and providing other matters properly relating thereto.

SB 404 is a bad bill. As I have stated, voting is one of our most important and sacred rights as Americans and Nevadans. We need to make it easier to vote while also making it harder to cheat. Though these are likely unintended consequences, SB 404 leads to a few definitive ends: 1) it weakens residency requirements; 2) it restricts a voter's ability to challenge another voter's eligibility; and 3) it promotes a continuing lack of transparency.

First, by allowing numerous forms of non-governmental identification, this bill would potentially allow voters who no longer reside at a previous address to vote without sufficient proof the voter indeed resides at the location provided in their identification. Additionally, by restricting voter eligibility challenges, SB 404 would serve to decrease confidence in elections by limiting the mechanisms by which voters themselves can prevent fraudulent voting. Finally, by continuing to allow early votes to be counted before election day, thereby potentially allowing for certain of those results to be disseminated before election day, we continue to foster a system which not only allows for manipulation, but may well also influence voter behavior and undermine the validity of the final results.

My bill, SB 405, would have addressed these issues. We would have enhanced election integrity by requiring some form of government identification to vote – this is basic common

sense. After all, we already unquestionably require all citizens to carry identification to drive, buy age-restricted items, get a hotel room, board a plane, open a bank account, apply for Medicaid or Social Security, etcetera.

Moreover, after the slow-return embarrassment we experienced in our last few elections, SB 405 would have ended universal mail-in ballots and required that all votes be cast by the time polls close on election day. Anyone and everyone who wants or needs a mail-in ballot can and should have the right to request and receive one, but they should not automatically be sent to every voter at an exorbitant cost to the State each election cycle.

That said, it is imperative that all early voting be conducted in a manner that maintains the confidentiality of votes counted until *after* election day. Any potential breach of this standard will only serve to discourage voters from going to the polls to exercise their right to vote.

Finally, SB 405 would have ended ballot harvesting. Though ballot harvesting was a felony prior to the pandemic, now it is considered common practice. My bill would have required that the individuals helping registered voters vote are reported, identified, and limited in the number of ballots they can collect.

These common sense reforms would have increased our election security and, thereby, public confidence in our election process. Since this bill does nothing to address those concerns, I cannot support it.

For these reasons, I veto this bill and return it without my signature or approval.

Respectfully submitted,

JOE LOMBARDO
Governor of Nevada

Enclosure

cc: The Honorable Stavros Anthony, President of the Senate (without enclosure)
The Honorable Nicole Cannizzaro, Senate Majority Leader (without enclosure)
The Honorable Francisco Aguilar, Secretary of State (without enclosure)
Brendan Bucy, Secretary of the Senate (without enclosure)
Susan Furlong, Chief Clerk of the Assembly (without enclosure)
Brenda Erdoes, Esq., Legislative Counsel (without enclosure)