

ASSEMBLY BILL NO. 8—JOINT RULES COMMITTEE

PREFILED JUNE 13, 2001

Referred to Committee of the Whole

SUMMARY—Makes various changes concerning reporting of campaign contributions and expenditures. (BDR 24-18)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to elections; requiring the secretary of state and each city clerk to design the form to be used by a candidate for reporting in kind campaign contributions and expenses; removing the requirement that campaign expenses under a certain amount be separately listed on forms for reporting; revising provisions governing the listing of certain categories of campaign expenses and expenditures; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 294A of NRS is hereby amended by adding
- 2 thereto a new section to read as follows:
- 3 *1. In addition to filing the forms designed and provided by the*
- 4 *secretary of state pursuant to NRS 294A.120, 294A.125 and 294A.200, or*
- 5 *the forms designed and provided by a city clerk pursuant to NRS*
- 6 *294A.360, as appropriate, each candidate who is required to file a report*
- 7 *of campaign contributions and expenses pursuant to NRS 294A.120,*
- 8 *294A.125, 294A.200 or 294A.360 shall file a separate form relating only*
- 9 *to goods and services provided in kind for which money would otherwise*
- 10 *have been paid. The candidate shall list on the form each such campaign*
- 11 *contribution he receives and each expense in excess of \$100 he incurs*
- 12 *during the reporting period.*
- 13 *2. The secretary of state shall design the form described in*
- 14 *subsection 1 for each candidate who is required to use the form to file a*
- 15 *report pursuant to NRS 294A.120, 294A.125 or 294A.200. The city clerk*
- 16 *shall design the form described in subsection 1 for each candidate who is*
- 17 *required to use the form to file a report pursuant to NRS 294A.360. The*
- 18 *city clerk shall submit the form to the secretary of state for approval. The*
- 19 *city clerk shall not use such a form until it is approved. The secretary of*
- 20 *state and each city clerk shall design the format of the form described in*



1 *subsection 1 so that a candidate who uses the form may record in the*
2 *form a list of each such campaign contribution as the contribution is*
3 *received and expense in excess of \$100 as it is incurred.*

4 3. *The secretary of state and each city clerk shall not require a*
5 *candidate to list the campaign contributions and expenses described in*
6 *this section on any form other than a form designed and provided*
7 *pursuant to this section.*

8 4. *Upon request, the secretary of state shall provide a copy of the*
9 *form described in subsection 1 to each candidate who is required to file a*
10 *report of his campaign contributions and expenses pursuant to NRS*
11 *294A.120, 294A.125 or 294A.200. Upon request, each city clerk shall*
12 *provide a copy of the form described in subsection 1 to each candidate*
13 *who is required to file a report of his campaign contributions and*
14 *expenses pursuant to NRS 294A.360.*

15 **Sec. 2.** NRS 294A.120 is hereby amended to read as follows:

16 294A.120 1. Every candidate for state, district, county or township
17 office at a primary or general election shall, not later than:

18 (a) Seven days before the primary election, for the period from 30 days
19 before the regular session of the legislature after the last election for that
20 office up to 12 days before the primary election;

21 (b) Seven days before the general election, whether or not the candidate
22 won the primary election, for the period from 12 days before the primary
23 election up to 12 days before the general election; and

24 (c) The 15th day of the second month after the general election, for the
25 remaining period up to 30 days before the next regular session of the
26 legislature,

27 list each of the campaign contributions *that* he receives during the period
28 on forms designed and provided by the secretary of state ~~and~~ *pursuant to*
29 *this section and section 1 of this act. Each form must be* signed by the
30 candidate under penalty of perjury.

31 2. Except as otherwise provided in subsection 3, every candidate for a
32 district office at a special election shall, not later than:

33 (a) Seven days before the special election, for the period from his
34 nomination up to 12 days before the special election; and

35 (b) Thirty days after the special election, for the remaining period up to
36 the special election,

37 list each of the campaign contributions *that* he receives during the period
38 on forms designed and provided by the secretary of state ~~and~~ *pursuant to*
39 *this section and section 1 of this act. Each form must be* signed by the
40 candidate under penalty of perjury.

41 3. Every candidate for state, district, county, municipal or township
42 office at a special election to determine whether a public officer will be
43 recalled shall list each of the campaign contributions *that* he receives on
44 forms designed and provided by the secretary of state *pursuant to this*
45 *section and section 1 of this act*, and signed by the candidate under penalty
46 of perjury, 30 days after:

47 (a) The special election, for the period from the filing of the notice of
48 intent to circulate the petition for recall up to the special election; or



1 (b) A district court determines that the petition for recall is legally
2 insufficient pursuant to subsection 5 of NRS 306.040, for the period from
3 the filing of the notice of intent to circulate the petition for recall up to the
4 date of the district court's decision.

5 4. Reports of campaign contributions must be filed with the officer
6 with whom the candidate filed the declaration of candidacy or acceptance
7 of candidacy. A candidate may mail the report to that officer by certified
8 mail. If certified mail is used, the date of mailing shall be deemed the date
9 of filing.

10 5. Every county clerk who receives from candidates for legislative or
11 judicial office, except the office of justice of the peace or municipal judge,
12 reports of campaign contributions pursuant to subsection 4 shall file a copy
13 of each report with the secretary of state within 10 working days after he
14 receives the report.

15 6. The name and address of the contributor and the date on which the
16 contribution was received must be included on the list for each contribution
17 in excess of \$100 and contributions which a contributor has made
18 cumulatively in excess of that amount since the beginning of the first
19 reporting period.

20 7. The form designed and provided by the secretary of state for the
21 reporting of contributions pursuant to this section must be designed to be
22 used by a candidate to record in the form of a list each campaign
23 contribution as he receives it.

24 **Sec. 3.** NRS 294A.125 is hereby amended to read as follows:

25 294A.125 1. In addition to complying with the requirements set forth
26 in NRS 294A.120, 294A.200 and 294A.360, a candidate who receives
27 contributions in any year before the year in which the general election or
28 general city election in which the candidate intends to seek election to
29 public office is held, shall, for:

30 (a) The year in which he receives contributions in excess of \$10,000,
31 list each of the contributions *that he receives and the expenditures in*
32 *excess of \$100* made in that year.

33 (b) Each year after the year in which he received contributions in excess
34 of \$10,000, until the year of the general election or general city election in
35 which the candidate intends to seek election to public office is held, list
36 each of the contributions *that he* received and the expenditures *in excess of*
37 *\$100* made in that year.

38 2. The reports required by subsection 1 must be submitted on ~~a form~~
39 *forms* designed and provided by the secretary of state ~~and~~ *pursuant to*
40 *this section and section 1 of this act. Each form must be* signed by the
41 candidate under penalty of perjury.

42 3. The name and address of the contributor and the date on which the
43 contribution was received must be included on the list for each contribution
44 in excess of \$100 and contributions that a contributor has made
45 cumulatively in excess of that amount.

46 4. The forms designed and provided by the secretary of state for the
47 reporting of contributions and expenditures pursuant to this section must be
48 designed to be used by a candidate to record in the form of a list each
49 campaign contribution as he receives it and each expenditure as it is made.



1 ~~14.1~~ 5. The report must be filed:

2 (a) With the officer with whom the candidate will file the declaration of
3 candidacy or acceptance of candidacy for the public office the candidate
4 intends to seek. A candidate may mail the report to that officer by certified
5 mail. If certified mail is used, the date of mailing shall be deemed the date
6 of filing.

7 (b) On or before January 15 of the year immediately after the year for
8 which the report is made.

9 ~~15.1~~ 6. A county clerk who receives from a candidate for legislative or
10 judicial office, except the office of justice of the peace or municipal judge,
11 a report of contributions and expenditures pursuant to subsection ~~14.1~~ 5 shall
12 file a copy of the report with the secretary of state within 10 working days
13 after he receives the report.

14 **Sec. 4.** NRS 294A.200 is hereby amended to read as follows:

15 294A.200 1. Every candidate for state, district, county or township
16 office at a primary or general election shall, not later than:

17 (a) Seven days before the primary election, for the period from 30 days
18 before the regular session of the legislature after the last election for that
19 office up to 12 days before the primary election;

20 (b) Seven days before the general election, whether or not the candidate
21 won the primary election, for the period from 12 days before the primary
22 election up to 12 days before the general election; and

23 (c) The 15th day of the second month after the general election, for the
24 remaining period up to 30 days before the next regular session of the
25 legislature,

26 list each of the campaign expenses *in excess of \$100 that* he incurs during
27 the period on forms designed and provided by the secretary of state ~~and~~
28 *pursuant to this section and section 1 of this act. Each form must be*
29 signed by the candidate under penalty of perjury.

30 2. Except as otherwise provided in subsection 3, every candidate for a
31 district office at a special election shall, not later than:

32 (a) Seven days before the special election, for the period from his
33 nomination up to 12 days before the special election; and

34 (b) Sixty days after the special election, for the remaining period up to
35 30 days after the special election,

36 list each of the campaign expenses *in excess of \$100 that* he incurs during
37 the period on forms designed and provided by the secretary of state ~~and~~
38 *pursuant to this section and section 1 of this act. Each form must be*
39 signed by the candidate under penalty of perjury.

40 3. Every candidate for state, district, county, municipal or township
41 office at a special election to determine whether a public officer will be
42 recalled shall list the campaign expenses *in excess of \$100 that* he incurs
43 on forms designed and provided by the secretary of state *pursuant to this*
44 *section and section 1 of this act* and signed by the candidate under penalty
45 of perjury, 60 days after:

46 (a) The special election, for the period from the filing of the notice of
47 intent to circulate the petition for recall up to 30 days after the special
48 election; or



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1 (b) A district court determines that the petition for recall is legally
2 insufficient pursuant to subsection 5 of NRS 306.040, for the period from
3 the filing of the notice of intent to circulate the petition for recall up to the
4 date of the district court's decision.

5 4. Reports of campaign expenses must be filed with the officer with
6 whom the candidate filed the declaration of candidacy or acceptance of
7 candidacy. A candidate may mail the report to that officer by certified mail.
8 If certified mail is used, the date of mailing shall be deemed the date of
9 filing.

10 5. County clerks who receive from candidates for legislative or judicial
11 office, except the office of justice of the peace or municipal judge, reports
12 of campaign expenses pursuant to subsection 4 shall file a copy of each
13 report with the secretary of state within 10 working days after he receives
14 the report.

15 6. The forms designed and provided by the secretary of state for the
16 reporting of campaign expenses pursuant to this section must be designed
17 to be used by a candidate to record in the form of a list each campaign
18 expense as he incurs it.

19 **Sec. 5.** NRS 294A.360 is hereby amended to read as follows:

20 294A.360 1. Every candidate for city office where the general city
21 election is preceded by a primary city election shall file the reports in the
22 manner required by NRS 294A.120, 294A.200 and 294A.350 for other
23 offices not later than:

24 (a) Seven days before the primary city election, for the period from 30
25 days after the last election for that office up to 12 days before the primary
26 city election;

27 (b) Seven days before the general city election, whether or not the
28 candidate won the primary city election, for the period from 12 days before
29 the primary city election up to 12 days before the general city election; and

30 (c) The 15th day of the second month after the general city election, for
31 the remaining period up to 30 days after the general city election.

32 2. Every candidate for city office where there is no primary city
33 election shall so file those reports:

34 (a) Seven days before the general city election, for the period from 30
35 days after the last election for that office up to 12 days before the general
36 city election; and

37 (b) The 15th day of the second month after the general city election, for
38 the remaining period up to 30 days after the general city election.

39 3. The city clerk shall design the form for each report a candidate for
40 city office is required to file pursuant to NRS 294A.120 and 294A.200.
41 The form designed and provided by the city clerk for the reporting of
42 campaign contributions and campaign expenses pursuant to this section
43 must be designed to be used to record in the form of a list each campaign
44 contribution as it is made and each campaign expense *in excess of \$100* as
45 it is incurred.

46 The city clerk shall submit the form to the secretary of state for approval.
47 The city clerk shall not use such a form until it is approved.

48 **Sec. 6.** NRS 294A.365 is hereby amended to read as follows:



- 1 294A.365 1. Each report of ~~expenses or~~ expenditures required
2 pursuant to NRS ~~294A.125, 294A.200,~~ 294A.210, 294A.220 and
3 294A.280 must consist of a list of the ~~expenses incurred or~~ expenditures
4 made during the periods for reporting. *Each report of expenses required*
5 *pursuant to NRS 294A.125 and 294A.200 must consist of a list of each*
6 *expense in excess of \$100 that was incurred during the periods for*
7 *reporting.* The list *in each report* must state the category and amount of
8 the expense or expenditure and the ~~approximate~~ date on which the
9 expense was incurred or the expenditure was made.
- 10 2. The categories of expense or expenditure for use on the report of
11 expenses or expenditures are:
- 12 (a) Office expenses;
 - 13 (b) Expenses related to volunteers;
 - 14 (c) Expenses related to travel;
 - 15 (d) Expenses related to advertising;
 - 16 (e) Expenses related to paid staff;
 - 17 (f) Expenses related to consultants;
 - 18 (g) Expenses related to polling;
 - 19 (h) Expenses related to special events;
 - 20 (i) ~~Goods~~ *Except as otherwise provided in section 1 of this act, goods*
21 *and services provided in kind for which money would otherwise have been*
22 *paid; and*
 - 23 (j) Other miscellaneous expenses.
- 24 3. *The secretary of state and each city clerk shall not require a*
25 *candidate to provide separately the total amount of each category of*
26 *expenses described in this section.*
- 27 **Sec. 7.** This act becomes effective on January 1, 2002.

