

MARCH 22, 1999

2

Section 1. NRS 281.465 is hereby amended to read as follows:
281.465 1. The commission has jurisdiction to investigate and take
appropriate action regarding an alleged violation of:

(a) This chapter by a public officer or employee or former public officer
or employee in any proceeding commenced by:

(1) The filing of a request for an opinion with the commission; or
(2) A determination of the commission on its own motion that there is
just and sufficient cause to render an opinion concerning the conduct of that
public officer or employee or former public officer or employee.

(b) NRS 294A.345 or 294A.346 in any proceeding commenced by the
filing of a request for an opinion pursuant thereto.

2. The provisions of paragraph (a) of subsection 1 apply to a public
officer or employee who:

1 (a) Currently holds public office or is publicly employed at the
2 commencement of proceedings against him.

3 (b) ~~{Resigns or otherwise leaves his public office or employment:~~

4 ~~—(1) After the commencement of proceedings against him; or~~

5 ~~—(2) Within 1 year after the alleged violation or reasonable discovery~~
6 ~~of the alleged violation.}~~ *No longer holds public office or is no longer*
7 *publicly employed and regarding whom a request for an opinion was*
8 *filed:*

9 *(1) Before the termination of the term or employment of the public*
10 *officer or employee; or*

11 *(2) Within 2 years after the later of:*

12 *(I) The alleged violation by the public officer or employee;*

13 *(II) The publication of the facts that are the basis of the request*
14 *for the opinion; or*

15 *(III) The date on which the facts that are the basis of the request*
16 *for the opinion could have been discovered or known through reasonable*
17 *inquiry.*

18 **Sec. 2.** NRS 281.475 is hereby amended to read as follows:

19 281.475 1. The chairman and vice chairman of the commission may
20 administer oaths.

21 2. ~~{The commission, upon majority vote,}~~ *After the commission has*
22 *determined that there is just and sufficient cause to render an opinion in*
23 *a matter, the chairman or vice chairman* may issue a subpoena to compel
24 the attendance of a ~~{witness}~~ *person* and the production of books and
25 papers ~~{. Before issuing such a subpoena, the commission shall submit a~~
26 ~~written request to the public officer or public employee who is the subject~~
27 ~~of an inquiry or opinion of the commission, or to the person or group of~~
28 ~~persons requesting an opinion pursuant to NRS 294A.345 or 294A.346,~~
29 ~~requesting:~~

30 ~~—(a) His appearance, or the appearance of a representative of the group,~~
31 ~~as a witness;~~

32 ~~—(b) The appearance as a witness of any other person who may have~~
33 ~~information relating to the inquiry or opinion; or~~

34 ~~—(c) The production of any books and papers. Each such request}~~ *at the*
35 *request of any party to the matter or for an investigation, hearing or*
36 *other action on the matter by the commission. Each subpoena* must

37 specify the time and place for the attendance of ~~{any witness}~~ *the person*
38 *subpoenaed* or the production of any books and papers, and designate with
39 certainty the books and papers requested, if any. ~~{If the public officer or~~
40 ~~other witness fails or refuses to attend or produce the books and papers~~
41 ~~requested by the commission, the commission may issue the subpoena.}~~

1 3. If any ~~{witness}~~ **person** refuses to attend, testify or produce any
2 books and papers as required by the subpoena, the chairman of the
3 commission may report to the district court by petition, setting forth that:

4 (a) Due notice has been given of the time and place of attendance of the
5 ~~{witness}~~ **person** or the production of the books and papers;

6 (b) The ~~{witness}~~ **person** has been subpoenaed by the commission
7 pursuant to this section; and

8 (c) The ~~{witness}~~ **person** has failed or refused to attend or produce the
9 books and papers required by the subpoena before the commission, or has
10 refused to answer questions propounded to him, and asking for an order of
11 the court compelling the ~~{witness}~~ **person** to attend and testify or produce
12 the books and papers before the commission.

13 4. Except as otherwise provided in this subsection, upon such a
14 petition, the court shall enter an order directing the ~~{witness}~~ **person**
15 **subpoenaed** to appear before the court at a time and place to be fixed by
16 the court in its order, the time to be not more than 10 days after the date of
17 the order, and then and there show cause why he has not attended, testified
18 or produced the books or papers before the commission. If the ~~{witness}~~
19 **person** has been subpoenaed by the commission in response to a request for
20 an opinion filed pursuant to NRS 294A.345 or 294A.346, the court shall
21 direct the ~~{witness}~~ **person** to appear before the court as expeditiously as
22 possible to allow the commission to render its opinion within the time
23 required by NRS 281.477. A certified copy of the order must be served
24 upon the ~~{witness.}~~ **person**.

25 5. If it appears to the court that the subpoena was regularly issued by
26 the commission, the court shall enter an order that the ~~{witness}~~ **person**
27 **subpoenaed** appear before the commission, at the time and place fixed in
28 the order, and testify or produce the required books and papers. Upon
29 failure to obey the order the ~~{witness}~~ **person** must be dealt with as for
30 contempt of court.

31 **Sec. 3.** NRS 281.501 is hereby amended to read as follows:

32 281.501 1. Except as otherwise provided in subsection 2 or 3, a
33 ~~{member of the legislative branch}~~ **public officer** may vote upon a matter if
34 the benefit or detriment accruing to him as a result of the decision either
35 individually or in a representative capacity as a member of a general
36 business, profession, occupation or group is not greater than that accruing
37 to any other member of the general business, profession, occupation or
38 group.

39 2. In addition to the requirements of the code of ethical standards, a
40 ~~{member of the legislative branch}~~ **public officer** shall not vote upon or
41 advocate the passage or failure of, but may otherwise participate in the
42 consideration of a matter with respect to which the independence of

1 judgment of a reasonable person in his situation would be materially
2 affected by:

3 (a) His acceptance of a ~~{gift or loan;}~~ :

4 (1) Gift;

5 (2) Loan; or

6 (3) *Campaign contribution or contributions if the contribution or*
7 *contributions, in the aggregate, exceed \$4,000 or constitute at least 20*
8 *percent of the total campaign contributions received by the officer during*
9 *the applicable period set forth in NRS 294A.100;*

10 (b) His pecuniary interest; or

11 (c) His commitment in a private capacity to the interests of others.

12 It must be presumed that the independence of judgment of a reasonable
13 person would not be materially affected by his pecuniary interest or his
14 commitment in a private capacity to the interests of others where the
15 resulting benefit or detriment accruing to him or to the other persons whose
16 interests to which the member is committed in a private capacity is not
17 greater than that accruing to any other member of the general business,
18 profession, occupation or group.

19 3. A public officer ~~{or employee}~~ shall not approve, disapprove, vote,
20 abstain from voting or otherwise act upon any matter:

21 (a) Regarding which he has accepted a ~~{gift or loan;}~~ :

22 (1) Gift;

23 (2) Loan; or

24 (3) *Campaign contribution or contributions if the contribution or*
25 *contributions, in the aggregate, exceed \$2,000 or constitute at least 10*
26 *percent of the total campaign contributions received by the officer during*
27 *the applicable period set forth in NRS 294A.100;*

28 (b) Which would reasonably be affected by his commitment in a private
29 capacity to the interest of others; or

30 (c) In which he has a pecuniary interest,
31 without disclosing the full nature and extent of the gift, *campaign*
32 *contribution*, loan, commitment or interest ~~{}~~, *including, without*
33 *limitation, the donor of the campaign contribution.* Except as otherwise
34 provided in subsection 6, such a disclosure must be made at the time the
35 matter is considered. If the officer ~~{or employee}~~ is a member of a body
36 which makes decisions, he shall make the disclosure in public to the
37 chairman and other members of the body. If the officer ~~{or employee}~~ is not
38 a member of such a body and holds an appointive office, he shall make the
39 disclosure to the supervisory head of his organization or, if he holds an
40 elective office, to the general public in the area from which he is elected.

41 4. If a ~~{member of the legislative branch}~~ *public officer* declares to the
42 legislative body or committee in which the vote is to be taken that he will
43 abstain from voting because of the requirements of this section, the

1 necessary quorum to act upon and the number of votes necessary to act
2 upon the matter, as fixed by any statute, ordinance or rule, is reduced as
3 though the member abstaining were not a member of the body or
4 committee.

5 5. If a ~~member of the legislative branch~~ **public officer** is voting on a
6 matter which affects public employees, he shall make a full public
7 disclosure of any personal pecuniary interest which he may have in the
8 matter.

9 6. After a member of the ~~legislative branch~~ **legislature** makes a
10 disclosure pursuant to subsection 3, he may file with the director of the
11 legislative counsel bureau a written statement of his disclosure. The written
12 statement must designate the matter to which the disclosure applies. After a
13 legislator files a written statement pursuant to this subsection, he is not
14 required to disclose orally his interest when the matter is further considered
15 by the legislature or any committee thereof. A written statement of
16 disclosure is a public record and must be made available for inspection by
17 the public during the regular office hours of the legislative counsel bureau.

18 **Sec. 4.** NRS 281.511 is hereby amended to read as follows:

19 281.511 1. The commission shall render an opinion interpreting the
20 statutory ethical standards and apply the standards to a given set of facts
21 and circumstances upon request from a public officer or employee who is
22 seeking guidance on questions which directly relate to the propriety of his
23 own past, present or future conduct as an officer or employee. He may also
24 request the commission to hold a public hearing regarding the requested
25 opinion. If a requested opinion relates to the propriety of his own present or
26 future conduct, the opinion of the commission is:

27 (a) Binding upon the requester as to his future conduct; and

28 (b) Final and subject to judicial review pursuant to NRS 233B.130,
29 except that a proceeding regarding this review must be held in closed court
30 without admittance of persons other than those necessary to the proceeding,
31 unless this right to confidential proceedings is waived by the requester.

32 2. The commission may render an opinion interpreting the statutory
33 ethical standards and apply the standards to a given set of facts and
34 circumstances:

35 (a) Upon request from a specialized or local ethics committee.

36 (b) Upon request from a person, if the requester:

37 (1) Submits all related evidence deemed necessary by the commission
38 for it to make a preliminary determination of whether there is just and
39 sufficient cause to render an opinion in the matter; and

40 (2) Signs a statement on a form prescribed by the commission in
41 which he affirms that:

42 (I) The accusation or information contained in the request is true;

1 (II) He did not submit the request in bad faith or with a vexatious
2 purpose; and

3 (III) He understands that the commission may impose penalties
4 upon him pursuant to NRS 281.551 if the commission determines that the
5 accusation or information is false, ~~and~~ was submitted in bad faith ~~or~~
6 with a vexatious purpose or *was submitted* in connection with a request for
7 an opinion that the commission determines to be without merit.

8 (c) Upon the commission's own motion regarding the propriety of
9 conduct by a public officer or employee, if the commission first determines
10 in an adopted motion that there is just and sufficient cause to render an
11 opinion concerning the conduct of that public officer or employee. The
12 commission shall not initiate proceedings pursuant to this paragraph based
13 solely upon an anonymous complaint. Proceedings that the commission
14 initiates pursuant to this paragraph must remain confidential unless the
15 commission determines that there is just and sufficient cause to render an
16 opinion.

17 The commission shall not determine that there is just and sufficient cause to
18 render an opinion *pursuant to this paragraph* without extending the public
19 officer or employee an opportunity to appear before the commission and
20 present evidence and argument.

21 3. The commission shall render an opinion requested pursuant to this
22 section as expeditiously as possible in light of the circumstances of the
23 public officer or employee about whom the opinion is requested, so as to
24 minimize adverse consequences to him that may result from a delay in
25 issuing the opinion.

26 4. Each request for an opinion that a public officer or employee
27 submits to the commission pursuant to subsection 1, each opinion rendered
28 by the commission in response to such a request and any motion,
29 preliminary determination, evidence or record of a hearing relating to such
30 a request are confidential unless the public officer or employee who
31 requested the opinion:

32 (a) Acts in contravention of the opinion, in which case the commission
33 may disclose the request for the opinion, the contents of the opinion and
34 any motion, evidence or record of a hearing related thereto;

35 (b) Discloses the request for the opinion, the contents of the opinion or
36 any motion, evidence or record of a hearing related thereto; or

37 (c) Requests the commission to disclose the request for the opinion, the
38 contents of the opinion or any motion, evidence or record of a hearing
39 related thereto.

40 5. Except as otherwise provided in this subsection, each document in
41 the possession of the commission that is related to a request for an opinion
42 regarding a public officer or employee submitted to the commission
43 pursuant to paragraph (b) of subsection 2, including the commission's copy

1 of the request and all materials and information gathered in an investigation
2 of the request, is confidential until the commission determines whether
3 there is just and sufficient cause to render an opinion in the matter. The
4 public officer or employee who is the subject of a request for an opinion
5 submitted pursuant to paragraph (b) of subsection 2 may in writing
6 authorize the commission to make its files, material and information which
7 are related to the request publicly available.

8 6. Whenever the commission holds a hearing for a purpose other than
9 to determine whether there is just and sufficient cause to render an opinion
10 in a matter, the commission shall:

11 (a) Notify the person about whom the opinion was requested of the place
12 and time of the commission's hearing on the matter;

13 (b) Allow the person to be represented by counsel; and

14 (c) Allow the person to hear the evidence presented to the commission
15 and to respond and present evidence on his own behalf.

16 The commission's hearing may be held no sooner than 2 weeks after the
17 notice is given unless the person agrees to a shorter time.

18 7. If a person who requests an opinion pursuant to subsection 1 or 2
19 does not:

20 (a) Submit all necessary information to the commission; and

21 (b) Declare by oath or affirmation that he will testify truthfully,
22 the commission may decline to render an opinion.

23 8. *For good cause shown, the commission may take testimony from a*
24 *person by telephone or video conference.*

25 9. For the purposes of NRS 41.032, the members of the commission
26 and its employees shall be deemed to be exercising or performing a
27 discretionary function or duty when taking an action related to the
28 rendering of an opinion pursuant to this section.

29 ~~10.~~ 10. The commission shall publish hypothetical opinions which are
30 abstracted from the opinions rendered pursuant to subsection 1, for the
31 future guidance of all persons concerned with ethical standards in
32 government.

33 ~~11.~~ 11. A meeting or hearing that the commission holds to receive
34 information or evidence concerning the propriety of the conduct of a public
35 officer or employee pursuant to this section and the commission's
36 deliberations on such information or evidence are not subject to the
37 provisions of chapter 241 of NRS.

38 12. *The commission may, by majority vote, find a person appearing*
39 *before the commission to be in contempt of the authority of the*
40 *commission if the person engages in:*

41 (a) *Disorderly or insolent behavior toward the commission or a*
42 *member thereof while the commission is meeting or holding a hearing;*
43 *or*

(b) *A breach of the peace or boisterous conduct or causes a violent disturbance in the presence of the commission, or in the immediate vicinity of the commission, which tends to interrupt the course of the meeting or hearing of the commission.*

13. *If the commission finds a person in contempt of its authority, the commission may:*

(a) *Remove the person from the meeting or hearing;*

(b) *Draw such inferences as the commission deems appropriate against the person;*

(c) *Refuse to allow the person to support or oppose certain claims or defenses designated by the commission or prohibit the person from introducing certain matters designated by the commission into evidence;*

(d) *Strike evidence or testimony proffered by the person;*

(e) *Stay further proceedings in the matter;*

(f) *Dismiss all or a part of a request for an opinion; and*

(g) *Fine the person an amount not to exceed \$500.*

Sec. 5. NRS 281.551 is hereby amended to read as follows:

281.551 1. In addition to any other penalty provided by law, the commission may impose on a public officer or employee or former public officer or employee civil penalties not to exceed \$5,000 for a willful violation of this chapter.

2. In addition to other penalties provided by law, the commission may impose a civil penalty not to exceed \$5,000 and assess an amount equal to the amount of attorney's fees and costs actually and reasonably incurred by the person about whom an opinion was requested pursuant to NRS 281.511, against a person who:

(a) Submits *an accusation or information* to the commission ~~that is~~ in bad faith or with a vexatious purpose ; ~~an accusation or information that is false;~~

(b) Submits *an accusation or information* to the commission ~~that is~~ in connection with a request for an opinion that the commission determines to be without merit ; ~~an accusation or information that is false; or~~

(c) *Submits an accusation or information to the commission that is false; or*

(d) Prevents, interferes with or attempts to prevent or interfere with the discovery or investigation of a violation of this chapter.

3. If the commission finds that a violation of a provision of this chapter by a public officer or employee or former public officer or employee has resulted in the realization by another person of a financial benefit, the commission may, in addition to other penalties provided by law, require the current or former public officer or employee to pay a civil penalty of not more than twice the amount so realized.

1 4. Except as otherwise provided in this subsection, and in addition to
2 any other penalty provided by law, the commission may impose on any
3 person who violates any provision of NRS 294A.345 or 294A.346 a civil
4 penalty not to exceed \$10,000. If the commission finds that a violation of
5 NRS 294A.345 or 294A.346 occurred within 10 days before an election,
6 including any recall or special election, the commission may impose on the
7 person who committed such a violation a civil penalty not to exceed
8 \$30,000.

9 5. If the commission finds that a violation of this chapter has been
10 committed by a public officer removable from office by impeachment only,
11 it shall file a report with the appropriate person responsible for
12 commencing impeachment proceedings as to its finding. The report must
13 contain a statement of the facts alleged to constitute the violation.

14 6. An action taken by a public officer or employee or former public
15 officer or employee relating to NRS 281.481, 281.491, 281.501 or 281.505
16 is not a willful violation of a provision of those sections if the public officer
17 or employee:

18 (a) Relied in good faith upon the advice of the legal counsel retained by
19 the public body which the public officer represents or by the employer of
20 the public employee;

21 (b) Was unable, through no fault of his own, to obtain an opinion from
22 the commission before the action was taken; and

23 (c) Took action that was not contrary to a prior opinion issued by the
24 commission to the public officer or employee.

25 7. In addition to other penalties provided by law, a public employee
26 who willfully violates a provision of NRS 281.481, 281.491, 281.501 or
27 281.505 is subject to disciplinary proceedings by his employer and must be
28 referred for action in accordance to the applicable provisions governing his
29 employment.

30 8. NRS 281.481 to 281.541, inclusive, do not abrogate or decrease the
31 effect of the provisions of the Nevada Revised Statutes which define crimes
32 or prescribe punishments with respect to the conduct of public officers or
33 employees.

34 9. The imposition of a civil penalty pursuant to subsections 1 to 4,
35 inclusive, is a final decision for the purposes of judicial review.

36 10. In determining for the purposes of this section whether a person
37 submitted an accusation or information in bad faith or with a vexatious
38 purpose, the commission may consider various factors, including, without
39 limitation:

40 (a) When the accusation or information was filed with or provided to the
41 commission;

42 (b) Whether and, if applicable, in what manner the person who
43 submitted the accusation or information publicly disseminated the

1 accusation or information before the commission determined whether there
2 was just and sufficient cause to render an opinion in the matter;

3 (c) Whether the accusation or information sets forth alleged facts or
4 details that are misleading or deceptive; and

5 (d) Whether the accusation or information or the conduct of the person
6 who submitted the accusation or information:

7 (1) Would be perceived as annoying or harassing by a reasonable
8 person; or

9 (2) Demonstrates conscious disregard for the process and procedures
10 established by the commission.

11 **Sec. 6.** NRS 281.571 is hereby amended to read as follows:

12 281.571 1. Statements of financial disclosure, as approved pursuant
13 to NRS 281.541 or in such form as the commission otherwise prescribes,
14 must contain the following information concerning the candidate or public
15 or judicial officer:

16 (a) His length of residence in the State of Nevada and the district in
17 which he is registered to vote.

18 (b) Each source of his income, or that of any member of his household.
19 No listing of individual clients, customers or patients is required, but if that
20 is the case, a general source such as “professional services” must be
21 disclosed.

22 (c) A list of the specific location and particular use of real estate, other
23 than a personal residence:

24 (1) In which he or a member of his household has a legal or beneficial
25 interest;

26 (2) Whose fair market value is \$2,500 or more; and

27 (3) That is located in this state or an adjacent state.

28 (d) The name of each creditor to whom he or a member of his household
29 owes \$5,000 or more, except for:

30 (1) A debt secured by a mortgage or deed of trust of real property
31 which is not required to be listed pursuant to paragraph (c); and

32 (2) A debt for which a security interest in a motor vehicle for personal
33 use was retained by the seller.

34 (e) If the candidate or public or judicial officer has received gifts in
35 excess of an aggregate value of \$200 from a donor during the preceding
36 taxable year, a list of all such gifts, including the identity of the donor and
37 value of each gift, except:

38 (1) A gift received from a person who is related to the candidate or
39 public or judicial officer within the third degree of consanguinity or
40 affinity.

41 (2) Ceremonial gifts received for a birthday, wedding, anniversary,
42 holiday or other ceremonial occasion if the donor does not have a

1 substantial interest in the legislative, administrative, judicial or political
2 action of the candidate or public or judicial officer.

3 *Except as otherwise provided in this subsection, if the donor is a business*
4 *entity, the candidate or public or judicial officer must disclose the name*
5 *of the natural person associated with the business entity who made or*
6 *authorized the gift and, if different, the natural person associated with*
7 *the business entity who is the actual source of the money used for the*
8 *gift. If the donor is a corporation whose stock is publicly traded, the*
9 *candidate or public or judicial officer must disclose the name of the*
10 *natural person associated with the corporation who authorized the gift.*

11 (f) A list of each business entity with which he or a member of his
12 household is involved as a trustee, beneficiary of a trust, director, officer,
13 owner in whole or in part, limited or general partner, or holder of a class of
14 stock or security representing 1 percent or more of the total outstanding
15 stock or securities issued by the business entity.

16 (g) A list of all public offices presently held by him for which this
17 statement of financial disclosure is required.

18 2. The commission shall distribute or cause to be distributed the forms
19 required for such a statement to each candidate and public or judicial
20 officer who is required to file one. The commission is not responsible for
21 the costs of producing or distributing a form for filing statements of
22 financial disclosure which is prescribed pursuant to subsection 1 of NRS
23 281.541.

24 3. As used in this section:

25 (a) "Business entity" means an organization or enterprise operated for
26 economic gain, including a proprietorship, partnership, firm, business, trust,
27 joint venture, syndicate, corporation or association.

28 (b) "Household" includes:

29 (1) A person who does not live in the same home or dwelling, but
30 who is dependent on and receiving substantial support from the candidate
31 or public or judicial officer; and

32 (2) A person who lived in the home or dwelling of the candidate or
33 public or judicial officer for 6 months or more in the year immediately
34 preceding the year in which the candidate or public or judicial officer files
35 the statement of financial disclosure.

36 **Sec. 7.** NRS 294A.345 is hereby amended to read as follows:

37 294A.345 1. A person shall not, with actual malice and the intent to
38 impede the success of the campaign of a candidate, cause to be published a
39 false statement of fact concerning the candidate, including, without
40 limitation, statements concerning:

41 (a) The education or training of the candidate.

42 (b) The profession or occupation of the candidate.

1 (c) Whether the candidate committed, was indicted for committing or
2 was convicted of committing a felony or other crime involving moral
3 turpitude, dishonesty or corruption.

4 (d) Whether the candidate has received treatment for a mental illness.

5 (e) Whether the candidate was disciplined while serving in the military
6 or was dishonorably discharged from service in the military.

7 (f) Whether another person endorses or opposes the candidate.

8 (g) The record of voting of a candidate if he formerly served or
9 currently serves as a public officer.

10 2. A person shall not, with actual malice and the intent to impede the
11 success of a campaign for the passage or defeat of a question on the ballot
12 at any election, including any recall or special election, cause to be
13 published a false statement of fact concerning the question on the ballot.

14 3. Any candidate who alleges that a false statement of fact concerning
15 the candidate has been published in violation of subsection 1, and any
16 person or group of persons that advocates the passage or defeat of a
17 question on the ballot at any election, is required to file a report pursuant to
18 NRS 294A.150, and alleges that a false statement of fact has been
19 published in violation of subsection 2, may file a request for an opinion
20 with the commission on ethics pursuant to NRS 281.411 to 281.581,
21 inclusive. ~~I, and NRS 281.477.~~ *Such a request must be filed with the*
22 *commission not later than 10 days after the date of the election with*
23 *respect to which the alleged violation occurred.* The commission shall
24 give priority to such a request over all other matters pending with the
25 commission.

26 4. A person who violates the provisions of this section is subject to a
27 civil penalty that may be imposed by the commission on ethics pursuant to
28 NRS 281.551.

29 5. As used in this section:

30 (a) "Actual malice" means knowledge of the falsity of a statement or
31 reckless disregard for whether a statement is true or false.

32 (b) "Publish" means the act of printing, posting, broadcasting, mailing,
33 speaking or otherwise disseminating.

34 **Sec. 8.** NRS 294A.346 is hereby amended to read as follows:

35 294A.346 1. An employee, agent or volunteer of the campaign of a
36 candidate shall not willfully perform any act in the course of his
37 employment, agency or volunteering that impedes the success of that
38 campaign.

39 2. A person shall not willfully, to impede the success of the campaign
40 of a candidate, offer or give an item of value to:

41 (a) A person to induce him to obtain a position as an employee, agent or
42 volunteer for that campaign and perform any act in the course of his

1 employment, agency or volunteering to impede the success of that
2 campaign; or

3 (b) An employee, agent or volunteer for that campaign to induce him to
4 perform any act in the course of his employment, agency or volunteering to
5 impede the success of that campaign.

6 3. An employee, agent or volunteer of a campaign for the passage or
7 defeat of a question on the ballot at any election, including any recall or
8 special election, shall not willfully perform any act in the course of his
9 employment, agency or volunteering that impedes the success of that
10 campaign.

11 4. A person shall not willfully, to impede the success of a campaign for
12 the passage or defeat of a question on the ballot at any election, including
13 any recall or special election, offer or give an item of value to:

14 (a) A person to induce him to obtain a position as an employee, agent or
15 volunteer for that campaign and perform any act in the course of his
16 employment, agency or volunteering to impede the success of that
17 campaign; or

18 (b) An employee, agent or volunteer for that campaign to induce him to
19 perform any act in the course of his employment, agency or volunteering to
20 impede the success of that campaign.

21 5. Any candidate who alleges that a person has violated the provisions
22 of subsection 1 or 2, and any person or group of persons that advocates the
23 passage or defeat of a question on the ballot at any election, is required to
24 file a report pursuant to NRS 294A.150, and alleges that a person has
25 violated the provisions of subsection 3 or 4, may file a request for an
26 opinion with the commission on ethics pursuant to NRS 281.411 to
27 281.581, inclusive . ~~§, and 281.477.~~ *Such a request must be filed with the*
28 *commission not later than 10 days after the date of the election with*
29 *respect to which the alleged violation occurred.* The commission shall
30 give priority to such a request over all matters pending with the
31 commission.

32 6. A person who violates the provisions of this section is subject to a
33 civil penalty that may be imposed by the commission on ethics pursuant to
34 NRS 281.551.

35 **Sec. 9.** This act becomes effective upon passage and approval.