

ASSEMBLY BILL NO. 483—ASSEMBLYMEN BEERS, TIFFANY, BERMAN,
BROWN, CARPENTER, COLLINS, HETTRICK, HUMKE, LEE,
MARVEL AND PRICE

MARCH 19, 2001

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Makes various changes concerning reporting of campaign contributions and expenditures. (BDR 24-557)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

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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*



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1 *city clerk shall not use such a form until it is approved. The secretary of*
2 *state and each city clerk shall design the format of the form described in*
3 *subsection 1 so that a candidate who uses the form may record in the*
4 *form a list of each such campaign contribution as the contribution is*
5 *received and expense in excess of \$100 as it is incurred.*

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

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

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

18 294A.120 1. Every candidate for state, district, county or township
19 office at a primary or general election shall, not later than:

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

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

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

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

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

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

37 (b) Thirty days after the special election, for the remaining period up to
38 the special election,

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

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



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

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

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

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

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

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

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

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

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

35 (b) Each year after the year in which he received contributions in excess
36 of \$10,000, until the year of the general election or general city election in
37 which the candidate intends to seek election to public office is held, list
38 each of the contributions *that he* received and the expenditures *in excess of*
39 *\$100* made in that year.

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

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

48 4. The forms designed and provided by the secretary of state for the
49 reporting of contributions and expenditures pursuant to this section must be



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1 designed to be used by a candidate to record in the form of a list each
2 campaign contribution as he receives it and each expenditure as it is made.
3 ~~4-1~~ 5. The report must be filed:
4 (a) With the officer with whom the candidate will file the declaration of
5 candidacy or acceptance of candidacy for the public office the candidate
6 intends to seek. A candidate may mail the report to that officer by certified
7 mail. If certified mail is used, the date of mailing shall be deemed the date
8 of filing.
9 (b) On or before January 15 of the year immediately after the year for
10 which the report is made.
11 ~~15-1~~ 6. A county clerk who receives from a candidate for legislative or
12 judicial office, except the office of justice of the peace or municipal judge,
13 a report of contributions and expenditures pursuant to subsection ~~4-1~~ 5 shall
14 file a copy of the report with the secretary of state within 10 working days
15 after he receives the report.
16 **Sec. 4.** NRS 294A.200 is hereby amended to read as follows:
17 294A.200 1. Every candidate for state, district, county or township
18 office at a primary or general election shall, not later than:
19 (a) Seven days before the primary election, for the period from 30 days
20 before the regular session of the legislature after the last election for that
21 office up to 12 days before the primary election;
22 (b) Seven days before the general election, whether or not the candidate
23 won the primary election, for the period from 12 days before the primary
24 election up to 12 days before the general election; and
25 (c) The 15th day of the second month after the general election, for the
26 remaining period up to 30 days before the next regular session of the
27 legislature,
28 list each of the campaign expenses *in excess of \$100 that* he incurs during
29 the period on forms designed and provided by the secretary of state ~~and~~
30 *pursuant to this section and section 1 of this act. Each form must be*
31 signed by the candidate under penalty of perjury.
32 2. Except as otherwise provided in subsection 3, every candidate for a
33 district office at a special election shall, not later than:
34 (a) Seven days before the special election, for the period from his
35 nomination up to 12 days before the special election; and
36 (b) Sixty days after the special election, for the remaining period up to
37 30 days after the special election,
38 list each of the campaign expenses *in excess of \$100 that* he incurs during
39 the period on forms designed and provided by the secretary of state ~~and~~
40 *pursuant to this section and section 1 of this act. Each form must be*
41 signed by the candidate under penalty of perjury.
42 3. Every candidate for state, district, county, municipal or township
43 office at a special election to determine whether a public officer will be
44 recalled shall list the campaign expenses *in excess of \$100 that* he incurs
45 on forms designed and provided by the secretary of state *pursuant to this*
46 *section and section 1 of this act* and signed by the candidate under penalty
47 of perjury, 60 days after:



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

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

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

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

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

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

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

27 (a) Seven days before the primary city election, for the period from 30
28 days after the last election for that office up to 12 days before the primary
29 city election;

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

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

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

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

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

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



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

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

4 294A.365 1. Each report of ~~{expenses or}~~ expenditures required
5 pursuant to NRS ~~{294A.125, 294A.200,}~~ 294A.210, 294A.220 and
6 294A.280 must consist of a list of the ~~{expenses incurred or}~~ expenditures
7 made during the periods for reporting. *Each report of expenses required*
8 *pursuant to NRS 294A.125 and 294A.200 must consist of a list of each*
9 *expense in excess of \$100 that was incurred during the periods for*
10 *reporting.* The list *in each report* must state the category and amount of
11 the expense or expenditure and the ~~{approximate}~~ date on which the
12 expense was incurred or the expenditure was made.

13 2. The categories of expense or expenditure for use on the report of
14 expenses or expenditures are:

- 15 (a) Office expenses;
- 16 (b) Expenses related to volunteers;
- 17 (c) Expenses related to travel;
- 18 (d) Expenses related to advertising;
- 19 (e) Expenses related to paid staff;
- 20 (f) Expenses related to consultants;
- 21 (g) Expenses related to polling;
- 22 (h) Expenses related to special events;
- 23 (i) ~~{Goods}~~ *Except as otherwise provided in section 1 of this act, goods*
24 *and services provided in kind for which money would otherwise have been*
25 *paid; and*
- 26 (j) Other miscellaneous expenses.

27 **3.** *The secretary of state and each city clerk shall not require a*
28 *candidate to provide separately the total amount of each category of*
29 *expenses described in this section.*

30 **Sec. 7.** This act becomes effective on January 1, 2002.

