

(REPRINTED WITH ADOPTED AMENDMENTS)
SECOND REPRINT **A.B. 638**

ASSEMBLY BILL NO. 638—COMMITTEE ON ELECTIONS,
PROCEDURES, AND ETHICS

MARCH 26, 2001

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Makes various changes regarding elections, ethics and financial disclosures.
(BDR 24-873)

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 governmental administration; requiring the county or city clerk under certain circumstances to provide the result of a challenge of a voter to the person who initiated the challenge; clarifying the treatment of special absent ballots; revising the procedures for closing a polling place and counting ballots; revising the provisions governing voting by a new resident for President and Vice President; revising the requirement that a judicial officer and a candidate for judicial office must file certain statements of financial disclosure; 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 293 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 and 3 of this act.
3 **Sec. 2. 1. *As soon as practicable, but in no case later than 21***
4 ***calendar days after each election, the county clerk shall mail a notice to***
5 ***each person who is listed on the challenge list as the registered voter who***
6 ***initiated a challenge pursuant to NRS 293.303.***
7 **2. *The notice mailed pursuant to subsection 1 must indicate:***
8 ***(a) The name of the person who was challenged, if known; and***
9 ***(b) The result of the challenge.***
10 **Sec. 3.** (Deleted by amendment.)
11 **Sec. 4.** NRS 293.303 is hereby amended to read as follows:
12 293.303 1. A person applying to vote may be challenged:
13 (a) Orally by any registered voter of the precinct or district upon the
14 ground that he is not the person entitled to vote as claimed or has voted
15 before at the same election; or
16 (b) On any ground set forth in a challenge filed with the county clerk
17 pursuant to the provisions of NRS 293.547.



- 1 2. If a person is challenged, an election board officer shall tender the
2 challenged person the following oath or affirmation:
3 (a) If the challenge is on the ground that he does not belong to the
4 political party designated upon the register, "I swear or affirm under
5 penalty of perjury that I belong to the political party designated upon the
6 register";
7 (b) If the challenge is on the ground that the register does not show that
8 he designated the political party to which he claims to belong, "I swear or
9 affirm under penalty of perjury that I designated on the application to
10 register to vote the political party to which I claim to belong";
11 (c) If the challenge is on the ground that he does not reside at the
12 residence for which the address is listed in the election board register, "I
13 swear or affirm under penalty of perjury that I reside at the residence for
14 which the address is listed in the election board register";
15 (d) If the challenge is on the ground that he previously voted a ballot for
16 the election, "I swear or affirm under penalty of perjury that I have not
17 voted for any of the candidates or questions included on this ballot for this
18 election"; or
19 (e) If the challenge is on the ground that he is not the person he claims
20 to be, "I swear or affirm under penalty of perjury that I am the person
21 whose name is in this election board register."
22 The oath or affirmation must be set forth on a form prepared by the
23 secretary of state and signed by the challenged person under penalty of
24 perjury.
25 3. Except as otherwise provided in subsection 4, if the challenged
26 person refuses to execute the oath or affirmation so tendered, he must not
27 be issued a ballot, and the officer in charge of the election board register
28 shall write the words "Challenged" opposite his name in the
29 election board register.
30 4. If the challenged person refuses to execute the oath or affirmation
31 set forth in paragraph (a) or (b) of subsection 2, the election board officers
32 shall issue him a nonpartisan ballot.
33 5. If the challenged person refuses to execute the oath or affirmation
34 set forth in paragraph (c) of subsection 2, the election board officers shall
35 inform him that he is entitled to vote only in the manner prescribed in
36 NRS 293.304.
37 6. If the challenged person executes the oath or affirmation and the
38 challenge is not based on the ground set forth in paragraph (e) of
39 subsection 2, the election board officers shall issue him a partisan ballot.
40 7. If the challenge is based on the ground set forth in paragraph (c) of
41 subsection 2, and the challenged person executes the oath or affirmation,
42 the election board shall not issue the person a ballot until he furnishes
43 satisfactory identification which contains proof of the address at which he
44 actually resides.
45 8. If the challenge is based on the ground set forth in paragraph (e) of
46 subsection 2 and the challenged person executes the oath or affirmation,
47 the election board shall not issue the person a ballot unless he:
48 (a) Furnishes official identification which contains a photograph of
49 himself, such as his driver's license or other official document; or



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- 1 (b) Brings before the election board officers a person who is at least 18
2 years ~~old~~ *of age* who:
- 3 (1) Furnishes official identification which contains a photograph of
4 himself, such as his driver's license or other official document; and
5 (2) Executes an oath or affirmation under penalty of perjury that the
6 challenged person is who he swears he is.
- 7 9. The election board officers shall ~~record the result of the~~
8 ~~challenge~~ :
- 9 (a) *Record* on the challenge list ~~and the election board officer in~~
10 ~~charge of the checklist shall indicate~~ :
- 11 (1) *The name of the challenged person;*
12 (2) *The name of the registered voter who initiated the challenge;*
13 *and*
14 (3) *The result of the challenge;*
15 (b) *If possible, orally notify the registered voter who initiated the*
16 *challenge of the result of the challenge; and*
17 (c) *Indicate on the checklist* next to the name of the challenged person
18 the result of the challenge.
- 19 **Sec. 5.** NRS 293.317 is hereby amended to read as follows:
20 293.317 Absent ballots , *including special absentee ballots described in*
21 *NRS 293.3155*, received by the county or city clerk after the polls are
22 closed on the day of election are invalid.
- 23 **Sec. 6.** (Deleted by amendment.)
- 24 **Sec. 7.** NRS 293B.330 is hereby amended to read as follows:
25 293B.330 1. Upon closing of the polls, the election board shall:
26 (a) Secure all mechanical recording devices against further voting.
27 (b) If a mechanical voting system is used whereby votes are cast by
28 punching a card:
29 (1) Count the number of ballots in the ballot boxes.
30 (2) Account for all ballots on the statement of ballots.
31 (3) Place all official ballots, the ballot statement and any other
32 records, reports and materials as directed by the county clerk into the
33 container provided by him to transport those items to a central counting
34 place and seal the container.
35 (c) If a mechanical voting system is used whereby votes are directly
36 recorded electronically:
37 (1) Ensure that each mechanical recording device:
38 (I) Provides a record printed on paper of the total number of votes
39 recorded on the device for each candidate and for or against each measure;
40 and
41 (II) Transfers the ballots voted on that device to the storage device
42 required pursuant to NRS 293B.084.
43 (2) Count the number of ballots voted at the polling place.
44 (3) Account for all ballots on the statement of ballots.
45 (4) Place all records printed on paper provided by the mechanical
46 recording devices, all storage devices which store the ballots voted on the
47 mechanical recording devices, and any other records, reports and materials
48 as directed by the county clerk into the container provided by him to
49 transport those items to a central counting place and seal the container.



- 1 (d) *Record the number of voters on a form provided by the county*
2 *clerk.*
- 3 2. *If a difference exists between the number of voters and the*
4 *number of ballots voted, the election board shall report the difference*
5 *and any known reasons for the difference, in writing, to the county clerk.*
- 6 3. *After closing the polls, the election board shall:*
- 7 (a) *Compare the quantity of the supplies furnished by the county clerk*
8 *with the inventory of those supplies; and*
- 9 (b) *Note any shortages.*
- 10 4. The county clerk shall allow members of the general public to
11 observe the handling of the ballots pursuant to subsection 1 if those
12 members do not interfere with the handling of the ballots.
- 13 Sec. 8. (Deleted by amendment.)
- 14 Sec. 9. Chapter 293C of NRS is hereby amended by adding thereto
15 the provisions set forth as sections 10 and 11 of this act.
- 16 Sec. 10. 1. *As soon as practicable, but in no case later than 21*
17 *calendar days after each election, the city clerk shall mail a notice to*
18 *each person who is listed on the challenge list as a registered voter who*
19 *initiated a challenge pursuant to NRS 293C.292.*
- 20 2. *The notice mailed pursuant to subsection 1 must indicate:*
- 21 (a) *The name of the person who was challenged, if known; and*
- 22 (b) *The result of the challenge.*
- 23 Sec. 11. (Deleted by amendment.)
- 24 Sec. 12. NRS 293C.292 is hereby amended to read as follows:
- 25 293C.292 1. A person applying to vote may be challenged:
- 26 (a) Orally by any registered voter of the precinct or district upon the
27 ground that he is not the person entitled to vote as claimed or has voted
28 before at the same election; or
- 29 (b) On any ground set forth in a challenge filed with the county clerk
30 pursuant to the provisions of NRS 293.547.
- 31 2. If a person is challenged, an election board officer shall tender the
32 challenged person the following oath or affirmation:
- 33 (a) If the challenge is on the ground that he does not reside at the
34 residence for which the address is listed in the election board register, “I
35 swear or affirm under penalty of perjury that I reside at the residence for
36 which the address is listed in the election board register”;
- 37 (b) If the challenge is on the ground that he previously voted a ballot for
38 the election, “I swear or affirm under penalty of perjury that I have not
39 voted for any of the candidates or questions included on this ballot for this
40 election”; or
- 41 (c) If the challenge is on the ground that he is not the person he claims
42 to be, “I swear or affirm under penalty of perjury that I am the person
43 whose name is in this election board register.”
- 44 The oath or affirmation must be set forth on a form prepared by the
45 secretary of state and signed by the challenged person under penalty of
46 perjury.
- 47 3. If the challenged person refuses to execute the oath or affirmation so
48 tendered, he must not be issued a ballot, and the officer in charge of the



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1 election board register shall write the words "Challenged"
2 opposite his name in the election board register.

3 4. If the challenged person refuses to execute the oath or affirmation
4 set forth in paragraph (a) of subsection 2, the election board officers shall
5 inform him that he is entitled to vote only in the manner prescribed in
6 NRS 293C.295.

7 5. If the challenged person executes the oath or affirmation and the
8 challenge is not based on the ground set forth in paragraph (c) of
9 subsection 2, the election board officers shall issue him a ballot.

10 6. If the challenge is based on the ground set forth in paragraph (a) of
11 subsection 2, and the challenged person executes the oath or affirmation,
12 the election board shall not issue the person a ballot until he furnishes
13 satisfactory identification that contains proof of the address at which he
14 actually resides.

15 7. If the challenge is based on the ground set forth in paragraph (c) of
16 subsection 2 and the challenged person executes the oath or affirmation,
17 the election board shall not issue the person a ballot unless he:

18 (a) Furnishes official identification which contains a photograph of
19 himself, such as his driver's license or other official document; or

20 (b) Brings before the election board officers a person who is at least 18
21 years ~~old~~ *of age* who:

22 (1) Furnishes official identification which contains a photograph of
23 himself, such as his driver's license or other official document; and

24 (2) Executes an oath or affirmation under penalty of perjury that the
25 challenged person is who he swears he is.

26 8. The election board officers shall ~~record the result of the~~
27 ~~challenge~~ :

28 (a) *Record* on the challenge list ~~and the election board officer in~~
29 ~~charge of the checklist shall indicate~~ :

30 (1) *The name of the challenged person;*

31 (2) *The name of the registered voter who initiated the challenge;*
32 *and*

33 (3) *The result of the challenge;*

34 (b) *If possible, orally notify the registered voter who initiated the*
35 *challenge of the result of the challenge; and*

36 (c) *Indicate on the checklist* next to the name of the challenged person
37 the result of the challenge.

38 **Sec. 13.** (Deleted by amendment.)

39 **Sec. 14.** NRS 293C.630 is hereby amended to read as follows:

40 293C.630 1. Upon closing of the polls, the election board shall:

41 (a) Secure all mechanical recording devices against further voting.

42 (b) If a mechanical voting system is used whereby votes are cast by
43 punching a card:

44 (1) Count the number of ballots in the ballot boxes.

45 (2) Account for all ballots on the statement of ballots.

46 (3) Place all official ballots, the ballot statement and any other
47 records, reports and materials as directed by the city clerk into the
48 container provided by him to transport those items to a central counting
49 place and seal the container.



- 1 (c) If a mechanical voting system is used whereby votes are directly
2 recorded electronically:
3 (1) Ensure that each mechanical recording device:
4 (I) Provides a record printed on paper of the total number of votes
5 recorded on the device for each candidate and for or against each measure;
6 and
7 (II) Transfers the ballots voted on that device to the storage device
8 required pursuant to NRS 293B.084.
9 (2) Count the number of ballots voted at the polling place.
10 (3) Account for all ballots on the statement of ballots.
11 (4) Place all records printed on paper provided by the mechanical
12 recording devices, all storage devices which store the ballots voted on the
13 mechanical recording devices, and any other records, reports and materials
14 as directed by the city clerk into the container provided by him to transport
15 those items to a central counting place and seal the container.
16 *(d) Record the number of voters on a form provided by the city clerk.*
17 2. *If a difference exists between the number of voters and the*
18 *number of ballots voted, the election board shall report the difference*
19 *and any known reasons for the difference, in writing, to the city clerk.*
20 3. *After closing the polls, the election board shall:*
21 *(a) Compare the quantity of the supplies furnished by the city clerk*
22 *with the inventory of those supplies; and*
23 *(b) Note any shortages.*
24 4. The city clerk shall allow members of the general public to observe
25 the handling of the ballots pursuant to subsection 1 if those members do
26 not interfere with the handling of the ballots.
27 **Sec. 15.** (Deleted by amendment.)
28 **Sec. 16.** Chapter 298 of NRS is hereby amended by adding thereto a
29 new section to read as follows:
30 1. *If a new resident of the State of Nevada otherwise qualified to vote*
31 *in another state in any election for President and Vice President of the*
32 *United States has commenced his residence in this state after the 30th*
33 *day next preceding that election and for this reason does not satisfy the*
34 *requirements for registration in this state, he may vote for President and*
35 *Vice President in this state.*
36 2. *If a new resident of the State of Nevada wishes to vote for the*
37 *President and Vice President of the United States pursuant to this*
38 *section, he must:*
39 *(a) Apply to the county clerk for the appropriate ballot using the form*
40 *prescribed by the secretary of state; and*
41 *(b) Vote only in the office of the county clerk during regular office*
42 *hours.*
43 3. *A county clerk, upon receipt of an application pursuant to this*
44 *section, shall provide the applicant a ballot and any other materials*
45 *necessary to vote only for President and Vice President of the United*
46 *States.*
47 4. *A vote cast pursuant to this section must not be:*
48 *(a) Combined with the total of a precinct but must be segregated at the*
49 *precinct and then combined with the totals for the county.*



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1 (b) Included in precinct, district, county or state totals for other
2 electoral purposes.

3 5. The secretary of state may, in a manner consistent with the
4 election laws of this state, adopt regulations to effectuate the purposes of
5 this section.

6 Sec. 17. NRS 298.250 is hereby amended to read as follows:

7 298.250 1. If a former resident of the State of Nevada otherwise
8 qualified to vote in another state in any election for President and Vice
9 President *of the United States* has commenced his residence in the other
10 state after the 30th day next preceding that election and for this reason does
11 not satisfy the requirements for registration in the other state, he may vote
12 for President and Vice President only in that election:

13 (a) In person in the county of the State of Nevada which was his former
14 residence, if he is otherwise qualified to vote there; or

15 (b) By absent ballot in the county of the State of Nevada which was his
16 former residence, if he is otherwise qualified to vote there and complies
17 with the applicable requirements of NRS 293.310 to 293.340, inclusive.

18 2. ~~If a new resident of the State of Nevada otherwise qualified to vote~~
19 ~~in another state in any election for President and Vice President has~~
20 ~~commenced his residence in this state after the 30th day next preceding that~~
21 ~~election and for this reason does not satisfy the requirements for~~
22 ~~registration in this state, he may vote for President and Vice President in~~
23 ~~this state.~~

24 ~~3.~~ The secretary of state may, in a manner consistent with the election
25 laws of this state, adopt ~~such regulations as may be necessary~~ *regulations*
26 to effectuate the purposes of this section.

27 Sec. 18. NRS 218.920 is hereby amended to read as follows:

28 218.920 The registration statement of a lobbyist must contain the
29 following information:

30 1. The registrant's full name, permanent address, place of business and
31 temporary address while lobbying.

32 2. The full name and complete address of each person, if any, by
33 whom the registrant is retained or employed or on whose behalf the
34 registrant appears.

35 3. A listing of any direct business associations or partnerships
36 involving any current member of the legislature and the registrant or any
37 person by whom the registrant is retained or employed. The listing must
38 include any such association or partnership constituting a source of income
39 or involving a debt or interest in real estate required to be disclosed in a
40 statement of financial disclosure made by a candidate *for public office* or a
41 public ~~for judicial~~ officer pursuant to NRS 281.571.

42 4. The name of any current member of the legislature for whom:

43 (a) The registrant; or

44 (b) Any person by whom the registrant is retained or
45 employed,

46 has, in connection with a political campaign of the legislator, provided
47 consulting, advertising or other professional services since the beginning of
48 the preceding regular legislative session.



* A B 6 3 8 R 2 *

1 5. A description of the principal areas of interest on which the
2 registrant expects to lobby.

3 6. If the registrant lobbies or purports to lobby on behalf of members, a
4 statement of the number of members.

5 7. A declaration under penalty of perjury that none of the registrant's
6 compensation or reimbursement is contingent, in whole or in part, upon the
7 production of any legislative action.

8 **Sec. 19.** NRS 281.4323 is hereby amended to read as follows:

9 281.4323 "Candidate" means any person:

10 1. Who files a declaration of candidacy;

11 2. Who files an acceptance of candidacy; or

12 3. Whose name appears on an official ballot at any election. ~~†~~
13 ~~for election to any public office, including the office of justice of the~~
14 ~~supreme court, district judge, justice of the peace and municipal judge -.~~

15 **Sec. 20.** NRS 281.4365 is hereby amended to read as follows:

16 281.4365 1. "Public officer" means a person elected or appointed to
17 a position which is established by the constitution of the State of Nevada, a
18 statute of this state or an ordinance of any of its counties or incorporated
19 cities and which involves the exercise of a public power, trust or duty. As
20 used in this section, "the exercise of a public power, trust or duty"
21 includes:

22 (a) Actions taken in an official capacity which involve a substantial and
23 material exercise of administrative discretion in the formulation of public
24 policy;

25 (b) The expenditure of public money; and

26 (c) The enforcement of laws and rules of the state, a county or a city.

27 2. "Public officer" does not include:

28 (a) Any justice, judge or other officer of the court system;

29 (b) Any member of a board, commission or other body whose function
30 is advisory;

31 (c) Any member of a board of trustees for a general improvement
32 district or special district whose official duties do not include the
33 formulation of a budget for the district or the authorization of the
34 expenditure of the district's money; or

35 (d) A county health officer appointed pursuant to NRS 439.290.

36 3. *"Public office" does not include an office held by:*

37 *(a) Any justice, judge or other officer of the court system;*

38 *(b) A commissioner of deeds;*

39 *(c) Any member of a board, commission or other body whose function*
40 *is advisory;*

41 *(d) Any member of a board of trustees for a general improvement*
42 *district or special district whose official duties do not include the*
43 *formulation of a budget for the district or the authorization of the*
44 *expenditure of the district's money; or*

45 *(e) A county health officer appointed pursuant to NRS 439.290.*

46 **Sec. 21.** (Deleted by amendment.)

47 **Sec. 22.** NRS 281.561 is hereby amended to read as follows:

48 281.561 1. Except as otherwise provided in subsection 2 or 3, if a
49 candidate for public ~~for judicial~~ office or a public ~~for judicial~~ officer is



* A B 6 3 8 R 2 *

1 entitled to receive compensation for serving in the office in question, he
2 shall file with the commission, and with the officer with whom declarations
3 of candidacy for the office in question are filed, a statement of financial
4 disclosure, as follows:

5 (a) A candidate for nomination, election or reelection *to public office*
6 shall file a statement of financial disclosure no later than the 10th day after
7 the last day to qualify as a candidate for the office.

8 (b) A public ~~for judicial~~ officer appointed to fill the unexpired term of
9 an elected public ~~for judicial~~ officer shall file a statement of financial
10 disclosure within 30 days after his appointment.

11 (c) Every public ~~for judicial~~ officer, whether appointed or elected, shall
12 file a statement of financial disclosure on or before March 31 of each year
13 of the term, including the year the term expires.

14 (d) A public ~~for judicial~~ officer who leaves office on a date other than
15 the expiration of his term or anniversary of his appointment or election,
16 shall file a statement of financial disclosure within 60 days after leaving
17 office.

18 2. A statement filed pursuant to one of the paragraphs of subsection 1
19 may be used to satisfy the requirements of another paragraph of subsection
20 1 if the initial statement was filed not more than 3 months before the other
21 statement is required to be filed. The public ~~for judicial~~ officer shall notify
22 the commission in writing of his intention to use the previously filed
23 statement to fulfill the present requirement.

24 3. If a person is serving in a public ~~for judicial~~ office for which he is
25 required to file a statement pursuant to subsection 1, he may use the
26 statement he files for that initial office to satisfy the requirements of
27 subsection 1 for every other public ~~for judicial~~ office in which he is also
28 serving. The person shall notify the commission in writing of his intention
29 to use the statement for the initial office to fulfill the requirements of
30 subsection 1 for every other office.

31 4. A person may satisfy the requirements of subsection 1 by filing with
32 the commission a copy of a statement of financial disclosure that was filed
33 pursuant to the requirements of a specialized or local ethics committee if
34 the form of the statement has been approved by the commission.

35 *5. A candidate for judicial office or a judicial officer shall file a*
36 *statement of financial disclosure pursuant to the requirements of Canon*
37 *4I of the Nevada Code of Judicial Conduct. Such a statement of financial*
38 *disclosure must include, without limitation, all information required to*
39 *be included in a statement of financial disclosure pursuant to*
40 *NRS 281.571.*

41 **Sec. 23.** NRS 281.571 is hereby amended to read as follows:

42 281.571 1. Statements of financial disclosure, as approved pursuant
43 to NRS 281.541 or in such form as the commission otherwise prescribes,
44 must contain the following information concerning the candidate *for public*
45 *office* or public ~~for judicial~~ officer:

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

48 (b) Each source of his income, or that of any member of his household
49 who is 18 years of age or older. No listing of individual clients, customers



* A B 6 3 8 R 2 *

1 or patients is required, but if that is the case, a general source such as
2 “professional services” must be disclosed.

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

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

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

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

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

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

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

15 (e) If the candidate *for public office* or public ~~for judicial~~ officer has
16 received gifts in excess of an aggregate value of \$200 from a donor during
17 the preceding taxable year, a list of all such gifts, including the identity of
18 the donor and value of each gift, except:

19 (1) A gift received from a person who is related to the candidate *for*
20 *public office* or public ~~for judicial~~ officer within the third degree of
21 consanguinity or affinity.

22 (2) Ceremonial gifts received for a birthday, wedding, anniversary,
23 holiday or other ceremonial occasion if the donor does not have a
24 substantial interest in the legislative, administrative ~~for judicial~~ or political
25 action of the candidate *for public office* or public ~~for judicial~~ officer.

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

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

33 2. The commission shall distribute or cause to be distributed the forms
34 required for such a statement to each candidate *for public office* and public
35 ~~for judicial~~ officer who is required to file one. The commission is not
36 responsible for the costs of producing or distributing a form for filing
37 statements of financial disclosure which is prescribed pursuant to
38 subsection 1 of NRS 281.541.

39 3. As used in this section:

40 (a) “Business entity” means an organization or enterprise operated for
41 economic gain, including a proprietorship, partnership, firm, business,
42 trust, joint venture, syndicate, corporation or association.

43 (b) “Household” includes:

44 (1) The spouse of a candidate *for public office* or public ~~for judicial~~
45 officer;

46 (2) A person who does not live in the same home or dwelling, but
47 who is dependent on and receiving substantial support from the candidate
48 *for public office* or public ~~for judicial~~ officer; and



1 (3) A person who lived in the home or dwelling of the candidate *for*
2 *public office* or public ~~for judicial~~ officer for 6 months or more in the year
3 immediately preceding the year in which the candidate *for public office* or
4 public ~~for judicial~~ officer files the statement of financial disclosure.

5 **Sec. 24.** NRS 281.575 is hereby amended to read as follows:

6 281.575 The secretary of state and each county or city clerk who
7 receives *from a candidate for public office* a declaration of candidacy,
8 acceptance of candidacy or certificate of candidacy shall give to the
9 candidate the form prescribed by the commission for the making of a
10 statement of financial disclosure, accompanied by instructions on how to
11 complete the form, where it must be filed and the time by which it must be
12 filed.

13 **Sec. 25.** NRS 281.581 is hereby amended to read as follows:

14 281.581 1. A candidate *for public office* or public ~~for judicial~~
15 officer who fails to file his statement of financial disclosure in a timely
16 manner pursuant to NRS 281.561 is subject to a civil penalty and payment
17 of court costs and attorney's fees. The amount of the civil penalty is:

18 (a) If the statement is filed not more than 7 days late, \$25 for each day
19 the statement is late.

20 (b) If the statement is filed more than 7 days late but not more than 15
21 days late, \$175 for the first 7 days, plus \$50 for each additional day the
22 statement is late.

23 (c) If the statement is filed more than 15 days late, \$575 for the first 15
24 days, plus \$100 for each additional day the statement is late.

25 2. The commission may, for good cause shown, waive or reduce the
26 civil penalty.

27 3. The civil penalty must be recovered in a civil action brought in the
28 name of the State of Nevada by the commission in a court of competent
29 jurisdiction and deposited with the state treasurer for credit to the state
30 general fund.

31 4. If the commission waives a civil penalty pursuant to subsection 2,
32 the commission shall:

33 (a) Create a record which sets forth that the civil penalty has been
34 waived and describes the circumstances that constitute the good cause
35 shown; and

36 (b) Ensure that the record created pursuant to paragraph (a) is available
37 for review by the general public.

38 **Sec. 26.** The amendatory provisions of section 21 of this act do not
39 apply to proceedings for judicial review initiated before October 1, 2001.

40 **Sec. 27.** Section 20 of this act becomes effective at 12:01 a.m. on
41 October 1, 2001.

