

ASSEMBLY BILL NO. 529—COMMITTEE ON ELECTIONS,
PROCEDURES, AND ETHICS

(ON BEHALF OF THE SECRETARY OF STATE)

MARCH 24, 2003

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Makes various changes concerning reporting of campaign contributions and expenditures and certain other financial information. (BDR 24-558)

FISCAL NOTE: Effect on Local Government: No.
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; restricting the information that may be requested in the form used for reporting campaign contributions and expenditures; eliminating the requirement to report campaign expenses and expenditures that have been contracted for but not paid during a reporting period; eliminating the requirement to report campaign contributions of \$100 or less under certain circumstances; revising the dates for filing reports for campaign contributions and expenditures; revising the reporting periods included in those reports; requiring certain candidates for public office and public officers to file statements of financial disclosure with the Secretary of State instead of the Commission on Ethics; providing a civil penalty; and providing other matters properly relating thereto.

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



* A B 5 2 9 R 3 *

1 **Section 1.** Chapter 294A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 1. *The Secretary of State shall design a single form to be used*
4 *for all reports of campaign contributions and expenses or*
5 *expenditures that are required to be filed pursuant to NRS*
6 *294A.120, 294A.125, 294A.140, 294A.150, 294A.200, 294A.210,*
7 *294A.220, 294A.270, 294A.280, 294A.360 and 294A.362.*

8 2. *The form designed by the Secretary of State pursuant to*
9 *this section must only request information specifically required by*
10 *statute.*

11 3. *Upon request, the Secretary of State shall provide a copy of*
12 *the form designed pursuant to this section to each person,*
13 *committee, political party and group that is required to file a*
14 *report described in subsection 1.*

15 **Secs. 2 and 3.** (Deleted by amendment.)

16 **Sec. 3.5.** NRS 294A.004 is hereby amended to read as
17 follows:

18 294A.004 “Campaign expenses” and “expenditures” mean:

19 1. Those expenditures ~~contracted for or~~ made for advertising
20 on television, radio, billboards, posters and in newspapers; and

21 2. All other expenditures ~~contracted for or~~ made,
22 to advocate expressly the election or defeat of a clearly identified
23 candidate or group of candidates or the passage or defeat of a clearly
24 identified question or group of questions on the ballot, including any
25 payments made to a candidate or any person who is related to the
26 candidate within the second degree of consanguinity or affinity.

27 **Sec. 4.** NRS 294A.120 is hereby amended to read as follows:

28 294A.120 1. Every candidate for state, district, county or
29 township office at a primary or general election shall, not later *than*
30 *January 15 of each year, for the period from January 1 of the*
31 *previous year through December 31 of the previous year, report*
32 *each campaign contribution in excess of \$100 he received during*
33 *the period and contributions received during the period from a*
34 *contributor which cumulatively exceed \$100. The provisions of*
35 *this subsection apply to the candidate beginning the year of the*
36 *general election for that office through the year immediately*
37 *preceding the next general election for that office.*

38 2. *Every candidate for state, district, county or township*
39 *office at a primary or general election shall, if the general election*
40 *for the office for which he is a candidate is held on or after*
41 *January 1 and before the July 1 immediately following that*
42 *January 1, not later* than:

43 (a) Seven days before the primary election ~~for that office,~~ for
44 the period from ~~30 days before the regular session of the~~



* A B 5 2 9 R 3 *

1 ~~Legislature after the last election for that office up to~~ *the January 1*
2 *immediately preceding the primary election through* 12 days
3 before the primary election;

4 (b) Seven days before the general election ~~[, whether or not the~~
5 ~~candidate won the primary election,]~~ *for that office,* for the period
6 from ~~[12]~~ *11* days before the primary election ~~[up to]~~ *through* 12
7 days before the general election; and

8 (c) ~~[The 15th day of the second month after the general election,~~
9 ~~for the remaining period up to 30 days before the next regular~~
10 ~~session of the Legislature,~~

11 ~~list each of the campaign contributions that]~~ *July 15 of the year of*
12 *the general election for that office, for the period from 11 days*
13 *before the general election through June 30 of that year,*

14 *report each campaign contribution in excess of \$100* he receives
15 during the period *and contributions received during the period*
16 *from a contributor which cumulatively exceed \$100. The report*
17 *must be completed on* ~~[forms]~~ *the form* designed and provided by
18 the Secretary of State pursuant to *section 1* of this ~~[section and NRS~~
19 ~~294A.362.]~~ *act.* Each form must be signed by the candidate under
20 penalty of perjury.

21 ~~[2.]~~ *3. Every candidate for state, district, county or township*
22 *office at a primary or general election shall, if the general election*
23 *for the office for which he is a candidate is held on or after July 1*
24 *and before the January 1 immediately following that July 1, not*
25 *later than:*

26 (a) *Seven days before the primary election for that office, for*
27 *the period from the January 1 immediately preceding the primary*
28 *election through 12 days before the primary election; and*

29 (b) *Seven days before the general election for that office, for*
30 *the period from 11 days before the primary election through 12*
31 *days before the general election,*

32 *report each campaign contribution in excess of \$100 he received*
33 *during the period and contributions received during the period*
34 *from a contributor which cumulatively exceed \$100. The report*
35 *must be completed on the form designed and provided by the*
36 *Secretary of State pursuant to section 1 of this act. Each form*
37 *must be signed by the candidate under penalty of perjury.*

38 *4. Except as otherwise provided in subsection* ~~[3.]~~ *5, every*
39 *candidate for a district office at a special election shall, not later*
40 *than:*

41 (a) *Seven days before the special election, for the period from*
42 *his nomination* ~~[up to]~~ *through* 12 days before the special election;
43 *and*



1 (b) Thirty days after the special election, for the remaining
2 period ~~{up to}~~ *through* the special election,
3 ~~{list each of the campaign contributions that he receives}~~ *report*
4 *each campaign contribution in excess of \$100 he received* during
5 the period *and contributions received during the reporting period*
6 *from a contributor which cumulatively exceed \$100. The report*
7 *must be completed* on ~~{forms}~~ *the form* designed and provided by
8 the Secretary of State pursuant to *section 1 of* this ~~{section and NRS~~
9 ~~294A.362,}~~ *act*. Each form must be signed by the candidate under
10 penalty of perjury.

11 ~~{3-}~~ *5.* Every candidate for state, district, county, municipal or
12 township office at a special election to determine whether a public
13 officer will be recalled shall list each of the campaign contributions
14 that he receives on ~~{forms}~~ *the form* designed and provided by the
15 Secretary of State pursuant to *section 1 of* this ~~{section and NRS~~
16 ~~294A.362,}~~ *act*, and signed by the candidate under penalty of
17 perjury, 30 days after:

18 (a) The special election, for the period from the filing of the
19 notice of intent to circulate the petition for recall ~~{up to}~~ *through* the
20 special election; or

21 (b) A district court determines that the petition for recall is
22 legally insufficient pursuant to subsection 5 of NRS 306.040, for the
23 period from the filing of the notice of intent to circulate the petition
24 for recall ~~{up to}~~ *through* the date of the district court's decision.

25 ~~{4-}~~ *6.* Reports of campaign contributions must be filed with
26 the officer with whom the candidate filed the declaration of
27 candidacy or acceptance of candidacy. A candidate may mail *or*
28 *transmit* the report to that officer by *regular mail*, certified mail ~~{. If~~
29 ~~certified mail is used, the date of mailing}~~, *facsimile machine or*
30 *electronic means. A report* shall be deemed ~~{the date of filing,~~
31 ~~—5-}~~ *to be filed with the officer:*

32 (a) *On the date that it was mailed if it was sent by certified*
33 *mail; or*

34 (b) *On the date that it was received by the officer if the report*
35 *was sent by regular mail, transmitted by facsimile machine or*
36 *electronic means, or delivered personally.*

37 *7.* Every county clerk who receives from candidates for
38 legislative or judicial office, except the office of justice of the peace
39 or municipal judge, reports of campaign contributions pursuant to
40 ~~{subsection 4}~~ *this section* shall file a copy of each report with the
41 Secretary of State within 10 working days after he receives the
42 report.

43 ~~{6-}~~ *8.* The name and address of the contributor and the date on
44 which the contribution was received must be included on the ~~{list}~~



1 *report* for each contribution in excess of \$100 and contributions
2 which a contributor has made cumulatively in excess of that amount
3 since the beginning of the ~~[first]~~ *current* reporting period.

4 ~~[7.—The form designed and provided by the Secretary of State~~
5 ~~for the reporting of contributions pursuant to this section must be~~
6 ~~designed to be used by a candidate to record in the form of a list~~
7 ~~each campaign contribution as he receives it.]~~

8 **Sec. 4.5.** NRS 294A.125 is hereby amended to read as
9 follows:

10 294A.125 1. In addition to complying with the requirements
11 set forth in NRS 294A.120, 294A.200 and 294A.360, a candidate
12 who receives contributions in any year before the year in which the
13 general election or general city election in which the candidate
14 intends to seek election to public office is held, shall, for:

15 (a) The year in which he receives contributions in excess of
16 \$10,000, list each of the contributions that he receives and the
17 expenditures in excess of \$100 made in that year.

18 (b) Each year after the year in which he received contributions
19 in excess of \$10,000, until the year of the general election or general
20 city election in which the candidate intends to seek election to
21 public office is held, list each of the contributions that he received
22 and the expenditures in excess of \$100 made in that year.

23 2. The reports required by subsection 1 must be submitted on
24 ~~[forms]~~ *the form* designed and provided by the Secretary of State
25 pursuant to ~~[this section and NRS 294A.362.]~~ *section 1 of this act.*
26 Each form must be signed by the candidate under penalty of perjury.

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

31 4. ~~[The forms designed and provided by the Secretary of State~~
32 ~~for the reporting of contributions and expenditures pursuant to this~~
33 ~~section must be designed to be used by a candidate to record in the~~
34 ~~form of a list each campaign contribution as he receives it and each~~
35 ~~expenditure as it is made.~~

36 ~~—5.]~~ The report must be filed:

37 (a) With the officer with whom the candidate will file the
38 declaration of candidacy or acceptance of candidacy for the public
39 office the candidate intends to seek. A candidate may mail *or*
40 *transmit* the report to that officer by *regular mail*, certified mail ~~[. If~~
41 ~~certified mail is used, the date of mailing]~~, *facsimile machine or*
42 *electronic means. A report* shall be deemed ~~[the date of filing]~~ *to*
43 *be filed with the officer:*

44 (1) *On the date it was mailed if it was sent by certified mail.*



* A B 5 2 9 R 3 *

1 (2) *On the date it was received by the officer if the report*
2 *was sent by regular mail, transmitted by facsimile machine or*
3 *electronic means, or delivered personally.*

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

6 ~~[6-]~~ 5. A county clerk who receives from a candidate for
7 legislative or judicial office, except the office of justice of the peace
8 or municipal judge, a report of contributions and expenditures
9 pursuant to subsection 5 shall file a copy of the report with the
10 Secretary of State within 10 working days after he receives the
11 report.

12 **Sec. 5.** NRS 294A.140 is hereby amended to read as follows:

13 294A.140 1. Every person who is not under the direction or
14 control of a candidate *for office at a primary election, primary city*
15 *election, general election or general city election, of a* group of
16 *such* candidates or of any person involved in the campaign of that
17 candidate or group who makes an expenditure on behalf of the
18 candidate or group which is not solicited or approved by
19 the candidate or group, and every committee for political action,
20 political party and committee sponsored by a political party which
21 makes an expenditure on behalf of *such* a candidate or group of
22 candidates shall, not later *than January 15 of each year that the*
23 *provisions of this subsection apply to the person, committee or*
24 *political party, for the period from January 1 of the previous year*
25 *through December 31 of the previous year, report each campaign*
26 *contribution in excess of \$100 he or it received during the period*
27 *and contributions received during the period from a contributor*
28 *which cumulatively exceed \$100. The provisions of this subsection*
29 *apply to the person, committee or political party beginning the*
30 *year of the general election or general city election for that office*
31 *through the year immediately preceding the next general election*
32 *or general city election for that office.*

33 2. Every person, committee or political party described in
34 subsection 1 which makes an expenditure on behalf of the
35 candidate for office at a primary election, primary city election,
36 general election or general city election or on behalf of a group of
37 such candidates shall, if the general election or general city
38 election for the office for which the candidate or a candidate in
39 the group of candidates seeks election is held on or after
40 January 1 and before the July 1 immediately following that
41 January 1, not later than:

42 (a) Seven days before ~~[a]~~ *the* primary election or primary city
43 election ~~[.]~~ *for that office,* for the period from ~~[30 days after the last~~
44 ~~election for that office to]~~ *the January 1 immediately preceding the*



* A B 5 2 9 R 3 *

1 *primary election or primary city election through* 12 days before
2 the primary election or primary city election;

3 (b) Seven days before ~~[a]~~ *the* general election or general city
4 election ~~[, whether or not the candidate won the primary election or~~
5 ~~primary city election,]~~ *for that office,* for the period from ~~[12]~~ *11*
6 days before the primary election or primary city election ~~[to]~~
7 *through* 12 days before the general election or general city election;
8 and

9 (c) ~~[The 15th day of the second month after the general election~~
10 ~~or general city election, for the remaining period up to 30 days after~~
11 ~~the general election or general city election,~~
12 ~~list each of the contributions]~~ *July 15 of the year of the general*
13 *election or general city election for that office, for the period from*
14 *11 days before the general election or general city election*
15 *through June 30 of that year,*
16 *report each campaign contribution in excess of \$100* received
17 during the period *and contributions received during the period*
18 *from a contributor which cumulatively exceed \$100. The report*
19 *must be completed* on the form designed and provided by the
20 Secretary of State ~~[and shall sign the report]~~ *pursuant to section 1*
21 *of this act. The form must be signed by the person or a*
22 *representative of the committee or political party* under penalty of
23 perjury.

24 ~~[2-]~~ 3. The name and address of the contributor and the date on
25 which the contribution was received must be included on the ~~[list]~~
26 *report* for each contribution in excess of \$100 and contributions
27 which a contributor has made cumulatively in excess of \$100 since
28 the beginning of the ~~[first]~~ *current* reporting period. ~~[The form~~
29 ~~designed and provided by the Secretary of State for the reporting of~~
30 ~~contributions pursuant to this section must be designed to be used~~
31 ~~by the person, committee for political action, political party or~~
32 ~~committee sponsored by a political party to record in the form of a~~
33 ~~list each contribution as it is received.~~

34 ~~—3.— If the candidate is elected from one county, the reports must~~
35 ~~be filed with the county clerk of that county. If the candidate is~~
36 ~~elected from one city, the reports must be filed with the city clerk of~~
37 ~~that city. For all other candidates, the]~~

38 4. *Every person, committee or political party described in*
39 *subsection 1 which makes an expenditure on behalf of a candidate*
40 *for office at a primary election, primary city election, general*
41 *election or general city election or on behalf of a group of such*
42 *candidates shall, if the general election or general city election for*
43 *the office for which the candidate or a candidate in the group of*



1 candidates seeks election is held on or after July 1 and before the
2 January 1 immediately following that July 1, not later than:

3 (a) Seven days before the primary election or primary city
4 election for that office, for the period from the January 1
5 immediately preceding the primary election or primary city
6 election through 12 days before the primary election or primary
7 city election; and

8 (b) Seven days before the general election or general city
9 election for that office, for the period from 11 days before the
10 primary election or primary city election through 12 days before
11 the general election or general city election,

12 report each campaign contribution in excess of \$100 received
13 during the period and contributions received during the period
14 from a contributor which cumulatively exceed \$100. The report
15 must be completed on the form designed and provided by the
16 Secretary of State pursuant to section 1 of this act. The form must
17 be signed by the person or a representative of the committee or
18 political party under penalty of perjury.

19 5. Except as otherwise provided in subsection 6, every person,
20 committee or political party described in subsection 1 which makes
21 an expenditure on behalf of a candidate for office at a special
22 election or on behalf of a group of such candidates shall, not later
23 than:

24 (a) Seven days before the special election for the office for
25 which the candidate or a candidate in the group of candidates
26 seeks election, for the period from the nomination of the candidate
27 through 12 days before the special election; and

28 (b) Thirty days after the special election, for the remaining
29 period through the special election,
30 report each campaign contribution in excess of \$100 received
31 during the period and contributions received during the period
32 from a contributor which cumulatively exceed \$100. The report
33 must be completed on the form designed and provided by the
34 Secretary of State pursuant to section 1 of this act. The form must
35 be signed by the person or a representative of the committee or
36 political party under penalty of perjury.

37 6. Every person, committee or political party described in
38 subsection 1 which makes an expenditure on behalf of a candidate
39 for office at a special election to determine whether a public
40 officer will be recalled or on behalf of a group of candidates for
41 offices at such special elections shall report each contribution in
42 excess of \$100 received during the period and contributions
43 received during the period from a contributor which cumulatively
44 exceed \$100. The report must be completed on the form designed



1 *and provided by the Secretary of State pursuant to section 1 of this*
2 *act and signed by the person or a representative of the committee*
3 *or political party under penalty of perjury, 30 days after:*

4 (a) *The special election, for the period from the filing of the*
5 *notice of intent to circulate the petition for recall through the*
6 *special election; or*

7 (b) *If the special election is not held because a district court*
8 *determines that the petition for recall is legally insufficient*
9 *pursuant to subsection 5 of NRS 306.040, for the period from the*
10 *filing of the notice of intent to circulate the petition for recall*
11 *through the date of the district court's decision.*

12 7. *The reports of contributions required pursuant to this*
13 *section must be filed with :*

14 (a) *If the candidate is elected from one county, the county*
15 *clerk of that county;*

16 (b) *If the candidate is elected from one city, the city clerk of*
17 *that city; or*

18 (c) *If the candidate is elected from more than one county or*
19 *city, the Secretary of State.*

20 8. A person or entity may file the report with the appropriate
21 officer by *regular mail*, certified mail ~~[. If certified mail is used, the~~
22 ~~date of mailing]~~ , *facsimile machine or electronic means. A report*
23 *shall be deemed [the date of filing.*

24 ~~—4.] to be filed with the officer:~~

25 (a) *On the date that it was mailed if it was sent by certified*
26 *mail; or*

27 (b) *On the date that it was received by the officer if the report*
28 *was sent by regular mail, transmitted by facsimile machine or*
29 *electronic means, or delivered personally.*

30 9. Each county clerk or city clerk who receives a report
31 pursuant to ~~[subsection 3]~~ *this section* shall file a copy of the report
32 with the Secretary of State within 10 working days after he receives
33 the report.

34 10. *Every person, committee or political party described in*
35 *subsection 1 shall file a report required by this section even if he*
36 *or it receives no contributions.*

37 **Sec. 6.** NRS 294A.150 is hereby amended to read as follows:

38 294A.150 1. Every person or group of persons organized
39 formally or informally who advocates the passage or defeat of a
40 question or group of questions on the ballot at ~~[any election~~
41 ~~including any recall or special]~~ *a primary election , primary city*
42 *election, general election or general city election,* shall, not later
43 *than January 15 of each year that the provisions of this subsection*
44 *apply to the person or group of persons, for the period from*



1 *January 1 of the previous year through December 31 of the*
2 *previous year, report each campaign contribution in excess of*
3 *\$100 received during that period and contributions received*
4 *during the period from a contributor which cumulatively exceed*
5 *\$100. The report must be completed on the form designed and*
6 *provided by the Secretary of State pursuant to section 1 of this act.*
7 *The form must be signed by the person or a representative of the*
8 *group under penalty of perjury. The provisions of this subsection*
9 *apply to the person or group of persons:*

10 (a) *Each year in which an election or city election is held for*
11 *each question for which the person or group advocates passage or*
12 *defeat; and*

13 (b) *The year after each year described in paragraph (a).*

14 2. *If a question is on the ballot at a primary election or*
15 *primary city election and the general election or general city*
16 *election immediately following that primary election or primary*
17 *city election is held on or after January 1 and before the July 1*
18 *immediately following that January 1, every person or group of*
19 *persons organized formally or informally who advocates the*
20 *passage or defeat of the question or a group of questions that*
21 *includes the question shall comply with the requirements of this*
22 *subsection. If a question is on the ballot at a general election or*
23 *general city election held on or after January 1 and before the*
24 *July 1 immediately following that January 1, every person or*
25 *group of persons organized formally or informally who advocates*
26 *the passage or defeat of the question or a group of questions that*
27 *includes the question shall comply with the requirements of this*
28 *subsection. A person or group of persons described in this*
29 *subsection shall, not later than:*

30 (a) *Seven days before ~~[a] the~~ primary election or primary city*
31 *election, for the period from ~~[30 days after the last general election~~*
32 *~~to] the January 1 immediately preceding the primary election or~~*
33 *~~primary city election through~~ 12 days before the primary election*
34 *or primary city election;*

35 (b) *Seven days before ~~[a] the~~ general election or general city*
36 *election, for the period from ~~[12] 11~~ days before the primary*
37 *election or primary city election ~~[to] through~~ 12 days before the*
38 *general election or general city election; and*

39 (c) *~~[The 15th day of the second month after the general election~~*
40 *~~or general city election, for the remaining period up to 30 days after~~*
41 *~~the general election or general city election,~~*
42 *~~list each of the contributions] July 15 of the year of the general~~*
43 *~~election or general city election, for the period from 11 days before~~*



* A B 5 2 9 R 3 *

1 *the general election or general city election through June 30 of*
2 *that year,*
3 *report each campaign contribution in excess of \$100* received
4 *during the period and contributions received during the period*
5 *from a contributor which cumulatively exceed \$100. The report*
6 *must be completed* on the form designed and provided by the
7 Secretary of State *pursuant to section 1 of this act* and signed by
8 the person or a representative of the group under penalty of perjury.

9 ~~[2.] 3.~~ The name and address of the ~~[contribution]~~ contributor
10 and the date on which the contribution was received must be
11 included on the ~~[list]~~ report for each contribution in excess of \$100
12 and contributions which a contributor has made cumulatively in
13 excess of that amount since the beginning of the ~~[first reporting. The~~
14 ~~form designed and provided by the Secretary of State for the~~
15 ~~reporting of contributions pursuant to this section must be designed~~
16 ~~to be used to record in the form of a list each contribution as it is~~
17 ~~received.~~

18 ~~—3.— If the question is submitted to the voters of only one county,~~
19 ~~the reports must be filed with the county clerk of that county. If the~~
20 ~~question is submitted to the voters of only one city, the reports must~~
21 ~~be filed with the city clerk of that city. Otherwise, the]~~ *current*
22 *reporting period.*

23 *4. If a question is on the ballot at a primary election or*
24 *primary city election and the general election or general city*
25 *election immediately following that primary election or primary*
26 *city election is held on or after July 1 and before the January 1*
27 *immediately following that July 1, every person or group of*
28 *persons organized formally or informally who advocates the*
29 *passage or defeat of the question or a group of questions that*
30 *includes the question shall comply with the requirements of this*
31 *subsection. If a question is on the ballot at a general election or*
32 *general city election held on or after July 1 and before the*
33 *January 1 immediately following that July 1, every person or*
34 *group of persons organized formally or informally who advocates*
35 *the passage or defeat of the question or a group of questions that*
36 *includes the question shall comply with the requirements of this*
37 *subsection. A person or group of persons described in this*
38 *subsection shall, not later than:*

39 *(a) Seven days before the primary election or primary city*
40 *election, for the period from the January 1 immediately preceding*
41 *the primary election or primary city election through 12 days*
42 *before the primary election or primary city election; and*

43 *(b) Seven days before the general election or general city*
44 *election, for the period from 11 days before the primary election or*



* A B 5 2 9 R 3 *

1 *primary city election through 12 days before the general election*
2 *or general city election,*
3 *report each campaign contribution in excess of \$100 received*
4 *during the period and contributions received during the period*
5 *from a contributor which cumulatively exceed \$100. The report*
6 *must be completed on the form designed and provided by the*
7 *Secretary of State pursuant to section 1 of this act. The form must*
8 *be signed by the person or a representative of the group under*
9 *penalty of perjury.*

10 5. *Except as otherwise provided in subsection 6, every person*
11 *or group of persons organized formally or informally who*
12 *advocates the passage or defeat of a question or group of*
13 *questions on the ballot at a special election shall, not later than:*

14 (a) *Seven days before the special election, for the period from*
15 *the date that the question qualified for the ballot through 12 days*
16 *before the special election; and*

17 (b) *Thirty days after the special election, for the remaining*
18 *period through the special election,*
19 *report each campaign contribution in excess of \$100 received*
20 *during the period and contributions received during the period*
21 *from a contributor which cumulatively exceed \$100. The report*
22 *must be completed on the form designed and provided by the*
23 *Secretary of State pursuant to section 1 of this act. The form must*
24 *be signed by the person or a representative of the group under*
25 *penalty of perjury.*

26 6. *Every person or group of persons organized formally or*
27 *informally who advocates the passage or defeat of a question or*
28 *group of questions on the ballot at a special election to determine*
29 *whether a public officer will be recalled shall report each of the*
30 *contributions received on the form designed and provided by the*
31 *Secretary of State pursuant to section 1 of this act and signed by*
32 *the person or a representative of the group under penalty of*
33 *perjury, 30 days after:*

34 (a) *The special election, for the period from the filing of the*
35 *notice of intent to circulate the petition for recall through the*
36 *special election; or*

37 (b) *If the special election is not held because a district court*
38 *determines that the petition for recall is legally insufficient*
39 *pursuant to subsection 5 of NRS 306.040, for the period from the*
40 *filing of the notice of intent to circulate the petition for recall*
41 *through the date of the district court's decision.*

42 7. *The reports required pursuant to this section must be filed*
43 *with :*



* A B 5 2 9 R 3 *

1 (a) *If the question is submitted to the voters of one county, the*
2 *county clerk of that county;*

3 (b) *If the question is submitted to the voters of one city, the city*
4 *clerk of that city; or*

5 (c) *If the question is submitted to the voters of more than one*
6 *county or city, the Secretary of State.*

7 8. *A person may mail or transmit his report to the appropriate*
8 *officer by regular mail, certified mail, facsimile machine or*
9 *electronic means. A report shall be deemed to be filed with the*
10 *officer:*

11 (a) *On the date that it was mailed if it was sent by certified*
12 *mail; or*

13 (b) *On the date that it was received by the officer if the report*
14 *was sent by regular mail, transmitted by facsimile machine or*
15 *electronic means, or delivered personally.*

16 9. If the person or group of persons is advocating passage or
17 defeat of a group of questions, the reports ~~must be made to the~~
18 ~~officer appropriate for each question and~~ must be itemized by
19 question.

20 ~~[4.]~~ 10. Each county clerk or city clerk who receives a report
21 pursuant to ~~[subsection 3]~~ *this section* shall file a copy of the report
22 with the Secretary of State within 10 working days after he receives
23 the report.

24 **Sec. 7.** NRS 294A.160 is hereby amended to read as follows:

25 294A.160 1. It is unlawful for a candidate to spend money
26 received as a campaign contribution for his personal use.

27 2. Every candidate for a state, district, county, city or township
28 office at a primary, general, primary city, general city or special
29 election who is elected to that office and received contributions that
30 were not spent or committed for expenditure before the primary,
31 general, primary city, general city or special election shall:

32 (a) Return the unspent money to contributors;

33 (b) Use the money in his next election or for the payment of
34 other expenses related to public office or his campaign ~~;~~ ,
35 *regardless of whether he is a candidate for a different office in his*
36 *next election;*

37 (c) Contribute the money to:

38 (1) The campaigns of other candidates for public office or for
39 the payment of debts related to their campaigns;

40 (2) A political party;

41 (3) A person or group of persons advocating the passage or
42 defeat of a question or group of questions on the ballot; or

43 (4) Any combination of persons or groups set forth in
44 subparagraphs (1), (2) and (3);



1 (d) Donate the money to any tax-exempt nonprofit entity; or
2 (e) Dispose of the money in any combination of the methods
3 provided in paragraphs (a) to (d), inclusive.

4 3. Every candidate for a state, district, county, city or township
5 office at a primary, general, primary city, general city or special
6 election who is not elected to that office and received contributions
7 that were not spent or committed for expenditure before the primary,
8 general, primary city, general city or special election shall, not later
9 than the 15th day of the second month after his defeat:

10 (a) Return the unspent money to contributors;

11 (b) Contribute the money to:

12 (1) The campaigns of other candidates for public office or for
13 the payment of debts related to their campaigns;

14 (2) A political party;

15 (3) A person or group of persons advocating the passage or
16 defeat of a question or group of questions on the ballot; or

17 (4) Any combination of persons or groups set forth in
18 subparagraphs (1), (2) and (3);

19 (c) Donate the money to any tax-exempt nonprofit entity; or

20 (d) Dispose of the money in any combination of the methods
21 provided in paragraphs (a), (b) and (c).

22 4. Every candidate for a state, district, county, city or township
23 office who is defeated at a primary or primary city election and
24 received a contribution from a person in excess of \$5,000 shall, not
25 later than the 15th day of the second month after his defeat, return
26 any money in excess of \$5,000 to the contributor.

27 5. Every public officer who:

28 (a) Holds a state, district, county, city or township office;

29 (b) Does not run for reelection and is not a candidate for any
30 other office; and

31 (c) Has contributions that are not spent or committed for
32 expenditure remaining from a previous election,
33 shall, not later than the 15th day of the second month after the
34 expiration of his term of office, dispose of those contributions in the
35 manner provided in subsection 3.

36 6. In addition to the methods for disposing the unspent money
37 set forth in subsections 2, 3 and 4, a Legislator may donate not more
38 than \$500 of that money to the Nevada Silver Haired Legislative
39 Forum created pursuant to NRS 427A.320.

40 7. *Any contributions received before a candidate for a state,
41 district, county, city or township office at a primary, general,
42 primary city, general city or special election dies that were not
43 spent or committed for expenditure before the death of the*



1 *candidate must be disposed of in the manner provided in*
2 *subsection 3.*

3 8. The court shall, in addition to any penalty which may be
4 imposed pursuant to NRS 294A.420, order the candidate or public
5 officer to dispose of any remaining contributions in the manner
6 provided in this section.

7 ~~[8.]~~ 9. As used in this section, "contributions" include any
8 interest and other income earned thereon.

9 **Sec. 8.** NRS 294A.200 is hereby amended to read as follows:

10 294A.200 1. Every candidate for state, district, county or
11 township office at a primary or general election shall, not later *than*
12 *January 15 of each year, for the period from January 1 of the*
13 *previous year through December 31 of the previous year, report*
14 *each of the campaign expenses in excess of \$100 that he incurs*
15 *and each amount in excess of \$100 that he disposes of pursuant to*
16 *NRS 294A.160 during the period on the form designed and*
17 *provided by the Secretary of State pursuant to section 1 of this act.*
18 *The form must be signed by the candidate under penalty of*
19 *perjury. The provisions of this subsection apply to the candidate:*

20 (a) *Beginning the year of the general election for that office*
21 *through the year immediately preceding the next general election*
22 *for that office; and*

23 (b) *Each year immediately succeeding a calendar year during*
24 *which the candidate disposes of contributions pursuant to*
25 *NRS 294A.160.*

26 2. Every candidate for state, district, county or township
27 office at a primary or general election shall, if the general election
28 for the office for which he is a candidate is held on or after
29 January 1 and before the July 1 immediately following that
30 January 1, not later than:

31 (a) Seven days before the primary election ~~[.]~~ *for that office,* for
32 the period from ~~[30 days before the regular session of the~~
33 ~~Legislature after the last election for that office up to]~~ *the January 1*
34 *immediately preceding the primary election through* 12 days
35 before the primary election;

36 (b) Seven days before the general election ~~[, whether or not the~~
37 ~~candidate won the primary election,]~~ *for that office,* for the period
38 from ~~[12]~~ *11* days before the primary election ~~[up to]~~ *through* 12
39 days before the general election; and

40 (c) ~~[The 15th day of the second month after the general election;~~
41 ~~for the remaining period up to 30 days before the next regular~~
42 ~~session of the Legislature,~~



1 ~~list~~ July 15 of the year of the general election for that office, for
2 the period from 11 days before the general election through
3 June 30 of that year,

4 ~~report~~ each of the campaign expenses in excess of \$100 that he
5 incurs during the period on ~~forms~~ the form designed and provided
6 by the Secretary of State pursuant to section 1 of this ~~section and~~
7 ~~NRS 294A.362.~~ act. Each form must be signed by the candidate
8 under penalty of perjury.

9 ~~2.~~ 3. Every candidate for state, district, county or township
10 office at a primary or general election shall, if the general election
11 for the office for which he is a candidate is held on or after July 1
12 and before the January 1 immediately following that July 1, not
13 later than:

14 (a) Seven days before the primary election for that office, for
15 the period from the January 1 immediately preceding the primary
16 election through 12 days before the primary election; and

17 (b) Seven days before the general election for that office, for
18 the period from 11 days before the primary election through 12
19 days before the general election,
20 ~~report~~ each of the campaign expenses in excess of \$100 that he
21 incurs during the period on the form designed and provided by the
22 Secretary of State pursuant to section 1 of this act. The form must
23 be signed by the candidate under penalty of perjury.

24 4. Except as otherwise provided in subsection ~~3.~~ 5, every
25 candidate for a district office at a special election shall, not later
26 than:

27 (a) Seven days before the special election, for the period from
28 his nomination ~~up to~~ through 12 days before the special election;
29 and

30 (b) ~~Sixty~~ Thirty days after the special election, for the
31 remaining period ~~up to 30 days after~~ through the special
32 election,

33 ~~list~~ ~~report~~ each of the campaign expenses in excess of \$100 that he
34 incurs during the period on ~~forms~~ the form designed and provided
35 by the Secretary of State pursuant to section 1 of this ~~section and~~
36 ~~NRS 294A.362.~~ act. Each form must be signed by the candidate
37 under penalty of perjury.

38 ~~3.~~ 5. Every candidate for state, district, county, municipal or
39 township office at a special election to determine whether a public
40 officer will be recalled shall ~~list~~ ~~report each of~~ the campaign
41 expenses in excess of \$100 that he incurs on ~~forms~~ the form
42 designed and provided by the Secretary of State pursuant to section
43 1 of this ~~section and NRS 294A.362~~ act and signed by the
44 candidate under penalty of perjury, ~~60~~ 30 days after:



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

4 (b) ~~[A]~~ *If the special election is not held because a* district
5 court determines that the petition for recall is legally insufficient
6 pursuant to subsection 5 of NRS 306.040, for the period from the
7 filing of the notice of intent to circulate the petition for recall ~~[up to]~~
8 *through* the date of the district court's decision.

9 ~~[4.]~~ 6. Reports of campaign expenses must be filed with the
10 officer with whom the candidate filed the declaration of candidacy
11 or acceptance of candidacy. A candidate may mail *or transmit* the
12 report to that officer by *regular mail*, certified mail ~~[. If certified~~
13 ~~mail is used, the date of mailing]~~, *facsimile machine or electronic*
14 *means. A report* shall be deemed ~~[the date of filing.~~
15 ~~—5.] to be filed with the officer:~~

16 (a) *On the date that it was mailed if it was sent by certified*
17 *mail; or*

18 (b) *On the date that it was received by the officer if the report*
19 *was sent by regular mail, transmitted by facsimile machine or*
20 *electronic means, or delivered personally.*

21 7. County clerks who receive from candidates for legislative or
22 judicial office, except the office of justice of the peace or municipal
23 judge, reports of campaign expenses pursuant to ~~[subsection 4]~~ *this*
24 *section* shall file a copy of each report with the Secretary of State
25 within 10 working days after he receives the report.

26 ~~[6. The forms designed and provided by the Secretary of State~~
27 ~~for the reporting of campaign expenses pursuant to this section must~~
28 ~~be designed to be used by a candidate to record in the form of a list~~
29 ~~each campaign expense as he incurs it.]~~

30 **Sec. 9.** NRS 294A.210 is hereby amended to read as follows:

31 294A.210 1. Every person who is not under the direction or
32 control of a candidate *for an office at a primary election, primary*
33 *city election, general election or general city election, of a* group of
34 *such* candidates or of any person involved in the campaign of that
35 candidate or group who makes an expenditure on behalf of the
36 candidate or group which is not solicited or approved by
37 the candidate or group, and every committee for political action,
38 political party or committee sponsored by a political party which
39 makes an expenditure on behalf of *such* a candidate or group of
40 candidates shall, not later *than January 15 of each year that the*
41 *provisions of this subsection apply to the person, committee or*
42 *political party, for the period from January 1 of the previous year*
43 *through December 31 of the previous year, report each*
44 *expenditure made during the period on behalf of the candidate,*



1 *the group of candidates or a candidate in the group of candidates*
2 *in excess of \$100 on the form designed and provided by the*
3 *Secretary of State pursuant to section 1 of this act. The form must*
4 *be signed by the person or a representative of the committee or*
5 *political party under penalty of perjury. The provisions of this*
6 *subsection apply to the person, committee or political party*
7 *beginning the year of the general election or general city election*
8 *for that office through the year immediately preceding the next*
9 *general election or general city election for that office.*

10 2. Every person, committee or political party described in
11 subsection 1 which makes an expenditure on behalf of a candidate
12 for office at a primary election, primary city election, general
13 election or general city election or a group of such candidates
14 shall, if the general election or general city election for the office
15 for which the candidate or a candidate in the group of candidates
16 seeks election is held on or after January 1 and before the July 1
17 immediately following that January 1, not later than:

18 (a) Seven days before ~~[a]~~ *the* primary election or primary city
19 election ~~[.] for that office,~~ for the period from ~~[30 days after the last~~
20 ~~election for that office to]~~ *the January 1 immediately preceding the*
21 *primary election or primary city election through* 12 days before
22 the primary election or primary city election;

23 (b) Seven days before ~~[a]~~ *the* general election or general city
24 election ~~[, whether or not the candidate won the primary election or~~
25 ~~primary city election,]~~ *for that office,* for the period from ~~[12]~~ *11*
26 days before the primary election or primary city election ~~[to]~~
27 *through* 12 days before the general election or general city election;
28 and

29 (c) ~~[The 15th day of the second month after a general election or~~
30 ~~general city election, for the remaining period up to 30 days after the~~
31 ~~general election or general city election,~~
32 ~~list]~~ *July 15 of the year of the general election or general city*
33 *election for that office, for the period from 11 days before the*
34 *general election or general city election through the June 30 of*
35 *that year,*

36 *report* each expenditure made during the period on behalf of ~~[a~~
37 ~~candidate or]~~ *the candidate, the* group of candidates *or a candidate*
38 *in the group of candidates* in excess of \$100 on ~~[forms]~~ *the form*
39 designed and provided by the Secretary of State ~~[and]~~ *pursuant to*
40 *section 1 of this act. The form must be* signed by the person or a
41 representative of the ~~[group]~~ *committee or political party* under
42 penalty of perjury. ~~[The report must also include identification of~~
43 ~~expenditures which the person or group made cumulatively in~~
44 ~~excess of \$100 since the beginning of the first reporting period.~~



1 ~~—2.1~~ 3. Every person, committee or political party described in
2 subsection 1 which makes an expenditure on behalf of a candidate
3 for office at a primary election, primary city election, general
4 election or general city election or on behalf of a group of such
5 candidates shall, if the general election or general city election for
6 the office for which the candidate or a candidate in the group of
7 candidates seeks election is held on or after July 1 and before the
8 January 1 immediately following that July 1, not later than:

9 (a) Seven days before the primary election or primary city
10 election for that office, for the period from the January 1
11 immediately preceding the primary election or primary city
12 election through 12 days before the primary election or primary
13 city election; and

14 (b) Seven days before the general election or general city
15 election for that office, for the period from 11 days before the
16 primary election or primary city election through 12 days before
17 the general election or general city election,
18 report each expenditure made during the period on behalf of the
19 candidate, the group of candidates or a candidate in the group of
20 candidates in excess of \$100 on the form designed and provided by
21 the Secretary of State pursuant to section 1 of this act. The form
22 must be signed by the person or a representative of the committee
23 or political party under penalty of perjury.

24 4. Except as otherwise provided in subsection 5, every person,
25 committee or political party described in subsection 1 which makes
26 an expenditure on behalf of a candidate for office at a special
27 election or on behalf of a group of such candidates shall, not later
28 than:

29 (a) Seven days before the special election for the office for
30 which the candidate or a candidate in the group of candidates
31 seeks election, for the period from the nomination of the candidate
32 through 12 days before the special election; and

33 (b) Thirty days after the special election, for the remaining
34 period through the special election,
35 report each expenditure made during the period on behalf of the
36 candidate, the group of candidates or a candidate in the group of
37 candidates in excess of \$100 on the form designed and provided by
38 the Secretary of State pursuant to section 1 of this act. The form
39 must be signed by the person or a representative of the committee
40 or political party under penalty of perjury.

41 5. Every person, committee or political party described in
42 subsection 1 which makes an expenditure on behalf of a candidate
43 for office at a special election to determine whether a public
44 officer will be recalled or on behalf of a group of such candidates



* A B 5 2 9 R 3 *

1 *shall list each expenditure made on behalf of the candidate, the*
2 *group of candidates or a candidate in the group of candidates in*
3 *excess of \$100 on the form designed and provided by the Secretary*
4 *of State pursuant to section 1 of this act and signed by the person*
5 *or a representative of the committee or political party under*
6 *penalty of perjury, 30 days after:*

7 *(a) The special election, for the period from the filing of the*
8 *notice of intent to circulate the petition for recall through the*
9 *special election; or*

10 *(b) If the special election is not held because a district court*
11 *determines that the petition for recall is legally insufficient*
12 *pursuant to subsection 5 of NRS 306.040, for the period from the*
13 *filing of the notice of intent to circulate the petition for recall*
14 *through the date of the district court's decision.*

15 6. Expenditures made within the State or made elsewhere but
16 for use within the State, including expenditures made outside the
17 State for printing, television and radio broadcasting or other
18 production of the media, must be included in the report.

19 ~~{3. — If the candidate is elected from one county, the reports must~~
20 ~~be filed with the county clerk of that county. If the candidate is~~
21 ~~elected from one city, the reports must be filed with the city clerk of~~
22 ~~that city. Otherwise, the}~~

23 7. The reports must be filed with :

24 *(a) If the candidate is elected from one county, the county*
25 *clerk of that county;*

26 *(b) If the candidate is elected from one city, the city clerk of*
27 *that city; or*

28 *(c) If the candidate is elected from more than one county or*
29 *city, the Secretary of State.*

30 8. If an expenditure is made on behalf of a group of candidates,
31 the reports must be ~~{made to the officer appropriate for each~~
32 ~~candidate and}~~ itemized by the candidate. A person may ~~{make}~~
33 *mail or transmit* his report to the appropriate officer by *regular*
34 *mail*, certified mail ~~{. If certified mail is used, the date of mailing}~~,
35 *facsimile machine or electronic means. A report* shall be deemed
36 ~~{the date of filing.~~

37 ~~—4.} to be filed with the officer:~~

38 *(a) On the date that it was mailed if it was sent by certified*
39 *mail; or*

40 *(b) On the date that it was received by the officer if the report*
41 *was sent by regular mail, transmitted by facsimile machine or*
42 *electronic means, or delivered personally.*

43 9. Each county clerk or city clerk who receives a report
44 pursuant to ~~{subsection 3}~~ *this section* shall file a copy of the report



1 with the Secretary of State within 10 working days after he receives
2 the report.

3 ~~[5. The forms designed and provided by the Secretary of State~~
4 ~~for the reporting of expenditures pursuant to this section must be~~
5 ~~designed to be used by the person or representative of the group to~~
6 ~~record in the form of a list each expenditure as it is made.]~~

7 *10. Every person, committee or political party described in*
8 *subsection 1 shall file a report required by this section even if he*
9 *or it receives no contributions.*

10 **Sec. 10.** NRS 294A.220 is hereby amended to read as follows:

11 294A.220 1. Every person or group of persons organized
12 formally or informally who advocates the passage or defeat of a
13 question or group of questions on the ballot at ~~[any election~~
14 ~~including any recall or special]~~ *a primary election, primary city*
15 *election, general election or general city election*, shall, not later
16 *than January 15 of each year that the provisions of this subsection*
17 *apply to the person or group of persons, for the period from*
18 *January 1 of the previous year through December 31 of the*
19 *previous year, report each expenditure made during the period on*
20 *behalf of or against the question, the group of questions or a*
21 *question in the group of questions on the ballot in excess of \$100*
22 *on the form designed and provided by the Secretary of State*
23 *pursuant to section 1 of this act. The form must be signed by the*
24 *person or a representative of the group under penalty of perjury.*
25 *The provisions of this subsection apply to the person or group of*
26 *persons:*

27 *(a) Each year in which an election or city election is held for a*
28 *question for which the person or group advocates passage or*
29 *defeat; and*

30 *(b) The year after each year described in paragraph (a).*

31 2. *If a question is on the ballot at a primary election or*
32 *primary city election and the general election or general city*
33 *election immediately following that primary election or primary*
34 *city election is held on or after January 1 and before the July 1*
35 *immediately following that January 1, every person or group of*
36 *persons organized formally or informally who advocates the*
37 *passage or defeat of the question or a group of questions that*
38 *includes the question shall comply with the requirements of this*
39 *subsection. If a question is on the ballot at a general election or*
40 *general city election held on or after January 1 and before the*
41 *July 1 immediately following that January 1, every person or*
42 *group of persons organized formally or informally who advocates*
43 *the passage or defeat of the question or a group of questions that*
44 *includes the question shall comply with the requirements of this*



* A B 5 2 9 R 3 *

1 *subsection. A person or group of persons described in this*
2 *subsection shall, not later than:*

3 (a) Seven days before ~~[a] the~~ primary election or primary city
4 election, for the period from ~~[30 days after the last general election~~
5 ~~to] the January 1 immediately preceding the primary election or~~
6 *primary city election through* 12 days before the primary election
7 or primary city election;

8 (b) Seven days before ~~[a] the~~ general election or general city
9 election, for the period from ~~[12] 11~~ days before the primary
10 election or primary city election ~~[to] through~~ 12 days before the
11 general election or general city election; and

12 (c) ~~[The 15th day of the second month after the general election~~
13 ~~or general city election, for the remaining period up to 30 days after~~
14 ~~the general election or general city election, list] July 15 of the year~~
15 *of the general election or general city election, for the period from*
16 *11 days before the general election or general city election*
17 *through the June 30 immediately preceding that July 15,*

18 *report* each expenditure made during the period on behalf of or
19 against ~~[a question or] the question, the~~ group of questions *or a*
20 *question in the group of questions* on the ballot in excess of \$100
21 on the form designed and provided by the Secretary of State
22 *pursuant to section 1 of this act* and signed by the person or a
23 representative of the group under penalty of perjury. ~~[The report~~
24 ~~must also include the identification of expenditures which the~~
25 ~~person or group made cumulatively in excess of \$100 since the~~
26 ~~beginning of the first reporting period.~~

27 ~~—2.] 3.~~ *If a question is on the ballot at a primary election or*
28 *primary city election and the general election or general city*
29 *election immediately following that primary election or primary*
30 *city election is held on or after July 1 and before the January 1*
31 *immediately following that July 1, every person or group of*
32 *persons organized formally or informally who advocates the*
33 *passage or defeat of the question or a group of questions that*
34 *includes the question shall comply with the requirements of this*
35 *subsection. If a question is on the ballot at a general election or*
36 *general city election held on or after July 1 and before the*
37 *January 1 immediately following that July 1, every person or*
38 *group of persons organized formally or informally who advocates*
39 *the passage or defeat of the question or a group of questions that*
40 *includes the question shall comply with the requirements of this*
41 *subsection. A person or group of persons described in this*
42 *subsection shall, not later than:*

43 (a) Seven days before the primary election or primary city
44 election, for the period from the January 1 immediately preceding



1 *the primary election or primary city election through 12 days*
2 *before the primary election or primary city election; and*
3 *(b) Seven days before the general election or general city*
4 *election, for the period from 11 days before the primary election or*
5 *primary city election through 12 days before the general election*
6 *or general city election,*
7 *report each expenditure made during the period on behalf of or*
8 *against the question, the group of questions or a question in the*
9 *group of questions on the ballot in excess of \$100 on the form*
10 *designed and provided by the Secretary of State pursuant to*
11 *section 1 of this act. The form must be signed by the person or a*
12 *representative of the group under penalty of perjury.*
13 *4. Except as otherwise provided in subsection 5, every person*
14 *or group of persons organized formally or informally who*
15 *advocates the passage or defeat of a question or group of*
16 *questions on the ballot at a special election shall, not later than:*
17 *(a) Seven days before the special election, for the period from*
18 *the date the question qualified for the ballot through 12 days*
19 *before the special election; and*
20 *(b) Thirty days after the special election, for the remaining*
21 *period through the special election,*
22 *report each expenditure made during the period on behalf of or*
23 *against the question, the group of questions or a question in the*
24 *group of questions on the ballot in excess of \$100 on the form*
25 *designed and provided by the Secretary of State pursuant to*
26 *section 1 of this act. The form must be signed by the person or a*
27 *representative of the group under penalty of perjury.*
28 *5. Every person or group of persons organized formally or*
29 *informally who advocates the passage or defeat of a question or*
30 *group of questions on the ballot at a special election to determine*
31 *whether a public officer will be recalled shall list each expenditure*
32 *made during the period on behalf of or against the question, the*
33 *group of questions or a question in the group of questions on*
34 *the ballot in excess of \$100 on the form designed and provided by*
35 *the Secretary of State pursuant to section 1 of this act and signed*
36 *by the person or a representative of the group under penalty of*
37 *perjury, 30 days after:*
38 *(a) The special election, for the period from the filing of the*
39 *notice of intent to circulate the petition for recall through the*
40 *special election; or*
41 *(b) If the special election is not held because a district court*
42 *determines that the petition for recall is legally insufficient*
43 *pursuant to subsection 5 of NRS 306.040, for the period from the*



* A B 5 2 9 R 3 *

1 *filing of the notice of intent to circulate the petition for recall*
2 *through the date of the district court's decision.*

3 6. Expenditures made within the State or made elsewhere but
4 for use within the State, including expenditures made outside the
5 State for printing, television and radio broadcasting or other
6 production of the media, must be included in the report.

7 ~~[3.—If the question is submitted to the voters of only one county,
8 ~~the reports must be filed with the county clerk of that county. If the~~
9 ~~question is submitted to the voters of only one city, the reports must~~
10 ~~be filed with the city clerk of that city. Otherwise, the]~~~~

11 7. The reports *required pursuant to this section* must be filed
12 with :

13 (a) *If the question is submitted to the voters of one county, the*
14 *county clerk of that county;*

15 (b) *If the question is submitted to the voters of one city, the city*
16 *clerk of that city; or*

17 (c) *If the question is submitted to the voters of more than one*
18 *county or city, the Secretary of State.*

19 8. If an expenditure is made on behalf of a group of questions,
20 the reports ~~[must be made to the officer appropriate for each~~
21 ~~question and]~~ must be itemized by question. A person may ~~[make]~~
22 *mail or transmit* his report to the appropriate filing officer by
23 *regular mail*, certified mail ~~[. If certified mail is used, the date of~~
24 ~~mailing]~~, *facsimile machine or electronic means. A report* shall be
25 deemed ~~[the date of filing.~~

26 ~~—4.] to be filed with the filing officer:~~

27 (a) *On the date that it was mailed if it was sent by certified*
28 *mail; or*

29 (b) *On the date that it was received by the filing officer if the*
30 *report was sent by regular mail, transmitted by facsimile machine*
31 *or electronic means, or delivered personally.*

32 9. Each county clerk or city clerk who receives a report
33 pursuant to ~~[subsection 3]~~ *this section* shall file a copy of the report
34 with the Secretary of State within 10 working days after he receives
35 the report.

36 ~~[5.—The form designed and provided by the Secretary of State~~
37 ~~for the reporting of expenditure pursuant to this section must be~~
38 ~~designed to be used by the person or representative of the group to~~
39 ~~record in the form of a list each expenditure as it is made.]~~

40 **Sec. 11.** NRS 294A.270 is hereby amended to read as follows:

41 294A.270 1. Except as otherwise provided in subsection 3,
42 each committee for the recall of a public officer shall, not later than:

43 (a) Seven days before the special election to recall a public
44 officer, for the period from the filing of the notice of intent to



1 circulate the petition for recall ~~[up-to]~~ *through* 12 days before the
2 special election; and

3 (b) Thirty days after the election, for the remaining period ~~[up~~
4 ~~to]~~ *through* the election,
5 ~~[list]~~ *report* each contribution received or made by the committee in
6 excess of \$100 on ~~[a]~~ *the* form *designed and* provided by the
7 Secretary of State ~~[and]~~ *pursuant to section 1 of this act. The form*
8 *must be* signed *by a representative of the committee* under penalty
9 of perjury.

10 2. If a petition for the purpose of recalling a public officer is
11 not filed before the expiration of the notice of intent, the committee
12 for the recall of a public officer shall, not later than 30 days after the
13 expiration of the notice of intent, ~~[list]~~ *report* each contribution
14 received ~~[or]~~ *by the committee, and each contribution* made by the
15 committee in excess of \$100.

16 3. If a court does not order a special election for the recall of
17 the public officer, the committee for the recall of a public officer
18 shall, not later than 30 days after the court determines that an
19 election will not be held, for the period from the filing of the notice
20 of intent to circulate the petition for recall ~~[up-to]~~ *through* the day
21 the court determines that an election will not be held, ~~[list]~~ *report*
22 each contribution received ~~[or]~~ *by the committee, and each*
23 *contribution* made by the committee in excess of \$100.

24 4. Each report of contributions must be filed with the Secretary
25 of State. The committee may mail *or transmit* the report by *regular*
26 *mail*, certified mail ~~[. If certified mail is used, the date of mailing]~~,
27 *facsimile machine or electronic means. A report* shall be deemed
28 ~~[the date of filing.] to be filed with the Secretary of State:~~

29 (a) *On the date that it was mailed if it was sent by certified*
30 *mail; or*

31 (b) *On the date that it was received by the Secretary of State if*
32 *the report was sent by regular mail, transmitted by facsimile*
33 *machine or electronic means, or delivered personally.*

34 5. The name and address of the contributor and the date on
35 which the contribution was received must be included on the ~~[list]~~
36 *report* for each contribution, whether from or to a natural person,
37 association or corporation, in excess of \$100 and contributions
38 which a contributor or the committee has made cumulatively in
39 excess of that amount since the beginning of the ~~[first]~~ *current*
40 reporting period. ~~[The form designed and provided by the Secretary~~
41 ~~of State for the reporting of contributions pursuant to this section~~
42 ~~must be designed to be used by the committee to record in the form~~
43 ~~of a list each contribution as it is received or made.]~~



1 **Sec. 12.** NRS 294A.280 is hereby amended to read as follows:
2 294A.280 1. Except as otherwise provided in subsection 3,
3 each committee for the recall of a public officer shall, not later than:

4 (a) Seven days before the special election to recall a public
5 officer, for the period from the filing of the notice of intent to
6 circulate the petition for recall ~~up to~~ *through* 12 days before the
7 special election; and

8 (b) Thirty days after the election, for the remaining period ~~up~~
9 ~~to~~ *through* the election,
10 ~~list~~ *report* each expenditure made by the committee in excess of
11 \$100 on ~~a~~ *the* form *designed and* provided by the Secretary of
12 State ~~and~~ *pursuant to section 1 of this act. The form must be*
13 signed *by a representative of the committee* under penalty of
14 perjury.

15 2. If a petition for the purpose of recalling a public officer is
16 not filed before the expiration of the notice of intent, the committee
17 for the recall of a public officer shall, not later than 30 days after the
18 expiration of the notice of intent, ~~list~~ *report* each expenditure made
19 by the committee in excess of \$100.

20 3. If a court does not order a special election for the recall of
21 the public officer, the committee for the recall of a public officer
22 shall, not later than 30 days after the court determines that an
23 election will not be held, for the period from the filing of the notice
24 of intent to circulate the petition for recall ~~up to~~ *through* the day
25 the court determines that an election will not be held, ~~list~~ *report*
26 each expenditure made by the committee in excess of \$100.

27 4. ~~[The report must also include identification of expenditures~~
28 ~~which the committee for the recall of a public officer made~~
29 ~~cumulatively in excess of \$100 since the beginning of the first~~
30 ~~reporting period.~~

31 ~~5.]~~ Each report of expenditures must be filed with the Secretary
32 of State. The committee may mail *or transmit* the report *to the*
33 *Secretary of State* by *regular mail*, certified mail ~~[. If certified mail~~
34 ~~is used, the date of mailing]~~ , *facsimile machine or electronic*
35 *means. A report* shall be deemed ~~[the date of filing.~~

36 ~~6. The form designed and provided by the Secretary of State~~
37 ~~for the reporting of expenditures pursuant to this section must be~~
38 ~~designed to be used by a committee to record in the form of a list~~
39 ~~each expenditure as it is made.] to be filed with the Secretary of~~
40 *State:*

41 (a) *On the date that it was mailed if it was sent by certified*
42 *mail; or*



* A B 5 2 9 R 3 *

1 (b) *On the date that it was received by the Secretary of State if*
2 *the report was sent by regular mail, transmitted by facsimile*
3 *machine or electronic means, or delivered personally.*

4 **Sec. 13.** NRS 294A.360 is hereby amended to read as follows:
5 294A.360 1. Every candidate for city office ~~[where the]~~ *at a*
6 *primary city election or* general city election ~~[is preceded by a~~
7 ~~primary city election]~~ shall file the reports in the manner required by
8 NRS 294A.120 ~~[, 294A.200 and 294A.350]~~ *and 294A.200* for other
9 offices not later *than January 15 of each year, for the period from*
10 *January 1 of the previous year through December 31 of the*
11 *previous year. The provisions of this subsection apply to the*
12 *candidate:*

13 (a) *Beginning the year of the general city election for that*
14 *office through the year immediately preceding the next general*
15 *city election for that office; and*

16 (b) *Each year immediately succeeding a calendar year during*
17 *which the candidate disposes of contributions pursuant to*
18 *NRS 294A.160.*

19 2. *Every candidate for city office at a primary city election or*
20 *general city election, if the general city election for the office for*
21 *which he is a candidate is held on or after January 1 and before*
22 *the July 1 immediately following that January 1, shall file the*
23 *reports in the manner required by NRS 294A.120 and 294A.200*
24 *for other offices not later*
25 *than:*

26 (a) Seven days before the primary city election ~~[,]~~ *for that*
27 *office, for the period from [30 days after the last election for that*
28 ~~office up to] the January 1 immediately preceding the primary city~~
29 *election through* 12 days before the primary city election;

30 (b) Seven days before the general city election ~~[, whether or not~~
31 ~~the candidate won the primary city election,]~~ *for that office, for the*
32 *period from [12] 11 days before the primary city election [up to]*
33 *through* 12 days before the general city election; and

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

37 ~~—2.— Every]~~ *July 15 of the year of the general city election for*
38 *that office, for the period from 11 days before the general city*
39 *election through the June 30 of that year.*

40 3. *Every candidate for city office at a primary city election or*
41 *general city election, if the general city election for the office for*
42 *which he is a candidate is held on or after July 1 and before the*
43 *January 1 immediately following that July 1, shall file the reports*



1 *in the manner required by NRS 294A.120 and 294A.200 for other*
2 *offices not later than:*

3 (a) *Seven days before the primary city election for that office,*
4 *for the period from the January 1 immediately preceding the*
5 *primary city election through 12 days before the primary city*
6 *election; and*

7 (b) *Seven days before the general city election for that office,*
8 *for the period from 11 days before the primary city election*
9 *through 12 days before the general city election.*

10 4. *Except as otherwise provided in subsection 5, every*
11 *candidate for city office* ~~[where there is no primary city]~~ *at a special*
12 *election shall so file those reports:*

13 (a) *Seven days before the* ~~[general city]~~ *special election, for the*
14 *period from* ~~[30 days after the last election for that office up to]~~ *his*
15 *nomination through* 12 days before the ~~[general city]~~ *special*
16 *election; and*

17 (b) ~~[The 15th day of the second month]~~ *Thirty days* after the
18 ~~[general city]~~ *special election, for the remaining period* ~~[up to 30~~
19 ~~days after the general city election.~~

20 ~~3. The city clerk shall design the form for each report a~~
21 ~~candidate for city office is required to file pursuant to NRS~~
22 ~~294A.120 and 294A.200. The form designed and provided by the~~
23 ~~city clerk for the reporting of campaign contributions and campaign~~
24 ~~expenses pursuant to this section must be designed to be used to~~
25 ~~record in the form of a list each campaign contribution as it is made~~
26 ~~and each campaign expense in excess of \$100 as it is incurred.~~

27 ~~The city clerk shall submit the form to the Secretary of State for~~
28 ~~approval. The city clerk shall not use such a form until it is~~
29 ~~approved.] through the special election.~~

30 5. *Every candidate for city office at a special election to*
31 *determine whether a public officer will be recalled shall so file*
32 *those reports 30 days after:*

33 (a) *The special election, for the period from the filing of the*
34 *notice of intent to circulate the petition for recall through the*
35 *special election; or*

36 (b) *If the special election is not held because a district court*
37 *determines that the petition for recall is legally insufficient*
38 *pursuant to subsection 5 of NRS 306.040, for the period from the*
39 *filing of the notice of intent to circulate the petition for recall*
40 *through the date of the district court's decision.*

41 **Sec. 14.** NRS 294A.362 is hereby amended to read as follows:

42 294A.362 1. In addition to ~~[filing the forms designed and~~
43 ~~provided by the Secretary of State]~~ *reporting information* pursuant
44 to NRS 294A.120, 294A.125 ~~[and 294A.200, or the forms designed~~



1 ~~and provided by a city clerk pursuant to NRS 294A.360, as~~
2 ~~appropriate.] , 294A.200 and 294A.360,~~ each candidate who is
3 required to file a report of campaign contributions and expenses
4 pursuant to NRS 294A.120, 294A.125, 294A.200 or 294A.360 shall
5 ~~[file a separate form relating only to]~~ *report on the form designed*
6 *and provided by the Secretary of State pursuant to section 1 of this*
7 *act* goods and services provided in kind for which money would
8 otherwise have been paid. The candidate shall list on the form each
9 such campaign contribution *in excess of \$100 that* he receives
10 *during the reporting period, each such campaign contribution*
11 *from a contributor received during the reporting period which*
12 *cumulatively exceeds \$100,* and each *such* expense in excess of
13 \$100 he incurs during the reporting period.

14 2. ~~[The Secretary of State shall design the form described in~~
15 ~~subsection 1 for each candidate who is required to use the form to~~
16 ~~file a report pursuant to NRS 294A.120, 294A.125 or 294A.200.~~
17 ~~The city clerk shall design the form described in subsection 1 for~~
18 ~~each candidate who is required to use the form to file a report~~
19 ~~pursuant to NRS 294A.360. The city clerk shall submit the form to~~
20 ~~the Secretary of State for approval. The city clerk shall not use such~~
21 ~~a form until it is approved. The Secretary of State and each city~~
22 ~~clerk shall design the format of the form described in subsection 1~~
23 ~~so that a candidate who uses the form may record in the form a list~~
24 ~~of each such campaign contribution as the contribution is received~~
25 ~~and expense in excess of \$100 as it is incurred.~~

26 ~~—3.]~~ The Secretary of State and each city clerk shall not require a
27 candidate to list the campaign contributions and expenses described
28 in this section on any form other than ~~{a form designed and provided~~
29 ~~pursuant to this section.~~

30 ~~—4.— Upon request, the Secretary of State shall provide a copy of~~
31 ~~the form described in subsection 1 to each candidate who is required~~
32 ~~to file a report of his campaign contributions and expenses pursuant~~
33 ~~to NRS 294A.120, 294A.125 or 294A.200. Upon request, each city~~
34 ~~clerk shall provide a copy of the form described in subsection 1 to~~
35 ~~each candidate who is required to file a report of his campaign~~
36 ~~contributions and expenses pursuant to NRS 294A.360.]~~ *the form*
37 *designed and provided by the Secretary of State pursuant to*
38 *section 1 of this act.*

39 **Sec. 15.** NRS 294A.365 is hereby amended to read as follows:
40 294A.365 1. Each report of expenditures required pursuant to
41 NRS 294A.210, 294A.220 and 294A.280 must consist of a list of
42 ~~[the expenditures]~~ *each expenditure in excess of \$100 that was*
43 made during the periods for reporting. Each report of expenses
44 required pursuant to NRS 294A.125 and 294A.200 must consist of a



1 list of each expense in excess of \$100 that was incurred during the
2 periods for reporting. The list in each report must state the category
3 and amount of the expense or expenditure and the date on which the
4 expense was incurred or the expenditure was made.

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

- 7 (a) Office expenses;
- 8 (b) Expenses related to volunteers;
- 9 (c) Expenses related to travel;
- 10 (d) Expenses related to advertising;
- 11 (e) Expenses related to paid staff;
- 12 (f) Expenses related to consultants;
- 13 (g) Expenses related to polling;
- 14 (h) Expenses related to special events;
- 15 (i) Except as otherwise provided in NRS 294A.362, goods and
16 services provided in kind for which money would otherwise have
17 been paid; and
- 18 (j) Other miscellaneous expenses.

19 3. ~~[The Secretary of State and each city clerk shall not require a~~
20 ~~candidate to provide separately the total amount of each category of~~
21 ~~expenses described in this section.]~~ *Each report of expenses or*
22 *expenditures described in subsection 1 must list the disposition of*
23 *any unspent campaign contributions using the categories set forth*
24 *in subsection 2 of NRS 294A.160.*

25 **Sec. 16.** (Deleted by amendment.)

26 **Sec. 17.** NRS 294A.390 is hereby amended to read as follows:

27 294A.390 The officer from whom a candidate or entity
28 requests a form for:

- 29 1. A declaration of candidacy;
- 30 2. An acceptance of candidacy;
- 31 3. The registration of a committee for political action pursuant
32 to NRS 294A.230 or a committee for the recall of a public officer
33 pursuant to NRS 294A.250; or
- 34 4. The reporting of campaign contributions, expenses or
35 expenditures pursuant to NRS 294A.120, 294A.140, 294A.150,
36 ~~[294A.180,]~~ 294A.200, 294A.210, 294A.220, 294A.270, 294A.280
37 or 294A.360,
38 shall furnish the candidate with the necessary forms for reporting
39 and copies of the regulations adopted by the Secretary of State
40 pursuant to this chapter. An explanation of the applicable provisions
41 of NRS 294A.100, 294A.120, 294A.140, 294A.150, ~~[294A.180,]~~
42 294A.200, 294A.210, 294A.220, 294A.270, 294A.280 or 294A.360
43 relating to the making, accepting or reporting of campaign
44 contributions, expenses or expenditures and the penalties for a



1 violation of those provisions as set forth in NRS 294A.100 or
2 294A.420 must be ~~[printed on the forms.]~~ *developed by the*
3 *Secretary of State and provided upon request.* The candidate or
4 entity shall acknowledge receipt of the material.

5 **Sec. 18.** NRS 294A.420 is hereby amended to read as follows:

6 294A.420 1. If the Secretary of State receives information
7 that a person or entity that is subject to the provisions of NRS
8 294A.120, 294A.140, 294A.150, ~~[294A.180.]~~ 294A.200, 294A.210,
9 294A.220, 294A.230, 294A.270, 294A.280 or 294A.360 has not
10 filed a report or form for registration pursuant to the applicable
11 provisions of those sections, the Secretary of State may, after giving
12 notice to that person or entity, cause the appropriate proceedings to
13 be instituted in the First Judicial District Court.

14 2. Except as otherwise provided in this section, a person or
15 entity that violates an applicable provision of NRS 294A.112,
16 294A.120, 294A.130, 294A.140, 294A.150, 294A.160, ~~[294A.170,~~
17 ~~294A.180.]~~ 294A.200, 294A.210, 294A.220, 294A.230, 294A.270,
18 294A.280, 294A.300, 294A.310, 294A.320 or 294A.360 is subject
19 to a civil penalty of not more than \$5,000 for each violation and
20 payment of court costs and attorney's fees. The civil penalty must
21 be recovered in a civil action brought in the name of the State of
22 Nevada by the Secretary of State in the First Judicial District Court
23 and deposited by the Secretary of State for credit to the State
24 General Fund in the bank designated by the Treasurer.

25 3. If a civil penalty is imposed because a person or entity has
26 reported its contributions, expenses or expenditures after the date
27 the report is due, the amount of the civil penalty is:

28 (a) If the report is not more than 7 days late, \$25 for each day
29 the report is late.

30 (b) If the report is more than 7 days late but not more than 15
31 days late, \$50 for each day the report is late.

32 (c) If the report is more than 15 days late, \$100 for each day the
33 report is late.

34 4. For good cause shown, the Secretary of State may waive a
35 civil penalty that would otherwise be imposed pursuant to this
36 section. If the Secretary of State waives a civil penalty pursuant to
37 this subsection, the Secretary of State shall:

38 (a) Create a record which sets forth that the civil penalty has
39 been waived and describes the circumstances that constitute the
40 good cause shown; and

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



* A B 5 2 9 R 3 *

1 **Sec. 19.** Chapter 281 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Except as otherwise provided in subsection 2, if a public*
4 *officer who was appointed to the office for which he is serving is*
5 *entitled to receive annual compensation of \$6,000 or more for*
6 *serving in that office, he shall file with the Commission a*
7 *statement of financial disclosure, as follows:*

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

11 (b) *Each public officer appointed to fill an office shall file a*
12 *statement of financial disclosure on or before January 15 of each*
13 *year of the term, including the year the term expires.*

14 2. *If a person is serving in a public office for which he is*
15 *required to file a statement pursuant to subsection 1, he may use*
16 *the statement he files for that initial office to satisfy the*
17 *requirements of subsection 1 for every other public office to which*
18 *he is appointed and in which he is also serving.*

19 3. *A judicial officer who is appointed to fill the unexpired*
20 *term of a predecessor or to fill a newly created judgeship shall file*
21 *a statement of financial disclosure pursuant to the requirements of*
22 *Canon 4I of the Nevada Code of Judicial Conduct. Such a*
23 *statement of financial disclosure must include, without limitation,*
24 *all information required to be included in a statement of financial*
25 *disclosure pursuant to NRS 281.571.*

26 4. *The Commission shall provide written notification to the*
27 *Secretary of State of the public officers who failed to file the*
28 *statements of financial disclosure required by subsection 1 or who*
29 *failed to file those statements in a timely manner. The notice must*
30 *be sent within 30 days after the deadlines set forth in subsection 1*
31 *and must include:*

32 (a) *The name of each public officer who failed to file his*
33 *statement of financial disclosure within the period before the*
34 *notice is sent;*

35 (b) *The name of each public officer who filed his statement of*
36 *financial disclosure after the deadlines set forth in subsection 1*
37 *but within the period before the notice is sent;*

38 (c) *For the first notice sent after the public officer filed his*
39 *statement of financial disclosure, the name of each public officer*
40 *who filed his statement of financial disclosure after the deadlines*
41 *set forth in subsection 1 but within the period before the notice is*
42 *sent; and*



* A B 5 2 9 R 3 *

1 (d) *For each public officer listed in paragraph (c), the date on*
2 *which the statement of financial disclosure was due and the date*
3 *on which the public officer filed the statement.*

4 5. *In addition to the notice provided pursuant to subsection 4,*
5 *the Commission shall notify the Secretary of State of each public*
6 *officer who files a statement of financial disclosure more than 30*
7 *days after the deadlines set forth in subsection 1. The notice must*
8 *include the information described in paragraphs (c) and (d) of*
9 *subsection 4.*

10 6. *A statement of financial disclosure shall be deemed to be*
11 *filed with the Commission:*

12 (a) *On the date that it was mailed if it was sent by certified*
13 *mail; or*

14 (b) *On the date that it was received by the Commission if the*
15 *statement was sent by regular mail, transmitted by facsimile*
16 *machine or electronic means, or delivered personally.*

17 **Sec. 20.** NRS 281.411 is hereby amended to read as follows:

18 281.411 NRS 281.411 to 281.581, inclusive, *and section 19 of*
19 *this act* may be cited as the Nevada Ethics in Government Law.

20 **Sec. 21.** NRS 281.471 is hereby amended to read as follows:

21 281.471 The Commission shall:

22 1. Adopt procedural regulations:

23 (a) To facilitate the receipt of inquiries by the Commission;

24 (b) For the filing of a request for an opinion with the
25 Commission;

26 (c) For the withdrawal of a request for an opinion by the person
27 who filed the request; and

28 (d) To facilitate the prompt rendition of opinions by the
29 Commission.

30 2. Prescribe, by regulation, forms *for the submission of*
31 *statements of financial disclosure* and procedures for the
32 submission of statements of financial disclosure *filed pursuant to*
33 *section 19 of this act* and *forms and procedures for the submission*
34 *of* statements of acknowledgment filed by public officers pursuant
35 to NRS 281.552, maintain files of such statements and make the
36 statements available for public inspection.

37 3. Cause the making of such investigations as are reasonable
38 and necessary for the rendition of its opinions pursuant to this
39 chapter.

40 4. ~~[Inform]~~ *Except as otherwise provided in section 19 of this*
41 *act, inform* the Attorney General or district attorney of all cases of
42 noncompliance with the requirements of this chapter.



* A B 5 2 9 R 3 *

1 5. Recommend to the Legislature such further legislation as the
2 Commission considers desirable or necessary to promote and
3 maintain high standards of ethical conduct in government.

4 6. Publish a manual for the use of public officers and
5 employees that contains:

6 (a) Hypothetical opinions which are abstracted from opinions
7 rendered pursuant to subsection 1 of NRS 281.511, for the future
8 guidance of all persons concerned with ethical standards in
9 government;

10 (b) Abstracts of selected opinions rendered pursuant to
11 subsection 2 of NRS 281.511; and

12 (c) An abstract of the requirements of this chapter.
13 The Legislative Counsel shall prepare annotations to this chapter for
14 inclusion in the Nevada Revised Statutes based on the abstracts and
15 published opinions of the Commission.

16 **Sec. 22.** NRS 281.552 is hereby amended to read as follows:

17 281.552 1. Every public officer shall acknowledge that he
18 has received, read and understands the statutory ethical standards.
19 The acknowledgment must be on a form prescribed by the
20 Commission and must accompany the first statement of financial
21 disclosure that the public officer is required to file with the
22 Commission pursuant to *section 19 of this act or the Secretary of*
23 *State pursuant to* NRS 281.561.

24 2. The Commission *and the Secretary of State* shall retain an
25 acknowledgment filed pursuant to this section for 6 years after the
26 date on which the acknowledgment was filed.

27 3. Willful refusal to execute and file the acknowledgment
28 required by this section constitutes nonfeasance in office and is a
29 ground for removal pursuant to NRS 283.440.

30 **Sec. 23.** NRS 281.561 is hereby amended to read as follows:

31 281.561 1. ~~[Except as otherwise provided in subsection 2 or~~
32 ~~3, if a] Each~~ candidate for public office ~~[or a public officer is] who~~
33 *will be* entitled to receive *annual* compensation *of \$6,000 or more*
34 for serving in the office ~~[in question,] that he is seeking and each~~
35 *public officer who was elected to the office for which he is serving*
36 shall file with the ~~[Commission and with the officer with whom~~
37 ~~declarations of candidacy for the office in question are filed,]~~
38 *Secretary of State* a statement of financial disclosure, as follows:

39 (a) A candidate for nomination, election or reelection to public
40 office shall file a statement of financial disclosure no later than the
41 10th day after the last day to qualify as a candidate for the office ~~[-~~

42 ~~—(b) A public officer appointed to fill the unexpired term of an~~
43 ~~elected public officer shall file a statement of financial disclosure~~
44 ~~within 30 days after his appointment.~~



* A B 5 2 9 R 3 *

1 ~~—(c) Every public officer, whether appointed or elected,]~~ *and*
2 *(b) Each public officer* shall file a statement of financial
3 disclosure on or before ~~[March 31]~~ *January 15* of each year of the
4 term, including the year the term expires.

5 ~~[(d) A public officer who leaves office on a date other than the~~
6 ~~expiration of his term or anniversary of his appointment or election,~~
7 ~~shall file a statement of financial disclosure within 60 days after~~
8 ~~leaving office.~~

9 ~~—2. A statement filed pursuant to one of the paragraphs of~~
10 ~~subsection 1 may be used to satisfy the requirements of another~~
11 ~~paragraph of subsection 1 if the initial statement was filed not more~~
12 ~~than 3 months before the other statement is required to be filed.~~

13 ~~—3. If a person is serving in a public office for which he is~~
14 ~~required to file a statement pursuant to subsection 1, he may use the~~
15 ~~statement he files for that initial office to satisfy the requirements of~~
16 ~~subsection 1 for every other public office in which he is also~~
17 ~~serving.~~

18 ~~—4. A person may satisfy the requirements of subsection 1 by~~
19 ~~filing with the Commission a copy of a statement of financial~~
20 ~~disclosure that was filed pursuant to the requirements of a~~
21 ~~specialized or local ethics committee if the form of the statement has~~
22 ~~been approved by the Commission.~~

23 ~~—5.]~~ *2.* A candidate for judicial office or a judicial officer shall
24 file a statement of financial disclosure pursuant to the requirements
25 of Canon 4I of the Nevada Code of Judicial Conduct. Such a
26 statement of financial disclosure must include, without limitation,
27 all information required to be included in a statement of financial
28 disclosure pursuant to NRS 281.571.

29 *3. A statement of financial disclosure shall be deemed to be*
30 *filed with the Secretary of State:*

31 *(a) On the date that it was mailed if it was sent by certified*
32 *mail; or*

33 *(b) On the date that it was received by the Secretary of State if*
34 *the statement was sent by regular mail, transmitted by facsimile*
35 *machine or electronic means, or delivered personally.*

36 *4. The statement of financial disclosure filed pursuant to this*
37 *section must be filed on the form prescribed by the Commission*
38 *pursuant to NRS 281.471.*

39 *5. The Secretary of State shall prescribe, by regulation,*
40 *procedures for the submission of statements of financial*
41 *disclosure filed pursuant to this section, maintain files of such*
42 *statements and make the statements available for public*
43 *inspection.*



1 **Sec. 24.** NRS 281.573 is hereby amended to read as follows:
2 281.573 1. Except as otherwise provided in subsection 2,
3 statements of financial disclosure required by the provisions of NRS
4 281.561 and 281.571 *and section 19 of this act* must be retained by
5 the Commission ~~[,] or~~ Secretary of State ~~[, county clerk and city~~
6 ~~clerk]~~ for 6 years after the date of filing.

7 2. For public officers who serve more than one term in either
8 the same public office or more than one public office, the period
9 prescribed in subsection 1 begins on the date of the filing of the last
10 statement of financial disclosure for the last public office held.

11 **Sec. 25.** (Deleted by amendment.)

12 **Sec. 26.** NRS 281.581 is hereby amended to read as follows:

13 281.581 1. ~~[A]~~ *If the Secretary of State receives information*
14 *that a* candidate for public office or public officer ~~[who]~~ *willfully*
15 *fails to file his statement of financial disclosure or willfully* fails to
16 file his statement of financial disclosure in a timely manner pursuant
17 to NRS 281.561 *or section 19 of this act, the Secretary of State*
18 *may, after giving notice to that person or entity, cause the*
19 *appropriate proceedings to be instituted in the First Judicial*
20 *District Court.*

21 2. *Except as otherwise provided in this section, a candidate*
22 *for public office or public officer who willfully fails to file his*
23 *statement of financial disclosure or willfully fails to file his*
24 *statement of financial disclosure in a timely manner pursuant to*
25 *NRS 281.561 or section 19 of this act* is subject to a civil penalty
26 and payment of court costs and attorney's fees. ~~[Except as otherwise~~
27 ~~provided in subsection 3, the]~~ *The civil penalty must be recovered*
28 *in a civil action brought in the name of the State of Nevada by the*
29 *Secretary of State in the First Judicial District Court and*
30 *deposited by the Secretary of State for credit to the State General*
31 *Fund in the bank designated by the State Treasurer.*

32 3. *The* amount of the civil penalty is:

33 (a) If the statement is filed not more than ~~[7 days late, \$25 for~~
34 ~~each day the statement is late.]~~ *10 days after the applicable*
35 *deadline set forth in subsection 1 of NRS 281.561 or subsection 1*
36 *of section 19 of this act, \$25.*

37 (b) If the statement is filed more than ~~[7 days late]~~ *10 days* but
38 not more than ~~[15 days late, \$175 for the first 7 days, plus \$50 for~~
39 ~~each additional day the statement is late.]~~ *20 days after the*
40 *applicable deadline set forth in subsection 1 of NRS 281.561 or*
41 *subsection 1 of section 19 of this act, \$50.*

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



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1 ~~—2. The Commission may, for~~ 20 days but not more than 30
2 days after the applicable deadline set forth in subsection 1 of NRS
3 281.561 or subsection 1 of section 19 of this act, \$100.

4 (d) If the statement is filed more than 30 days but not more
5 than 45 days after the applicable deadline set forth in subsection 1
6 of NRS 281.561 or subsection 1 of section 19 of this act, \$250.

7 (e) If the statement is not filed or is filed more than 45 days
8 after the applicable deadline set forth in subsection 1 of NRS
9 281.561 or subsection 1 of section 19 of this act, \$2,000.

10 4. For good cause shown, the Secretary of State may waive
11 ~~for reduce the civil penalty.~~

12 ~~—3. The civil penalty imposed for a violation of this section must~~
13 ~~not exceed the annual compensation for the office for which the~~
14 ~~statement was filed.~~

15 ~~—4. The civil penalty must be recovered in a civil action brought~~
16 ~~in the name of the State of Nevada by the Commission in a court of~~
17 ~~competent jurisdiction and deposited by the Commission in the~~
18 ~~account for credit to the State General Fund in the bank designated~~
19 ~~by the State Treasurer.~~

20 ~~—5. If the Commission~~ a civil penalty that would otherwise be
21 imposed pursuant to this section. If the Secretary of State waives a
22 civil penalty pursuant to ~~[subsection 2, the Commission]~~ this
23 subsection, the Secretary of State shall:

24 (a) Create a record which sets forth that the civil penalty has
25 been waived and describes the circumstances that constitute the
26 good cause shown; and

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

29 5. As used in this section, “willfully” means deliberately,
30 intentionally and knowingly.

31 **Sec. 27.** NRS 294A.170 and 294A.180 are hereby repealed.

32 **Sec. 27.5.** The Secretary of State must obtain the advice and
33 consent of the Legislative Commission before providing a form
34 designed or revised by the Secretary of State pursuant to section 1 of
35 this act to a person, committee, political party or group that is
36 required to use the form.

37 **Sec. 28.** The statement of financial disclosure required to be
38 filed on or before January 15, 2004, by a public officer with the
39 Secretary of State pursuant to the amendatory provisions of NRS
40 281.561 must cover the period from the last statement of financial
41 disclosure filed by the public officer through December 31, 2003.

42 **Sec. 28.5.** A financial disclosure statement filed with a county
43 clerk or city clerk before January 1, 2004, must be retained by the
44 county clerk or city clerk for 6 years after the date of filing.



1 **Sec. 29.** This act becomes effective on January 1, 2004.

TEXT OF REPEALED SECTIONS

294A.170 Candidate to offer to return unspent contributions received before filing of declaration of candidacy for different office; disposition of unreturned contributions. If a candidate for state, district, county, city or township office files a declaration of candidacy for an office which is different from the office which:

1. He previously and publicly intended to seek; or
2. He held immediately preceding his declaration of candidacy, he shall make a reasonable effort to notify the persons who contributed money to his campaign before he filed his declaration of candidacy and return the unspent portion of those contributions if so requested. Any contributions not returned must be used in his campaign or must be disposed of in the manner provided in NRS 294A.160.

294A.180 Candidate or elected public officer to file report relating to disposition of unspent contributions; procedure for reporting.

1. Each candidate for a state, district, county, city or township office who is not elected to that office shall, not later than the 15th day of the second month after his defeat, file a report with the Secretary of State stating the amount of contributions which he received for that campaign but did not spend and the disposition of those unspent contributions.

2. Each public officer who is elected to a state, district, county, city or township office shall file a report:

(a) Not later than the 15th day of the second month after his election, stating the amount of campaign contributions which he received but did not spend and the amount, if any, of those unspent contributions disposed of pursuant to subsections 2 and 6 of NRS 294A.160 as of the last day of the first month after his election;

(b) Not later than January 15th of each year of his term beginning the year after he filed the report required by paragraph (a), stating the amount, if any, of those unspent contributions disposed of pursuant to NRS 294A.160 during the period from the last date covered by his last report through December 31 of the immediately preceding year and the manner in which they were disposed of; and



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(c) Not later than the 15th day of the second month after he no longer holds that office, stating the amount and disposition of any remaining unspent contributions.

3. The reports required by subsections 1 and 2 must be submitted on a form designed and provided by the Secretary of State and signed by the candidate or public officer under penalty of perjury.

4. A public officer filing a report pursuant to subsection 2:

(a) Shall file the report with the officer with whom he filed his declaration of candidacy or acceptance of candidacy.

(b) May file the report by certified mail. If certified mail is used, the date of mailing shall be deemed the date of filing.

5. A county clerk who receives from a legislative or judicial officer, other than a justice of the peace or municipal judge, a report pursuant to subsection 4 shall file a copy of the report with the Secretary of State within 10 working days after he receives the report.

