

ASSEMBLY BILL NO. 500—COMMITTEE ON ELECTIONS,
PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS

MARCH 28, 2005

Referred to Committee on Elections, Procedures, Ethics,
and Constitutional Amendments

SUMMARY—Makes various changes relating to public officers.
(BDR 24-127)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 public office; revising various provisions relating to polling places; requiring the Secretary of State to maintain certain information on a website on the Internet; requiring that if a county clerk or city clerk maintains a website on the Internet, the county clerk or city clerk shall maintain certain information on the website; revising provisions relating to proof of residence for a person filing a declaration of candidacy; revising the provisions relating to provisional ballots; revising the provisions relating to public lists of registered voters; revising the provisions relating to a person convicted of a felony and the right to vote; revising the provisions relating to the filing of campaign finance reports; revising the provisions governing requests for bill drafts made by Legislators; revising the definition of “public officer” for the purposes of the Nevada Ethics in Government Law; 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:

Section 1. Chapter 293 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. *A polling place for an election must not be established in any building or other structure named for a candidate whose name appears on a ballot for that election.*

Sec. 3. 1. *The permanent and temporary polling places for early voting by personal appearance must:*

(a) Be distributed throughout the county to ensure that each registered voter within the county has equitable access to a polling place for early voting by personal appearance, including, without limitation, that the hours and days during which the permanent and temporary polling places for early voting are open provide equitable access to all registered voters to a polling place for early voting; and

(b) Satisfy the criteria to be used to select permanent and temporary polling places for early voting by personal appearance provided by the county clerk pursuant to subsection 2.

2. *The county clerk shall:*

(a) Provide by rule or regulation for the criteria to be used to select permanent and temporary polling places for early voting by personal appearance; and

(b) At a meeting of the board of county commissioners, inform the board of the sites selected as permanent and temporary polling places for early voting by personal appearance.

Sec. 4. 1. *The Secretary of State shall maintain a website on the Internet for public information maintained, collected or compiled by the Secretary of State that relates to elections, which may include, without limitation:*

(a) The Voters' Bill of Rights required to be posted on his Internet website pursuant to the provisions of NRS 293.2549;

(b) The abstract of votes required to be posted on a website pursuant to the provisions of NRS 293.388; and

(c) All reports on campaign contributions and expenditures submitted to the Secretary of State pursuant to the provisions of NRS 294A.120, 294A.125, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280, 294A.360 and 294A.362.

2. *The abstract of votes required to be maintained on the website pursuant to paragraph (b) of subsection 1 must be maintained in such a format as to permit the searching of the abstract of votes for specific information.*



Sec. 5. 1. If a county clerk maintains a website on the Internet for information related to elections, the website must contain public information maintained, collected or compiled by the county clerk that relates to elections, which may include, without limitation:

(a) The Voters' Bill of Rights required to be made readily available to the public pursuant to the provisions of NRS 293.2549;

(b) The locations of polling places for casting a ballot on election day in such a format that a registered voter may search the list to determine the location of the polling place at which the registered voter is required to cast a ballot; and

(c) The abstract of votes required pursuant to the provisions of NRS 293.388.

2. The abstract of votes required to be maintained on the website pursuant to paragraph (c) of subsection 1 must be maintained in such a format as to permit the searching of the abstract of votes for specific information.

Sec. 6. NRS 293.177 is hereby amended to read as follows:

293.177 1. Except as otherwise provided in NRS 293.165, a name may not be printed on a ballot to be used at a primary election unless the person named has filed a declaration of candidacy or an acceptance of candidacy, and has paid the fee required by NRS 293.193 not earlier than the first Monday in May of the year in which the election is to be held nor later than 5 p.m. on the second Friday after the first Monday in May.

2. A declaration of candidacy or an acceptance of candidacy required to be filed by this section must be in substantially the following form:

(a) For partisan office:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

County of

For the purpose of having my name placed on the official ballot as a candidate for the Party nomination for the office of, I, the undersigned, do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the State, district, county, township, city or other area prescribed by law



1 to which the office pertains began on a date at least 30 days
2 immediately preceding the date of the close of filing of declarations
3 of candidacy for this office; that my telephone number is,
4 and the address at which I receive mail, if different than my
5 residence, is; that I am registered as a member of the
6 Party; that I am a qualified elector pursuant to Section 1
7 of Article 2 of the Constitution of the State of Nevada; that if I have
8 ever been convicted of treason or a felony, my civil rights have been
9 restored by a court of competent jurisdiction; that I have not, in
10 violation of the provisions of NRS 293.176, changed the designation
11 of my political party or political party affiliation on an official
12 application to register to vote in any state since September 1 before
13 the closing filing date for this election; that I generally believe in
14 and intend to support the concepts found in the principles and
15 policies of that political party in the coming election; that if
16 nominated as a candidate of the Party at the ensuing
17 election, I will accept that nomination and not withdraw; that I will
18 not knowingly violate any election law or any law defining and
19 prohibiting corrupt and fraudulent practices in campaigns and
20 elections in this State; that I will qualify for the office if elected
21 thereto, including, but not limited to, complying with any limitation
22 prescribed by the Constitution and laws of this State concerning the
23 number of years or terms for which a person may hold the office;
24 and that I understand that my name will appear on all ballots as
25 designated in this declaration.

26
27
28 (Designation of name)
29

30
31 (Signature of candidate for office)
32

33 Subscribed and sworn to before me
34 this day of the month of of the year

35
36
37 Notary Public or other person
38 authorized to administer an oath
39

40 (b) For nonpartisan office:
41

42 DECLARATION OF CANDIDACY OF FOR THE
43 OFFICE OF



1 State of Nevada

2

3 County of

4

5 For the purpose of having my name placed on the official ballot as a
6 candidate for the office of, I, the undersigned,
7 do swear or affirm under penalty of perjury that I actually, as
8 opposed to constructively, reside at, in the City or Town of
9, County of, State of Nevada; that my actual, as
10 opposed to constructive, residence in the state, district, county,
11 township, city or other area prescribed by law to which the office
12 pertains began on a date at least 30 days immediately preceding the
13 date of the close of filing of declarations of candidacy for this
14 office; that my telephone number is, and the address at
15 which I receive mail, if different than my residence, is; that I
16 am a qualified elector pursuant to Section 1 of Article 2 of the
17 Constitution of the State of Nevada; that if I have ever been
18 convicted of treason or a felony, my civil rights have been restored
19 by a court of competent jurisdiction; that if nominated as a
20 nonpartisan candidate at the ensuing election, I will accept the
21 nomination and not withdraw; that I will not knowingly violate any
22 election law or any law defining and prohibiting corrupt and
23 fraudulent practices in campaigns and elections in this State; that I
24 will qualify for the office if elected thereto, including, but not
25 limited to, complying with any limitation prescribed by the
26 Constitution and laws of this State concerning the number of years
27 or terms for which a person may hold the office; and my name will
28 appear on all ballots as designated in this declaration.

29

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31

.....
(Designation of name)

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.....
(Signature of candidate for office)

35

36 Subscribed and sworn to before me

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this day of the month of of the year

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.....
Notary Public or other person
authorized to administer an oath

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3. The address of a candidate which must be included in the
declaration of candidacy or acceptance of candidacy pursuant to
subsection 2 must be the street address of the residence where he



1 actually, as opposed to constructively, resides in accordance with
2 NRS 281.050, if one has been assigned. The declaration or
3 acceptance of candidacy must not be accepted for filing if:

4 (a) The candidate's address is listed as a post office box unless a
5 street address has not been assigned to his residence; or

6 (b) The candidate does not present to the filing officer:

7 (1) A valid driver's license or identification card issued by a
8 governmental agency, *except for a card evidencing registration to*
9 *vote that is distributed by a county clerk*, that contains a photograph
10 of the candidate and the candidate's *residential* address; or

11 (2) *If the candidate's valid driver's license or other*
12 *identification card issued by a governmental agency, except for a*
13 *card evidencing registration to vote that is distributed by a county*
14 *clerk, does not indicate the candidate's residential address:*

15 (I) *A valid driver's license or other identification card*
16 *issued by a governmental agency, except for a card evidencing*
17 *registration to vote that is distributed by a county clerk, that*
18 *contains a photograph of the candidate; and*

19 (II) A current utility bill, bank statement, paycheck, or
20 document issued by a governmental entity, including, without
21 limitation, a check, which indicates the candidate's name and
22 *residential* address.

23 4. *The filing officer shall retain a copy of the proof of identity*
24 *and residency provided by the candidate pursuant to paragraph (b)*
25 *of subsection 3. Such a copy may not be withheld from the public.*

26 5. By filing the declaration or acceptance of candidacy, the
27 candidate shall be deemed to have appointed the filing officer for
28 the office as his agent for service of process for the purposes of a
29 proceeding pursuant to NRS 293.182. Service of such process must
30 first be attempted at the appropriate address as specified by the
31 candidate in the declaration or acceptance of candidacy. If the
32 candidate cannot be served at that address, service must be made by
33 personally delivering to and leaving with the filing officer duplicate
34 copies of the process. The filing officer shall immediately send, by
35 registered or certified mail, one of the copies to the candidate at his
36 specified address, unless the candidate has designated in writing to
37 the filing officer a different address for that purpose, in which case
38 the filing officer shall mail the copy to the last address so
39 designated.

40 ~~5.1~~ 6. If the filing officer receives credible evidence indicating
41 that a candidate has been convicted of a felony and has not had his
42 civil rights restored by a court of competent jurisdiction, the filing
43 officer:



1 (a) May conduct an investigation to determine whether the
2 candidate has been convicted of a felony and, if so, whether he has
3 had his civil rights restored by a court of competent jurisdiction; and

4 (b) Shall transmit the credible evidence and the findings from
5 such investigation to the Attorney General, if the filing officer is the
6 Secretary of State, or to the district attorney, if the filing officer is a
7 person other than the Secretary of State.

8 ~~[6.]~~ 7. The receipt of information by the Attorney General or
9 district attorney pursuant to subsection ~~[5]~~ 6 must be treated as a
10 challenge of a candidate pursuant to subsections 4 and 5 of NRS
11 293.182. If the ballots are printed before a court of competent
12 jurisdiction makes a determination that a candidate has been
13 convicted of a felony and has not had his civil rights restored by a
14 court of competent jurisdiction, the filing officer must post a notice
15 at each polling place where the candidate's name will appear on the
16 ballot informing the voters that the candidate is disqualified from
17 entering upon the duties of the office for which the candidate filed
18 the declaration of candidacy or acceptance of candidacy.

19 **Sec. 7.** (Deleted by amendment.)

20 **Sec. 8.** NRS 293.301 is hereby amended to read as follows:

21 293.301 1. The county clerk of each county shall require an
22 election board officer to post an alphabetical listing of all registered
23 voters for each precinct in a public area of each polling place in the
24 county. Except as otherwise provided in NRS ~~[293.558.]~~ 293.5002,
25 the alphabetical listing must include the name, address and political
26 affiliation of each voter. Not less than four times during the hours in
27 which the polling place is open, an election board officer shall
28 identify the name of each voter that voted since the last
29 identification.

30 2. Each page of the alphabetical listing must contain a notice
31 which reads substantially as follows:

32
33 It is unlawful for any person to remove, tear, mark or
34 otherwise deface this alphabetical listing of registered voters
35 except an election board officer acting pursuant to subsection
36 1 of NRS 293.301.

37
38 3. Any person who removes, tears, marks or otherwise defaces
39 an alphabetical listing posted pursuant to this section with the intent
40 to falsify or prevent others from readily ascertaining the name,
41 address or political affiliation of any voter, or the fact that a voter
42 has or has not voted, is guilty of a misdemeanor.

43 **Sec. 9.** NRS 293.3081 is hereby amended to read as follows:

44 293.3081 A person at a polling place may cast a provisional
45 ballot in an election ~~[to vote for a candidate for federal office]~~ if the



1 person complies with the applicable provisions of NRS 293.3082
2 and:

3 1. Declares that he has registered to vote and is eligible to vote
4 at that election in that jurisdiction, but his name does not appear on
5 a voter registration list as a voter eligible to vote in that election in
6 that jurisdiction or an election official asserts that the person is not
7 eligible to vote in that election in that jurisdiction;

8 2. Applies by mail, on or after January 1, 2003, to register to
9 vote and has not previously voted in an election for federal office in
10 this State and fails to provide the identification required pursuant to
11 paragraph (a) of subsection 1 of NRS 293.2725 to the election board
12 officer at the polling place; or

13 3. Declares that he is entitled to vote after the polling place
14 would normally close as a result of a court order or other order
15 extending the time established for the closing of polls pursuant to a
16 law of this State in effect 10 days before the date of the election.

17 **Sec. 10.** NRS 293.3083 is hereby amended to read as follows:

18 293.3083 A person may cast a ballot by mail ~~{to vote for a~~
19 ~~candidate for federal office.}~~ which must be treated as a provisional
20 ballot by the county or city clerk if the person:

21 1. Applies by mail to register to vote and has not previously
22 voted in an election for federal office in this State;

23 2. Fails to provide the identification required pursuant to
24 paragraph (b) of subsection 1 of NRS 293.2725 to the county or city
25 clerk at the time that he mails his ballot; and

26 3. Completes the written affirmation set forth in subsection 1
27 of NRS 293.3082.

28 **Sec. 11.** NRS 293.3564 is hereby amended to read as follows:

29 293.3564 1. The county clerk may establish permanent
30 polling places for early voting by personal appearance *in the county*
31 at *the* locations ~~{designated}~~ *selected* by him ~~{throughout the~~
32 ~~county.}~~ *pursuant to section 3 of this act.*

33 2. Except as otherwise provided in subsection ~~{2.}~~ 3, any
34 person entitled to vote early by personal appearance may do so at
35 any polling place for early voting.

36 ~~{2.}~~ 3. If it is impractical for the county clerk to provide at each
37 polling place for early voting a ballot in every form required in the
38 county, he may:

39 (a) Provide appropriate forms of ballots for all offices within a
40 township, city, town or county commissioner election district, as
41 determined by the county clerk; and

42 (b) Limit voting at that polling place to registered voters in that
43 township, city, town or county commissioner election district.



Sec. 12. NRS 293.3572 is hereby amended to read as follows:

293.3572 1. In addition to permanent polling places for early voting, the county clerk may establish temporary branch polling places for early voting which may include, without limitation, the clerk's office ~~[]~~ *pursuant to section 3 of this act.*

2. The provisions of subsection 3 of NRS 293.3568 do not apply to a temporary polling place. Voting at a temporary branch polling place may be conducted on any one or more days and during any hours within the period for early voting by personal appearance, as determined by the county clerk.

3. The schedules for conducting voting are not required to be uniform among the temporary branch polling places.

4. The legal rights and remedies which inure to the owner or lessor of private property are not impaired or otherwise affected by the leasing of the property for use as a temporary branch polling place for early voting, except to the extent necessary to conduct early voting at that location.

Sec. 13. NRS 293.440 is hereby amended to read as follows:

293.440 1. Any person who desires a copy of any list of the persons who are registered to vote in any precinct, district or county may obtain a copy by applying at the office of the county clerk and paying therefor a sum of money equal to 1 cent per name on the list, except that one copy of each original and supplemental list for each precinct, district or county must be provided to the state or county central committee of any major political party or to the executive committee of any minor political party upon request, without charge.

2. Except as otherwise provided in NRS ~~[293.558,]~~ *293.5002*, the copy of the list provided pursuant to this section must indicate the address, date of birth, telephone number and the serial number on each application to register to vote. If the county maintains this information in a computer database, the date of the most recent addition or revision to an entry, if made on or after July 1, 1989, must be included in the database and on any resulting list of the information. The date must be expressed numerically in the order of month, day and year.

3. A county may not pay more than 10 cents per folio or more than \$6 per thousand copies for printed lists for a precinct or district.

4. A county which has a system of computers capable of recording information on magnetic tape or diskette shall, upon request of the state or county central committee of any major political party or the executive committee of any minor political party which has filed a certificate of existence with the Secretary of State, record for that central committee or executive committee on magnetic tape or diskette supplied by it:



(a) The list of persons who are registered to vote and the information required in subsection 2; and

(b) Not more than four times per year, as requested by the central committee or the executive committee:

(1) A complete list of the persons who are registered to vote with a notation for the most recent entry of the date on which the entry or the latest change in the information was made; or

(2) A list that includes additions and revisions made to the list of persons who are registered to vote after a date specified by the central committee or the executive committee.

5. If a political party does not provide its own magnetic tape or diskette, or if a political party requests the list in any other form that does not require printing, the county clerk may charge a fee to cover the actual cost of providing the tape, diskette or list.

6. Any state or county central committee of a major political party, any executive committee of a minor political party or any member or representative of such a central committee or executive committee who receives without charge a list of the persons who are registered to vote in any precinct, district or county pursuant to this section shall not:

(a) Use the list for any purpose that is not related to an election; or

(b) Sell the list for compensation or other valuable consideration.

Sec. 14. NRS 293.540 is hereby amended to read as follows:

293.540 The county clerk shall cancel the registration:

1. If he has personal knowledge of the death of the person registered, or if an authenticated certificate of the death of any elector is filed in his office.

2. If the insanity or mental incompetence of the person registered is legally established.

3. Upon the determination that the person registered has been convicted of a felony ~~or~~

unless:

(a) If the person registered was convicted of a felony in this State, the right to vote of the person has been restored pursuant to the provisions of NRS 213.090, 213.155 or 213.157.

(b) If the person registered was convicted of a felony in another state, the right to vote of the person has been restored pursuant to the laws of the state in which the person was convicted.

4. Upon the production of a certified copy of the judgment of any court directing the cancellation to be made.



5. Upon the request of any registered voter to affiliate with any political party or to change his affiliation, if that change is made before the end of the last day to register to vote in the election.

6. At the request of the person registered.

7. If he has discovered an incorrect registration pursuant to the provisions of NRS 293.5235, 293.530, or 293.535 and the elector has failed to respond or appear to vote within the required time.

8. As required by NRS 293.541.

9. Upon verification that the application to register to vote is a duplicate if he has the original or another duplicate of the application on file in his office.

Sec. 15. NRS 293.543 is hereby amended to read as follows:

293.543 1. If the registration of an elector is cancelled pursuant to subsection 2 of NRS 293.540, the county clerk shall reregister the elector upon notice from the clerk of the district court that the elector has been declared sane or mentally competent by the district court.

2. If the registration of an elector is cancelled pursuant to subsection 3 of NRS 293.540, the elector may reregister after he presents ~~{written evidence from a court or governmental agency of this State}~~ *satisfactory evidence* which demonstrates that:

(a) His conviction has been overturned; or

(b) His civil rights have been restored ~~{.}~~:

(1) If he was convicted in this State, pursuant to the provisions of NRS 213.090, 213.155 or 213.157.

(2) If he was convicted in another state, pursuant to the laws of the state in which he was convicted.

3. If the registration of an elector is cancelled pursuant to the provisions of subsection 5 of NRS 293.540, the elector may reregister immediately.

4. If the registration of an elector is cancelled pursuant to the provisions of subsection 6 of NRS 293.540, after the close of registration for a primary election, the elector may not reregister until after the primary election.

Sec. 16. NRS 293.558 is hereby amended to read as follows:

293.558 ~~{.}~~ The county clerk shall not disclose the identification number of a registered voter to the public, including, without limitation:

~~{(a)}~~ 1. In response to an inquiry received by the county clerk; or

~~{(b)}~~ 2. By inclusion on any list of registered voters made available for public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.

~~{2. A registered voter may submit a written request to the county clerk to have his address and telephone number withheld~~



~~from the public. Upon receipt of such a request, the county clerk shall not disclose the address or telephone number of the registered voter to the public, including, without limitation:~~

~~—(a) In response to an inquiry received by the county clerk; or~~

~~—(b) By inclusion on any list of registered voters made available for public inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290 or 293C.542.~~

~~3. No information other than the address, telephone number and identification number of a registered voter may be withheld from the public.]~~

Sec. 17. Chapter 293C of NRS is hereby amended by adding thereto the provisions set forth as sections 18, 19 and 20 of this act.

Sec. 18. *A polling place for an election must not be established in any building or other structure named for a candidate whose name appears on a ballot for that election.*

Sec. 19. 1. *The permanent and temporary polling places for early voting by personal appearance must:*

(a) Be distributed throughout the city to ensure that each registered voter within the city has equitable access to a polling place for early voting by personal appearance, including, without limitation, that the hours and days during which the permanent and temporary polling places for early voting are open provide equitable access to all registered voters to a polling place for early voting; and

(b) Satisfy the criteria to be used to select permanent and temporary polling places for early voting by personal appearance provided by the city clerk pursuant to subsection 2.

2. *The county clerk shall:*

(a) Provide by rule or regulation for the criteria to be used to select permanent and temporary polling places for early voting by personal appearance; and

(b) At a meeting of the board of county commissioners, inform the board of the sites selected as permanent and temporary polling places for early voting by personal appearance.

Sec. 20. 1. *If a city clerk maintains a website on the Internet for information relating to elections, the website must contain public information maintained, collected or compiled by the city clerk that relates to elections, which may include, without limitation:*

(a) The Voters' Bill of Rights required to be made readily available to the public pursuant to the provisions of NRS 293.2549;

(b) The locations of polling places for casting a ballot on election day in such a form that a registered voter may search the



1 *list to determine the location of the polling place at which the*
2 *registered voter is required to cast a ballot; and*

3 *(c) The abstract of votes required to be posted on a website*
4 *pursuant to the provisions of NRS 293C.387.*

5 *2. The abstract of votes required to be maintained on the*
6 *website pursuant to paragraph (c) of subsection 1 must be*
7 *maintained in such a format as to permit the searching of the*
8 *abstract of votes for specific information.*

9 **Sec. 21.** NRS 293C.185 is hereby amended to read as follows:

10 293C.185 1. Except as otherwise provided in NRS 293C.115
11 and 293C.190, a name may not be printed on a ballot to be used at a
12 primary city election, unless the person named has filed a
13 declaration of candidacy or an acceptance of candidacy and has paid
14 the fee established by the governing body of the city not earlier than
15 70 days before the primary city election and not later than 5 p.m. on
16 the 60th day before the primary city election.

17 2. A declaration of candidacy required to be filed by this
18 section must be in substantially the following form:

19
20 DECLARATION OF CANDIDACY OF FOR THE
21 OFFICE OF

22
23 State of Nevada

24
25 City of

26
27 For the purpose of having my name placed on the official ballot as a
28 candidate for the office of, I,, the
29 undersigned do swear or affirm under penalty of perjury that I
30 actually, as opposed to constructively, reside at, in the
31 City or Town of, County of, State of
32 Nevada; that my actual, as opposed to constructive, residence in the
33 city, township or other area prescribed by law to which the office
34 pertains began on a date at least 30 days immediately preceding the
35 date of the close of filing of declarations of candidacy for this
36 office; that my telephone number is, and the address at
37 which I receive mail, if different than my residence, is;
38 that I am a qualified elector pursuant to Section 1 of Article 2 of the
39 Constitution of the State of Nevada; that if I have ever been
40 convicted of treason or a felony, my civil rights have been restored
41 by a court of competent jurisdiction; that if nominated as a candidate
42 at the ensuing election I will accept the nomination and not
43 withdraw; that I will not knowingly violate any election law or any
44 law defining and prohibiting corrupt and fraudulent practices in
45 campaigns and elections in this State; that I will qualify for the



1 office if elected thereto, including, but not limited to, complying
2 with any limitation prescribed by the Constitution and laws of this
3 State concerning the number of years or terms for which a person
4 may hold the office; and my name will appear on all ballots as
5 designated in this declaration.

6
7
8 (Designation of name)
9

10
11 (Signature of candidate for office)
12

13 Subscribed and sworn to before me
14 this day of the month of of the year

15
16
17 Notary Public or other person
18 authorized to administer an oath
19

20 3. The address of a candidate that must be included in the
21 declaration or acceptance of candidacy pursuant to subsection 2
22 must be the street address of the residence where he actually, as
23 opposed to constructively, resides in accordance with NRS 281.050,
24 if one has been assigned. The declaration or acceptance of
25 candidacy must not be accepted for filing if:

26 (a) The candidate's address is listed as a post office box unless a
27 street address has not been assigned to his residence; or

28 (b) The candidate does not present to the filing officer:

29 (1) A valid driver's license or identification card issued by a
30 governmental agency , *except for a card evidencing registration to*
31 *vote that is distributed by a county clerk*, that contains a photograph
32 of the candidate and the candidate's *residential* address; or

33 (2) *If the candidate's valid driver's license or other*
34 *identification card issued by a governmental agency, except for a*
35 *card evidencing registration to vote that is distributed by a county*
36 *clerk, does not indicate the candidate's residential address:*

37 (I) *A valid driver's license or other identification card*
38 *issued by a governmental agency, except for a card evidencing*
39 *registration to vote that is distributed by a county clerk, that*
40 *contains a photograph of the candidate; and*

41 (II) A current utility bill, bank statement, paycheck, or
42 document issued by a governmental entity, including, without
43 limitation, a check, which indicates the candidate's name and
44 *residential* address.



1 4. *The filing officer shall retain a copy of the proof of identity*
2 *and residency provided by the candidate pursuant to paragraph (b)*
3 *of subsection 3. Such a copy may not be withheld from the public.*

4 5. By filing the declaration or acceptance of candidacy, the
5 candidate shall be deemed to have appointed the city clerk as his
6 agent for service of process for the purposes of a proceeding
7 pursuant to NRS 293C.186. Service of such process must first be
8 attempted at the appropriate address as specified by the candidate in
9 the declaration or acceptance of candidacy. If the candidate cannot
10 be served at that address, service must be made by personally
11 delivering to and leaving with the city clerk duplicate copies of the
12 process. The city clerk shall immediately send, by registered or
13 certified mail, one of the copies to the candidate at his specified
14 address, unless the candidate has designated in writing to the city
15 clerk a different address for that purpose, in which case the city
16 clerk shall mail the copy to the last address so designated.

17 ~~5.5~~ 6. If the city clerk receives credible evidence indicating
18 that a candidate has been convicted of a felony and has not had his
19 civil rights restored by a court of competent jurisdiction, the city
20 clerk:

21 (a) May conduct an investigation to determine whether the
22 candidate has been convicted of a felony and, if so, whether he has
23 had his civil rights restored by a court of competent jurisdiction; and

24 (b) Shall transmit the credible evidence and the findings from
25 such investigation to the city attorney.

26 ~~6.1~~ 7. The receipt of information by the city attorney pursuant
27 to subsection ~~5.5~~ 6 must be treated as a challenge of a candidate
28 pursuant to subsections 4 and 5 of NRS 293C.186. If the ballots are
29 printed before a court of competent jurisdiction makes a
30 determination that a candidate has been convicted of a felony and
31 has not had his civil rights restored by a court of competent
32 jurisdiction, the city clerk must post a notice at each polling place
33 where the candidate's name will appear on the ballot informing the
34 voters that the candidate is disqualified from entering upon the
35 duties of the office for which the candidate filed the declaration of
36 candidacy or acceptance of candidacy.

37 **Sec. 22.** NRS 293C.290 is hereby amended to read as follows:

38 293C.290 1. The city clerk shall require an election board
39 officer to post an alphabetical listing of all registered voters for each
40 precinct in a public area of each polling place in the city. Except as
41 otherwise provided in NRS ~~293.558,~~ 293.5002, the alphabetical
42 listing must include the name and address of each voter. Not less
43 than four times during the hours in which the polling place is open,
44 an election board officer shall identify the name of each voter who
45 voted since the last identification.



2. Each page of the alphabetical listing must contain a notice which reads substantially as follows:

It is unlawful for any person to remove, tear, mark or otherwise deface this alphabetical listing of registered voters except an election board officer acting pursuant to NRS 293C.290.

3. Any person who removes, tears, marks or otherwise defaces an alphabetical listing posted pursuant to this section with the intent to falsify or prevent others from readily ascertaining the name or address of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor.

Sec. 23. NRS 293C.3564 is hereby amended to read as follows:

293C.3564 **1.** The city clerk may establish permanent polling places for early voting by personal appearance *in the city at the* locations ~~[designated]~~ *selected* by him ~~[throughout the county.]~~ *pursuant to section 19 of this act.*

2. Any person entitled to vote early by personal appearance may do so at any polling place for early voting.

Sec. 24. NRS 293C.3572 is hereby amended to read as follows:

293C.3572 **1.** In addition to permanent polling places for early voting, the city clerk may establish temporary branch polling places for early voting ~~[]~~ *pursuant to section 19 of this act.*

2. The provisions of subsection 3 of NRS 293C.3568 do not apply to a temporary polling place. Voting at a temporary branch polling place may be conducted on any one or more days and during any hours within the period for early voting by personal appearance, as determined by the city clerk.

3. The schedules for conducting voting are not required to be uniform among the temporary branch polling places.

4. The legal rights and remedies which inure to the owner or lessor of private property are not impaired or otherwise affected by the leasing of the property for use as a temporary branch polling place for early voting, except to the extent necessary to conduct early voting at that location.

Sec. 25. Chapter 294A of NRS is hereby amended by adding thereto the provisions set forth as sections 26, 27 and 28 of this act.

Sec. 26. *“Loan” means a transfer of money, property or anything of value in exchange for an obligation to repay the transfer of money in whole or in part.*

Sec. 27. **1.** *In addition to complying with the requirements set forth in NRS 294A.120, 294A.200 and 294A.360, a candidate*



1 *who receives a loan which is guaranteed by a third party,*
2 *forgiveness of a loan previously made to the candidate or a written*
3 *commitment for a contribution shall, for the period covered by the*
4 *report filed pursuant to NRS 294A.120, 294A.200 or 294A.360,*
5 *report:*

6 *(a) If a loan received by the candidate was guaranteed by a*
7 *third party, the amount of the loan and the name and address of*
8 *each person who guaranteed the loan;*

9 *(b) If a loan received by the candidate was forgiven by the*
10 *person who made the loan, the amount that was forgiven and the*
11 *name and address of the person who forgave the loan; and*

12 *(c) If the candidate received a written commitment for a*
13 *contribution, the amount committed to be contributed and the*
14 *name and address of the person who made the written*
15 *commitment.*

16 *2. The reports required by subsection 1 must be submitted on*
17 *the form designed and provided by the Secretary of State pursuant*
18 *to NRS 294A.373. Each form must be signed by the candidate*
19 *under penalty of perjury.*

20 *3. The reports required by subsection 1 must be filed in the*
21 *same manner and at the same time as the report filed pursuant to*
22 *NRS 294A.120, 294A.200 or 294A.360.*

23 *4. A county clerk who receives from a candidate for*
24 *legislative or judicial office, including, without limitation, the*
25 *office of justice of the peace or municipal judge, a report pursuant*
26 *to subsection 1 shall file a copy of the report with the Secretary of*
27 *State within 10 working days after he receives the report.*

28 **Sec. 28.** *1. It is unlawful for a person who is elected to any*
29 *county, city or township office or other office of a political*
30 *subdivision of this State to solicit or accept any monetary*
31 *contribution, or to solicit or accept a commitment to make such a*
32 *contribution, for any political purpose during the period*
33 *beginning 45 days after the person has been issued a certificate of*
34 *election to the public office and ending 180 days before the last*
35 *day to file as a candidate for that office at the next preceding*
36 *election for that office pursuant to the provisions of NRS 293.177*
37 *or 293C.185.*

38 *2. This section does not prohibit the payment of a salary or*
39 *other compensation or income to a person who is elected to a*
40 *public office if it is made for services provided as a part of his*
41 *regular employment or is additional income to which he is*
42 *entitled.*

43 **Sec. 29.** *NRS 294A.002 is hereby amended to read as follows:*
44 *294A.002 As used in this chapter, unless the context otherwise*
45 *requires, the words and terms defined in NRS 294A.004 to*



294A.009, inclusive, *and section 26 of this act*, have the meanings ascribed to them in those sections.

Sec. 30. NRS 294A.120 is hereby amended to read as follows:

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

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

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

(b) Seven days before the general election for that office, for the period from 11 days before the primary election through 12 days before the general election; and

(c) July 15 of the year of the general election for that office, for the period from 11 days before the general election through June 30 of that year,

➔ report each campaign contribution in excess of \$100 he receives during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the candidate under penalty of perjury.

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

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

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



1 ➤ report each campaign contribution in excess of \$100 he received
2 during the period and contributions received during the period from
3 a contributor which cumulatively exceed \$100. The report must be
4 completed on the form designed and provided by the Secretary of
5 State pursuant to NRS 294A.373. Each form must be signed by the
6 candidate under penalty of perjury.

7 4. Except as otherwise provided in subsection 5, every
8 candidate for a district office at a special election shall, not later
9 than:

10 (a) Seven days before the special election, for the period from
11 his nomination through 12 days before the special election; and

12 (b) Thirty days after the special election, for the remaining
13 period through the special election,

14 ➤ report each campaign contribution in excess of \$100 he received
15 during the period and contributions received during the reporting
16 period from a contributor which cumulatively exceed \$100. The
17 report must be completed on the form designed and provided by the
18 Secretary of State pursuant to NRS 294A.373. Each form must be
19 signed by the candidate under penalty of perjury.

20 5. Every candidate for state, district, county, municipal or
21 township office at a special election to determine whether a public
22 officer will be recalled shall list each of the campaign contributions
23 that he receives on the form designed and provided by the Secretary
24 of State pursuant to NRS 294A.373 and signed by the candidate
25 under penalty of perjury, 30 days after:

26 (a) The special election, for the period from the filing of the
27 notice of intent to circulate the petition for recall through the special
28 election; or

29 (b) A district court determines that the petition for recall is
30 legally insufficient pursuant to subsection 5 of NRS 306.040, for the
31 period from the filing of the notice of intent to circulate the petition
32 for recall through the date of the district court's decision.

33 6. Reports of campaign contributions must be filed with the
34 officer with whom the candidate filed the declaration of candidacy
35 or acceptance of candidacy. A candidate may mail or transmit the
36 report to that officer by regular mail, certified mail, facsimile
37 machine or electronic means. A report shall be deemed to be filed
38 with the officer:

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

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

44 7. Every county clerk who receives from candidates for
45 legislative or judicial office, ~~except~~ *including, without limitation,*



1 the office of justice of the peace or municipal judge, reports of
2 campaign contributions pursuant to this section shall file a copy of
3 each report with the Secretary of State within 10 working days after
4 he receives the report.

5 8. The name and address of the contributor and the date on
6 which the contribution was received must be included on the report
7 for each contribution in excess of \$100 and contributions which a
8 contributor has made cumulatively in excess of that amount since
9 the beginning of the current reporting period.

10 **Sec. 31.** NRS 294A.125 is hereby amended to read as follows:

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

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

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

24 2. The reports required by subsection 1 must be submitted on
25 the form designed and provided by the Secretary of State pursuant to
26 NRS 294A.373. Each form must be signed by the candidate under
27 penalty of perjury.

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

32 4. The report must be filed:

33 (a) With the officer with whom the candidate will file the
34 declaration of candidacy or acceptance of candidacy for the public
35 office the candidate intends to seek. A candidate may mail or
36 transmit the report to that officer by regular mail, certified mail,
37 facsimile machine or electronic means. A report shall be deemed to
38 be filed with the officer:

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

40 (2) On the date 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 (b) On or before January 15 of the year immediately after the
44 year for which the report is made.



1 5. A county clerk who receives from a candidate for legislative
2 or judicial office, ~~except~~ *including, without limitation*, the office
3 of justice of the peace or municipal judge, a report of contributions
4 and expenditures pursuant to subsection 4 shall file a copy of the
5 report with the Secretary of State within 10 working days after he
6 receives the report.

7 **Sec. 32.** NRS 294A.200 is hereby amended to read as follows:

8 294A.200 1. Every candidate for state, district, county or
9 township office at a primary or general election shall, not later than
10 January 15 of each year, for the period from January 1 of the
11 previous year through December 31 of the previous year, report
12 each of the campaign expenses in excess of \$100 that he incurs and
13 each amount in excess of \$100 that he disposes of pursuant to NRS
14 294A.160 during the period on the form designed and provided by
15 the Secretary of State pursuant to NRS 294A.373. The form must be
16 signed by the candidate under penalty of perjury. The provisions of
17 this subsection apply to the candidate:

18 (a) Beginning the year of the general election for that office
19 through the year immediately preceding the next general election for
20 that office; and

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

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

29 (a) Seven days before the primary election for that office, for the
30 period from the January 1 immediately preceding the primary
31 election through 12 days before the primary election;

32 (b) Seven days before the general election for that office, for the
33 period from 11 days before the primary election through 12 days
34 before the general election; and

35 (c) July 15 of the year of the general election for that office, for
36 the period from 11 days before the general election through June 30
37 of that year,

38 ➤ report each of the campaign expenses in excess of \$100 that he
39 incurs during the period on the form designed and provided by the
40 Secretary of State pursuant NRS 294A.373. Each form must be
41 signed by the candidate under penalty of perjury.

42 3. Every candidate for state, district, county or township office
43 at a primary or general election shall, if the general election for the
44 office for which he is a candidate is held on or after July 1 and



1 before the January 1 immediately following that July 1, not later
2 than:

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

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

9 ➔ report each of the campaign expenses in excess of \$100 that he
10 incurs during the period on the form designed and provided by the
11 Secretary of State pursuant to NRS 294A.373. The form must be
12 signed by the candidate under penalty of perjury.

13 4. Except as otherwise provided in subsection 5, every
14 candidate for a district office at a special election shall, not later
15 than:

16 (a) Seven days before the special election, for the period from
17 his nomination through 12 days before the special election; and

18 (b) Thirty days after the special election, for the remaining
19 period through the special 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 NRS 294A.373. Each form must be
23 signed by the candidate under penalty of perjury.

24 5. Every candidate for state, district, county, municipal or
25 township office at a special election to determine whether a public
26 officer will be recalled shall report each of the campaign expenses in
27 excess of \$100 that he incurs on the form designed and provided by
28 the Secretary of State pursuant NRS 294A.373 and signed by the
29 candidate under penalty of perjury, 30 days after:

30 (a) The special election, for the period from the filing of the
31 notice of intent to circulate the petition for recall through the special
32 election; or

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

38 6. Reports of campaign expenses must be filed with the officer
39 with whom the candidate filed the declaration of candidacy or
40 acceptance of candidacy. A candidate may mail or transmit the
41 report to that officer by regular mail, certified mail, facsimile
42 machine or electronic means. A report shall be deemed to be filed
43 with the officer:

44 (a) On the date that it was mailed if it was sent by certified mail;
45 or



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

7. County clerks who receive from candidates for legislative or judicial office, ~~except~~ *including, without limitation*, the office of justice of the peace or municipal judge, reports of campaign expenses pursuant to this section shall file a copy of each report with the Secretary of State within 10 working days after he receives the report.

Sec. 33. NRS 294A.350 is hereby amended to read as follows:

294A.350 1. Every candidate for state, district, county, municipal or township office shall file the reports of campaign contributions and expenses required by NRS 294A.120, 294A.200 and 294A.360, *and section 27 of this act*, even though he:

- (a) Withdraws his candidacy;
- (b) Receives no campaign contributions;
- (c) Has no campaign expenses;
- (d) Is removed from the ballot by court order; or
- (e) Is the subject of a petition to recall and the special election is not held.

2. A candidate who withdraws his candidacy pursuant to NRS 293.202 may file simultaneously all the reports of campaign contributions and expenses required by NRS 294A.120, 294A.200 and 294A.360, *and section 27 of this act*, so long as each report is filed on or before the last day for filing the respective report pursuant to NRS 294A.120, 294A.200 or 294A.360.

Sec. 34. NRS 294A.360 is hereby amended to read as follows:

294A.360 1. Every candidate for city office at a primary city election or general city election shall file the reports in the manner required by NRS 294A.120 and 294A.200 *and section 27 of this act* for other offices not later than January 15 of each year, for the period from January 1 of the previous year through December 31 of the previous year. The provisions of this subsection apply to the candidate:

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

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

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



1 the manner required by NRS 294A.120 and 294A.200 *and section*
2 *27 of this act* for other 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;

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

10 (c) July 15 of the year of the general city election for that office,
11 for the period from 11 days before the general city election through
12 the June 30 of that year.

13 3. Every candidate for city office at a primary city election or
14 general city election, if the general city election for the office for
15 which he is a candidate is held on or after July 1 and before the
16 January 1 immediately following that July 1, shall file the reports in
17 the manner required by NRS 294A.120 and 294A.200 *and section*
18 *27 of this act* for other offices not later than:

19 (a) Seven days before the primary city election for that office,
20 for the period from the January 1 immediately preceding the
21 primary city election through 12 days before the primary city
22 election; and

23 (b) Seven days before the general city election for that office,
24 for the period from 11 days before the primary city election through
25 12 days before the general city election.

26 4. Except as otherwise provided in subsection 5, every
27 candidate for city office at a special election shall so file those
28 reports:

29 (a) Seven days before the special election, for the period from
30 his nomination through 12 days before the special election; and

31 (b) Thirty days after the special election, for the remaining
32 period through the special election.

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

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

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



1 **Sec. 35.** NRS 294A.362 is hereby amended to read as follows:

2 294A.362 1. In addition to reporting information pursuant to
3 NRS 294A.120, 294A.125, 294A.200 and 294A.360, *and section 27*
4 *of this act*, each candidate who is required to file a report of
5 campaign contributions and expenses pursuant to NRS 294A.120,
6 294A.125, 294A.200 or 294A.360 *and section 27 of this act* shall
7 report on the form designed and provided by the Secretary of State
8 pursuant to NRS 294A.373 goods and services provided in kind for
9 which money would otherwise have been paid. The candidate shall
10 list on the form each such campaign contribution in excess of \$100
11 that he receives during the reporting period, each such campaign
12 contribution from a contributor received during the reporting period
13 which cumulatively exceeds \$100, and each such expense in excess
14 of \$100 he incurs during the reporting period.

15 2. The Secretary of State and each city clerk shall not require a
16 candidate to list the campaign contributions and expenses described
17 in this section on any form other than the form designed and
18 provided by the Secretary of State pursuant to NRS 294A.373.

19 **Sec. 36.** NRS 294A.373 is hereby amended to read as follows:

20 294A.373 1. The Secretary of State shall design a single form
21 to be used for all reports of campaign contributions and expenses or
22 expenditures that are required to be filed pursuant to NRS
23 294A.120, 294A.125, 294A.140, 294A.150, 294A.200, 294A.210,
24 294A.220, 294A.270, 294A.280, 294A.360 and 294A.362 *and*
25 *section 27 of this act*.

26 2. The form designed by the Secretary of State pursuant to this
27 section must only request information specifically required by
28 statute.

29 3. Upon request, the Secretary of State shall provide a copy of
30 the form designed pursuant to this section to each person,
31 committee, political party and group that is required to file a report
32 described in subsection 1.

33 **Sec. 37.** NRS 294A.390 is hereby amended to read as follows:

34 294A.390 The officer from whom a candidate or entity
35 requests a form for:

36 1. A declaration of candidacy;

37 2. An acceptance of candidacy;

38 3. The registration of a committee for political action pursuant
39 to NRS 294A.230 or a committee for the recall of a public officer
40 pursuant to NRS 294A.250; or

41 4. The reporting of campaign contributions, expenses or
42 expenditures pursuant to NRS 294A.120, 294A.140, 294A.150,
43 294A.200, 294A.210, 294A.220, 294A.270, 294A.280 or 294A.360

44 *and section 27 of this act*,



1 ➤ shall furnish the candidate with the necessary forms for reporting
2 and copies of the regulations adopted by the Secretary of State
3 pursuant to this chapter. An explanation of the applicable provisions
4 of NRS 294A.100, 294A.120, 294A.140, 294A.150, 294A.200,
5 294A.210, 294A.220, 294A.270, 294A.280 or 294A.360 *or section*
6 *27 of this act* relating to the making, accepting or reporting of
7 campaign contributions, expenses or expenditures and the penalties
8 for a violation of those provisions as set forth in NRS 294A.100 or
9 294A.420 must be developed by the Secretary of State and provided
10 upon request. The candidate or entity shall acknowledge receipt of
11 the material.

12 **Sec. 38.** NRS 294A.400 is hereby amended to read as follows:

13 294A.400 The Secretary of State shall, within 30 days after
14 receipt of the reports required by NRS 294A.120, *294A.125,*
15 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270
16 and 294A.280, *and section 27 of this act,* prepare and make
17 available for public inspection a compilation of:

18 1. The total campaign contributions, the contributions which
19 are in excess of \$100 and the total campaign expenses of each of the
20 candidates ~~[for legislative and judicial offices]~~ from whom reports
21 of those contributions and expenses are required.

22 2. *The total amount of loans to a candidate guaranteed by a*
23 *third party, the total amount of loans previously made to a*
24 *candidate that have been forgiven and the total amount of written*
25 *commitments for contributions received by a candidate.*

26 3. The contributions made to a committee for the recall of a
27 public officer in excess of \$100.

28 ~~[3.]~~ 4. The expenditures exceeding \$100 made by a:

29 (a) Person on behalf of a candidate other than himself.

30 (b) Person or group of persons on behalf of or against a question
31 or group of questions on the ballot.

32 (c) Group of persons advocating the election or defeat of a
33 candidate.

34 (d) Committee for the recall of a public officer.

35 ~~[4.]~~ 5. The contributions in excess of \$100 made to:

36 (a) A person who is not under the direction or control of a
37 candidate or group of candidates or of any person involved in the
38 campaign of the candidate or group who makes an expenditure on
39 behalf of the candidate or group which is not solicited or approved
40 by the candidate or group.

41 (b) A person or group of persons organized formally or
42 informally who advocates the passage or defeat of a question or
43 group of questions on the ballot.



(c) A committee for political action, political party or committee sponsored by a political party which makes an expenditure on behalf of a candidate or group of candidates.

Sec. 39. NRS 294A.420 is hereby amended to read as follows:

294A.420 1. If the Secretary of State receives information that a person or entity that is subject to the provisions of NRS 294A.120, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.230, 294A.270, 294A.280 or 294A.360 *or section 27 of this act* has not filed a report or form for registration pursuant to the applicable provisions of those sections, the Secretary of State may, after giving notice to that person or entity, cause the appropriate proceedings to be instituted in the First Judicial District Court.

2. Except as otherwise provided in this section, a person or entity that violates an applicable provision of NRS 294A.112, 294A.120, 294A.130, 294A.140, 294A.150, 294A.160, 294A.200, 294A.210, 294A.220, 294A.230, 294A.270, 294A.280, 294A.300, 294A.310, 294A.320 or 294A.360 *or section 27 of this act* is subject to a civil penalty of not more than \$5,000 for each violation and payment of court costs and attorney's fees. The civil penalty must be recovered in a civil action brought in the name of the State of Nevada by the Secretary of State in the First Judicial District Court and deposited by the Secretary of State for credit to the State General Fund in the bank designated by the State Treasurer.

3. If a civil penalty is imposed because a person or entity has reported its contributions, expenses or expenditures after the date the report is due, except as otherwise provided in this subsection, the amount of the civil penalty is:

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

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

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

➔ A civil penalty imposed pursuant to this subsection against a public officer who by law is not entitled to receive compensation for his office or a candidate for such an office must not exceed a total of \$100 if the public officer or candidate received no contributions and made no expenditures during the relevant reporting periods.

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

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



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

Sec. 40. NRS 218.2423 is hereby amended to read as follows:

218.2423 1. Each:

(a) Incumbent Assemblyman may request the drafting of not more than ~~[5] 10~~ legislative measures submitted to the Legislative Counsel ~~{on or before September 1 preceding}~~ *before* the commencement of a regular session of the Legislature . ~~{and not more than 5 legislative measures submitted to the}~~ *The* Legislative Counsel ~~{after September 1 but on or before December 15 preceding the commencement of a regular session of the Legislature.}~~ *shall establish a schedule of dates for an incumbent Assemblyman to submit to the Legislative Counsel requests for the drafting of legislative measures.*

(b) Incumbent Senator may request the drafting of not more than ~~[10] 20~~ legislative measures submitted to the Legislative Counsel ~~{on or before September 1 preceding}~~ *before* the commencement of a regular session of the Legislature . ~~{and not more than 10 legislative measures submitted to the}~~ *The* Legislative Counsel ~~{after September 1 but on or before December 15 preceding the commencement of a regular session of the Legislature.}~~ *shall establish a schedule of dates for an incumbent Senator to submit to the Legislative Counsel requests for the drafting of legislative measures.*

(c) Newly elected Assemblyman may request the drafting of not more than ~~[5] 10~~ legislative measures submitted to the Legislative Counsel ~~{on or before December 15 preceding}~~ *before* the commencement of a regular session of the Legislature. *The Legislative Counsel shall establish a schedule of dates for a newly elected Assemblyman to submit to the Legislative Counsel requests for the drafting of legislative measures.*

(d) Newly elected Senator may request the drafting of not more than ~~[10] 20~~ legislative measures submitted to the Legislative Counsel ~~{on or before December 15 preceding}~~ *before* the commencement of a regular session of the Legislature. *The Legislative Counsel shall establish a schedule of dates for a newly elected Senator to submit to the Legislative Counsel requests for the drafting of legislative measures.*

2. In addition to the number authorized pursuant to subsection 1:

(a) The chairman of each standing committee of the immediately preceding regular legislative session, or a person designated in the place of the chairman by the Speaker of the Assembly or the Majority Leader of the Senate, as the case may be, may request before the date of the general election preceding the commencement



1 of the next regular legislative session the drafting of not more than 1
2 legislative measure for introduction by the committee in a subject
3 within the jurisdiction of the committee for every 15 legislative
4 measures that were referred to the respective standing committee
5 during the immediately preceding regular legislative session.

6 (b) A person designated after a general election as a chairman of
7 a standing committee for the next regular legislative session, or a
8 person designated in the place of a chairman by the person
9 designated as the Speaker of the Assembly or the Majority Leader of
10 the Senate for the next regular legislative session, may request on or
11 before December 15 preceding the commencement of the next
12 regular legislative session the drafting of the remaining number of
13 the legislative measures allowed for the respective standing
14 committee that were not requested by the previous chairman or
15 designee.

16 **Sec. 40.5.** NRS 281.4365 is hereby amended to read as
17 follows:

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

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

27 (b) The expenditure of public money; and

28 (c) The ~~enforcement~~ *administration* of laws and rules of the
29 State, a county or a city.

30 2. “Public officer” does not include:

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

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

34 (c) Any member of a board of trustees for a general
35 improvement district or special district whose official duties do not
36 include the formulation of a budget for the district or the
37 authorization of the expenditure of the district’s money; or

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

39 3. “Public office” does not include an office held by:

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

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

43 (c) Any member of a board of trustees for a general
44 improvement district or special district whose official duties do not



1 include the formulation of a budget for the district or the
2 authorization of the expenditure of the district's money; or

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

4 **Secs. 41-51.** (Deleted by amendment.)

5 **Sec. 52.** Section 5.070 of the Charter of the City of Caliente,
6 being Chapter 31, Statutes of Nevada 1971, as amended by Chapter
7 581, Statutes of Nevada 2001, at page 2970, is hereby amended to
8 read as follows:

9 Sec. 5.070 Availability of lists of registered voters. If,
10 for any purpose relating to a municipal election or to
11 candidates or issues involved in such an election, any
12 organization, group or person requests a list of registered
13 voters of the City, the department, office or agency which has
14 custody of the official register of voters shall, except as
15 otherwise provided in NRS ~~293.558,~~ 293.5002, either
16 permit the organization, group or person to copy the voters'
17 names and addresses from the official register of voters or
18 furnish such a list.

19 **Sec. 53.** Section 5.060 of the Charter of the City of Carlin,
20 being Chapter 344, Statutes of Nevada 1971, as amended by
21 Chapter 581, Statutes of Nevada 2001, at page 2971, is hereby
22 amended to read as follows:

23 Sec. 5.060 Availability of lists of registered voters. If,
24 for any purpose relating to a municipal election or to
25 candidates or issues involved in such an election, any
26 organization, group or person requests a list of registered
27 voters of the City, the department, office or agency which has
28 custody of the official register of voters shall, except as
29 otherwise provided in NRS ~~293.558,~~ 293.5002, either
30 permit the organization, group or person to copy the voters'
31 names and addresses from the official register of voters or
32 furnish such a list.

33 **Sec. 54.** Section 5.070 of the Charter of Carson City, being
34 Chapter 213, Statutes of Nevada 1969, as last amended by Chapter
35 581, Statutes of Nevada 2001, at page 2971, is hereby amended to
36 read as follows:

37 Sec. 5.070 Availability of list of registered voters. If,
38 for any purpose relating to a municipal election or to the
39 candidates or issues involved in that election, any
40 organization, group or person requests a list of the registered
41 voters of Carson City, the department, office or agency which
42 has custody of the official register of voters shall, except as
43 otherwise provided in NRS ~~293.558,~~ 293.5002:



1 1. Permit the organization, group or person to copy the
2 voters' names and addresses from the official register of
3 voters; or

4 2. Furnish the list upon payment of the fee which is
5 prescribed in chapter 293 of NRS.

6 **Sec. 55.** Section 5.060 of the Charter of the City of Elko,
7 being Chapter 276, Statutes of Nevada 1971, as amended by
8 Chapter 581, Statutes of Nevada 2001, at page 2971, is hereby
9 amended to read as follows:

10 Sec. 5.060 Availability of lists of registered voters. If,
11 for any purpose relating to a municipal election or to
12 candidates or issues involved in such an election, any
13 organization, group or person requests a list of registered
14 voters of the City, the department, office or agency which has
15 custody of the official register of voters shall, except as
16 otherwise provided in NRS ~~{293.558,}~~ 293.5002, either
17 permit the organization, group or person to copy the voters'
18 names and addresses from the official register of voters or
19 furnish such a list.

20 **Sec. 56.** Section 5.070 of the Charter of the City of Las Vegas,
21 being Chapter 517, Statutes of Nevada 1983, as amended by
22 Chapter 581, Statutes of Nevada 2001, at page 2971, is hereby
23 amended to read as follows:

24 Sec. 5.070 Availability of lists of registered voters. If,
25 for any purpose which relates to a municipal election or to the
26 candidates or issues which are involved in that election, any
27 organization, group or person requests a list of the registered
28 voters of the City, the department, office or agency which has
29 custody of the official register of voters shall, except as
30 otherwise provided in NRS ~~{293.558,}~~ 293.5002, either
31 permit that organization, group or person to copy the voters'
32 names and addresses from the official register of voters or
33 furnish the list upon payment of the fee which is prescribed in
34 chapter 293 of NRS.

35 **Sec. 57.** Section 5.070 of the Charter of the City of Reno,
36 being Chapter 662, Statutes of Nevada 1971, as last amended by
37 Chapter 581, Statutes of Nevada 2001, at page 2972, is hereby
38 amended to read as follows:

39 Sec. 5.070 Availability of lists of registered voters. If,
40 for any purpose relating to an election or to candidates or
41 issues involved in that election, any organization, group or
42 person requests a list of registered voters of the City, the
43 department, office or agency which has custody of the official
44 register of voters shall, except as otherwise provided in NRS
45 ~~{293.558,}~~ 293.5002, permit the organization, group or person



1 to copy the voters' names and addresses from the official
2 register of voters or furnish such a list upon payment of the
3 cost established by state election law.

4 **Sec. 58.** Section 5.070 of the Charter of the City of Sparks,
5 being Chapter 470, Statutes of Nevada 1975, as last amended by
6 Chapter 581, Statutes of Nevada 2001, at page 2972, is hereby
7 amended to read as follows:

8 Sec. 5.070 Availability of lists of registered voters. If,
9 for any purpose relating to an election or to candidates or
10 issues involved in an election, any organization, group or
11 person requests a list of registered voters of the City,
12 the department, office or agency which has custody of the
13 official register of voters shall, except as otherwise provided
14 in NRS ~~293.558;~~ 293.5002:

15 1. Permit the organization, group or person to copy the
16 names and addresses of voters from the official register of
17 voters; or

18 2. Furnish such a list upon payment of the cost
19 established by state election law.

20 **Sec. 59.** Section 5.060 of the Charter of the City of Wells,
21 being Chapter 275, Statutes of Nevada 1971, as amended by
22 Chapter 581, Statutes of Nevada 2001, at page 2972, is hereby
23 amended to read as follows:

24 Sec. 5.060 Availability of lists of registered voters. If,
25 for any purpose relating to a municipal election or to
26 candidates or issues involved in such an election, any
27 organization, group or person requests a list of registered
28 voters of the City, the department, office or agency which has
29 custody of the official register of voters shall, except as
30 otherwise provided in NRS ~~293.558;~~ 293.5002, either
31 permit the organization, group or person to copy the voters'
32 names and addresses from the official register of voters or
33 furnish such a list.

34 **Sec. 60.** Section 5.060 of the Charter of the City of Yerington,
35 being Chapter 465, Statutes of Nevada 1971, as amended by
36 Chapter 581, Statutes of Nevada 2001, at page 2972, is hereby
37 amended to read as follows:

38 Sec. 5.060 Availability of lists of registered voters. If,
39 for any purpose relating to a municipal election or to
40 candidates or issues involved in such an election, any
41 organization, group or person requests a list of registered
42 voters of the City, the department, office or agency which has
43 custody of the official register of voters shall, except as
44 otherwise provided in NRS ~~293.558;~~ 293.5002, furnish such
45 a list at a fee to be established by the City Council.



1 **Sec. 61.** 1. On or before October 1, 2005, the Secretary of
2 State shall submit to the Fiscal Analysis Division of the Legislative
3 Counsel Bureau for transmittal to the next regular meeting of the
4 Interim Finance Committee a written report concerning the
5 establishment and maintenance of the website required pursuant to
6 section 4 of this act including, without limitation, the anticipated
7 cost of establishing and maintaining the website.

8 2. The Secretary of State may, with the approval of the Interim
9 Finance Committee, pay for the cost of establishing and maintaining
10 the website required pursuant to section 4 of this act from the
11 Account for Special Services of the Secretary of State in the State
12 General Fund created pursuant to NRS 225.140.

13 **Sec. 62.** (Deleted by amendment.)

14 **Sec. 63.** 1. This section and section 61 of this act become
15 effective upon passage and approval.

16 2. Sections 1, 2, 3, 6 to 19, inclusive, 21 to 60, inclusive, and
17 62 of this act become effective on October 1, 2005.

18 3. Sections 4, 5 and 20 of this act become effective on
19 January 1, 2006.



