

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 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 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 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 must 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.*

3. *If the information required to be maintained by the Secretary of State pursuant to subsection 1 may be obtained by the public from a website on the Internet maintained by a county clerk or city clerk, the Secretary of State may provide a hyperlink to that website to comply with the provisions of subsection 1 with regard to that 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 must include, without limitation:

(a) 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

(b) 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 (b) of subsection 1 must be maintained in such a format as to permit the searching of the abstract of votes for specific information.

3. If the information required to be maintained by a county clerk pursuant to subsection 1 may be obtained by the public from a website on the Internet maintained by the Secretary of State, another county clerk or a city clerk, the county clerk may provide a hyperlink to that website to comply with the provisions of subsection 1 with regard to that 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



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

29
30
31 (Designation of name)
32

33
34 (Signature of candidate for office)
35

36 Subscribed and sworn to before me
37 this day of the month of of the year

38
39
40 Notary Public or other person
41 authorized to administer an oath



(b) For nonpartisan 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 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 to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; that if nominated as a nonpartisan candidate at the ensuing election, I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; and my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

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

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

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



* A B 5 0 0 R 5 *

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

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

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

(1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's *residential* address; or

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

4. *The filing officer shall retain a copy of the proof of identity and residency provided by the candidate pursuant to paragraph (b) of subsection 3. Such a copy:*

(a) May not be withheld from the public; and

(b) Must not contain the social security number or driver's license or identification card number of the candidate.

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

~~5-1~~ 6. If the filing officer receives credible evidence indicating that a candidate has been convicted of a felony and has not had his civil rights restored by a court of competent jurisdiction, the filing officer:

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

(b) Shall transmit the credible evidence and the findings from such investigation to the Attorney General, if the filing officer is the



1 Secretary of State, or to the district attorney, if the filing officer is a
2 person other than the Secretary of State.

3 ~~[6.]~~ 7. The receipt of information by the Attorney General or
4 district attorney pursuant to subsection ~~[5.]~~ 6 must be treated as a
5 challenge of a candidate pursuant to subsections 4 and 5 of NRS
6 293.182. If the ballots are printed before a court of competent
7 jurisdiction makes a determination that a candidate has been
8 convicted of a felony and has not had his civil rights restored by a
9 court of competent jurisdiction, the filing officer must post a notice
10 at each polling place where the candidate's name will appear on the
11 ballot informing the voters that the candidate is disqualified from
12 entering upon the duties of the office for which the candidate filed
13 the declaration of candidacy or acceptance of candidacy.

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

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

16 293.301 1. The county clerk of each county shall require an
17 election board officer to post an alphabetical listing of all registered
18 voters for each precinct in a public area of each polling place in the
19 county. Except as otherwise provided in NRS 293.558 ~~[.]~~ and
20 **293.5002**, the alphabetical listing must include the name, address
21 and political affiliation of each voter. Not less than four times
22 during the hours in which the polling place is open, an election
23 board officer shall identify the name of each voter that voted since
24 the last identification.

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

27
28 It is unlawful for any person to remove, tear, mark or
29 otherwise deface this alphabetical listing of registered voters
30 except an election board officer acting pursuant to subsection
31 1 of NRS 293.301.

32
33 3. Any person who removes, tears, marks or otherwise defaces
34 an alphabetical listing posted pursuant to this section with the intent
35 to falsify or prevent others from readily ascertaining the name,
36 address or political affiliation of any voter, or the fact that a voter
37 has or has not voted, is guilty of a misdemeanor.

38 **Secs. 9 and 10.** (Deleted by amendment.)

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

40 293.3564 1. The county clerk may establish permanent
41 polling places for early voting by personal appearance *in the county*
42 at *the* locations ~~[designated]~~ *selected* by him ~~[throughout the~~
43 *county.] pursuant to section 3 of this act.*



1 2. Except as otherwise provided in subsection ~~2-1~~ 3, any
2 person entitled to vote early by personal appearance may do so at
3 any polling place for early voting.

4 ~~2-1~~ 3. If it is impractical for the county clerk to provide at each
5 polling place for early voting a ballot in every form required in the
6 county, he may:

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

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

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

13 293.3572 1. In addition to permanent polling places for early
14 voting, the county clerk may establish temporary branch polling
15 places for early voting which may include, without limitation, the
16 clerk's office ~~§~~ *pursuant to section 3 of this act.*

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

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

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

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

30 293.440 1. Any person who desires a copy of any list of the
31 persons who are registered to vote in any precinct, district or county
32 may obtain a copy by applying at the office of the county clerk and
33 paying therefor a sum of money equal to 1 cent per name on the list,
34 except that one copy of each original and supplemental list for each
35 precinct, district or county must be provided to the state or county
36 central committee of any major political party or to the executive
37 committee of any minor political party upon request, without
38 charge.

39 2. Except as otherwise provided in NRS 293.558 ~~§~~ *and*
40 *293.5002*, the copy of the list provided pursuant to this section must
41 indicate the address, date of birth, telephone number and the serial
42 number on each application to register to vote. If the county
43 maintains this information in a computer database, the date of the
44 most recent addition or revision to an entry, if made on or after
45 July 1, 1989, must be included in the database and on any resulting



1 list of the information. The date must be expressed numerically in
2 the order of month, day and year.

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

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

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

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

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

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

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

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

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


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

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

37 293.540 The county clerk shall cancel the registration:

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

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

43 3. Upon the determination that the person registered has been
44 convicted of a felony 

45 *unless:*



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

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

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

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

13 6. At the request of the person registered.

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

17 8. As required by NRS 293.541.

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

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

22 293.543 1. If the registration of an elector is cancelled
23 pursuant to subsection 2 of NRS 293.540, the county clerk shall
24 reregister the elector upon notice from the clerk of the district court
25 that the elector has been declared sane or mentally competent by the
26 district court.

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

31 (a) His conviction has been overturned; or

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

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

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

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

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



1 **Sec. 16.** NRS 293.558 is hereby amended to read as follows:
2 293.558 1. The county clerk shall ~~not~~ disclose the
3 identification number of a registered voter to the public, including,
4 without limitation:

5 (a) In response to an inquiry received by the county clerk; or
6 (b) By inclusion *of the identification number of the registered*
7 *voter* on any list of registered voters made available for public
8 inspection pursuant to NRS 293.301, 293.440, 293.557, 293C.290
9 or 293C.542.

10 2. *The county clerk shall not disclose the social security*
11 *number or the driver's license or identification card number of a*
12 *registered voter.*

13 3. A registered voter may submit a written request to the
14 county clerk to have his address and telephone number withheld
15 from the public. Upon receipt of such a request, the county clerk
16 shall not disclose the address or telephone number of the registered
17 voter to the public, including, without limitation:

18 (a) In response to an inquiry received by the county clerk; or
19 (b) By inclusion on any list of registered voters made available
20 for public inspection pursuant to NRS 293.301, 293.440, 293.557,
21 293C.290 or 293C.542.

22 ~~3.1~~ 4. No information other than the address, telephone
23 number, *social security number* and *driver's license or*
24 identification *card* number of a registered voter may be withheld
25 from the public.

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

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

31 **Sec. 19.** 1. *The permanent and temporary polling places for*
32 *early voting by personal appearance must satisfy the criteria to be*
33 *used to select permanent and temporary polling places for early*
34 *voting by personal appearance provided by the city clerk pursuant*
35 *to subsection 2.*

36 2. *The city clerk shall:*

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

40 (b) *At a meeting of the city council or other governing body of*
41 *the city, inform the city council or other governing body of the*
42 *sites selected as permanent and temporary polling places for early*
43 *voting by personal appearance.*

44 **Sec. 20.** 1. *If a city clerk maintains a website on the*
45 *Internet for information relating to elections, the website must*



1 *contain public information maintained, collected or compiled by*
2 *the city clerk that relates to elections, which must include, without*
3 *limitation:*

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

8 *(b) The abstract of votes required to be posted on a website*
9 *pursuant to the provisions of NRS 293C.387.*

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

14 3. *If the information required to be maintained by a city clerk*
15 *pursuant to subsection 1 may be obtained by the public from a*
16 *website on the Internet maintained by the Secretary of State,*
17 *a county clerk or another city clerk, the city clerk may provide a*
18 *hyperlink to that website to comply with the provisions of*
19 *subsection 1 with regard to that information.*

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

21 293C.185 1. Except as otherwise provided in NRS 293C.115
22 and 293C.190, a name may not be printed on a ballot to be used at a
23 primary city election, unless the person named has filed a
24 declaration of candidacy or an acceptance of candidacy and has paid
25 the fee established by the governing body of the city not earlier than
26 70 days before the primary city election and not later than 5 p.m. on
27 the 60th day before the primary city election.

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

30
31 DECLARATION OF CANDIDACY OF FOR THE
32 OFFICE OF

33
34 State of Nevada

35
36 City of

37
38 For the purpose of having my name placed on the official ballot as a
39 candidate for the office of, I,, the
40 undersigned do swear or affirm under penalty of perjury that I
41 actually, as opposed to constructively, reside at, in the
42 City or Town of, County of, State of
43 Nevada; that my actual, as opposed to constructive, residence in the
44 city, township or other area prescribed by law to which the office
45 pertains began on a date at least 30 days immediately preceding the



1 date of the close of filing of declarations of candidacy for this
2 office; that my telephone number is, and the address at
3 which I receive mail, if different than my residence, is;
4 that I am a qualified elector pursuant to Section 1 of Article 2 of the
5 Constitution of the State of Nevada; that if I have ever been
6 convicted of treason or a felony, my civil rights have been restored
7 by a court of competent jurisdiction; that if nominated as a candidate
8 at the ensuing election I will accept the nomination and not
9 withdraw; that I will not knowingly violate any election law or any
10 law defining and prohibiting corrupt and fraudulent practices in
11 campaigns and elections in this State; that I will qualify for the
12 office if elected thereto, including, but not limited to, complying
13 with any limitation prescribed by the Constitution and laws of this
14 State concerning the number of years or terms for which a person
15 may hold the office; and my name will appear on all ballots as
16 designated in this declaration.

17
18
19 (Designation of name)
20

21
22 (Signature of candidate for office)
23

24 Subscribed and sworn to before me
25 this day of the month of of the year

26
27
28 Notary Public or other person
29 authorized to administer an oath
30

31 3. The address of a candidate that must be included in the
32 declaration or acceptance of candidacy pursuant to subsection 2
33 must be the street address of the residence where he actually, as
34 opposed to constructively, resides in accordance with NRS 281.050,
35 if one has been assigned. The declaration or acceptance of
36 candidacy must not be accepted for filing if:

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

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

40 (1) A valid driver's license or identification card issued by a
41 governmental agency that contains a photograph of the candidate
42 and the candidate's *residential* address; or

43 (2) A current utility bill, bank statement, paycheck, or
44 document issued by a governmental entity, including, without



1 limitation, a check, which indicates the candidate's name and
2 *residential* address.

3 4. *The filing officer shall retain a copy of the proof of identity*
4 *and residency provided by the candidate pursuant to paragraph (b)*
5 *of subsection 3. Such a copy:*

6 (a) *May not be withheld from the public; and*

7 (b) *Must not contain the social security number or driver's*
8 *license or identification card number of the candidate.*

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

22 ~~5-1~~ 6. If the city clerk receives credible evidence indicating
23 that a candidate has been convicted of a felony and has not had his
24 civil rights restored by a court of competent jurisdiction, the city
25 clerk:

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

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

31 ~~6-1~~ 7. The receipt of information by the city attorney pursuant
32 to subsection ~~5-1~~ 6 must be treated as a challenge of a candidate
33 pursuant to subsections 4 and 5 of NRS 293C.186. If the ballots are
34 printed before a court of competent jurisdiction makes a
35 determination that a candidate has been convicted of a felony and
36 has not had his civil rights restored by a court of competent
37 jurisdiction, the city clerk must post a notice at each polling place
38 where the candidate's name will appear on the ballot informing the
39 voters that the candidate is disqualified from entering upon the
40 duties of the office for which the candidate filed the declaration of
41 candidacy or acceptance of candidacy.

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

43 293C.290 1. The city clerk shall require an election board
44 officer to post an alphabetical listing of all registered voters for each
45 precinct in a public area of each polling place in the city. Except as



1 otherwise provided in NRS 293.558 ~~[]~~ and 293.5002, the
2 alphabetical listing must include the name and address of each voter.
3 Not less than four times during the hours in which the polling place
4 is open, an election board officer shall identify the name of each
5 voter who voted since the last identification.

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

8
9 It is unlawful for any person to remove, tear, mark or
10 otherwise deface this alphabetical listing of registered voters
11 except an election board officer acting pursuant to
12 NRS 293C.290.

13
14 3. Any person who removes, tears, marks or otherwise defaces
15 an alphabetical listing posted pursuant to this section with the intent
16 to falsify or prevent others from readily ascertaining the name or
17 address of any voter, or the fact that a voter has or has not voted, is
18 guilty of a misdemeanor.

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

21 293C.3564 1. The city clerk may establish permanent polling
22 places for early voting by personal appearance *in the city at the*
23 *locations [designated] selected* by him ~~[throughout the county.]~~
24 *pursuant to section 19 of this act.*

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

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

29 293C.3572 1. In addition to permanent polling places for
30 early voting, the city clerk may establish temporary branch polling
31 places for early voting ~~[]~~ *pursuant to section 19 of this act.*

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

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

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

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



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

4 **Sec. 27. 1.** *In addition to complying with the requirements*
5 *set forth in NRS 294A.120, 294A.200 and 294A.360, a candidate*
6 *who receives a loan which is guaranteed by a third party,*
7 *forgiveness of a loan previously made to the candidate or a written*
8 *commitment for a contribution shall, for the period covered by the*
9 *report filed pursuant to NRS 294A.120, 294A.200 or 294A.360,*
10 *report:*

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

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

17 *(c) If the candidate received a written commitment for a*
18 *contribution, the amount committed to be contributed and the*
19 *name and address of the person who made the written*
20 *commitment.*

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

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

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

33 **Sec. 28.** (Deleted by amendment.)

34 **Sec. 29.** NRS 294A.002 is hereby amended to read as follows:

35 294A.002 As used in this chapter, unless the context otherwise
36 requires, the words and terms defined in NRS 294A.004 to
37 294A.009, inclusive, *and section 26 of this act*, have the meanings
38 ascribed to them in those sections.

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

40 294A.120 1. Every candidate for state, district, county or
41 township office at a primary or general election shall, not later than
42 January 15 of each year, for the period from January 1 of the
43 previous year through December 31 of the previous year, report
44 each campaign contribution in excess of \$100 he received during the
45 period and contributions received during the period from a



1 contributor which cumulatively exceed \$100. The provisions of this
2 subsection apply to the candidate beginning the year of the general
3 election for that office through the year immediately preceding the
4 next general election for that office.

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

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

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

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

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

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

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

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

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

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



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

3 (b) Thirty days after the special election, for the remaining
4 period through the special election,

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

11 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 the form designed and provided by the Secretary
15 of State pursuant to NRS 294A.373 and signed by the candidate
16 under penalty of perjury, 30 days after:

17 (a) The special election, for the period from the filing of the
18 notice of intent to circulate the petition for recall through the special
19 election; or

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

24 6. Reports of campaign contributions must be filed with the
25 officer with whom the candidate filed the declaration of candidacy
26 or acceptance of candidacy. A candidate may mail or transmit the
27 report to that officer by regular mail, certified mail, facsimile
28 machine or electronic means. A report shall be deemed to be filed
29 with the officer:

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

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

35 7. Every county clerk who receives from candidates for
36 legislative or judicial office, ~~except~~ *including, without limitation,*
37 the office of justice of the peace or municipal judge, reports of
38 campaign contributions pursuant to this section shall file a copy of
39 each report with the Secretary of State within 10 working days after
40 he receives the report.

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



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

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

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

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

2. The reports required by subsection 1 must be submitted 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. The name and address of the contributor and the date on which the contribution was received must be included on the list for each contribution in excess of \$100 and contributions that a contributor has made cumulatively in excess of that amount.

4. The report must be filed:

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

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

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

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

5. A county clerk who receives from a candidate for legislative or judicial office, ~~except~~ *including, without limitation*, the office of justice of the peace or municipal judge, a report of contributions and expenditures 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.

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

294A.200 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



1 previous year through December 31 of the previous year, report
2 each of the campaign expenses in excess of \$100 that he incurs and
3 each amount in excess of \$100 that he disposes of pursuant to NRS
4 294A.160 during the period on the form designed and provided by
5 the Secretary of State pursuant to NRS 294A.373. The form must be
6 signed by the candidate under penalty of perjury. The provisions of
7 this subsection apply to the candidate:

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

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

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

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

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

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

28 ➡ report each of the campaign expenses in excess of \$100 that he
29 incurs during the period on the form designed and provided by the
30 Secretary of State pursuant NRS 294A.373. Each form must be
31 signed by the candidate under penalty of perjury.

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

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

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

43 ➡ report each of the campaign expenses in excess of \$100 that he
44 incurs during the period on the form designed and provided by the



1 Secretary of State pursuant to NRS 294A.373. The form must be
2 signed by the candidate under penalty of perjury.

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

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

8 (b) Thirty days after the special election, for the remaining
9 period through the special election,

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

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

20 (a) The special election, for the period from the filing of the
21 notice of intent to circulate the petition for recall through the special
22 election; or

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

28 6. Reports of campaign expenses must be filed with the officer
29 with whom the candidate filed the declaration of candidacy or
30 acceptance of candidacy. A candidate may mail or transmit the
31 report to that officer by regular mail, certified mail, facsimile
32 machine or electronic means. A report shall be deemed to be filed
33 with the officer:

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

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

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



1 **Sec. 33.** NRS 294A.350 is hereby amended to read as follows:
2 294A.350 1. Every candidate for state, district, county,
3 municipal or township office shall file the reports of campaign
4 contributions and expenses required by NRS 294A.120, 294A.200
5 and 294A.360, *and section 27 of this act*, even though he:

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

12 2. A candidate who withdraws his candidacy pursuant to NRS
13 293.202 may file simultaneously all the reports of campaign
14 contributions and expenses required by NRS 294A.120, 294A.200
15 and 294A.360, *and section 27 of this act*, so long as each report is
16 filed on or before the last day for filing the respective report
17 pursuant to NRS 294A.120, 294A.200 or 294A.360.

18 **Sec. 34.** NRS 294A.360 is hereby amended to read as follows:
19 294A.360 1. Every candidate for city office at a primary city
20 election or general city election shall file the reports in the manner
21 required by NRS 294A.120 and 294A.200 *and section 27 of this act*
22 for other offices not later than January 15 of each year, for the
23 period from January 1 of the previous year through December 31 of
24 the previous year. The provisions of this subsection apply to the
25 candidate:

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

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

32 2. Every candidate for city office at a primary city election or
33 general city election, if the general city election for the office for
34 which he is a candidate is held on or after January 1 and before the
35 July 1 immediately following that January 1, shall file the reports in
36 the manner required by NRS 294A.120 and 294A.200 *and section*
37 *27 of this act* for other offices not later than:

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

42 (b) Seven days before the general city election for that office,
43 for the period from 11 days before the primary city election through
44 12 days before the general city election; and



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

4 3. Every candidate for city office at a primary city election or
5 general city election, if the general city election for the office for
6 which he is a candidate is held on or after July 1 and before the
7 January 1 immediately following that July 1, shall file the reports in
8 the manner required by NRS 294A.120 and 294A.200 *and section*
9 *27 of this act* for other offices not later than:

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

14 (b) Seven days before the general city election for that office,
15 for the period from 11 days before the primary city election through
16 12 days before the general city election.

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

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

22 (b) Thirty days after the special election, for the remaining
23 period through the special election.

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

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

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

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

36 294A.362 1. In addition to reporting information pursuant to
37 NRS 294A.120, 294A.125, 294A.200 and 294A.360, *and section 27*
38 *of this act*, each candidate who is required to file a report of
39 campaign contributions and expenses pursuant to NRS 294A.120,
40 294A.125, 294A.200 or 294A.360 *and section 27 of this act* shall
41 report on the form designed and provided by the Secretary of State
42 pursuant to NRS 294A.373 goods and services provided in kind for
43 which money would otherwise have been paid. The candidate shall
44 list on the form each such campaign contribution in excess of \$100
45 that he receives during the reporting period, each such campaign



1 contribution from a contributor received during the reporting period
2 which cumulatively exceeds \$100, and each such expense in excess
3 of \$100 he incurs during the reporting period.

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

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

9 294A.373 1. The Secretary of State shall design a single form
10 to be used for all reports of campaign contributions and expenses or
11 expenditures that are required to be filed pursuant to NRS
12 294A.120, 294A.125, 294A.140, 294A.150, 294A.200, 294A.210,
13 294A.220, 294A.270, 294A.280, 294A.360 and 294A.362 **and**
14 **section 27 of this act.**

15 2. The form designed by the Secretary of State pursuant to this
16 section must only request information specifically required by
17 statute.

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

22 **4. The Secretary of State must obtain the advice and consent**
23 **of the Legislative Commission before providing a copy of a form**
24 **designed or revised by the Secretary of State pursuant to this**
25 **section to a person, committee, political party or group that is**
26 **required to use the form.**

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

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

30 1. A declaration of candidacy;

31 2. An acceptance of candidacy;

32 3. The registration of a committee for political action pursuant
33 to NRS 294A.230 or a committee for the recall of a public officer
34 pursuant to NRS 294A.250; or

35 4. The reporting of campaign contributions, expenses or
36 expenditures pursuant to NRS 294A.120, 294A.140, 294A.150,
37 294A.200, 294A.210, 294A.220, 294A.270, 294A.280 or 294A.360
38 **or section 27 of this act,**

39 **shall** furnish the candidate with the necessary forms for reporting
40 and copies of the regulations adopted by the Secretary of State
41 pursuant to this chapter. An explanation of the applicable provisions
42 of NRS 294A.100, 294A.120, 294A.140, 294A.150, 294A.200,
43 294A.210, 294A.220, 294A.270, 294A.280 or 294A.360 **or section**
44 **27 of this act** relating to the making, accepting or reporting of
45 campaign contributions, expenses or expenditures and the penalties



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

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

6 294A.400 The Secretary of State shall, within 30 days after
7 receipt of the reports required by NRS 294A.120, *294A.125,*
8 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270
9 and 294A.280, *and section 27 of this act,* prepare and make
10 available for public inspection a compilation of:

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

15 2. *The total amount of loans to a candidate guaranteed by a*
16 *third party, the total amount of loans made to a candidate that*
17 *have been forgiven and the total amount of written commitments*
18 *for contributions received by a candidate.*

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

21 ~~[3-]~~ 4. The expenditures exceeding \$100 made by a:

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

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

25 (c) Group of persons advocating the election or defeat of a
26 candidate.

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

28 ~~[4-]~~ 5. The contributions in excess of \$100 made to:

29 (a) A person who is not under the direction or control of a
30 candidate or group of candidates or of any person involved in the
31 campaign of the candidate or group who makes an expenditure on
32 behalf of the candidate or group which is not solicited or approved
33 by the candidate or group.

34 (b) A person or group of persons organized formally or
35 informally who advocates the passage or defeat of a question or
36 group of questions on the ballot.

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

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

41 294A.420 1. If the Secretary of State receives information
42 that a person or entity that is subject to the provisions of NRS
43 294A.120, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220,
44 294A.230, 294A.270, 294A.280 or 294A.360 *or section 27 of this*
45 *act* has not filed a report or form for registration pursuant to the



1 applicable provisions of those sections, the Secretary of State may,
2 after giving notice to that person or entity, cause the appropriate
3 proceedings to be instituted in the First Judicial District Court.

4 2. Except as otherwise provided in this section, a person or
5 entity that violates an applicable provision of NRS 294A.112,
6 294A.120, 294A.130, 294A.140, 294A.150, 294A.160, 294A.200,
7 294A.210, 294A.220, 294A.230, 294A.270, 294A.280, 294A.300,
8 294A.310, 294A.320 or 294A.360 *or section 27 of this act* is
9 subject to a civil penalty of not more than \$5,000 for each violation
10 and payment of court costs and attorney's fees. The civil penalty
11 must be recovered in a civil action brought in the name of the State
12 of Nevada by the Secretary of State in the First Judicial District
13 Court and deposited by the Secretary of State for credit to the State
14 General Fund in the bank designated by the State Treasurer.

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

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

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

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

25 ➤ A civil penalty imposed pursuant to this subsection against a
26 public officer who by law is not entitled to receive compensation for
27 his office or a candidate for such an office must not exceed a total of
28 \$100 if the public officer or candidate received no contributions and
29 made no expenditures during the relevant reporting periods.

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

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

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

39 **Sec. 40.** (Deleted by amendment.)

40 **Sec. 40.5.** NRS 281.4365 is hereby amended to read as
41 follows:

42 281.4365 1. "Public officer" means a person elected or
43 appointed to a position which is established by the Constitution of
44 the State of Nevada, a statute of this State or an ordinance of any
45 of its counties or incorporated cities and which involves the exercise



1 of a public power, trust or duty. As used in this section, “the
2 exercise of a public power, trust or duty” means:

3 (a) Actions taken in an official capacity which involve a
4 substantial and material exercise of administrative discretion in the
5 formulation of public policy;

6 (b) The expenditure of public money; and

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

9 2. “Public officer” does not include:

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

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

13 (c) Any member of a board of trustees for a general
14 improvement district or special district whose official duties do not
15 include the formulation of a budget for the district or the
16 authorization of the expenditure of the district’s money; or

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

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

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

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

22 (c) Any member of a board of trustees for a general
23 improvement district or special district whose official duties do not
24 include the formulation of a budget for the district or the
25 authorization of the expenditure of the district’s money; or

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

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

28 **Sec. 52.** Section 5.070 of the Charter of the City of Caliente,
29 being Chapter 31, Statutes of Nevada 1971, as amended by Chapter
30 581, Statutes of Nevada 2001, at page 2970, is hereby amended to
31 read as follows:

32 Sec. 5.070 Availability of lists of registered voters. If,
33 for any purpose relating to a municipal election or to
34 candidates or issues involved in such an election, any
35 organization, group or person requests a list of registered
36 voters of the City, the department, office or agency which has
37 custody of the official register of voters shall, except as
38 otherwise provided in NRS 293.558 ~~H~~ *and 293.5002*, either
39 permit the organization, group or person to copy the voters’
40 names and addresses from the official register of voters or
41 furnish such a list.



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

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

15 **Sec. 54.** Section 5.070 of the Charter of Carson City, being
16 Chapter 213, Statutes of Nevada 1969, as last amended by Chapter
17 581, Statutes of Nevada 2001, at page 2971, is hereby amended to
18 read as follows:

19 Sec. 5.070 Availability of list of registered voters. If,
20 for any purpose relating to a municipal election or to the
21 candidates or issues involved in that election, any
22 organization, group or person requests a list of the registered
23 voters of Carson City, the department, office or agency which
24 has custody of the official register of voters shall, except as
25 otherwise provided in NRS 293.558 ~~§~~ and 293.5002:

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

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

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

35 Sec. 5.060 Availability of lists of registered voters. If,
36 for any purpose relating to a municipal election or to
37 candidates or issues involved in such an election, any
38 organization, group or person requests a list of registered
39 voters of the City, the department, office or agency which has
40 custody of the official register of voters shall, except as
41 otherwise provided in NRS 293.558 ~~§~~ and 293.5002, either
42 permit the organization, group or person to copy the voters'
43 names and addresses from the official register of voters or
44 furnish such a list.



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

5 Sec. 5.070 Availability of lists of registered voters. If,
6 for any purpose which relates to a municipal election or to the
7 candidates or issues which are involved in that election, any
8 organization, group or person requests a list of the registered
9 voters of the City, the department, office or agency which has
10 custody of the official register of voters shall, except as
11 otherwise provided in NRS 293.558 ~~§~~ and 293.5002, either
12 permit that organization, group or person to copy the voters'
13 names and addresses from the official register of voters or
14 furnish the list upon payment of the fee which is prescribed in
15 chapter 293 of NRS.

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

20 Sec. 5.070 Availability of lists of registered voters. If,
21 for any purpose relating to an election or to candidates or
22 issues involved in that election, any organization, group or
23 person requests a list of registered voters of the City, the
24 department, office or agency which has custody of the official
25 register of voters shall, except as otherwise provided in NRS
26 293.558 ~~§~~ and 293.5002, permit the organization, group or
27 person to copy the voters' names and addresses from the
28 official register of voters or furnish such a list upon payment
29 of the cost established by state election law.

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

34 Sec. 5.070 Availability of lists of registered voters. If,
35 for any purpose relating to an election or to candidates or
36 issues involved in an election, any organization, group or
37 person requests a list of registered voters of the City,
38 the department, office or agency which has custody of the
39 official register of voters shall, except as otherwise provided
40 in NRS 293.558 ~~§~~ and 293.5002:

41 1. Permit the organization, group or person to copy the
42 names and addresses of voters from the official register of
43 voters; or

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



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

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

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

19 Sec. 5.060 Availability of lists of registered voters. If,
20 for any purpose relating to a municipal election or to
21 candidates or issues involved in such an election, any
22 organization, group or person requests a list of registered
23 voters of the City, the department, office or agency which has
24 custody of the official register of voters shall, except as
25 otherwise provided in NRS 293.558 ~~§~~ and 293.5002, furnish
26 such a list at a fee to be established by the City Council.

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

34 2. The Secretary of State may, with the approval of the Interim
35 Finance Committee, pay for the cost of establishing and maintaining
36 the website required pursuant to section 4 of this act from the
37 Account for Special Services of the Secretary of State in the State
38 General Fund created pursuant to NRS 225.140.

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

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

42 2. Sections 1, 2, 3, 6 to 19, inclusive, 21 to 60, inclusive, and
43 62 of this act become effective on October 1, 2005.



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

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