

Amendment No. 1128

Assembly Amendment to Assembly Bill No. 500 Third Reprint (BDR 24-127)

Proposed by: Assemblywoman Giunchigliani**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: No

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by adding a new section designated sec. 40.5, following sec. 40, to read as follows:

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

281.4365 1. “Public officer” means a person elected or appointed to a position which is established by the Constitution of the State of Nevada, a statute of this State or an ordinance of any of its counties or incorporated cities and which involves the exercise of a public power, trust or duty.

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

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

(b) The expenditure of public money; and

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

JCB/KMG

Date: 5/31/2005

A.B. No. 500—Makes various changes relating to public officers.

2. “Public officer” does not include:

- (a) Any justice, judge or other officer of the court system;
- (b) Any member of a board, commission or other body whose function is advisory;
- (c) Any member of a board of trustees for a general improvement district or special district whose official duties do not include the formulation of a budget for the district or the authorization of the expenditure of the district’s money; or
- (d) A county health officer appointed pursuant to NRS 439.290.

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

- (a) Any justice, judge or other officer of the court system;
- (b) Any member of a board, commission or other body whose function is advisory;
- (c) Any member of a board of trustees for a general improvement district or special district whose official duties do not include the formulation of a budget for the district or the authorization of the expenditure of the district’s money; or
- (d) A county health officer appointed pursuant to NRS 439.290.”.

Amend the bill as a whole by deleting sections 41 through 51 and adding:

“**Secs. 41-51.** (Deleted by amendment.)”.

Amend the title of the bill by deleting the fourteenth through eighteenth lines and inserting:

“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”.