

SENATE BILL NO. 224—SENATOR TOWNSEND

MARCH 21, 2005

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to elections.
(BDR 24-698)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to elections; requiring nonprofit corporations and committees for political action to submit the names, telephone numbers and addresses of their officers to the Secretary of State under certain circumstances; requiring the Secretary of State to post such information on his Internet website; requiring certain persons or groups of persons that advocate the passage or defeat of a statewide initiative or referendum to submit their names, telephone numbers and addresses to the Secretary of State under certain circumstances; requiring the Secretary of State to post such information on his Internet website; requiring a petition for initiative or referendum to embrace a single subject; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law regulates campaign practices, including campaign financing. (Chapter 294A of NRS) Existing law requires a nonprofit corporation doing business in the State to file a list of its officers with the Secretary of State. (NRS 78.150-78.185, 82.193)

This bill requires a nonprofit corporation and a committee for political action to submit the names, addresses and telephone numbers of their officers to the Secretary of State before soliciting, receiving or making contributions designed to affect the outcome of any primary, general or special election or question on the ballot. The bill also requires a person who advocates, or a group of persons organized formally or informally to advocate, the passage or defeat of a statewide initiative or referendum measure to submit their names, addresses and telephone numbers to the Secretary of State before circulating a petition for initiative or



referendum for signatures, soliciting or receiving contributions for the purpose of advocating the passage or defeat of an initiative or referendum, or making an expenditure designed to advocate the passage or defeat of an initiative or referendum. The Secretary of State must include such information on his Internet website.

Existing law requires legislative acts to include only one subject, and matters properly related to the subject, which must be clearly expressed in the title of the act. (Nev. Const., Art. 4, § 17) Existing law provides for the proposal, amendment or repeal of law by initiative or referendum petition. (Chapter 295 of NRS)

This bill requires an initiative or referendum petition to include only one subject, and matters properly related to the subject, which must be clearly expressed in the title of the petition. Petitions violating these requirements are declared void.

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

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

1. A nonprofit corporation shall, before it engages in any of the following activities in this State, submit the names, addresses and telephone numbers of its officers to the Secretary of State:

(a) Soliciting or receiving contributions from any other person, group or entity;

(b) Making contributions to candidates or other persons; or

(c) Making expenditures,

↪ designed to affect the outcome of any primary, general or special election or question on the ballot.

2. The Secretary of State shall include on his Internet website the information submitted pursuant to subsection 1.

Sec. 2. NRS 294A.230 is hereby amended to read as follows:

294A.230 1. Each committee for political action shall, before it engages in any activity in this State, register with the Secretary of State on forms supplied by him.

2. The form must require:

(a) The name of the committee;

(b) The purpose for which it was organized;

(c) The names , ~~and~~ addresses *and telephone numbers* of its officers;

(d) If the committee for political action is affiliated with any other organizations, the name , ~~and~~ address *and telephone number* of each organization;

(e) The name , ~~and~~ address *and telephone number* of its resident agent; and



(f) Any other information deemed necessary by the Secretary of State.

3. A committee for political action shall file with the Secretary of State an amended form for registration within 30 days after any change in the information contained in the form for registration.

4. *The Secretary of State shall include on his Internet website the information required pursuant to subsection 2.*

Sec. 3. Chapter 295 of NRS is hereby amended by adding thereto the provisions set forth as sections 4 and 5 of this act.

Sec. 4. 1. *Every person who advocates, or group of persons organized formally or informally to advocate, the passage or defeat of an initiative or referendum shall, before engaging in any of the following activities in this State, submit their names, addresses and telephone numbers to the Secretary of State:*

(a) *Circulating a petition for initiative or referendum to obtain signatures;*

(b) *Soliciting or receiving contributions from any other person, group or entity for the purpose of advocating the passage or defeat of an initiative or referendum; or*

(c) *Making an expenditure designed to advocate the passage or defeat of an initiative or referendum.*

2. *The Secretary of State shall include on his Internet website the information submitted pursuant to subsection 1.*

Sec. 5. 1. *Each petition for initiative must embrace but one subject and matters necessarily connected therewith and pertaining thereto. The subject must be clearly indicated in the title. In all cases where the subject of the act or resolution is not so expressed in the title, the act or resolution is void as to the matter not expressed in the title.*

2. *Each petition for referendum must embrace but one subject and matters necessarily connected therewith and pertaining thereto. The subject must be clearly indicated in the title. In all cases where the subject of the statute or resolution is not so expressed in the title, the statute or resolution is void as to the matter not expressed in the title.*

Sec. 6. NRS 295.061 is hereby amended to read as follows:

295.061 The legal sufficiency of a petition filed pursuant to NRS 295.015 to 295.061, inclusive, ***and sections 4 and 5 of this act*** may be challenged by filing a complaint in district court not later than 5 days, Saturdays, Sundays and holidays excluded, after the petition is filed with the Secretary of State. All affidavits and documents in support of the challenge must be filed with the complaint. The court shall set the matter for hearing not later than 30 days after the complaint is filed and shall give priority to such a



- 1 complaint over all other matters pending with the court, except for
- 2 criminal proceedings.

