

ASSEMBLY BILL NO. 335—ASSEMBLYMEN CONKLIN, OCEGUERA,
KOIVISTO, BUCKLEY, SMITH, ANDERSON, DENIS, GANSERT,
GERHARDT, GOICOECHEA, GRADY, KIRKPATRICK,
MANENDO, PARKS, PARNELL, PIERCE AND SEGERBLOM

MARCH 15, 2007

JOINT SPONSORS: SENATORS TITUS, CARLTON AND HORSFORD

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

SUMMARY—Makes various changes related to elective offices.
(BDR 24-1195)

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

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

AN ACT relating to elections; prescribing the period during which
elected public officers may solicit and accept campaign
contributions; requiring the Secretary of State to design a
single form to be used for all statements of financial
disclosure and reports of campaign contributions and
expenditures; amending the definition of “gift”; requiring
governing bodies of local governments to regulate the
activities of lobbyists in their jurisdictions; requiring that
statements of financial disclosure be submitted to filing
officers and made available to the public; providing a
civil penalty; and providing other matters properly
relating thereto.

Legislative Counsel’s Digest:

Section 1 of this bill prohibits an elected public officer, or a public officer
appointed to fill the unexpired term of an elected public officer, from soliciting or
accepting a campaign contribution except during the period beginning 12 months
before the date of the general election and ending 3 months after the date of the
general election.

Existing law requires the Commission on Ethics to design the form used for
statements of financial disclosure that are required to be submitted by public



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officers pursuant to NRS 281.559 and 281.561. (NRS 281.471) Existing law also requires public officers to submit statements of financial disclosure to the Commission on Ethics. (NRS 281.559, 281.561) **Section 2** of this bill requires the Secretary of State to design a single form to be used for all statements of financial disclosure and all campaign expenditure and contribution reports. **Sections 19 and 20** of this bill require certain public officers and candidates for public office to submit statements of financial disclosure to filing officers. **Section 11** of this bill defines "filing officer" as the Secretary of State, county or city clerk or any other officer authorized by law to receive designations and declarations of candidacy, certificates and acceptances of nominations or any other nomination papers.

Sections 4 and 12 of this bill provide that the cost of attending an event hosted or conducted by a charitable organization is not a "gift" for purposes of lobbying and the code of ethical standards for public officers and employees.

Sections 5 and 7 of this bill require the governing bodies of local governments to regulate the activities of lobbyists who lobby elected officers of those local governments.

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. It is unlawful for an elected public officer or a public officer appointed to fill the unexpired term of an elected public officer to solicit or accept any contribution, or solicit or accept a commitment to make such a contribution, except during the period:

(a) Beginning 12 months before the date of the general election; and

(b) Except as otherwise provided in subsection 2, ending 3 months after the date of the general election.

2. Notwithstanding the provisions of subsection 1, a member of the Legislature, the Lieutenant Governor, the Lieutenant Governor-Elect, the Governor and the Governor-Elect may not solicit or accept any monetary contribution, or solicit or accept a commitment to make such a contribution for any political purpose during the periods set forth in NRS 294A.300.

3. As used in this section:

(a) "General election" means:

(1) If the elected public officer or public officer appointed to fill the unexpired term of an elected public officer is a city official, the general city election held pursuant to NRS 293C.140.

(2) If the elected public officer or public officer appointed to fill the unexpired term of an elected public officer is not a city official, the general election held pursuant to NRS 293.12755.

(b) "Public officer" means a person elected or appointed to a position which:



1 (1) *Is established by the Constitution or a statute of this*
2 *State, or by a charter or ordinance of a political subdivision of this*
3 *State; and*

4 (2) *Involves the continuous exercise, as part of the regular*
5 *and permanent administration of the government, of a public*
6 *power, trust or duty.*

7 **Sec. 2.** NRS 294A.373 is hereby amended to read as follows:

8 294A.373 1. The Secretary of State shall design a single form
9 to be used for all ~~reports~~ :

10 (a) *Reports* of campaign contributions and expenses or
11 expenditures that are required to be filed pursuant to NRS
12 294A.120, 294A.125, 294A.128, 294A.140, 294A.150, 294A.200,
13 294A.210, 294A.220, 294A.270, 294A.280, 294A.360 and
14 294A.362 ~~;~~; and

15 (b) *Financial disclosure statements that are required to be*
16 *filed pursuant to NRS 281.559 and 281.561.*

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

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

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

29 **Sec. 3.** NRS 294A.420 is hereby amended to read as follows:

30 294A.420 1. If the Secretary of State receives information
31 that a person or entity that is subject to the provisions of NRS
32 294A.120, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210,
33 294A.220, 294A.230, 294A.270, 294A.280 or 294A.360 has not
34 filed a report or form for registration pursuant to the applicable
35 provisions of those sections, the Secretary of State may, after giving
36 notice to that person or entity, cause the appropriate proceedings to
37 be instituted in the First Judicial District Court.

38 2. Except as otherwise provided in this section, a person or
39 entity that violates an applicable provision of NRS 294A.112,
40 294A.120, 294A.128, 294A.130, 294A.140, 294A.150, 294A.160,
41 294A.200, 294A.210, 294A.220, 294A.230, 294A.270, 294A.280,
42 294A.300, 294A.310, 294A.320 or 294A.360 *or section 1 of this*
43 *act* is subject to a civil penalty of not more than \$5,000 for each
44 violation and payment of court costs and attorney's fees. The civil
45 penalty must be recovered in a civil action brought in the name of



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1 the State of Nevada by the Secretary of State in the First Judicial
2 District Court and deposited by the Secretary of State for credit to
3 the State General Fund in the bank designated by the State
4 Treasurer.

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

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

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

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

15 ➔ A civil penalty imposed pursuant to this subsection against a
16 public officer who by law is not entitled to receive compensation for
17 his office or a candidate for such an office must not exceed a total of
18 \$100 if the public officer or candidate received no contributions and
19 made no expenditures during the relevant reporting periods.

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

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

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

29 **Sec. 4.** NRS 218.908 is hereby amended to read as follows:

30 218.908 1. "Gift" means a payment, subscription, advance,
31 forbearance, rendering or deposit of money, services or anything of
32 value unless consideration of equal or greater value is received.

33 2. "Gift" does not include a political contribution of money or
34 services related to a political campaign, a commercially reasonable
35 loan made in the ordinary course of business, ~~cost of entertainment,~~
36 ~~including~~ *the cost of attendance at an event hosted or conducted*
37 *by a charitable organization*, the cost of food or beverages, or
38 anything of value received from a member of the recipient's
39 immediate family or from a relative of the recipient or his spouse
40 within the third degree of consanguinity or from the spouse of any
41 such relative. *As used in this subsection, "charitable organization"*
42 *means an organization which the Secretary of the Treasury has*
43 *determined is an exempt organization pursuant to the provisions*
44 *of section 501(c) of the Internal Revenue Code, 26 U.S.C. §*
45 *501(c).*



1 **Sec. 5.** Chapter 244 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *Each board of county commissioners shall enact ordinances*
4 *that regulate the activities of lobbyists who lobby elected officers of*
5 *the county. Such ordinances must set forth registration and*
6 *reporting requirements for such lobbyists and provide that reports*
7 *submitted by lobbyists are open to public inspection.*

8 **Sec. 6.** NRS 245.110 is hereby amended to read as follows:

9 245.110 The provisions of the Nevada Ethics in Government
10 Law , ~~§~~ NRS 281.411 to 281.581, inclusive ~~§~~ , *and sections 11*
11 *and 12 of this act* do not prohibit any county officer from
12 purchasing the warrants of the State or of any other county, or to
13 prevent any county officer from selling or transferring such warrants
14 or scrip as he may receive for his services, but none other.

15 **Sec. 7.** Chapter 268 of NRS is hereby amended by adding
16 thereto a new section to read as follows:

17 *Each city council shall adopt ordinances that regulate the*
18 *activities of lobbyists who lobby elected officers of the city. Such*
19 *ordinances must set forth registration and reporting requirements*
20 *for such lobbyists and provide that reports submitted by lobbyists*
21 *are open to public inspection.*

22 **Sec. 8.** NRS 268.380 is hereby amended to read as follows:

23 268.380 The provisions of the Nevada Ethics in Government
24 Law , ~~§~~ NRS 281.411 to 281.581, inclusive ~~§~~ , *and sections 11*
25 *and 12 of this act* do not prohibit any city officer from purchasing
26 the warrants of the State or of any other city or county, or prevent
27 any city officer from selling or transferring such warrants or scrip as
28 he may receive for his services, but none other.

29 **Sec. 9.** NRS 269.070 is hereby amended to read as follows:

30 269.070 The provisions of the Nevada Ethics in Government
31 Law , ~~§~~ NRS 281.411 to 281.581, inclusive ~~§~~ , *and sections 11*
32 *and 12 of this act* do not prohibit any town officer from purchasing
33 the warrants of the State or of any other city, town or county, or
34 prevent any town officer from selling or transferring such warrants
35 or scrip as he may receive for his services, but none other.

36 **Sec. 10.** Chapter 281 of NRS is hereby amended by adding
37 thereto the provisions set forth as sections 11 and 12 of this act.

38 **Sec. 11.** *“Filing officer” means the Secretary of State,*
39 *county or city clerk or any other officer authorized by law to*
40 *receive designations and declarations of candidacy, certificates*
41 *and acceptances of nomination or any other nomination papers.*

42 **Sec. 12.** 1. *“Gift” means a payment, subscription, advance,*
43 *forbearance, rendering or deposit of money, services or anything*
44 *of value unless consideration of equal or greater value is received.*



2. “Gift” does not include a political contribution of money or services related to a political campaign, a commercially reasonable loan made in the ordinary course of business, the cost of attendance at an event hosted or conducted by a charitable organization, the cost of food or beverages, or anything of value received from a member of the recipient’s immediate family or from a relative of the recipient or his spouse within the third degree of consanguinity or from the spouse of any such relative. As used in this subsection, “charitable organization” means an organization which the Secretary of the Treasury has determined is an exempt organization pursuant to the provisions of section 501(c) of the Internal Revenue Code, 26 U.S.C. § 501(c).

Sec. 13. NRS 281.005 is hereby amended to read as follows:

281.005 As used in this chapter:

1. Except as limited for the purposes of NRS 281.411 to 281.581, inclusive, *and sections 11 and 12 of this act*, “public officer” means a person elected or appointed to a position which:

(a) Is established by the Constitution or a statute of this State, or by a charter or ordinance of a political subdivision of this State; and

(b) Involves the continuous exercise, as part of the regular and permanent administration of the government, of a public power, trust or duty.

2. “Special use vehicle” means any vehicle designed or used for the transportation of persons or property off paved highways.

Sec. 14. NRS 281.411 is hereby amended to read as follows:

281.411 NRS 281.411 to 281.581, inclusive, *and sections 11 and 12 of this act* may be cited as the Nevada Ethics in Government Law.

Sec. 15. NRS 281.431 is hereby amended to read as follows:

281.431 As used in NRS 281.411 to 281.581, inclusive, *and sections 11 and 12 of this act*, unless the context otherwise requires, the words and terms defined in NRS 281.432 to 281.4375, inclusive, *and sections 11 and 12 of this act* have the meanings ascribed to them in those sections.

Sec. 16. NRS 281.4647 is hereby amended to read as follows:

281.4647 1. Each county whose population is more than 10,000 and each city whose population is more than 10,000 and that is located within such a county shall pay an assessment for the costs incurred by the Commission each biennium in carrying out its functions pursuant to NRS 281.411 to 281.581, inclusive ~~§~~, *and sections 11 and 12 of this act*. The total amount of money to be derived from assessments paid pursuant to this subsection for a biennium must be determined by the Legislature in the legislatively approved budget of the Commission for that biennium. The assessments must be apportioned among each such city and county



1 based on the proportion that the total population of the city or the
2 total population of the unincorporated area of the county bears to the
3 total population of all such cities and the unincorporated areas of all
4 such counties in this State.

5 2. On or before July 1 of each odd-numbered year, the
6 Executive Director shall, in consultation with the Budget Division
7 of the Department of Administration and the Fiscal Analysis
8 Division of the Legislative Counsel Bureau, determine for the next
9 ensuing biennium the amount of the assessments due for each city
10 and county that is required to pay an assessment pursuant to
11 subsection 1. The assessments must be paid to the Commission in
12 semiannual installments that are due on or before August 1 and
13 February 1 of each year of the biennium. The Executive Director
14 shall send out a billing statement to each such city or county which
15 states the amount of the semiannual installment payment due from
16 the city or county.

17 3. Any money that the Commission receives pursuant to
18 subsection 2:

19 (a) Must be deposited in the State Treasury, accounted for
20 separately in the State General Fund and credited to the budget
21 account for the Commission;

22 (b) May only be used to carry out NRS 281.411 to 281.581,
23 inclusive, *and sections 11 and 12 of this act* and only to the extent
24 authorized for expenditure by the Legislature; and

25 (c) Does not revert to the State General Fund at the end of any
26 fiscal year.

27 4. If any installment payment is not paid on or before the date
28 on which it is due, the Executive Director shall make reasonable
29 efforts to collect the delinquent payment. If the Executive Director
30 is not able to collect the arrearage, he shall submit a claim for the
31 amount of the unpaid installment payment to the Department of
32 Taxation. If the Department of Taxation receives such a claim, the
33 Department shall deduct the amount of the claim from money that
34 would otherwise be allocated from the Local Government Tax
35 Distribution Account to the city or county that owes the installment
36 payment and shall transfer that amount to the Commission.

37 5. As used in this section, "population" means the current
38 population estimate for that city or county as determined and
39 published by the Department of Taxation and the demographer
40 employed pursuant to NRS 360.283.

41 **Sec. 17.** NRS 281.541 is hereby amended to read as follows:

42 281.541 1. Any department, board, commission or other
43 agency of the State or the governing body of a county or an
44 incorporated city may establish a specialized or local ethics



1 committee to complement the functions of the Commission. A
2 specialized or local ethics committee may:

3 (a) Establish a code of ethical standards suitable for the
4 particular ethical problems encountered in its sphere of activity. The
5 standards may not be less restrictive than the statutory ethical
6 standards.

7 (b) Render an opinion upon the request of any public officer or
8 employee of its own organization or level seeking an interpretation
9 of its ethical standards on questions directly related to the propriety
10 of his own future official conduct or refer the request to the
11 Commission. Any public officer or employee subject to the
12 jurisdiction of the committee shall direct his inquiry to that
13 committee instead of the Commission.

14 ~~[(c) Require the filing of statements of financial disclosure by~~
15 ~~public officers on forms prescribed by the committee or the city~~
16 ~~clerk if the form has been:~~

17 ~~— (1) Submitted, at least 60 days before its anticipated~~
18 ~~distribution, to the Commission for review; and~~

19 ~~— (2) Upon review, approved by the Commission.]~~

20 2. A specialized or local ethics committee shall not attempt to
21 interpret or render an opinion regarding the statutory ethical
22 standards.

23 3. Each request for an opinion submitted to a specialized or
24 local ethics committee, each hearing held to obtain information on
25 which to base an opinion, all deliberations relating to an opinion,
26 each opinion rendered by a committee and any motion relating to
27 the opinion are confidential unless:

28 (a) The public officer or employee acts in contravention of the
29 opinion; or

30 (b) The requester discloses the content of the opinion.

31 **Sec. 18.** NRS 281.552 is hereby amended to read as follows:

32 281.552 1. Every public officer shall acknowledge that he
33 has received, read and understands the statutory ethical standards.
34 The acknowledgment must be on a form prescribed by the
35 Commission and must accompany the first statement of financial
36 disclosure that the public officer is required to file with the
37 ~~[Commission]~~ **filing officer** pursuant to NRS 281.559 or ~~[the~~
38 ~~Secretary of State pursuant to NRS]~~ 281.561.

39 2. The ~~[Commission and the Secretary of State]~~ **filing officer**
40 shall retain an acknowledgment filed pursuant to this section for 6
41 years after the date on which the acknowledgment was filed.

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



Sec. 19. NRS 281.559 is hereby amended to read as follows:

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

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

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

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

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

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

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

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

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

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



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

6. A statement of financial disclosure shall be deemed to be filed with the ~~[Commission]~~ *filing officer*:

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

(b) On the date that it was received by the ~~[Commission]~~ *filing officer* if the statement was sent by regular mail, transmitted by facsimile machine or electronic means, or delivered personally.

7. The filing officer shall maintain files of statements of financial disclosure filed pursuant to this section and make the statements available for public inspection.

8. The Secretary of State shall prescribe, by regulation, procedures for the submission of statements of financial disclosure filed pursuant to this section.

Sec. 20. NRS 281.561 is hereby amended to read as follows:

281.561 1. Each candidate for public office who will be entitled to receive annual compensation of \$6,000 or more for serving in the office that he is seeking and, except as otherwise provided in subsection 2, each public officer who was elected to the office for which he is serving shall file with the ~~[Secretary of State]~~ *filing officer* a statement of financial disclosure, as follows:

(a) A candidate for nomination, election or reelection to public office shall file a statement of financial disclosure no later than the 10th day after the last day to qualify as a candidate for the office; and

(b) Each public officer shall file a statement of financial disclosure on or before January 15 of each year of the term, including the year the term expires.

2. A person elected pursuant to NRS 548.285 to the office of supervisor of a conservation district is not required to file a statement of financial disclosure relative to that office pursuant to subsection 1.

3. A candidate for judicial office or a judicial officer shall file a statement of financial disclosure pursuant to the requirements of Canon 4I of the Nevada Code of Judicial Conduct. Such a statement of financial disclosure must include, without limitation, all information required to be included in a statement of financial disclosure pursuant to NRS 281.571.

4. A statement of financial disclosure shall be deemed to be filed with the ~~[Secretary of State]~~ *filing officer*:



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

(b) On the date that it was received by the ~~{Secretary of State}~~
filing officer if the statement was sent by regular mail, transmitted
by facsimile machine or electronic means, or delivered personally.

5. The statement of financial disclosure filed pursuant to this
section must be filed on the form prescribed by the ~~{Commission}~~
Secretary of State pursuant to NRS ~~[281.471.]~~ 294A.373.

6. *The filing officer shall maintain files of statements of
financial disclosure filed pursuant to this section and make the
statements available for public inspection.*

7. The Secretary of State shall prescribe, by regulation,
procedures for the submission of statements of financial disclosure
filed pursuant to this section . ~~[, maintain files of such statements
and make the statements available for public inspection.]~~

Sec. 21. NRS 281.571 is hereby amended to read as follows:

281.571 1. Statements of financial disclosure, ~~[as approved
pursuant to NRS 281.541 or]~~ in such form as the ~~{Commission
otherwise prescribes,}~~ *Secretary of State prescribes pursuant to
NRS 294A.373*, must contain the following information concerning
the candidate for public office or public officer:

(a) His length of residence in the State of Nevada and the district
in which he is registered to vote.

(b) Each source of his income, or that of any member of his
household who is 18 years of age or older. No listing of individual
clients, customers or patients is required, but , if that is the case, a
general source such as "professional services" must be disclosed.

(c) A list of the specific location and particular use of real estate,
other than a personal residence:

(1) In which he or a member of his household has a legal or
beneficial interest;

(2) Whose fair market value is \$2,500 or more; and

(3) That is located in this State or an adjacent state.

(d) The name of each creditor to whom he or a member of his
household owes \$5,000 or more, except for:

(1) A debt secured by a mortgage or deed of trust of real
property which is not required to be listed pursuant to paragraph (c);
and

(2) A debt for which a security interest in a motor vehicle for
personal use was retained by the seller.

(e) If the candidate for public office or public officer has
received gifts in excess of an aggregate value of \$200 from a donor
during the preceding taxable year, a list of all such gifts, including
the identity of the donor and value of each gift, except:



(1) A gift received from a person who is related to the candidate for public office or public officer within the third degree of consanguinity or affinity.

(2) Ceremonial gifts received for a birthday, wedding, anniversary, holiday or other ceremonial occasion if the donor does not have a substantial interest in the legislative, administrative or political action of the candidate for public office or public officer.

(f) A list of each business entity with which he or a member of his household is involved as a trustee, beneficiary of a trust, director, officer, owner in whole or in part, limited or general partner, or holder of a class of stock or security representing 1 percent or more of the total outstanding stock or securities issued by the business entity.

(g) A list of all public offices presently held by him for which this statement of financial disclosure is required.

2. The ~~[Commission]~~ *filing officer* shall distribute or cause to be distributed the forms required for such a statement to each candidate for public office and public officer who is required to file one. The ~~[Commission]~~ *filing officer* is not responsible for the costs of producing or distributing a form for filing statements of financial disclosure which is prescribed *by the Secretary of State* pursuant to ~~subsection 1 of NRS 281.541.~~ *NRS 294A.373.*

3. As used in this section:

(a) "Business entity" means an organization or enterprise operated for economic gain, including a proprietorship, partnership, firm, business, trust, joint venture, syndicate, corporation or association.

(b) "Household" includes:

(1) The spouse of a candidate for public office or public officer;

(2) A person who does not live in the same home or dwelling, but who is dependent on and receiving substantial support from the candidate for public office or public officer; and

(3) A person who lived in the home or dwelling of the candidate for public office or public officer for 6 months or more in the year immediately preceding the year in which the candidate for public office or public officer files the statement of financial disclosure.

Sec. 22. NRS 281.573 is hereby amended to read as follows:

281.573 1. Except as otherwise provided in subsection 2, statements of financial disclosure required by the provisions of NRS 281.559 ~~[,]~~ *and* 281.561 ~~[and 281.571]~~ must be retained by the ~~[Commission or Secretary of State]~~ *filing officer* for 6 years after the date of filing.



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

Sec. 23. NRS 281.574 is hereby amended to read as follows:

281.574 1. A list of each public officer who is required to file a statement of financial disclosure must be submitted electronically to the ~~{Commission and to the Secretary of State,}~~ *filing officer*, in a form prescribed by the ~~{Commission,}~~ *Secretary of State*, on or before December 1 of each year by:

(a) ~~{Each county clerk for all public officers of the county and other local governments within the county other than cities;~~

~~—(b) Each city clerk for all public officers of the city;~~

~~—(c) The Director of the Legislative Counsel Bureau for all public officers of the Legislative Branch; and~~

~~{(d)}~~ (b) The Chief of the Budget Division of the Department of Administration for all public officers of the Executive Branch.

2. ~~{The Secretary of State, each county clerk, or the registrar of voters of the county if one was appointed pursuant to NRS 244.164, and each city clerk shall submit electronically to the Commission, and each county clerk, or the registrar of voters of the county if one was appointed pursuant to NRS 244.164, and each city clerk}~~ *Each filing officer other than the Secretary of State* shall submit electronically to the Secretary of State, in a form prescribed by the ~~{Commission,}~~ *Secretary of State*, a list of each candidate for public office who filed a declaration of candidacy or acceptance of candidacy with that *filing* officer within 10 days after the last day to qualify as a candidate for the applicable office.

Sec. 24. NRS 281.575 is hereby amended to read as follows:

281.575 ~~{The Secretary of State and each county clerk, or the registrar of voters of the county if one was appointed pursuant to NRS 244.164, or city clerk}~~ *Each filing officer* who receives from a candidate for public office a declaration of candidacy, acceptance of candidacy or certificate of candidacy shall give to the candidate the form prescribed by the ~~{Commission,}~~ *Secretary of State pursuant to NRS 294A.373* for the making of a statement of financial disclosure, accompanied by instructions on how to complete the form, where it must be filed and the time by which it must be filed.

