

ASSEMBLY BILL NO. 604—COMMITTEE ON ELECTIONS,  
PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS

MARCH 26, 2007

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

SUMMARY—Revises provisions governing initiatives and  
referenda. (BDR 24-1396)

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.

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AN ACT relating to elections; requiring the governing body of certain political subdivisions that submits a question to the voters to create a description of anticipated financial effect; requiring certain persons or groups of persons advocating the passage or defeat of certain initiatives or referenda to provide various information to the Secretary of State concerning campaign contributions, expenditures and expenses; requiring circulators of certain petitions to attach an affidavit to each document of the petition; authorizing the Legislative Counsel to provide technical suggestions regarding certain initiatives and referenda; requiring the governing body of a local government to prepare a description of anticipated financial effect when a petition for initiative or referendum is filed with the county or city clerk; providing a civil penalty; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

- 1     **Sections 2 and 3** of this bill require the governing body of certain political
- 2     subdivisions that submits a question to the voters that will appear on the ballot at
- 3     certain elections to create a description of the anticipated financial effect that such a
- 4     question could have on the political subdivision if the question were approved by
- 5     the voters. **Sections 4 and 5** of this bill require that such descriptions appear on the
- 6     sample ballots.
- 7     Chapter 294A of NRS governs campaign practices. NRS 294A.150 and
- 8     294A.220 require persons or groups of persons advocating the passage or defeat of



a question on a ballot to submit reports to the Secretary of State on campaign contributions, expenditures and expenses. **Sections 11 and 12** of this bill provide a higher reporting threshold for those persons or groups. **Section 7** of this bill creates a new section for persons and groups of persons advocating the passage or defeat of a constitutional amendment or a statewide measure proposed by an initiative or referendum and that have received or expended at least \$10,000 for that purpose. The provisions of this new section require such persons or groups to submit similar campaign contribution and expense reports to the Secretary of State on a different schedule, with a higher reporting threshold and with certain additional information. **Section 8** of this bill requires such persons and groups to appoint a resident agent who lives in Nevada, regardless of the amount of money they have received or expended. **Section 9** of this bill requires such persons and groups to file an organizational statement with the Secretary of State, regardless of the amount of money they have received or expended. **Section 10** of this bill requires such persons and groups who pay others to circulate petitions to disclose certain financial information to the Secretary of State. **Section 17** of this bill provides that such persons and groups who violate **section 7** are subject to civil penalties.

Chapter 295 of NRS governs petitions for statewide and local initiatives and referenda. **Section 19** of this bill requires the county clerks who receive the petitions for statewide initiatives or referenda for the purpose of signature verification to make copies of the petitions and make them available to the public for not less than 14 days. **Section 20** of this bill requires petition circulators for statewide measures or referenda to attach an affidavit to each document of a petition attesting to certain information about the process of gathering signatures. **Section 21** of this bill prohibits paying people to sign petitions.

Existing law requires the Secretary of State to consult with the Fiscal Analysis Division of the Legislative Counsel Bureau regarding the possible financial effect on the State of any statewide initiative or referendum. (NRS 295.015) **Section 24** of this bill requires the Secretary of State also to consult with the Legislative Counsel regarding each statewide initiative or referendum and authorizes the Legislative Counsel to make technical suggestions regarding the petition. **Sections 25 and 26** of this bill provide that when a petition for county initiative or referendum or municipal initiative or referendum is filed with the county or city clerk, the clerk is required to consult with the appropriate governing body to determine whether the initiative or referendum would have a financial effect on the local government, if approved by the voters. If the appropriate governing body determines that the initiative or referendum would have a financial effect, **sections 25 and 26** require the governing body to create a description of the anticipated financial effect and require the appropriate clerk to post such a description on his Internet website, if he maintains an Internet website.

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

**Section 1.** NRS 293.4687 is hereby amended to read as follows:

293.4687 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:



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

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

5 (c) All reports on campaign contributions and expenditures  
6 submitted to the Secretary of State pursuant to the provisions of  
7 NRS 294A.120, 294A.125, 294A.140, 294A.150, 294A.200,  
8 294A.210, 294A.220, 294A.270, 294A.280, 294A.360 and  
9 294A.362 ~~H~~ *and section 7 of this act.*

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

20 **Sec. 2.** NRS 293.481 is hereby amended to read as follows:

21 293.481 1. Except as otherwise provided in subsection 2, ~~for~~  
22 ~~NRS 295.121 or 295.217,~~ every governing body of a political  
23 subdivision, public or quasi-public corporation, or other local  
24 agency authorized by law to submit questions to the qualified  
25 electors or registered voters of a designated territory, when the  
26 governing body decides to submit a question:

27 (a) At a general election, shall provide to each county clerk  
28 within the designated territory on or before the third Monday in July  
29 preceding the election:

30 (1) A copy of the question, including an explanation of the  
31 question;

32 (2) ~~[Arguments]~~ *Except as otherwise provided in NRS*  
33 *295.121 or 295.217, arguments* for and against the question; and

34 (3) ~~[H]~~ *A description of the anticipated financial effect on*  
35 *the local government which, if* the question is an advisory question  
36 that proposes a bond, tax, fee or expense, ~~[a fiscal note prepared by~~  
37 ~~the governing body]~~ *must be prepared* in accordance with  
38 subsection 4 of NRS 293.482.

39 (b) At a primary election, shall provide to each county clerk  
40 within the designated territory on or before the second Friday after  
41 the first Monday in May preceding the election:

42 (1) A copy of the question, including an explanation of the  
43 question;

44 (2) Arguments for and against the question; and



(3) ~~[[H]]~~ *A description of the anticipated financial effect on the local government which, if* the question is an advisory question that proposes a bond, tax, fee or expense, ~~[a fiscal note prepared by the governing body]~~ *must be prepared* in accordance with subsection 4 of NRS 293.482.

(c) At any election other than a primary or general election at which the county clerk gives notice of the election or otherwise performs duties in connection therewith other than the registration of electors and the making of records of registered voters available for the election, shall provide to each county clerk at least 60 days before the election:

(1) A copy of the question, including an explanation of the question;

(2) Arguments for and against the question; and

(3) ~~[[H]]~~ *A description of the anticipated financial effect on the local government which, if* the question is an advisory question that proposes a bond, tax, fee or expense, ~~[a fiscal note prepared by the governing body]~~ *must be prepared* in accordance with subsection 4 of NRS 293.482.

(d) At any city election at which the city clerk gives notice of the election or otherwise performs duties in connection therewith, shall provide to the city clerk at least 60 days before the election:

(1) A copy of the question, including an explanation of the question;

(2) Arguments for and against the question; and

(3) ~~[[H]]~~ *A description of the anticipated financial effect on the local government which, if* the question is an advisory question that proposes a bond, tax, fee or expense, ~~[a fiscal note prepared by the governing body]~~ *must be prepared* in accordance with subsection 4 of NRS 293.482.

2. A question may be submitted after the dates specified in subsection 1 if the question is expressly privileged or required to be submitted pursuant to the provisions of Article 19 of the Constitution of the State of Nevada, or pursuant to the provisions of chapter 295 of NRS or any other statute except NRS 293.482, 354.59817, 354.5982, 387.3285 or 387.3287 or any statute that authorizes the governing body to issue bonds upon the approval of the voters.

3. A county or city clerk may charge any political subdivision, public or quasi-public corporation, or other local agency which submits a question a reasonable fee sufficient to pay for the increased costs incurred in including the question, explanation, arguments and ~~[fiscal note]~~ *description of the anticipated financial effect* on the ballot.



**Sec. 3.** NRS 293.482 is hereby amended to read as follows:

293.482 1. The governing body of a county or city may, at any general election or general city election, ask the advice of the registered voters within its jurisdiction on any question which it has under consideration. No other political subdivision, public or quasi-public corporation, or other local agency may ask the advice of the registered voters within its jurisdiction on any question which it has under consideration.

2. To place an advisory question on the ballot at a general election or general city election, the governing body of a county or city must:

(a) Adopt a resolution that:

(1) Sets forth:

(I) The question, in language indicating clearly that the question is advisory only;

(II) An explanation of the question;

(III) Except as otherwise provided in NRS 295.121 and 295.217, arguments for and against the question; and

(IV) ~~[[[~~ *A description of the anticipated financial effect on the local government which, if* the question is an advisory question that proposes a bond, tax, fee or expense, ~~[a fiscal note]~~ *must be* prepared by the governing body in accordance with subsection 4; and

(2) States that the result of the voting on the question does not place any legal requirement on the governing body, any member of the governing body or any officer of the political subdivision; and

(b) Comply with the requirements of paragraph (a) or (d) of subsection 1 of NRS 293.481.

3. A governing body may, at any general election, ask the advice of the registered voters of part of its territory if:

(a) The advisory question to be submitted affects only that part of its territory; and

(b) The resolution adopted pursuant to subsection 2 sets forth the boundaries of the area in which the advice of the registered voters will be asked.

4. With respect to a ~~[fiscal note]~~ *description of the anticipated financial effect* that is required in connection with an advisory question:

(a) If, in the advisory question, the governing body seeks advice on whether bonds should be issued, the ~~[fiscal note]~~ *description* must include any information that is required by law to be included on the sample ballot pursuant to the provisions of law that govern the procedure for issuance of the applicable type of bond.

(b) If, in the advisory question, the governing body seeks advice on whether a limitation upon revenue from taxes ad valorem should



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1 be exceeded, the ~~fiscal note~~ *description* must include any  
2 information that is required by law to be included on the sample  
3 ballot pursuant to the provisions of law that govern the procedure  
4 for exceeding that limitation.

5 (c) If, in the advisory question, the governing body seeks advice  
6 on whether a tax other than a property tax described in paragraph (b)  
7 should be levied, the ~~fiscal note~~ *description* must:

8 (1) Identify the average annual cost that is expected to be  
9 incurred by the affected taxpayers if the tax were to be levied;

10 (2) Specify the period over which the tax is proposed to be  
11 levied;

12 (3) Disclose whether, in connection with the levy of the tax,  
13 revenue bonds are to be sold which will be backed by the full faith  
14 and credit of the assessed value of the applicable local government;  
15 and

16 (4) If applicable, specify whether, in connection with or  
17 following the levy of the tax, additional expenses are expected to be  
18 incurred to pay for the operation or maintenance of any program or  
19 service to be provided from the proceeds of the tax or to pay for the  
20 operation or maintenance of any building, equipment, facility,  
21 machinery, property, structure, vehicle or other thing of value to be  
22 purchased, improved or repaired with the proceeds of the tax.

23 (d) If, in the advisory question, the governing body seeks advice  
24 on whether a fee should be imposed, the ~~fiscal note~~ *description*  
25 must:

26 (1) Identify the average annual cost that is expected to be  
27 incurred by the affected users if the fee were to be imposed;

28 (2) Specify the period over which the fee is proposed to be  
29 imposed; and

30 (3) If applicable, specify whether, in connection with or  
31 following the imposition of the fee, additional expenses are  
32 expected to be incurred to pay for the program or service to be  
33 provided from the proceeds of the fee or to pay for the operation or  
34 maintenance of any building, equipment, facility, machinery,  
35 property, structure, vehicle or other thing of value to be purchased,  
36 improved or repaired with the proceeds of the fee.

37 (e) If, in the advisory question, the governing body seeks advice  
38 on whether the applicable local government should incur an  
39 expense, the ~~fiscal note~~ *description* must:

40 (1) Identify the source of revenue that will be used to pay the  
41 expense;

42 (2) Disclose whether it is expected that the incurring of the  
43 expense will require the levy or imposition of a new tax or fee or the  
44 increase of an existing tax or fee; and



(3) If a tax or fee is proposed to be levied or imposed or increased to pay the expense, contain the information required pursuant to paragraph (c) or (d), as applicable.

5. On the sample ballot for the general election or general city election, each advisory question must appear:

(a) With a title in substantially the following form: "Advisory Ballot Question No. ...."; and

(b) With its explanation, arguments and ~~[, if required, fiscal note.]~~ *description of the anticipated financial effect.*

6. The Committee on Local Government Finance shall prepare sample advisory ballot questions to demonstrate, for each situation enumerated in paragraphs (a) to (e), inclusive, of subsection 4, examples of the manner in which ~~[fiscal notes]~~ *descriptions of the anticipated financial effect* should be prepared.

**Sec. 4.** NRS 293.565 is hereby amended to read as follows:

293.565 1. Except as otherwise provided in subsection 2, sample ballots must include:

(a) If applicable, the statement required by NRS 293.267;

(b) The fiscal note ~~[,]~~ *or description of anticipated financial effect*, as provided pursuant to NRS 218.443, 293.250, 293.481 ~~for 293.482,]~~ *, 293.482, 295.015 or 295.095* for each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

(c) An explanation, as provided pursuant to NRS 218.443, 293.250, 293.481, 293.482 or 295.121, of each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

(d) Arguments for and against each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question, and rebuttals to each argument, as provided pursuant to NRS 218.443, 293.250, 293.252, 293.481, 293.482 or 295.121; and

(e) The full text of each proposed constitutional amendment.

2. Sample ballots that are mailed to registered voters may be printed without the full text of each proposed constitutional amendment if:

(a) The cost of printing the sample ballots would be significantly reduced if the full text of each proposed constitutional amendment were not included;

(b) The county clerk ensures that a sample ballot that includes the full text of each proposed constitutional amendment is provided at no charge to each registered voter who requests such a sample ballot; and



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(c) The sample ballots provided to each polling place include the full text of each proposed constitutional amendment.

3. Before the period for early voting, but not later than 10 days before any election, the county clerk shall cause to be mailed to each registered voter in the county a sample ballot for his precinct with a notice informing the voter of the location of his polling place. If the location of the polling place has changed since the last election:

(a) The county clerk shall mail a notice of the change to each registered voter in the county not sooner than 10 days before mailing the sample ballots; or

(b) The sample ballot must also include a notice in bold type immediately above the location which states:

**NOTICE: THE LOCATION OF YOUR POLLING PLACE  
HAS CHANGED SINCE THE LAST ELECTION**

4. Except as otherwise provided in subsection 5, a sample ballot required to be mailed pursuant to this section must:

(a) Be printed in at least 12-point type; and

(b) Include on the front page, in a separate box created by bold lines, a notice printed in at least 20-point bold type that states:

**NOTICE: TO RECEIVE A SAMPLE BALLOT IN  
LARGE TYPE, CALL (Insert appropriate telephone number)**

5. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

6. The sample ballot mailed to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be printed in at least 14-point type, or larger when practicable.

7. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots mailed to that person from the county are in large type.

8. The county clerk shall include in each sample ballot a statement indicating that the county clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his polling place and provide reasonable assistance to the voter in casting his vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the county clerk has provided pursuant to subsection 4 of NRS 293.2955 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly



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1 or disabled, the county clerk shall include in the sample ballot a  
2 statement indicating:

- 3 (a) The addresses of such centralized voting locations;
- 4 (b) The types of specially equipped voting devices available at  
5 such centralized voting locations; and
- 6 (c) That a voter who is elderly or disabled may cast his ballot at  
7 such a centralized voting location rather than at his regularly  
8 designated polling place.

9 9. The cost of mailing sample ballots for any election other  
10 than a primary or general election must be borne by the political  
11 subdivision holding the election.

12 **Sec. 5.** NRS 293C.530 is hereby amended to read as follows:

13 293C.530 1. Before the period for early voting, but not later  
14 than 10 days before an election, the city clerk shall cause to be  
15 mailed to each registered voter in the city a sample ballot for his  
16 precinct with a notice informing the voter of the location of his  
17 polling place. If the location of the polling place has changed since  
18 the last election:

19 (a) The city clerk shall mail a notice of the change to each  
20 registered voter in the city not sooner than 10 days before mailing  
21 the sample ballots; or

22 (b) The sample ballot must also include a notice in bold type  
23 immediately above the location which states:

24  
25 **NOTICE: THE LOCATION OF YOUR POLLING PLACE**  
26 **HAS CHANGED SINCE THE LAST ELECTION**  
27

28 2. Except as otherwise provided in subsection 3, a sample  
29 ballot required to be mailed pursuant to this section must:

- 30 (a) Be printed in at least 12-point type;
- 31 (b) Include the ~~{fiscal note}~~ *description of the anticipated*  
32 *financial effect* and explanation ~~[, as required pursuant to NRS~~  
33 ~~293.481 or 293.482,]~~ of each citywide measure and advisory  
34 question, including arguments for and against ~~{it:}~~ *the measure or*  
35 *question, as required pursuant to NRS 293.481, 293.482, 295.205*  
36 *or 295.217;* and

37 (c) Include on the front page, in a separate box created by bold  
38 lines, a notice printed in at least 20-point bold type that states:

39  
40 **NOTICE: TO RECEIVE A SAMPLE BALLOT IN**  
41 **LARGE TYPE, CALL** (Insert appropriate telephone number)  
42

43 3. A portion of a sample ballot that contains a facsimile of the  
44 display area of a voting device may include material in less than 12-



1 point type to the extent necessary to make the facsimile fit on the  
2 pages of the sample ballot.

3 4. The sample ballot mailed to a person who requests a sample  
4 ballot in large type by exercising the option provided pursuant to  
5 NRS 293.508, or in any other manner, must be printed in at least 14-  
6 point type, or larger when practicable.

7 5. If a person requests a sample ballot in large type, the city  
8 clerk shall ensure that all future sample ballots mailed to that person  
9 from the city are in large type.

10 6. The city clerk shall include in each sample ballot a statement  
11 indicating that the city clerk will, upon request of a voter who is  
12 elderly or disabled, make reasonable accommodations to allow the  
13 voter to vote at his polling place and provide reasonable assistance  
14 to the voter in casting his vote, including, without limitation,  
15 providing appropriate materials to assist the voter. In addition, if the  
16 city clerk has provided pursuant to subsection 4 of NRS 293C.281  
17 for the placement at centralized voting locations of specially  
18 equipped voting devices for use by voters who are elderly or  
19 disabled, the city clerk shall include in the sample ballot a statement  
20 indicating:

21 (a) The addresses of such centralized voting locations;

22 (b) The types of specially equipped voting devices available at  
23 such centralized voting locations; and

24 (c) That a voter who is elderly or disabled may cast his ballot at  
25 such a centralized voting location rather than at his regularly  
26 designated polling place.

27 7. The cost of mailing sample ballots for a city election must  
28 be borne by the city holding the election.

29 **Sec. 6.** Chapter 294A of NRS is hereby amended by adding  
30 thereto the sections set forth as sections 7 to 10, inclusive, of this  
31 act.

32 **Sec. 7. 1. Every person or group of persons organized**  
33 ***formally or informally who advocates the passage or defeat of a***  
34 ***constitutional amendment or statewide measure proposed by an***  
35 ***initiative or referendum, including, without limitation, the***  
36 ***initiation or circulation thereof, and who receives or expends***  
37 ***money in an amount in excess of \$10,000 for such advocacy shall,***  
38 ***not later than the dates listed in subsection 2, report:***

39 (a) ***Each campaign contribution in excess of \$1,000 received***  
40 ***during each period described in subsection 2;***

41 (b) ***Contributions received during each period described in***  
42 ***subsection 2 from a contributor which cumulatively exceed***  
43 ***\$1,000;***



1 (c) Each expenditure in excess of \$1,000 the person or group  
2 of persons makes during each period described in subsection 2;  
3 and

4 (d) The total amount of money the person or group of persons  
5 has at the beginning of each period described in subsection 2,  
6 accounting for all contributions received and expenditures made  
7 during each previous period.

8 2. Every person or group of persons required to report  
9 pursuant to subsection 1 shall file that report with the Secretary of  
10 State:

11 (a) For the period beginning on the first day a copy of the  
12 petition may be filed with the Secretary of State before it is  
13 circulated for signatures pursuant to Section 1 or Section 2 of  
14 Article 19 of the Nevada Constitution, as applicable, and ending  
15 on the following March 31, not later than April 15;

16 (b) For the period beginning on April 1 and ending on July 31,  
17 not later than August 15;

18 (c) For the period beginning on August 1 and ending on  
19 September 30, not later than October 15; and

20 (d) For the period beginning on October 1 and ending on  
21 December 31, not later than the following January 15.

22 3. The name and address of the contributor and the date on  
23 which the contribution was received must be included on each  
24 report for each contribution in excess of \$1,000 and contributions  
25 which a contributor has made cumulatively in excess of that  
26 amount since the beginning of the applicable reporting period.

27 4. Expenditures made within the State or made elsewhere but  
28 for use within the State, including expenditures made outside the  
29 State for printing, television and radio broadcasting or other  
30 production of the media, must be included in each report.

31 5. Each report required pursuant to this section must:

32 (a) Be on the form designed and provided by the Secretary of  
33 State pursuant to NRS 294A.373; and

34 (b) Be signed by the person or a representative of the group of  
35 persons under penalty of perjury.

36 6. A person or group of persons may mail or transmit each  
37 report to the Secretary of State by certified mail, regular mail,  
38 facsimile machine or electronic means or may deliver the report  
39 personally.

40 7. A report shall be deemed to be filed with the Secretary of  
41 State:

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



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

**Sec. 8.** *Each person or group of persons organized formally or informally who advocates the passage or defeat of a constitutional amendment or statewide measure proposed by an initiative or referendum shall appoint and keep within this State a resident agent who must be a natural person who resides in this State.*

**Sec. 9. 1.** *Each person or group of persons organized formally or informally who advocates the passage or defeat of a constitutional amendment or statewide measure proposed by an initiative or referendum, before engaging in any such advocacy in this State, shall file a statement of organization with the Secretary of State as provided in subsection 2.*

**2.** *Each statement of organization must include:*

*(a) The name of the person or group of persons;*

*(b) The purpose for which the person or group of persons is organized;*

*(c) The names and addresses of any officers of the person or group of persons;*

*(d) If the person or group of persons is affiliated with or is retained by any other person or group for the purpose of advocating the passage or defeat of a constitutional amendment or statewide measure proposed by initiative or referendum, the name and address of each such other person or group; and*

*(e) The name, address and telephone number of the resident agent of the person or group of persons.*

**3.** *A person or group of persons which has filed a statement of organization pursuant to this section shall file an amended statement with the Secretary of State within 30 days of any changes to the information required pursuant to subsection 2.*

**Sec. 10. 1.** *Each person or group of persons organized formally or informally who advocates the passage or defeat of a constitutional amendment or statewide measure proposed by an initiative or referendum that provides compensation to persons to circulate petitions shall report to the Secretary of State:*

*(a) The number of persons to whom such compensation is provided;*

*(b) The least amount of such compensation that is provided and the greatest amount of such compensation that is provided; and*

*(c) The total amount of compensation provided.*

**2.** *The Secretary of State shall make public any information received pursuant to this section.*



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1     **Sec. 11.** NRS 294A.150 is hereby amended to read as follows:

2     294A.150 1. ~~[Every]~~ *Except as otherwise provided in*  
3 *section 7 of this act, every* person or group of persons organized  
4 formally or informally who advocates the passage or defeat of a  
5 question or group of questions on the ballot at a primary election,  
6 primary city election, general election or general city election ~~[and~~  
7 ~~every person or group of persons who initiates or circulates a~~  
8 ~~petition for a constitutional amendment or a petition for a statewide~~  
9 ~~measure proposed by an initiative or a referendum and who receives~~  
10 ~~or expends money in an amount in excess of \$10,000 to support~~  
11 ~~such initiation or circulation]~~ shall, not later than January 15 of each  
12 year that the provisions of this subsection apply to the person or  
13 group of persons, for the period from January 1 of the previous year  
14 through December 31 of the previous year, report each campaign  
15 contribution in excess of ~~[\$100]~~ *\$1,000* received during that period  
16 and contributions received during the period from a contributor  
17 which cumulatively exceed ~~[\$100.]~~ *\$1,000*. The report must be  
18 completed on the form designed and provided by the Secretary of  
19 State pursuant to NRS 294A.373. The form must be signed by the  
20 person or a representative of the group under penalty of perjury. The  
21 provisions of this subsection apply to the person or group of  
22 persons:

23     (a) Each year in which an election or city election is held for  
24 each question for which the person or group advocates passage or  
25 defeat ; ~~[for each year in which a person or group receives~~  
26 ~~or expends money in excess of \$10,000 to support the initiation or~~  
27 ~~circulation of a petition for a constitutional amendment or a petition~~  
28 ~~for a statewide measure proposed by an initiative or a referendum;]~~  
29 and

30     (b) The year after each year described in paragraph (a).

31     2. If a question is on the ballot at a primary election or primary  
32 city election and the general election or general city election  
33 immediately following that primary election or primary city election  
34 is held on or after January 1 and before the July 1 immediately  
35 following that January 1, every person or group of persons  
36 organized formally or informally who advocates the passage or  
37 defeat of the question or a group of questions that includes the  
38 question shall comply with the requirements of this subsection. If a  
39 question is on the ballot at a general election or general city election  
40 held on or after January 1 and before the July 1 immediately  
41 following that January 1, every person or group of persons  
42 organized formally or informally who advocates the passage or  
43 defeat of the question or a group of questions that includes the  
44 question shall comply with the requirements of this subsection. A



1 person or group of persons described in this subsection shall, not  
2 later than:

3 (a) Seven days before the primary election or primary city  
4 election, for the period from the January 1 immediately preceding  
5 the primary election or primary city election through 12 days before  
6 the primary election or primary city election;

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

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

14 ➔ report each campaign contribution in excess of ~~[\$100]~~ *\$1,000*  
15 received during the period and contributions received during the  
16 period from a contributor which cumulatively exceed ~~[\$100.]~~  
17 *\$1,000*. The report must be completed on the form designed and  
18 provided by the Secretary of State pursuant to NRS 294A.373 and  
19 signed by the person or a representative of the group under penalty  
20 of perjury.

21 3. The name and address of the contributor and the date on  
22 which the contribution was received must be included on the report  
23 for each contribution in excess of ~~[\$100]~~ *\$1,000* and contributions  
24 which a contributor has made cumulatively in excess of that amount  
25 since the beginning of the current reporting period.

26 4. If a question is on the ballot at a primary election or primary  
27 city election and the general election or general city election  
28 immediately following that primary election or primary city election  
29 is held on or after July 1 and before the January 1 immediately  
30 following that July 1, every person or group of persons organized  
31 formally or informally who advocates the passage or defeat of the  
32 question or a group of questions that includes the question shall  
33 comply with the requirements of this subsection. ~~##~~ *Except as*  
34 *otherwise provided in section 7 of this act, if* a question is on the  
35 ballot at a general election or general city election held on or after  
36 July 1 and before the January 1 immediately following that July 1,  
37 every person or group of persons organized formally or informally  
38 who advocates the passage or defeat of the question or a group of  
39 questions that includes the question shall comply with the  
40 requirements of this subsection. ~~[Every person or group of persons~~  
41 ~~who initiates or circulates a petition for a constitutional amendment~~  
42 ~~or a petition for a statewide measure proposed by an initiative or a~~  
43 ~~referendum and who receives or expends money in an amount in~~  
44 ~~excess of \$10,000 to support such initiation or circulation shall~~



~~comply with the requirements of this subsection.]~~ A person or group of persons described in this subsection shall, not later than:

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

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

→ report each campaign contribution in excess of ~~[\$100]~~ **\$1,000** received during the period and contributions received during the period from a contributor which cumulatively exceed ~~[\$100.]~~ **\$1,000**. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the group under penalty of perjury.

5. Except as otherwise provided in subsection 6, every person or group of persons organized formally or informally who advocates the passage or defeat of a question or group of questions on the ballot at a special election shall, not later than:

(a) Seven days before the special election, for the period from the date that the question qualified for the ballot through 12 days before the special election; and

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

→ report each campaign contribution in excess of ~~[\$100]~~ **\$1,000** received during the period and contributions received during the period from a contributor which cumulatively exceed ~~[\$100.]~~ **\$1,000**. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the group under penalty of perjury.

6. Every person or group of persons organized formally or informally who advocates the passage or defeat of a question or group of questions on the ballot at a special election to determine whether a public officer will be recalled shall report each of the contributions received on the form designed and provided by the Secretary of State pursuant to NRS 294A.373 and signed by the person or a representative of the group under penalty of perjury, 30 days after:

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





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

7. The reports required pursuant to this section must be filed with:

(a) If the question is submitted to the voters of one county, the county clerk of that county;

(b) If the question is submitted to the voters of one city, the city clerk of that city; or

(c) If the question is submitted to the voters of more than one county or city, the Secretary of State.

8. A person may mail or transmit his report to the appropriate officer by regular mail, certified mail, facsimile machine or electronic means. A report shall be deemed to be filed with the 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 officer if the report was sent by regular mail, transmitted by facsimile machine or electronic means, or delivered personally.

9. If the person or group of persons is advocating passage or defeat of a group of questions, ~~for is receiving or expending money to support a group of petitions for constitutional amendments, a group of petitions for statewide measures proposed by initiative or referendum or a group of petitions for both constitutional amendments and statewide measures proposed by initiative or referendum,~~ the reports must be itemized by question or petition.

10. Each county clerk or city clerk who receives a report pursuant to this section shall file a copy of the report with the Secretary of State within 10 working days after he receives the report.

**Sec. 12.** NRS 294A.220 is hereby amended to read as follows:

294A.220 1. ~~Every~~ *Except as otherwise provided in section 7 of this act, every* person or group of persons organized formally or informally who advocates the passage or defeat of a question or group of questions on the ballot at a primary election, primary city election, general election or general city election ~~and every person or group of persons who initiates or circulates a petition for a constitutional amendment or a petition for a statewide measure proposed by an initiative or a referendum and who receives or expends money in an amount in excess of \$10,000 to support such initiation or circulation~~ shall, not later than January 15 of each year that the provisions of this subsection apply to the person or



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1 group of persons, for the period from January 1 of the previous year  
2 through December 31 of the previous year, report each expenditure  
3 made during the period on behalf of or against the question, the  
4 group of questions or a question in the group of questions on  
5 the ballot in excess of ~~[\$100]~~ \$1,000 on the form designed and  
6 provided by the Secretary of State pursuant to NRS 294A.373. The  
7 form must be signed by the person or a representative of the group  
8 under penalty of perjury. The provisions of this subsection apply to  
9 the person or group of persons:

10 (a) Each year in which an election or city election is held for a  
11 question for which the person or group advocates passage or defeat ;  
12 ~~for each year in which a person or group of persons receives or~~  
13 ~~expends money in excess of \$10,000 to support the initiation or~~  
14 ~~circulation of a petition for a constitutional amendment or a petition~~  
15 ~~for a statewide measure proposed by an initiative or a referendum;]~~  
16 and

17 (b) The year after each year described in paragraph (a).

18 2. If a question is on the ballot at a primary election or primary  
19 city election and the general election or general city election  
20 immediately following that primary election or primary city election  
21 is held on or after January 1 and before the July 1 immediately  
22 following that January 1, every person or group of persons  
23 organized formally or informally who advocates the passage or  
24 defeat of the question or a group of questions that includes the  
25 question shall comply with the requirements of this subsection. If a  
26 question is on the ballot at a general election or general city election  
27 held on or after January 1 and before the July 1 immediately  
28 following that January 1, every person or group of persons  
29 organized formally or informally who advocates the passage or  
30 defeat of the question or a group of questions that includes the  
31 question shall comply with the requirements of this subsection. A  
32 person or group of persons described in this subsection shall, not  
33 later than:

34 (a) Seven days before the primary election or primary city  
35 election, for the period from the January 1 immediately preceding  
36 the primary election or primary city election through 12 days before  
37 the primary election or primary city election;

38 (b) Seven days before the general election or general city  
39 election, for the period from 11 days before the primary election or  
40 primary city election through 12 days before the general election or  
41 general city election; and

42 (c) July 15 of the year of the general election or general city  
43 election, for the period from 11 days before the general election or  
44 general city election through the June 30 immediately preceding that  
45 July 15,



1    ➤ report each expenditure made during the period on behalf of or  
2    against the question, the group of questions or a question in the  
3    group of questions on the ballot in excess of ~~[\$100]~~ \$1,000 on the  
4    form designed and provided by the Secretary of State pursuant to  
5    NRS 294A.373 and signed by the person or a representative of the  
6    group under penalty of perjury.

7        3. If a question is on the ballot at a primary election or primary  
8    city election and the general election or general city election  
9    immediately following that primary election or primary city election  
10   is held on or after July 1 and before the January 1 immediately  
11   following that July 1, every person or group of persons organized  
12   formally or informally who advocates the passage or defeat of the  
13   question or a group of questions that includes the question shall  
14   comply with the requirements of this subsection. ~~##~~ *Except as*  
15   *otherwise provided in section 7 of this act, if* a question is on the  
16   ballot at a general election or general city election held on or after  
17   July 1 and before the January 1 immediately following that July 1,  
18   every person or group of persons organized formally or informally  
19   who advocates the passage or defeat of the question or a group of  
20   questions that includes the question shall comply with the  
21   requirements of this subsection. ~~[Every person or group of persons~~  
22   ~~who initiates or circulates a petition for a constitutional amendment~~  
23   ~~or a petition for a statewide measure proposed by an initiative or a~~  
24   ~~referendum and who receives or expends money in an amount in~~  
25   ~~excess of \$10,000 to support such initiation or circulation shall~~  
26   ~~comply with the requirements of this subsection.]~~ A person or group  
27   of persons described in this subsection shall, not later than:

28        (a) Seven days before the primary election or primary city  
29    election, for the period from the January 1 immediately preceding  
30    the primary election or primary city election through 12 days before  
31    the primary election or primary city election; and

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

36    ➤ report each expenditure made during the period on behalf of or  
37    against the question, the group of questions or a question in the  
38    group of questions on the ballot in excess of ~~[\$100]~~ \$1,000 on the  
39    form designed and provided by the Secretary of State pursuant to  
40    NRS 294A.373. The form must be signed by the person or a  
41    representative of the group under penalty of perjury.

42        4. Except as otherwise provided in subsection 5, every person  
43    or group of persons organized formally or informally who advocates  
44    the passage or defeat of a question or group of questions on the  
45    ballot at a special election shall, not later than:



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(a) Seven days before the special election, for the period from the date the question qualified for the ballot through 12 days before the special election; and

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

report each expenditure made during the period on behalf of or against the question, the group of questions or a question in the group of questions on the ballot in excess of ~~[\$100]~~ \$1,000 on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the group under penalty of perjury.

5. Every person or group of persons organized formally or informally who advocates the passage or defeat of a question or group of questions on the ballot at a special election to determine whether a public officer will be recalled shall list each expenditure made during the period on behalf of or against the question, the group of questions or a question in the group of questions on the ballot in excess of ~~[\$100]~~ \$1,000 on the form designed and provided by the Secretary of State pursuant to NRS 294A.373 and signed by the person or a representative of the group under penalty of perjury, 30 days after:

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

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

6. Expenditures made within the State or made elsewhere but for use within the State, including expenditures made outside the State for printing, television and radio broadcasting or other production of the media, must be included in the report.

7. The reports required pursuant to this section must be filed with:

(a) If the question is submitted to the voters of one county, the county clerk of that county;

(b) If the question is submitted to the voters of one city, the city clerk of that city; or

(c) If the question is submitted to the voters of more than one county or city, the Secretary of State.

8. If an expenditure is made on behalf of a group of questions, ~~for a group of petitions for constitutional amendments, a group of petitions for statewide measures proposed by initiative or referendum or a group of petitions for both constitutional~~



~~amendments and statewide measures proposed by initiative or referendum,]~~ the reports must be itemized by question or petition. A person may mail or transmit his report to the appropriate filing officer by regular mail, certified mail, facsimile machine or electronic means. A report shall be deemed to be filed with the 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 filing officer if the report was sent by regular mail, transmitted by facsimile machine or electronic means, or delivered personally.

9. Each county clerk or city clerk who receives a report pursuant to this section shall file a copy of the report with the Secretary of State within 10 working days after he receives the report.

**Sec. 13.** NRS 294A.365 is hereby amended to read as follows:

294A.365 1. Each report of expenditures required pursuant to NRS 294A.210, 294A.220 and 294A.280 *and section 7 of this act* must consist of a list of each expenditure in excess of \$100 *or \$1,000, as is appropriate*, that was made during the periods for reporting. Each report of expenses required pursuant to NRS 294A.125 and 294A.200 must consist of a list of each expense in excess of \$100 that was incurred during the periods for reporting. The list in each report must state the category and amount of the expense or expenditure and the date on which the expense was incurred or the expenditure was made.

2. The categories of expense or expenditure for use on the report of expenses or expenditures are:

- (a) Office expenses;
- (b) Expenses related to volunteers;
- (c) Expenses related to travel;
- (d) Expenses related to advertising;
- (e) Expenses related to paid staff;
- (f) Expenses related to consultants;
- (g) Expenses related to polling;
- (h) Expenses related to special events;

(i) Except as otherwise provided in NRS 294A.362, goods and services provided in kind for which money would otherwise have been paid; and

(j) Other miscellaneous expenses.

3. Each report of expenses or expenditures described in subsection 1 must list the disposition of any unspent campaign contributions using the categories set forth in subsection 2 of NRS 294A.160.



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**Sec. 14.** NRS 294A.373 is hereby amended to read as follows:

294A.373 1. The Secretary of State shall design a single form to be used for all reports of campaign contributions and expenses or expenditures that are required to be filed pursuant to NRS 294A.120, 294A.125, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280, 294A.360 and 294A.362 ~~and~~ *and section 7 of this act.*

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

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

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

**Sec. 15.** NRS 294A.390 is hereby amended to read as follows:

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

1. A declaration of candidacy;

2. An acceptance of candidacy;

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

4. The reporting of campaign contributions, expenses or expenditures pursuant to NRS 294A.120, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280 or 294A.360, *or section 7 of this act,*

➔ shall furnish the candidate with the necessary forms for reporting and copies of the regulations adopted by the Secretary of State pursuant to this chapter. An explanation of the applicable provisions of NRS 294A.100, 294A.120, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280 or 294A.360 *or section 7 of this act* relating to the making, accepting or reporting of campaign contributions, expenses or expenditures and the penalties for a violation of those provisions as set forth in NRS 294A.100 or 294A.420 must be developed by the Secretary of State and provided upon request. The candidate or entity shall acknowledge receipt of the material.

**Sec. 16.** NRS 294A.400 is hereby amended to read as follows:

294A.400 The Secretary of State shall, within 30 days after receipt of the reports required by NRS 294A.120, 294A.125,



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1 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220,  
2 294A.270 and 294A.280, *and section 7 of this act*, prepare and  
3 make available for public inspection a compilation of:

4 1. The total campaign contributions, the contributions which  
5 are in excess of \$100 and the total campaign expenses of each of the  
6 candidates from whom reports of those contributions and expenses  
7 are required.

8 2. The total amount of loans to a candidate guaranteed by a  
9 third party, the total amount of loans made to a candidate that have  
10 been forgiven and the total amount of written commitments for  
11 contributions received by a candidate.

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

14 4. The expenditures exceeding \$100 made by a:

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

16 (b) ~~Person or group of persons on behalf of or against a~~  
17 ~~question or group of questions on the ballot.~~

18 ~~—(e)}~~ Group of persons advocating the election or defeat of a  
19 candidate.

20 ~~{(d)}~~ (c) Committee for the recall of a public officer.

21 5. The contributions in excess of \$100 made to:

22 (a) A person who is not under the direction or control of a  
23 candidate or group of candidates or of any person involved in the  
24 campaign of the candidate or group who makes an expenditure on  
25 behalf of the candidate or group which is not solicited or approved  
26 by the candidate or group.

27 (b) ~~Person or group of persons organized formally or~~  
28 ~~informally who advocates the passage or defeat of a question or~~  
29 ~~group of questions on the ballot.~~

30 ~~—(e)}~~ A committee for political action, political party or  
31 committee sponsored by a political party which makes an  
32 expenditure on behalf of a candidate or group of candidates.

33 6. *The contributions in excess of \$1,000 made to and the*  
34 *expenditures exceeding \$1,000 made by a:*

35 (a) *Person or group of persons on behalf of or against a*  
36 *question or group of questions on the ballot, except as otherwise*  
37 *provided in paragraph (c).*

38 (b) *Person or group of persons organized formally or*  
39 *informally who advocates the passage or defeat of a question or*  
40 *group of questions on the ballot, except as otherwise provided in*  
41 *paragraph (c).*

42 (c) *Person or group of persons organized formally or*  
43 *informally who advocates the passage or defeat of a constitutional*  
44 *amendment or statewide measure proposed by an initiative or*  
45 *referendum, including, without limitation, the initiation or*



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*circulation thereof, and who receives or expends money in an amount in excess of \$10,000 for such advocacy.*

**Sec. 17.** NRS 294A.420 is hereby amended to read as follows:

294A.420 1. If the Secretary of State receives information that a person or entity that is subject to the provisions of NRS 294A.120, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.230, 294A.270, 294A.280 or 294A.360 *or section 7 of this act* has not filed a report or form for registration pursuant to the applicable provisions of those sections, the Secretary of State may, after giving notice to that person or entity, cause the appropriate proceedings to be instituted in the First Judicial District Court.

2. Except as otherwise provided in this section, a person or entity that violates an applicable provision of NRS 294A.112, 294A.120, 294A.128, 294A.130, 294A.140, 294A.150, 294A.160, 294A.200, 294A.210, 294A.220, 294A.230, 294A.270, 294A.280, 294A.300, 294A.310, 294A.320 or 294A.360 *or section 7 of this act* is subject to a civil penalty of not more than \$5,000 for each violation and payment of court costs and attorney's fees. The civil penalty must be recovered in a civil action brought in the name of the State of Nevada by the Secretary of State in the First Judicial District Court and deposited by the Secretary of State for credit to the State General Fund in the bank designated by the State Treasurer.

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

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

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

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

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

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





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

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

**Sec. 18.** Chapter 295 of NRS is hereby amended by adding thereto the sections set forth as sections 19, 20 and 21 of this act.

**Sec. 19.** *After a petition for a constitutional amendment or a petition for a statewide measure proposed by an initiative or referendum is submitted for signature verification to the county clerk, the county clerk shall make true and correct copies of all the documents of the petition and signatures thereon and shall make such copies and signatures available to the public for a period of not less than 14 days.*

**Sec. 20.** *A petition for a constitutional amendment or a petition for a statewide measure proposed by an initiative or referendum may consist of more than one document. Each document of a petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:*

- 1. That he personally circulated the document;*
- 2. The number of signatures thereon;*
- 3. That all the signatures were affixed in his presence; and*
- 4. That each signer had an opportunity before signing to read the full text of the act or resolution on which the initiative or referendum is demanded.*

**Sec. 21.** *A person shall not give compensation of any kind to any person in exchange for signing a petition for initiative or referendum.*

**Sec. 22.** (Deleted by amendment.)

**Sec. 23.** (Deleted by amendment.)

**Sec. 24.** NRS 295.015 is hereby amended to read as follows:

295.015 1. Before a petition for initiative or referendum may be presented to the registered voters for their signatures, a copy of the petition for initiative or referendum, including the description required pursuant to NRS 295.009, must be placed on file with the Secretary of State.

2. Upon receipt of a petition for initiative or referendum placed on file pursuant to subsection 1 ~~[, the]~~:

(a) *The* Secretary of State shall consult with the Fiscal Analysis Division of the Legislative Counsel Bureau to determine if the initiative or referendum may have any anticipated financial effect on the State or local governments if the initiative or referendum is approved by the voters. If the Fiscal Analysis Division determines that the initiative or referendum may have an anticipated financial effect on the State or local governments if the initiative or



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1 referendum is approved by the voters, the Division must prepare a  
2 fiscal note that includes an explanation of any such effect.

3 *(b) The Secretary of State shall consult with the Legislative*  
4 *Counsel regarding the petition for initiative or referendum. The*  
5 *Legislative Counsel may provide technical suggestions regarding*  
6 *the petition for initiative or referendum.*

7 3. Not later than 10 business days after the Secretary of State  
8 receives a petition for initiative or referendum filed pursuant to  
9 subsection 1, the Secretary of State shall post a copy of the petition,  
10 including the description required pursuant to NRS 295.009 , ~~and~~  
11 any fiscal note prepared pursuant to subsection 2 ~~and~~ *and any*  
12 *suggestions made by the Legislative Counsel pursuant to*  
13 *subsection 2*, on his Internet website.

14 **Sec. 25.** NRS 295.095 is hereby amended to read as follows:

15 295.095 1. Any five registered voters of the county may  
16 commence initiative or referendum proceedings by filing with the  
17 county clerk an affidavit stating they will constitute the petitioners'  
18 committee and be responsible for circulating the petition and filing  
19 it in proper form, stating their names and addresses and specifying  
20 the address to which all notices to the committee are to be sent, and  
21 setting out in full the proposed initiative ordinance or citing the  
22 ordinance sought to be reconsidered.

23 2. Initiative petitions must be signed by a number of registered  
24 voters of the county equal to 15 percent or more of the number of  
25 voters who voted at the last preceding general election in the county.

26 3. Referendum petitions must be signed by a number of  
27 registered voters of the county equal to 10 percent or more of the  
28 number of voters who voted at the last preceding general election in  
29 the county.

30 4. *Upon receipt of a petition for initiative or referendum*  
31 *placed on file pursuant to subsection 1, the county clerk shall*  
32 *consult with the board to determine if the initiative or referendum*  
33 *may have any anticipated financial effect on the local government*  
34 *if the initiative or referendum is approved by the voters. If the*  
35 *board determines that the initiative or referendum may have an*  
36 *anticipated financial effect on the local government if the*  
37 *initiative or referendum is approved by the voters, the board must*  
38 *prepare a description of the anticipated financial effect and the*  
39 *county clerk shall post a copy of this information on his Internet*  
40 *website, if he maintains one.*

41 5. A petition must be submitted to the county clerk for  
42 verification, pursuant to NRS 295.250 to 295.290, inclusive, not  
43 later than:

44 (a) One hundred and eighty days after the date that the affidavit  
45 required by subsection 1 is filed with the county clerk; or



(b) One hundred and thirty days before the election,  
➔ whichever is earlier.

~~[5.]~~ 6. A petition may consist of more than one document, but all documents of a petition must be uniform in size and style, numbered and assembled as one instrument for submission. Each signature must be executed in ink or indelible pencil and followed by the address of the person signing and the date on which he signed the petition. All signatures on a petition must be obtained within the period specified in subsection ~~[4.]~~ 5. Each document must contain, or have attached thereto throughout its circulation, the full text of the ordinance proposed or sought to be reconsidered.

~~[6.]~~ 7. Each document of a petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:

(a) That he personally circulated the document;

(b) The number of signatures thereon;

(c) That all the signatures were affixed in his presence;

~~[(d) That he believes them to be genuine signatures of the persons whose names they purport to be;]~~ and

~~[(e)]~~ (d) That each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.

~~[7.]~~ 8. The county clerk shall issue a receipt to any person who submits a petition pursuant to this section. The receipt must set forth the number of:

(a) Documents included in the petition;

(b) Pages in each document; and

(c) Signatures that the person declares are included in the petition.

**Sec. 26.** NRS 295.205 is hereby amended to read as follows:

295.205 1. Any five registered voters of the city may commence initiative or referendum proceedings by filing with the city clerk an affidavit:

(a) Stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form;

(b) Stating their names and addresses;

(c) Specifying the address to which all notices to the committee are to be sent; and

(d) Setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered.

2. Initiative petitions must be signed by a number of registered voters of the city equal to 15 percent or more of the number of voters who voted at the last preceding city election.



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3. Referendum petitions must be signed by a number of registered voters of the city equal to 10 percent or more of the number of voters who voted at the last preceding city election.

*4. Upon receipt of a petition for initiative or referendum placed on file pursuant to subsection 1, the city clerk shall consult with the council to determine if the initiative or referendum may have any anticipated financial effect on the local government if the initiative or referendum is approved by the voters. If the council determines that the initiative or referendum may have an anticipated financial effect on the local government if the initiative or referendum is approved by the voters, the council must prepare a description of the anticipated financial effect and the city clerk shall post a copy of this information on his Internet website, if he maintains one.*

5. A petition must be submitted to the city clerk for verification, pursuant to NRS 295.250 to 295.290, inclusive, not later than:

(a) One hundred and eighty days after the date that the affidavit required by subsection 1 is filed with the city clerk; or

(b) One hundred and thirty days before the election,  
➔ whichever is earlier.

~~[5.]~~ 6. A petition may consist of more than one document, but all documents of a petition must be uniform in size and style, numbered and assembled as one instrument for submission. Each signature must be executed in ink or indelible pencil and followed by the address of the person signing and the date on which he signed the petition. All signatures on a petition must be obtained within the period specified in subsection ~~[4.]~~ 5. Each document must contain, or have attached thereto throughout its circulation, the full text of the ordinance proposed or sought to be reconsidered.

~~[6.]~~ 7. Each document of a petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:

(a) That he personally circulated the document;

(b) The number of signatures thereon;

(c) That all the signatures were affixed in his presence;

~~[(d) That he believes them to be genuine signatures of the persons whose names they purport to be;]~~ and

~~[(e)]~~ (d) That each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.

~~[7.]~~ 8. The city clerk shall issue a receipt to any person who submits a petition pursuant to this section. The receipt must set forth the number of:

(a) Documents included in the petition;



- 1 (b) Pages in each document; and
- 2 (c) Signatures that the person declares are included in the
- 3 petition.

4 **Sec. 27.** NRS 295.217 is hereby amended to read as follows:

5 295.217 1. In a city whose population is 10,000 or more, for  
6 each initiative, referendum or other question to be placed on the  
7 ballot by the:

8 (a) Council, including, without limitation, pursuant to NRS  
9 293.482 or 295.215; or

10 (b) Governing body of a public library or water district  
11 authorized by law to submit questions to some or all of the qualified  
12 electors or registered voters of the city,

13 ➔ the council shall, in consultation pursuant to subsection 5 with  
14 the city clerk or other city officer authorized to perform the duties of  
15 the city clerk, appoint two committees. Except as otherwise  
16 provided in subsection 2, one committee must be composed of three  
17 persons who favor approval by the voters of the initiative,  
18 referendum or other question and the other committee must be  
19 composed of three persons who oppose approval by the voters of the  
20 initiative, referendum or other question.

21 2. If, after consulting with the city clerk pursuant to subsection  
22 5, the council is unable to appoint three persons willing to serve on a  
23 committee, the council may appoint fewer than three persons to that  
24 committee, but the council must appoint at least one person to each  
25 committee appointed pursuant to this section.

26 3. With respect to a committee appointed pursuant to this  
27 section:

28 (a) A person may not serve simultaneously on the committee  
29 that favors approval by the voters of an initiative, referendum or  
30 other question and the committee that opposes approval by the  
31 voters of that initiative, referendum or other question.

32 (b) Members of the committee serve without compensation.

33 (c) The term of office for each member commences upon  
34 appointment and expires upon the publication of the sample ballot  
35 containing the initiative, referendum or other question.

36 4. The city clerk may establish and maintain a list of the  
37 persons who have expressed an interest in serving on a committee  
38 appointed pursuant to this section. The city clerk, after exercising  
39 due diligence to locate persons who favor approval by the voters of  
40 an initiative, referendum or other question to be placed on the ballot  
41 or who oppose approval by the voters of an initiative, referendum or  
42 other question to be placed on the ballot, may use the names on a list  
43 established pursuant to this subsection to:

44 (a) Make recommendations pursuant to subsection 5; and

45 (b) Appoint members to a committee pursuant to subsection 6.



\* A B 6 0 4 R 4 \*

5. Before the council appoints a committee pursuant to this section, the city clerk shall:

(a) Recommend to the council persons to be appointed to the committee; and

(b) Consider recommending pursuant to paragraph (a):

(1) Any person who has expressed an interest in serving on the committee; and

(2) A person who is a member of an organization that has expressed an interest in having a member of the organization serve on the committee.

6. If the council of a city whose population is 10,000 or more fails to appoint a committee as required pursuant to this section, the city clerk shall, in consultation with the city attorney, prepare an argument advocating approval by the voters of the initiative, referendum or other question and an argument opposing approval by the voters of the initiative, referendum or other question. Each argument prepared by the city clerk must satisfy the requirements of paragraph (f) of subsection 7 and any rules or regulations adopted by the city clerk pursuant to subsection 8. The city clerk shall not prepare the rebuttal of the arguments required pursuant to paragraph (e) of subsection 7.

7. A committee appointed pursuant to this section:

(a) Shall elect a chairman for the committee;

(b) Shall meet and conduct its affairs as necessary to fulfill the requirements of this section;

(c) May seek and consider comments from the general public;

(d) Shall prepare an argument either advocating or opposing approval by the voters of the initiative, referendum or other question, based on whether the members were appointed to advocate or oppose approval by the voters of the initiative, referendum or other question;

(e) Shall prepare a rebuttal to the argument prepared by the other committee appointed pursuant to this section;

(f) Shall address in the argument and rebuttal prepared pursuant to paragraphs (d) and (e):

(1) The *anticipated* fiscal ~~impact~~ *effect* of the initiative, referendum or other question;

(2) The environmental impact of the initiative, referendum or other question; and

(3) The impact of the initiative, referendum or other question on the public health, safety and welfare; and

(g) Shall submit the argument and rebuttal prepared pursuant to paragraphs (d), (e) and (f) to the city clerk not later than the date prescribed by the city clerk pursuant to subsection 8.



\* A B 6 0 4 R 4 \*

8. The city clerk of a city whose population is 10,000 or more shall provide, by rule or regulation:

(a) The maximum permissible length of an argument or rebuttal prepared pursuant to this section; and

(b) The date by which an argument or rebuttal prepared pursuant to this section must be submitted by the committee to the city clerk.

9. Upon receipt of an argument or rebuttal prepared pursuant to this section, the city clerk:

(a) May consult with persons who are generally recognized by a national or statewide organization as having expertise in the field or area to which the initiative, referendum or other question pertains; and

(b) Shall reject each statement in the argument or rebuttal that he believes is libelous or factually inaccurate.

➔ Not later than 5 days after the city clerk rejects a statement pursuant to this subsection, the committee may appeal that rejection to the city attorney or other city officer appointed to hear the appeal by the city council. The city attorney or other city officer appointed to hear the appeal shall review the statement and the reasons for its rejection and may receive evidence, documentary or testimonial, to aid him in his decision. Not later than 3 business days after the appeal by the committee, the city attorney or other city officer appointed to hear the appeal shall issue his decision rejecting or accepting the statement. The decision of the city attorney or other city officer appointed to hear the appeal is a final decision for the purposes of judicial review. If the decision of the city attorney or other city officer appointed to hear the appeal is challenged by filing a complaint in district court, the court shall set the matter for hearing not later than 3 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings.

10. The city clerk shall place in the sample ballot provided to the registered voters of the city each argument and rebuttal prepared pursuant to this section, containing all statements that were not rejected pursuant to subsection 9. The city clerk may revise the language submitted by the committee so that it is clear, concise and suitable for incorporation in the sample ballot, but shall not alter the meaning or effect without the consent of the committee.

11. In a city whose population is less than 10,000:

(a) The council may appoint committees pursuant to this section.

(b) If the council appoints committees pursuant to this section, the city clerk shall provide for rules or regulations pursuant to subsection 8.

12. If a question is to be placed on the ballot by an entity described in paragraph (b) of subsection 1, the entity must provide a



1 copy and explanation of the question to the city clerk at least 30  
2 days earlier than the date required for the submission of such  
3 documents pursuant to subsection 1 of NRS 293.481. This  
4 subsection does not apply to a question if the date that the question  
5 must be submitted to the city clerk is governed by subsection 2 of  
6 NRS 293.481.

7 **Sec. 28.** This act becomes effective on July 1, 2007.

