

ASSEMBLY BILL NO. 80—COMMITTEE ON ELECTIONS,  
PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS

FEBRUARY 8, 2007

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

SUMMARY—Requires limited-liability companies that engage in certain political activities to register with the Secretary of State. (BDR 24-170)

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

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

AN ACT relating to elections; requiring limited-liability companies to register with and provide certain identifying information to the Secretary of State before engaging in certain political activities; requiring the Secretary of State to make such information available on his Internet website; requiring limited-liability companies that make expenditures on behalf of a candidate or group of candidates or who advocate the passage or defeat of a question or group of questions on a ballot to file certain campaign finance reports; providing a civil penalty; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law provides that certain entities, including committees for political  
2 action and nonprofit corporations, must register with and provide certain  
3 information to the Secretary of State before engaging in certain political activities.  
4 (NRS 294A.0055, 294A.230, 294A.375) Under existing law, the definition of the  
5 term "committee for political action" excludes business associations that are  
6 required to file documentation of organization with the Secretary of State. (NRS  
7 294A.0055) **Sections 2 and 3** of this bill provide that a limited-liability company  
8 must register with and provide to the Secretary of State certain identifying  
9 information, including the name of the company, its purpose and certain  
10 information regarding its members and resident agent, before the company may



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solicit or receive contributions, make contributions or make expenditures designed to affect the outcome of an election. **Section 3** also requires the Secretary of State to make such information available on the Internet website of the Secretary of State.

Under existing law, certain persons and entities which make an expenditure on behalf of a candidate or group of candidates, advocate the passage or defeat of a ballot question or group of questions, or initiate or circulate a petition for a constitutional amendment or a statewide measure proposed by initiative or referendum, are required to report the receipt of certain campaign contributions and report certain campaign expenditures. (NRS 294A.004, 294A.005, 294A.007, 294A.140, 294A.150, 294A.210, 294A.220) **Sections 5-9** of this bill apply the same requirements to a limited-liability company that engages in such activities.

Existing law requires the Secretary of State to prepare and make available for public inspection a compilation of certain contributions, loans and expenditures made by certain persons and entities in supporting or opposing a ballot question or candidate. (NRS 294A.400) **Section 13** of this bill requires the Secretary of State to include within that compilation the same types of contributions, loans and expenditures if made by a limited-liability company.

Existing law provides that if a person or entity fails to file a report or registration form as required pursuant to certain sections of chapter 294A of NRS, the person or entity may be subject to a civil penalty recovered in a civil action brought by the Secretary of State in the First Judicial District Court. (NRS 294A.420) **Section 14** of this bill applies the same provisions to limited-liability companies that are required to register with the Secretary of State pursuant to **section 3** of this bill.

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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 the provisions set forth as sections 2 and 3 of this act.

**Sec. 2.** *“Limited-liability company” has the meaning ascribed to it in NRS 86.061.*

**Sec. 3. 1.** *A limited-liability company shall register with the Secretary of State by submitting the completed form described in subsection 2 before it engages in any of the following activities in this State:*

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

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

*(c) Making expenditures,*

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

**2.** *The form must require:*

*(a) The name of the limited-liability company;*

*(b) The purpose for which it was organized;*

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



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(d) *If the limited-liability company is affiliated with any other organizations, the name, address and telephone number of each organization;*

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

(f) *A designation of the activities listed in subsection 1 in which it intends to engage; and*

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

3. *The Secretary of State shall include, on the portion of his Internet website that is devoted to information concerning elections and campaigns, the information required pursuant to subsection 2.*

**Sec. 4.** NRS 294A.002 is hereby amended to read as follows:

294A.002 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 294A.004 to 294A.009, inclusive, *and section 2 of this act* have the meanings ascribed to them in those sections.

**Sec. 5.** NRS 294A.007 is hereby amended to read as follows:

294A.007 1. "Contribution" means a gift, loan, conveyance, deposit, payment, transfer or distribution of money or of anything of value other than the services of a volunteer, and includes:

(a) The payment by any person, other than a candidate, of compensation for the personal services of another person which are rendered to a:

(1) Candidate;

(2) Person who is not under the direction or control of a candidate or group of candidates or of any person involved in the campaign of the candidate or group who makes an expenditure on behalf of the candidate or group which is not solicited or approved by the candidate or group;

(3) Committee for political action, political party, ~~for~~ committee sponsored by a political party *or limited-liability company* which makes an expenditure on behalf of a candidate or group of candidates; or

(4) Person or group of persons organized formally or informally, *including a limited-liability company*, who advocates the passage or defeat of a question or group of questions on the ballot,

➔ without charge to the candidate, person, committee or political party.

(b) The value of services provided in kind for which money would have otherwise been paid, such as paid polling and resulting data, paid direct mail, paid solicitation by telephone, any paid



1 paraphernalia that was printed or otherwise produced to promote a  
2 campaign and the use of paid personnel to assist in a campaign.

3 2. As used in this section, "volunteer" means a person who  
4 does not receive compensation of any kind, directly or indirectly, for  
5 the services he provides to a campaign.

6 **Sec. 6.** NRS 294A.140 is hereby amended to read as follows:

7 294A.140 1. Every person who is not under the direction or  
8 control of a candidate for office at a primary election, primary city  
9 election, general election or general city election, of a group of such  
10 candidates or of any person involved in the campaign of that  
11 candidate or group who makes an expenditure on behalf of  
12 the candidate or group which is not solicited or approved by the  
13 candidate or group, and every committee for political action,  
14 political party, ~~and~~ committee sponsored by a political party *and*  
15 *limited-liability company* which makes an expenditure on behalf  
16 of such a candidate or group of candidates shall, not later than  
17 January 15 of each year that the provisions of this subsection apply  
18 to the person, committee, ~~for~~ political party ~~or~~ *or company*, for the  
19 period from January 1 of the previous year through December 31 of  
20 the previous year, report each campaign contribution in excess of  
21 \$100 he or it received during the period and contributions received  
22 during the period from a contributor which cumulatively exceed  
23 \$100. The provisions of this subsection apply to the person,  
24 committee, ~~for~~ political party *or company* beginning the year of  
25 the general election or general city election for that office through  
26 the year immediately preceding the next general election or general  
27 city election for that office.

28 2. Every person, committee, ~~for~~ political party *or company*  
29 described in subsection 1 which makes an expenditure on behalf of  
30 the candidate for office at a primary election, primary city election,  
31 general election or general city election or on behalf of a group of  
32 such candidates shall, if the general election or general city election  
33 for the office for which the candidate or a candidate in the group of  
34 candidates seeks election is held on or after January 1 and before the  
35 July 1 immediately following that January 1, not later than:

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

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

44 (c) July 15 of the year of the general election or general city  
45 election for that office, for the period from 11 days before the



1 general election or general city election through June 30 of that  
2 year,

3 ➡ report each campaign contribution in excess of \$100 received  
4 during the period and contributions received during the period from  
5 a contributor which cumulatively exceed \$100. The report must be  
6 completed on the form designed and provided by the Secretary of  
7 State pursuant to NRS 294A.373. The form must be signed by the  
8 person or a representative of the committee , ~~for~~ political party *or*  
9 *company* under penalty of perjury.

10 3. The name and address of the contributor and the date on  
11 which the contribution was received must be included on the report  
12 for each contribution in excess of \$100 and contributions which a  
13 contributor has made cumulatively in excess of \$100 since the  
14 beginning of the current reporting period.

15 4. Every person, committee , ~~for~~ political party *or company*  
16 described in subsection 1 which makes an expenditure on behalf of a  
17 candidate for office at a primary election, primary city election,  
18 general election or general city election or on behalf of a group of  
19 such candidates shall, if the general election or general city election  
20 for the office for which the candidate or a candidate in the group of  
21 candidates seeks election is held on or after July 1 and before the  
22 January 1 immediately following that July 1, not later than:

23 (a) Seven days before the primary election or primary city  
24 election for that office, for the period from the January 1  
25 immediately preceding the primary election or primary city election  
26 through 12 days before the primary election or primary city election;  
27 and

28 (b) Seven days before the general election or general city  
29 election for that office, for the period from 11 days before the  
30 primary election or primary city election through 12 days before the  
31 general election or general city election,

32 ➡ report each campaign contribution in excess of \$100 received  
33 during the period and contributions received during the period from  
34 a contributor which cumulatively exceed \$100. The report must be  
35 completed on the form designed and provided by the Secretary of  
36 State pursuant to NRS 294A.373. The form must be signed by the  
37 person or a representative of the committee , ~~for~~ political party *or*  
38 *company* under penalty of perjury.

39 5. Except as otherwise provided in subsection 6, every  
40 person, committee , ~~for~~ political party *or company* described in  
41 subsection 1 which makes an expenditure on behalf of a candidate  
42 for office at a special election or on behalf of a group of such  
43 candidates shall, not later than:

44 (a) Seven days before the special election for the office for  
45 which the candidate or a candidate in the group of candidates seeks



1 election, for the period from the nomination of the candidate  
2 through 12 days before the special election; and

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

5 ➡ report each campaign contribution in excess of \$100 received  
6 during the period and contributions received during the period from  
7 a contributor which cumulatively exceed \$100. The report must be  
8 completed on the form designed and provided by the Secretary of  
9 State pursuant to NRS 294A.373. The form must be signed by the  
10 person or a representative of the committee , ~~for~~ political party *or*  
11 *company* under penalty of perjury.

12 6. Every person, committee , ~~for~~ political party *or company*  
13 described in subsection 1 which makes an expenditure on behalf of a  
14 candidate for office at a special election to determine whether a  
15 public officer will be recalled or on behalf of a group of candidates  
16 for offices at such special elections shall report each contribution in  
17 excess of \$100 received during the period and contributions  
18 received during the period from a contributor which cumulatively  
19 exceed \$100. The report must be completed on the form designed  
20 and provided by the Secretary of State pursuant to NRS 294A.373  
21 and signed by the person or a representative of the committee , ~~for~~  
22 political party *or company* under penalty of perjury, 30 days after:

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

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

31 7. The reports of contributions required pursuant to this section  
32 must be filed with:

33 (a) If the candidate is elected from one county, the county clerk  
34 of that county;

35 (b) If the candidate is elected from one city, the city clerk of that  
36 city; or

37 (c) If the candidate is elected from more than one county or city,  
38 the Secretary of State.

39 8. A person or entity may file the report with the appropriate  
40 officer by regular mail, certified mail, facsimile machine or  
41 electronic means. A report shall be deemed to be filed with the  
42 officer:

43 (a) On the date that it was mailed if it was sent by certified mail;  
44 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. 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.

10. Every person, committee, ~~for~~ political party *or company* described in subsection 1 shall file a report required by this section even if he or it receives no contributions.

**Sec. 7.** NRS 294A.150 is hereby amended to read as follows:

294A.150 1. Every person or group of persons organized formally or informally, *including a limited-liability company*, 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, *including a limited-liability company*, 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 group of persons, for the period from January 1 of the previous year through December 31 of the previous year, report each campaign contribution in excess of \$100 received during that period and contributions received during the period from a contributor which cumulatively exceed \$100. 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 *or company* under penalty of perjury. The provisions of this subsection apply to the person or group of persons ~~for~~ *or company*:

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

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

2. If a question is on the ballot at a primary election or primary city election and the general election or general city election immediately following that primary election or primary city election is held on or after January 1 and before the July 1 immediately following that January 1, every person or group of persons



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1 organized formally or informally , *including a limited-liability*  
2 *company*, who advocates the passage or defeat of the question or a  
3 group of questions that includes the question shall comply with the  
4 requirements of this subsection. If a question is on the ballot at a  
5 general election or general city election held on or after January 1  
6 and before the July 1 immediately following that January 1, every  
7 person or group of persons organized formally or informally ,  
8 *including a limited-liability company*, who advocates the passage  
9 or defeat of the question or a group of questions that includes the  
10 question shall comply with the requirements of this subsection. A  
11 person , ~~for~~ group of persons *or company* described in this  
12 subsection shall, not later than:

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

17 (b) Seven days before the general election or general city  
18 election, for the period from 11 days before the primary election or  
19 primary city election through 12 days before the general election or  
20 general city election; and

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

24 ➤ report each campaign contribution in excess of \$100 received  
25 during the period and contributions received during the period from  
26 a contributor which cumulatively exceed \$100. The report must be  
27 completed on the form designed and provided by the Secretary of  
28 State pursuant to NRS 294A.373 and signed by the person or a  
29 representative of the group *or company* under penalty of perjury.

30 3. The name and address of the contributor and the date on  
31 which the contribution was received must be included on the report  
32 for each contribution in excess of \$100 and contributions which a  
33 contributor has made cumulatively in excess of that amount since  
34 the beginning of the current reporting period.

35 4. If a question is on the ballot at a primary election or primary  
36 city election and the general election or general city election  
37 immediately following that primary election or primary city election  
38 is held on or after July 1 and before the January 1 immediately  
39 following that July 1, every person or group of persons organized  
40 formally or informally , *including a limited-liability company*, who  
41 advocates the passage or defeat of the question or a group of  
42 questions that includes the question shall comply with the  
43 requirements of this subsection. If a question is on the ballot at a  
44 general election or general city election held on or after July 1 and  
45 before the January 1 immediately following that July 1, every





1 person or group of persons organized formally or informally ,  
2 *including a limited-liability company*, who advocates the passage  
3 or defeat of the question or a group of questions that includes the  
4 question shall comply with the requirements of this subsection.  
5 Every person , ~~for~~ group of persons *or company* who initiates or  
6 circulates a petition for a constitutional amendment or a petition for  
7 a statewide measure proposed by an initiative or a referendum and  
8 who receives or expends money in an amount in excess of \$10,000  
9 to support such initiation or circulation shall comply with the  
10 requirements of this subsection. A person , ~~for~~ group of persons *or*  
11 *company* described in this subsection shall, not later than:

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

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

20 ➤ report each campaign contribution in excess of \$100 received  
21 during the period and contributions received during the period from  
22 a contributor which cumulatively exceed \$100. The report must be  
23 completed on the form designed and provided by the Secretary of  
24 State pursuant to NRS 294A.373. The form must be signed by the  
25 person or a representative of the group *or company* under penalty of  
26 perjury.

27 5. Except as otherwise provided in subsection 6, every person  
28 or group of persons organized formally or informally , *including a*  
29 *limited-liability company*, who advocates the passage or defeat of a  
30 question or group of questions on the ballot at a special election  
31 shall, not later than:

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

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

37 ➤ report each campaign contribution in excess of \$100 received  
38 during the period and contributions received during the period from  
39 a contributor which cumulatively exceed \$100. The report must be  
40 completed on the form designed and provided by the Secretary of  
41 State pursuant to NRS 294A.373. The form must be signed by the  
42 person or a representative of the group *or company* under penalty of  
43 perjury.

44 6. Every person or group of persons organized formally or  
45 informally , *including a limited-liability company*, who advocates



1 the passage or defeat of a question or group of questions on the  
2 ballot at a special election to determine whether a public officer will  
3 be recalled shall report each of the contributions received 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 *or company* under penalty of perjury, 30 days after:

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

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

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

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

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

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

23 8. A person may mail or transmit his report to the appropriate  
24 officer by regular mail, certified mail, facsimile machine or  
25 electronic means. A report shall be deemed to be filed with the  
26 officer:

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

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

32 9. If the person or group of persons , *including a limited-*  
33 *liability company*, is advocating passage or defeat of a group of  
34 questions or is receiving or expending money to support a group of  
35 petitions for constitutional amendments, a group of petitions for  
36 statewide measures proposed by initiative or referendum or a group  
37 of petitions for both constitutional amendments and statewide  
38 measures proposed by initiative or referendum, the reports must be  
39 itemized by question or petition.

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



**Sec. 8.** NRS 294A.210 is hereby amended to read as follows:

294A.210 1. Every person who is not under the direction or control of a candidate for an office at a primary election, primary city election, general election or general city election, of a group of such candidates or of any person involved in the campaign of that candidate or group who makes an expenditure on behalf of the candidate or group which is not solicited or approved by the candidate or group, and every committee for political action, political party, ~~for~~ committee sponsored by a political party *or limited-liability company* which makes an expenditure on behalf of such a candidate or group of candidates shall, not later than January 15 of each year that the provisions of this subsection apply to the person, committee, ~~for~~ political party *or company*, for the period from January 1 of the previous year through December 31 of the previous year, report each expenditure made during the period on behalf of the candidate, the group of candidates or a candidate in the group of candidates in excess of \$100 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 committee, ~~for~~ political party *or company* under penalty of perjury. The provisions of this subsection apply to the person, committee, ~~for~~ political party *or company* beginning the year of the general election or general city election for that office through the year immediately preceding the next general election or general city election for that office.

2. Every person, committee, ~~for~~ political party *or company* described in subsection 1 which makes an expenditure on behalf of a candidate for office at a primary election, primary city election, general election or general city election or a group of such candidates shall, if the general election or general city election for the office for which the candidate or a candidate in the group of candidates seeks election is held on or after January 1 and before the July 1 immediately following that January 1, not later than:

(a) Seven days before the primary election or primary city election for that office, 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;

(b) Seven days before the general election or general city election for that office, 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; and

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



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1   ↪ report each expenditure made during the period on behalf of the  
2 candidate, the group of candidates or a candidate in the group of  
3 candidates in excess of \$100 on the form designed and provided by  
4 the Secretary of State pursuant to NRS 294A.373. The form must be  
5 signed by the person or a representative of the committee , ~~for~~  
6 political party *or company* under penalty of perjury.

7     3. Every person, committee , ~~for~~ political party *or company*  
8 described in subsection 1 which makes an expenditure on behalf of a  
9 candidate for office at a primary election, primary city election,  
10 general election or general city election or on behalf of a group of  
11 such candidates shall, if the general election or general city election  
12 for the office for which the candidate or a candidate in the group of  
13 candidates seeks election is held on or after July 1 and before the  
14 January 1 immediately following that July 1, not later than:

15     (a) Seven days before the primary election or primary city  
16 election for that office, for the period from the January 1  
17 immediately preceding the primary election or primary city election  
18 through 12 days before the primary election or primary city election;  
19 and

20     (b) Seven days before the general election or general city  
21 election for that office, for the period from 11 days before the  
22 primary election or primary city election through 12 days before the  
23 general election or general city election,

24   ↪ report each expenditure made during the period on behalf of the  
25 candidate, the group of candidates or a candidate in the group of  
26 candidates in excess of \$100 on the form designed and provided by  
27 the Secretary of State pursuant to NRS 294A.373. The form must be  
28 signed by the person or a representative of the committee , ~~for~~  
29 political party *or company* under penalty of perjury.

30     4. Except as otherwise provided in subsection 5, every  
31 person, committee , ~~for~~ political party *or company* described in  
32 subsection 1 which makes an expenditure on behalf of a candidate  
33 for office at a special election or on behalf of a group of such  
34 candidates shall, not later than:

35     (a) Seven days before the special election for the office for  
36 which the candidate or a candidate in the group of candidates seeks  
37 election, for the period from the nomination of the candidate  
38 through 12 days before the special election; and

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

41   ↪ report each expenditure made during the period on behalf of the  
42 candidate, the group of candidates or a candidate in the group of  
43 candidates in excess of \$100 on the form designed and provided by  
44 the Secretary of State pursuant to NRS 294A.373. The form must be



1 signed by the person or a representative of the committee , ~~for~~  
2 political party *or company* under penalty of perjury.

3 5. Every person, committee , ~~for~~ political party *or company*  
4 described in subsection 1 which makes an expenditure on behalf of a  
5 candidate for office at a special election to determine whether a  
6 public officer will be recalled or on behalf of a group of such  
7 candidates shall list each expenditure made on behalf of the  
8 candidate, the group of candidates or a candidate in the group of  
9 candidates in excess of \$100 on the form designed and provided by  
10 the Secretary of State pursuant to NRS 294A.373 and signed by the  
11 person or a representative of the committee , ~~for~~ political party *or*  
12 *company* under penalty of perjury, 30 days after:

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

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

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

25 7. The reports must be filed with:

26 (a) If the candidate is elected from one county, the county clerk  
27 of that county;

28 (b) If the candidate is elected from one city, the city clerk of that  
29 city; or

30 (c) If the candidate is elected from more than one county or city,  
31 the Secretary of State.

32 8. If an expenditure is made on behalf of a group of candidates,  
33 the reports must be itemized by the candidate. A person may mail or  
34 transmit his report to the appropriate officer by regular mail,  
35 certified mail, facsimile machine or electronic means. A report shall  
36 be deemed to be filed with the officer:

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

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

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



10. Every person, committee, ~~for~~ political party *or company* described in subsection 1 shall file a report required by this section even if he or it receives no contributions.

**Sec. 9.** NRS 294A.220 is hereby amended to read as follows:

294A.220 1. Every person or group of persons organized formally or informally, *including a limited-liability company*, 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, *including a limited-liability company*, 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 group of persons, for the period from January 1 of the previous year through December 31 of the previous year, 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 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 *or company* under penalty of perjury. The provisions of this subsection apply to the person or group of persons ~~or~~ *or company*:

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

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

2. If a question is on the ballot at a primary election or primary city election and the general election or general city election immediately following that primary election or primary city election is held on or after January 1 and before the July 1 immediately following that January 1, every person or group of persons organized formally or informally, *including a limited-liability company*, who advocates the passage or defeat of the question or a group of questions that includes the question shall comply with the requirements of this subsection. If a question is on the ballot at a general election or general city election held on or after January 1 and before the July 1 immediately following that January 1, every person or group of persons organized formally or informally, *including a limited-liability company*, who advocates the passage



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1 or defeat of the question or a group of questions that includes the  
2 question shall comply with the requirements of this subsection. A  
3 person , ~~for~~ group of persons *or company* described in this  
4 subsection shall, not later than:

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

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

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

17 ➔ report each expenditure made during the period on behalf of or  
18 against the question, the group of questions or a question in the  
19 group of questions on the ballot in excess of \$100 on the form  
20 designed and provided by the Secretary of State pursuant to NRS  
21 294A.373 and signed by the person or a representative of the group  
22 *or company* under penalty of perjury.

23 3. If a question is on the ballot at a primary election or primary  
24 city election and the general election or general city election  
25 immediately following that primary election or primary city election  
26 is held on or after July 1 and before the January 1 immediately  
27 following that July 1, every person or group of persons organized  
28 formally or informally , *including a limited-liability company*, who  
29 advocates the passage or defeat of the question or a group of  
30 questions that includes the question shall comply with the  
31 requirements of this subsection. If a question is on the ballot at a  
32 general election or general city election held on or after July 1 and  
33 before the January 1 immediately following that July 1, every  
34 person or group of persons organized formally or informally ,  
35 *including a limited-liability company*, who advocates the passage  
36 or defeat of the question or a group of questions that includes the  
37 question shall comply with the requirements of this subsection.  
38 Every person , ~~for~~ group of persons *or company* who initiates or  
39 circulates a petition for a constitutional amendment or a petition for  
40 a statewide measure proposed by an initiative or a referendum and  
41 who receives or expends money in an amount in excess of \$10,000  
42 to support such initiation or circulation shall comply with the  
43 requirements of this subsection. A person , ~~for~~ group of persons *or*  
44 *company* 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 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 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 *or company* under penalty of perjury.

4. Except as otherwise provided in subsection 5, every person or group of persons organized formally or informally, *including a limited-liability company*, 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 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 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 *or company* under penalty of perjury.

5. Every person or group of persons organized formally or informally, *including a limited-liability company*, 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 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 *or company* 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



1 to subsection 5 of NRS 306.040, for the period from the filing of the  
2 notice of intent to circulate the petition for recall through the date of  
3 the district court's decision.

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

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

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

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

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

16 8. If an expenditure is made on behalf of a group of questions  
17 or a group of petitions for constitutional amendments, a group of  
18 petitions for statewide measures proposed by initiative or  
19 referendum or a group of petitions for both constitutional  
20 amendments and statewide measures proposed by initiative or  
21 referendum, the reports must be itemized by question or petition. A  
22 person may mail or transmit his report to the appropriate filing  
23 officer by regular mail, certified mail, facsimile machine or  
24 electronic means. A report shall be deemed to be filed with the filing  
25 officer:

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

28 (b) On the date that it was received by the filing officer if the  
29 report was sent by regular mail, transmitted by facsimile machine or  
30 electronic means, or delivered personally.

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

35 **Sec. 10.** NRS 294A.373 is hereby amended to read as follows:

36 294A.373 1. The Secretary of State shall design a single form  
37 to be used for all reports of campaign contributions and expenses or  
38 expenditures that are required to be filed pursuant to NRS  
39 294A.120, 294A.125, 294A.128, 294A.140, 294A.150, 294A.200,  
40 294A.210, 294A.220, 294A.270, 294A.280, 294A.360 and  
41 294A.362.

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



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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 *and limited-liability company* 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 *or company* that is required to use the form.

**Sec. 11.** NRS 294A.382 is hereby amended to read as follows:

294A.382 The Secretary of State shall not request or require a candidate, person, group of persons, committee , ~~or~~ political party *or limited-liability company* to list each of the expenditures or campaign expenses of \$100 or less on a form designed and provided pursuant to NRS 294A.373.

**Sec. 12.** 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~~ *or a limited-liability company that wishes to engage in certain political activity pursuant to section 3 of this act*; 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,

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 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. 13.** 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, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220,



1 294A.270 and 294A.280, prepare and make available for public  
2 inspection a compilation of:

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

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

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

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

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

15 (b) Person , ~~for~~ group of persons *or limited-liability company*  
16 on behalf of or against a question or group of questions on the  
17 ballot.

18 (c) Group of persons *or limited-liability company* advocating  
19 the election or defeat of a candidate.

20 (d) 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) A person or group of persons organized formally or  
28 informally , *including a limited- liability company*, who advocates  
29 the passage or defeat of a question or group of questions on the  
30 ballot.

31 (c) A committee for political action, political party , ~~for~~  
32 committee sponsored by a political party *or limited-liability*  
33 *company* which makes an expenditure on behalf of a candidate or  
34 group of candidates.

35 **Sec. 14.** NRS 294A.420 is hereby amended to read as follows:

36 294A.420 1. If the Secretary of State receives information  
37 that a person or entity that is subject to the provisions of NRS  
38 294A.120, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210,  
39 294A.220, 294A.230, 294A.270, 294A.280 or 294A.360 *or*  
40 *section 3 of this act* has not filed a report or form for registration  
41 pursuant to the applicable provisions of those sections, the Secretary  
42 of State may, after giving notice to that person or entity, cause the  
43 appropriate proceedings to be instituted in the First Judicial District  
44 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 3 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.

