

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 certain business entities 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 certain business entities 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 certain business entities 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 business entities must register  
8 with and provide to the Secretary of State certain identifying information before the  
9 business entity may solicit or receive contributions, make contributions or make  
10 expenditures designed to affect the outcome of an election except a business entity  
11 for which: (1) the owners, investors, officers, directors, members or other  
12 organizers are disclosed in a public record; or (2) the business purpose is disclosed  
13 in a public record that clearly identifies a specific business in a manner that is



verifiable. **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 business entities that are required to register with the Secretary of State pursuant to **section 3** of this bill that engage 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 business entity that is required to register with the Secretary of State pursuant to **section 3** of this bill.

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 business entities 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.** *“Business entity” means any corporation, company or other form of business organization. The term does not include a business entity for which:*

*1. The owners, investors, officers, directors, members or other organizers of the entity are disclosed in any public record; or*

*2. The business purpose of the entity is disclosed in a public record that clearly identifies a specific business in a manner that is verifiable.*

**Sec. 3.** *1. A business entity 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 business entity;*

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

(c) *The names and addresses of each owner, investor, officer, director, member or other organizer of the entity;*

(d) *If the business entity is affiliated with any other organization, the name, address and telephone number of each such organization;*

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

(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, in a timely manner, 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. 4.5.** NRS 294A.0055 is hereby amended to read as follows:

294A.0055 1. "Committee for political action" means any group of natural persons or entities that solicits or receives contributions from any other person, group or entity and:

(a) Makes or intends to make contributions to candidates or other persons; or

(b) Makes or intends to make expenditures, ➔ designed to affect the outcome of any primary, general or special election or question on the ballot.

2. "Committee for political action" does not include:

(a) An organization made up of legislative members of a political party whose primary purpose is to provide support for their political efforts.

(b) An entity solely because it provides goods or services to a candidate or committee in the regular course of its business at the same price that would be provided to the general public.

(c) An individual natural person.

(d) An individual corporation or other business **[entity]** *organization* who has filed articles of incorporation or other documentation of organization with the Secretary of State pursuant to title 7 of NRS.



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(e) A labor union.

(f) A personal campaign committee or the personal representative of a candidate who receives contributions or makes expenditures that are reported as campaign contributions or expenditures by the candidate.

(g) A committee for the recall of a public officer.

**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 business entity* 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 business entity*, 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 paraphernalia that was printed or otherwise produced to promote a campaign and the use of paid personnel to assist in a campaign.

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

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

294A.140 1. Every person who is not under the direction or control of a candidate for 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, ~~and~~ committee sponsored by a political party *and*



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*business entity* 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, ~~or~~ political party ~~or~~ *or business entity*, 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 he or it received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The provisions of this subsection apply to the person, committee, ~~or~~ political party *or business entity* 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, ~~or~~ political party *or business entity* described in subsection 1 which makes an expenditure on behalf of the candidate for office at a primary election, primary city election, general election or general city election or on behalf of 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 June 30 of that year,

➤ report each campaign contribution in excess of \$100 received during the 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 committee, ~~or~~ political party *or business entity* under penalty of perjury.

3. The name and address of the contributor and the date on which the contribution was received must be included on the report for each contribution in excess of \$100 and contributions which a



contributor has made cumulatively in excess of \$100 since the beginning of the current reporting period.

4. Every person, committee, ~~for~~ political party *or business entity* 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 on behalf of 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 July 1 and before the January 1 immediately following that July 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; and

(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,

→ report each campaign contribution in excess of \$100 received during the 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 committee, ~~for~~ political party *or business entity* under penalty of perjury.

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

(a) Seven days before the special election for the office for which the candidate or a candidate in the group of candidates seeks election, for the period from the nomination of the candidate 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 received during the 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 committee, ~~for~~ political party *or business entity* under penalty of perjury.



6. Every person, committee, ~~for~~ political party *or business entity* described in subsection 1 which makes an expenditure on behalf of a candidate for office at a special election to determine whether a public officer will be recalled or on behalf of a group of candidates for offices at such special elections shall report each contribution in excess of \$100 received during the 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 and signed by the person or a representative of the committee, ~~for~~ political party *or business entity* 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 of contributions required pursuant to this section must be filed with:

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

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

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

8. A person or entity may file the report with 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. 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 business entity* described in subsection 1 shall file a report required by this section even if he or it receives no contributions.



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**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 business entity*, 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 business entity*, 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 business entity* under penalty of perjury. The provisions of this subsection apply to the person or group of persons ~~or~~ *or business entity*:

(a) Each year in which an election or city election is held for each question for which the person, ~~or~~ group *or business entity* advocates passage or defeat or each year in which a person, ~~or~~ group *or business entity* 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 business entity*, 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 business entity*, 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. A person, ~~or~~



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1 group of persons *or business entity* described in this subsection  
2 shall, not 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 received  
15 during the period and contributions received during the period from  
16 a contributor which cumulatively exceed \$100. The report must be  
17 completed on the form designed and provided by the Secretary of  
18 State pursuant to NRS 294A.373 and signed by the person or a  
19 representative of the group *or business entity* under penalty of  
20 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 and contributions which a  
24 contributor has made cumulatively in excess of that amount since  
25 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, *including a business entity*, who advocates  
32 the passage or defeat of the question or a group of questions that  
33 includes the question shall comply with the requirements of this  
34 subsection. If a question is on the ballot at a general election or  
35 general city election held on or after July 1 and before the January 1  
36 immediately following that July 1, every person or group of persons  
37 organized formally or informally, *including a business entity*, who  
38 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, ~~for~~ group of persons  
41 *or business entity* who initiates or circulates a petition for a  
42 constitutional amendment or a petition for a statewide measure  
43 proposed by an initiative or a referendum and who receives or  
44 expends money in an amount in excess of \$10,000 to support such  
45 initiation or circulation shall comply with the requirements of this



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1 subsection. A person , ~~for~~ group of persons *or business entity*  
2 described in this subsection shall, not 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; and

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,

11 ➔ report each campaign contribution in excess of \$100 received  
12 during the period and contributions received during the period from  
13 a contributor which cumulatively exceed \$100. The report must be  
14 completed on the form designed and provided by the Secretary of  
15 State pursuant to NRS 294A.373. The form must be signed by the  
16 person or a representative of the group *or business entity* under  
17 penalty of perjury.

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

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

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

28 ➔ report each campaign contribution in excess of \$100 received  
29 during the period and contributions received during the period from  
30 a contributor which cumulatively exceed \$100. The report must be  
31 completed on the form designed and provided by the Secretary of  
32 State pursuant to NRS 294A.373. The form must be signed by the  
33 person or a representative of the group *or business entity* under  
34 penalty of perjury.

35 6. Every person or group of persons organized formally or  
36 informally , *including a business entity*, who advocates the passage  
37 or defeat of a question or group of questions on the ballot at a  
38 special election to determine whether a public officer will be  
39 recalled shall report each of the contributions received on the form  
40 designed and provided by the Secretary of State pursuant to NRS  
41 294A.373 and signed by the person or a representative of the group  
42 *or business entity* under penalty of perjury, 30 days after:

43 (a) The special election, for the period from the filing of the  
44 notice of intent to circulate the petition for recall through the special  
45 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, *including a business entity*, is advocating passage or defeat of a group of questions or 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. 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 business entity* which makes an expenditure on behalf of such a candidate or group of candidates shall, not later than January 15 of



1 each year that the provisions of this subsection apply to the person,  
2 committee , ~~{or}~~ political party ~~{or}~~ *or business entity*, for the period  
3 from January 1 of the previous year through December 31 of the  
4 previous year, report each expenditure made during the period on  
5 behalf of the candidate, the group of candidates or a candidate in the  
6 group of candidates in excess of \$100 on the form designed and  
7 provided by the Secretary of State pursuant to NRS 294A.373. The  
8 form must be signed by the person or a representative of the  
9 committee , ~~{or}~~ political party *or business entity* under penalty of  
10 perjury. The provisions of this subsection apply to the person,  
11 committee , ~~{or}~~ political party *or business entity* beginning the year  
12 of the general election or general city election for that office through  
13 the year immediately preceding the next general election or general  
14 city election for that office.

15 2. Every person, committee , ~~{or}~~ political party *or business*  
16 *entity* described in subsection 1 which makes an expenditure on  
17 behalf of a candidate for office at a primary election, primary city  
18 election, general election or general city election or a group of such  
19 candidates shall, if the general election or general city election for  
20 the office for which the candidate or a candidate in the group of  
21 candidates seeks election is held on or after January 1 and before the  
22 July 1 immediately following that January 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 (b) Seven days before the general election or general city  
28 election for that office, for the period from 11 days before the  
29 primary election or primary city election through 12 days before the  
30 general election or general city election; and

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

35 ➤ report each expenditure made during the period on behalf of the  
36 candidate, the group of candidates or a candidate in the group of  
37 candidates in excess of \$100 on the form designed and provided by  
38 the Secretary of State pursuant to NRS 294A.373. The form must be  
39 signed by the person or a representative of the committee , ~~{or}~~  
40 political party *or business entity* under penalty of perjury.

41 3. Every person, committee , ~~{or}~~ political party *or business*  
42 *entity* described in subsection 1 which makes an expenditure on  
43 behalf of a candidate for office at a primary election, primary city  
44 election, general election or general city election or on behalf of a  
45 group of such candidates shall, if the general election or general city



1 election for the office for which the candidate or a candidate in the  
2 group of candidates seeks election is held on or after July 1 and  
3 before the January 1 immediately following that July 1, not later  
4 than:

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

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

14 ➔ report each expenditure made during the period on behalf of the  
15 candidate, the group of candidates or a candidate in the group of  
16 candidates in excess of \$100 on the form designed and provided by  
17 the Secretary of State pursuant to NRS 294A.373. The form must be  
18 signed by the person or a representative of the committee , ~~for~~  
19 political party *or business entity* under penalty of perjury.

20 4. Except as otherwise provided in subsection 5, every person,  
21 committee , ~~for~~ political party *or business entity* described in  
22 subsection 1 which makes an expenditure on behalf of a candidate  
23 for office at a special election or on behalf of a group of such  
24 candidates shall, not later than:

25 (a) Seven days before the special election for the office for  
26 which the candidate or a candidate in the group of candidates seeks  
27 election, for the period from the nomination of the candidate  
28 through 12 days before the special election; and

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

31 ➔ report each expenditure made during the period on behalf of the  
32 candidate, the group of candidates or a candidate in the group of  
33 candidates in excess of \$100 on the form designed and provided by  
34 the Secretary of State pursuant to NRS 294A.373. The form must be  
35 signed by the person or a representative of the committee , ~~for~~  
36 political party *or business entity* under penalty of perjury.

37 5. Every person, committee , ~~for~~ political party *or business*  
38 *entity* described in subsection 1 which makes an expenditure on  
39 behalf of a candidate for office at a special election to determine  
40 whether a public officer will be recalled or on behalf of a group of  
41 such candidates shall list each expenditure made 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 and signed by the



1 person or a representative of the committee , ~~for~~ political party *or*  
2 *business entity* under penalty of perjury, 30 days after:

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

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

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

15 7. The reports must be filed with:

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

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

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

22 8. If an expenditure is made on behalf of a group of candidates,  
23 the reports must be itemized by the candidate. A person may mail or  
24 transmit his report to the appropriate officer by regular mail,  
25 certified mail, facsimile machine or electronic means. A report shall  
26 be deemed to be filed with the 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. Each county clerk or city clerk who receives a report  
33 pursuant to this section shall file a copy of the report with the  
34 Secretary of State within 10 working days after he receives the  
35 report.

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

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

40 294A.220 1. Every person or group of persons organized  
41 formally or informally , *including a business entity*, who advocates  
42 the passage or defeat of a question or group of questions on the  
43 ballot at a primary election, primary city election, general election  
44 or general city election and every person or group of persons ,  
45 *including a business entity*, who initiates or circulates a petition for



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1 a constitutional amendment or a petition for a statewide measure  
2 proposed by an initiative or a referendum and who receives or  
3 expends money in an amount in excess of \$10,000 to support such  
4 initiation or circulation shall, not later than January 15 of each year  
5 that the provisions of this subsection apply to the person or group of  
6 persons, for the period from January 1 of the previous year through  
7 December 31 of the previous year, report each expenditure made  
8 during the period on behalf of or against the question, the group of  
9 questions or a question in the group of questions on the ballot in  
10 excess of \$100 on the form designed and provided by the Secretary  
11 of State pursuant to NRS 294A.373. The form must be signed by the  
12 person or a representative of the group *or business entity* under  
13 penalty of perjury. The provisions of this subsection apply to the  
14 person or group of persons ~~or~~ *or business entity*:

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

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

23 2. 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 January 1 and before the July 1 immediately  
27 following that January 1, every person or group of persons  
28 organized formally or informally , *including a business entity*, 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 January 1  
33 and before the July 1 immediately following that January 1, every  
34 person or group of persons organized formally or informally ,  
35 *including a business entity*, who advocates the passage or defeat of  
36 the question or a group of questions that includes the question shall  
37 comply with the requirements of this subsection. A person , ~~or~~  
38 group of persons *or business entity* described in this subsection  
39 shall, not later than:

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

44 (b) Seven days before the general election or general city  
45 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; and

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

↳ 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 and signed by the person or a representative of the group *or business entity* under penalty of perjury.

3. 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 July 1 and before the January 1 immediately following that July 1, every person or group of persons organized formally or informally, *including a business entity*, 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 July 1 and before the January 1 immediately following that July 1, every person or group of persons organized formally or informally, *including a business entity*, 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. Every person, ~~for~~ group of persons *or business entity* 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 comply with the requirements of this subsection. A person, ~~for~~ group of persons *or business entity* 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 business entity* under penalty of perjury.

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

5. Every person or group of persons organized formally or informally, *including a business entity*, 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 business entity* 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 or 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. 10.** 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.

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 *and business entity* 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, ~~and~~ group *or business entity* 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, ~~for~~ political party *or business entity* 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, ~~for~~ a committee for the recall of a public officer pursuant to NRS 294A.250 ~~for~~ *or a business entity 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, 294A.270 and 294A.280, prepare and make available for public inspection a compilation of:

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

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



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

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

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

(b) Person, ~~for~~ group of persons *or business entity* on behalf of or against a question or group of questions on the ballot.

(c) Group of persons *or business entity* advocating the election or defeat of a candidate.

(d) Committee for the recall of a public officer.

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

(a) A 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.

(b) A person or group of persons organized formally or informally, *including a business entity*, who advocates the passage or defeat of a question or group of questions on the ballot.

(c) A committee for political action, political party, ~~for~~ committee sponsored by a political party *or business entity* which makes an expenditure on behalf of a candidate or group of candidates.

**Sec. 14.** 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 3 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 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.



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

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

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

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

11        ➤ A civil penalty imposed pursuant to this subsection against a  
12 public officer who by law is not entitled to receive compensation for  
13 his office or a candidate for such an office must not exceed a total of  
14 \$100 if the public officer or candidate received no contributions and  
15 made no expenditures during the relevant reporting periods.

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

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

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

