

ASSEMBLY BILL NO. 82—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE SECRETARY OF STATE)

PREFILED DECEMBER 15, 2010

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to elections.
(BDR 24-407)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

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

AN ACT relating to elections; revising provisions governing registering to vote by computer; authorizing additional mailing precincts in certain circumstances; making various other changes relating to the administration and conduct of elections; authorizing the disposition of unspent campaign contributions to a governmental entity and for the use of legal expenses; requiring the annual registration of committees for political action; making various other changes relating to campaign finance; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 7 of this bill allows a county clerk to establish mailing precincts or absent ballot mailing precincts if approved by the Secretary of State, in addition to circumstances authorized for the creation of mailing precincts in existing law. (NRS 293.213)

Sections 8 and 23 of this bill provide that if a county clerk establishes a system for using a computer for voter registration for that county, the system established must comply with any procedures and requirements prescribed by the Secretary of State. Existing law requires county clerks to verify the validity of the signatures of persons who sign petitions for initiative or referendum, petitions to recall public officers, petitions to qualify as a political party, petitions for filling ballot vacancies or petitions to place minor party or independent candidates on the ballot against the



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voter registration records, including applications to register to vote. (NRS 293.1277) **Section 5** of this bill provides that if a computer is used for voter registration in a county, the county clerk may rely on such indicia as may be prescribed by the Secretary of State to complete the signature verification.

Sections 9, 26 and 36 of this bill revise the manner in which it is required to list on sample ballots and ballots the names of candidates who have the same names so that if two or more candidates in an election have the same given name and surname and one candidate is an incumbent, the word "Incumbent" must appear on the sample ballot and ballot next to the name of the candidate who is the incumbent.

Section 12 of this bill requires, in addition to other information posted at polling places on election day, the posting of information concerning the eligibility of a candidate, question or other matter to appear on the ballot as a result of judicial determination or by operation of law.

Sections 15 and 35 of this bill authorize voters to vote in mailing precincts if it appears to the satisfaction of the Secretary of State, in addition to the county clerk, that the circumstances authorizing the creation of a mailing precinct exist.

Existing law authorizes a city or county clerk to assess a charge, not to exceed the cost of printing the applications, against a political party or other entity that requests more than 50 applications to register to vote by mail in any 12-month period. (NRS 293.443) **Section 16** of this bill authorizes the Secretary of State to assess such a charge as well.

Section 19 of this bill changes the deadline for the Secretary of State to submit a report concerning primary and general elections to the Legislature from not later than 30 days before the start of a regular legislative session to not sooner than 30 days before and not later than 30 days after the first day of each regular legislative session.

Section 20 of this bill requires recruitment offices of the Armed Forces of the United States to serve as voter registration agencies, in addition to other entities specified in existing law.

Section 21 of this bill prohibits a voter registration agency from knowingly employing a person whose duties will include the registration of voters if the person has been convicted of a felony involving theft or fraud.

Section 22 of this bill prohibits a county clerk from knowingly appointing as a field registrar any person who has been convicted of a felony involving theft or fraud.

Section 27 of this bill amends the deadlines for the county clerk to transmit the number of registered voters in the county to the Secretary of State for the primary and general elections.

Section 28 of this bill expands the crime of threatening a person in connection with an election or petition to include threatening a person in connection with the registration of voters and to include the use of or threatening to use intimidation.

Section 28 also increases the penalty for such a crime from a gross misdemeanor to a category E felony.

Section 29 of this bill increases the penalty for interfering with the conduct of an election from a gross misdemeanor to a category E felony.

Section 30 of this bill provides that polling information from a voter regarding whether the voter intends to vote for or against a particular political party, candidate or ballot question is not "electioneering."

Section 32 of this bill provides that if a person tampers or interferes with, or attempts to tamper or interfere with, a mechanical voting system, mechanical voting device or any computer program used to count ballots, such an act is punishable as a category B felony.

Section 33 of this bill makes the intentional failure to submit to the county clerk an elector's completed application to register to vote by a person who



provided the application to the elector an unlawful act punishable as a category E felony.

Existing law prohibits a person from making certain campaign contributions over \$5,000 during certain periods and prohibits candidates from accepting such contributions during those periods. (NRS 294A.100, 294A.287) **Sections 43 and 60** of this bill also prohibit a person from committing to make such a contribution. **Section 61** of this bill similarly adds the prohibition on committing to make such a contribution to the prohibition on soliciting and accepting any monetary contribution for any political purpose during a specified period which is applicable to Legislators, the Lieutenant Governor, the Lieutenant Governor-Elect, the Governor and the Governor-Elect.

Section 50 of this bill adds to the acceptable methods of disposing of unspent campaign contributions donating money to a governmental entity and allows the person disposing of the unspent contributions to specify how the governmental entity may use the money. **Section 50** also allows certain public officers to use unspent campaign contributions in a future election in certain circumstances.

Section 56 of this bill requires committees for political action to file with the Secretary of State an updated form of registration on or before January 15 of each year.

Section 59 of this bill sets forth the acceptable methods of and deadline for disposing of unspent money in a legal defense fund. **Sections 51 and 63** of this bill require a person who disposes of unspent money in a legal defense fund to report to the Secretary of State how the person disposed of such money.

Sections 48, 54 and 84 of this bill remove requirements that certain persons or groups who advocate the passage or defeat of a ballot question register. As a result, these persons and groups are subject to the same registration and reporting requirements as committees for political action and must report certain contributions and expenditures which exceed \$100, rather than \$10,000 as provided in existing law for these persons or groups.

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

Section 1. (Deleted by amendment.)

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. (Deleted by amendment.)

Sec. 5. NRS 293.1277 is hereby amended to read as follows:

293.1277 1. If the Secretary of State finds that the total number of signatures submitted to all the county clerks is 100 percent or more of the number of registered voters needed to declare the petition sufficient, the Secretary of State shall immediately so notify the county clerks. Within 9 days, excluding Saturdays, Sundays and holidays, after notification, each of the county clerks shall determine the number of registered voters who have signed the documents submitted in the county clerk's county and, in the case of a petition proposing a statute, an amendment to a statute or an amendment to the Constitution, shall tally the number of signatures



1 for each petition district contained or fully contained within the
2 county clerk's county.

3 2. If more than 500 names have been signed on the documents
4 submitted to a county clerk, the county clerk shall examine the
5 signatures by sampling them at random for verification. The random
6 sample of signatures to be verified must be drawn in such a manner
7 that every signature which has been submitted to the county clerk is
8 given an equal opportunity to be included in the sample. The sample
9 must include an examination of at least 500 or 5 percent of the
10 signatures, whichever is greater.

11 3. In determining from the records of registration the number
12 of registered voters who signed the documents, the county clerk may
13 use the signatures contained in the file of applications to register to
14 vote. If the county clerk uses that file, the county clerk shall ensure
15 that every application in the file is examined, including any
16 application in his or her possession which may not yet be entered
17 into the county clerk's records. ~~{The}~~ *Except as otherwise provided*
18 *in this subsection, the* county clerk shall rely only on the
19 appearance of the signature and the address and date included with
20 each signature in making his or her determination. *If, pursuant to*
21 *NRS 293.506, a county clerk establishes a system to allow persons*
22 *to register to vote by computer, the county clerk may rely on such*
23 *other indicia as prescribed by the Secretary of State in making his*
24 *or her determination.*

25 4. In the case of a petition proposing a statute, an amendment
26 to a statute or an amendment to the Constitution, when the county
27 clerk is determining the number of registered voters who signed the
28 documents from each petition district contained fully or partially
29 within the county clerk's county, he or she must use the statewide
30 voter registration list available pursuant to NRS 293.675.

31 5. Except as otherwise provided in subsection 7, upon
32 completing the examination, the county clerk shall immediately
33 attach to the documents a certificate properly dated, showing the
34 result of the examination, including the tally of signatures by
35 petition district, if required, and transmit the documents with the
36 certificate to the Secretary of State. If a petition district comprises
37 more than one county and the petition proposes a statute, an
38 amendment to a statute or an amendment to the Constitution, the
39 appropriate county clerks shall comply with the regulations adopted
40 by the Secretary of State pursuant to this section to complete the
41 certificate. A copy of this certificate must be filed in the clerk's
42 office. When the county clerk transmits the certificate to the
43 Secretary of State, the county clerk shall notify the Secretary of
44 State of the number of requests to remove a name received by the
45 county clerk pursuant to NRS 295.055 or 306.015.



6. A person who submits a petition to the county clerk which is required to be verified pursuant to NRS 293.128, 293.165, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110 must be allowed to witness the verification of the signatures. A public officer who is the subject of a recall petition must also be allowed to witness the verification of the signatures on the petition.

7. For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.165, 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not transmit to the Secretary of State the documents containing the signatures of the registered voters.

8. The Secretary of State shall by regulation establish further procedures for carrying out the provisions of this section.

Sec. 6. (Deleted by amendment.)

Sec. 7. NRS 293.213 is hereby amended to read as follows:

293.213 1. Whenever there were not more than 20 voters registered in a precinct for the last preceding general election, the county clerk may establish that precinct as a mailing precinct.

2. Except as otherwise provided in NRS 293.208, the county clerk in any county ~~{where}~~ *in which* an absent ballot central counting board is appointed may abolish two or more existing mailing precincts and combine those mailing precincts into absent ballot precincts. Those mailing precincts must be designated absent ballot mailing precincts.

3. In any county ~~{where}~~ *in which* an absent ballot central counting board is appointed, any established precinct which had less than 200 ballots cast at the last preceding general election, or any newly established precinct with less than 200 registered voters, may be designated an absent ballot mailing precinct.

4. *A county clerk may establish a mailing precinct or an absent ballot mailing precinct that does not meet the requirements of subsection 1, 2 or 3 if the county clerk obtains prior approval from the Secretary of State.*

5. The county clerk shall, at least 14 days before establishing or designating a precinct as a mailing precinct or absent ballot mailing precinct or before abolishing a mailing precinct pursuant to this section, cause notice of such action to be:

(a) Posted in the manner prescribed for a regular meeting of the board of county commissioners; and

(b) Mailed to each Assemblyman, Assemblywoman, State Senator, county commissioner and, if applicable, member of the governing body of a city who represents residents of a precinct affected by the action.



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Sec. 8. NRS 293.250 is hereby amended to read as follows:

293.250 1. The Secretary of State shall, in a manner consistent with the election laws of this State, prescribe:

(a) The form of all ballots, absent ballots, diagrams, sample ballots, certificates, notices, declarations, applications to register to vote, lists, applications, registers, rosters, statements and abstracts required by the election laws of this State.

(b) The ~~[procedure]~~ *procedures* to be followed ~~[when a computer is used]~~ *and the requirements of a system established pursuant to NRS 293.506 for using a computer* to register voters and to keep records of registration.

2. The Secretary of State shall prescribe with respect to the matter to be printed on every kind of ballot:

(a) The placement and listing of all offices, candidates and measures upon which voting is statewide, which must be uniform throughout the State.

(b) The listing of all other candidates required to file with the Secretary of State, and the order of listing all offices, candidates and measures upon which voting is not statewide, from which each county or city clerk shall prepare appropriate ballot forms for use in any election in his or her county.

3. The Secretary of State shall place the condensation of each proposed constitutional amendment or statewide measure near the spaces or devices for indicating the voter's choice.

4. The fiscal note for, explanation of, arguments for and against, and rebuttals to such arguments of each proposed constitutional amendment or statewide measure must be included on all sample ballots.

5. The condensations and explanations for constitutional amendments and statewide measures proposed by initiative or referendum must be prepared by the Secretary of State, upon consultation with the Attorney General. The arguments and rebuttals for or against constitutional amendments and statewide measures proposed by initiative or referendum must be prepared in the manner set forth in NRS 293.252. The fiscal notes for constitutional amendments and statewide measures proposed by initiative or referendum must be prepared by the Secretary of State, upon consultation with the Fiscal Analysis Division of the Legislative Counsel Bureau. The condensations, explanations, arguments, rebuttals and fiscal notes must be in easily understood language and of reasonable length, and whenever feasible must be completed by August 1 of the year in which the general election is to be held.

6. The names of candidates for township and legislative or special district offices must be printed only on the ballots furnished to voters of that township or district.



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7. A county clerk:

(a) May divide paper ballots into two sheets in a manner which provides a clear understanding and grouping of all measures and candidates.

(b) Shall prescribe the color or colors of the ballots and voting receipts used in any election which the clerk is required to conduct.

Sec. 9. NRS 293.2565 is hereby amended to read as follows:

293.2565 1. Except as otherwise provided in subsection 2, in any election regulated by this chapter, the name of a candidate printed on a ballot may be the given name and surname of the candidate or a contraction or familiar form of his or her given name followed by his or her surname. A nickname of not more than 10 letters may be incorporated into the name of a candidate. The nickname must be in quotation marks and appear immediately before the surname of the candidate. A nickname must not indicate any political, economic, social or religious view or affiliation and must not be the name of any person, living or dead, whose reputation is known on a statewide, nationwide or worldwide basis, or in any other manner deceive a voter regarding the person or principles for which he or she is voting.

2. ~~Except as otherwise provided in subsection 3, in~~ In any election regulated by this chapter, if two or more candidates have the same *given name* and surname ~~for surnames so similar as to be likely to cause confusion~~ and:

(a) None of the candidates is an incumbent, the middle names or middle initials, if any, of the candidates must be included in the names of the candidates ; ~~as printed on the ballot;~~ or

(b) One of the candidates is an incumbent, the name of the incumbent must be listed first and ~~must be printed in bold type.~~

~~3. Where a system of voting other than by paper ballot is used and the provisions of paragraph (b) of subsection 2 are applicable, the Secretary of State may distinguish a candidate who is an incumbent in a manner other than printing the name of the incumbent in bold type provided that the manner used clearly emphasizes the name of the incumbent in a manner similar to printing his or her name in bold type.] the word "Incumbent" must appear next to the name of the candidate who is the incumbent.~~

Sec. 10. NRS 293.272 is hereby amended to read as follows:

293.272 1. Except as otherwise provided in subsection 2 and in NRS 293.2725 and 293.3083, a person who registered *by mail or computer* to vote ~~pursuant to the provisions of NRS 293.5235~~ shall, for the first election in which the person votes at which that registration is valid, vote in person unless he or she has previously voted in the county in which he or she is registered to vote.

2. The provisions of subsection 1 do not apply to a person who:



(a) Is entitled to vote in the manner prescribed in NRS 293.343 to 293.355, inclusive;

(b) Is entitled to vote an absent ballot pursuant to federal law or NRS 293.316 or 293.3165;

(c) Is disabled;

(d) Submits or has previously submitted a written request for an absent ballot that is signed by the registered voter before a notary public or other person authorized to administer an oath; or

(e) Requests an absent ballot in person at the office of the county clerk.

Sec. 11. NRS 293.2725 is hereby amended to read as follows:

293.2725 1. Except as otherwise provided in subsection 2, in NRS 293.3081 and 293.3083 and in federal law, a person who registers by mail *or computer* to vote in this State and who has not previously voted in an election for federal office in this State:

(a) May vote at a polling place only if the person presents to the election board officer at the polling place:

(1) A current and valid photo identification of the person; or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card issued pursuant to NRS 293.517; and

(b) May vote by mail only if the person provides to the county or city clerk:

(1) A copy of a current and valid photo identification of the person; or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card issued pursuant to NRS 293.517.

2. The provisions of this section do not apply to a person who:

(a) Registers to vote by mail and submits with an application to register to vote:

(1) A copy of a current and valid photo identification; or

(2) A copy of a current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the name and address of the person, but not including a voter registration card issued pursuant to NRS 293.517;

(b) Registers to vote by mail and submits with an application to register to vote a driver's license number or at least the last four digits of his or her social security number, if a state or local election official has matched that information with an existing identification record bearing the same number, name and date of birth as provided by the person in the application;



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(c) Is entitled to vote an absent ballot pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. §§ 1973ff et seq.;

(d) Is provided the right to vote otherwise than in person under the Voting Accessibility for the Elderly and Handicapped Act, 42 U.S.C. §§ 1973ee et seq.; or

(e) Is entitled to vote otherwise than in person under any other federal law.

Sec. 12. NRS 293.3025 is hereby amended to read as follows:

293.3025 The Secretary of State and each county and city clerk shall ensure that a copy of each of the following is posted in a conspicuous place at each polling place on election day:

1. A sample ballot;

2. Information concerning the date and hours of operation of the polling place;

3. Instructions for voting and casting a ballot, including a provisional ballot;

4. Instructions concerning the identification required for persons who registered by mail and are first-time voters for federal office in this State;

5. Information concerning the accessibility of polling places to persons with disabilities; ~~and~~

6. General information concerning federal and state laws which prohibit acts of fraud and misrepresentation ~~and~~ ; and

7. Information concerning the eligibility of a candidate, a ballot question or any other matter appearing on the ballot as a result of a judicial determination or by operation of law, if any.

Sec. 13. NRS 293.3081 is hereby amended to read as follows:

293.3081 A person at a polling place may cast a provisional ballot in an election to vote for a candidate for federal office if the person complies with the applicable provisions of NRS 293.3082 and:

1. Declares that he or she has registered to vote and is eligible to vote at that election in that jurisdiction, but his or her name does not appear on a voter registration list as a voter eligible to vote in that election in that jurisdiction or an election official asserts that the person is not eligible to vote in that election in that jurisdiction;

2. Applies by mail ~~or~~ *or computer*, on or after January 1, 2003, to register to vote and has not previously voted in an election for federal office in this State and fails to provide the identification required pursuant to paragraph (a) of subsection 1 of NRS 293.2725 to the election board officer at the polling place; or

3. Declares that he or she is entitled to vote after the polling place would normally close as a result of a court order or other order



1 extending the time established for the closing of polls pursuant to a
2 law of this State in effect 10 days before the date of the election.

3 **Sec. 14.** NRS 293.3083 is hereby amended to read as follows:

4 293.3083 A person may cast a ballot by mail to vote for a
5 candidate for federal office, which must be treated as a provisional
6 ballot by the county or city clerk if the person:

7 1. Applies by mail *or computer* to register to vote and has not
8 previously voted in an election for federal office in this State;

9 2. Fails to provide the identification required pursuant to
10 paragraph (b) of subsection 1 of NRS 293.2725 to the county or city
11 clerk at the time that the person mails the ballot; and

12 3. Completes the written affirmation set forth in subsection 1
13 of NRS 293.3082.

14 **Sec. 15.** NRS 293.343 is hereby amended to read as follows:

15 293.343 1. A registered voter who resides in an election
16 precinct in which there were not more than 200 voters registered for
17 the last preceding general election, or in a precinct in which it
18 appears to the satisfaction of the county clerk *and Secretary of State*
19 that there are not more than 200 registered voters, may vote at any
20 election regulated by this chapter in the manner provided in NRS
21 293.345 to 293.355, inclusive.

22 2. Whenever the county clerk has designated a precinct as a
23 mailing precinct, registered voters residing in that precinct may vote
24 at any election regulated by this chapter in the manner provided in
25 NRS 293.345 to 293.355, inclusive.

26 3. In a county whose population is 100,000 or more, whenever
27 a registered voter is entitled to vote in a mailing precinct or an
28 absent ballot mailing precinct, the county clerk:

29 (a) Shall designate at least one polling place in the county as the
30 polling place where such a voter may vote in person, pursuant to
31 paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of
32 NRS 293.353, on election day; and

33 (b) May designate certain polling places for early voting as the
34 polling places where such a voter may vote in person, pursuant to
35 paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of
36 NRS 293.353, during the period for early voting, if it is impractical
37 for the county clerk to provide at each polling place for early voting
38 a ballot in every form required in the county.

39 4. In a county whose population is less than 100,000, whenever
40 a registered voter is entitled to vote in a mailing precinct or an
41 absent ballot mailing precinct, the county clerk:

42 (a) May designate one or more polling places in the county as
43 the polling place where such a voter may vote in person, pursuant to
44 paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of
45 NRS 293.353, on election day; and



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(b) May designate certain polling places for early voting as the polling places where such a voter may vote in person, pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353, during the period for early voting, if it is impractical for the county clerk to provide at each polling place for early voting a ballot in every form required in the county.

5. Polling places designated pursuant to subsection 3 or 4 may include, without limitation, polling places located as closely as practicable to the mailing precincts.

Sec. 16. NRS 293.443 is hereby amended to read as follows:

293.443 1. Except as otherwise provided in subsection 3, the expense of providing all ballots, forms and other supplies to be used at any election regulated by this chapter or chapter 293C of NRS and all expenses necessarily incurred in the preparation for, or the conduct of, any such election is a charge upon the municipality, county, district or State, as the case may be.

2. The county or city clerk may submit the printing of ballots for competitive bidding.

3. If a political party or other entity requests more than 50 applications to register to vote by mail in any 12-month period, the clerk *or the Secretary of State* may assess a charge, not to exceed the cost of printing the applications.

Sec. 17. NRS 293.4687 is hereby amended to read as follows:

293.4687 1. The Secretary of State shall maintain a website on the Internet for public information maintained, collected or compiled by the Secretary of State that relates to elections, which must include, without limitation:

(a) The Voters' Bill of Rights required to be posted on the Secretary of State's Internet website pursuant to the provisions of NRS 293.2549;

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

(c) A current list of the registered voters in this State that also indicates the petition district in which each registered voter resides;

(d) A map or maps indicating the boundaries of each petition district; and

(e) All reports on campaign contributions and expenditures submitted to the Secretary of State pursuant to the provisions of NRS 294A.120, 294A.125, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280, ~~294A.283,~~ 294A.360 and 294A.362 and all reports on contributions received by and expenditures made from a legal defense fund submitted to the Secretary of State pursuant to NRS 294A.286.

2. The abstract of votes required to be maintained on the website pursuant to paragraph (b) of subsection 1 must be



1 maintained in such a format as to permit the searching of the
2 abstract of votes for specific information.

3 3. If the information required to be maintained by the Secretary
4 of State pursuant to subsection 1 may be obtained by the public
5 from a website on the Internet maintained by a county clerk or city
6 clerk, the Secretary of State may provide a hyperlink to that website
7 to comply with the provisions of subsection 1 with regard to that
8 information.

9 **Sec. 18.** (Deleted by amendment.)

10 **Sec. 19.** NRS 293.4695 is hereby amended to read as follows:

11 293.4695 1. Each county clerk shall collect the following
12 information regarding each primary and general election, on a form
13 provided by the Secretary of State and made available at each
14 polling place in the county, each polling place for early voting in the
15 county, the office of the county clerk and any other location deemed
16 appropriate by the Secretary of State:

17 (a) The number of ballots that have been discarded or for any
18 reason not included in the final canvass of votes, along with an
19 explanation for the exclusion of each such ballot from the final
20 canvass of votes.

21 (b) A report on each malfunction of any mechanical voting
22 system, including, without limitation:

23 (1) Any known reason for the malfunction;

24 (2) The length of time during which the mechanical voting
25 system could not be used;

26 (3) Any remedy for the malfunction which was used at the
27 time of the malfunction; and

28 (4) Any effect the malfunction had on the election process.

29 (c) A list of each polling place not open during the time
30 prescribed pursuant to NRS 293.273 and an account explaining why
31 each such polling place was not open during the time prescribed
32 pursuant to NRS 293.273.

33 (d) A description of each challenge made to the eligibility of a
34 voter pursuant to NRS 293.303 and the result of each such
35 challenge.

36 (e) A description of each complaint regarding a ballot cast by
37 mail or facsimile filed with the county clerk and the resolution, if
38 any, of the complaint.

39 (f) The results of any audit of election procedures and practices
40 conducted pursuant to regulations adopted by the Secretary of State
41 pursuant to this chapter.

42 (g) The number of provisional ballots cast and the reason for the
43 casting of each provisional ballot.

44 2. Each county clerk shall submit to the Secretary of State, on a
45 form provided by the Secretary of State, the information collected



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1 pursuant to subsection 1 not more than 60 days after each primary
2 and general election.

3 3. The Secretary of State may contact any political party and
4 request information to assist in the investigation of any allegation of
5 voter intimidation.

6 4. The Secretary of State shall establish and maintain an
7 Internet website pursuant to which the Secretary of State shall solicit
8 and collect voter comments regarding election processes.

9 5. The Secretary of State shall compile the information and
10 comments collected pursuant to this section into a report and shall
11 submit the report to the Director of the Legislative Counsel Bureau
12 for transmission to the Legislature ~~[not later than]~~ *not sooner than*
13 30 days before *and not later than 30 days after* the ~~[start]~~ *first day*
14 of each regular session of the Legislature.

15 6. The Secretary of State may make the report required
16 pursuant to subsection 5 available on an Internet website established
17 and maintained by the Secretary of State.

18 **Sec. 20.** NRS 293.504 is hereby amended to read as follows:

19 293.504 1. The following offices shall serve as voter
20 registration agencies:

21 (a) Such offices that provide public assistance as are designated
22 by the Secretary of State;

23 (b) Each office that receives money from the State of Nevada to
24 provide services to persons with disabilities in this State;

25 (c) The offices of the Department of Motor Vehicles;

26 (d) The offices of the city and county clerks;

27 (e) Such other county and municipal facilities as a county clerk
28 or city clerk may designate pursuant to NRS 293.5035 or 293C.520,
29 as applicable; ~~[and]~~

30 (f) *Recruitment offices of the United States Armed Forces; and*

31 (g) Such other offices as the Secretary of State deems
32 appropriate.

33 2. Each voter registration agency shall:

34 (a) Post in a conspicuous place, in at least 12-point type,
35 instructions for registering to vote;

36 (b) ~~[Make]~~ *Except as otherwise provided in subsection 3,*
37 *distribute* applications to register to vote which may be returned by
38 mail ~~[available to each person who applies for or receives]~~ *with any*
39 *application for* services or assistance from the agency ~~[;]~~ *or*
40 *submitted for any other purpose and with each application for*
41 *recertification, renewal or change of address submitted to the*
42 *agency that relates to such services, assistance or other purpose;*

43 (c) Provide the same amount of assistance to an applicant in
44 completing an application to register to vote as the agency provides
45 to a person completing any other forms for the agency; and



(d) Accept completed applications to register to vote.

3. *A voter registration agency is not required to provide an application to register to vote pursuant to paragraph (b) of subsection 2 to a person who applies for or receives services or assistance from the agency or submits an application for any other purpose if the person declines to register to vote and submits to the agency a written form that meets the requirements of 42 U.S.C. § 1973gg-5(a)(6). No information related to the declination to register to vote may be used for any purpose other than voter registration.*

4. Except as otherwise provided in this subsection and NRS 293.524, any application to register to vote accepted by a voter registration agency must be transmitted to the county clerk not later than 10 days after the application is accepted. The applications must be forwarded daily during the 2 weeks immediately preceding the fifth Sunday preceding an election. The county clerk shall accept any application to register to vote which is obtained from a voter registration agency pursuant to this section and completed by the fifth Sunday preceding an election if the county clerk receives the application not later than 5 days after that date.

~~[4.]~~ 5. The Secretary of State shall cooperate with the Secretary of Defense to develop and carry out procedures to enable persons in this State to apply to register to vote at recruitment offices of the United States Armed Forces.

Sec. 21. NRS 293.5045 is hereby amended to read as follows:

293.5045 1. A person who works in a voter registration agency shall not:

(a) Seek to influence an applicant's political preference or party registration;

(b) Display a political preference or party allegiance in a place where it can be seen by an applicant;

(c) Make any statement or take any action to discourage an applicant from registering to vote; or

(d) Make any statement or take any action which would lead the applicant to believe that a decision to register to vote has any effect on the availability of any services or benefits provided by the State or Federal Government.

2. A person who violates any of the provisions of ~~[this section]~~ *subsection 1* is guilty of a category E felony and shall be punished as provided in NRS 193.130.

3. *A voter registration agency shall not knowingly employ a person whose duties will include the registration of voters if the person has been convicted of a felony involving theft or fraud. The Secretary of State may bring an action against a voter registration agency to collect a civil penalty of not more than \$5,000 for each*



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1 *person who is employed by the voter registration agency in*
2 *violation of this subsection. Any civil penalty collected pursuant to*
3 *this subsection must be deposited with the State Treasurer for*
4 *credit to the State General Fund.*

5 **Sec. 22.** NRS 293.505 is hereby amended to read as follows:

6 293.505 1. All justices of the peace, except those located in
7 county seats, are ex officio field registrars to carry out the
8 provisions of this chapter.

9 2. The county clerk shall appoint at least one registered voter to
10 serve as a field registrar of voters who, except as otherwise provided
11 in NRS 293.5055, shall register voters within the county for which
12 the field registrar is appointed. Except as otherwise provided in
13 subsection 1, a candidate for any office may not be appointed or
14 serve as a field registrar. A field registrar serves at the pleasure of
15 the county clerk and shall perform such duties as the county clerk
16 may direct. *The county clerk shall not knowingly appoint any*
17 *person as a field registrar who has been convicted of a felony*
18 *involving theft or fraud. The Secretary of State may bring an*
19 *action against a county clerk to collect a civil penalty of not more*
20 *than \$5,000 for each person who is appointed as a field registrar*
21 *in violation of this subsection. Any civil penalty collected pursuant*
22 *to this subsection must be deposited with the State Treasurer for*
23 *credit to the State General Fund.*

24 3. A field registrar shall demand of any person who applies for
25 registration all information required by the application to register to
26 vote and shall administer all oaths required by this chapter.

27 4. When a field registrar has in his or her possession five or
28 more completed applications to register to vote, the field registrar
29 shall forward them to the county clerk, but in no case may the field
30 registrar hold any number of them for more than 10 days.

31 5. Each field registrar shall forward to the county clerk all
32 completed applications in his or her possession immediately after
33 the fifth Sunday preceding an election. Within 5 days after the fifth
34 Sunday preceding any general election or general city election, a
35 field registrar shall return all unused applications in his or her
36 possession to the county clerk. If all of the unused applications are
37 not returned to the county clerk, the field registrar shall account for
38 the unreturned applications.

39 6. Each field registrar shall submit to the county clerk a list of
40 the serial numbers of the completed applications to register to vote
41 and the names of the electors on those applications. The serial
42 numbers must be listed in numerical order.

43 7. Each field registrar shall post notices sent to him or her by
44 the county clerk for posting in accordance with the election laws of
45 this State.



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1 8. A field registrar, employee of a voter registration agency or
2 person assisting a voter pursuant to subsection 13 of NRS 293.5235
3 shall not:

4 (a) Delegate any of his or her duties to another person; or

5 (b) Refuse to register a person on account of that person's
6 political party affiliation.

7 9. A person shall not hold himself or herself out to be or
8 attempt to exercise the duties of a field registrar unless the person
9 has been so appointed.

10 10. A county clerk, field registrar, employee of a voter
11 registration agency or person assisting a voter pursuant to subsection
12 13 of NRS 293.5235 shall not:

13 (a) Solicit a vote for or against a particular question or
14 candidate;

15 (b) Speak to a voter on the subject of marking his or her ballot
16 for or against a particular question or candidate; or

17 (c) Distribute any petition or other material concerning a
18 candidate or question which will be on the ballot for the ensuing
19 election,

20 ↳ while registering an elector.

21 11. When the county clerk receives applications to register to
22 vote from a field registrar, the county clerk shall issue a receipt to
23 the field registrar. The receipt must include:

24 (a) The number of persons registered; and

25 (b) The political party of the persons registered.

26 12. A county clerk, field registrar, employee of a voter
27 registration agency or person assisting a voter pursuant to subsection
28 13 of NRS 293.5235 shall not:

29 (a) Knowingly register a person who is not a qualified elector or
30 a person who has filed a false or misleading application to register
31 to vote; or

32 (b) Register a person who fails to provide satisfactory proof of
33 identification and the address at which the person actually resides.

34 13. A county clerk, field registrar, employee of a voter
35 registration agency, person assisting a voter pursuant to subsection
36 13 of NRS 293.5235 or any other person providing a form for the
37 application to register to vote to an elector for the purpose of
38 registering to vote:

39 (a) If the person who assists an elector with completing the form
40 for the application to register to vote retains the form, shall enter his
41 or her name on the duplicate copy or receipt retained by the voter
42 upon completion of the form; and

43 (b) Shall not alter, deface or destroy an application to register to
44 vote that has been signed by an elector except to correct information



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1 contained in the application after receiving notice from the elector
2 that a change in or addition to the information is required.

3 14. If a field registrar violates any of the provisions of this
4 section, the county clerk shall immediately suspend the field
5 registrar and notify the district attorney of the county in which the
6 violation occurred.

7 15. A person who violates any of the provisions of subsection
8 8, 9, 10, 12 or 13 is guilty of a category E felony and shall be
9 punished as provided in NRS 193.130.

10 **Sec. 23.** NRS 293.506 is hereby amended to read as follows:

11 293.506 *1.* A county clerk may, with approval of the board of
12 county commissioners, establish a system for using a computer to
13 register voters and to keep records of registration. ~~[The county clerk
14 may, for that purpose, issue to a voter a card, bearing the signature
15 of the voter, attesting to the voter's registration.]~~

16 *2.* A system established pursuant to subsection 1 must comply
17 with any procedures and requirements prescribed by the Secretary
18 of State pursuant to NRS 293.250.

19 **Sec. 24.** NRS 293.517 is hereby amended to read as follows:

20 293.517 1. Any elector residing within the county may
21 register ~~[+] to vote:~~

22 (a) Except as otherwise provided in NRS 293.560 and
23 293C.527, by appearing before the county clerk, a field registrar or a
24 voter registration agency, completing the application to register to
25 vote, giving true and satisfactory answers to all questions relevant to
26 his or her identity and right to vote, and providing proof of residence
27 and identity;

28 (b) By completing and mailing or personally delivering to the
29 county clerk an application to register to vote pursuant to the
30 provisions of NRS 293.5235;

31 (c) Pursuant to the provisions of NRS 293.501 or 293.524; ~~[or]~~

32 (d) At his or her residence with the assistance of a field registrar
33 pursuant to NRS 293.5237 ~~[+] ; or~~

34 *(e) By submitting an application to register to vote by
35 computer, if the county clerk has established a system pursuant to
36 NRS 293.506 for using a computer to register voters.*

37 ➤ The county clerk shall require a person to submit official
38 identification as proof of residence and identity, such as a driver's
39 license or other official document, before registering the person. If
40 the applicant registers to vote pursuant to this subsection and fails to
41 provide proof of residence and identity, the applicant must provide
42 proof of residence and identity before casting a ballot in person or
43 by mail or after casting a provisional ballot pursuant to NRS
44 293.3081 or 293.3083. For the purposes of this subsection, a voter



1 registration card issued pursuant to subsection 6 does not provide
2 proof of the residence or identity of a person.

3 2. The application to register to vote must be signed and
4 verified under penalty of perjury by the elector registering.

5 3. Each elector who is or has been married must be registered
6 under his or her own given or first name, and not under the given or
7 first name or initials of his or her spouse.

8 4. An elector who is registered and changes his or her name
9 must complete a new application to register to vote. The elector may
10 obtain a new application:

11 (a) At the office of the county clerk or field registrar;

12 (b) By submitting an application to register to vote pursuant to
13 the provisions of NRS 293.5235;

14 (c) By submitting a written statement to the county clerk
15 requesting the county clerk to mail an application to register to vote;

16 ~~{or}~~

17 (d) At any voter registration agency ~~{H}~~; or

18 (e) *By submitting an application to register to vote by*
19 *computer, if the county clerk has established a system pursuant to*
20 *NRS 293.506 for using a computer to register voters.*

21 ➔ If the elector fails to register under his or her new name, the
22 elector may be challenged pursuant to the provisions of NRS
23 293.303 or 293C.292 and may be required to furnish proof of
24 identity and subsequent change of name.

25 5. Except as otherwise provided in subsection 7, an elector who
26 registers to vote pursuant to paragraph (a) of subsection 1 shall be
27 deemed to be registered upon the completion of an application to
28 register to vote.

29 6. After the county clerk determines that the application to
30 register to vote of a person is complete and that the person is eligible
31 to vote pursuant to NRS 293.485, the county clerk shall issue a voter
32 registration card to the voter which contains:

33 (a) The name, address, political affiliation and precinct number
34 of the voter;

35 (b) The date of issuance; and

36 (c) The signature of the county clerk.

37 7. If an elector submits an application to register to vote or an
38 affidavit described in paragraph (c) of subsection 1 of NRS 293.507
39 that contains any handwritten additions, erasures or interlineations,
40 the county clerk may object to the application to register to vote if
41 the county clerk believes that because of such handwritten additions,
42 erasures or interlineations, the application to register to vote of the
43 elector is incomplete or that the elector is not eligible to vote
44 pursuant to NRS 293.485. If the county clerk objects pursuant to
45 this subsection, he shall immediately notify the elector and the



1 district attorney of the county. Not later than 5 business days after
2 the district attorney receives such notification, the district attorney
3 shall advise the county clerk as to whether:

4 (a) The application to register to vote of the elector is complete
5 and the elector is eligible to vote pursuant to NRS 293.485; and

6 (b) The county clerk should proceed to process the application
7 to register to vote.

8 ➔ If the District Attorney advises the county clerk to process the
9 application to register to vote, the county clerk shall immediately
10 issue a voter registration card to the applicant pursuant to
11 subsection 6.

12 **Sec. 25.** NRS 293.5235 is hereby amended to read as follows:

13 293.5235 1. Except as otherwise provided in NRS 293.502, a
14 person may register to vote by mailing an application to register to
15 vote to the county clerk of the county in which the person resides ~~and~~
16 *or may register to vote by computer, if the county clerk has*
17 *established a system pursuant to NRS 293.506 for using a*
18 *computer to register to vote.* The county clerk shall, upon request,
19 mail an application to register to vote to an applicant. The county
20 clerk shall make the applications available at various public places
21 in the county. An application to register to vote may be used to
22 correct information in the registrar of voters' register.

23 2. An application to register to vote which is mailed to an
24 applicant by the county clerk or made available to the public at
25 various locations or voter registration agencies in the county may be
26 returned to the county clerk by mail or in person. For the purposes
27 of this section, an application which is personally delivered to the
28 county clerk shall be deemed to have been returned by mail.

29 3. The applicant must complete the application, including,
30 without limitation, checking the boxes described in paragraphs (b)
31 and (c) of subsection 10 and signing the application.

32 4. The county clerk shall, upon receipt of an application,
33 determine whether the application is complete.

34 5. If the county clerk determines that the application is
35 complete, he or she shall, within 10 days after receiving the
36 application, mail to the applicant:

37 (a) A notice that the applicant is registered to vote and a voter
38 registration card as required by subsection 6 of NRS 293.517; or

39 (b) A notice that the registrar of voters' register has been
40 corrected to reflect any changes indicated on the application.

41 6. Except as otherwise provided in subsection 5 of NRS
42 293.518, if the county clerk determines that the application is not
43 complete, the county clerk shall, as soon as possible, mail a notice to
44 the applicant that additional information is required to complete the
45 application. If the applicant provides the information requested by



1 the county clerk within 15 days after the county clerk mails the
2 notice, the county clerk shall, within 10 days after receiving the
3 information, mail to the applicant:

4 (a) A notice that the applicant is registered to vote and a voter
5 registration card as required by subsection 6 of NRS 293.517; or

6 (b) A notice that the registrar of voters' register has been
7 corrected to reflect any changes indicated on the application.

8 ➡ If the applicant does not provide the additional information
9 within the prescribed period, the application is void.

10 7. The applicant shall be deemed to be registered or to have
11 corrected the information in the register on the date the application
12 is postmarked or received by the county clerk, whichever is earlier.

13 8. If the applicant fails to check the box described in paragraph
14 (b) of subsection 10, the application shall not be considered invalid
15 and the county clerk shall provide a means for the applicant to
16 correct the omission at the time the applicant appears to vote in
17 person at the assigned polling place.

18 9. The Secretary of State shall prescribe the form for an
19 application to register to vote by ~~mail~~:

20 (a) *Mail*, which must be used to register to vote by mail in this
21 State.

22 (b) *Computer, which must be used to register to vote in a*
23 *county if the county clerk has established a system pursuant to*
24 *NRS 293.506 for using a computer to register to vote.*

25 10. The application to register to vote by mail must include:

26 (a) A notice in at least 10-point type which states:

27
28 NOTICE: You are urged to return your application to
29 register to vote to the County Clerk in person or by mail. If
30 you choose to give your completed application to another
31 person to return to the County Clerk on your behalf, and the
32 person fails to deliver the application to the County Clerk,
33 you will not be registered to vote. Please retain the duplicate
34 copy or receipt from your application to register to vote.
35

36 (b) The question, "Are you a citizen of the United States?" and
37 boxes for the applicant to check to indicate whether or not the
38 applicant is a citizen of the United States.

39 (c) The question, "Will you be at least 18 years of age on or
40 before election day?" and boxes for the applicant to check to
41 indicate whether or not the applicant will be at least 18 years of age
42 or older on election day.

43 (d) A statement instructing the applicant not to complete the
44 application if the applicant checked "no" in response to the question
45 set forth in paragraph (b) or (c).



(e) A statement informing the applicant that if the application is submitted by mail and the applicant is registering to vote for the first time, the applicant must submit the information set forth in paragraph (a) of subsection 2 of NRS 293.2725 to avoid the requirements of subsection 1 of NRS 293.2725 upon voting for the first time.

11. Except as otherwise provided in subsection 5 of NRS 293.518, the county clerk shall not register a person to vote pursuant to this section unless that person has provided all of the information required by the application.

12. The county clerk shall mail, by postcard, the notices required pursuant to subsections 5 and 6. If the postcard is returned to the county clerk by the United States Postal Service because the address is fictitious or the person does not live at that address, the county clerk shall attempt to determine whether the person's current residence is other than that indicated on the application to register to vote in the manner set forth in NRS 293.530.

13. A person who, by mail, registers to vote pursuant to this section may be assisted in completing the application to register to vote by any other person. The application must include the mailing address and signature of the person who assisted the applicant. The failure to provide the information required by this subsection will not result in the application being deemed incomplete.

14. An application to register to vote must be made available to all persons, regardless of political party affiliation.

15. An application must not be altered or otherwise defaced after the applicant has completed and signed it. An application must be mailed or delivered in person to the office of the county clerk within 10 days after it is completed.

16. A person who willfully violates any of the provisions of subsection 13, 14 or 15 is guilty of a category E felony and shall be punished as provided in NRS 193.130.

17. The Secretary of State shall adopt regulations to carry out the provisions of this section.

Sec. 26. NRS 293.565 is hereby amended to read as follows:

293.565 1. Except as otherwise provided in subsection ~~2~~, **3**, sample ballots must include:

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

(b) The fiscal note or description of anticipated financial effect, as provided pursuant to NRS 218D.810, 293.250, 293.481, 293.482, 295.015 or 295.095 for each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;

(c) An explanation, as provided pursuant to NRS 218D.810, 293.250, 293.481, 293.482 or 295.121, of each proposed



1 constitutional amendment, statewide measure, measure to be voted
2 upon only by a special district or political subdivision and advisory
3 question;

4 (d) Arguments for and against each proposed constitutional
5 amendment, statewide measure, measure to be voted upon only by a
6 special district or political subdivision and advisory question, and
7 rebuttals to each argument, as provided pursuant to NRS 218D.810,
8 293.250, 293.252, 293.481, 293.482 or 295.121; and

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

10 2. *If, pursuant to the provisions of NRS 293.2565, the word*
11 *“Incumbent” must appear on the ballot next to the name of the*
12 *candidate who is the incumbent, the word “Incumbent” must*
13 *appear on the sample ballot next to the name of the candidate who*
14 *is the incumbent.*

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

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

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

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

27 ~~[3.]~~ 4. Before the period for early voting for any election
28 begins, the county clerk shall cause to be mailed to each registered
29 voter in the county a sample ballot for his or her precinct, with a
30 notice informing the voter of the location of his or her polling place.
31 If the location of the polling place has changed since the last
32 election:

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

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

38
39 NOTICE: THE LOCATION OF YOUR POLLING PLACE
40 HAS CHANGED SINCE THE LAST ELECTION
41

42 ~~[4.]~~ 5. Except as otherwise provided in subsection ~~[5.]~~ 6, a
43 sample ballot required to be mailed pursuant to this section must:

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



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

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

~~[5-]~~ 6. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

~~[6-]~~ 7. The sample ballot mailed to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be printed in at least 14-point type, or larger when practicable.

~~[7-]~~ 8. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots mailed to that person from the county are in large type.

~~[8-]~~ 9. The county clerk shall include in each sample ballot a statement indicating that the county clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his or her polling place and provide reasonable assistance to the voter in casting his or her vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the county clerk has provided pursuant to subsection 4 of NRS 293.2955 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly or disabled, the county clerk shall include in the sample ballot a statement indicating:

(a) The addresses of such centralized voting locations;

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

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

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

Sec. 27. NRS 293.567 is hereby amended to read as follows:

293.567 After the close of registration for each primary election but not later than the ~~[second Friday next]~~ **Friday** preceding the primary election and after the close of registration for each general election but not later than the ~~[second Friday next]~~ **Friday** preceding the general election, the county clerk shall ascertain by precinct and district the number of registered voters in the county



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1 and their political affiliation, if any, and shall transmit that
2 information to the Secretary of State.

3 **Sec. 28.** NRS 293.710 is hereby amended to read as follows:

4 293.710 1. It is unlawful for any person, in connection with
5 any election , ~~for~~ petition ~~or~~ *or registration of voters*, whether
6 acting himself or herself or through another person in his or her
7 behalf, to:

8 (a) Use or threaten to use any force, *intimidation*, coercion,
9 violence, restraint or undue influence;

10 (b) Inflict or threaten to inflict any physical or mental injury,
11 damage, harm or loss upon the person or property of another;

12 (c) Expose or publish or threaten to expose or publish any fact
13 concerning another in order to induce or compel such other to vote
14 or refrain from voting for any candidate or any question;

15 (d) Impede or prevent, by abduction, duress or fraudulent
16 contrivance, the free exercise of the franchise by any voter, or
17 thereby to compel, induce or prevail upon any elector to give or
18 refrain from giving his or her vote; or

19 (e) Discharge or change the place of employment of any
20 employee with the intent to impede or prevent the free exercise of
21 the franchise by such employee.

22 2. ~~[Unless a greater penalty is provided by law, any violation]~~
23 *A person who violates a provision of this section is [a gross*
24 *misdemeanor.] guilty of a category E felony and shall be punished*
25 *as provided in NRS 193.130.*

26 **Sec. 29.** NRS 293.730 is hereby amended to read as follows:

27 293.730 1. A person shall not:

28 (a) Remain in or outside of any polling place so as to interfere
29 with the conduct of the election.

30 (b) Except an election board officer, receive from any voter a
31 ballot prepared by the voter.

32 (c) Remove a ballot from any polling place before the closing of
33 the polls.

34 (d) Apply for or receive a ballot at any election precinct or
35 district other than the one at which the person is entitled to vote.

36 (e) Show his or her ballot to any person, after voting, so as to
37 reveal any of the names voted for.

38 (f) Inside a polling place, ask another person for whom he or she
39 intends to vote.

40 (g) Except an election board officer, deliver a ballot to a voter.

41 (h) Except an election board officer in the course of the election
42 board officer's official duties, inside a polling place, ask another
43 person his or her name, address or political affiliation.

44 2. A voter shall not:



(a) Receive a ballot from any person other than an election board officer.

(b) Deliver to an election board or to any member thereof any ballot other than the one received.

(c) Place any mark upon his or her ballot by which it may afterward be identified as the one voted by the person.

3. Any person who violates any provision of this section is guilty of a ~~[gross misdemeanor.]~~ *category E felony and shall be punished as provided in NRS 193.130.*

Sec. 30. NRS 293.740 is hereby amended to read as follows:

293.740 1. Except as otherwise provided in subsection 2, it is unlawful inside a polling place or within 100 feet from the entrance to the building or other structure in which a polling place is located:

(a) For any person to solicit a vote or speak to a voter on the subject of marking the voter's ballot.

(b) For any person, including an election board officer, to do any electioneering on election day.

➤ The county clerk or registrar of voters shall ensure that, at the outer limits of the area within which electioneering is prohibited, notices are continuously posted on which are printed in large letters "Distance Marker: No electioneering between this point and the entrance to the polling place."

2. The provisions of subsection 1 do not apply to the conduct of a person in a private residence or on commercial or residential property that is within 100 feet from the entrance to a building or other structure in which a polling place is located. The provisions of subsection 1 are not intended to prohibit a person from voting solely because he or she is wearing a prohibited political insignia and is reasonably unable to remove the insignia or cover it. In such a case, the election board officer shall take such action as is necessary to allow the voter to vote as expediently as possible and then assist the voter in exiting the polling place as soon as is possible.

3. Any person who violates any provision of this section is guilty of a gross misdemeanor.

4. As used in this section, "electioneering" means campaigning for or against a candidate, ballot question or political party by:

(a) Posting signs relating to the support of or opposition to a candidate, ballot question or political party;

(b) Distributing literature relating to the support of or opposition to a candidate, ballot question or political party;

(c) Using loudspeakers to broadcast information relating to the support of or opposition to a candidate, ballot question or political party;

(d) Buying, selling, wearing or displaying any badge, button or other insignia which is designed or tends to aid or promote the



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1 success or defeat of any political party or a candidate or ballot
2 question to be voted upon at that election; *or*

3 ~~(e) [Polling or otherwise soliciting from a voter information as~~
4 ~~to whether the voter intends to vote or has voted for or against a~~
5 ~~particular political party, candidate or ballot question; or~~

6 ~~—(f)] Soliciting signatures to any kind of petition.~~

7 **Sec. 31.** (Deleted by amendment.)

8 **Sec. 32.** NRS 293.755 is hereby amended to read as follows:

9 293.755 1. A person who tampers or interferes with, or
10 attempts to tamper or interfere with, a mechanical voting system,
11 mechanical voting device or any computer program used to count
12 ballots with the intent to prevent the proper operation of that device,
13 system or program is guilty of a category D felony and shall be
14 punished as provided in NRS 193.130.

15 2. *A person who tampers or interferes with, or attempts to*
16 *tamper or interfere with, a mechanical voting system, mechanical*
17 *voting device or any computer program used to count ballots with*
18 *the intent to influence the outcome of an election is guilty of a*
19 *category B felony and shall be punished by imprisonment in the*
20 *state prison for a minimum term of not less than 2 years and a*
21 *maximum term of not more than 20 years.*

22 3. The county or city clerk shall report any alleged violation of
23 this section to the district attorney who shall cause appropriate
24 proceedings to be instituted and prosecuted in a court of competent
25 jurisdiction without delay.

26 **Sec. 33.** NRS 293.800 is hereby amended to read as follows:

27 293.800 1. A person who, for himself, herself or another
28 person, willfully gives a false answer or answers to questions
29 propounded to the person by the registrar or field registrar of voters
30 relating to the information called for by the application to register to
31 vote, or who willfully falsifies the application in any particular, or
32 who violates any of the provisions of the election laws of this State
33 or knowingly encourages another person to violate those laws is
34 guilty of a category E felony and shall be punished as provided in
35 NRS 193.130.

36 2. A public officer or other person, upon whom any duty is
37 imposed by this title, who willfully neglects his or her duty or
38 willfully performs it in such a way as to hinder the objects and
39 purposes of the election laws of this State, except where another
40 penalty is provided, is guilty of a category E felony and shall be
41 punished as provided in NRS 193.130.

42 3. If the person is a public officer, his or her office is forfeited
43 upon conviction of any offense provided for in subsection 2.

44 4. A person who causes or endeavors to cause his or her name
45 to be registered, knowing that he or she is not an elector or will not



1 be an elector on or before the day of the next ensuing election in the
2 precinct or district in which he or she causes or endeavors to cause
3 the registration to be made, and any other person who induces, aids
4 or abets the person in the commission of either of the acts is guilty
5 of a category E felony and shall be punished as provided in
6 NRS 193.130.

7 5. A field registrar or other person who ~~[-]~~ *provides to an*
8 *elector an application to register to vote and who:*

9 (a) Knowingly falsifies ~~[an]~~ *the* application ~~[to register to vote]~~
10 or knowingly causes an application to be falsified; ~~[or]~~

11 (b) Knowingly provides money or other compensation to
12 another for a falsified application ~~[to register to vote,]; or~~

13 *(c) Intentionally fails to submit to the county clerk a completed*
14 *application,*

15 ➤ is guilty of a category E felony and shall be punished as provided
16 in NRS 193.130.

17 **Sec. 34.** NRS 293C.265 is hereby amended to read as follows:

18 293C.265 1. Except as otherwise provided in subsection 2
19 and in NRS 293.2725 and 293.3083, a person who registered *by*
20 *mail or computer* to vote ~~[pursuant to the provisions of NRS~~
21 ~~293.5235]~~ shall, for the first city election in which the person votes
22 at which that registration is valid, vote in person unless he or she has
23 previously voted in the county in which he or she is registered to
24 vote.

25 2. The provisions of subsection 1 do not apply to a person who:

26 (a) Is entitled to vote in the manner prescribed in NRS 293C.342
27 to 293C.352, inclusive;

28 (b) Is entitled to vote an absent ballot pursuant to federal law or
29 NRS 293C.317 or 293C.318;

30 (c) Is disabled;

31 (d) Submits or has previously submitted a written request for an
32 absent ballot that is signed by the registered voter before a notary
33 public or other person authorized to administer an oath; or

34 (e) Requests an absent ballot in person at the office of the city
35 clerk.

36 **Sec. 35.** NRS 293C.342 is hereby amended to read as follows:

37 293C.342 1. A registered voter who resides in an election
38 precinct in which there were not more than 200 voters registered for
39 the last preceding city general election, or in a precinct in which it
40 appears to the satisfaction of the city clerk *and Secretary of State*
41 that there are not more than 200 registered voters, may vote at any
42 election regulated by this chapter in the manner provided in NRS
43 293C.345 to 293C.352, inclusive.

44 2. Whenever the city clerk has designated a precinct as a
45 mailing precinct, registered voters residing in that precinct may vote



1 at any election regulated by this chapter in the manner provided in
2 NRS 293C.345 to 293C.352, inclusive.

3 **Sec. 36.** NRS 293C.530 is hereby amended to read as follows:

4 293C.530 1. Before the period for early voting for any
5 election begins, the city clerk shall cause to be mailed to each
6 registered voter in the city a sample ballot for his or her precinct,
7 with a notice informing the voter of the location of his or her polling
8 place. If the location of the polling place has changed since the last
9 election:

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

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

15
16 NOTICE: THE LOCATION OF YOUR POLLING PLACE
17 HAS CHANGED SINCE THE LAST ELECTION
18

19 2. Except as otherwise provided in subsection ~~3~~ 4, a sample
20 ballot required to be mailed pursuant to this section must:

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

22 (b) Include the description of the anticipated financial effect and
23 explanation of each citywide measure and advisory question,
24 including arguments for and against the measure or question, as
25 required pursuant to NRS 293.481, 293.482, 295.205 or 295.217;
26 and

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

29
30 NOTICE: TO RECEIVE A SAMPLE BALLOT IN
31 LARGE TYPE, CALL (Insert appropriate telephone number)
32

33 3. *The word "Incumbent" must appear on the sample ballot*
34 *next to the name of the candidate who is the incumbent, if*
35 *required pursuant to NRS 293.2565.*

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

40 ~~4~~ 5. The sample ballot mailed to a person who requests a
41 sample ballot in large type by exercising the option provided
42 pursuant to NRS 293.508, or in any other manner, must be printed
43 in at least 14-point type, or larger when practicable.



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~~[5-]~~ 6. If a person requests a sample ballot in large type, the city clerk shall ensure that all future sample ballots mailed to that person from the city are in large type.

~~[6-]~~ 7. The city clerk shall include in each sample ballot a statement indicating that the city clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his or her polling place and provide reasonable assistance to the voter in casting his or her vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the city clerk has provided pursuant to subsection 4 of NRS 293C.281 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly or disabled, the city clerk shall include in the sample ballot a statement indicating:

(a) The addresses of such centralized voting locations;

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

(c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at the voter's regularly designated polling place.

~~[7-]~~ 8. The cost of mailing sample ballots for a city election must be borne by the city holding the election.

Sec. 37. (Deleted by amendment.)

Sec. 38. (Deleted by amendment.)

Sec. 39. (Deleted by amendment.)

Sec. 40. (Deleted by amendment.)

Sec. 41. 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 ~~[H]~~ *election, primary city election*, general ~~[G]~~ *election, general city election*, 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 organization who has filed articles of incorporation or other documentation of organization with the Secretary of State pursuant to title 7 of NRS.

(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. 42. 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; *or*

(3) Committee for political action, political party, 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 provided to a campaign.

Sec. 43. NRS 294A.100 is hereby amended to read as follows:

294A.100 1. A person shall not make *or commit to make* a contribution or contributions to a candidate for any office, except a federal office, in an amount which exceeds \$5,000 for the primary election or primary city election, regardless of the number of candidates for the office, and \$5,000 for the general election or



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1 general city election, regardless of the number of candidates for the
2 office, during the period:

3 (a) Beginning from 30 days before the regular session of the
4 Legislature immediately following the last election for the office
5 and ending 30 days before the regular session of the Legislature
6 immediately following the next election for the office, if that office
7 is a state, district, county or township office; or

8 (b) Beginning from 30 days after the last election for the office
9 and ending 30 days before the next general city election for the
10 office, if that office is a city office.

11 2. A candidate shall not accept a contribution *or commitment*
12 *to make a contribution* made in violation of subsection 1.

13 3. A person who willfully violates any provision of this section
14 is guilty of a category E felony and shall be punished as provided in
15 NRS 193.130.

16 **Sec. 44.** (Deleted by amendment.)

17 **Sec. 45.** (Deleted by amendment.)

18 **Sec. 46.** (Deleted by amendment.)

19 **Sec. 47.** (Deleted by amendment.)

20 **Sec. 48.** NRS 294A.150 is hereby amended to read as follows:

21 294A.150 1. ~~[Except as otherwise provided in NRS~~
22 ~~294A.283, every person or group of persons organized formally or~~
23 ~~informally, including a business entity, who]~~ *Every committee for*
24 *political action that* advocates the passage or defeat of a question or
25 group of questions on the ballot at a primary election, primary city
26 election, general election or general city election ~~[and who receives~~
27 ~~or expends money in an amount in excess of \$10,000 to advocate~~
28 ~~the passage or defeat of such question or group of questions]~~ shall,
29 not later than January 15 of each year that the provisions of this
30 subsection apply to the ~~[person, group of persons or business entity,]~~
31 *committee for political action*, for the period from January 1 of the
32 previous year through December 31 of the previous year, report
33 each campaign contribution in excess of ~~[\$1,000]~~ *\$100* received
34 during that period and contributions received during the period from
35 a contributor which cumulatively exceed ~~[\$1,000.]~~ *\$100*. The report
36 must be completed on the form designed and provided by the
37 Secretary of State pursuant to NRS 294A.373. The form must be
38 signed by ~~[the person or]~~ a representative of the ~~[group or business~~
39 ~~entity]~~ *committee for political action* under penalty of perjury. The
40 provisions of this subsection apply to ~~[the person, group of persons~~
41 ~~or business entity:]~~ *a committee for political action:*

42 (a) Each year in which ~~[-~~

43 ~~(1) An]~~ *an* election or city election is held for each question
44 for which the ~~[person, group of persons or business entity]~~
45 *committee for political action* advocates passage or defeat; ~~[or~~



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~~———— (2) A person, group of persons or business entity receives or expends money in excess of \$10,000 to advocate 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

(b) The year after ~~[each]~~ *the* 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]~~ *committee for political action that* advocates the passage or defeat of the question or a group of questions that includes the question ~~[and who receives or expends money in an amount in excess of \$10,000 to advocate the passage or defeat of such question or group of questions]~~ 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]~~ *committee for political action that* advocates the passage or defeat of the question or a group of questions that includes the question ~~[and who receives or expends money in an amount in excess of \$10,000 to advocate the passage or defeat of such question or group of questions]~~ shall comply with the requirements of this subsection. A ~~[person, group of persons or business entity]~~ *committee for political action* 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;

(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; 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 June 30 of that year,

➔ report each campaign contribution in excess of ~~[\$1,000]~~ *\$100* received during the period and contributions received during the period from a contributor which cumulatively exceed ~~[\$1,000.]~~ *\$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 ~~[group or business entity]~~ *committee for political action* 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 ~~[\$1,000]~~ *\$100* and contributions which a contributor has made cumulatively in excess of that amount since the beginning of the current reporting period.

4. 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]~~ *committee for political action that* advocates the passage or defeat of the question or a group of questions that includes the question ~~[and who receives or expends money in an amount in excess of \$10,000 to advocate the passage or defeat of such question or group of questions]~~ shall comply with the requirements of this subsection. ~~[Except as otherwise provided in NRS 294A.283, if]~~ *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]~~ *committee for political action that* advocates the passage or defeat of the question or a group of questions that includes the question ~~[and who receives or expends money in an amount in excess of \$10,000 to advocate the passage or defeat of such question or group of questions]~~ shall comply with the requirements of this subsection. A ~~[person, group of persons or business entity]~~ *committee for political action* described in this subsection shall, not later than:

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

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

↪ report each campaign contribution in excess of ~~[\$1,000]~~ *\$100* received during the period and contributions received during the period from a contributor which cumulatively exceed ~~[\$1,000.]~~ *\$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



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~~{group or business entity}~~ *committee for political action* under penalty of perjury.

5. Except as otherwise provided in subsection 6, every ~~{person or group of persons organized formally or informally, including a business entity, who}~~ *committee for political action that* advocates the passage or defeat of a question or group of questions on the ballot at a special election ~~{and who receives or expends money in an amount in excess of \$10,000 to advocate the passage or defeat of such question or group of questions}~~ shall, not later than:

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

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

➔ report each campaign contribution in excess of ~~[\$1,000]~~ *\$100* received during the period and contributions received during the period from a contributor which cumulatively exceed ~~[\$1,000.]~~ *\$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}~~ *committee for political action* under penalty of perjury.

6. Every ~~{person or group of persons organized formally or informally, including a business entity, who}~~ *committee for political action that* 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 ~~{and who receives or expends money in an amount in excess of \$10,000 to advocate the passage or defeat of such question or group of questions}~~ shall report each of the contributions received on the form designed and provided by the Secretary of State pursuant to NRS 294A.373 and signed by ~~{the person or}~~ a representative of the ~~{group or business entity}~~ *committee for political action* 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 6 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 the 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,~~ **committee for political action** is advocating passage or defeat of a group of questions, 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 receiving the report.

Sec. 49. (Deleted by amendment.)

Sec. 50. NRS 294A.160 is hereby amended to read as follows:

294A.160 1. It is unlawful for a candidate to spend money received as a campaign contribution for the candidate's personal use.

2. Every candidate for a state, district, county, city or township office at a primary, general, primary city, general city or special election who is elected to that office and received contributions that were not spent or committed for expenditure before the primary, general, primary city, general city or special election shall:

(a) Return the unspent money to contributors;

(b) Use the money in the candidate's next election or for the payment of other expenses related to public office or his or her campaign, regardless of whether he or she is a candidate for a different office in the candidate's next election;

(c) Contribute the money to:

(1) The campaigns of other candidates for public office or for the payment of debts related to their campaigns;

(2) A political party; **or**

(3) ~~[A person or group of persons advocating the passage or defeat of a question or group of questions on the ballot; or~~

~~—(4)]~~ Any combination of persons or groups set forth in subparagraphs (1) ~~]~~ **and** (2) ; ~~[and (3);]~~



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(d) Donate the money to any tax-exempt nonprofit entity; ~~for~~

(e) *Donate the money to any governmental entity or fund of this State or a political subdivision of this State that is authorized to receive donations of money and may request that the money be used for a specific purpose; or*

(f) Dispose of the money in any combination of the methods provided in paragraphs (a) to ~~(d);~~ (e), inclusive.

3. Every candidate for a state, district, county, city or township office at a primary, general, primary city, general city or special election who *withdraws after filing a declaration of candidacy or an acceptance of candidacy or* is ~~not elected to~~ *defeated for* that office and *who* received contributions that were not spent or committed for expenditure before the primary, general, primary city, general city or special election shall, not later than the 15th day of the second month after the ~~candidate's defeat;~~ *election:*

(a) Return the unspent money to contributors;

(b) Contribute the money to:

(1) The campaigns of other candidates for public office or for the payment of debts related to their campaigns;

(2) A political party; *or*

(3) ~~[A person or group of persons advocating the passage or defeat of a question or group of questions on the ballot;]~~ Any combination of persons or groups set forth in subparagraphs (1) ~~;~~ and (2) ; ~~and (3);]~~

(c) Donate the money to any tax-exempt nonprofit entity; ~~for~~

(d) *Donate the money to any governmental entity or fund of this State or a political subdivision of this State that is authorized to receive donations of money and may request that the money be used for a specific purpose; or*

(e) Dispose of the money in any combination of the methods provided in paragraphs (a) ~~;~~ ~~(b) and (e);~~ *to (d), inclusive.*

4. Every candidate for a state, district, county, city or township office who *withdraws after filing a declaration of candidacy or an acceptance of candidacy or* is defeated *for that office* at a primary or primary city election and received a contribution from a person in excess of \$5,000 shall, not later than the 15th day of the second month after the ~~candidate's defeat;~~ *election*, return any money in excess of \$5,000 to the contributor.

5. ~~[Every]~~ *Except as otherwise provided in subsection 6, every* public officer who:

(a) Holds a state, district, county, city or township office;

(b) Does not run for reelection *to that office* and is not a candidate for any other office; and

(c) Has contributions that are not spent or committed for expenditure remaining from a previous election,



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1 ➤ shall, not later than the 15th day of the second month after the
2 expiration of the public officer's term of office, dispose of those
3 contributions in the manner provided in subsection 3.

4 6. *A public officer who:*

5 (a) *Holds a state, district, county, city or township office;*

6 (b) *Does not run for reelection to that office and is a candidate*
7 *for any other office; and*

8 (c) *Has contributions that are not spent or committed for*
9 *expenditure remaining from a previous election,*

10 ➤ *may use the unspent campaign contributions in a future*
11 *election. Such a public officer is subject to the reporting*
12 *requirements set forth in NRS 294A.120, 294A.125, 294A.128,*
13 *294A.200, 294A.360 and 294A.362 for as long as the public officer*
14 *is a candidate for any office.*

15 7. In addition to the methods for disposing the unspent money
16 set forth in subsections 2, 3 ~~[and 4.]~~ , 4 and 6, a Legislator may
17 donate not more than \$500 of that money to the Nevada Silver
18 Haired Legislative Forum created pursuant to NRS 427A.320.

19 ~~[7-]~~ 8. Any contributions received before a candidate for a
20 state, district, county, city or township office at a primary, general,
21 primary city, general city or special election dies that were not spent
22 or committed for expenditure before the death of the candidate must
23 be disposed of in the manner provided in subsection 3.

24 ~~[8-]~~ 9. The court shall, in addition to any penalty which may
25 be imposed pursuant to NRS 294A.420, order the candidate or
26 public officer to dispose of any remaining contributions in the
27 manner provided in this section.

28 ~~[9-]~~ 10. As used in this section, "contributions" include any
29 interest and other income earned thereon.

30 **Sec. 51.** NRS 294A.200 is hereby amended to read as follows:

31 294A.200 1. Every candidate for state, district, county or
32 township office at a primary or general election shall, not later than
33 January 15 of each year, for the period from January 1 of the
34 previous year through December 31 of the previous year, report
35 each of the campaign expenses in excess of \$100 incurred and each
36 amount in excess of \$100 disposed of pursuant to NRS 294A.160 *or*
37 *subsection 4 of NRS 294A.286* during the period on the form
38 designed and provided by the Secretary of State pursuant to NRS
39 294A.373. The form must be signed by the candidate under penalty
40 of perjury. The provisions of this subsection apply to the candidate:

41 (a) Beginning the year of the general election for that office
42 through the year immediately preceding the next general election for
43 that office; and



(b) Each year immediately succeeding a calendar year during which the candidate disposes of contributions pursuant to NRS 294A.160 ~~or~~ **or 294A.286.**

2. Every candidate for state, district, county or township office at a primary or general election shall, if the general election for the office for which he or she is a candidate 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 for that office, for the period from the January 1 immediately preceding the primary election through 12 days before the primary election;

(b) Seven days before the general election for that office, for the period from 11 days before the primary election through 12 days before the general election; and

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

➤ report each of the campaign expenses in excess of \$100 incurred during the period on the form designed and provided by the Secretary of State pursuant **to** NRS 294A.373. Each form must be signed by the candidate under penalty of perjury.

3. Every candidate for state, district, county or township office at a primary or general election shall, if the general election for the office for which he or she is a candidate 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 for that office, for the period from the January 1 immediately preceding the primary election through 12 days before the primary election; and

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

➤ report each of the campaign expenses in excess of \$100 incurred during the period on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the candidate under penalty of perjury.

4. Except as otherwise provided in subsection 5, every candidate for a district office at a special election shall, not later than:

(a) Seven days before the special election, for the period from the candidate's nomination through 12 days before the special election; and

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



1 ➔ report each of the campaign expenses in excess of \$100 incurred
2 during the period on the form designed and provided by the
3 Secretary of State pursuant to NRS 294A.373. Each form must be
4 signed by the candidate under penalty of perjury.

5 5. Every candidate for state, district, county, municipal or
6 township office at a special election to determine whether a public
7 officer will be recalled shall report each of the campaign expenses in
8 excess of \$100 incurred on the form designed and provided by the
9 Secretary of State pursuant to NRS 294A.373 and signed by the
10 candidate under penalty of perjury, 30 days after:

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

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

19 6. Reports of campaign expenses must be filed with the officer
20 with whom the candidate filed the declaration of candidacy or
21 acceptance of candidacy. A candidate may mail or transmit the
22 report to that officer by regular mail, certified mail, facsimile
23 machine or electronic means. A report shall be deemed to be filed
24 with the officer:

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

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

30 7. County clerks who receive from candidates for legislative or
31 judicial office, including, without limitation, the office of justice of
32 the peace or municipal judge, reports of campaign expenses
33 pursuant to this section shall file a copy of each report with the
34 Secretary of State within 10 working days after receiving the report.

35 **Sec. 52.** (Deleted by amendment.)

36 **Sec. 53.** (Deleted by amendment.)

37 **Sec. 54.** NRS 294A.220 is hereby amended to read as follows:

38 294A.220 1. ~~{Except as otherwise provided in NRS~~
39 ~~294A.283, every person or group of persons organized formally or~~
40 ~~informally, including a business entity, who}~~ **Every committee for**
41 **political action that** advocates the passage or defeat of a question or
42 group of questions on the ballot at a primary election, primary city
43 election, general election or general city election ~~{and who receives~~
44 ~~or expends money in an amount in excess of \$10,000 to advocate~~
45 ~~the passage or defeat of such question or group of questions}~~ shall,



1 not later than January 15 of each year that the provisions of this
2 subsection apply to the ~~{person or group of persons;}~~ *committee for*
3 *political action*, for the period from January 1 of the previous year
4 through December 31 of the previous year, report each expenditure
5 made during the period on behalf of or against the question, the
6 group of questions or a question in the group of questions on the
7 ballot in excess of ~~[\$1,000]~~ *\$100* on the form designed and provided
8 by the Secretary of State pursuant to NRS 294A.373. The form must
9 be signed by ~~{the person or}~~ a representative of the ~~{group or~~
10 ~~business entity;}~~ *committee for political action* under penalty of
11 perjury. The provisions of this subsection apply to the ~~{person;~~
12 ~~group of persons or business entity;}~~ *committee for political action:*

13 (a) Each year in which ~~{~~
14 ~~— (1) An~~ *an* election or city election is held for a question for
15 which the ~~{person, group of persons or business entity;}~~ *committee*
16 *for political action* advocates passage or defeat; ~~{or~~
17 ~~— (2) A person, group of persons or business entity receives or~~
18 ~~expends money in excess of \$10,000 to advocate the passage or~~
19 ~~defeat of a question or group of questions on the ballot at a primary~~
20 ~~election, primary city election, general election or general city~~
21 ~~election;}~~ and

22 (b) The year after ~~{each}~~ *the* 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 *committee for political action that* advocates the passage or defeat
30 of the question or a group of questions that includes the question
31 ~~{and who receives or expends money in an amount in excess of~~
32 ~~\$10,000 to advocate the passage or defeat of such question or group~~
33 ~~of questions}~~ shall comply with the requirements of this subsection.
34 If a question is on the ballot at a general election or general city
35 election held on or after January 1 and before the July 1
36 immediately following that January 1, every ~~{person or group of~~
37 ~~persons organized formally or informally, including a business~~
38 ~~entity, who}~~ *committee for political action that* advocates the
39 passage or defeat of the question or a group of questions that
40 includes the question ~~{and who receives or expends money in an~~
41 ~~amount in excess of \$10,000 to advocate the passage or defeat of~~
42 ~~such question or group of questions}~~ shall comply with the
43 requirements of this subsection. A ~~{person, group of persons or~~
44 ~~business entity;}~~ *committee for political action* described in this
45 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;

(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; 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 ~~[\$1,000]~~ \$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]~~ *committee for political action* 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]~~ *committee for political action that* advocates the passage or defeat of the question or a group of questions that includes the question ~~[and who receives or expends money in an amount in excess of \$10,000 to advocate the passage or defeat of such question or group of questions]~~ shall comply with the requirements of this subsection. ~~[Except as otherwise provided in NRS 294A.283, if]~~ 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]~~ *committee for political action that* advocates the passage or defeat of the question or a group of questions that includes the question ~~[and who receives or expends money in an amount in excess of \$10,000 to advocate the passage or defeat of such question or group of questions]~~ shall comply with the requirements of this subsection. A ~~[person, group of persons or business entity]~~ *committee for political action* 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



1 the primary election or primary city election through 12 days before
2 the primary election or primary city election; and

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

7 ↪ report each expenditure made during the period on behalf of or
8 against the question, the group of questions or a question in the
9 group of questions on the ballot in excess of ~~[\$1,000]~~ **\$100** on the
10 form designed and provided by the Secretary of State pursuant to
11 NRS 294A.373. The form must be signed by ~~{the person or}~~ a
12 representative of the ~~[group or business entity]~~ **committee for**
13 **political action** under penalty of perjury.

14 4. Except as otherwise provided in subsection 5, every ~~{person~~
15 ~~or group of persons organized formally or informally, including a~~
16 ~~business entity, who}~~ **committee for political action that** advocates
17 the passage or defeat of a question or group of questions on the
18 ballot at a special election shall, not later than:

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

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

24 ↪ report each expenditure made during the period on behalf of or
25 against the question, the group of questions or a question in the
26 group of questions on the ballot in excess of ~~[\$1,000]~~ **\$100** on the
27 form designed and provided by the Secretary of State pursuant to
28 NRS 294A.373. The form must be signed by ~~{the person or}~~ a
29 representative of the ~~[group or business entity]~~ **committee for**
30 **political action** under penalty of perjury.

31 5. Every ~~{person or group of persons organized formally or~~
32 ~~informally, including a business entity, who}~~ **committee for political**
33 **action that** advocates the passage or defeat of a question or group of
34 questions on the ballot at a special election to determine whether a
35 public officer will be recalled ~~[and who receives or expends money~~
36 ~~in an amount in excess of \$10,000 to advocate the passage or defeat~~
37 ~~of such question or group of questions]~~ shall list each expenditure
38 made during the period on behalf of or against the question, the
39 group of questions or a question in the group of questions on the
40 ballot in excess of ~~[\$1,000]~~ **\$100** on the form designed and provided
41 by the Secretary of State pursuant to NRS 294A.373 and signed by
42 ~~{the person or}~~ a representative of the ~~[group or business entity]~~
43 **committee for political action** under penalty of perjury, 30 days
44 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 6 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, the reports must be itemized by question or petition. A person may mail or transmit the 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 receiving the report.

Sec. 55. (Deleted by amendment.)

Sec. 56. NRS 294A.230 is hereby amended to read as follows:

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

2. The form must require:

(a) The name of the committee;

(b) The purpose for which it was organized;

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

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



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

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

3. A committee for political action shall file with the Secretary of State ~~[an]~~ :

(a) ~~An~~ amended form for registration within 30 days after any change in the information contained in the form for registration.

(b) *A form for registration on or before January 15 of each year, regardless of whether there is a change in the information contained in the most recent form for registration filed by the committee for political action with the Secretary of State.*

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

Sec. 57. (Deleted by amendment.)

Sec. 58. (Deleted by amendment.)

Sec. 59. NRS 294A.286 is hereby amended to read as follows:

294A.286 1. A person who administers a legal defense fund shall:

(a) Within 5 days after the creation of the legal defense fund, notify the Secretary of State of the creation of the fund on a form provided by the Secretary of State; and

(b) For the same period covered by the report filed pursuant to NRS 294A.120, 294A.200 or 294A.360, report any contribution received by or expenditure made from the legal defense fund.

2. The reports required by paragraph (b) of subsection 1 must be submitted on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the administrator of the legal defense fund under penalty of perjury.

3. The reports required by paragraph (b) of subsection 1 must be filed in the same manner and at the same time as the report filed pursuant to NRS 294A.120, 294A.200 or 294A.360.

4. Not later than the 15th day of the second month after the conclusion of all civil, criminal or administrative claims or proceedings for which a candidate or public officer established a legal defense fund, the candidate or public officer shall:

(a) Return the unspent money to contributors;

(b) Donate the money to any tax-exempt nonprofit entity; or

(c) Dispose of the money in any combination of the methods provided in paragraphs (a) and (b).

Sec. 60. NRS 294A.287 is hereby amended to read as follows:

294A.287 1. A person shall not make *or commit to make* a contribution or contributions to the legal defense fund of a candidate or public officer in an amount which exceeds \$10,000 during the



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1 applicable period prescribed in NRS 294A.100 pertaining to the
2 office the candidate is seeking or that the public officer holds.

3 2. A candidate or public officer shall not accept a contribution
4 *or commitment to make a contribution* to his or her legal defense
5 fund that is made in violation of subsection 1.

6 3. A person who willfully violates any provision of this section
7 is guilty of a category E felony and shall be punished as provided in
8 NRS 193.130.

9 **Sec. 61.** NRS 294A.300 is hereby amended to read as follows:

10 294A.300 1. It is unlawful for a member of the Legislature,
11 the Lieutenant Governor, the Lieutenant Governor-Elect, the
12 Governor or the Governor-Elect to solicit or accept any monetary
13 contribution, or solicit or accept a commitment to make such a
14 contribution for any political purpose during the period beginning:

15 (a) Thirty days before a regular session of the Legislature and
16 ending 30 days after the final adjournment of a regular session of
17 the Legislature;

18 (b) Fifteen days before a special session of the Legislature is set
19 to commence and ending 15 days after the final adjournment of a
20 special session of the Legislature, if the Governor sets a specific
21 date for the commencement of the special session that is more than
22 15 days after the Governor issues the proclamation calling for the
23 special session; or

24 (c) The day after the Governor issues a proclamation calling for
25 a special session of the Legislature and ending 15 days after the
26 final adjournment of a special session of the Legislature if the
27 Governor sets a specific date for the commencement of the special
28 session that is 15 or fewer days after the Governor issues the
29 proclamation calling for the special session.

30 2. *A person shall not make or commit to make a contribution*
31 *or commitment prohibited by subsection 1.*

32 3. This section does not prohibit the payment of a salary or
33 other compensation or income to a member of the Legislature, the
34 Lieutenant Governor or the Governor during a session of the
35 Legislature if it is made for services provided as a part of his or her
36 regular employment or is additional income to which he or she is
37 entitled.

38 ~~[3-]~~ 4. As used in this section, "political purpose" includes,
39 without limitation, the establishment of, or the addition of money to,
40 a legal defense fund.

41 **Sec. 62.** NRS 294A.347 is hereby amended to read as follows:

42 294A.347 1. A statement which:

43 (a) Is published within 60 days before a general election, general
44 city election or special election or 30 days before a primary election
45 or primary city election;



(b) Expressly advocates the election or defeat of a clearly identified candidate for a state or local office; and

(c) Is published by a person who receives compensation from the candidate, an opponent of the candidate ~~[]~~ or a person, party ~~[]~~, ~~committee or business entity required to report expenditures pursuant to NRS 294A.210,~~ *or committee for political action,*

↪ must contain a disclosure of the fact that the person receives compensation pursuant to paragraph (c) and the name of the person, party ~~[]~~, ~~committee or business entity~~ *or committee for political action* providing that compensation.

2. A statement which:

(a) Is published by a candidate within 60 days before a general election, general city election or special election or 30 days before a primary election or primary city election; and

(b) Contains the name of the candidate,

↪ shall be deemed to comply with the provisions of this section.

3. As used in this section, "publish" means the act of:

(a) Printing, posting, broadcasting, mailing or otherwise disseminating; or

(b) Causing to be printed, posted, broadcasted, mailed or otherwise disseminated.

Sec. 63. NRS 294A.360 is hereby amended to read as follows:

294A.360 1. Every candidate for city office at a primary city election or general city election shall file the reports in the manner required by NRS 294A.120, 294A.128 and 294A.200 for other offices not later than January 15 of each year, for the period from January 1 of the previous year through December 31 of the previous year. The provisions of this subsection apply to the candidate:

(a) Beginning the year of the general city election for that office through the year immediately preceding the next general city election for that office; and

(b) Each year immediately succeeding a calendar year during which the candidate disposes of contributions pursuant to NRS 294A.160 ~~[]~~ *or subsection 4 of NRS 294A.286.*

2. Every candidate for city office at a primary city election or general city election, if the general city election for the office for which he or she is a candidate is held on or after January 1 and before the July 1 immediately following that January 1, shall file the reports in the manner required by NRS 294A.120, 294A.128 and 294A.200 for other offices not later than:

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



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

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

3. Every candidate for city office at a primary city election or general city election, if the general city election for the office for which he or she is a candidate is held on or after July 1 and before the January 1 immediately following that July 1, shall file the reports in the manner required by NRS 294A.120, 294A.128 and 294A.200 for other offices not later than:

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

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

4. Except as otherwise provided in subsection 5, every candidate for city office at a special election shall so file those reports:

(a) Seven days before the special election, for the period from the candidate's nomination through 12 days before the special election; and

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

5. Every candidate for city office at a special election to determine whether a public officer will be recalled shall so file those reports 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 6 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.

Sec. 64. (Deleted by amendment.)

Sec. 65. NRS 294A.365 is hereby amended to read as follows:

294A.365 1. Each report of expenditures required pursuant to NRS 294A.210, 294A.220 ~~[]~~ and 294A.280 ~~[and 294A.283]~~ must consist of a list of each expenditure in excess of \$100 ~~[or \$1,000, as is appropriate.]~~ that was made during the periods for reporting. Each report of expenses required pursuant to NRS 294A.125 and



1 294A.200 must consist of a list of each expense in excess of \$100
2 that was incurred during the periods for reporting. The list in each
3 report must state the category and amount of the expense or
4 expenditure and the date on which the expense was incurred or the
5 expenditure was made.

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

- 8 (a) Office expenses;
- 9 (b) Expenses related to volunteers;
- 10 (c) Expenses related to travel;
- 11 (d) Expenses related to advertising;
- 12 (e) Expenses related to paid staff;
- 13 (f) Expenses related to consultants;
- 14 (g) Expenses related to polling;
- 15 (h) Expenses related to special events;
- 16 (i) Except as otherwise provided in NRS 294A.362, goods and
17 services provided in kind for which money would otherwise have
18 been paid; and
- 19 (j) Other miscellaneous expenses.

20 3. Each report of expenses or expenditures described in
21 subsection 1 must list the disposition of any unspent campaign
22 contributions using the categories set forth in subsection 2 of NRS
23 294A.160 ~~[]~~ or subsection 4 of NRS 294A.286.

24 **Sec. 66.** NRS 294A.373 is hereby amended to read as follows:

25 294A.373 1. The Secretary of State shall design a single form
26 to be used for all reports of campaign contributions and expenses or
27 expenditures that are required to be filed pursuant to NRS
28 294A.120, 294A.125, 294A.128, 294A.140, 294A.150, 294A.200,
29 294A.210, 294A.220, 294A.270, 294A.280, ~~[294A.283,]~~ 294A.360
30 and 294A.362 and reports of contributions received by and
31 expenditures made from a legal defense fund that are required to be
32 filed pursuant to NRS 294A.286.

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

36 3. Upon request, the Secretary of State shall provide a copy of
37 the form designed pursuant to this section to each person,
38 committee, political party ~~[group]~~ and business entity that is
39 required to file a report described in subsection 1.

40 4. The Secretary of State must obtain the advice and consent of
41 the Legislative Commission before providing a copy of a form
42 designed or revised by the Secretary of State pursuant to this section
43 to a person, committee, political party ~~[group]~~ or business entity
44 that is required to use the form.

45 **Sec. 67.** (Deleted by amendment.)



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Sec. 68. 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, 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. 69. 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, a committee for the recall of a public officer pursuant to NRS 294A.250 or a business entity that wishes to engage in certain political activity pursuant to NRS 294A.377;

4. The reporting of the creation of a legal defense fund pursuant to NRS 294A.286; or

5. 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 ~~[-, 294A.283]~~ or 294A.360 and the reporting of contributions received by and expenditures made from a legal defense fund pursuant to NRS 294A.286,

↪ 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 ~~[-, 294A.283]~~ 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, and an explanation of NRS 294A.286 and 294A.287 relating to the accepting or reporting of contributions received by and expenditures made from a legal defense fund and the penalties for a violation of those provisions as set forth in NRS 294A.287 and 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. 70. (Deleted by amendment.)

Sec. 71. 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, 294A.280 ~~[-, 294A.283]~~ and 294A.286, prepare and make available for public inspection a compilation of:



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

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

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

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

12 (a) Person on behalf of a candidate other than the person.

13 (b) Group of persons or business entity advocating the election
14 or defeat of a candidate.

15 (c) Committee for the recall of a public officer.

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

17 (a) A person who is not under the direction or control of a
18 candidate or group of candidates or of any person involved in the
19 campaign of the candidate or group who makes an expenditure on
20 behalf of the candidate or group which is not solicited or approved
21 by the candidate or group.

22 (b) A committee for political action, political party, committee
23 sponsored by a political party or business entity which makes an
24 expenditure on behalf of a candidate or group of candidates.

25 6. ~~[The contributions in excess of \$1,000 made to and the~~
26 ~~expenditures exceeding \$1,000 made by a:~~

27 ~~—(a) Person or group of persons organized formally or informally,~~
28 ~~including a business entity who advocates the passage or defeat of a~~
29 ~~question or group of questions on the ballot and who receives or~~
30 ~~expends money in an amount in excess of \$10,000 for such~~
31 ~~advocacy, except as otherwise provided in paragraph (b).~~

32 ~~—(b) Person or group of persons organized formally or informally,~~
33 ~~including a business entity, who advocates the passage or defeat of a~~
34 ~~constitutional amendment or statewide measure proposed by an~~
35 ~~initiative or referendum, including, without limitation, the initiation~~
36 ~~or circulation thereof, and who receives or expends money in an~~
37 ~~amount in excess of \$10,000 for such advocacy.~~

38 ~~—7.]~~ The total contributions received by and expenditures made
39 from a legal defense fund.

40 **Sec. 72.** NRS 294A.420 is hereby amended to read as follows:

41 294A.420 1. If the Secretary of State receives information
42 that a person, *committee* or entity that is subject to the provisions of
43 NRS 294A.120, 294A.128, 294A.140, 294A.150, 294A.200,
44 294A.210, 294A.220, 294A.227, 294A.230, *294A.250*, 294A.270,
45 294A.280, *[294A.283.]* 294A.286 or 294A.360 has not filed a report



1 or form for registration pursuant to the applicable provisions of
2 those sections, the Secretary of State may, after giving notice to that
3 person , *committee* or entity, cause the appropriate proceedings to
4 be instituted in the First Judicial District Court.

5 2. Except as otherwise provided in this section, a person ,
6 *committee* or entity that violates an applicable provision of NRS
7 294A.112, 294A.120, 294A.128, 294A.130, 294A.140, 294A.150,
8 294A.160, 294A.200, 294A.210, 294A.220, 294A.227, 294A.230,
9 *294A.250*, 294A.270, 294A.280, ~~294A.283,~~ 294A.286, 294A.300,
10 294A.310 or 294A.360 is subject to a civil penalty of not more than
11 \$5,000 for each violation and payment of court costs and attorney's
12 fees. The civil penalty must be recovered in a civil action brought in
13 the name of the State of Nevada by the Secretary of State in the First
14 Judicial District Court and deposited by the Secretary of State for
15 credit to the State General Fund in the bank designated by the State
16 Treasurer.

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

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

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

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

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

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

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

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

42 **Sec. 73.** NRS 306.040 is hereby amended to read as follows:

43 306.040 1. Upon determining that the number of signatures
44 on a petition to recall is sufficient pursuant to NRS 293.1276 to
45 293.1279, inclusive, the Secretary of State shall notify the county



* A B 8 2 R 1 *

1 clerk, the officer with whom the petition is to be filed pursuant to
2 subsection 4 of NRS 306.015 and the public officer who is the
3 subject of the petition.

4 2. After the verification of signatures is complete, but not later
5 than the date a complaint is filed pursuant to subsection 5 or the date
6 the call for a special election is issued, whichever is earlier, a person
7 who signs a petition to recall may request the Secretary of State to
8 strike the person's name from the petition. If the person
9 demonstrates good cause therefor and the number of such requests
10 received by the Secretary of State could affect the sufficiency of the
11 petition, the Secretary of State shall strike the name of the person
12 from the petition.

13 3. Not sooner than 10 days nor more than 20 days after the
14 Secretary of State completes the notification required by subsection
15 1, if a complaint is not filed pursuant to subsection 5, the officer
16 with whom the petition is filed shall issue a call for a special
17 election in the jurisdiction in which the public officer who is the
18 subject of the petition was elected to determine whether the people
19 will recall the public officer.

20 4. The call for a special election pursuant to subsection 3 or 6
21 must include, without limitation:

22 (a) The last day on which a person may register to vote to
23 qualify to vote in the special election; ~~and~~

24 (b) The last day on which a petition to nominate other
25 candidates for the office may be filed ~~and~~; and

26 *(c) Whether any person is entitled to vote in the special*
27 *election pursuant to NRS 293.343 to 293.355, inclusive.*

28 5. The legal sufficiency of the petition may be challenged by
29 filing a complaint in district court not later than 5 days, Saturdays,
30 Sundays and holidays excluded, after the Secretary of State
31 completes the notification required by subsection 1. All affidavits
32 and documents in support of the challenge must be filed with the
33 complaint. The court shall set the matter for hearing not later than
34 30 days after the complaint is filed and shall give priority to such a
35 complaint over all other matters pending with the court, except for
36 criminal proceedings.

37 6. Upon the conclusion of the hearing, if the court determines
38 that the petition is sufficient, it shall order the officer with whom the
39 petition is filed to issue a call for a special election in the
40 jurisdiction in which the public officer who is the subject of
41 the petition was elected to determine whether the people will recall
42 the public officer. If the court determines that the petition is not
43 sufficient, it shall order the officer with whom the petition is filed to
44 cease any further proceedings regarding the petition.

45 **Sec. 74.** (Deleted by amendment.)



- 1 **Sec. 75.** (Deleted by amendment.)
2 **Sec. 76.** (Deleted by amendment.)
3 **Sec. 77.** (Deleted by amendment.)
4 **Sec. 78.** (Deleted by amendment.)
5 **Sec. 79.** (Deleted by amendment.)
6 **Sec. 80.** (Deleted by amendment.)
7 **Sec. 81.** (Deleted by amendment.)
8 **Sec. 82.** (Deleted by amendment.)
9 **Sec. 83.** (Deleted by amendment.)
10 **Sec. 84.** NRS 294A.281, 294A.282, 294A.283 and 294A.284
11 are hereby repealed.
12 **Sec. 85.** 1. This section, sections 1 to 37, inclusive, 41, 42,
13 43, 48, 50, 51, 54, 56, 59 to 63, inclusive, 65, 66, 68, 69, 71, 72, 73
14 and 84 of this act become effective on July 1, 2011.
15 2. Sections 38, 39, 40, 44 to 47, inclusive, 49, 52, 53, 55, 57,
16 58, 64, 67, 70 and 74 to 83, inclusive, of this act become effective
17 on January 16, 2013.

LEADLINES OF REPEALED SECTIONS

294A.281 Registration.
294A.282 Registered agent.
294A.283 Reporting of contributions and expenditures;
period covered; deadline; form; filing.
294A.284 Reporting of certain information concerning
compensation of persons to circulate petitions.

