

Amendment No. 685

Senate Amendment to Assembly Bill No. 81 First Reprint (BDR 24-406)

Proposed by: Senate Committee on Legislative Operations and Elections**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date	
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

SJA/EGO



Date: 5/29/2011

A.B. No. 81—Revises various provisions relating to elections. (BDR 24-406)



ASSEMBLY BILL NO. 81—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—Revises various provisions relating to elections. (BDR 24-406)

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; clarifying how a minor political party may be organized; revising certain requirements for petitions of referendum; revising provisions relating to counting ballots, posting voting results and recounts; providing that the residency of spouses of certain military personnel is not changed whether absent or present in this State; making various changes concerning campaign contributions and expenditures; making various other changes to provisions governing elections; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

In order to qualify to place the names of candidates on the ballot, under existing law, a minor political party must have filed with the Secretary of State a certificate of existence and a list of candidates. Also, the minor political party must have: (1) at the last preceding general election, polled for any of its candidates for partisan office a number of votes equal to or more than 1 percent of the total number of votes cast for the offices of Representative in Congress; (2) been designated as the political party on the applications to register to vote of at least 1 percent of the total number of registered voters in this State; or (3) filed a petition with the Secretary of State which is signed by a number of registered voters equal to at least 1 percent of the total number of votes cast at the last preceding election for the offices of Representative of Congress. Alternatively, the minor political party may place the name of a candidate on the ballot if the minor political party has filed with the Secretary of State a certificate of existence and a petition on behalf of the candidate that it wants to place on the ballot containing a certain number of signatures. (NRS 293.1715) **Sections 16, 16.2 and 16.4** of this bill remove the option of a minor political party to place a candidate on the ballot by filing a petition on behalf of the candidate. **Sections 6 and 15-18** of this bill clarify that an organization is organized as a minor political party when it files a certificate of existence. A minor political party must still meet the other requirements in order to qualify to place candidates on the ballot.

Sections 7-12 and 64 of this bill provide that the signature and verification requirements for initiative petitions also apply to petitions for referendum.

Existing law provides the requirements for nominating candidates for office and placing candidates on the ballot for the general election. (NRS 293.165, 293.166, 293.368) **Sections 13, 14 and 25** of this bill move the date after which no change may be made on the ballot for the general election from the first Tuesday after the primary election to the fourth Friday in June of the year in which the general election is held.

Existing law provides that if a person willfully files a declaration or acceptance of candidacy that contains a false statement, the name of the person must not appear on the ballot for the election for which the person filed the declaration or acceptance of candidacy. (NRS 293.184, 293C.1865) **Sections 19 and 32** of this bill further require that if the name of such a person appears on the ballot because the deadline for making changes to the ballot has passed, the Secretary of State, county clerk or city clerk must inform voters by posting signs at polling places that the person is disqualified from entering upon the duties of office.

Section 21 of this bill allows a person to cast a primary ballot for a major political party only if the person is a member of that major political party.

Existing law sets forth procedures for depositing absent ballots in the ballot box, including verifying the absent voter's signature that appears on the back of the return envelope or facsimile. (NRS 293.333, 293C.332) Because certain military personnel and overseas citizens may return special absent ballots via approved electronic transmission other than facsimile, **sections 23 and 33** of this bill authorize the verification of the signature of these voters by comparing the signature from the special absent ballot or the oath of the voter that must be included in the special absent ballot with that on the original application to register to vote.

Existing law sets forth the period for early voting by personal appearance at a primary or general election, which excludes Sundays and state and federal holidays. (NRS 293.3568, 293C.3568) **Sections 24 and 34** of this bill provide that state holidays are not excluded from that period.

Section 26 of this bill prohibits a county clerk from posting voting results for a statewide or multicounty race or ballot question until the Secretary of State notifies the county clerk that all polling places are closed and all votes have been cast.

Section 27 of this bill revises the procedure for demands for an election recount in a county or city using a mechanical voting system and for recounts affecting more than one county.

Existing law provides that a person does not gain or lose residence in the State by reason of his or her presence or absence while being employed in the military, naval or civil service of the United States or the State of Nevada or while engaged in the navigation of the waters of the United States or of the high seas. (NRS 293.487) **Section 30** of this bill provides that the spouse of such a person also does not gain or lose residence in the State.

Sections 36.5 and 39.5 of this bill differentiate between "campaign expenses" and "expenditures" for purposes of campaign reporting requirements.

Section 37 of this bill requires certain persons, committees for political action, political parties and committees of political parties that expend more than \$100 for the purpose of financing certain public communications to disclose on the communication the name of the person, committee or political party that paid for the communication.

Section 41.5 of this bill prohibits a person from making a contribution to a committee for political action with the knowledge and intent that the committee for political action will contribute that money to a specific candidate which, in combination with the total contributions already made by the person for the same election, would violate the limitations on contributions in existing law.

Section 49 of this bill provides that if a committee for political action fails to register with the Secretary of State before engaging in any activity within the State, the Secretary of State may impose on the committee a civil penalty for each time the committee engages in activity without being registered.

Sections 40, 44, 45, 47, 48, 50-53, 55, 59-62 and 69 of this bill repeal the term "business entity" and remove the term from provisions governing registration and campaign contribution and expenditure reporting. These entities, however, are not exempt from the provisions because they are business organizations included within the term "person" as defined in existing law. (NRS 294A.009)

Section 54 of this bill: (1) prohibits a candidate or public officer from using campaign contributions to pay civil or criminal penalties; and (2) authorizes a candidate or public officer to use campaign contributions to pay for legal expenses that the candidate or public officer incurred in relation to a campaign or while serving in public office. Any such candidate or public officer is not required to establish a legal defense fund in order to use campaign contributions to pay for legal expenses, but **sections 29, 54, 56, 58, 59, 61 and 62** of this bill require the candidate or public officer to report the expenditure of such money on his or her campaign expenditure reports.

Section 58 of this bill adds contributions made to another candidate, a nonprofit corporation, a committee for political action or a committee for the recall of a public officer to the categories of expenditures that must be reported on campaign expenditure reports.

Section 59.5 of this bill requires the Secretary of State, for the purposes of implementing and administering the election laws, to consider whether organization of or actions taken by a group or entity are for the purpose of avoiding the limitations on campaign contributions.

Section 65 of this bill requires the affidavit executed by a circulator of a petition for initiative or referendum to include the contact information of the circulator and a statement that the circulator is at least 18 years of age.

Sections 65.5 and 66 of this bill: (1) clarify that a candidate for or person appointed to the office of Legislator is required to file a statement of financial disclosure with the Secretary of State; and (2) requires a public officer who leaves office to file a statement of financial disclosure on January 15th of the year immediately following the year in which the public officer leaves office unless the public officer leaves office before January 15 in the prior year.

Sections 67 and 68 of this bill require that candidates for city office in the cities of Carlin and Wells file declarations of candidacy at the same time as candidates for statewide office.

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

Section 1. Chapter 293 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. *“Central counting place” means the location designated by the county or city clerk for the compilation of election returns.*

Sec. 3. *“Undervote” means a ballot that has been cast by a voter but shows no legally valid selection for any candidate for a particular office or for a ballot question.*

Sec. 4. (Deleted by amendment.)

Sec. 5. NRS 293.010 is hereby amended to read as follows:

293.010 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 293.013 to 293.121, inclusive, *and sections 2 and 3 of this act* have the meanings ascribed to them in those sections.

Sec. 6. NRS 293.066 is hereby amended to read as follows:

293.066 “Minor political party” means any organization which ~~[qualifies]~~ *is organized* as such pursuant to NRS 293.171.

Sec. 7. NRS 293.127561 is hereby amended to read as follows:

293.127561 1. The Legislature shall establish petition districts from which signatures for a petition for initiative *or referendum* that proposes a ~~[statute, an amendment to a statute or an amendment to the Constitution of this State]~~ *constitutional amendment or statewide measure* must be gathered. The petition districts must be established in a manner that is fair to all residents of the State, represent approximately equal populations and ensure that each signature is afforded the same weight.

2. Petition districts must be:

(a) Based on the population databases compiled by the Bureau of the Census of the United States Department of Commerce as validated and incorporated into the geographic information system by the Legislative Counsel Bureau for use by the Nevada Legislature.

(b) Designated in the maps filed with the Office of the Secretary of State pursuant to NRS 293.127562.

Sec. 8. NRS 293.127563 is hereby amended to read as follows:

293.127563 1. As soon as practicable after each general election, the Secretary of State shall determine the number of signatures required to be gathered from each petition district within the State for a petition for initiative *or referendum* that proposes a ~~{statute, an amendment to a statute or an amendment to the Constitution of this State.}~~ *constitutional amendment or statewide measure*.

2. To determine the number of signatures required to be gathered from a petition district, the Secretary of State shall calculate the amount that equals 10 percent of the voters who voted in that petition district at the last preceding general election.

Sec. 9. NRS 293.1276 is hereby amended to read as follows:

293.1276 1. Within 4 days, excluding Saturdays, Sundays and holidays, after the submission of a petition containing signatures which are required to be verified pursuant to NRS 293.128, 293.165, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110, the county clerk shall determine the total number of signatures affixed to the documents and, in the case of a petition for *initiative or referendum* proposing a ~~{statute, an amendment to a statute or an amendment to the Constitution.}~~ *constitutional amendment or statewide measure*, shall tally the number of signatures for each petition district contained fully or partially within the county and forward that information to the Secretary of State.

2. If the Secretary of State finds that the total number of signatures filed with all the county clerks is less than 100 percent of the required number of registered voters, the Secretary of State shall so notify the person who submitted the petition and the county clerks and no further action may be taken in regard to the petition. If the petition is a petition to recall a county, district or municipal officer, the Secretary of State shall also notify the officer with whom the petition is to be filed.

3. After the petition is submitted to the county clerk, it must not be handled by any other person except by an employee of the county clerk's office until it is filed with the Secretary of State.

Sec. 10. 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 *for initiative or referendum* proposing a ~~{statute, an amendment to a statute or an amendment to the Constitution.}~~ *constitutional amendment or statewide measure*, shall tally the number of signatures for each petition district contained or fully contained within the county clerk's county.

2. If more than 500 names have been signed on the documents submitted to a county clerk, the county clerk shall examine the signatures by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the county clerk is given an equal opportunity to be included in the sample. The sample

1 must include an examination of at least 500 or 5 percent of the signatures,
2 whichever is greater.

3 3. In determining from the records of registration the number of registered
4 voters who signed the documents, the county clerk may use the signatures
5 contained in the file of applications to register to vote. If the county clerk uses that
6 file, the county clerk shall ensure that every application in the file is examined,
7 including any application in his or her possession which may not yet be entered into
8 the county clerk's records. The county clerk shall rely only on the appearance of the
9 signature and the address and date included with each signature in making his or
10 her determination.

11 4. In the case of a petition *for initiative or referendum* proposing a ~~{statute,~~
12 ~~an amendment to a statute or an amendment to the Constitution,}~~ *constitutional*
13 *amendment or statewide measure*, when the county clerk is determining the
14 number of registered voters who signed the documents from each petition district
15 contained fully or partially within the county clerk's county, he or she must use the
16 statewide voter registration list available pursuant to NRS 293.675.

17 5. Except as otherwise provided in subsection 7, upon completing the
18 examination, the county clerk shall immediately attach to the documents a
19 certificate properly dated, showing the result of the examination, including the tally
20 of signatures by petition district, if required, and transmit the documents with the
21 certificate to the Secretary of State. ~~{H} In the case of a petition for initiative or~~
22 ~~referendum proposing a constitutional amendment or statewide measure, if a~~
23 ~~petition district comprises more than one county, {and the petition proposes a~~
24 ~~statute, an amendment to a statute or an amendment to the Constitution,}~~ the
25 appropriate county clerks shall comply with the regulations adopted by the
26 Secretary of State pursuant to this section to complete the certificate. A copy of this
27 certificate must be filed in the clerk's office. When the county clerk transmits the
28 certificate to the Secretary of State, the county clerk shall notify the Secretary of
29 State of the number of requests to remove a name received by the county clerk
30 pursuant to NRS 295.055 or 306.015.

31 6. A person who submits a petition to the county clerk which is required to be
32 verified pursuant to NRS 293.128, 293.165, 293.172, 293.200, 295.056, 298.109,
33 306.035 or 306.110 must be allowed to witness the verification of the signatures. A
34 public officer who is the subject of a recall petition must also be allowed to witness
35 the verification of the signatures on the petition.

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

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

43 **Sec. 11.** NRS 293.1278 is hereby amended to read as follows:

44 293.1278 1. If the certificates received by the Secretary of State from all the
45 county clerks establish that the number of valid signatures is less than 90 percent of
46 the required number of registered voters, the petition shall be deemed to have failed
47 to qualify, and the Secretary of State shall immediately so notify the petitioners and
48 the county clerks.

49 2. If those certificates establish that the number of valid signatures is equal to
50 or more than the sum of 100 percent of the number of registered voters needed to
51 make the petition sufficient plus the total number of requests to remove a name
52 received by the county clerks pursuant to NRS 295.055 or 306.015 and, in the case
53 of a petition *for initiative or referendum* proposing a ~~{statute, an amendment to a~~

~~statute or an amendment to the Constitution,]~~ *constitutional amendment or statewide measure*, that the petition has the minimum number of signatures required for each petition district, the petition shall be deemed to qualify as of the date of receipt by the Secretary of State of those certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

3. If the certificates establish that the petitioners have 100 percent or more of the number of registered voters needed to make the petition sufficient but the petition fails to qualify pursuant to subsection 2, each county clerk who received a request to remove a name pursuant to NRS 295.055 or 306.015 shall remove each name as requested, amend the certificate and transmit the amended certificate to the Secretary of State. If the amended certificates establish that the petitioners have 100 percent or more of the number of registered voters needed to make the petition sufficient and, in the case of a petition *for initiative or referendum* proposing a ~~[statute, an amendment to a statute or an amendment to the Constitution,]~~ *constitutional amendment or statewide measure*, that the petition has the minimum number of signatures required for each petition district, the petition shall be deemed to qualify as of the date of receipt by the Secretary of State of the amended certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

Sec. 12. NRS 293.1279 is hereby amended to read as follows:

293.1279 1. If the statistical sampling shows that the number of valid signatures filed is 90 percent or more, but less than the sum of 100 percent of the number of signatures of registered voters needed to declare the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or 306.015, the Secretary of State shall order the county clerks to examine the signatures for verification. The county clerks shall examine the signatures for verification until they determine that 100 percent of the number of signatures of registered voters needed to declare the petition sufficient are valid. If the county clerks received a request to remove a name pursuant to NRS 295.055 or 306.015, the county clerks may not determine that 100 percent of the number of signatures of registered voters needed to declare the petition sufficient are valid until they have removed each name as requested pursuant to NRS 295.055 or 306.015.

2. Except as otherwise provided in this subsection, if the statistical sampling shows that the number of valid signatures filed in any county is 90 percent or more but less than the sum of 100 percent of the number of signatures of registered voters needed to constitute 10 percent of the number of voters who voted at the last preceding general election in that county plus the total number of requests to remove a name received by the county clerk in that county pursuant to NRS 295.055 or 306.015, the Secretary of State may order the county clerk in that county to examine every signature for verification. If the county clerk received a request to remove a name pursuant to NRS 295.055 or 306.015, the county clerk may not determine that 100 percent or more of the number of signatures of registered voters needed to constitute 10 percent of the number of voters who voted at the last preceding general election in that county are valid until the county clerk has removed each name as requested pursuant to NRS 295.055 or 306.015. In the case of a petition for initiative *or referendum* that proposes a ~~[statute, an amendment to a statute or an amendment to the Constitution of this State,]~~ *constitutional amendment or statewide measure*, if the statistical sampling shows that the number of valid signatures in any petition district is 90 percent or more but less than the sum of 100 percent of the number of signatures of registered voters required for that petition district pursuant to NRS 295.012 plus the total number of requests to remove a name received by the county clerk or county clerks, if the

petition district comprises more than one county, pursuant to NRS 295.055, the Secretary of State may order a county clerk to examine every signature for verification.

3. Within 12 days, excluding Saturdays, Sundays and holidays, after receipt of such an order, the county clerk or county clerks shall determine from the records of registration what number of registered voters have signed the petition and, if appropriate, tally those signatures by petition district. If necessary, the board of county commissioners shall allow the county clerk additional assistants for examining the signatures and provide for their compensation. In determining from the records of registration what number of registered voters have signed the petition and in determining in which petition district the voters reside, the county clerk must use the statewide voter registration list. The county clerk may rely on the appearance of the signature and the address and date included with each signature in determining the number of registered voters that signed the petition.

4. Except as otherwise provided in subsection 5, upon completing the examination, the county clerk or county clerks shall immediately attach to the documents of the petition an amended certificate, properly dated, showing the result of the examination and shall immediately forward the documents with the amended certificate to the Secretary of State. A copy of the amended certificate must be filed in the county clerk's office. In the case of a petition *for initiative or referendum* to propose a ~~statute, an amendment to a statute or an amendment to the Constitution,~~ *constitutional amendment or statewide measure*, if a petition district comprises more than one county, the county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the amended certificate.

5. 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 forward to the Secretary of State the documents containing the signatures of the registered voters.

6. Except for a petition to recall a county, district or municipal officer, the petition shall be deemed filed with the Secretary of State as of the date on which the Secretary of State receives certificates from the county clerks showing the petition to be signed by the requisite number of voters of the State.

7. If the amended certificates received from all county clerks by the Secretary of State establish that the petition is still insufficient, the Secretary of State shall immediately so notify the petitioners and the county clerks. If the petition is a petition to recall a county, district or municipal officer, the Secretary of State shall also notify the officer with whom the petition is to be filed.

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

Sec. 13. NRS 293.165 is hereby amended to read as follows:

293.165 1. Except as otherwise provided in NRS 293.166, a vacancy occurring in a major or minor political party nomination for a partisan office may be filled by a candidate designated by the party central committee of the county or State, as the case may be, of the major political party or by the executive committee of the minor political party subject to the provisions of subsections 4 and 5.

2. A vacancy occurring in a nonpartisan nomination after the close of filing and on or before 5 p.m. of the second Tuesday in April must be filled by filing a nominating petition that is signed by registered voters of the State, county, district or municipality who may vote for the office in question. The number of registered voters who sign the petition must not be less than 1 percent of the number of persons who voted for the office in question in the State, county, district or

1 municipality at the last preceding general election. The petition must be filed not
2 earlier than the first Tuesday in March and not later than the fourth Tuesday in
3 April. The petition may consist of more than one document. Each document must
4 bear the name of one county and must be signed only by a person who is a
5 registered voter of that county and who may vote for the office in question. Each
6 document of the petition must be submitted for verification pursuant to NRS
7 293.1276 to 293.1279, inclusive, to the county clerk of the county named on the
8 document. A candidate nominated pursuant to the provisions of this subsection:

9 (a) Must file a declaration of candidacy or acceptance of candidacy and pay the
10 statutory filing fee on or before the date the petition is filed; and

11 (b) May be elected only at a general election, and the candidate's name must
12 not appear on the ballot for a primary election.

13 3. A vacancy occurring in a nonpartisan nomination after 5 p.m. of the second
14 Tuesday in April and on or before 5 p.m. on the ~~{first Tuesday after the primary~~
15 ~~election}~~ *fourth Friday in June of the year in which the general election is held*
16 must be filled by the person who receives the next highest vote for the nomination
17 in the primary.

18 4. No change may be made on the ballot for the general election after 5 p.m.
19 on the ~~{first Tuesday after the primary election}~~ *fourth Friday in June of the year*
20 *in which the general election is held*. If a nominee dies after that time and date, the
21 nominee's name must remain on the ballot for the general election and, if elected, a
22 vacancy exists.

23 5. All designations provided for in this section must be filed on or before 5
24 p.m. on the ~~{first Tuesday after the primary election}~~ *fourth Friday in June of the*
25 *year in which the general election is held*. In each case, the statutory filing fee
26 must be paid and an acceptance of the designation must be filed on or before 5 p.m.
27 on the date the designation is filed.

28 **Sec. 14.** NRS 293.166 is hereby amended to read as follows:

29 293.166 1. A vacancy occurring in a party nomination for the office of State
30 Senator, Assemblyman or Assemblywoman from a legislative district comprising
31 more than one county may be filled as follows, subject to the provisions of
32 subsections 2 and 3. The county commissioners of each county, all or part of which
33 is included within the legislative district, shall meet to appoint a person who is of
34 the same political party as the former nominee and who actually, as opposed to
35 constructively, resides in the district to fill the vacancy, with the chair of the board
36 of county commissioners of the county whose population residing within the
37 district is the greatest presiding. Each board of county commissioners shall first
38 meet separately and determine the single candidate it will nominate to fill the
39 vacancy. Then, the boards shall meet jointly and the chairs on behalf of the boards
40 shall cast a proportionate number of votes according to the percent, rounded to the
41 nearest whole percent, which the population of its county is of the population of the
42 entire district. Populations must be determined by the last decennial census or
43 special census conducted by the Bureau of the Census of the United States
44 Department of Commerce. The person who receives a plurality of these votes is
45 appointed to fill the vacancy. If no person receives a plurality of the votes, the
46 boards of county commissioners of the respective counties shall each as a group
47 select one candidate, and the nominee must be chosen by drawing lots among the
48 persons so selected.

49 2. No change may be made on the ballot after the ~~{first Tuesday after the~~
50 ~~primary election}~~ *fourth Friday in June* of the year in which the general election is
51 held. If a nominee dies after that date, the nominee's name must remain on the
52 ballot and, if elected, a vacancy exists.

3. The designation of a nominee pursuant to this section must be filed with the Secretary of State *on or* before 5 p.m. on the ~~{first Tuesday after the primary election;}~~ *fourth Friday in June of the year in which the general election is held,* and the statutory filing fee must be paid with the designation.

Sec. 15. NRS 293.171 is hereby amended to read as follows:

293.171 1. To ~~{qualify;}~~ *be organized* as a minor political party, an organization must file with the Secretary of State a certificate of existence which includes the:

- (a) Name of the political party;
- (b) Names of its officers;
- (c) Names of the members of its executive committee; and
- (d) Name of the person authorized to file the list of its candidates for partisan office with the Secretary of State.

2. A copy of the constitution or bylaws of the party must be affixed to the certificate.

3. A minor political party shall file with the Secretary of State an amended certificate of existence within 5 days after any change in the information contained in the certificate.

4. The constitution or bylaws of a minor political party must provide a procedure for the nomination of its candidates in such a manner that only one candidate may be nominated for each office.

5. A minor political party whose candidates for partisan office do not appear on the ballot for the general election must file a notice of continued existence with the Secretary of State not later than the second Friday in August preceding the general election.

6. A minor political party which fails to file a notice of continued existence as required by subsection 5 ceases to exist as a minor political party in this State.

Sec. 16. NRS 293.1715 is hereby amended to read as follows:

293.1715 1. The names of the candidates for partisan office of a minor political party must not appear on the ballot for a primary election.

2. The names of the candidates for partisan office of a minor political party must be placed on the ballot for the general election if the *minor political* party ~~{has}~~ *is qualified. To qualify as a minor political party, the minor political party must have* filed a certificate of existence and *be organized pursuant to NRS 293.171, must have filed* a list of its candidates for partisan office pursuant to the provisions of NRS 293.1725 with the Secretary of State and:

(a) At the last preceding general election, the minor political party *must have* polled for any of its candidates for partisan office a number of votes equal to or more than 1 percent of the total number of votes cast for the offices of Representative in Congress;

(b) On January 1 preceding a primary election, the minor political party ~~{has}~~ *must have* been designated as the political party on the applications to register to vote of at least 1 percent of the total number of registered voters in this State; or

(c) Not later than the ~~{second}~~ *third* Friday in ~~{June}~~ *May* preceding the general election, ~~{files}~~ *must file* a petition with the Secretary of State which is signed by a number of registered voters equal to at least 1 percent of the total number of votes cast at the last preceding general election for the offices of Representative in Congress.

3. ~~{The name of a candidate for partisan office for a minor political party other than a candidate for the office of President or Vice President of the United States must be placed on the ballot for the general election if the party has filed:~~

~~—(a) A certificate of existence;~~

~~—(b) A list of candidates for partisan office containing the name of the candidate pursuant to the provisions of NRS 293.1725 with the Secretary of State; and~~

~~—(c) Not earlier than the first Monday in March preceding the general election and not later than 5 p.m. on the second Friday after the first Monday in March, a petition on behalf of the candidate with the Secretary of State containing not less than:~~

~~—(1) Two hundred fifty signatures of registered voters if the candidate is to be nominated for a statewide office; or~~

~~—(2) One hundred signatures of registered voters if the candidate is to be nominated for any office except a statewide office.~~

~~—A minor political party that places names of one or more candidates for partisan office on the ballot pursuant to this subsection may also place the names of one or more candidates for partisan office on the ballot pursuant to subsection 2.~~

~~—4.} The name of only one candidate of each minor political party for each partisan office may appear on the ballot for a general election.~~

~~5.} 4. A minor political party must file a copy of the petition required by paragraph (c) of subsection 2 [or paragraph (c) of subsection 3] with the Secretary of State before the petition may be circulated for signatures.~~

Sec. 16.2. NRS 293.172 is hereby amended to read as follows:

293.172 1. A petition filed pursuant to subsection 2 ~~for 3}~~ of NRS 293.1715 may consist of more than one document. Each document of the petition must:

(a) Bear the name of the minor political party and, if applicable, the candidate and office to which the candidate is to be nominated.

(b) Include the affidavit of the person who circulated the document verifying that the signers are registered voters in this State according to his or her best information and belief and that the signatures are genuine and were signed in his or her presence.

(c) Bear the name of a county and be submitted to the county clerk of that county for verification in the manner prescribed in NRS 293.1276 to 293.1279, inclusive, not later than 25 working days before the last day to file the petition. A challenge to the form of a document must be made in a district court in the county that is named on the document.

(d) Be signed only by registered voters of the county that is named on the document.

2. If the office to which the candidate is to be nominated is a county office, only the registered voters of that county may sign the petition. If the office to which the candidate is to be nominated is a district office, only the registered voters of that district may sign the petition.

3. Each person who signs a petition shall also provide the address of the place where he or she resides, the date that he or she signs and the name of the county in which he or she is registered to vote.

4. The county clerk shall not disqualify the signature of a voter who failed to provide all the information required by subsection 3 if the voter is registered in the county named on the document.

Sec. 16.4. NRS 293.1725 is hereby amended to read as follows:

293.1725 1. Except as otherwise provided in subsection 4, a minor political party that wishes to place its candidates for partisan office on the ballot for a general election and:

(a) Is entitled to do so pursuant to paragraph (a) or (b) of subsection 2 of NRS 293.1715; **or**

(b) Files or will file a petition pursuant to paragraph (c) of subsection 2 of NRS 293.1715, ~~for~~ **or**

~~—(c) Whose candidates are entitled to appear on the ballot pursuant to subsection 3 of NRS 293.1715.]~~

↳ must file with the Secretary of State a list of its candidates for partisan office not earlier than the first Monday in March preceding the election nor later than 5 p.m. on the second Friday after the first Monday in March. The list must be signed by the person so authorized in the certificate of existence of the minor political party before a notary public or other person authorized to take acknowledgments. ~~[The Secretary of State shall strike from the list each candidate who is not entitled to appear on the ballot pursuant to subsection 3 of NRS 293.1715 if the minor political party is not entitled to place candidates on the ballot pursuant to subsection 2 of NRS 293.1715.]~~ The list may be amended not later than 5 p.m. on the second Friday after the first Monday in March.

2. The Secretary of State shall immediately forward a certified copy of the list of candidates for partisan office of each minor political party to the filing officer with whom each candidate must file his or her declaration of candidacy.

3. Each candidate on the list must file his or her declaration of candidacy with the appropriate filing officer and pay the fee required by NRS 293.193 not earlier than the date on which the list of candidates for partisan office of the minor political party is filed with the Secretary of State nor later than 5 p.m. on the second Friday after the first Monday in March.

4. A minor political party that wishes to place candidates for the offices of President and Vice President of the United States on the ballot and has qualified to place the names of its candidates for partisan office on the ballot for the general election pursuant to subsection 2 of NRS 293.1715 must file with the Secretary of State a certificate of nomination for these offices not later than the first Tuesday in September.

Sec. 17. NRS 293.174 is hereby amended to read as follows:

293.174 ~~[[~~ If the qualification of a minor political party *to place the names of candidates on the ballot pursuant to NRS 293.1715* is challenged, all affidavits and documents in support of the challenge must be filed not later than 5 p.m. on the third Friday in June. Any judicial proceeding resulting from the challenge must be set for hearing not more than 5 days after the third Friday in June. A challenge pursuant to this ~~[subsection]~~ *section* must be filed with the First Judicial District Court if the petition was filed with the Secretary of State.

~~[2.—If the qualification of a candidate of a minor political party other than a candidate for the office of President or Vice President of the United States is challenged, all affidavits and documents in support of the challenge must be filed not later than 5 p.m. on the fourth Monday in March. Any judicial proceeding resulting from the challenge must be set for hearing not more than 5 days after the fourth Monday in March. A challenge pursuant to this subsection must be filed with:~~

~~—(a) The First Judicial District Court; or~~

~~—(b) If a candidate who filed a declaration of candidacy with a county clerk is challenged, the district court for the county where the declaration of candidacy was filed.]~~

Sec. 18. NRS 293.176 is hereby amended to read as follows:

293.176 1. Except as otherwise provided in subsection 2, no person may be a candidate of a major political party for partisan office in any election if the person has changed:

(a) The designation of his or her political party affiliation; or

(b) His or her designation of political party from nonpartisan to a designation of a political party affiliation,

1 on an application to register to vote in the State of Nevada or in any other state
2 during the time beginning on December 31 preceding the closing filing date for that
3 election and ending on the date of that election whether or not the person's previous
4 registration was still effective at the time of the change in party designation.

5 2. The provisions of subsection 1 do not apply to any person who is a
6 candidate of a political party that ~~was~~ *is* not ~~qualified~~ *organized* pursuant to
7 NRS 293.171 on the December 31 next preceding the closing filing date for the
8 election.

9 **Sec. 19.** NRS 293.184 is hereby amended to read as follows:

10 293.184 1. In addition to any other penalty provided by law, if a person
11 ~~knowingly and~~ willfully files a declaration of candidacy or acceptance of
12 candidacy ~~which~~ *knowing that the declaration of candidacy or acceptance of*
13 *candidacy* contains a false statement:

14 ~~1. The~~

15 ~~(a)~~ *Except as otherwise provided in NRS 293.165 and 293.166, the* name of
16 the person must not appear on any ballot for the election for which the person filed
17 the declaration of candidacy or acceptance of candidacy; and

18 ~~2. (b)~~ The person is disqualified from entering upon the duties of the office
19 for which he or she was a candidate.

20 2. *If the name of a person who is disqualified from entering upon the duties*
21 *of an office pursuant to subsection 1 appears on a ballot for the election is*
22 *disqualified because the deadline set forth in NRS 293.165 and 293.166 for*
23 *making changes to the ballot has passed, the Secretary of State and county clerk*
24 *must post a sign at each polling place where the person's name will appear on the*
25 *ballot informing voters that the person is disqualified from entering upon the*
26 *duties of office.*

27 **Sec. 20.** (Deleted by amendment.)

28 **Sec. 21.** NRS 293.257 is hereby amended to read as follows:

29 293.257 1. There must be a separate primary ballot for each major political
30 party. The names of candidates for partisan offices who have designated a major
31 political party in the declaration of candidacy or acceptance of candidacy must
32 appear on the primary ballot of the major political party designated.

33 2. The county clerk may choose to place the names of candidates for
34 nonpartisan offices on the ballots for each major political party or on a separate
35 nonpartisan primary ballot, but the arrangement which the county clerk selects must
36 permit all registered voters to vote on them.

37 3. *A registered voter may cast a primary ballot for a major political party at*
38 *a primary election only if the registered voter designated on his or her application*
39 *to register to vote an affiliation with that major political party.*

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

41 **Sec. 23.** NRS 293.333 is hereby amended to read as follows:

42 293.333 On the day of an election, the precinct or district election boards
43 receiving the absent voters' ballots from the county clerk shall, in the presence of a
44 majority of the election board officers, remove the ballots from the ballot box and
45 the containers in which the ballots were transported pursuant to NRS 293.325 and
46 deposit the ballots in the regular ballot box in the following manner:

47 1. The name of the voter, as shown on the return envelope, ~~for~~ *facsimile,*
48 *special absent ballot or oath of the voter required pursuant to NRS 293.3157, as*
49 *applicable,* must be called and checked as if the voter were voting in person;

50 2. The signature on the back of the return envelope or on the facsimile,
51 *special absent ballot or oath of the voter required pursuant to NRS 293.3157, as*
52 *applicable,* must be compared with that on the original application to register to
53 vote;

3. If the board determines that the absent voter is entitled to cast a ballot, the envelope must be opened, the numbers on the ballot and envelope compared, the number strip or stub detached from the ballot and, if the numbers are the same, the ballot deposited in the regular ballot box; and

4. The election board officers shall mark in the roster opposite the name of the voter the word "Voted."

Sec. 24. NRS 293.3568 is hereby amended to read as follows:

293.3568 1. The period for early voting by personal appearance begins the third Saturday preceding a primary or general election and extends through the Friday before election day, Sundays and *federal* holidays excepted.

2. The county clerk may:

(a) Include any Sunday or *federal* holiday that falls within the period for early voting by personal appearance.

(b) Require a permanent polling place for early voting to remain open until 8 p.m. on any Saturday that falls within the period for early voting.

3. A permanent polling place for early voting must remain open:

(a) On Monday through Friday:

(1) During the first week of early voting, from 8 a.m. until 6 p.m.

(2) During the second week of early voting, from 8 a.m. until 6 p.m., or until 8 p.m. if the county clerk so requires.

(b) On any Saturday that falls within the period for early voting, for at least 4 hours between 10 a.m. and 6 p.m.

(c) If the county clerk includes a Sunday that falls within the period for early voting pursuant to subsection 2, during such hours as the county clerk may establish.

Sec. 25. NRS 293.368 is hereby amended to read as follows:

293.368 1. Whenever a candidate whose name appears upon the ballot at a primary election dies after 5 p.m. of the second Tuesday in April, the deceased candidate's name must remain on the ballot and the votes cast for the deceased candidate must be counted in determining the nomination for the office for which the decedent was a candidate.

2. If the deceased candidate on the ballot at the primary election receives the number of votes required to receive the nomination to the office for which he or she was a candidate, except as otherwise provided in subsection 3 of NRS 293.165, the deceased candidate shall be deemed nominated and the vacancy in the nomination must be filled as provided in NRS 293.165 or 293.166. If the deceased person was a candidate for a nonpartisan office, the nomination must be filled pursuant to subsection 2 of NRS 293.165.

3. Whenever a candidate whose name appears upon the ballot at a general election dies after 5 p.m. on the ~~first Tuesday after the primary election,~~ *fourth Friday in June of the year in which the general election is held,* the votes cast for the deceased candidate must be counted in determining the results of the election for the office for which the decedent was a candidate.

4. If the deceased candidate on the ballot at the general election receives the majority of the votes cast for the office, the deceased candidate shall be deemed elected and the office to which he or she was elected shall be deemed vacant at the beginning of the term for which he or she was elected. The vacancy thus created must be filled in the same manner as if the candidate had died after taking office for that term.

Sec. 26. NRS 293.383 is hereby amended to read as follows:

293.383 1. Except as otherwise provided in ~~subsection 2,~~ *this section,* each counting board, before it adjourns, shall post a copy of the voting results in a conspicuous place on the outside of the place where the votes were counted.

2. ~~[When]~~ *Except as otherwise provided in subsection 3, when* votes are cast on ballots which are mechanically or electronically tabulated in accordance with the provisions of chapter 293B of NRS, the county clerk shall, as soon as possible, post copies of the tabulated voting results in a conspicuous place on the outside of the counting facility or courthouse.

3. *The Secretary of State shall notify each county clerk as soon as is reasonably practicable when every polling place is closed and all votes have been cast. A county clerk shall not post copies of the tabulated voting results for a statewide or multicounty race or ballot question until the county clerk has received notification from the Secretary of State that all polling places are closed and all votes have been cast.*

4. Each copy of the voting results posted in accordance with subsections 1, ~~[and]~~ 2 and 3 must set forth the accumulative total of all the votes cast within the county or other political subdivision conducting the election and must be signed by the members of the counting board or the computer program and processing accuracy board.

Sec. 27. NRS 293.404 is hereby amended to read as follows:

293.404 1. Where a recount is demanded pursuant to the provisions of NRS 293.403, the:

(a) County clerk of each county affected by the recount shall employ a recount board to conduct the recount in the county, and shall act as chair of the recount board unless the recount is for the office of county clerk, in which case the registrar of voters of the county, if a registrar of voters has been appointed for the county, shall act as chair of the recount board. If a registrar of voters has not been appointed for the county, the chair of the board of county commissioners, if the chair is not a candidate on the ballot, shall act as chair of the recount board. If the recount is for the office of county clerk, a registrar of voters has not been appointed for the county and the chair of the board of county commissioners is a candidate on the ballot, the chair of the board of county commissioners shall appoint another member of the board of county commissioners who is not a candidate on the ballot to act as chair of the recount board. A member of the board of county commissioners who is a candidate on the ballot may not serve as a member of the recount board.

(b) City clerk shall employ a recount board to conduct the recount in the city, and shall act as chair of the recount board unless the recount is for the office of city clerk, in which case the mayor of the city, if the mayor is not a candidate on the ballot, shall act as chair of the recount board. If the recount is for the office of city clerk and the mayor of the city is a candidate on the ballot, the mayor of the city shall appoint another member of the city council who is not a candidate on the ballot to act as chair of the recount board. A member of the city council who is a candidate on the ballot may not serve as a member of the recount board.

2. Each candidate for the office affected by the recount and the voter who demanded the recount, if any, may be present in person or by an authorized representative, but may not be a member of the recount board.

3. Except in counties or cities using a mechanical voting system, the recount must include a count and inspection of all ballots, including rejected ballots, and must determine whether those ballots are marked as required by law.

4. If a recount is demanded in a county or city using a mechanical voting system, the person who demanded the recount shall select the ballots for the office or ballot question affected from 5 ~~[to]~~ percent of the *total number of* precincts ~~[to]~~ *for that particular office or ballot question*, but in no case fewer than three precincts, after notification to each candidate for the office or the candidate's authorized representative.

5. The recount board shall examine the selected ballots, including any duplicate or rejected ballots, shall determine whether the ballots have been voted in accordance with this title and shall ~~{count}~~ **recount** the valid ballots ~~{by hand. In addition, a recount by computer must be made of all the selected ballots.}~~ **in the same manner in which the ballots were originally tabulated.** If the ~~{count by hand or the}~~ recount ~~{by computer}~~ of the selected ballots **for all 5 percent of the precincts selected** shows a **total combined** discrepancy **of all precincts selected** equal to or greater than 1 percent or five votes, whichever is greater, for the candidate demanding the recount or the candidate who won the election according to the original canvass of the returns, or in favor of or against a ballot question, according to the original canvass of the returns, the county or city clerk, **as applicable,** shall **determine whether the person who demanded the recount is entitled to a recount and, if so, shall** order a ~~{count by hand}~~ **recount** of all the ballots for that office or ballot question. ~~{Otherwise, the county or city clerk shall order a recount by computer of all the ballots for all candidates for the office or all the ballots for the ballot question.}~~

~~{5-}~~ 6. The county or city clerk shall unseal and give to the recount board all ballots to be counted.

~~{6-}~~ 7. In the case of a demand for a recount affecting more than one county, **including, without limitation, a statewide office or a ballot question,** the demand must be made to the Secretary of State. **The person who demanded the recount shall select the ballots for the statewide office or ballot question affected from 5 percent of the total number of precincts for that particular office or ballot question after notification to each candidate for the office or the candidate's representative. The Secretary of State shall notify the county clerks** ~~{to proceed with the recount}~~ **of the 5 percent of statewide precincts selected by the person who demanded the recount to examine the ballots in accordance with the provisions of this section and to notify the Secretary of State of the results of the recount in their respective precincts. If the separate examinations, when combined, show a total discrepancy equal to or greater than 1 percent for the candidate demanding the recount or the candidate who won the election, according to the original canvass of the returns, or in favor of or against a ballot question, according to the original canvass of the returns, the Secretary of State shall determine whether the person who demanded the recount is entitled to a recount and, if so, shall order the county or city clerk, as applicable, to recount all the ballots for that office or ballot question.**

8. **The Secretary of State may adopt regulations to carry out the provisions of this section.**

Sec. 28. (Deleted by amendment.)

Sec. 29. 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 *or used to pay for legal expenses* 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 maintained in such a format as to permit the searching of the abstract of votes for specific information.

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

Sec. 30. NRS 293.487 is hereby amended to read as follows:

293.487 No person may gain or lose residence by reason of his or her presence or absence while ~~employed~~:

1. *Employed* in the military, naval or civil service of the United States or of the State of Nevada, or while engaged in the navigation of the waters of the United States or of the high seas ~~[-or while a-]~~ *or while married to another person who is so employed or engaged;*

2. A student at any seminary or other institution of learning ~~[-or while an-]; or~~

3. An inmate of any public institution.

Sec. 31. (Deleted by amendment.)

Sec. 32. NRS 293C.1865 is hereby amended to read as follows:

293C.1865 1. In addition to any other penalty provided by law, if a person ~~knowingly and~~ willfully files a declaration of candidacy or acceptance of candidacy ~~which~~ *knowing that the declaration of candidacy or acceptance of candidacy* contains a false statement:

~~1.—The~~

(a) Except as otherwise provided in NRS 293.165 or 293.166, the name of the person must not appear on any ballot for the election for which the person filed the declaration of candidacy or acceptance of candidacy; and

~~2.—~~ *(b) The person is disqualified from entering upon the duties of the office for which he or she was a candidate.*

2. *If the name of a person who is disqualified from entering upon the duties of an office pursuant to subsection 1 appears on a ballot for the election is disqualified because the deadline set forth in NRS 293.165 and 293.166 for making changes to the ballot has passed, the Secretary of State and city clerk must post a sign at each polling place where the person's name will appear on the ballot informing voters that the person is disqualified from entering upon the duties of office.*

Sec. 33. NRS 293C.332 is hereby amended to read as follows:

293C.332 On the day of an election, the precinct or district election boards receiving the absent voters' ballots from the city clerk shall, in the presence of a majority of the election board officers, remove the ballots from the ballot box and the containers in which the ballots were transported pursuant to NRS 293C.325 and deposit the ballots in the regular ballot box in the following manner:

1. The name of the voter, as shown on the return envelope, ~~for~~ facsimile, *special absent ballot or oath of the voter required pursuant to NRS 293.3157, as applicable*, must be called and checked as if the voter were voting in person;

2. The signature on the back of the return envelope or on the facsimile, *special absent ballot or oath of the voter required pursuant to NRS 293.3157, as applicable*, must be compared with that on the original application to register to vote;

3. If the board determines that the absent voter is entitled to cast a ballot, the envelope must be opened, the numbers on the ballot and envelope compared, the number strip or stub detached from the ballot and, if the numbers are the same, the ballot deposited in the regular ballot box; and

4. The election board officers shall mark in the roster opposite the name of the voter the word "Voted."

Sec. 34. NRS 293C.3568 is hereby amended to read as follows:

293C.3568 1. The period for early voting by personal appearance begins the third Saturday preceding a primary city election or general city election, and extends through the Friday before election day, Sundays and *federal* holidays excepted.

2. The city clerk may:

(a) Include any Sunday or *federal* holiday that falls within the period for early voting by personal appearance.

(b) Require a permanent polling place for early voting to remain open until 8 p.m. on any Saturday that falls within the period for early voting.

3. A permanent polling place for early voting must remain open:

(a) On Monday through Friday:

(1) During the first week of early voting, from 8 a.m. until 6 p.m.

(2) During the second week of early voting, from 8 a.m. until 6 p.m., or until 8 p.m. if the city clerk so requires.

(b) On any Saturday that falls within the period for early voting, for at least 4 hours between 10 a.m. and 6 p.m.

(c) If the city clerk includes a Sunday that falls within the period for early voting pursuant to subsection 2, during such hours as the city clerk may establish.

Sec. 35. Chapter 294A of NRS is hereby amended by adding thereto the provisions set forth as sections 36 to 38, inclusive, of this act.

Sec. 36. *"Advocates expressly" or "expressly advocates" means that a communication, taken as a whole, is susceptible to no other reasonable interpretation other than as an appeal to vote for or against a clearly identified candidate or group of candidates or a question or group of questions on the ballot at a primary election, primary city election, general election, general city election or special election. A communication does not have to include the words "vote for," "vote against," "elect," "support" or other similar language to be considered a communication that expressly advocates the passage or defeat of a candidate or a question.*

Sec. 36.5. *"Campaign expenses" means:*

1. *All expenses incurred by a candidate for a campaign, including, without limitation:*

(a) *Office expenses;*

(b) *Expenses related to volunteers;*

(c) *Expenses related to travel;*

(d) *Expenses related to advertising;*

(e) *Expenses related to paid staff;*

(f) *Expenses related to consultants;*

(g) *Expenses related to polling;*

(h) *Expenses related to special events;*

(i) *Expenses related to a legal defense fund; and*

(j) *Contributions made to another candidate, a nonprofit corporation that is registered or required to be registered pursuant to NRS 294A.225, a committee for political action that is registered or required to be registered pursuant to NRS 294A.230 or a committee for the recall of a public officer that is registered or required to be registered pursuant to NRS 294A.250.*

2. *Expenditures, as defined in NRS 294A.004.*

Sec. 37. 1. A person, committee for political action, political party or committee sponsored by a political party that expends more than \$100 for the purpose of financing a communication through any television or radio broadcast, newspaper, magazine, outdoor advertising facility, mailing or any other type of general public political advertising that:

(a) Advocates expressly the election or defeat of a clearly identified candidate or group of candidates; or

(b) Solicits a contribution through any television or radio broadcast, newspaper, magazine, outdoor advertising facility, mailing or any other type of general public political advertising,

↳ shall disclose on the communication the name of the person, committee for political action, political party or committee sponsored by a political party that paid for the communication.

2. If a communication described in subsection 1 is approved by a candidate, in addition to the requirements of subsection 1, the communication must state that the candidate approved the communication and disclose the street address, telephone number and Internet address, if any, of the person, committee for political action, political party or committee sponsored by a political party that paid for the communication.

3. A person, committee for political action, political party or committee sponsored by a political party that has an Internet website available for viewing by the general public or that sends out an electronic mailing to more than 500 people that:

(a) Advocates expressly the election or defeat of a clearly identified candidate or group of candidates; or

(b) Solicits a contribution through any television or radio broadcast, newspaper, magazine, outdoor advertising facility, mailing or any other type of general public political advertising,

↳ shall disclose on the Internet website or electronic mailing, as applicable, the name of the person, committee for political action, political party or committee sponsored by a political party.

4. The disclosures and statements required pursuant to this section must be clear and conspicuous, and easy to read or hear, as applicable.

Sec. 38. (Deleted by amendment.)

Sec. 39. NRS 294A.002 is hereby amended to read as follows:

294A.002 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS ~~[294A.003]~~ 294A.004 to 294A.009, inclusive, and sections 36 and 36.5 of this act have the meanings ascribed to them in those sections.

Sec. 39.5. NRS 294A.004 is hereby amended to read as follows:

294A.004 ~~["Campaign expenses" and "expenditures" mean:]~~ "Expenditures" means:

1. Those expenditures made for advertising on television, radio, billboards, posters and in newspapers; and

2. All other expenditures made,

↳ to advocate expressly the election or defeat of a clearly identified candidate or group of candidates or the passage or defeat of a clearly identified question or group of questions on the ballot, including any payments made to a candidate or any person who is related to the candidate within the second degree of consanguinity or affinity.

1 **Sec. 40.** NRS 294A.007 is hereby amended to read as follows:

2 294A.007 1. “Contribution” means a gift, loan, conveyance, deposit,
3 payment, transfer or distribution of money or of anything of value other than the
4 services of a volunteer, and includes:

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

7 (1) Candidate;

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

12 (3) Committee for political action, political party ~~or~~ *or* committee
13 sponsored by a political party ~~for business entity~~ which makes an expenditure on
14 behalf of a candidate or group of candidates; or

15 (4) Person or group of persons organized formally or informally ~~including a business entity,~~
16 *including a business entity,* who advocates the passage or defeat of a question or
17 group of questions on the ballot,

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

19 (b) The value of services provided in kind for which money would have
20 otherwise been paid, such as paid polling and resulting data, paid direct mail, paid
21 solicitation by telephone, any paid paraphernalia that was printed or otherwise
22 produced to promote a campaign and the use of paid personnel to assist in a
23 campaign.

24 2. As used in this section, “volunteer” means a person who does not receive
25 compensation of any kind, directly or indirectly, for the services provided to a
26 campaign.

27 **Sec. 41.** (Deleted by amendment.)

28 **Sec. 41.5.** NRS 294A.112 is hereby amended to read as follows:

29 294A.112 1. A person shall not:

30 (a) Make a contribution in the name of another person;

31 (b) Knowingly allow his or her name to be used to cause a contribution to be
32 made in the name of another person or assist in the making of a contribution in the
33 name of another person;

34 (c) Knowingly assist a person to make a contribution in the name of another
35 person; ~~for~~

36 (d) Knowingly accept a contribution made by a person in the name of another
37 person ~~for~~; *or*

38 (e) *Make a contribution to a committee for political action with the*
39 *knowledge and intent that the committee for political action will contribute that*
40 *money to a specific candidate which, in combination with the total contributions*
41 *already made by the person for the same election, would violate the limitations on*
42 *contributions set forth in this chapter.*

43 2. As used in this section, “make a contribution in the name of another
44 person” includes, without limitation:

45 (a) Giving money or an item of value, all or part of which was provided *or*
46 *reimbursed to the contributor* by another person, without disclosing the source of
47 the money or item of value to the recipient at the time the contribution is made; and

48 (b) Giving money or an item of value, all or part of which belongs to the
49 person who is giving the money or item of value, and claiming that the money or
50 item of value belongs to another person.

51 **Sec. 42.** (Deleted by amendment.)

52 **Sec. 43.** (Deleted by amendment.)

1 **Sec. 44.** NRS 294A.140 is hereby amended to read as follows:

2 294A.140 1. Every person who is not under the direction or control of a
3 candidate for office at a primary election, primary city election, general election or
4 general city election, of a group of such candidates or of any person involved in the
5 campaign of that candidate or group who makes an expenditure on behalf of the
6 candidate or group which is not solicited or approved by the candidate or group,
7 and every committee for political action, political party ~~{ }~~ and committee
8 sponsored by a political party ~~{and business entity}~~ which *receives contributions in*
9 *excess of \$100 or* makes an expenditure on behalf of such a candidate or group of
10 candidates shall, not later than January 15 of each year that the provisions of this
11 subsection apply to the person, committee ~~{ }~~ or political party, ~~{for business entity}~~,
12 for the period from January 1 of the previous year through December 31 of the
13 previous year, report each campaign contribution in excess of \$100 received during
14 the period and contributions received during the period from a contributor which
15 cumulatively exceed \$100. The provisions of this subsection apply to the person,
16 committee ~~{ }~~ or political party ~~{for business entity}~~ beginning the year of the
17 general election or general city election for that office through the year immediately
18 preceding the next general election or general city election for that office.

19 2. Every person, committee ~~{ }~~ or political party ~~{for business entity}~~ described
20 in subsection 1 which makes an expenditure on behalf of the candidate for office at
21 a primary election, primary city election, general election or general city election or
22 on behalf of a group of such candidates shall, if the general election or general city
23 election for the office for which the candidate or a candidate in the group of
24 candidates seeks election is held on or after January 1 and before the July 1
25 immediately following that January 1, not later than:

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

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

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

36 ☛ report each campaign contribution in excess of \$100 received during the period
37 and contributions received during the period from a contributor which cumulatively
38 exceed \$100. The report must be completed on the form designed and provided by
39 the Secretary of State pursuant to NRS 294A.373. The form must be signed by the
40 person or a representative of the committee ~~{ }~~ or political party ~~{for business entity}~~
41 under penalty of perjury.

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

46 4. Every person, committee ~~{ }~~ or political party ~~{for business entity}~~ described
47 in subsection 1 which makes an expenditure on behalf of a candidate for office at a
48 primary election, primary city election, general election or general city election or
49 on behalf of a group of such candidates shall, if the general election or general city
50 election for the office for which the candidate or a candidate in the group of
51 candidates seeks election is held on or after July 1 and before the January 1
52 immediately following that July 1, not later than:

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

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

➤ report each campaign contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the committee ~~{ } or political party {or-business-entity}~~ under penalty of perjury.

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

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

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

➤ report each campaign contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the committee ~~{ } or political party {or-business-entity}~~ under penalty of perjury.

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

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

(b) If the special election is not held because a district court determines that the petition for recall is legally insufficient pursuant to subsection 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 of contributions required pursuant to this section must be filed with:

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

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

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

8. A person ~~{or-entity}~~, *committee or political party* may file the report with the appropriate officer by regular mail, certified mail, facsimile machine or electronic means. A report shall be deemed to be filed with the officer :

(a) On the date that it was mailed if it was sent by certified mail; or
(b) On the date that it was received by the officer if the report was sent by regular mail, transmitted by facsimile machine or electronic means, or delivered personally.

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

10. Every person, committee ~~{}~~ or political party ~~{for-business-entity}~~ described in subsection 1 shall file a report required by this section even if the person, committee ~~{}~~ or political party ~~{for-business-entity}~~ receives no contributions.

Sec. 45. NRS 294A.150 is hereby amended to read as follows:

294A.150 1. Except as otherwise provided in NRS 294A.283, every person or group of persons organized formally or informally ~~{,including-a-business-entity,}~~ who advocates the passage or defeat of a question or group of questions on the ballot at a primary election, primary city election, general election or general city election and 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 January 15 of each year that the provisions of this subsection apply to the person ~~{}~~ or group of persons, ~~{for-business-entity,}~~ for the period from January 1 of the previous year through December 31 of the previous year, report each campaign contribution in excess of \$1,000 received during that period and contributions received during the period from a contributor which cumulatively exceed \$1,000. The report must be completed on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the group ~~{for-business-entity}~~ under penalty of perjury. The provisions of this subsection apply to the person ~~{}~~ or group of persons: ~~{for-business-entity,}~~

(a) Each year in which:

(1) An election or city election is held for each question for which the person ~~{}~~ or group of persons ~~{for-business-entity}~~ advocates passage or defeat; or

(2) A person ~~{}~~ or group of persons ~~{for-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 year described in paragraph (a).

2. If a question is on the ballot at a primary election or primary city election and the general election or general city election immediately following that primary election or primary city election is held on or after January 1 and before the July 1 immediately following that January 1, every person or group of persons organized formally or informally ~~{,including-a-business-entity,}~~ who advocates the passage or defeat of the question or a group of questions that includes the question 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 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 ~~{}~~ or group of persons ~~{for-business-entity}~~ described in this subsection shall, not later than:

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

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

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

10 ➤ report each campaign contribution in excess of \$1,000 received during the period
11 and contributions received during the period from a contributor which cumulatively
12 exceed \$1,000. The report must be completed on the form designed and provided
13 by the Secretary of State pursuant to NRS 294A.373 and signed by the person or a
14 representative of the group ~~for business entity~~ under penalty of perjury.

15 3. The name and address of the contributor and the date on which the
16 contribution was received must be included on the report for each contribution in
17 excess of \$1,000 and contributions which a contributor has made cumulatively in
18 excess of that amount since the beginning of the current reporting period.

19 4. If a question is on the ballot at a primary election or primary city election
20 and the general election or general city election immediately following that primary
21 election or primary city election is held on or after July 1 and before the January 1
22 immediately following that July 1, every person or group of persons organized
23 formally or informally ~~[-, including a business entity,]~~ who advocates the passage or
24 defeat of the question or a group of questions that includes the question and who
25 receives or expends money in an amount in excess of \$10,000 to advocate the
26 passage or defeat of such question or group of questions shall comply with the
27 requirements of this subsection. Except as otherwise provided in NRS 294A.283, if
28 a question is on the ballot at a general election or general city election held on or
29 after July 1 and before the January 1 immediately following that July 1, every
30 person or group of persons organized formally or informally ~~[-, including a business~~
31 ~~entity,]~~ who advocates the passage or defeat of the question or a group of questions
32 that includes the question and who receives or expends money in an amount in
33 excess of \$10,000 to advocate the passage or defeat of such question or group of
34 questions shall comply with the requirements of this subsection. A person ~~[-]~~ **or**
35 group of persons ~~for business entity~~ described in this subsection shall, not later
36 than:

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

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

44 ➤ report each campaign contribution in excess of \$1,000 received during the period
45 and contributions received during the period from a contributor which cumulatively
46 exceed \$1,000. The report must be completed on the form designed and provided
47 by the Secretary of State pursuant to NRS 294A.373. The form must be signed by
48 the person or a representative of the group ~~for business entity~~ under penalty of
49 perjury.

50 5. Except as otherwise provided in subsection 6, every person or group of
51 persons organized formally or informally ~~[-, including a business entity,]~~ who
52 advocates the passage or defeat of a question or group of questions on the ballot at a
53 special election and who receives or expends money in an amount in excess of

1 \$10,000 to advocate the passage or defeat of such question or group of questions
2 shall, not later than:

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

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

7 report each campaign contribution in excess of \$1,000 received during the period
8 and contributions received during the period from a contributor which cumulatively
9 exceed \$1,000. The report must be completed on the form designed and provided
10 by the Secretary of State pursuant to NRS 294A.373. The form must be signed by
11 the person or a representative of the group ~~for business entity~~ under penalty of
12 perjury.

13 6. Every person or group of persons organized formally or informally ~~including a business entity,~~
14 ~~including a business entity,~~ who advocates the passage or defeat of a question or
15 group of questions on the ballot at a special election to determine whether a public
16 officer will be recalled and who receives or expends money in an amount in excess
17 of \$10,000 to advocate the passage or defeat of such question or group of questions
18 shall report each of the contributions received on the form designed and provided
19 by the Secretary of State pursuant to NRS 294A.373 and signed by the person or a
20 representative of the group ~~for business entity~~ under penalty of perjury, 30 days
21 after:

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

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

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

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

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

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

35 8. A person may mail or transmit the report to the appropriate officer by
36 regular mail, certified mail, facsimile machine or electronic means. A report shall
37 be deemed to be filed with the officer:

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

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

42 9. If the person or group of persons ~~including a business entity,~~ is
43 advocating passage or defeat of a group of questions, the reports must be itemized
44 by question or petition.

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

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

49 **Sec. 47.** NRS 294A.210 is hereby amended to read as follows:

50 294A.210 1. Every person who is not under the direction or control of a
51 candidate for an office at a primary election, primary city election, general election
52 or general city election, of a group of such candidates or of any person involved in
53 the campaign of that candidate or group who makes an expenditure on behalf of the

1 candidate or group which is not solicited or approved by the candidate or group,
2 and every committee for political action, political party ~~{ }~~ or committee sponsored
3 by a political party ~~{for business entity}~~ which *receives contributions in excess of*
4 *\$100 or* makes an expenditure on behalf of such a candidate or group of candidates
5 shall, not later than January 15 of each year that the provisions of this subsection
6 apply to the person, committee ~~{ }~~ or political party , ~~{for business entity.}~~ for the
7 period from January 1 of the previous year through December 31 of the previous
8 year, report each expenditure made during the period on behalf of the candidate, the
9 group of candidates or a candidate in the group of candidates in excess of \$100 on
10 the form designed and provided by the Secretary of State pursuant to NRS
11 294A.373. The form must be signed by the person or a representative of the
12 committee ~~{ }~~ or political party ~~{for business entity}~~ under penalty of perjury. The
13 provisions of this subsection apply to the person, committee ~~{ }~~ or political party ~~{for~~
14 ~~business entity}~~ beginning the year of the general election or general city election
15 for that office through the year immediately preceding the next general election or
16 general city election for that office.

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

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

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

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

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

39 3. Every person, committee ~~{ }~~ or political party ~~{for business entity}~~ described
40 in subsection 1 which makes an expenditure on behalf of a candidate for office at a
41 primary election, primary city election, general election or general city election or
42 on behalf of a group of such candidates shall, if the general election or general city
43 election for the office for which the candidate or a candidate in the group of
44 candidates seeks election is held on or after July 1 and before the January 1
45 immediately following that July 1, not later than:

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

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

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

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

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

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

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

20 5. Every person, committee ☞ or political party ~~for business entity~~ described
21 in subsection 1 which makes an expenditure on behalf of a candidate for office at a
22 special election to determine whether a public officer will be recalled or on behalf
23 of a group of such candidates shall list each expenditure made on behalf of the
24 candidate, the group of candidates or a candidate in the group of candidates in
25 excess of \$100 on the form designed and provided by the Secretary of State
26 pursuant to NRS 294A.373 and signed by the person or a representative of the
27 committee ☞ or political party ~~for business entity~~ under penalty of perjury, 30
28 days after:

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

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

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

38 7. The reports must be filed with:

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

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

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

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

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

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

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

10. Every person, committee ~~[] or~~ political party ~~for business entity~~ described in subsection 1 shall file a report required by this section even if the person, committee ~~[] or~~ political party ~~for business entity~~ receives no contributions.

Sec. 48. NRS 294A.220 is hereby amended to read as follows:

294A.220 1. Except as otherwise provided in NRS 294A.283, every person or group of persons organized formally or informally ~~[, including a business entity,]~~ who advocates the passage or defeat of a question or group of questions on the ballot at a primary election, primary city election, general election or general city election and 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 January 15 of each year that the provisions of this subsection apply to the person or group of persons, for the period from January 1 of the previous year through December 31 of the previous year, report each expenditure made during the period on behalf of or against the question, the group of questions or a question in the group of questions on the ballot in excess of \$1,000 on the form designed and provided by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the person or a representative of the group ~~for business entity~~ under penalty of perjury. The provisions of this subsection apply to the person ~~[] or~~ group of persons : ~~for business entity;~~

(a) Each year in which:

(1) An election or city election is held for a question for which the person ~~[] or~~ group of persons ~~for business entity~~ advocates passage or defeat; or

(2) A person ~~[] or~~ group of persons ~~for 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 year described in paragraph (a).

2. If a question is on the ballot at a primary election or primary city election and the general election or general city election immediately following that primary election or primary city election is held on or after January 1 and before the July 1 immediately following that January 1, every person or group of persons organized formally or informally ~~[, including a business entity,]~~ who advocates the passage or defeat of the question or a group of questions that includes the question 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 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 ~~[] or~~ group of persons ~~for business entity~~ described in this subsection shall, not later than:

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

(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 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 ~~for business entity~~ under penalty of perjury.

3. If a question is on the ballot at a primary election or primary city election and the general election or general city election immediately following that primary election or primary city election is held on or after July 1 and before the January 1 immediately following that July 1, every person or group of persons organized formally or informally ~~including a business entity~~ who advocates the passage or defeat of the question or a group of questions that includes the question 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 a question is on the ballot at a general election or general city election held on or after July 1 and before the January 1 immediately following that July 1, every person or group of persons organized formally or informally ~~including a business entity~~ who advocates the passage or defeat of the question or a group of questions that includes the question 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 ~~for business entity~~ **or** group of persons ~~for business entity~~ described in this subsection shall, not later than:

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

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

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

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

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

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

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

5. Every person or group of persons organized formally or informally ~~including a business entity~~ who advocates the passage or defeat of a question or

group of questions on the ballot at a special election to determine whether a public officer will be recalled 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 list each expenditure made during the period on behalf of or against the question, the group of questions or a question in the group of questions on the ballot in excess of \$1,000 on the form designed and provided by the Secretary of State pursuant to NRS 294A.373 and signed by the person or a representative of the group ~~for business entity~~ under penalty of perjury, 30 days after:

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

(b) If the special election is not held because a district court determines that the petition for recall is legally insufficient pursuant to subsection 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. 49. 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;

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

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

1 *5. For purposes of the civil penalty that the Secretary of State may impose*
2 *pursuant to NRS 294A.420 for violating the provisions of subsection 1, if a*
3 *committee for political action fails to register with the Secretary of State pursuant*
4 *to subsection 1, each time a committee for political action engages in any activity*
5 *in this State constitutes a separate violation of subsection 1 for which the*
6 *Secretary of State may impose a civil penalty.*

7 **Sec. 50.** NRS 294A.281 is hereby amended to read as follows:

8 294A.281 1. Each person or group of persons organized formally or
9 informally ~~[-, including a business entity,]~~ who advocates the passage or defeat of a
10 constitutional amendment or statewide measure proposed by an initiative or
11 referendum, before engaging in any such advocacy in this State, shall file a
12 statement of organization with the Secretary of State as provided in subsection 2.

13 2. Each statement of organization must include:

14 (a) The name of the person ~~[-]~~ or group of persons ; ~~[-, for business entity,]~~

15 (b) The purpose for which the person ~~[-]~~ or group of persons ~~[-, for business~~
16 ~~entity,]~~ is organized;

17 (c) The names and addresses of any officers of the person ~~[-]~~ or group of
18 persons ; ~~[-, for business entity,]~~

19 (d) If the person ~~[-]~~ or group of persons ~~[-, for business entity,]~~ is affiliated with or
20 is retained by any other person ~~[-]~~ or group ~~[-, for business entity,]~~ for the purpose of
21 advocating the passage or defeat of a constitutional amendment or statewide
22 measure proposed by initiative or referendum, the name and address of each such
23 other person ~~[-]~~ or group ; ~~[-, for business entity,]~~ and

24 (e) The name, address and telephone number of the registered agent of the
25 person ~~[-]~~ or group of persons . ~~[-, for business entity,]~~

26 3. A person ~~[-]~~ or group of persons ~~[-, for business entity,]~~ which has filed a
27 statement of organization pursuant to this section shall file an amended statement
28 with the Secretary of State within 30 days of any changes to the information
29 required pursuant to subsection 2.

30 **Sec. 51.** NRS 294A.282 is hereby amended to read as follows:

31 294A.282 Each person or group of persons organized formally or informally
32 ~~[-, including a business entity,]~~ who advocates the passage or defeat of a
33 constitutional amendment or statewide measure proposed by an initiative or
34 referendum shall appoint and keep within this State a registered agent, as provided
35 in NRS 14.020, who must be a natural person who resides in this State.

36 **Sec. 52.** NRS 294A.283 is hereby amended to read as follows:

37 294A.283 1. Every person or group of persons organized formally or
38 informally ~~[-, including a business entity,]~~ who advocates the passage or defeat of a
39 constitutional amendment or statewide measure proposed by an initiative or
40 referendum, including, without limitation, the initiation or circulation thereof, and
41 who receives or expends money in an amount in excess of \$10,000 for such
42 advocacy shall, not later than the dates listed in subsection 2, report:

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

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

47 (c) Each expenditure in excess of \$1,000 the person ~~[-]~~ or group of persons ~~[-, for~~
48 ~~business entity,]~~ makes during each period described in subsection 2; and

49 (d) The total amount of money the person ~~[-]~~ or group of persons ~~[-, for business~~
50 ~~entity,]~~ has at the beginning of each period described in subsection 2, accounting for
51 all contributions received and expenditures made during each previous period.

52 2. Every person ~~[-]~~ or group of persons ~~[-, for business entity,]~~ required to report
53 pursuant to subsection 1 shall file that report with the Secretary of State:

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

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

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

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

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

4. 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 each report.

5. Each report required pursuant to this section must:

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

(b) Be signed by the person or a representative of the group of persons ~~for business entity~~ under penalty of perjury.

6. A person ~~or~~ *or* group of persons ~~for business entity~~ may mail or transmit each report to the Secretary of State by certified mail, regular mail, facsimile machine or electronic means or may deliver the report personally.

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

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

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

Sec. 53. NRS 294A.284 is hereby amended to read as follows:

294A.284 1. Each person or group of persons organized formally or informally ~~[including a business entity]~~ who advocates the passage or defeat of a constitutional amendment or statewide measure proposed by an initiative or referendum that provides compensation to persons to circulate petitions shall report to the Secretary of State:

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

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

(c) The total amount of compensation provided.

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

Sec. 54. NRS 294A.286 is hereby amended to read as follows:

294A.286 1. *Any candidate or public officer may establish a legal defense fund.* 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. Notwithstanding the provisions of this section, a candidate or public officer may use campaign contributions to pay for any legal expenses that the candidate or public officer incurs in relation to a campaign or serving in public office without establishing a legal defense fund. Any such candidate or public officer shall report any expenditure of campaign contributions to pay for legal expenses in the same manner and at the same time as the report filed pursuant to NRS 294A.120, 294A.200 or 294A.360. A candidate or public officer shall not use campaign contributions to satisfy a civil or criminal penalty imposed by law.

Sec. 55. NRS 294A.347 is hereby amended to read as follows:

294A.347 1. A statement which:

(a) Is published within 60 days before a general election, general city election or special election or 30 days before a primary election 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 ~~or~~ committee ~~for business entity~~ required to report expenditures pursuant to NRS 294A.210,

must contain a disclosure of the fact that the person receives compensation pursuant to paragraph (c) and the name of the person, party ~~or~~ committee ~~for business entity~~ 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. 56. NRS 294A.350 is hereby amended to read as follows:

294A.350 1. Every candidate for state, district, county, municipal or township office shall file the reports of campaign contributions and expenses required by NRS 294A.120, 294A.128, 294A.200 and 294A.360 and reports of contributions received by and expenditures made from a legal defense fund *or used to pay legal expenses* required by NRS 294A.286, even though the candidate:

(a) Withdraws his or her candidacy;

(b) Receives no campaign contributions;

(c) Has no campaign expenses;

(d) Is removed from the ballot by court order; or

(e) Is the subject of a petition to recall and the special election is not held.

2. A candidate who withdraws his or her candidacy pursuant to NRS 293.202 may file simultaneously all the reports of campaign contributions and expenses required by NRS 294A.120, 294A.128, 294A.200 and 294A.360 and the report of contributions received by and expenditures made from a legal defense fund *or used to pay legal expenses* required by NRS 294A.286, so long as each report is filed on

or before the last day for filing the respective report pursuant to NRS 294A.120, 294A.200 or 294A.360.

Sec. 57. (Deleted by amendment.)

Sec. 58. 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, 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 294A.200 must consist of a list of each expense in excess of \$100 that was incurred during the periods for reporting. The list in each report must state the category and amount of the expense or expenditure and the date on which the expense was incurred or the expenditure was made.

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

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

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

(k) *Contributions made to another candidate, a nonprofit corporation that is registered or required to be registered pursuant to NRS 294A.225, a committee for political action that is registered or required to be registered pursuant to NRS 294A.230 or a committee for the recall of a public officer that is registered or required to be registered pursuant to NRS 294A.250; and*

~~(j)-(l)~~ (l) Other miscellaneous expenses.

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

Sec. 59. NRS 294A.373 is hereby amended to read as follows:

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

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

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

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

Sec. 59.5. NRS 294A.380 is hereby amended to read as follows:

294A.380 1. The Secretary of State may adopt and promulgate regulations, prescribe forms in accordance with the provisions of this chapter and take such other actions as are necessary for the implementation and effective administration of the provisions of this chapter.

2. For the purposes of implementing and administering the provisions of this chapter, ~~regulating committees for political action;~~

(a) The Secretary of State shall ~~in determining whether an entity or group is a committee for political action;~~ consider a group's or entity's division or separation into units, sections or smaller groups only if it appears that such division or separation was for a purpose other than for avoiding the reporting requirements ~~set forth~~ or the limitations on contributions set forth in this chapter.

(b) The Secretary of State shall ~~in determining whether an entity or group is a committee for political action;~~ disregard any action taken by a group or entity that would otherwise constitute a committee for political action if it appears such action is taken for the purpose of avoiding the reporting requirements ~~set forth~~ or the limitations on contributions set forth in this chapter.

Sec. 60. NRS 294A.382 is hereby amended to read as follows:

294A.382 The Secretary of State shall not request or require a candidate, person, group of persons, committee ~~or~~ or political party ~~for 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. 61. NRS 294A.390 is hereby amended to read as follows:

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

1. A declaration of candidacy;

2. An acceptance of candidacy;

3. The registration of a committee for political action pursuant to NRS 294A.230 ~~or a committee for the recall of a public officer pursuant to NRS 294A.250 ; for 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 or used to pay legal expenses 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 or section 37 of this act relating to the making, accepting or reporting of campaign contributions, expenses or expenditures and the penalties for a violation of those provisions as set forth in NRS 294A.100 or 294A.420, 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 or used to pay legal expenses 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. 62. 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,

1 *and section 37 of this act*, prepare and make available for public inspection a
2 compilation of:

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

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

9 3. The contributions made to a committee for the recall of a public officer in
10 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 ~~for business entity~~ advocating the election or defeat of a
14 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 candidate or group
18 of candidates or of any person involved in the campaign of the candidate or group
19 who makes an expenditure on behalf of the candidate or group which is not
20 solicited or approved by the candidate or group.

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

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

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

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

35 7. The total contributions received by and expenditures made from a legal
36 defense fund ~~or used to pay legal expenses~~.

37 **Sec. 63.** NRS 294A.420 is hereby amended to read as follows:

38 294A.420 1. If the Secretary of State receives information that a person or
39 entity that is subject to the provisions of NRS 294A.120, 294A.128, 294A.140,
40 294A.150, 294A.200, 294A.210, 294A.220, ~~294A.227,~~ 294A.230, 294A.270,
41 294A.280, 294A.283, 294A.286 or 294A.360 *or section 37 of this act* has not filed
42 a report or form for registration pursuant to the applicable provisions of those
43 sections, the Secretary of State may, after giving notice to that person or entity,
44 cause the appropriate proceedings to be instituted in the First Judicial District
45 Court.

46 2. Except as otherwise provided in this section, a person or entity that violates
47 an applicable provision of ~~NRS 294A.112, 294A.120, 294A.128, 294A.130,~~
48 ~~294A.140, 294A.150, 294A.160, 294A.200, 294A.210, 294A.220, 294A.227,~~
49 ~~294A.230, 294A.270, 294A.280, 294A.283, 294A.286, 294A.300, 294A.310 or~~
50 ~~294A.360~~ *this chapter* is subject to a civil penalty of not more than \$5,000 for
51 each violation and payment of court costs and attorney's fees. The civil penalty
52 must be recovered in a civil action brought in the name of the State of Nevada by
53 the Secretary of State in the First Judicial District Court and deposited by the

Secretary of State for credit to the State General Fund in the bank designated by the State Treasurer.

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

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

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

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

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

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

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

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

Sec. 64. NRS 295.012 is hereby amended to read as follows:

295.012 A petition for initiative *or referendum* that proposes a ~~statute, an amendment to a statute or an amendment to the Constitution~~ *constitutional amendment or statewide measure* must be proposed by a number of registered voters from each petition district in the State that is at least equal to 10 percent of the voters who voted in that petition district at the last preceding general election.

Sec. 65. NRS 295.0575 is hereby amended to read as follows:

295.0575 A petition for a constitutional amendment or a petition for a statewide measure proposed by an initiative or referendum may consist of more than one document. Each document of a petition must have attached to it when submitted an affidavit executed by the circulator thereof stating:

1. That the circulator personally circulated the document;

2. The number of signatures thereon;

3. That all the signatures were affixed in the circulator's presence; ~~and~~

4. That each signer had an opportunity before signing to read the full text of the act or resolution on which the initiative or referendum is demanded ~~;~~;

5. The address and contact information of the circulator; and

6. That the circulator is 18 years of age or older.

Sec. 65.5. NRS 281A.600 is hereby amended to read as follows:

281A.600 1. Except as otherwise provided in subsection 2, if a public officer who was appointed to the office for which the public officer is serving is entitled to receive annual compensation of \$6,000 or more for serving in that office ~~;~~ *or if the public officer was appointed to the office of Legislator*, the public officer shall file with the Commission a statement of financial disclosure, as follows:

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

(b) Each public officer appointed to fill an office shall file a statement of financial disclosure on or before January 15 of ~~each~~ :

(1) Each year of the term, including the year ~~the term expires.~~ in which the public officer leaves office; and

1 (2) *The year immediately following the year in which the public officer*
2 *leaves office, unless the public officer leaves office before January 15 in the prior*
3 *year.*

4 ➤ The statement must disclose the required information for the full calendar year
5 immediately preceding the date of filing.

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

11 3. A judicial officer who is appointed to fill the unexpired term of a
12 predecessor or to fill a newly created judgeship shall file a statement of financial
13 disclosure pursuant to the requirements of Canon 4I of the Nevada Code of Judicial
14 Conduct. Such a statement of financial disclosure must include, without limitation,
15 all information required to be included in a statement of financial disclosure
16 pursuant to NRS 281A.620.

17 4. The Commission shall provide written notification to the Secretary of State
18 of the public officers who failed to file the statements of financial disclosure
19 required by subsection 1 or who failed to file those statements in a timely manner.
20 The notice must be sent within 30 days after the deadlines set forth in subsection 1
21 and must include:

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

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

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

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

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

39 6. A statement of financial disclosure shall be deemed to be filed with the
40 Commission:

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

42 (b) On the date that it was received by the Commission if the statement was
43 sent by regular mail, transmitted by facsimile machine or electronic means, or
44 delivered personally.

45 **Sec. 66.** NRS 281A.610 is hereby amended to read as follows:

46 281A.610 1. Except as otherwise provided in subsection 2, each candidate
47 for public office who will be entitled to receive annual compensation of \$6,000 or
48 more for serving in the office that the candidate is seeking, *each candidate for the*
49 *office of Legislator* and, except as otherwise provided in subsection 3, each public
50 officer who was elected to the office for which the public officer is serving shall
51 file with the Secretary of State a statement of financial disclosure, as follows:

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

1 qualify as a candidate for the office. The statement must disclose the required
2 information for the full calendar year immediately preceding the date of filing and
3 for the period between January 1 of the year in which the election for the office will
4 be held and the last day to qualify as a candidate for the office. The filing of a
5 statement of financial disclosure for a portion of a calendar year pursuant to this
6 paragraph does not relieve the candidate of the requirement of filing a statement of
7 financial disclosure for the full calendar year pursuant to paragraph (b) in the
8 immediately succeeding year, if the candidate is elected to the office.

9 (b) Each public officer shall file a statement of financial disclosure on or
10 before January 15 of ~~each~~ :

11 (1) *Each* year of the term, including the year ~~{the term expires.}~~ *in which*
12 *the public officer leaves office; and*

13 (2) *The year immediately following the year in which the public officer*
14 *leaves office, unless the public officer leaves office before January 15 in the prior*
15 *year.*

16 ➤ The statement must disclose the required information for the full calendar year
17 immediately preceding the date of filing.

18 2. Except as otherwise provided in this subsection, if a candidate for public
19 office is serving in a public office for which the candidate is required to file a
20 statement pursuant to paragraph (b) of subsection 1 or subsection 1 of NRS
21 281A.600, the candidate need not file the statement required by subsection 1 for the
22 full calendar year for which the candidate previously filed a statement. The
23 provisions of this subsection do not relieve the candidate of the requirement
24 pursuant to paragraph (a) of subsection 1 to file a statement of financial disclosure
25 for the period between January 1 of the year in which the election for the office will
26 be held and the last day to qualify as a candidate for the office.

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

30 4. A candidate for judicial office or a judicial officer shall file a statement of
31 financial disclosure pursuant to the requirements of Canon 4I of the Nevada Code
32 of Judicial Conduct. Such a statement of financial disclosure must include, without
33 limitation, all information required to be included in a statement of financial
34 disclosure pursuant to NRS 281A.620.

35 5. A statement of financial disclosure shall be deemed to be filed with the
36 Secretary of State:

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

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

41 6. The statement of financial disclosure filed pursuant to this section must be
42 filed on the form prescribed by the Commission pursuant to NRS 281A.290.

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

47 **Sec. 67.** Section 5.015 of the Charter of the City of Carlin, being chapter 344,
48 Statutes of Nevada 1971, as added by chapter 493, Statutes of Nevada 2009, at page
49 2937, is hereby amended to read as follows:

50 Sec. 5.015 Filing of declarations of candidacy.

51 1. A candidate to be voted for at the general election must file a
52 declaration of candidacy with the City Clerk ~~{not less than 5 days or more~~
53 ~~than 15 days before the day of the primary election held pursuant to the~~

~~provisions of NRS 293.175.] as provided by the election laws of this State.~~

The City Clerk shall charge and collect from the candidate and the candidate must pay to the City Clerk, at the time of filing the declaration of candidacy, a filing fee in an amount fixed by the City Council by ordinance or resolution.

2. If, due to the death or ineligibility of or withdrawal by a candidate, a vacancy occurs in a nomination after the close of filing and any applicable period for withdrawal of candidacy, the candidate's name must remain on the ballot for the general election and, if elected, a vacancy exists.

Sec. 68. Section 5.015 of the Charter of the City of Wells, being chapter 275, Statutes of Nevada 1971, as added by chapter 493, Statutes of Nevada 2009, at page 2938, is hereby amended to read as follows:

Sec. 5.015 Filing of declarations of candidacy.

1. A candidate to be voted for at the general election must file a declaration of candidacy with the City Clerk ~~[not less than 5 days or more than 15 days before the day of the primary election held pursuant to the provisions of NRS 293.175.] as provided by the election laws of this State.~~

The City Clerk shall charge and collect from the candidate and the candidate must pay to the City Clerk, at the time of filing the declaration of candidacy, a filing fee in an amount fixed by the City Council by ordinance or resolution.

2. If, due to the death or ineligibility of or withdrawal by a candidate, a vacancy occurs in a nomination after the close of filing and any applicable period for withdrawal of candidacy, the candidate's name must remain on the ballot for the general election and, if elected, a vacancy exists.

Sec. 69. NRS 294A.003 and 294A.227 are hereby repealed.

TEXT OF REPEALED SECTIONS

294A.003 "Business entity" defined. "Business entity" means any corporation, company or other form of business organization. The term does not include a business entity for which:

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

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

294A.227 Registration; publication of information relating to registration.

1. A business entity shall register with the Secretary of State by submitting the completed form described in subsection 2 before it engages in any of the following activities in this State:

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

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

(c) Making expenditures,

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

2. The form must require:

(a) The name of the business entity;

(b) The purpose for which it was organized;

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

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

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

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

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

3. The Secretary of State shall, in a timely manner, include on the portion of the Secretary of State's Internet website that is devoted to information concerning elections and campaigns the information required pursuant to subsection 2.