

Assembly Bill No. 35—Committee on
Legislative Operations and Elections

CHAPTER.....

AN ACT relating to elections; revising requirements for reporting contributions, expenditures and campaign expenses relating to special elections; revising provisions governing the disposition of unspent contributions; establishing a procedure for a candidate to end his or her campaign; clarifying the existence of certain remedies and penalties relating to campaign finance; making various other changes relating to campaign finance; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires candidates and certain other persons, committees and political parties to file reports with the Secretary of State concerning campaign contributions, loans, campaign expenses and expenditures. (NRS 294A.120, 294A.125, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280, 294A.360, 294A.362) Currently, separate reporting requirements exist for: (1) primary or general elections; and (2) special elections. (NRS 294A.120, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.360, 294A.362) **Section 5** of this bill provides that, if a special election is held on the same day as a primary election or general election, any candidate, person, committee or political party that is otherwise required to file a report relating to the special election must instead comply with the reporting requirements for the primary election or general election, as applicable.

Existing law also establishes separate reporting requirements based on whether a general election occurs before July 1 or on or after July 1. (NRS 294A.120, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.360) **Sections 11, 15, 16, 18-20 and 38** of this bill remove those separate provisions, and **sections 11, 15, 18 and 19** also expand the reporting requirements to recall elections.

Existing law requires expenditures made on behalf of a candidate or a group of candidates by a person who is not acting under the direction or control of the candidate or group of candidates, and other expenditures that are made on behalf of the candidate or group of candidates, to be reported to the Secretary of State. (NRS 294A.140, 294A.210) **Sections 15 and 19** provide that certain contributions received and expenditures which are made for or against a candidate or a group of candidates must be reported.

A committee for political action that advocates the passage or defeat of a ballot question or a group of questions is required by existing law to report contributions received and expenditures made. (NRS 294A.150, 294A.220) **Sections 16 and 20** of this bill make these reporting requirements applicable even if the question or group of questions is removed from the ballot by court order.

Existing law governs the disposition of unspent contributions. (NRS 294A.160) **Section 17** of this bill expands the application of those provisions to: (1) a candidate who is removed from the ballot by court order or is otherwise not elected to office; and (2) a public officer who resigns from his or her office, is not a candidate for any other office and has unspent contributions.

Under existing law, a candidate is required to file reports of contributions and expenses even if the candidate withdraws his or her candidacy, receives no



contributions, has no expenses, is removed from the ballot by court order or is the subject of a recall petition and the special election is not held. (NRS 294A.350) **Section 27** of this bill expands this requirement to include a candidate who: (1) ends his or her campaign without formally withdrawing his or her candidacy; (2) is not opposed in an election; or (3) is defeated in the primary election. **Section 27** also prescribes a process by which a candidate under certain circumstances may end his or her campaign.

If a person, committee or entity that is required to file a report or register pursuant to chapter 294A of NRS fails to do so in accordance with the applicable provisions of that chapter, existing law provides that such a person, committee or entity is subject to a civil penalty. (NRS 294A.420) **Section 37** of this bill provides that this and any other remedies and penalties provided by chapter 294A of NRS are cumulative and supplement any other legal or equitable remedies and penalties that may exist, including any applicable criminal penalties.

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

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

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

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

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

2. The abstract of votes required to be maintained on the website pursuant to paragraph (b) of subsection 1 must be 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. 2. Chapter 294A of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 5, inclusive, of this act.

Sec. 3. *“General election” includes:*

- 1. A general election, as defined in NRS 293.060; and*
- 2. A general city election, as defined in NRS 293.059.*

Sec. 4. *“Primary election” includes:*

- 1. A primary election, as defined in NRS 293.080; and*
- 2. A primary city election, as defined in NRS 293.079.*

Sec. 4.5. (Deleted by amendment.)

Sec. 5. *If a special election is held on the same day as a primary election or general election, any candidate, person, committee or political party that is otherwise required to file a report with the Secretary of State pursuant to NRS 294A.120, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220 or 294A.362 shall, in lieu of complying with the requirements of those sections relating to a special election, comply with the requirements of those sections relating to the primary election or general election, as applicable, except that:*

1. A candidate, person, committee or political party is not required to file a report pursuant to NRS 294A.120, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220 or 294A.362 that was due on or before the date on which the call for the special election was issued; and

2. If the special election is held on the same day as a primary election, the final report for the special election that is required pursuant to NRS 294A.120, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220 or 294A.362 is due on or before the 15th day of the second month after the primary election.

Sec. 6. 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.0025 to 294A.009, inclusive, *and sections 3 and 4 of this act* have the meanings ascribed to them in those sections.

Sec. 7. NRS 294A.0025 is hereby amended to read as follows:

294A.0025 “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. 8. NRS 294A.0055 is hereby amended to read as follows:

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

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

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

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

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

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

(c) An individual natural person.

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

(e) A labor union.

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

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

Sec. 9. NRS 294A.007 is hereby amended to read as follows:

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

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

(1) Candidate;



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

(3) Committee for political action, political party or committee sponsored by a political party which makes an expenditure ~~on behalf of~~ for or against a candidate or group of candidates,

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

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

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

Sec. 10. NRS 294A.100 is hereby amended to read as follows:

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

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

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

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

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

Sec. 11. NRS 294A.120 is hereby amended to read as follows:

294A.120 1. Every candidate for ~~state, district, county or township~~ office at a primary *election* or general election shall, not



later than January 15 of each year, for the period from January 1 of the previous year through December 31 of the previous year, report:

(a) Each ~~campaign~~ contribution in excess of \$100 received during the period;

(b) Contributions received during the period from a contributor which cumulatively exceed \$100; and

(c) The total of all contributions received during the period which are \$100 or less and which are not otherwise required to be reported pursuant to paragraph (b).

➤ The provisions of this subsection apply to the candidate beginning the year of the general election for that office through the year immediately preceding the next general election for that office.

2. Every candidate for ~~state, district, county or township~~ office at a primary **election** or general election shall, ~~if the general election for the office for which he or she is a candidate is held on or after January 1 and before the July 1 immediately following that January 1,~~ not later than:

(a) Twenty-one days before the primary election for that office, for the period from the January 1 immediately preceding the primary election through 25 days before the primary election;

(b) Four days before the primary election for that office, for the period from 24 days before the primary election through 5 days before the primary election;

(c) Twenty-one days before the general election for that office, for the period from 4 days before the primary election through 25 days before the general election; and

(d) Four days before the general election for that office, for the period from 24 days before the general election through 5 days before the general election,

➤ report each ~~campaign~~ contribution described in subsection 1 received during the period. ~~[-The report must be completed on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.]~~

~~—3.— Every candidate for state, district, county or township office at a primary or general election shall, if the general election for the office for which he or she is a candidate is held on or after July 1 and before the January 1 immediately following that July 1, not later than:~~



~~—(a) Twenty one days before the primary election for that office, for the period from the January 1 immediately preceding the primary election through 25 days before the primary election;~~

~~—(b) Four days before the primary election for that office, for the period from 24 days before the primary election through 5 days before the primary election;~~

~~—(c) Twenty one days before the general election for that office, for the period from 4 days before the primary election through 25 days before the general election; and~~

~~—(d) Four days before the general election for that office, for the period from 24 days before the general election through 5 days before the general election;~~

~~→ report each campaign contribution described in subsection 1 received during the period. The report must be completed on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.~~

~~—4.] 3. Except as otherwise provided in {subsection 5,} subsections 4 and 5 and section 5 of this act, every candidate for {a district} office at a special election shall, not later than:~~

(a) Seven days before the beginning of early voting by personal appearance for the special election, for the period from the candidate's nomination through 12 days before the beginning of early voting by personal appearance for the special election; and

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

→ report each ~~{campaign}~~ contribution described in subsection 1 received during the period. ~~{The report must be completed on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.~~

~~—5.— Every]~~

4. Except as otherwise provided in subsection 5 and section 5 of this act, every candidate for ~~{state, district, county, municipal or township}~~ office at a special election to determine whether a public officer will be recalled shall ~~{list each of the campaign contributions received on the form designed and made available by the Secretary of State pursuant to NRS 294A.373 and signed by the candidate under an oath to God or penalty of perjury, 30 days after:~~



~~—(a) The special election,], not later than:~~

(a) Seven days before the beginning of early voting by personal appearance for the special election, for the period from the ~~filing of~~ date the notice of intent to circulate the petition for recall is filed pursuant to NRS 306.015 through 12 days before the beginning of early voting by personal appearance for the special election; ~~for~~ and

*(b) ~~1A~~ Thirty days after the special election, for the remaining period through the date of the special election,
→ report each contribution described in subsection 1 received during the period.*

5. If a district court determines that ~~the~~ a petition for recall is legally insufficient pursuant to subsection 6 of NRS 306.040, every candidate for office at a special election to determine whether a public officer will be recalled shall, not later than 30 days after the district court orders the officer with whom the petition is filed to cease any further proceedings regarding the petition, 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.~~

~~→ A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.] order, report each contribution described in subsection 1 received during the period.~~

6. Except as otherwise provided in NRS 294A.3733, reports of ~~campaign~~ contributions must be filed electronically with the Secretary of State.

7. A report shall be deemed to be filed on the date that it was received by the Secretary of State.

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

9. The reports required pursuant to this section must be completed on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.

Sec. 12. NRS 294A.125 is hereby amended to read as follows:
294A.125 1. In addition to complying with the requirements set forth in NRS 294A.120 ~~1~~ and 294A.200 , ~~and 294A.360,~~ a



candidate who receives contributions in any year before the year in which the general election ~~for general city election~~ in which the candidate intends to seek election to public office is held shall, for:

(a) The year in which the candidate receives contributions in excess of \$10,000, list:

(1) Each of the contributions received and the expenditures in excess of \$100 made in that year; and

(2) The total of all contributions received and expenditures which are \$100 or less.

(b) Each year after the year in which the candidate received contributions in excess of \$10,000, until the year of the general election ~~for general city election~~ in which the candidate intends to seek election to public office is held, list:

(1) Each of the contributions received and the expenditures in excess of \$100 made in that year; and

(2) The total of all contributions received and expenditures which are \$100 or less.

2. The reports required by subsection 1 must be submitted on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.

3. The name and address of the contributor and the date on which the contribution was received must be included on the list for each contribution in excess of \$100 and contributions that a contributor has made cumulatively in excess of that amount.

4. Except as otherwise provided in NRS 294A.373, the report must be filed electronically with the Secretary of State.

5. A report shall be deemed to be filed on the date it was received by the Secretary of State.

Sec. 13. NRS 294A.128 is hereby amended to read as follows:

294A.128 1. In addition to complying with the requirements set forth in NRS 294A.120 ~~and~~ **and** 294A.200 , ~~and 294A.360,~~ a candidate who receives a loan which is guaranteed by a third party, forgiveness of a loan previously made to the candidate or a written commitment for a contribution shall, for the period covered by the report filed pursuant to NRS 294A.120 ~~and~~ **or** 294A.200 , ~~for 294A.360,~~ report:

(a) If a loan received by the candidate was guaranteed by a third party, the amount of the loan and the name and address of each person who guaranteed the loan;



(b) If a loan received by the candidate was forgiven by the person who made the loan, the amount that was forgiven and the name and address of the person who forgave the loan; and

(c) If the candidate received a written commitment for a contribution, the amount committed to be contributed and the name and address of the person who made the written commitment.

2. The reports required by subsection 1 must be submitted on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.

3. Except as otherwise provided in NRS 294A.3733, the reports required by subsection 1 must be filed in the same manner and at the same time as the report filed pursuant to NRS 294A.120 ~~or~~ 294A.200. ~~for 294A.360.~~

Sec. 14. NRS 294A.130 is hereby amended to read as follows:

294A.130 1. Every candidate ~~for state, district, county, city or township office~~ shall, not later than 1 week after receiving minimum ~~campaign~~ contributions of \$100, open and maintain a separate account in a financial institution for the deposit of any ~~campaign~~ contributions received. The candidate shall not commingle the money in the account with money collected for other purposes.

2. The candidate may close the separate account if the candidate:

- (a) Was a candidate in a special election, after that election;
- (b) Lost in the primary election, after the primary election; or
- (c) Won the primary election, after the general election,

➡ and as soon as all payments of money committed have been made.

Sec. 15. NRS 294A.140 is hereby amended to read as follows:

294A.140 1. ~~Every~~ *The provisions of this section apply to:*

(a) *Every* person who is not under the direction or control of a candidate for office, ~~at a primary election, primary city election, general election or general city election,~~ of a group of such candidates or of any person involved in the campaign of ~~that~~ *a* candidate or group *and* who makes an expenditure ~~on behalf of the~~ *for or against a* candidate or group which is not solicited or approved by ~~the~~ *a* candidate or group; ~~and~~ *every*

(b) *Every* committee for political action, political party and committee sponsored by a political party which receives



contributions in excess of \$100 or makes an expenditure ~~for or against~~ *for or against* a candidate *for office* or a group of *such* candidates.

2. *Every person, committee and political party described in subsection 1* shall, not later than January 15 of each year that the provisions of this subsection apply, ~~for the person, committee or political party,~~ for the period from January 1 of the previous year through December 31 of the previous year, report each ~~campaign~~ contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100. The provisions of this subsection apply to the person, committee or political party beginning the year of the general election ~~for general city election~~ for that office through the year immediately preceding the next general election ~~for general city election~~ for that office.

~~2-3~~ 3. Every person, committee or political party described in subsection 1 ~~which makes an expenditure on behalf of the candidate for office at a primary election, primary city election, general election or general city election or on behalf of a group of such candidates shall, if the general election or general city election for the office for which the candidate or a candidate in the group of candidates seeks election is held on or after January 1 and before the July 1 immediately following that January 1,~~ *shall*, not later than:

(a) Twenty-one days before the primary election ~~for primary city election~~ for that office, for the period from the January 1 immediately preceding the primary election ~~for primary city election~~ through 25 days before the primary election ; ~~for primary city election;~~

(b) Four days before the primary election ~~for primary city election~~ for that office, for the period from 24 days before the primary election ~~for primary city election~~ through 5 days before the primary election ; ~~for primary city election;~~

(c) Twenty-one days before the general election ~~for general city election~~ for that office, for the period from 4 days before the primary election ~~for primary city election~~ through 25 days before the general election ; ~~for general city election;~~ and

(d) Four days before the general election ~~for general city election~~ for that office, for the period from 24 days before the general election ~~for general city election~~ through 5 days before the general election , ~~for 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 made available 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 under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

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

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

~~—(a) Twenty one 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 25 days before the primary election or primary city election;~~

~~—(b) Four days before the primary election or primary city election for that office, for the period from 24 days before the primary election or primary city election through 5 days before the primary election or primary city election;~~

~~—(c) Twenty one days before the general election or general city election for that office, for the period from 4 days before the primary election or primary city election through 25 days before the general election or general city election; and~~

~~—(d) Four days before the general election or general city election for that office, for the period from 24 days before the general election or general city election through 5 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 made available 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 under an oath to God or penalty of perjury. A person who~~



~~signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

~~—5.—~~ 4. Except as otherwise provided in ~~{subsection}~~ *subsections 5 and 6* ~~{}~~ *and section 5 of this act*, every person, committee or political party described in subsection 1 which makes an expenditure ~~{on behalf of}~~ *for or against* a candidate for office at a special election or ~~{on behalf of}~~ *for or against* a group of such candidates shall, not later than:

(a) Seven days before the beginning of early voting by personal appearance for 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 beginning of early voting by personal appearance for the special election; and

(b) Thirty days after the special election, for the remaining period through the *date of 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 made available 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 under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

~~—6.—~~ Every

5. *Except as otherwise provided in subsection 6 and section 5 of this act, every* person, committee or political party described in subsection 1 which makes an expenditure ~~{on behalf of}~~ *for or against* a candidate for office at a special election to determine whether a public officer will be recalled or ~~{on behalf of}~~ *for or against* a group of candidates for offices at such special elections shall, *not later than:*

(a) *Seven days before the beginning of early voting by personal appearance for the special election, for the period from the date the notice of intent to circulate a petition to recall is filed pursuant to NRS 306.015 through 12 days before the beginning of early voting by personal appearance for the special election; and*

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

→ 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 made available by the Secretary of State pursuant to NRS 294A.373 and signed by the person or a representative of the committee or political party under an oath to God or 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)}~~ 6. If ~~[the special election is not held because]~~ a district court determines that ~~[the]~~ *a* petition for recall is legally insufficient pursuant to subsection 6 of NRS 306.040, *every person, committee and political party described in subsection 1 which makes an expenditure for or against a candidate for office at a special election to determine whether a public officer will be recalled or for or against a group of candidates for offices at such a special election shall, not later than 30 days after the district court orders the officer with whom the petition is filed to cease any further proceedings regarding the petition,* 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]~~.

~~→ A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.]~~ *order, report each contribution in excess of \$100 received during the period and contributions received during the period from a contributor which cumulatively exceed \$100.*

7. Except as otherwise provided in NRS 294A.373, the reports of contributions required pursuant to this section must be filed electronically with the Secretary of State.

8. A report shall be deemed to be filed on the date that it was received by the Secretary of State.

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

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

11. *The reports required pursuant to this section must be completed on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the person or a representative of the committee or political party under an oath to God or penalty of perjury. A*



person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.

Sec. 16. NRS 294A.150 is hereby amended to read as follows:

294A.150 1. Every committee for political action that advocates the passage or defeat of a question or group of questions on the ballot at a primary election ~~[, primary city election,]~~ or general election ~~[for general city election]~~ shall, not later than January 15 of each year that the provisions of this subsection apply to the committee for political action, 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 made available by the Secretary of State pursuant to NRS 294A.373. The form must be signed by a representative of the committee for political action under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.]~~ The provisions of this subsection apply to the committee for political action:

(a) Each year in which an election ~~[for city election]~~ is held for each question for which the committee for political action advocates passage or defeat; and

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

2. ~~[If a question is on the ballot at a primary election or primary city election and the general election or general city election immediately following that primary election or primary city election is held on or after January 1 and before the July 1 immediately following that January 1, every committee for political action that advocates the passage or defeat of the question or a group of questions that includes the question shall comply with the requirements of this subsection. If a question is on the ballot at a general election or general city election held on or after January 1 and before the July 1 immediately following that January 1, every committee for political action that advocates the passage or defeat of the question or a group of questions that includes the question shall comply with the requirements of this subsection.]~~ A committee for political action described in ~~[this]~~ subsection **1** shall, not later than:

(a) Twenty-one days before the primary election ~~, [for primary city election,]~~ for the period from the January 1 immediately



preceding the primary election ~~{for primary city election}~~ through 25 days before the primary election ; ~~{for primary city election;}~~

(b) Four days before the primary election , ~~{for primary city election,}~~ for the period from 24 days before the primary election ~~{for primary city election}~~ through 5 days before the primary election ; ~~{for primary city election;}~~

(c) Twenty-one days before the general election , ~~{for general city election,}~~ for the period from 4 days before the primary election ~~{for primary city election}~~ through 25 days before the general election ; ~~{for general city election;}~~ and

(d) Four days before the general election , ~~{for general city election,}~~ for the period from 24 days before the general election ~~{for general city election}~~ through 5 days before the general election , ~~{for general city election;}~~

→ report each ~~{campaign}~~ contribution in excess of \$1,000 received during the 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 made available by the Secretary of State pursuant to NRS 294A.373 and signed by a representative of the committee for political action under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

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

~~—4.— If a question is on the ballot at a primary election or primary city election and the general election or general city election immediately following that primary election or primary city election is held on or after July 1 and before the January 1 immediately following that July 1, every committee for political action that advocates the passage or defeat of the question or a group of questions that includes the question shall comply with the requirements of this subsection. If a question is on the ballot at a general election or general city election held on or after July 1 and before the January 1 immediately following that July 1, every committee for political action that advocates the passage or defeat of the question or a group of questions that includes the question shall comply with the requirements of this subsection. A committee for political action described in this subsection shall, not later than:~~



~~—(a) Twenty one 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 25 days before the primary election or primary city election;~~

~~—(b) Four days before the primary election or primary city election, for the period from 24 days before the primary election or primary city election through 5 days before the primary election or primary city election;~~

~~—(c) Twenty one days before the general election or general city election, for the period from 4 days before the primary election or primary city election through 25 days before the general election or general city election; and~~

~~—(d) Four days before the general election or general city election, for the period from 24 days before the general election or general city election through 5 days before the general election or general city election;~~

~~→ report each campaign contribution in excess of \$1,000 received during the 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 made available by the Secretary of State pursuant to NRS 294A.373. The form must be signed by a representative of the committee for political action under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

~~—5. Except as otherwise provided in subsection 6, every~~

3. Except as otherwise provided in section 5 of this act, every committee for political action that 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 beginning of early voting by personal appearance for the special election, for the period from the date that the question qualified for the ballot through 12 days before the beginning of early voting by personal appearance for the special election; and

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

→ report each ~~campaign~~ contribution in excess of \$1,000 received during the 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 made available by the Secretary of State pursuant to NRS 294A.373. The form must be signed by a representative of the committee for political action~~



~~under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

~~—6. Every committee for political action that advocates the passage or defeat of a question or group of questions on the ballot at a special election to determine whether a public officer will be recalled shall report each of the contributions received on the form designed and made available by the Secretary of State pursuant to NRS 294A.373 and signed by a representative of the committee for political action under an oath to God or 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.~~

~~—A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

~~—7.} 4. The provisions of this section apply to a committee for political action even if the question or group of questions on the ballot that the committee for political action advocates the passage or defeat of is removed from the ballot by a court order.~~

5. Except as otherwise provided in NRS 294A.373, the reports required pursuant to this section must be filed electronically with the Secretary of State.

~~18.} 6.~~ A report shall be deemed to be filed on the date that it was received by the Secretary of State.

~~19.} 7.~~ If the committee for political action is advocating passage or defeat of a group of questions, the reports must be itemized by question or petition.

8. The reports required by this section must be completed on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by a representative of the committee for political action under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.



Sec. 17. NRS 294A.160 is hereby amended to read as follows:

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

2. Notwithstanding the provisions of NRS 294A.286, 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 ~~or~~ 294A.200 . ~~for 294A.360.~~ A candidate or public officer shall not use ~~campaign~~ contributions to satisfy a civil or criminal penalty imposed by law.

3. Every candidate for ~~a state, district, county, city or township~~ office at a primary ~~or~~ **election**, general ~~or primary city, general city~~ **election** or special election who is elected to that office and received contributions that were not spent or committed for expenditure before the primary ~~or~~ **election**, general ~~or primary city, general city~~ **election** or special election shall dispose of the money through one or any combination of the following methods:

(a) Return the unspent money to contributors;

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

(c) Contribute the money to:

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

(2) A political party; or

(3) Any combination of persons or groups set forth in subparagraphs (1) and (2);

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

(e) Donate the money to any governmental entity or fund of this State or a political subdivision of this State. A candidate who donates money pursuant to this paragraph may request that the money be used for a specific purpose.

4. Every candidate for ~~a state, district, county, city or township~~ office at a primary ~~or~~ **election**, general ~~or primary city, general city~~ **election** or special election who withdraws **pursuant to NRS 293.202 or 293C.195** after filing a declaration of candidacy or an acceptance of candidacy , **is removed from the ballot by court order** or is defeated for **or otherwise not elected to** that office and



who received contributions that were not spent or committed for expenditure before the primary ~~§~~ *election*, general ~~§~~ *primary city, general city* *election* or special election shall, not later than the 15th day of the second month after the election, dispose of the money through one or any combination of the following methods:

- (a) Return the unspent money to contributors;
- (b) Contribute the money to:
 - (1) The campaigns of other candidates for public office or for the payment of debts related to their campaigns;
 - (2) A political party; or
 - (3) Any combination of persons or groups set forth in subparagraphs (1) and (2);
- (c) Donate the money to any tax-exempt nonprofit entity; or
- (d) Donate the money to any governmental entity or fund of this State or a political subdivision of this State. A candidate who donates money pursuant to this paragraph may request that the money be used for a specific purpose.

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

6. Except as otherwise provided in ~~§~~ *subsection* *subsections* 7 ~~§~~ *and* 8, every public officer who:

- (a) ~~§~~ *Holds a state, district, county, city or township office;*
~~—(b)§~~ Does not run for reelection to ~~§~~ *that* the office *which he or she holds* and is not a candidate for any other office; and

~~§~~ *(b)* Has contributions that are not spent or committed for expenditure remaining from a previous election,

↪ shall, not later than the 15th day of the second month after the expiration of the public officer's term of office, dispose of those contributions in the manner provided in subsection ~~§~~ *3-4*.

7. *A public officer who:*

- (a) *Resigns from his or her office;*
- (b) *Is not a candidate for any other office; and*
- (c) *Has contributions that are not spent or committed for expenditure remaining from a previous election,*
↪ *shall, not later than the 15th day of the second month after the effective date of the resignation, dispose of those contributions in the manner provided in subsection 4.*



8. A public officer who:

(a) ~~Holds a state, district, county, city or township office;~~
~~—(b)—~~ Does not run for reelection to ~~that~~ the office *which he or she holds* and is a candidate for any other office; and

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

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

~~8-1~~ 9. In addition to the methods for disposing the unspent money set forth in subsections 3, 4, 5 ~~and 7,~~ 7 and 8, a Legislator may donate not more than \$500 of that money to the Nevada Silver Haired Legislative Forum created pursuant to NRS 427A.320.

~~9-1~~ 10. Any contributions received before a candidate for ~~a state, district, county, city or township~~ office at a primary ~~election~~, general ~~primary city, general city~~ election or special election dies that were not spent or committed for expenditure before the death of the candidate must be disposed of in the manner provided in subsection ~~3-1~~ 4.

~~10-1~~ 11. The court shall, in addition to any penalty which may be imposed pursuant to NRS 294A.420, order the candidate or public officer to dispose of any remaining contributions in the manner provided in this section.

~~11-1~~ 12. As used in this section, “contributions” include any interest and other income earned thereon.

Sec. 18. NRS 294A.200 is hereby amended to read as follows:

294A.200 1. Every candidate for ~~state, district, county or township~~ office at a primary *election* or general election shall, not later than January 15 of each year, for the period from January 1 of the previous year through December 31 of the previous year, report:

(a) Each of the campaign expenses in excess of \$100 incurred during the period;

(b) Each amount in excess of \$100 disposed of pursuant to NRS 294A.160 or subsection 4 of NRS 294A.286 during the period;

(c) The total of all campaign expenses incurred during the period which are \$100 or less; and

(d) The total of all amounts disposed of during the period pursuant to NRS 294A.160 or subsection 4 of NRS 294A.286 which are \$100 or less. ~~1-~~

~~↳ on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the~~



~~candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.~~

2. The provisions of subsection 1 apply to the candidate:

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

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

3. Every candidate for ~~state, district, county or township~~ office at a primary *election* or general election shall, ~~if the general election for the office for which he or she is a candidate is held on or after January 1 and before the July 1 immediately following that January 1,~~ not later than:

(a) Twenty-one days before the primary election for that office, for the period from the January 1 immediately preceding the primary election through 25 days before the primary election;

(b) Four days before the primary election for that office, for the period from 24 days before the primary election through 5 days before the primary election;

(c) Twenty-one days before the general election for that office, for the period from 4 days before the primary election through 25 days before the general election; and

(d) Four days before the general election for that office, for the period from 24 days before the general election through 5 days before the general election,

→ report each of the campaign expenses described in subsection 1 incurred during the period . ~~on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.~~

~~4. Every candidate for state, district, county or township office at a primary or general election shall, if the general election for the office for which he or she is a candidate is held on or after July 1 and before the January 1 immediately following that July 1, not later than:~~

~~—(a) Twenty one days before the primary election for that office, for the period from the January 1 immediately preceding the primary election through 25 days before the primary election;~~



~~—(b) Four days before the primary election for that office, for the period from 24 days before the primary election through 5 days before the primary election;~~

~~—(c) Twenty one days before the general election for that office, for the period from 4 days before the primary election through 25 days before the general election; and~~

~~—(d) Four days before the general election for that office, for the period from 24 days before the general election through 5 days before the general election;~~

~~→ report each of the campaign expenses described in subsection 1 incurred during the period on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. The form must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.~~

~~—5.† 4.~~ Except as otherwise provided in ~~{subsection 6,†~~ *subsections 5 and 6 and section 5 of this act*, every candidate for ~~{a district†}~~ office at a special election shall, not later than:

(a) Seven days before the beginning of early voting by personal appearance for the special election, for the period from the candidate's nomination through 12 days before the beginning of early voting by personal appearance for the special election; and

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

~~→ report each of the campaign expenses described in subsection 1 incurred during the period . {on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.~~

~~—6.—Every†~~

5. Except as otherwise provided in subsection 6 and section 5 of this act, every candidate for ~~{state, district, county, municipal or township†}~~ office at a special election to determine whether a public officer will be recalled shall ~~{report each of the campaign expenses described in subsection 1 incurred on the form designed and made available by the Secretary of State pursuant to NRS 294A.373 and signed by the candidate under an oath to God or penalty of perjury, 30 days after:~~

~~—(a) The† , not later than:~~



(a) *Seven days before the beginning of early voting by personal appearance for the special election, for the period from the ~~filing of~~ date the notice of intent to circulate the petition for recall is filed pursuant to NRS 306.015 through 12 days before the beginning of early voting by personal appearance for the special election; ~~for~~ and*

(b) ~~For~~ *Thirty days after the special election ~~is not held because~~, for the remaining period through the date of the special election,*

report each of the campaign expenses described in subsection 1 incurred during the period.

6. *If a district court determines that ~~the~~ a petition for recall is legally insufficient pursuant to subsection 6 of NRS 306.040, every candidate for office at a special election to determine whether a public officer will be recalled shall, not later than 30 days after the district court orders the officer with whom the petition is filed to cease any further proceedings regarding the petition, 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.~~*

~~A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.~~ *order, report each of the campaign expenses described in subsection 1 during the period.*

7. Except as otherwise provided in NRS 294A.3733, reports of campaign expenses must be filed electronically with the Secretary of State.

8. A report shall be deemed to be filed on the date that it was received by the Secretary of State.

9. *The reports required by this section must be completed on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.*

Sec. 19. NRS 294A.210 is hereby amended to read as follows:
294A.210 1. *The provisions of this section apply to:*

(a) Every person who is not under the direction or control of a candidate for ~~an~~ office, ~~at a primary election, primary city election, general election or general city election,~~ of a group of such candidates or of any person involved in the campaign of ~~that~~ a candidate or group *and* who makes an expenditure ~~on behalf of~~



~~the~~ *for or against* a candidate or group which is not solicited or approved by ~~the~~ *a* candidate or group ~~[-and every]~~ ; *and*

(b) *Every* committee for political action, political party or committee sponsored by a political party which receives contributions in excess of \$100 or makes an expenditure ~~on behalf of such~~ *for or against* a candidate *for office* or *a* group of *such* candidates .

2. *Every person, committee or political party described in subsection 1* shall, not later than January 15 of each year that the provisions of this subsection apply to the person, committee or political party, for the period from January 1 of the previous year through December 31 of the previous year, report each expenditure made during the period ~~on behalf of the candidate, the group of candidates or a candidate in the group of candidates~~ in excess of \$100 ~~on the form designed and made available 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 under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~ *and expenditures made during the period to one recipient which cumulatively exceed \$100.* The provisions of this subsection apply to the person, committee or political party beginning the year of the general election ~~for general city election~~ for that office through the year immediately preceding the next general election ~~for general city election~~ for that office.

~~2-1~~ 3. Every person, committee or political party described in subsection 1 ~~which makes an expenditure on behalf of a candidate for office at a primary election, primary city election, general election or general city election or a group of such candidates shall, if the general election or general city election for the office for which the candidate or a candidate in the group of candidates seeks election is held on or after January 1 and before the July 1 immediately following that January 1,~~ *shall*, not later than:

(a) Twenty-one days before the primary election ~~for primary city election~~ for that office, for the period from the January 1 immediately preceding the primary election ~~for primary city election~~ through 25 days before the primary election ; ~~for primary city election;~~

(b) Four days before the primary election ~~for primary city election~~ for that office, for the period from 24 days before the primary election ~~for primary city election~~ through 5 days before the primary election ; ~~for primary city election;~~



(c) Twenty-one days before the general election ~~for general city election~~ for that office, for the period from 4 days before the primary election ~~for primary city election~~ through 25 days before the general election ; ~~for general city election;~~ and

(d) Four days before the general election ~~for general city election~~ for that office, for the period from 24 days before the general election ~~for general city election~~ through 5 days before the general election , ~~for general city election;~~

→ report each expenditure *in excess of \$100* made during the period ~~for on behalf of the candidate, the group of candidates or a candidate in the group of candidates in excess of~~ *and expenditures made during the period to one recipient which cumulatively exceed \$100 .* ~~for on the form designed and made available 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 under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

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

— (a) ~~Twenty one 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 25 days before the primary election or primary city election;~~

— (b) ~~Four days before the primary election or primary city election for that office, for the period from 24 days before the primary election or primary city election through 5 days before the primary election or primary city election;~~

— (c) ~~Twenty one days before the general election or general city election for that office, for the period from 4 days before the primary election or primary city election through 25 days before the general election or general city election; and~~

— (d) ~~Four days before the general election or general city election for that office, for the period from 24 days before the general election or general city election through 5 days before the general election or general city election;~~



~~report each expenditure made during the period on behalf of the candidate, the group of candidates or a candidate in the group of candidates in excess of \$100 on the form designed and made available 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 under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

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

(a) Seven days before the beginning of early voting by personal appearance for 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 beginning of early voting by personal appearance for the special election; and

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

~~report each expenditure in excess of \$100 made during the period on behalf of the candidate, the group of candidates or a candidate in the group of candidates in excess of \$100 on the form designed and made available 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 under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~ **and expenditures made during the period to one recipient which cumulatively exceed \$100.**

5. ~~Every~~ **Except as otherwise provided in subsection 6 and section 5 of this act, every** person, committee or political party described in subsection 1 which makes an expenditure ~~on behalf of~~ **for or against** a candidate for office at a special election to determine whether a public officer will be recalled or ~~on behalf of~~ **for or against** a group of such candidates shall ~~list each expenditure made on behalf of the candidate, the group of candidates or a candidate in the group of candidates in excess of \$100 on the form designed and made available by the Secretary of State pursuant to NRS 294A.373 and signed by the person or a representative of the~~



~~committee or political party under an oath to God or penalty of perjury, 30 days after:~~

~~—(a) The~~, not later than:

(a) *Seven days before the beginning of early voting by personal appearance for the special election, for the period from the ~~the~~ filing of the notice of intent to circulate the petition for recall is filed pursuant to NRS 306.015 through 12 days before the beginning of early voting by personal appearance for the special election; ~~and~~*

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

→ report each expenditure in excess of \$100 made during the period and expenditures made during the period to one recipient which cumulatively exceed \$100.

6. 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, *every person, committee and political party described in subsection 1 which makes an expenditure for or against a candidate for office at a special election to determine whether a public officer will be recalled or for or against a group of such candidates shall, not later than 30 days after the district court orders the officer with whom the petition is filed to cease any further proceedings regarding the petition,* 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.~~

~~→ A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

~~—6. order, report each expenditure in excess of \$100 made during the period and expenditures made during the period to one recipient which cumulatively exceed \$100.~~

7. 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. 8.~~ Except as otherwise provided in NRS 294A.3737, the reports must be filed electronically with the Secretary of State.

~~8. 9.~~ If an expenditure is made ~~on behalf of~~ *for or against* a group of candidates, the reports must be itemized by the candidate.

~~9. 10.~~ A report shall be deemed to be filed on the date that it was received by the Secretary of State. Every person, committee or political party described in subsection 1 shall file a report required



by this section even if the person, committee or political party receives no contributions.

11. The reports required pursuant to this section must be completed on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the person or a representative of the committee or political party under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.

Sec. 20. NRS 294A.220 is hereby amended to read as follows:

294A.220 1. Every committee for political action that advocates the passage or defeat of a question or group of questions on the ballot at a primary election ~~[, primary city election,]~~ or general election ~~[or general city election]~~ shall, not later than January 15 of each year that the provisions of this subsection apply to the committee for political action, 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]~~ *for* 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 made available by the Secretary of State pursuant to NRS 294A.373. The form must be signed by a representative of the committee for political action under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.]~~ *and such expenditures made during the period to one recipient that cumulatively exceed \$1,000.* The provisions of this subsection apply to the committee for political action:

(a) Each year in which an election ~~[or city election]~~ is held for a question for which the committee for political action advocates passage or defeat; and

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

2. ~~[If a question is on the ballot at a primary election or primary city election and the general election or general city election immediately following that primary election or primary city election is held on or after January 1 and before the July 1 immediately following that January 1, every committee for political action that advocates the passage or defeat of the question or a group of questions that includes the question shall comply with the requirements of this subsection. If a question is on the ballot at a general election or general city election held on or after January 1~~



and before the July 1 immediately following that January 1, every committee for political action that advocates the passage or defeat of the question or a group of questions that includes the question shall comply with the requirements of this subsection.} A committee for political action described in {this} subsection 1 shall, not later than:

(a) Twenty-one 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 25 days before the primary election ; {or primary city election;}.

(b) Four days before the primary election , {or primary city election;} for the period from 24 days before the primary election {or primary city election} through 5 days before the primary election ; {or primary city election;}.

(c) Twenty-one days before the general election , {or general city election;} for the period from 4 days before the primary election {or primary city election} through 25 days before the general election ; {or general city election;} and

(d) Four days before the general election , {or general city election;} for the period from 24 days before the general election {or general city election} through 5 days before the general election , {or general city election;}.

→ report each expenditure made during the period {on behalf of} for 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 made available by the Secretary of State pursuant to NRS 294A.373 and signed by a representative of the committee for political action under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form 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 committee for political action that advocates the passage or defeat of the question or a group of questions that includes the question shall comply with the requirements of this subsection. If a question is on the ballot at a general election or general city election held on or after July 1 and before the January 1 immediately following that July 1, every committee for political action that advocates the passage or defeat of the question or a group of questions that includes the question shall



~~comply with the requirements of this subsection. A committee for political action described in this subsection shall, not later than:~~

~~—(a) Twenty one 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 25 days before the primary election or primary city election;~~

~~—(b) Four days before the primary election or primary city election, for the period from 24 days before the primary election or primary city election through 5 days before the primary election or primary city election;~~

~~—(c) Twenty one days before the general election or general city election, for the period from 4 days before the primary election or primary city election through 25 days before the general election or general city election; and~~

~~—(d) Four days before the general election or general city election, for the period from 24 days before the general election or general city election through 5 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 made available by the Secretary of State pursuant to NRS 294A.373. The form must be signed by a representative of the committee for political action under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

~~—4. Except as otherwise provided in subsection 5, every~~ *and such expenditures made during the period to one recipient that cumulatively exceed \$1,000.*

3. Except as otherwise provided in section 5 of this act, every committee for political action that 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 beginning of early voting by personal appearance for the special election, for the period from the date the question qualified for the ballot through 12 days before the beginning of early voting by personal appearance for the special election; and

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

↪ report each expenditure made during the period ~~for~~ *on behalf of* *for* 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 made available by the Secretary of State pursuant to NRS 294A.373. The form must be signed by a representative of the committee for political action under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~

~~— 5. Every committee for political action that advocates the passage or defeat of a question or group of questions on the ballot at a special election to determine whether a public officer will be recalled 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 made available by the Secretary of State pursuant to NRS 294A.373 and signed by a representative of the committee for political action under an oath to God or 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.~~

~~→ A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~ *and such expenditures made during the period to one recipient that cumulatively exceed \$1,000.*

~~[6.]~~ 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 the report.

~~[7.]~~ 5. *The provisions of this section apply to a committee for political action even if the question or group of questions on the ballot that the committee for political action advocates the passage or defeat of is removed from the ballot by a court order.*

6. Except as otherwise provided in NRS 294A.3737, reports required pursuant to this section must be filed electronically with the Secretary of State.

~~[8.]~~ 7. If an expenditure is made ~~on behalf of~~ *for or against* a group of questions, the reports must be itemized by question or petition.



~~19.1~~ 8. A report shall be deemed to be filed on the date that it was received by the Secretary of State.

9. *The reports required by this section must be completed on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by a representative of the committee for political action under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.*

Sec. 21. NRS 294A.225 is hereby amended to read as follows:

294A.225 1. A nonprofit corporation shall, before it engages in any of the following activities in this State, submit the names, addresses and telephone numbers of its officers to the Secretary of 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 ~~HH~~ election, general election or special election or question on the ballot.

2. The Secretary of State shall include on the Secretary of State's Internet website the information submitted pursuant to subsection 1.

Sec. 22. NRS 294A.270 is hereby amended to read as follows:

294A.270 1. Except as otherwise provided in ~~subsection 3,~~ *subsections 3 and 4*, each committee for the recall of a public officer shall, not later than:

(a) Seven days before the beginning of early voting by personal appearance for the special election to recall a public officer, for the period from the ~~filing of~~ date the notice of intent to circulate the petition for recall *is filed pursuant to NRS 306.015*, through 12 days before the beginning of early voting by personal appearance for the special election; and

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

↳ report each contribution received or made by the committee *for the recall of a public officer during the period* in excess of \$100 ~~on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. The form must be signed by a representative of the committee under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~ *and contributions received from a*



contributor or made to one recipient which cumulatively exceed \$100.

2. If a petition for the ~~purpose of recalling~~ *recall of* a public officer is not filed before the expiration of the notice of intent, the committee for the recall of a public officer shall, not later than 30 days after the expiration of the notice of intent, report each contribution received by the committee ~~for the recall of a public officer,~~ and each contribution made by the committee *for the recall of a public officer* in excess of \$100 ~~and contributions received from a contributor or made to one recipient which cumulatively exceed \$100.~~

3. If a *district* court ~~does not order a special election~~ *determines that the petition* for the recall of the public officer ~~is legally insufficient pursuant to subsection 6 of NRS 306.040,~~ the committee for the recall of a public officer shall, not later than 30 days after the *district* court ~~determines that an election will not be held,~~ *orders the officer with whom the petition is filed to cease any further proceedings regarding the petition,* for the period from the filing of the notice of intent to circulate the petition for recall through the day ~~of the court determines that an election will not be held,~~ *district court's order,* report each contribution received *or made* by the committee ~~and each contribution made by the committee~~ *for the recall of a public officer* in excess of \$100 ~~and contributions received from a contributor or made to one recipient which cumulatively exceed \$100.~~

4. *If the special election is held on the same day as a primary election or general election, the committee for the recall of a public officer shall, not later than:*

(a) Twenty-one days before the special election, for the period from the filing of the notice of intent to circulate the petition for recall through 25 days before the special election;

(b) Four days before the special election, for the period from 24 days before the special election through 5 days before the special election; and

(c) The 15th day of the second month after the special election, for the remaining period through the date of the special election, report each contribution received or made by the committee for the recall of a public officer in excess of \$100 and contributions received from a contributor or made to one recipient which cumulatively exceed \$100.

5. Except as otherwise provided in NRS 294A.3737, each report of contributions must be filed electronically with the Secretary of State.



~~15.1~~ 6. A report shall be deemed to be filed on the date that it was received by the Secretary of State.

~~16.1~~ 7. The name and address of the contributor and the date on which the contribution was received must be included on the report for each contribution, whether from or to a natural person, association or corporation, in excess of \$100 and contributions which a contributor or the committee has made cumulatively in excess of that amount since the beginning of the current reporting period.

8. *The reports required by this section must be completed on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by a representative of the committee for the recall of a public officer under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.*

Sec. 23. NRS 294A.280 is hereby amended to read as follows:

294A.280 1. Except as otherwise provided in ~~subsection 3,~~ *subsections 3 and 4*, each committee for the recall of a public officer shall, not later than:

(a) Seven days before the beginning of early voting by personal appearance for the special election to recall a public officer, for the period from the ~~filing of~~ *date* the notice of intent to circulate the petition for recall *is filed pursuant to NRS 306.015* through 12 days before the beginning of early voting by personal appearance for the special election; and

(b) Thirty days after the *special* election, for the remaining period through *the date of the special* election,
→ report each expenditure made by the committee *for the recall of a public officer during the period* in excess of \$100 ~~on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. The form must be signed by a representative of the committee under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.~~ *and expenditures made to one recipient which cumulatively exceed \$100.*

2. If a petition for the ~~purpose of recalling~~ *recall of* a public officer is not filed before the expiration of the notice of intent, the committee for the recall of a public officer shall, not later than 30 days after the expiration of the notice of intent, report each expenditure made by the committee *for the recall of a public officer*



in excess of \$100 ~~and~~ *and expenditures made to one recipient which cumulatively exceed \$100.*

3. If a *district* court ~~does not order a special election~~ *determines that a petition* for the recall of the public officer ~~is~~ *is legally insufficient pursuant to subsection 6 of NRS 306.040,* the committee for the recall of a public officer shall, not later than 30 days after the *district* court ~~determines that an election will not be held,~~ *orders the officer with whom the petition is filed to cease any further proceedings regarding the petition,* for the period from the filing of the notice of intent to circulate the petition for recall through the day of the ~~court determines that an election will not be held,~~ *district court's order,* report each expenditure made by the committee *for the recall of a public officer* in excess of \$100 ~~and~~ *and expenditures made to one recipient which cumulatively exceed \$100.*

4. *If the special election is held on the same day as a primary election or general election, the committee for the recall of a public officer shall, not later than:*

(a) Twenty-one days before the special election, for the period from the filing of the notice of intent to circulate the petition for recall through 25 days before the special election;

(b) Four days before the special election, for the period from 24 days before the special election through 5 days before the special election; and

(c) The 15th day of the second month after the special election, for the remaining period through the date of the special election, report each expenditure made by the committee for the recall of a public officer in excess of \$100 and expenditures made to one recipient which cumulatively exceed \$100.

5. Except as otherwise provided in NRS 294A.3737, each report of expenditures must be filed electronically with the Secretary of State.

~~5-1~~ 6. A report shall be deemed to be filed on the date that it was received by the Secretary of State.

7. *The name and address of the recipient and the date on which the expenditure was made must be included on the report for each expenditure, whether to a natural person, association or corporation.*

8. *The reports required pursuant to this section must be completed on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by a representative of the committee for the recall of a public officer under an oath to God or penalty of perjury. A*



person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.

Sec. 24. 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 ~~or~~ *or* 294A.200 , ~~for 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 made available by the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the administrator of the legal defense fund under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.

3. Except as otherwise provided in NRS 294A.373, 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 ~~or~~ *or* 294A.200 . ~~for 294A.360.~~

4. Not later than the 15th day of the second month after the conclusion of all civil, criminal or administrative claims or proceedings for which a candidate or public officer established a legal defense fund, the candidate or public officer shall dispose of unspent money through one or any combination of the following methods:

(a) Return the unspent money to contributors; or

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

Sec. 25. NRS 294A.325 is hereby amended to read as follows:

294A.325 1. A foreign national shall not, directly or indirectly, make a contribution or a commitment to make a contribution to:

(a) A candidate;

(b) A committee for political action;

(c) A committee for the recall of a public officer;

(d) A person who is not under the direction or control of a candidate, of a group of candidates or of any person involved in the



campaign of the candidate or group who makes an expenditure that is not solicited or approved by the candidate or group;

(e) A political party or committee sponsored by a political party that makes an expenditure ~~for~~ ~~on behalf of~~ *for or against* a candidate or group of candidates;

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

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

(h) A nonprofit corporation that is registered or required to be registered pursuant to NRS 294A.225.

2. Except as otherwise provided in subsection 3, a candidate, person, group, committee, political party, organization or nonprofit corporation described in subsection 1 shall not knowingly solicit, accept or receive a contribution or a commitment to make a contribution from a foreign national.

3. For the purposes of subsection 2, if a candidate, person, group, committee, political party, organization or nonprofit corporation is aware of facts that would lead a reasonable person to inquire whether the source of a contribution is a foreign national, the candidate, person, group, committee, political party, organization or nonprofit corporation shall be deemed to have not knowingly solicited, accepted or received a contribution in violation of subsection 2 if the candidate, person, group, committee, political party, organization or nonprofit corporation requests and obtains from the source of the contribution a copy of current and valid United States passport papers. This subsection does not apply to any candidate, person, group, committee, political party, organization or nonprofit corporation if the candidate, person, group, committee, political party, organization or nonprofit corporation has actual knowledge that the source of the contribution solicited, accepted or received is a foreign national.

4. If a candidate, person, group, committee, political party, organization or nonprofit corporation discovers that the candidate, person, group, committee, political party, organization or nonprofit corporation received a contribution in violation of this section, the candidate, person, group, committee, political party, organization or nonprofit corporation shall, if at the time of discovery of the violation:



(a) Sufficient money received as contributions is available, return the contribution received in violation of this section not later than 30 days after such discovery.

(b) Except as otherwise provided in paragraph (c), sufficient money received as contributions is not available, return the contribution received in violation of this section as contributions become available for this purpose.

(c) Sufficient money received as contributions is not available and contributions are no longer being solicited or accepted, not be required to return any amount of the contribution received in violation of this section that exceeds the amount of contributions available for this purpose.

5. A violation of any provision of this section is a gross misdemeanor.

6. As used in this section:

(a) “Foreign national” has the meaning ascribed to it in 2 U.S.C. § 441e.

(b) “Knowingly” means that a candidate, person, group, committee, political party, organization or nonprofit corporation:

(1) Has actual knowledge that the source of the contribution solicited, accepted or received is a foreign national;

(2) Is aware of facts which would lead a reasonable person to conclude that there is a substantial probability that the source of the contribution solicited, accepted or received is a foreign national; or

(3) Is aware of facts which would lead a reasonable person to inquire whether the source of the contribution solicited, accepted or received is a foreign national, but failed to conduct a reasonable inquiry.

Sec. 26. 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 ; ~~for 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, *political* party or committee for political action,

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

2. A statement which:



(a) Is published by a candidate within 60 days before a general election ~~[- general city election]~~ or special election or 30 days before a primary election ; ~~[- for 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. 27. NRS 294A.350 is hereby amended to read as follows:

294A.350 1. ~~[- Every]~~ *Except as otherwise provided in subsection 2, 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.125*, 294A.128, 294A.200 and ~~[- 294A.360 and reports of contributions received by and expenditures made from a legal defense fund required by NRS]~~ 294A.286, even though the candidate:

(a) Withdraws his or her candidacy ~~[-]~~ *pursuant to NRS 293.202 or 293C.195;*

(b) *Ends his or her campaign without withdrawing his or her candidacy pursuant to NRS 293.202 or 293C.195;*

(c) Receives no ~~[- campaign]~~ contributions;

~~[-(e)]~~ (d) Has no campaign expenses;

~~[-(d)]~~ (e) *Is not opposed in the election by another candidate;*

(f) *Is defeated in the primary election;*

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

~~[-(e)]~~ (h) Is the subject of a petition to recall and the special election is not held.

2. ~~[- A]~~ *Except as otherwise provided in subsection 3, a* candidate ~~[- who withdraws his or her candidacy pursuant to NRS 293.202 may file]~~ *described in paragraph (a), (b), (f) or (g) of subsection 1 may* simultaneously *file* all the reports ~~[- of campaign contributions and expenses]~~ required by NRS 294A.120, *294A.125*, 294A.128, 294A.200 and ~~[- 294A.360 and the report of contributions received by and expenditures made from a legal defense fund 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.]~~ *that are due after the candidate disposes of any unspent or excess contributions as provided in subsections 4 and 5 of NRS 294A.160, as applicable, if the candidate gives written notice to the Secretary of State, on the form prescribed by the Secretary of State, that the candidate is*



ending his or her campaign and will not accept any additional contributions. If the candidate has submitted a withdrawal of candidacy pursuant to NRS 293.202 or 293C.195 to an officer other than the Secretary of State, the candidate must enclose with the notice a copy of the withdrawal of candidacy. A form submitted to the Secretary of State pursuant to this subsection must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.

3. This section does not exempt a person whose name appears on the ballot and who is elected to office from any reporting requirement of this chapter.

Sec. 28. NRS 294A.362 is hereby amended to read as follows:

294A.362 1. In addition to reporting information pursuant to NRS 294A.120, 294A.125, 294A.128 ~~1;~~ and 294A.200 , ~~and 294A.360;~~ each candidate who is required to file a report ~~of campaign contributions and expenses~~ pursuant to NRS 294A.120, 294A.125, 294A.128 ~~1;~~ or 294A.200 ~~for 294A.360~~ shall report on the form designed and made available by the Secretary of State pursuant to NRS 294A.373 goods and services provided in kind for which money would otherwise have been paid. The candidate shall list on the form:

(a) Each such ~~campaign~~ contribution in excess of \$100 received during the reporting period;

(b) Each such ~~campaign~~ contribution from a contributor received during the reporting period which cumulatively exceeds \$100;

(c) Each such *campaign* expense in excess of \$100 incurred during the reporting period;

(d) The total of all such ~~campaign~~ contributions received during the reporting period which are \$100 or less and which are not otherwise required to be reported pursuant to paragraph (b); and

(e) The total of all such *campaign* expenses incurred during the reporting period which are \$100 or less.

2. The Secretary of State ~~and each city clerk~~ shall not require a candidate to list the ~~campaign~~ contributions and *campaign* expenses described in this section on any form other than the form designed and made available by the Secretary of State pursuant to NRS 294A.373.

3. Except as otherwise provided in NRS 294A.373, the report required by subsection 1 must be filed in the same manner and at the



same time as the report filed pursuant to NRS 294A.120, 294A.125, 294A.128 ~~+~~ or 294A.200. ~~for 294A.360.~~

Sec. 29. NRS 294A.365 is hereby amended to read as follows:

294A.365 1. Each report ~~of expenditures~~ required pursuant to NRS 294A.210, 294A.220 and 294A.280 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 *campaign* 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 *campaign* expense or expenditure and the date on which the *campaign* expense was incurred or the expenditure was made.

2. The categories of *campaign* expense or expenditure for use on the report of *campaign* 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
- (l) Other miscellaneous expenses.

3. Each report of *campaign* expenses or expenditures described in subsection 1 must list the disposition of any unspent ~~campaign~~ contributions using the categories set forth in subsection 3 of NRS 294A.160 or subsection 4 of NRS 294A.286 ~~+~~, as applicable.

Sec. 30. NRS 294A.370 is hereby amended to read as follows:

294A.370 1. A newspaper, radio broadcasting station, outdoor advertising company, television broadcasting station, direct mail advertising company, printer or other person or group of persons which accepts, broadcasts, disseminates, prints or publishes:



(a) Advertising ~~for or against~~ *for or against* any candidate or a group of *such* candidates;

(b) Political advertising for any person other than a candidate; or

(c) Advertising for the passage or defeat of a question or group of questions on the ballot,

➤ shall, during the period beginning at least 10 days before each primary election ~~primary city election~~ *or* general election ~~general city election~~ and ending at least 30 days after the election, make available for inspection information setting forth the cost of all such advertisements accepted and broadcast, disseminated or published. The person or entity shall make the information available at any reasonable time and not later than 3 days after it has received a request for such information.

2. For purposes of this section, the necessary cost information is made available if a copy of each bill, receipt or other evidence of payment made out for any such advertising is kept in a record or file, separate from the other business records of the enterprise and arranged alphabetically by name of the candidate or the person or group which requested the advertisement, at the principal place of business of the enterprise.

Sec. 31. NRS 294A.373 is hereby amended to read as follows:

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

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

3. The Secretary of State shall make available to each candidate, person, committee ~~or~~ *and* political party that is required to file a report ~~described in subsection 1.~~ *pursuant to this chapter:*

(a) If the candidate, person, committee or political party has submitted an affidavit to the Secretary of State pursuant to NRS 294A.3733 or 294A.3737, as applicable, a copy of the form; or

(b) If the candidate, person, committee or political party is required to submit the report electronically to the Secretary of State, access through a secure website to the form.

4. If the candidate, person, committee or political party is required to submit electronically a report described in subsection 1,



the form must be signed electronically under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.

5. The Secretary of State must obtain the advice and consent of the Legislative Commission before making a copy of, or access to, a form designed or revised by the Secretary of State pursuant to this section available to a candidate, person, committee or political party.

Sec. 32. NRS 294A.3733 is hereby amended to read as follows:

294A.3733 1. A candidate who is required to file a report ~~{described in subsection 1 of NRS 294A.373}~~ *pursuant to this chapter* is not required to file the report electronically if the candidate:

(a) Did not receive or expend money in excess of \$10,000 after becoming a candidate pursuant to NRS 294A.005; and

(b) Has on file with the Secretary of State an affidavit which satisfies the requirements set forth in subsection 2 and which states that:

(1) The candidate does not own or have the ability to access the technology necessary to file electronically the report ; ~~{described in subsection 1 of NRS 294A.373;}~~ and

(2) The candidate does not have the financial ability to purchase or obtain access to the technology necessary to file electronically the report . ~~{described in subsection 1 of NRS 294A.373.}~~

2. The affidavit described in subsection 1 must be:

(a) In the form prescribed by the Secretary of State and signed under an oath to God or penalty of perjury. A candidate who signs the affidavit under an oath to God is subject to the same penalties as if the candidate had signed the affidavit under penalty of perjury.

(b) Filed not later than 15 days before the candidate is required to file a report ~~{described in subsection 1 of NRS 294A.373.}~~ *pursuant to this chapter.*

3. A candidate who is not required to file the report electronically may file the report by transmitting the report by regular mail, certified mail, facsimile machine or personal delivery. A report transmitted pursuant to this subsection shall be deemed to be filed on the date on which it is received by the Secretary of State.



Sec. 33. NRS 294A.3737 is hereby amended to read as follows:

294A.3737 1. A person, committee or political party that is required to file a report ~~{described in subsection 1 of NRS 294A.373}~~ *pursuant to this chapter* is not required to file the report electronically if the person, committee or political party:

(a) Did not receive or expend money in excess of \$10,000 in the previous calendar year; and

(b) Has on file with the Secretary of State an affidavit which satisfies the requirements set forth in subsection 2 and which states that:

(1) The person, committee or political party does not own or have the ability to access the technology necessary to file electronically the report ; ~~{described in subsection 1 of NRS 294A.373}~~; and

(2) The person, committee or political party does not have the financial ability to purchase or obtain access to the technology necessary to file electronically the report . ~~{described in subsection 1 of NRS 294A.373}~~

2. The affidavit described in subsection 1 must be:

(a) In the form prescribed by the Secretary of State and signed under an oath to God or penalty of perjury. A person who signs the affidavit under an oath to God is subject to the same penalties as if the person had signed the affidavit under penalty of perjury.

(b) Filed:

(1) At least 15 days before any report ~~{described in subsection 1 of NRS 294A.373}~~ is required to be filed *pursuant to this chapter* by the person, committee or political party.

(2) Not earlier than January 1 and not later than January 15 of each year, regardless of whether or not the person, committee or political party was required to file any report ~~{described in subsection 1 of NRS 294A.373}~~ *pursuant to this chapter* in the previous year.

3. A person, committee or political party that has properly filed the affidavit pursuant to this section may file the relevant report with the Secretary of State by transmitting the report by regular mail, certified mail, facsimile machine or personal delivery. A report transmitted pursuant to this subsection shall be deemed to be filed on the date on which it is received by the Secretary of State.

Sec. 34. NRS 294A.390 is hereby amended to read as follows:

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

1. A declaration of candidacy;



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

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

↳ shall furnish the candidate or entity 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 ~~§~~ **or** 294A.280 ~~for 294A.360~~ relating to the making, accepting or reporting of ~~campaign~~ contributions, **campaign** expenses or expenditures and the penalties for a violation of those provisions as set forth in NRS 294A.100 or 294A.420, and an explanation of NRS 294A.286 and 294A.287 relating to the accepting or reporting of contributions received by and expenditures made from a legal defense fund and the penalties for a violation of those provisions as set forth in NRS 294A.287 and 294A.420, must be developed by the Secretary of State and provided upon request. The candidate or entity shall acknowledge receipt of the material.

Sec. 35. 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.286 ~~§, 294A.360~~ and 294A.362, prepare and make available for public inspection a compilation of:

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

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

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

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

- (a) Person ~~on behalf of~~ **for or against** a candidate other than the person.

- (b) Group of persons advocating the election or defeat of a candidate.

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



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

(a) A person who is not under the direction or control of a candidate or group of candidates or of any person involved in the campaign of ~~the~~ a candidate or group who makes an expenditure ~~on behalf of the~~ for or against a candidate or group which is not solicited or approved by ~~the~~ a candidate or group.

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

6. The total contributions received by and expenditures made from a legal defense fund.

Sec. 36. NRS 294A.410 is hereby amended to read as follows:

294A.410 1. If it appears that the provisions of this chapter have been violated, the Secretary of State may:

(a) Conduct an investigation concerning the alleged violation and cause the appropriate proceedings to be instituted and prosecuted in the First Judicial District Court; or

(b) Refer the alleged violation to the Attorney General. The Attorney General shall investigate the alleged violation and institute and prosecute the appropriate proceedings in the First Judicial District Court without delay.

2. A person who believes that any provision of this chapter has been violated may notify the Secretary of State, in writing, of the alleged violation. The notice must be signed by the person alleging the violation and include:

(a) The full name and address of the person alleging the violation;

(b) A clear and concise statement of facts sufficient to establish that the alleged violation occurred;

(c) Any evidence substantiating the alleged violation;

(d) A certification by the person alleging the violation that the facts alleged in the notice are true to the best knowledge and belief of that person; and

(e) Any other information in support of the alleged violation.

3. As soon as practicable after receiving a notice of an alleged violation pursuant to subsection 2, the Secretary of State shall provide a copy of the notice and any accompanying information to the person, if any, alleged in the notice to have committed the violation. Any response submitted to the notice must be accompanied by a short statement of the grounds, if any, for objecting to the alleged violation and include any evidence substantiating the objection.



4. If the Secretary of State determines, based on a notice of an alleged violation received pursuant to subsection 2, that reasonable suspicion exists that a violation of this chapter has occurred, the Secretary of State may conduct an investigation of the alleged violation.

5. If a notice of an alleged violation is received pursuant to subsection 2 not later than 180 days after the general election ~~† general city election†~~ or special election for the office or ballot question to which the notice pertains, the Secretary of State, when conducting an investigation of the alleged violation pursuant to subsection 4, may subpoena witnesses and require the production by subpoena of any books, papers, correspondence, memoranda, agreements or other documents or records that the Secretary of State or a designated officer or employee of the Secretary of State determines are relevant or material to the investigation and are in the possession of:

(a) Any person alleged in the notice to have committed the violation; or

(b) If the notice does not include the name of a person alleged to have committed the violation, any person who the Secretary of State or a designated officer or employee of the Secretary of State has reasonable cause to believe produced or disseminated the materials that are the subject of the notice.

6. If a person fails to testify or produce any documents or records in accordance with a subpoena issued pursuant to subsection 5, the Secretary of State or designated officer or employee may apply to the court for an order compelling compliance. A request for an order of compliance may be addressed to:

(a) The district court in and for the county where service may be obtained on the person refusing to testify or produce the documents or records, if the person is subject to service of process in this State; or

(b) A court of another state having jurisdiction over the person refusing to testify or produce the documents or records, if the person is not subject to service of process in this State.

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

294A.420 1. If the Secretary of State receives information that a ***candidate***, person, committee or entity that is subject to the provisions of NRS 294A.120, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.230, 294A.250, 294A.270, 294A.280 ~~††~~ ***or*** 294A.286 ~~†or 294A.360†~~ has not filed a report or form for registration pursuant to the applicable provisions of those sections, the Secretary of State may, after giving notice to that



candidate, person, committee or entity, cause the appropriate proceedings to be instituted in the First Judicial District Court.

2. Except as otherwise provided in this section, a *candidate*, person, committee or entity that violates an applicable provision of this chapter is subject to a civil penalty of not more than \$5,000 for each violation and payment of court costs and attorney's fees. The civil penalty must be recovered in a civil action brought in the name of the State of Nevada by the Secretary of State in the First Judicial District Court and deposited by the Secretary of State for credit to the State General Fund in the bank designated by the State Treasurer.

3. If a civil penalty is imposed because a *candidate*, person, committee or entity has reported its contributions, *campaign* 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.

5. The remedies and penalties provided by this chapter are cumulative, do not abrogate and are in addition to any other remedies and penalties that may exist at law or in equity, including, without limitation, any criminal penalty that may be imposed pursuant to this chapter or NRS 199.120, 199.145 or 239.330.



Sec. 38. NRS 294A.360 is hereby repealed.

Sec. 39. This act becomes effective on July 1, 2013.

