

SENATE BILL NO. 246—SENATORS JONES AND SPEARMAN

MARCH 13, 2013

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to committees for political action. (BDR 24-674)

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

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

AN ACT relating to campaign practices; amending the definition of “committee for political action” to include certain organizations and entities that receive contributions or make expenditures in excess of certain amounts for the purpose of affecting an election; requiring such organizations and entities to register as committees for political action; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 1** of this bill revises the definition of “committee for political action” to
2 include any business or social organization, corporation, partnership, association,
3 trust, unincorporated organization or labor union that: (1) has as its primary purpose
4 affecting the outcome of an election and for that purpose receives in excess of
5 \$1,500 in contributions or makes expenditures in excess of \$1,500 in a calendar
6 year; or (2) does not have as its primary purpose affecting the outcome of an
7 election but for that purpose receives in excess of \$5,000 in contributions or makes
8 expenditures in excess of \$5,000 in a calendar year. **Section 2** of this bill requires
9 all such organizations and entities to register with the Secretary of State not later
10 than 7 calendar days after qualifying as a committee for political action.

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

1 **Section 1.** NRS 294A.0055 is hereby amended to read as
2 follows:
3 294A.0055 1. “Committee for political action” means ~~any~~ :



1 (a) Any group of natural persons or entities that solicits or
2 receives contributions from any other person, group or entity and:

3 ~~(a)~~ (1) Makes or intends to make contributions to candidates
4 or other persons; or

5 ~~(b)~~ (2) Makes or intends to make expenditures,
6 ➔ designed to affect the outcome of any primary election, primary
7 city election, general election, general city election, special election
8 or question on the ballot.

9 (b) Any business or social organization, corporation,
10 partnership, association, trust, unincorporated organization or
11 labor union:

12 (1) Which has as its primary purpose affecting the outcome
13 of any primary election, primary city election, general election,
14 general city election, special election or any question on the ballot
15 and for that purpose receives contributions in excess of \$1,500 in
16 a calendar year or makes expenditures in excess of \$1,500 in a
17 calendar year; or

18 (2) Which does not have as its primary purpose affecting
19 the outcome of any primary election, primary city election, general
20 election, general city election, special election or any question on
21 the ballot, but for the purpose of affecting the outcome of any
22 election or question on the ballot receives contributions in excess
23 of \$5,000 in a calendar year or makes expenditures in excess of
24 \$5,000 in a calendar year.

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

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

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

32 (c) An individual natural person.

33 (d) ~~(A)~~ Except as otherwise provided in paragraph (b) of
34 subsection 1, an individual corporation or other business
35 organization who has filed articles of incorporation or other
36 documentation of organization with the Secretary of State pursuant
37 to title 7 of NRS.

38 (e) ~~(A)~~ Except as otherwise provided in paragraph (b) of
39 subsection 1, a labor union.

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

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



* S B 2 4 6 R 1 *

1 **Sec. 2.** NRS 294A.230 is hereby amended to read as follows:
2 294A.230 1. ~~Each~~ *Except as otherwise provided in*
3 *subsection 2, each* committee for political action shall, before it
4 engages in any activity in this State, register with the Secretary of
5 State on forms supplied by the Secretary of State.

6 2. *A person who qualifies as a committee for political action*
7 *in accordance with:*

8 (a) *Subparagraph (1) of paragraph (b) of subsection 1 of NRS*
9 *294A.0055 by receiving contributions in excess of \$1,500 in a*
10 *calendar year or making expenditures in excess of \$1,500 in a*
11 *calendar year; or*

12 (b) *Subparagraph (2) of paragraph (b) of subsection 1 of NRS*
13 *294A.0055 by receiving contributions in excess of \$5,000 in a*
14 *calendar year or making expenditures in excess of \$5,000 in a*
15 *calendar year,*

16 *↪ shall, not later than 7 calendar days after the qualifying event,*
17 *register with the Secretary of State on forms supplied by the*
18 *Secretary of State.*

19 3. The form must require:

20 (a) The name of the committee ~~H~~ *for political action;*

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

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

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

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

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

30 ~~3-1~~ 4. A committee for political action shall file with the
31 Secretary of State:

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

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

38 ~~14-1~~ 5. The Secretary of State shall include on the Secretary of
39 State's Internet website the information required pursuant to
40 subsection ~~12-~~

41 ~~5-1~~ 3.

42 6. For purposes of the civil penalty that the Secretary of State
43 may impose pursuant to NRS 294A.420 for violating the provisions
44 of subsection 1 ~~H~~ *or 2*, if a committee for political action fails to
45 register with the Secretary of State pursuant to subsection 1 ~~H~~ *or 2*,



- 1 each time the committee for political action engages in any activity
- 2 in this State constitutes a separate violation of subsection 1 *or* 2 for
- 3 which the Secretary of State may impose a civil penalty.

