

ASSEMBLY BILL NO. 45—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE SECRETARY OF STATE)

PREFILED NOVEMBER 17, 2016

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to public office. (BDR 24-426)

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

~

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

AN ACT relating to public office; defining the term “voter registration drive”; establishing the deadline for a major political party to file a certificate of nomination for the offices of President and Vice President of the United States; requiring a nongovernmental entity that sends a notice relating to voter registration to include certain information in the notice; authorizing the Secretary of State to adopt by regulation qualifications to assist in a voter registration drive; amending the deadline for a minor political party to file a certificate of nomination for the offices of President and Vice President of the United States; updating citations in Nevada Revised Statutes to certain provisions of federal law; setting forth the duties of persons who participate in a voter registration drive; revising the campaign finance reporting requirements for certain candidates, persons, committees and parties relating to a special election to recall a public officer; authorizing the Secretary of State to adopt by regulation qualifications for a person to circulate a petition for initiative or referendum; setting forth the requirements to withdraw a petition for initiative or referendum; requiring a person who intends to circulate a petition for initiative or referendum to submit certain information to the Secretary of State; extending, under certain circumstances, the deadline for submitting for verification certain petitions for initiative; clarifying that a copy of a petition of candidacy of an independent candidate for the office of President of the United States must be filed with the Secretary of State before the petition is circulated for signatures; authorizing the Secretary of State to investigate and impose civil penalties for certain violations of law relating to financial disclosure statements; requiring a financial disclosure statement to be signed under an oath to God or penalty of perjury; providing penalties; and providing other matters properly relating thereto.



* A B 4 5 *

Legislative Counsel's Digest:

Section 2 of this bill defines a "voter registration drive" as an effort undertaken to: (1) distribute applications to register to vote; or (2) assist persons to complete or submit applications to register to vote or update or correct their voter registration information. **Section 5** of this bill authorizes the Secretary of State to adopt by regulation qualifications for a person to assist in a voter registration drive.

Existing law prohibits a person who assists other persons in registering to vote from: (1) delegating duties to another person; (2) refusing to register a person to vote on account of that person's political party affiliation; (3) registering persons who are not qualified electors or who fail to provide proof of identification and residence; or (4) failing to deliver to county clerks by certain deadlines completed applications to register to vote. (NRS 293.505) **Section 14** of this bill provides that such acts are also prohibited of persons who assist in voter registration drives.

Section 4 of this bill requires a nongovernmental entity that sends a notice to a person indicating the person is not or may not be registered to vote or requesting the person to register to vote to indicate on the notice that it is not official elections mail from the Secretary of State or a county or city clerk.

Existing law requires a minor political party that wishes to place candidates for President and Vice President of the United States on the ballot to file with the Secretary of State a certificate of nomination for these offices not later than the last Tuesday in August. (NRS 293.1725) **Section 7** of this bill moves that deadline to the first Tuesday in August preceding the general election. **Section 3** of this bill applies the same deadline to major political parties, and **section 33** of this bill makes a conforming change.

Existing law relating to elections cites to various provisions of federal law, including the Voting Rights Act of 1965 (52 U.S.C. §§ 10101 to 10301 et seq.), the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. §§ 20301 et seq.), the Military and Overseas Voter Empowerment Act (52 U.S.C. §§ 20302 et seq.) and the Help America Vote Act (52 U.S.C. §§ 15482 et seq.). (NRS 293.208, 293.2699, 293.309, 293.4685, 293.502, 293.504, 293.505, 293C.305, 293D.050, 293D.110, 293D.200, 293D.230, 293D.300, 293D.320, 293D.410, 293D.530) **Sections 8-13 and 15-23** of this bill update the citations to these federal laws.

Existing law sets forth campaign finance reporting requirements for candidates and certain persons and committees that accept contributions and make expenditures related to a special election to recall a public officer. (NRS 294A.120, 294A.140, 294A.200, 294A.210) **Sections 24-27** of this bill set forth the reporting requirements that apply where no such special election is held because the petition for recall is not submitted for verification or is submitted for verification but is legally insufficient.

Section 29 of this bill authorizes the Secretary of State to adopt by regulation qualifications for a person to circulate a petition for initiative or referendum.

Existing law requires a copy of a petition for initiative or referendum to be placed on file with the Secretary of State before it may be circulated for signatures. (NRS 295.015) **Section 31** of this bill requires that the person who intends to circulate the petition must also submit to the Secretary of State a form that includes: (1) the person's name and signature; (2) the name of any committee for political action formed by the person to advocate the passage of the initiative or referendum; and (3) the names of persons who are authorized to withdraw the petition or submit a revised petition. **Section 30** of this bill provides that a petition may be withdrawn if one of those authorized persons submits a notice of withdrawal to the Secretary of State.

Existing law provides that if a petition for initiative proposes a statute or an amendment to a statute, the petition must be submitted for verification not later than the second Tuesday in November of an even-numbered year. (NRS 295.056) **Section 32** of this bill provides that if the second Tuesday in November of an



even-numbered year is the day of the general election, that deadline is instead the next working day after the election.

Existing law requires that if a person desires to be an independent candidate for President of the United States, the person must circulate a nominating petition and obtain a certain number of signatures. Existing law also requires that a copy of that petition be filed with the Secretary of State. (NRS 298.109) **Section 34** of this bill clarifies that the copy must be filed with the Secretary of State before the petition is circulated for signatures.

Existing law requires certain candidates and public officers to submit financial disclosure statements to the Secretary of State. (NRS 281.556-281.581) **Section 37** of this bill requires that a financial disclosure statement be signed by the candidate or public officer under an oath to God or penalty of perjury. **Section 35** of this bill authorizes the Secretary of State to conduct investigations and impose civil penalties on candidates and public officers who do not comply with the statutory requirements applicable to financial disclosure statements.

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

Section 1. Chapter 293 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. “Voter registration drive” means an effort undertaken by a person to:

1. Distribute applications to register to vote; or

2. Assist:

(a) Electors to complete or submit applications to register to vote; or

(b) Registered voters to update or correct their existing voter registration information.

Sec. 3. A major political party that wishes to place candidates for the offices of President and Vice President of the United States on the ballot for the general election must file with the Secretary of State a certificate of nomination for these offices not later than the first Tuesday in August preceding the general election.

Sec. 4. Any nongovernmental entity that sends a notice to a person:

1. Indicating that the person is not or may not be registered to vote in this State; or

2. Requesting that the person register to vote in this State, must indicate clearly on the notice that it is not official elections mail from the Secretary of State or a county or city clerk.

Sec. 5. The Secretary of State may adopt by regulation qualifications for a person to assist in a voter registration drive.

Sec. 6. NRS 293.010 is hereby amended to read as follows:

293.010 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 293.013 to 293.121,



1 inclusive, *and section 2 of this act* have the meanings ascribed to
2 them in those sections.

3 **Sec. 7.** NRS 293.1725 is hereby amended to read as follows:

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

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

9 (b) Files or will file a petition pursuant to paragraph (c) of
10 subsection 2 of NRS 293.1715,

11 ➔ must file with the Secretary of State a list of its candidates for
12 partisan office not earlier than the first Monday in March preceding
13 the election nor later than 5 p.m. on the second Friday after the first
14 Monday in March. The list must be signed by the person so
15 authorized in the certificate of existence of the minor political party
16 before a notary public or other person authorized to take
17 acknowledgments. The list may be amended not later than 5 p.m. on
18 the second Friday after the first Monday in March.

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

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

29 4. A minor political party that wishes to place candidates for
30 the offices of President and Vice President of the United States on
31 the ballot and has qualified to place the names of its candidates for
32 partisan office on the ballot for the general election pursuant to
33 subsection 2 of NRS 293.1715 must file with the Secretary of State
34 a certificate of nomination for these offices not later than the ~~fast~~
35 *first* Tuesday in August ~~+~~ *preceding the general election.*

36 **Sec. 8.** NRS 293.208 is hereby amended to read as follows:

37 293.208 1. Except as otherwise provided in subsections 2, 3
38 and 5 and in NRS 293.206, no election precinct may be created,
39 divided, abolished or consolidated, or the boundaries thereof
40 changed, during the period between the third Wednesday in March
41 of any year whose last digit is 6 and the time when the Legislature
42 has been redistricted in a year whose last digit is 1, unless the
43 creation, division, abolishment or consolidation of the precinct, or
44 the change in boundaries thereof, is:

45 (a) Ordered by a court of competent jurisdiction;



(b) Required to meet objections to a precinct by the Attorney General of the United States pursuant to the Voting Rights Act of 1965, ~~42 U.S.C. §§ 1971 and 1973~~ **52 U.S.C. §§ 10101 and 10301** et seq., and any amendments thereto;

(c) Required to comply with subsection 2 of NRS 293.205;

(d) Required by the incorporation of a new city; or

(e) Required by the creation of or change in the boundaries of a special district.

➔ As used in this subsection, "special district" means any general improvement district or any other quasi-municipal corporation organized under the local improvement and service district laws of this State as enumerated in title 25 of NRS which is required by law to hold elections or any fire protection district which is required by law to hold elections.

2. If a city annexes an unincorporated area located in the same county as the city and adjacent to the corporate boundary, the annexed area may be included in an election precinct immediately adjacent to it.

3. A new election precinct may be established at any time if it lies entirely within the boundaries of any existing precinct.

4. If a change in the boundaries of an election precinct is made pursuant to this section during the time specified in subsection 1, the county clerk must:

(a) Within 15 days after the change to the boundary of a precinct is established by the county clerk or ordered by a court, send to the Director of the Legislative Counsel Bureau and the Secretary of State a copy or electronic file of a map showing the new boundaries of the precinct; and

(b) Maintain in his or her office an index providing the name of the precinct and describing all changes which were made, including any change in the name of the precinct and the name of any new precinct created within the boundaries of an existing precinct.

5. Cities of population categories two and three are exempt from the provisions of subsection 1.

6. As used in this section, "electronic file" includes, without limitation, an electronic data file of a geographic information system.

Sec. 9. NRS 293.2699 is hereby amended to read as follows:

293.2699 1. Each voting system used by a county or city shall provide voting materials in English and other languages in compliance with the provisions of ~~42 U.S.C. § 1973aa-1a.~~ **52 U.S.C. § 10503.**

2. As used in this section, the term "voting materials" has the meaning ascribed to it in ~~42 U.S.C. § 1973aa-1a.~~ **52 U.S.C. § 10503.**



Sec. 10. NRS 293.309 is hereby amended to read as follows:

293.309 1. The county clerk of each county shall prepare an absent ballot for the use of registered voters who have requested absent ballots. The county clerk shall make reasonable accommodations for the use of the absent ballot by a person who is elderly or disabled, including, without limitation, by providing, upon request, the absent ballot in 12-point type to a person who is elderly or disabled.

2. The ballot must be prepared and ready for distribution to a registered voter who:

(a) Resides within the State, not later than 20 days before the election in which it is to be used;

(b) Except as otherwise provided in paragraph (c), resides outside the State, not later than 40 days before a primary or general election, if possible; or

(c) Requested an absent ballot pursuant to the provisions of the Uniformed and Overseas Citizens Absentee Voting Act, ~~42 U.S.C. §§ 1973ff~~ **52 U.S.C. § 20301** et seq., not later than 45 days before the election.

3. Any legal action which would prevent the ballot from being issued pursuant to subsection 2 is moot and of no effect.

Sec. 11. NRS 293.4685 is hereby amended to read as follows:

293.4685 1. The Secretary of State shall:

(a) Provide information regarding voter registration and absentee voting by Armed Forces personnel and overseas voters;

(b) Within 90 days after the date of each general election and general city election in which electors voted for federal offices, submit to the Election Assistance Commission established pursuant to ~~42 U.S.C. § 15321~~ **52 U.S.C. § 20921** a report of the combined number of absentee ballots transmitted to absent Armed Forces personnel and overseas voters for the election and the combined number of such ballots that were returned by such voters and cast in the election;

(c) Make each report submitted pursuant to paragraph (b) available to the public; and

(d) Adopt any regulations which are necessary to comply with the provisions of the Help America Vote Act of 2002, Public Law 107-252, and which are not inconsistent with the provisions of this chapter to the extent the provisions of this chapter are consistent with the Help America Vote Act of 2002, Public Law 107-252.

2. Each county and city clerk shall provide such information as is requested by the Secretary of State to comply with the provisions of this section.

Sec. 12. NRS 293.502 is hereby amended to read as follows:

293.502 1. An elector:



(a) Who complies with the requirements for registration set forth in the Uniformed and Overseas Citizens Absentee Voting Act, ~~42 U.S.C. §§ 1973ff~~ **52 U.S.C. §§ 20301** et seq.;

(b) Who, not more than 60 days before an election:

(1) Is discharged from the Armed Forces of the United States or is the spouse or dependent of an elector who is discharged from the Armed Forces; or

(2) Is separated from employment outside the territorial limits of the United States or is the spouse or dependent of an elector who is separated from employment outside the territorial limits of the United States;

(c) Who presents evidence of the discharge from the Armed Forces or separation from employment described in paragraph (b) to the county clerk; and

(d) Is not registered to vote at the close of registration for that election,

➔ must be allowed to register to vote in the election.

2. Such an elector must:

(a) Register in person; and

(b) Vote in the office of the county clerk unless the elector is otherwise entitled to vote an absent ballot pursuant to federal law.

3. The Secretary of State shall adopt regulations to carry out a program of registration for such electors.

Sec. 13. NRS 293.504 is hereby amended to read as follows:

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

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

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

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

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

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

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

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

2. Each voter registration agency shall:

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

(b) Except as otherwise provided in subsection 3, distribute applications to register to vote which may be returned by mail with any application for services or assistance from the agency or submitted for any other purpose and with each application for



1 recertification, renewal or change of address submitted to the
2 agency that relates to such services, assistance or other purpose;

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

6 (d) Accept completed applications to register to vote.

7 3. A voter registration agency is not required to provide an
8 application to register to vote pursuant to paragraph (b) of
9 subsection 2 to a person who applies for or receives services or
10 assistance from the agency or submits an application for any other
11 purpose if the person declines to register to vote and submits to the
12 agency a written form that meets the requirements of ~~42 U.S.C. §~~
13 ~~1973gg-5(a)(6)~~ **52 U.S.C. § 20506(a)(6)**. No information related to
14 the declination to register to vote may be used for any purpose other
15 than voter registration.

16 4. Except as otherwise provided in this subsection and NRS
17 293.524, any application to register to vote accepted by a voter
18 registration agency must be transmitted to the county clerk not later
19 than 10 days after the application is accepted. The applications must
20 be forwarded daily during the 2 weeks immediately preceding the
21 fifth Sunday preceding an election. The county clerk shall accept
22 any application to register to vote which is obtained from a voter
23 registration agency pursuant to this section and completed by the
24 fifth Sunday preceding an election if the county clerk receives the
25 application not later than 5 days after that date.

26 5. The Secretary of State shall cooperate with the Secretary of
27 Defense to develop and carry out procedures to enable persons in
28 this State to apply to register to vote at recruitment offices of the
29 United States Armed Forces.

30 **Sec. 14.** NRS 293.505 is hereby amended to read as follows:

31 293.505 1. All justices of the peace, except those located in
32 county seats, are ex officio field registrars to carry out the
33 provisions of this chapter.

34 2. The county clerk shall appoint at least one registered voter to
35 serve as a field registrar of voters who, except as otherwise provided
36 in NRS 293.5055, shall register voters within the county for which
37 the field registrar is appointed. Except as otherwise provided in
38 subsection 1, a candidate for any office may not be appointed or
39 serve as a field registrar. A field registrar serves at the pleasure of
40 the county clerk and shall perform such duties as the county clerk
41 may direct. The county clerk shall not knowingly appoint any
42 person as a field registrar who has been convicted of a felony
43 involving theft or fraud. The Secretary of State may bring an action
44 against a county clerk to collect a civil penalty of not more than
45 \$5,000 for each person who is appointed as a field registrar in



1 violation of this subsection. Any civil penalty collected pursuant to
2 this subsection must be deposited with the State Treasurer for credit
3 to the State General Fund.

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

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

11 5. Each field registrar shall forward to the county clerk all
12 completed applications in his or her possession immediately after
13 the fifth Sunday preceding an election. Within 5 days after the fifth
14 Sunday preceding any general election or general city election, a
15 field registrar shall return all unused applications in his or her
16 possession to the county clerk. If all of the unused applications are
17 not returned to the county clerk, the field registrar shall account for
18 the unreturned applications.

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

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

26 8. A field registrar, employee of a voter registration agency or
27 person assisting a voter pursuant to subsection 13 of NRS 293.5235
28 *or as part of a voter registration drive* shall not:

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

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

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

35 10. A county clerk, field registrar, employee of a voter
36 registration agency or person assisting a voter pursuant to subsection
37 13 of NRS 293.5235 shall not:

38 (a) Solicit a vote for or against a particular question or
39 candidate;

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

42 (c) Distribute any petition or other material concerning a
43 candidate or question which will be on the ballot for the ensuing
44 election,

45 ↪ while registering an elector.



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

- (a) The number of persons registered; and
- (b) The political party of the persons registered.

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

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

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

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

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

(b) Shall not alter, deface or destroy an application to register to vote that has been signed by an elector except to correct information contained in the application after receiving notice from the elector that a change in or addition to the information is required.

14. *A person who as part of a voter registration drive accepts a completed application to register to vote from an elector during the 2 weeks immediately preceding the fifth Sunday preceding an election shall:*

(a) Deliver the completed application in person to the county clerk not later than the fifth Sunday preceding the election; or

(b) Mail the completed application to the county clerk not later than the fifth Sunday preceding the election as indicated by the date of the postmark dated by the post office on the envelope in which it is was mailed.

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

~~15.1~~ 16. A person who violates any of the provisions of subsection 8, 9, 10, 12, ~~10.1~~ 13 *or 14* is guilty of a category E felony and shall be punished as provided in NRS 193.130.



Sec. 15. NRS 293C.305 is hereby amended to read as follows:

293C.305 1. The city clerk shall prepare an absent ballot for the use of registered voters who have requested absent ballots. The city clerk shall make reasonable accommodations for the use of the absent ballot by a person who is elderly or disabled, including, without limitation, by providing, upon request, the absent ballot in 12-point type to a person who is elderly or disabled.

2. The ballot must be prepared and ready for distribution to a registered voter who:

(a) Except as otherwise provided in paragraph (b), resides within or outside this State, not later than 20 days before the election in which it will be used.

(b) Requested an absent ballot pursuant to the provisions of the Uniformed and Overseas Citizens Absentee Voting Act, ~~42 U.S.C. §§ 1973ff~~ 52 U.S.C. §§ 20301 et seq., not later than 45 days before the election.

3. Any legal action that would prevent the ballot from being issued pursuant to subsection 2 is moot and of no effect.

Sec. 16. NRS 293D.050 is hereby amended to read as follows:

293D.050 “Military-overseas ballot” means:

1. A federal write-in absentee ballot described in section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, ~~42 U.S.C. § 1973ff 2;~~ 52 U.S.C. § 20303;

2. A ballot specifically prepared or distributed for use by a covered voter in accordance with this chapter; or

3. Any other ballot cast by a covered voter in accordance with this chapter.

Sec. 17. NRS 293D.110 is hereby amended to read as follows:

293D.110 In applying and construing this chapter, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that have enacted the Uniformed and Overseas Citizens Absentee Voting Act, ~~42 U.S.C. § 1973ff~~ 52 U.S.C. §§ 20301 et seq.

Sec. 18. NRS 293D.200 is hereby amended to read as follows:

293D.200 1. The Secretary of State shall make available to covered voters information regarding voter registration procedures for covered voters and procedures for casting military-overseas ballots.

2. The Secretary of State shall establish a system of approved electronic transmission through which covered voters may apply for, receive and send documents and other information pursuant to this chapter. The system of approved electronic transmission must include, without limitation, a method by which a covered voter may provide his or her digital signature or electronic signature on any document or other material that is necessary for the covered voter to



1 register to vote, apply for a military-overseas ballot or cast a
2 military-overseas ballot pursuant to this chapter.

3 3. The Secretary of State shall develop standardized absentee-
4 voting materials, including, without limitation, privacy and
5 transmission envelopes and their electronic equivalents,
6 authentication materials and voting instructions, to be used with the
7 military-overseas ballot of a covered voter authorized to vote in any
8 jurisdiction in this State and, to the extent reasonably possible, shall
9 do so in coordination with other states.

10 4. The Secretary of State shall prescribe the form and content
11 of a declaration for use by a covered voter to swear or affirm
12 specific representations pertaining to the covered voter's identity,
13 eligibility to vote, status as a covered voter and timely and proper
14 completion of a military-overseas ballot. The declaration must be
15 based on the declaration prescribed to accompany a federal write-in
16 absentee ballot under section 103 of the Uniformed and Overseas
17 Citizens Absentee Voting Act, ~~42 U.S.C. § 1973ff-2,~~ **52 U.S.C. §**
18 **20303**, as modified to be consistent with this chapter. The Secretary
19 of State shall ensure that a form for the execution of the declaration,
20 including an indication of the date of execution of the declaration, is
21 a prominent part of all balloting materials for which the declaration
22 is required.

23 5. The Secretary of State shall prescribe by regulation the
24 duties of a local elections official upon receipt of a military-overseas
25 ballot, including, without limitation, the procedures to be used by a
26 local elections official in accepting, handling and counting a
27 military-overseas ballot.

28 **Sec. 19.** NRS 293D.230 is hereby amended to read as follows:

29 293D.230 1. In addition to any other method of registering to
30 vote set forth in chapter 293 of NRS, a covered voter may use a
31 federal postcard application, as prescribed under section 101(b)(2)
32 of the Uniformed and Overseas Citizens Absentee Voting Act, ~~42~~
33 ~~U.S.C. § 1973ff(b)(2),~~ **52 U.S.C. § 20301(b)(2)**, or the
34 application's electronic equivalent, to apply to register to vote.

35 2. A covered voter may use the declaration accompanying the
36 federal write-in absentee ballot, as prescribed under section 103 of
37 the Uniformed and Overseas Citizens Absentee Voting Act, ~~42~~
38 ~~U.S.C. § 1973ff-2,~~ **52 U.S.C. § 20303**, to apply to register to vote
39 simultaneously with the submission of the federal write-in absentee
40 ballot, if the declaration is received by the seventh day before the
41 election. If the declaration is received after the seventh day before
42 the election, it must be treated as an application to register to vote
43 for subsequent elections.



3. The Secretary of State shall ensure that the system of approved electronic transmission described in subsection 2 of NRS 293D.200 is capable of accepting:

(a) Both a federal postcard application and any other approved electronic registration application sent to the appropriate local elections official; and

(b) A digital signature or an electronic signature of a covered voter on the documents described in paragraph (a).

4. The covered voter may use the system of approved electronic transmission or any other method set forth in chapter 293 of NRS to register to vote.

Sec. 20. NRS 293D.300 is hereby amended to read as follows:

293D.300 1. A covered voter who is registered to vote in this State may apply for a military-overseas ballot by submitting a federal postcard application, as prescribed under section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act, ~~42 U.S.C. § 1973ff(b)(2),~~ **52 U.S.C. § 20301(b)(2),** or the application's electronic equivalent, pursuant to this section.

2. A covered voter who is not registered to vote in this State may use the federal postcard application or the application's electronic equivalent simultaneously to apply to register to vote pursuant to NRS 293D.230 and to apply for a military-overseas ballot.

3. The Secretary of State shall ensure that the system of approved electronic transmission described in subsection 2 of NRS 293D.200 is capable of accepting the submission of:

(a) Both a federal postcard application and any other approved electronic military-overseas ballot application sent to the appropriate local elections official; and

(b) A digital signature or an electronic signature of a covered voter on the documents described in paragraph (a).

4. A covered voter may use approved electronic transmission or any other method approved by the Secretary of State to apply for a military-overseas ballot.

5. A covered voter may use the declaration accompanying the federal write-in absentee ballot, as prescribed under section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, ~~42 U.S.C. § 1973ff 2,~~ **52 U.S.C. § 20303,** as an application for a military-overseas ballot simultaneously with the submission of the federal write-in absentee ballot, if the declaration is received by the appropriate local elections official by the seventh day before the election.

6. To receive the benefits of this chapter, a covered voter must inform the appropriate local elections official that he or she is a



covered voter. Methods of informing the appropriate local elections official that a person is a covered voter include, without limitation:

(a) The use of a federal postcard application or federal write-in absentee ballot;

(b) The use of an overseas address on an approved voting registration application or ballot application; and

(c) The inclusion on an application to register to vote or an application for a military-overseas ballot of other information sufficient to identify that the person is a covered voter.

7. This chapter does not prohibit a covered voter from applying for an absent ballot pursuant to the provisions of NRS 293.315 or voting in person.

Sec. 21. NRS 293D.320 is hereby amended to read as follows:

293D.320 1. For all covered elections for which this State has not received a waiver pursuant to section 579 of the Military and Overseas Voter Empowerment Act, ~~42 U.S.C. § 1973ff-1(g)(2),~~ **52 U.S.C. § 20302(g)(2)**, not later than 45 days before the election or, if the 45th day before the election is a weekend or holiday, not later than the business day preceding the 45th day, the local elections official in each jurisdiction charged with distributing military-overseas ballots and balloting materials shall transmit military-overseas ballots and balloting materials to all covered voters who by that date submit a valid application for military-overseas ballots.

2. A covered voter who requests that a military-overseas ballot and balloting materials be sent to the covered voter by approved electronic transmission may choose to receive the military-overseas ballot and balloting materials by:

(a) Facsimile transmission;

(b) Electronic mail delivery; or

(c) The system of approved electronic transmission that is established by the Secretary of State pursuant to subsection 2 of NRS 293D.200.

➤ The local elections official in each jurisdiction shall transmit the military-overseas ballot and balloting materials to the covered voter using the means of approved electronic transmission chosen by the covered voter.

3. If an application for a military-overseas ballot from a covered voter arrives after the jurisdiction begins transmitting ballots and balloting materials to other voters, the local elections official shall transmit the military-overseas ballot and balloting materials to the covered voter not later than 2 business days after the application arrives.

Sec. 22. NRS 293D.410 is hereby amended to read as follows:

293D.410 1. Except as otherwise provided in subsection 2, a covered voter may use the federal write-in absentee ballot, in



1 accordance with section 103 of the Uniformed and Overseas
2 Citizens Absentee Voting Act, ~~42 U.S.C. § 1973ff-2,~~ **52 U.S.C. §**
3 **20303**, to vote for all offices and ballot measures in an election.

4 2. If the covered voter indicates on the federal write-in
5 absentee ballot that he or she is residing overseas indefinitely, the
6 covered voter may only use the federal write-in absentee ballot to
7 vote for federal offices.

8 **Sec. 23.** NRS 293D.530 is hereby amended to read as follows:

9 293D.530 If a covered voter's mistake or omission in the
10 completion of a document under this chapter does not prevent
11 determining whether a covered voter is eligible to vote, the mistake
12 or omission does not invalidate the document. Failure to satisfy a
13 nonessential requirement, including, without limitation, using paper
14 or envelopes of a specified size or weight, does not invalidate any
15 document submitted under this chapter. In any write-in ballot
16 authorized by this chapter, if the intention of the covered voter is
17 discernable under this State's uniform definition of what constitutes
18 a vote, as required by the Help America Vote Act of 2002, ~~42~~
19 ~~U.S.C. § 15481(a)(6),~~ **52 U.S.C. § 21081(a)(6)**, an abbreviation,
20 misspelling or other minor variation in the form of the name of a
21 candidate or a political party must be accepted as a valid vote.

22 **Sec. 24.** NRS 294A.120 is hereby amended to read as follows:

23 294A.120 1. Every candidate for office at a primary election
24 or general election shall, not later than January 15 of each year, for
25 the period from January 1 of the previous year through December 31
26 of the previous year, report:

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

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

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

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

37 2. Every candidate for office at a primary election or general
38 election shall, not later than:

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

42 (b) Four days before the primary election for that office, for the
43 period from 24 days before the primary election through 5 days
44 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 contribution described in subsection 1 received during the period.

3. Except as otherwise provided in subsections 4, ~~land~~ 5 and 6, and NRS 294A.223, every candidate for office at a special election shall, not later than:

(a) Four days before the beginning of early voting by personal appearance for the special election, for the period from the candidate's nomination through 5 days before the beginning of early voting by personal appearance for the special election;

(b) Four days before the special election, for the period from 4 days before the beginning of early voting by personal appearance for the special election through 5 days before the special election; and

(c) 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.

4. Except as otherwise provided in ~~subsection~~ subsections 5 and 6 and NRS 294A.223, every candidate for office at a special election to determine whether a public officer will be recalled shall, not later than:

(a) Four 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 the petition for recall is filed pursuant to NRS 306.015 through the 5 days before the beginning of early voting by personal appearance for the special election;

(b) Four days before the special election, for the period from 4 days before the beginning of early voting by personal appearance for the special election through 5 days before the special election; and

(c) 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. *Except as otherwise provided in subsection 6, if a petition for recall is not submitted to the filing officer before the expiration of the notice of intent pursuant to the provisions of chapter 306 of NRS or is otherwise legally insufficient when submitted to the filing officer pursuant to the provisions of that chapter, every*



1 *candidate for office at a special election to determine whether a*
2 *public officer will be recalled shall, not later than 30 days after the*
3 *expiration of the notice of intent, for the period from the filing of*
4 *the notice of intent through the date that the notice of intent*
5 *expires or the petition is determined to be legally insufficient,*
6 *report each contribution described in subsection 1. The provisions*
7 *of this subsection apply to the candidate for office at a special*
8 *election if the petition for recall:*

9 (a) *Is not submitted to the filing officer as required by chapter*
10 *306 of NRS;*

11 (b) *Is submitted to the filing officer without any valid*
12 *signatures or with fewer than the necessary number of valid*
13 *signatures required by chapter 306 of NRS; or*

14 (c) *Is otherwise legally insufficient or efforts to obtain the*
15 *necessary number of valid signatures required by chapter 306 of*
16 *NRS are suspended or discontinued.*

17 6. If a district court determines that a petition for recall is
18 legally insufficient pursuant to subsection 6 of NRS 306.040, every
19 candidate for office at a special election to determine whether a
20 public officer will be recalled shall, not later than 30 days after the
21 district court orders the officer with whom the petition is filed to
22 cease any further proceedings regarding the petition, for the period
23 from the filing of the notice of intent to circulate the petition for
24 recall through the date of the district court's order, report each
25 contribution described in subsection 1 received during the period.

26 ~~16-1~~ 7. Except as otherwise provided in NRS 294A.3733,
27 reports of contributions must be filed electronically with the
28 Secretary of State.

29 ~~17-1~~ 8. A report shall be deemed to be filed on the date that it
30 was received by the Secretary of State.

31 ~~18-1~~ 9. The name and address of the contributor and the date on
32 which the contribution was received must be included on the report
33 for each contribution in excess of \$100 and contributions which a
34 contributor has made cumulatively in excess of that amount since
35 the beginning of the current reporting period.

36 **Sec. 25.** NRS 294A.140 is hereby amended to read as follows:
37 294A.140 1. The provisions of this section apply to:

38 (a) Every person who makes an independent expenditure in
39 excess of \$1,000; and

40 (b) Every committee for political action, political party and
41 committee sponsored by a political party which receives
42 contributions in excess of \$1,000 or makes an expenditure for or
43 against a candidate for office or a group of such candidates.

44 2. Every person, committee and political party described in
45 subsection 1 shall, not later than January 15 of each year that the



provisions of this subsection apply, for the period from January 1 of the previous year through December 31 of the previous year, report each 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 provisions of this subsection apply to the person, committee or political party beginning the year of the general election for that office through the year immediately preceding the next general election for that office.

3. Every person, committee and political party described in subsection 1 shall, 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 contribution in excess of \$1,000 received during the period and contributions received during the period from a contributor which cumulatively exceed \$1,000.

4. Except as otherwise provided in subsections 5 , ~~land~~ 6 and 7 and NRS 294A.223, every person, committee and political party described in subsection 1 which makes an independent expenditure or other expenditure, as applicable, for or against a candidate for office at a special election or for or against a group of such candidates shall, not later than:

(a) Four days before the beginning of early voting by personal appearance for the special election, for the period from the nomination of the candidate through 5 days before the beginning of early voting by personal appearance for the special election;

(b) Four days before the special election, for the period from 4 days before the beginning of early voting by personal appearance for the special election through 5 days before the special election;

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

→ report each contribution in excess of \$1,000 received during the period and contributions received during the period from a contributor which cumulatively exceed \$1,000.



5. Except as otherwise provided in ~~subsection~~ *subsections 6 and 7* and NRS 294A.223, every person, committee and political party described in subsection 1 which makes an independent expenditure or other expenditure, as applicable, 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 special elections shall, not later than:

(a) Four 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 5 days before the beginning of early voting by personal appearance for the special election;

(b) Four days before the special election, for the period from 4 days before the beginning of early voting by personal appearance for the special election through 5 days before the special election; and

(c) Thirty days after the special election, for the remaining period through the date of the special election, report each contribution in excess of \$1,000 received during the period and contributions received during the period from a contributor which cumulatively exceed \$1,000.

6. *Except as otherwise provided in subsection 7, if a petition for recall is not submitted to the filing officer before the expiration of the notice of intent pursuant to the provisions of chapter 306 of NRS or is otherwise legally insufficient when submitted to the filing officer pursuant to the provisions of that chapter, every person, committee and political party described in subsection 1 which makes an independent expenditure or other expenditure, as applicable, 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 expiration of the notice of intent, for the period from the filing of the notice of intent through the date that the notice of intent expires or the petition is determined to be legally insufficient, report each contribution in excess of \$1,000 received and contributions received which cumulatively exceed \$1,000. The provisions of this subsection apply to the person, committee and political party if the petition for recall:*

(a) Is not submitted to the filing officer as required by chapter 306 of NRS;

(b) Is submitted to the filing officer without any valid signatures or with fewer than the necessary number of valid signatures required by chapter 306 of NRS; or



(c) Is otherwise legally insufficient or efforts to obtain the necessary number of valid signatures required by chapter 306 of NRS are suspended or discontinued.

7. If a district court determines that 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 independent expenditure or other expenditure, as applicable, 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 order, report each contribution in excess of \$1,000 received during the period and contributions received during the period which cumulatively exceed \$1,000.

~~7.1~~ 8. Except as otherwise provided in NRS 294A.3737, the reports of contributions required pursuant to this section must be filed electronically with the Secretary of State.

~~8.1~~ 9. A report shall be deemed to be filed on the date that it was received by the Secretary of State.

~~9.1~~ 10. Every person, committee and political party described in this section shall file a report required by this section even if the person, committee or political party receives no contributions.

~~10.1~~ 11. 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 \$1,000 since the beginning of the current reporting period.

Sec. 26. NRS 294A.200 is hereby amended to read as follows:

294A.200 1. Every candidate for 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 3 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 3 of NRS 294A.286 which are \$100 or less.

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



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

4 (b) Each year immediately succeeding a calendar year during
5 which the candidate disposes of contributions pursuant to NRS
6 294A.160 or 294A.286.

7 3. Every candidate for office at a primary election or general
8 election shall, not later than:

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

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

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

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

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

23 4. Except as otherwise provided in subsections 5 , ~~and~~ 6 and
24 7 and NRS 294A.223, every candidate for office at a special election
25 shall, not later than:

26 (a) Four days before the beginning of early voting by personal
27 appearance for the special election, for the period from the
28 candidate's nomination through 5 days before the beginning of early
29 voting by personal appearance for the special election;

30 (b) Four days before the special election, for the period from 4
31 days before the beginning of early voting by personal appearance
32 for the special election through 5 days before the special election;
33 and

34 (c) Thirty days after the special election, for the remaining
35 period through the date of the special election,

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

38 5. Except as otherwise provided in ~~subsection~~ subsections 6
39 and 7 and NRS 294A.223, every candidate for office at a special
40 election to determine whether a public officer will be recalled shall,
41 not later than:

42 (a) Four days before the beginning of early voting by personal
43 appearance for the special election, for the period from the date the
44 notice of intent to circulate the petition for recall is filed pursuant to



1 NRS 306.015 through 5 days before the beginning of early voting
2 by personal appearance for the special election;

3 (b) Four days before the special election, for the period from 4
4 days before the beginning of early voting by personal appearance
5 for the special election through 5 days before the special election;
6 and

7 (c) Thirty days after the special election, for the remaining
8 period through the date of the special election,

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

11 6. *Except as otherwise provided in subsection 7, if a petition*
12 *for recall is not submitted to the filing officer before the expiration*
13 *of the notice of intent pursuant to the provisions of chapter 306 of*
14 *NRS or is otherwise legally insufficient when submitted to the*
15 *filing officer pursuant to the provisions of that chapter, every*
16 *candidate for office at a special election to determine whether a*
17 *public officer will be recalled shall, not later than 30 days after the*
18 *expiration of the notice of intent, for the period from the filing of*
19 *the notice of intent through the date that the notice of intent*
20 *expires or the petition is determined to be legally insufficient,*
21 *report each of the campaign expenses described in subsection 1*
22 *incurred during the period. The provisions of this subsection apply*
23 *to the candidate for office at a special election if the petition for*
24 *recall:*

25 (a) *Is not submitted to the filing officer as required by chapter*
26 *306 of NRS;*

27 (b) *Is submitted to the filing officer without any valid*
28 *signatures or with fewer than the necessary number of valid*
29 *signatures required by chapter 306 of NRS; or*

30 (c) *Is otherwise legally insufficient or efforts to obtain the*
31 *necessary number of valid signatures required by chapter 306 of*
32 *NRS are suspended or discontinued.*

33 7. If a district court determines that a petition for recall is
34 legally insufficient pursuant to subsection 6 of NRS 306.040, every
35 candidate for office at a special election to determine whether a
36 public officer will be recalled shall, not later than 30 days after the
37 district orders the officer with whom the petition is filed to cease
38 any further proceedings regarding the petition, for the period from
39 the filing of the notice of intent to circulate the petition for recall
40 through the date of the district court's order, report each of the
41 campaign expenses described in subsection 1 incurred during the
42 period.

43 ~~7.1~~ 8. Except as otherwise provided in NRS 294A.3733,
44 reports of campaign expenses must be filed electronically with the
45 Secretary of State.



~~18.1~~ 9. A report shall be deemed to be filed on the date that it was received by the Secretary of State.

Sec. 27. NRS 294A.210 is hereby amended to read as follows:
294A.210 1. The provisions of this section apply to:

(a) Every person who makes an independent expenditure in excess of \$1,000; and

(b) Every committee for political action, political party and committee sponsored by a political party which receives contributions in excess of \$1,000 or makes an expenditure 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 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 independent expenditure or other expenditure, as applicable, made during the period in excess of \$1,000 and independent expenditures or other expenditures, as applicable, made during the period to one recipient which cumulatively exceed \$1,000. The provisions of this subsection apply to the person, committee or political party beginning the year of the general election for that office through the year immediately preceding the next general election for that office.

3. Every person, committee and political party described in subsection 1 shall, 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 independent expenditure or other expenditure, as applicable, in excess of \$1,000 made during the period and independent expenditures or other expenditures, as applicable, made during the period to one recipient which cumulatively exceed \$1,000.

4. Except as otherwise provided in subsections 5 , ~~and~~ 6 and 7 and NRS 294A.223, every person, committee and political party described in subsection 1 which makes an independent expenditure or other expenditure, as applicable, for or against a candidate for



1 office at a special election or for or against a group of such
2 candidates shall, not later than:

3 (a) Four days before the beginning of early voting by personal
4 appearance for the special election, for the period from the
5 nomination of the candidate through 5 days before the beginning of
6 early voting by personal appearance for the special election;

7 (b) Four days before the special election, for the period from 4
8 days before the beginning of early voting by personal appearance
9 for the special election through 5 days before the special election;
10 and

11 (c) Thirty days after the special election, for the remaining
12 period through the date of the special election,

13 ↪ report each independent expenditure or other expenditure, as
14 applicable, in excess of \$1,000 made during the period and
15 independent expenditures or other expenditures, as applicable, made
16 during the period to one recipient which cumulatively exceed
17 \$1,000.

18 5. Except as otherwise provided in ~~subsection~~ **subsections 6**
19 **and 7** and NRS 294A.223, every person, committee and political
20 party described in subsection 1 which makes an independent
21 expenditure or other expenditure, as applicable, for or against a
22 candidate for office at a special election to determine whether a
23 public officer will be recalled or for or against a group of such
24 candidates shall, not later than:

25 (a) Four days before the beginning of early voting by personal
26 appearance for the special election, for the period from the date the
27 notice of intent to circulate the petition for recall is filed pursuant to
28 NRS 306.015 through 5 days before the beginning of early voting
29 by personal appearance for the special election;

30 (b) Four days before the special election, for the period from 4
31 days before the beginning of early voting by personal appearance
32 for the special election through 5 days before the special election;
33 and

34 (c) Thirty days after the special election, for the remaining
35 period through the date of the special election,

36 ↪ report each independent expenditure or other expenditure, as
37 applicable, in excess of \$1,000 made during the period and
38 independent expenditures or other expenditures, as applicable, made
39 during the period to one recipient which cumulatively exceed
40 \$1,000.

41 6. *Except as otherwise provided in subsection 7, if a petition*
42 *for recall is not submitted to the filing officer before the expiration*
43 *of the notice of intent pursuant to the provisions of chapter 306 of*
44 *NRS or is otherwise legally insufficient when submitted to the*
45 *filing officer pursuant to the provisions of that chapter, every*



1 *person, committee and political party described in subsection 1*
2 *which makes an independent expenditure or other expenditure, as*
3 *applicable, for or against a candidate for office at a special*
4 *election to determine whether a public officer will be recalled or*
5 *for or against a group of such candidates shall, not later than 30*
6 *days after the expiration of the notice of intent, for the period from*
7 *the filing of the notice of intent through the date that the notice of*
8 *intent expires or the petition is determined to be legally*
9 *insufficient, report each of the campaign expenses described in*
10 *subsection 1 incurred during the period. The provisions of this*
11 *subsection apply to the person, committee and political party if the*
12 *petition for recall:*

13 *(a) Is not submitted to the filing officer as required by chapter*
14 *306 of NRS;*

15 *(b) Is submitted to the filing officer without any valid*
16 *signatures or with fewer than the necessary number of valid*
17 *signatures required by chapter 306 of NRS; or*

18 *(c) Is otherwise legally insufficient or efforts to obtain the*
19 *necessary number of valid signatures required by chapter 306 of*
20 *NRS are suspended or discontinued.*

21 **7.** If a district court determines that the petition for recall is
22 legally insufficient pursuant to subsection 6 of NRS 306.040, every
23 person, committee and *political* party described in subsection 1
24 which makes an independent expenditure or other expenditure, as
25 applicable, for or against a candidate for office at a special election
26 to determine whether a public officer will be recalled or for or
27 against a group of such candidates shall, not later than 30 days after
28 the district court orders the officer with whom the petition is filed to
29 cease any further proceedings regarding the petition, for the period
30 from the filing of the notice of intent to circulate the petition for
31 recall through the date of the district court's order, report each
32 independent expenditure or other expenditure, as applicable, in
33 excess of \$1,000 made during the period and independent
34 expenditures or expenditures, as applicable, made during the period
35 to one recipient which cumulatively exceed \$1,000.

36 ~~7-1~~ **8.** Independent expenditures and other expenditures made
37 within the State or made elsewhere but for use within the State,
38 including independent expenditures and other expenditures made
39 outside the State for printing, television and radio broadcasting or
40 other production of the media, must be included in the report.

41 ~~8-1~~ **9.** Except as otherwise provided in NRS 294A.3737, the
42 reports must be filed electronically with the Secretary of State.

43 ~~9-1~~ **10.** If an independent expenditure or other expenditure, as
44 applicable, is made for or against a group of candidates, the reports
45 must be itemized by the candidate.



~~10.1~~ 11. 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.

Sec. 28. Chapter 295 of NRS is hereby amended by adding thereto the provisions set forth as sections 29 and 30 of this act.

Sec. 29. *The Secretary of State may adopt by regulation qualifications for a person to circulate a petition for initiative or referendum.*

Sec. 30. 1. *A petition for initiative or referendum may be withdrawn if a person authorized pursuant to NRS 295.015 to withdraw the petition submits a notice of withdrawal to the Secretary of State on a form prescribed by the Secretary of State.*

2. *Once a petition for initiative or referendum is withdrawn pursuant to subsection 1, no further action may be taken on that petition.*

Sec. 31. NRS 295.015 is hereby amended to read as follows:

295.015 1. Before a petition for initiative or referendum may be presented to the registered voters for their signatures, *the person who intends to circulate the petition must:*

(a) *File* a copy of the petition for initiative or referendum, including the description required pursuant to NRS 295.009, ~~must be placed on file~~ with the Secretary of State.

(b) *Submit to the Secretary of State on a form prescribed by the Secretary of State:*

(1) *The name and signature of the person.*

(2) *If the person has formed a committee for political action for the purposes of advocating the passage of the initiative or referendum, the name of that committee for political action.*

(3) *The names of not more than three persons who are authorized to withdraw the petition or submit an amended petition.*

2. If a petition for initiative or referendum or a description of the effect of an initiative or referendum required pursuant to NRS 295.009 is amended after the petition is placed on file with the Secretary of State pursuant to subsection 1:

(a) The revised petition must be placed on file with the Secretary of State before it is presented to the registered voters for their signatures;

(b) Any signatures that were collected on the original petition before it was amended are not valid; and

(c) The requirements for submission of the petition to each county clerk set forth in NRS 295.056 apply to the revised petition.

3. Upon receipt of a petition for initiative or referendum placed on file pursuant to subsection 1 or 2:



(a) The Secretary of State shall consult with the Fiscal Analysis Division of the Legislative Counsel Bureau to determine if the initiative or referendum may have any anticipated financial effect on the State or local governments if the initiative or referendum is approved by the voters. If the Fiscal Analysis Division determines that the initiative or referendum may have an anticipated financial effect on the State or local governments if the initiative or referendum is approved by the voters, the Division must prepare a fiscal note that includes an explanation of any such effect.

(b) The Secretary of State shall consult with the Legislative Counsel regarding the petition for initiative or referendum. The Legislative Counsel may provide technical suggestions regarding the petition for initiative or referendum.

4. Not later than 10 business days after the Secretary of State receives a petition for initiative or referendum filed pursuant to subsection 1 or 2, the Secretary of State shall post a copy of the petition, including the description required pursuant to NRS 295.009, any fiscal note prepared pursuant to subsection 3 and any suggestions made by the Legislative Counsel pursuant to subsection 3, on the Secretary of State's Internet website.

Sec. 32. NRS 295.056 is hereby amended to read as follows:

295.056 1. Before a petition for initiative or referendum is filed with the Secretary of State, the petitioners must submit to each county clerk for verification pursuant to NRS 293.1276 to 293.1279, inclusive, the document or documents which were circulated for signature within the clerk's county. The clerks shall give the person submitting a document or documents a receipt stating the number of documents and pages and the person's statement of the number of signatures contained therein.

2. If a petition for initiative proposes a statute or an amendment to a statute, the document or documents must be submitted not later than :

(a) Except as otherwise provided in paragraph (b), the second Tuesday in November of an even-numbered year.

(b) If the second Tuesday in November of an even-numbered year is the day of the general election, the next working day after the general election.

3. If a petition for initiative proposes an amendment to the Constitution, the document or documents must be submitted not later than the third Tuesday in June of an even-numbered year.

4. If the petition is for referendum, the document or documents must be submitted not later than the third Tuesday in June of an even-numbered year.

5. All documents which are submitted to a county clerk for verification must be submitted at the same time. If documents



1 concerning the same petition are submitted for verification to more
2 than one county clerk, the documents must be submitted to each
3 county clerk on the same day. At the time that the petition is
4 submitted to a county clerk for verification, the petitioners may
5 designate a contact person who is authorized by the petitioners to
6 address questions or issues relating to the petition.

7 **Sec. 33.** NRS 298.035 is hereby amended to read as follows:

8 298.035 1. Each major political party shall, at the state
9 convention of the major political party held in that year, select from
10 the qualified electors who are legally registered members of the
11 major political party:

12 (a) A nominee to the position of presidential elector; and

13 (b) An alternate to the nominee for presidential elector,

14 ➤ for each position of presidential elector required by law.

15 2. Each minor political party shall choose from the qualified
16 electors who are legally registered members of the minor political
17 party:

18 (a) A nominee to the position of presidential elector; and

19 (b) An alternate to the nominee for presidential elector,

20 ➤ for each position of presidential elector required by law. The
21 person who is authorized to file the list of candidates for partisan
22 office of the minor political party with the Secretary of State
23 pursuant to NRS 293.1725 shall, not later than the ~~Hast~~ *first*
24 Tuesday in August ~~H~~ *preceding the general election*, submit to the
25 Secretary of State the list of nominees for presidential elector and
26 alternates.

27 3. Each independent candidate nominated for the office of
28 President pursuant to NRS 298.109 shall, at the time of filing the
29 petition as required pursuant to subsection 1 of NRS 298.109, or
30 within 10 days thereafter, choose from the qualified electors:

31 (a) A nominee to the position of presidential elector; and

32 (b) An alternate to the nominee for presidential elector,

33 ➤ for each position of presidential elector required by law.

34 **Sec. 34.** NRS 298.109 is hereby amended to read as follows:

35 298.109 1. A person who desires to be an independent
36 candidate for the office of President of the United States must, not
37 later than 5 p.m. on the second Friday in August in each year in
38 which a presidential election is to be held, pay a filing fee of \$250
39 and file with the Secretary of State a declaration of candidacy and a
40 petition of candidacy, in which the person must also designate
41 a nominee for Vice President. The petition must be signed by a
42 number of registered voters equal to not less than 1 percent of the
43 total number of votes cast at the last preceding general election for
44 candidates for the offices of Representative in Congress and must
45 request that the names of the proposed candidates be placed on the



1 ballot at the general election that year. The candidate shall file a
2 copy of the petition the person intends to circulate for signatures
3 with the Secretary of State ~~HH~~ *before the petition may be circulated*
4 *for signatures.*

5 2. The petition may consist of more than one document. Each
6 document must bear the name of a county and only registered voters
7 of that county may sign the document. The documents which are
8 circulated for signature in a county must be submitted to that county
9 clerk for verification in the manner prescribed in NRS 293.1276 to
10 293.1279, inclusive, not later than 25 working days before the last
11 day to file the petition of candidacy with the Secretary of State
12 pursuant to subsection 1. Each person signing shall add to his or her
13 signature the address of the place at which he or she resides, the date
14 that he or she signs and the name of the county wherein he or she is
15 registered to vote. Each document of the petition must also contain
16 the affidavit of the person who circulated the document that all
17 signatures thereon are genuine to the best of the person's knowledge
18 and belief and were signed in his or her presence by persons
19 registered to vote in that county.

20 3. If the candidacy of any person who seeks to qualify pursuant
21 to this section is challenged, all affidavits and documents in support
22 of the challenge must be filed with the First Judicial District Court
23 not later than 5 p.m. on the fourth Tuesday in August. Any judicial
24 proceeding relating to the challenge must be set for hearing not later
25 than 5 days after the fourth Tuesday in August.

26 4. The county clerk shall not disqualify the signature of a voter
27 who fails to provide all the information required by this section if
28 the voter is registered in the county named on the document.

29 **Sec. 35.** Chapter 281 of NRS is hereby amended by adding
30 thereto a new section to read as follows:

31 *1. Except as otherwise provided in NRS 281.581, if it appears*
32 *that a violation of any provision of this section and NRS 281.556*
33 *to 281.581, inclusive, has occurred, the Secretary of State may*
34 *conduct an investigation concerning the alleged violation and*
35 *cause the appropriate proceedings to be instituted in the First*
36 *Judicial District Court.*

37 *2. A person who believes that a violation of any provision of*
38 *this section and NRS 281.556 to 281.581, inclusive, has occurred*
39 *may notify the Secretary of State, in writing, of the alleged*
40 *violation. The notice must be signed by the person alleging the*
41 *violation and include:*

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

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



1 (c) Any evidence substantiating the alleged violation;

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

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

6 3. As soon as practicable after receiving a notice of an
7 alleged violation pursuant to subsection 2, the Secretary of State
8 shall provide a copy of the notice and any accompanying
9 information to the person, if any, alleged in the notice to have
10 committed the violation.

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

16 5. If a notice of an alleged violation is received pursuant to
17 subsection 2 not later than 180 days after the submission of the
18 financial disclosure statement to which the notice pertains, the
19 Secretary of State, when conducting an investigation of the alleged
20 violation pursuant to subsection 4, may subpoena witnesses and
21 require by subpoena the production of any books, papers,
22 correspondence, memoranda, agreements or other documents or
23 records that the Secretary of State or a designated officer
24 or employee of the Secretary of State determines are relevant or
25 material to the investigation and are in the possession of:

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

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

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

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

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



1 7. *Except as otherwise provided in this section and NRS*
2 *281.581, a person who violates an applicable provision of this*
3 *section and NRS 281.556 to 281.581, inclusive, is subject to a civil*
4 *penalty of not more than \$5,000 for each violation and payment of*
5 *court costs and attorney's fees. The civil penalty must be recovered*
6 *in a civil action brought in the name of the State of Nevada by the*
7 *Secretary of State in the First Judicial District Court and*
8 *deposited by the Secretary of State for credit to the State General*
9 *Fund in the bank designated by the State Treasurer.*

10 8. *For good cause shown, the Secretary of State may waive a*
11 *civil penalty that would otherwise be imposed pursuant to this*
12 *section. When considering whether to waive a civil penalty that*
13 *would otherwise be imposed pursuant to subsection 7, the*
14 *Secretary of State may consider, without limitation:*

15 (a) *The seriousness of the violation, including, without*
16 *limitation, the nature, circumstances and extent of the violation;*

17 (b) *Any history of violations committed by the person against*
18 *whom the civil penalty would otherwise be imposed;*

19 (c) *Any mitigating factors, including, without limitation,*
20 *whether the person against whom the civil penalty would*
21 *otherwise be imposed reported the violation, corrected the*
22 *violation in a timely manner, attempted to correct the violation or*
23 *cooperated with the Secretary of State in resolving the situation*
24 *that led to the violation;*

25 (d) *Whether the violation was inadvertent;*

26 (e) *Any knowledge or experience the person has with the*
27 *provisions of this section and NRS 281.556 to 281.581, inclusive;*
28 *and*

29 (f) *Any other factor that the Secretary of State deems to be*
30 *relevant.*

31 9. *If the Secretary of State waives a civil penalty pursuant to*
32 *subsection 8, the Secretary of State shall:*

33 (a) *Create a record which sets forth that the civil penalty has*
34 *been waived and describes the circumstances that constitute good*
35 *cause for the waiver; and*

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

38 10. *The remedies and penalties provided by this section and*
39 *NRS 281.556 to 281.581, inclusive, are cumulative, do not*
40 *abrogate and are in addition to any other remedies and penalties*
41 *that may exist at law or in equity, including, without limitation,*
42 *any criminal penalty that may be imposed pursuant to NRS*
43 *199.120, 199.145 or 239.330.*



Sec. 36. NRS 281.556 is hereby amended to read as follows:

281.556 As used in NRS 281.556 to 281.581, inclusive, *and section 35 of this act*, unless the context otherwise requires, the words and terms defined in NRS 281.558 to 281.5587, inclusive, have the meanings ascribed to them in those sections.

Sec. 37. NRS 281.571 is hereby amended to read as follows:

281.571 **1.** Each financial disclosure statement must contain the following information concerning the public officer or candidate:

~~(1)~~ **(a)** The public officer's or candidate's length of residence in the State of Nevada and the district in which the public officer or candidate is registered to vote.

~~(2)~~ **(b)** Each source of the public officer's or candidate's income, or that of any member of the public officer's or candidate's household who is 18 years of age or older. No listing of individual clients, customers or patients is required, but if that is the case, a general source such as "professional services" must be disclosed.

~~(3)~~ **(c)** A list of the specific location and particular use of real estate, other than a personal residence:

~~(a)~~ **(1)** In which the public officer or candidate or a member of the public officer's or candidate's household has a legal or beneficial interest;

~~(b)~~ **(2)** Whose fair market value is \$2,500 or more; and

~~(c)~~ **(3)** That is located in this State or an adjacent state.

~~(4)~~ **(d)** The name of each creditor to whom the public officer or candidate or a member of the public officer's or candidate's household owes \$5,000 or more, except for:

~~(a)~~ **(1)** A debt secured by a mortgage or deed of trust of real property which is not required to be listed pursuant to *paragraph (c) of subsection 1*; and

~~(b)~~ **(2)** A debt for which a security interest in a motor vehicle for personal use was retained by the seller.

~~(5)~~ **(e)** If the public officer or candidate has undertaken or attended any educational or informational meetings, events or trips during the immediately preceding calendar year or other period for which the public officer or candidate is filing the financial disclosure statement, a list of all such meetings, events or trips, including:

~~(a)~~ **(1)** The purpose and location of the meeting, event or trip and the name of the organization conducting, sponsoring, hosting or requesting the meeting, event or trip;

~~(b)~~ **(2)** The identity of each interested person providing anything of value to the public officer or candidate or a member of the public officer's or candidate's household to undertake or attend the meeting, event or trip; and



~~(e)~~ (3) The aggregate value of everything provided by those interested persons to the public officer or candidate or a member of the public officer's or candidate's household to undertake or attend the meeting, event or trip.

~~(f)~~ (f) If the public officer or candidate has received any gifts in excess of an aggregate value of \$200 from a donor during the immediately preceding calendar year or other period for which the public officer or candidate is filing the financial disclosure statement, a list of all such gifts, including the identity of the donor and the value of each gift.

~~(g)~~ (g) A list of each business entity with which the public officer or candidate or a member of the public officer's or candidate's household is involved as a trustee, beneficiary of a trust, director, officer, owner in whole or in part, limited or general partner, or holder of a class of stock or security representing 1 percent or more of the total outstanding stock or securities issued by the business entity.

~~(h)~~ (h) A list of all public offices presently held by the public officer or candidate for which this financial disclosure statement is required.

2. A financial disclosure statement must be signed by the public officer or candidate under an oath to God or penalty of perjury. The public officer or candidate who signs the affidavit under an oath to God is subject to the same penalties as if the public officer or candidate had signed the affidavit under penalty of perjury.

Sec. 38. NRS 281.5745 is hereby amended to read as follows:
281.5745 The Secretary of State may adopt regulations necessary to carry out the provisions of NRS 281.556 to 281.581, inclusive ~~(j)~~, *and section 35 of this act.*

Sec. 39. 1. This section and sections 1, 3, 4, 7 to 13, inclusive, 15 to 28, inclusive, and 30 to 38, inclusive, of this act become effective on July 1, 2017.

2. Sections 2, 5, 6, 14 and 29 of this act become effective on:

(a) July 1, 2017, for purposes of adopting any regulations and performing any other preparatory tasks necessary to carry out the provisions of this act; and

(b) January 1, 2018, for all other purposes.

