

SENATE BILL NO. 450—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 25, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to recall elections.
(BDR 24-71)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 2, 22)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to elections; revising the provisions relating to the verification of signatures on a petition for recall of a public officer; establishing a limit on contributions to the campaign of a candidate in a recall election; requiring the disposal of unspent contributions to a candidate at a recall election; revising provisions relating to a request to remove a signature from a petition to recall a public officer; amending the deadline for filing a legal challenge to the sufficiency of a petition to recall a public officer; imposing civil and criminal penalties for violations of provisions governing recall elections; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The Nevada Constitution provides for the right of the registered voters of the State of Nevada to recall a public officer and sets forth a procedure for exercising that right, including a requirement to file a petition to demand the recall and a formula for determining the number of signatures of registered voters that is required to appear on the petition to force the recall election. The Constitution also provides that “[s]uch additional legislation as may aid the operation of this section shall be provided by law.” (Nev. Const. Art. 2, § 9) The Legislature has enacted provisions to aid the operation of the registered voters’ right to recall a public officer. (Chapter 306 of NRS) This bill makes various changes to such provisions.

Under existing law, if the Secretary of State finds that the total number of signatures submitted to all county clerks on a petition to recall a public officer is



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100 percent or more of the number of registered voters needed to declare the petition sufficient, with limited exception, each of the county clerks is required to examine the signatures by sampling them at random for verification. The random sampling must include an examination of at least 500 or 5 percent of the signatures, whichever is greater. Upon completion of the random sampling, each county clerk is required to file a certificate with the Secretary of State that includes the tally of signatures. (NRS 293.1277) If the Secretary of State determines based on the certificates from all of the relevant county clerks that the petition to recall a public officer contains a number of valid signatures equal to 90 percent or more but less than 100 percent of the number of registered voters needed to make the petition sufficient, the Secretary of State is required to order the county clerks to verify all signatures. (NRS 293.1278, 293.1279)

Sections 2, 4 and 22 of this bill: (1) eliminate the random sampling of a petition for the recall of a public officer; (2) require, instead, that each county clerk examine every signature for verification; and (3) give the county clerks 20 days, excluding weekends and holidays, to conduct such verification.

Section 17 of this bill requires a person who submits a petition for the recall of a public officer to pay the costs for the Secretary of State and county clerks to verify signatures on the petition.

Existing law sets forth limitations on making, soliciting and accepting a campaign contribution for a primary or general election. (Nev. Const. Art. 2, §10; NRS 294A.100) **Section 6** of this bill: (1) establishes a contribution limitation of \$5,000 for a special election to recall a public officer; and (2) sets forth the period during which such contributions may be made, solicited or accepted. **Section 7** of this bill provides that a contribution for a special election to recall a public officer does not affect the limitations on contributions to candidates for a primary or general election.

Existing law requires a candidate who is elected to office to dispose of unspent contributions in various ways, including using the money in the candidate's next election. A candidate who is not elected to office must dispose of unspent contributions but is not allowed to use the money as a candidate in a future election. (NRS 294A.160) **Section 10** of this bill requires every candidate for office at a special election to recall a public officer to dispose of unspent contributions and prohibits any such candidate from using the money in a future election. **Section 11** of this bill requires such a candidate to submit a report to the Secretary of State setting forth how he or she disposed of unspent contributions.

Existing law authorizes a person who signs a petition for the recall of a public officer to submit: (1) a request to the county clerk to remove the person's name from the petition before the petition is submitted for verification; and (2) a request to the Secretary of State to remove the person's name from the petition after the completion of signature verification. (NRS 306.015, 306.040) **Section 20** of this bill authorizes a person to submit a request to the county clerk to remove the person's name from the petition at any time before the signature verification is completed. **Section 23** of this bill authorizes a person to submit to the filing officer a request to remove the person's name from the petition after the signature verification is completed.

Existing law authorizes a person to file a complaint challenging the legal sufficiency of a petition to recall a public officer not more than 5 days after the Secretary of State notifies the county clerk, filing officer and public officer who is the subject of the petition that the petition contains a sufficient number of signatures. (NRS 306.040) **Section 23** amends the deadline for filing such a complaint to not later than 15 days, Saturdays, Sundays and holidays excluded, after such notification.

Existing law provides that a person is guilty of a misdemeanor for misrepresenting the intent or content of a petition for the recall of a public officer.



(NRS 306.025) **Section 21** of this bill increases the penalty to a category E felony, punishable by a minimum term of not less than 1 year and a maximum term of not more than 4 years in prison. **Section 18** of this bill provides that it is also a category E felony for a person to knowingly or negligently obtain a false signature on a petition for the recall of a public officer. **Section 19** of this bill sets forth certain civil penalties for violations of the provisions of law relating to a petition for the recall of a public officer.

Section 24 of this bill declares void certain regulations that would conflict with the amendatory provisions of this bill.

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

Section 1. NRS 293.127565 is hereby amended to read as follows:

293.127565 1. At each building that is open to the general public and occupied by the government of this State or a political subdivision of this State or an agency thereof, other than a building of a public elementary or secondary school, an area must be designated for the use of any person to gather signatures on a petition at any time that the building is open to the public. The area must be reasonable and may be inside or outside of the building. Each public officer or employee in control of the operation of a building governed by this subsection shall:

(a) Designate the area at the building for the gathering of signatures; and

(b) On an annual basis, submit to the Secretary of State and the county clerk for the county in which the building is located a notice of the area at the building designated for the gathering of signatures on a petition. The Secretary of State and the county clerks shall make available to the public a list of the areas at public buildings designated for the gathering of signatures on a petition.

2. Before a person may use an area designated pursuant to subsection 1, the person must notify the public officer or employee in control of the operation of the building governed by subsection 1 of the dates and times that the person intends to use the area to gather signatures on a petition. The public officer or employee may not deny the person the use of the area.

3. Not later than 3 working days after the date of the decision that aggrieved the person, a person aggrieved by a decision made by a public officer or employee pursuant to subsection 1 or 2 may appeal the decision to the Secretary of State. The Secretary of State shall review the decision to determine whether the public officer or employee violated subsection 1 or 2. If the Secretary of State determines a public officer or employee violated subsection 1 or 2 and that a person was denied the use of a public building for the



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purpose of gathering signatures on a petition, the Secretary of State shall order that the deadline for filing the petition provided pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, ~~306.035~~ *306.015* or 306.110 must be extended for a period equal to the time that the person was denied the use of a public building for the purpose of gathering signatures on a petition, but in no event may the deadline be extended for a period of more than 5 days.

4. The decision of the Secretary of State is a final decision for the purposes of judicial review. Not later than 7 days after the date of the decision by the Secretary of State, the decision of the Secretary of State may only be appealed in the First Judicial District Court. If the First Judicial District Court determines that the public officer or employee violated subsection 1 or 2 and that a person was denied the use of a public building for the purpose of gathering signatures on a petition, the Court shall order that the deadline for filing the petition provided pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, ~~306.035~~ *306.015* or 306.110 must be extended for a period equal to the time that the person was denied the use of a public building for the purpose of gathering signatures on a petition, but in no event may the deadline be extended for a period of more than 5 days.

5. The Secretary of State may adopt regulations to carry out the provisions of subsection 3.

Sec. 2. NRS 293.1277 is hereby amended to read as follows:

293.1277 1. If the Secretary of State finds that the total number of signatures submitted to all the county clerks is 100 percent or more of the number of registered voters needed to declare the petition sufficient, the Secretary of State shall immediately so notify the county clerks. After the notification, each of the county clerks shall determine the number of registered voters who have signed the documents submitted in the county clerk's county and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, shall tally the number of signatures for each petition district contained or fully contained within the county clerk's county. This determination must be completed within 9 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 293.128, 295.056, 298.109 ~~306.035~~ or 306.110, *within 20 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 306.035*, and within 3 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be



1 verified pursuant to NRS 293.172 or 293.200. For the purpose of
2 verification pursuant to this section, the county clerk shall not
3 include in his or her tally of total signatures any signature included
4 in the incorrect petition district.

5 2. Except as otherwise provided in ~~[subsection]~~ **subsections** 3
6 **[3]** **and 4**, if more than 500 names have been signed on the
7 documents submitted to a county clerk, the county clerk shall
8 examine the signatures by sampling them at random for verification.
9 The random sample of signatures to be verified must be drawn in
10 such a manner that every signature which has been submitted to the
11 county clerk is given an equal opportunity to be included in the
12 sample. The sample must include an examination of at least 500 or 5
13 percent of the signatures, whichever is greater. If documents were
14 submitted to the county clerk for more than one petition district
15 wholly contained within that county, a separate random sample must
16 be performed for each petition district.

17 3. If a petition district comprises more than one county and the
18 petition is for an initiative or referendum proposing a constitutional
19 amendment or a statewide measure, and if more than 500 names
20 have been signed on the documents submitted for that petition
21 district, the appropriate county clerks shall examine the signatures
22 by sampling them at random for verification. The random sample of
23 signatures to be verified must be drawn in such a manner that every
24 signature which has been submitted to the county clerks within the
25 petition district is given an equal opportunity to be included in the
26 sample. The sample must include an examination of at least 500 or 5
27 percent of the signatures presented in the petition district, whichever
28 is greater. The Secretary of State shall determine the number of
29 signatures that must be verified by each county clerk within the
30 petition district.

31 4. ***If a petition is for the recall of a public officer circulated***
32 ***pursuant to NRS 306.035, each county clerk shall:***

33 ***(a) Examine for verification every signature on the documents***
34 ***submitted to the county clerk; and***

35 ***(b) When determining the total number of valid signatures on***
36 ***the documents, remove each name of a registered voter who***
37 ***submitted a request to have his or her name removed from the***
38 ***petition pursuant to NRS 306.015.***

39 5. In determining from the records of registration the number
40 of registered voters who signed the documents, the county clerk may
41 use the signatures contained in the file of applications to register to
42 vote. If the county clerk uses that file, the county clerk shall ensure
43 that every application in the file is examined, including any
44 application in his or her possession which may not yet be entered
45 into the county clerk's records. Except as otherwise provided in



subsection ~~5.1~~ 6, the county clerk shall rely only on the appearance of the signature and the address and date included with each signature in making his or her determination.

~~5.1~~ 6. If:

(a) Pursuant to NRS 293.506, a county clerk establishes a system to allow persons to register to vote by computer; or

(b) A person registers to vote pursuant to NRS 293D.230 and signs his or her application to register to vote using a digital signature or an electronic signature,

the county clerk may rely on such other indicia as prescribed by the Secretary of State in making his or her determination.

~~6.1~~ 7. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, when the county clerk is determining the number of registered voters who signed the documents from each petition district contained fully or partially within the county clerk's county, he or she must use the statewide voter registration list available pursuant to NRS 293.675.

~~7.1~~ 8. Except as otherwise provided in subsection ~~9.1~~ 10, upon completing the examination, the county clerk shall immediately attach to the documents a certificate properly dated, showing the result of the examination, including the tally of signatures by petition district, if required, and transmit the documents with the certificate to the Secretary of State. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, if a petition district comprises more than one county, the appropriate county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the certificate. A copy of this certificate must be filed in the clerk's office. When the county clerk transmits the certificate to the Secretary of State, the county clerk shall notify the Secretary of State of the number of requests to remove a name received by the county clerk pursuant to NRS 295.055. ~~for 306.015.~~

~~8.1~~ 9. A person who submits a petition to the county clerk which is required to be verified pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110 must be allowed to witness the verification of the signatures. A public officer who is the subject of a recall petition must also be allowed to witness the verification of the signatures on the petition.

~~9.1~~ 10. For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not transmit to the Secretary of State the documents containing the signatures of the registered voters.



~~10.1~~ **II.** The Secretary of State shall by regulation establish further procedures for carrying out the provisions of this section.

Sec. 3. NRS 293.1278 is hereby amended to read as follows:

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

2. If those certificates establish that the number of valid signatures is equal to or more than the sum of 100 percent of the number of registered voters needed to make the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 ~~for 306.015~~ and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, that the petition has the minimum number of signatures required for each petition district, the petition shall be deemed to qualify as of the date of receipt by the Secretary of State of those certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

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

Sec. 4. NRS 293.1279 is hereby amended to read as follows:

293.1279 1. ~~HH~~ *Except for a petition to recall a public officer submitted pursuant to NRS 306.015, if* the statistical sampling *of a petition* shows that the number of valid signatures filed is 90 percent or more, but less than the sum of 100 percent of the number of signatures of registered voters needed to declare the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 , ~~for 306.015,~~ the Secretary of State shall order the county clerks to



1 examine the signatures for verification. The county clerks shall
2 examine the signatures for verification until they determine that 100
3 percent of the number of signatures of registered voters needed to
4 declare the petition sufficient are valid. If the county clerks received
5 a request to remove a name pursuant to NRS 295.055, ~~{or 306.015,}~~
6 the county clerks may not determine that 100 percent of the number
7 of signatures of registered voters needed to declare the petition
8 sufficient are valid until they have removed each name as requested
9 pursuant to NRS 295.055. ~~{or 306.015.}~~

10 2. Except as otherwise provided in this subsection, if the
11 statistical sampling shows that the number of valid signatures filed
12 in any county is 90 percent or more but less than the sum of 100
13 percent of the number of signatures of registered voters needed to
14 constitute 10 percent of the number of voters who voted at the last
15 preceding general election in that county plus the total number of
16 requests to remove a name received by the county clerk in that
17 county pursuant to NRS 295.055, ~~{or 306.015,}~~ the Secretary of
18 State may order the county clerk in that county to examine every
19 signature for verification. If the county clerk received a request to
20 remove a name pursuant to NRS 295.055, ~~{or 306.015,}~~ the county
21 clerk may not determine that 100 percent or more of the number of
22 signatures of registered voters needed to constitute 10 percent of the
23 number of voters who voted at the last preceding general election in
24 that county are valid until the county clerk has removed each name
25 as requested pursuant to NRS 295.055. ~~{or 306.015.}~~ In the case of
26 a petition for initiative or referendum that proposes a constitutional
27 amendment or statewide measure, if the statistical sampling shows
28 that the number of valid signatures in any petition district is 90
29 percent or more but less than the sum of 100 percent of the number
30 of signatures of registered voters required for that petition district
31 pursuant to NRS 295.012 plus the total number of requests to
32 remove a name received by the county clerk or county clerks, if the
33 petition district comprises more than one county, pursuant to NRS
34 295.055, the Secretary of State may order a county clerk to examine
35 every signature for verification.

36 3. After the receipt of such an order, the county clerk or county
37 clerks shall determine from the records of registration what number
38 of registered voters have signed the petition and, if appropriate, tally
39 those signatures by petition district. This determination must be
40 completed within 12 days, excluding Saturdays, Sundays and
41 holidays, after the receipt of an order regarding a petition containing
42 signatures which are required to be verified pursuant to NRS
43 293.128, 295.056, 298.109 ~~{, 306.035}~~ or 306.110, and within 5
44 days, excluding Saturdays, Sundays and holidays, after the receipt
45 of an order regarding a petition containing signatures which are



1 required to be verified pursuant to NRS 293.172 or 293.200. If
2 necessary, the board of county commissioners shall allow the county
3 clerk additional assistants for examining the signatures and provide
4 for their compensation. In determining from the records of
5 registration what number of registered voters have signed the
6 petition and in determining in which petition district the voters
7 reside, the county clerk must use the statewide voter registration list.
8 The county clerk may rely on the appearance of the signature and
9 the address and date included with each signature in determining the
10 number of registered voters that signed the petition.

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

23 5. For any petition containing signatures which are required to
24 be verified pursuant to the provisions of NRS 293.200, 306.035 or
25 306.110 for any county, district or municipal office within one
26 county, the county clerk shall not forward to the Secretary of State
27 the documents containing the signatures of the registered voters.

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

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

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

41 **Sec. 5.** NRS 293.12795 is hereby amended to read as follows:

42 293.12795 1. If an appeal is based upon the results of the
43 verification of signatures on a petition performed pursuant to NRS
44 293.1277 or 293.1279, the Secretary of State shall:



(a) If the Secretary of State finds for the appellant, order the county clerk to recertify the petition, including as verified signatures all contested signatures which the Secretary of State determines are valid. If the county clerk has not yet removed each name as requested pursuant to NRS 295.055 , ~~for 306.015,~~ the county clerk shall do so before recertifying the petition.

(b) If the Secretary of State does not find for the appellant, notify the appellant and the county clerk that the petition remains insufficient.

2. If the Secretary of State is unable to make a decision on the appeal based upon the documents submitted, the Secretary of State may order the county clerk to reverify the signatures.

3. The decision of the Secretary of State is a final decision for the purposes of judicial review. The decision of the Secretary of State may only be appealed in the First Judicial District Court.

Sec. 6. Chapter 294A of NRS is hereby amended by adding thereto a new section to read as follows:

1. A person shall not make or commit to make a contribution or contributions to a candidate in a special election to recall a public officer, in an amount which exceeds \$5,000, regardless of the number of candidates for the office.

2. No contribution to a candidate in a recall election may be given or received except during the period:

(a) Beginning on the date that a notice of intent to recall a public officer is filed pursuant to NRS 306.015; and

(b) Ending:

(1) 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, on the date that the notice of intent expires or the petition is determined to be legally insufficient, as applicable.

(2) If a district court determines that a petition for recall is legally insufficient pursuant to chapter 306 of NRS, on the date of the order of the district court.

(3) If a recall election is held, on the date of the special election to recall a public officer.

3. No contribution made, committed to be made or accepted pursuant to this section for a special election to recall a public officer affects the limitations on the amount of contributions that may be committed, contributed or accepted pursuant to NRS 294A.100 for a primary election or general election.

4. A candidate shall not accept a contribution or commitment to make a contribution made in violation of this section.



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

4 **Sec. 7.** NRS 294A.100 is hereby amended to read as follows:

5 294A.100 1. A person shall not make or commit to make a
6 contribution or contributions to a candidate for any office, except a
7 federal office, in an amount which exceeds \$5,000 for the primary
8 election, regardless of the number of candidates for the office, and
9 \$5,000 for the general election, regardless of the number of
10 candidates for the office, during the period:

11 (a) Beginning January 1 of the year immediately following the
12 last general election for the office and ending December 31
13 immediately following the next general election for the office, if that
14 office is a state, district, county or township office; or

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

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

20 3. **No contribution made, committed to be made or accepted**
21 **pursuant to this section to a candidate for a primary election or**
22 **general election affects the limitations on the amount of**
23 **contributions that may be committed, contributed or accepted**
24 **pursuant to section 6 of this act for a special election to recall a**
25 **public officer.**

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

29 **Sec. 8.** NRS 294A.120 is hereby amended to read as follows:

30 294A.120 1. Every candidate for office at a primary election
31 or general election shall, not later than January 15 of the election
32 year, for the period beginning January 1 of the previous year and
33 ending on December 31 of the previous year, report:

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

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

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

41 (d) The balance in the account maintained by the candidate
42 pursuant to NRS 294A.130 on the ending date of the period.

43 2. In addition to the requirements set forth in subsection 1,
44 every candidate for office at a primary election or general election
45 shall, not later than:



(a) April 15 of the election year, for the period beginning January 1 and ending on March 31 of the election year;

(b) July 15 of the election year, for the period beginning April 1 and ending on June 30 of the election year;

(c) October 15 of the election year, for the period beginning July 1 and ending on September 30 of the election year; and

(d) January 15 of the year immediately following the election year, for the period beginning October 1 and ending on December 31 of the election year,

➤ report each contribution described in paragraphs (a), (b) and (c) of subsection 1 received during the period and the balance in the account maintained by the candidate pursuant to NRS 294A.130 on the ending date of the period.

3. Except as otherwise provided in subsections 4, 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 paragraphs (a), (b) and (c) of subsection 1 received during the period and the balance in the account maintained by the candidate pursuant to NRS 294A.130 on the ending date of the period.

4. Except as otherwise provided in 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,



1 ➤ report each contribution described in paragraphs (a), (b) and (c)
2 of subsection 1 received during the period and the balance in the
3 account maintained by the candidate pursuant to NRS 294A.130 on
4 the ending date of the period.

5 5. Except as otherwise provided in subsection 6, if a petition
6 for recall is not submitted to the filing officer before the expiration
7 of the notice of intent pursuant to the provisions of chapter 306 of
8 NRS or is otherwise legally insufficient when submitted to the filing
9 officer pursuant to the provisions of that chapter, every candidate for
10 office at a special election to determine whether a public officer will
11 be recalled shall, not later than 30 days after the expiration of the
12 notice of intent, for the period from the filing of the notice of intent
13 through the date that the notice of intent expires or the petition is
14 determined to be legally insufficient, report each contribution
15 described in paragraphs (a), (b) and (c) of subsection 1 received
16 during the period and the balance in the account maintained by the
17 candidate pursuant to NRS 294A.130 on the ending date of the
18 period. The provisions of this subsection apply to the candidate for
19 office at a special election if the petition for recall:

20 (a) Is not submitted to the filing officer as required by chapter
21 306 of NRS;

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

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

28 6. If a district court determines that a petition for recall is
29 legally insufficient pursuant to ~~subsection 6 of~~ NRS 306.040,
30 every candidate for office at a special election to determine whether
31 a public officer will be recalled shall, not later than 30 days after the
32 district court orders the officer with whom the petition is filed to
33 cease any further proceedings regarding the petition, for the period
34 from the filing of the notice of intent to circulate the petition for
35 recall through the date of the district court's order, report each
36 contribution described in paragraphs (a), (b) and (c) of subsection 1
37 received during the period and the balance in the account
38 maintained by the candidate pursuant to NRS 294A.130 on the
39 ending date of the period.

40 7. In addition to complying with the applicable requirements of
41 subsections 1 to 6, inclusive, if a candidate is elected to office at a
42 primary election, general election or special election, he or she must,
43 not later than January 15 of each year, report the information
44 described in paragraphs (a) to (d), inclusive, of subsection 1 for the
45 period beginning January 1 of the previous year and ending on



December 31 of the previous year. The provisions of this subsection apply to the candidate until the year immediately preceding the next election year for that office. Nothing in this subsection:

(a) Requires the candidate to report information described in paragraphs (a) to (d), inclusive, of subsection 1 that has previously been reported in a timely manner pursuant to subsections 1 to 6, inclusive; or

(b) Authorizes the candidate to not comply with the applicable requirements of subsections 1 to 6, inclusive, if he or she becomes a candidate for another office at a primary election, general election or special election during his or her term of office.

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

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

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

Sec. 9. NRS 294A.140 is hereby amended to read as follows:

294A.140 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 the election year, for the period beginning January 1 of the previous year and ending on 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.

3. In addition to the requirements set forth in subsection 2, every person, committee and political party described in subsection 1 shall, not later than:

(a) April 15 of the election year, for the period beginning January 1 and ending on March 31 of the election year;

(b) July 15 of the election year, for the period beginning April 1 and ending on June 30 of the election year;

(c) October 15 of the election year, for the period beginning July 1 and ending on September 30 of the election year; and



(d) January 15 of the year immediately following the election year, for the period beginning October 1 and ending on December 31 of the election 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.

4. Except as otherwise provided in subsections 5, 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; 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.

5. Except as otherwise provided in 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,



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

4 6. Except as otherwise provided in subsection 7, if a petition
5 for recall is not submitted to the filing officer before the expiration
6 of the notice of intent pursuant to the provisions of chapter 306 of
7 NRS or is otherwise legally insufficient when submitted to the filing
8 officer pursuant to the provisions of that chapter, every person,
9 committee and political party described in subsection 1 which
10 makes an independent expenditure or other expenditure, as
11 applicable, for or against a candidate for office at a special election
12 to determine whether a public officer will be recalled or for or
13 against a group of such candidates shall, not later than 30 days after
14 the expiration of the notice of intent, for the period from the filing of
15 the notice of intent through the date that the notice of intent expires
16 or the petition is determined to be legally insufficient, report each
17 contribution in excess of \$1,000 received and contributions received
18 which cumulatively exceed \$1,000. The provisions of this
19 subsection apply to the person, committee and political party if the
20 petition for recall:

21 (a) Is not submitted to the filing officer as required by chapter
22 306 of NRS;

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

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

29 7. If a district court determines that a petition for recall is
30 legally insufficient pursuant to ~~subsection 6 of~~ NRS 306.040,
31 every person, committee and political party described in subsection
32 1 which makes an independent expenditure or other expenditure, as
33 applicable, for or against a candidate for office at a special election
34 to determine whether a public officer will be recalled or for or
35 against a group of candidates for offices at such a special election
36 shall, not later than 30 days after the district court orders the officer
37 with whom the petition is filed to cease any further proceedings
38 regarding the petition, for the period from the filing of the notice of
39 intent to circulate the petition for recall through the date of the
40 district court's order, report each contribution in excess of \$1,000
41 received during the period and contributions received during the
42 period which cumulatively exceed \$1,000.

43 8. In addition to complying with the applicable requirements of
44 subsections 2 to 7, inclusive, a person, committee or political party
45 described in subsection 1 must, not later than January 15 of each



1 year that is not an election year, for the period beginning January 1
2 of the previous year and ending on December 31 of the previous
3 year, report each contribution in excess of \$1,000 received during
4 the period and contributions received during the period from a
5 contributor which cumulatively exceed \$1,000. Nothing in this
6 subsection:

7 (a) Requires the person, committee or political party to report
8 information that has previously been reported in a timely manner
9 pursuant to subsections 2 to 7, inclusive; or

10 (b) Authorizes the person, committee or political party to not
11 comply with any applicable requirement set forth in subsections 2 to
12 7, inclusive.

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

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

18 11. Every person, committee and political party described in
19 this section shall file a report required by this section even if the
20 person, committee or political party receives no contributions.

21 12. The name and address of the contributor and the date on
22 which the contribution was received must be included on the report
23 for each contribution in excess of \$1,000 and contributions which a
24 contributor has made cumulatively in excess of \$1,000 since the
25 beginning of the current reporting period.

26 **Sec. 10.** NRS 294A.160 is hereby amended to read as follows:

27 294A.160 1. It is unlawful for a candidate to spend money
28 received as a contribution for the candidate's personal use.

29 2. Notwithstanding the provisions of NRS 294A.286, a
30 candidate or public officer may use contributions to pay for any
31 legal expenses that the candidate or public officer incurs in relation
32 to a campaign or serving in public office without establishing a legal
33 defense fund. Any such candidate or public officer shall report any
34 expenditure of contributions to pay for legal expenses in the same
35 manner and at the same time as the report filed pursuant to NRS
36 294A.120 or 294A.200. A candidate or public officer shall not use
37 contributions to satisfy a civil or criminal penalty imposed by law.

38 3. ~~Every~~ *Except as otherwise provided in subsection 5, every*
39 candidate for office at a primary election, general election or special
40 election who is elected to that office and received contributions that
41 were not spent or committed for expenditure before the primary
42 election, general election or special election shall dispose of the
43 money through one or any combination of the following methods:

44 (a) Return the unspent money to contributors;



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

(c) Contribute the money to:

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

(2) A political party; or

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

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

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

4. ~~Every~~ *Except as otherwise provided in subsection 5, every* candidate for office at a primary election, general election or special election who withdraws pursuant to NRS 293.202 or 293C.195 after filing a declaration of candidacy or an acceptance of candidacy, is removed from the ballot by court order or is defeated for or otherwise not elected to that office and who received contributions that were not spent or committed for expenditure before the primary election, general election or special election shall, not later than the 15th day of the second month after the election, dispose of the money through one or any combination of the following methods:

(a) Return the unspent money to contributors;

(b) Contribute the money to:

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

(2) A political party; or

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

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

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

5. *Every candidate for office at a special election to recall a public officer shall dispose of the unspent contributions through one or any combination of the methods set forth in subsection 4 not later than the 15th day of the second month following the last day for the candidate to receive a contribution pursuant to section 6 of this act.*

6. Every candidate for office who withdraws after filing a declaration of candidacy or an acceptance of candidacy, is defeated



1 for that office at a primary election or is removed from the ballot by
2 court order before a primary election or general election and who
3 received a contribution from a person in excess of \$5,000 shall, not
4 later than the 15th day of the second month after the primary
5 election or general election, as applicable, return any money in
6 excess of \$5,000 to the contributor.

7 ~~6.7~~ 7. Except for a former public officer who is subject to the
8 provisions of subsection ~~40.7~~ 11, every person who qualifies as a
9 candidate by receiving one or more qualifying contributions in
10 excess of \$100 but who, within 4 years after the date of receiving
11 the first of those qualifying contributions, does not:

12 (a) File a declaration of candidacy or an acceptance of
13 candidacy; or

14 (b) Appear on an official ballot at any election,
15 ➤ shall, not later than the 15th day of the month after the end of the
16 4-year period, dispose of all contributions that have not been spent
17 or committed for expenditure through one or any combination of the
18 methods set forth in subsection 4.

19 ~~7.7~~ 8. Except as otherwise provided in subsection ~~8.7~~ 9, every
20 public officer who:

21 (a) Does not run for reelection to the office which he or she
22 holds;

23 (b) Is not a candidate for any other office and does not qualify as
24 a candidate by receiving one or more qualifying contributions in
25 excess of \$100; and

26 (c) Has contributions that are not spent or committed for
27 expenditure remaining from a previous election,
28 ➤ shall, not later than the 15th day of the second month after the
29 expiration of the public officer's term of office, dispose of those
30 contributions in the manner provided in subsection 4.

31 ~~8.7~~ 9. Every public officer who:

32 (a) Resigns from his or her office;

33 (b) Is not a candidate for any other office and does not qualify as
34 a candidate by receiving one or more qualifying contributions in
35 excess of \$100; and

36 (c) Has contributions that are not spent or committed for
37 expenditure remaining from a previous election,
38 ➤ shall, not later than the 15th day of the second month after the
39 effective date of the resignation, dispose of those contributions in
40 the manner provided in subsection 4.

41 ~~9.7~~ 10. Except as otherwise provided in subsection ~~40.7~~ 11,
42 every public officer who:

43 (a) Does not run for reelection to the office which he or she
44 holds or who resigns from his or her office;



(b) Is a candidate for any other office or qualifies as a candidate by receiving one or more qualifying contributions in excess of \$100; and

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

➤ may use the unspent contributions in a future election. Such a public officer is subject to the reporting requirements set forth in NRS 294A.120, 294A.125, 294A.128, 294A.200 and 294A.362 for as long as the public officer is a candidate for any office or qualifies as a candidate by receiving one or more qualifying contributions in excess of \$100.

~~10.1~~ **11.** Every former public officer described in subsection ~~10.1~~ **10** who qualifies as a candidate by receiving one or more qualifying contributions in excess of \$100 but who, within 4 years after the date of receiving the first of those qualifying contributions, does not:

(a) File a declaration of candidacy or an acceptance of candidacy; or

(b) Appear on an official ballot at any election, ➤ shall, not later than the 15th day of the month after the end of the 4-year period, dispose of all contributions that have not been spent or committed for expenditure through one or any combination of the methods set forth in subsection 4.

~~11.1~~ **12.** In addition to the methods for disposing of the unspent money set forth in this section, a Legislator may donate not more than \$500 of that money to the Nevada Silver Haired Legislative Forum created pursuant to NRS 427A.320.

~~12.1~~ **13.** Any contributions received before a candidate for office at a primary election, general election or special election dies that were not spent or committed for expenditure before the death of the candidate must be disposed of in the manner provided in subsection 4.

~~13.1~~ **14.** The court shall, in addition to any penalty which may be imposed pursuant to NRS 294A.420, order the candidate or public officer to dispose of any remaining contributions in the manner provided in this section.

~~14.1~~ **15.** As used in this section:

(a) "Contribution" includes, without limitation, any interest and other income earned on a contribution.

(b) "Qualifying contribution" means the receipt of a contribution that causes a person to qualify as a candidate pursuant to subsection 4 of NRS 294A.005.

Sec. 11. 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 the election



1 year, for the period beginning January 1 of the previous year and
2 ending on December 31 of the previous year, report:

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

5 (b) Each amount in excess of \$100 disposed of pursuant to NRS
6 294A.160 or subsection 3 of NRS 294A.286 during the period;

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

9 (d) The total of all amounts disposed of during the period
10 pursuant to NRS 294A.160 or subsection 3 of NRS 294A.286 which
11 are \$100 or less.

12 2. In addition to the requirements set forth in subsection 1,
13 every candidate for office at a primary election or general election
14 shall, not later than:

15 (a) April 15 of the election year, for the period beginning
16 January 1 and ending on March 31 of the election year;

17 (b) July 15 of the election year, for the period beginning April 1
18 and ending on June 30 of the election year;

19 (c) October 15 of the election year, for the period beginning
20 July 1 and ending on September 30 of the election year; and

21 (d) January 15 of the year immediately following the election
22 year, for the period beginning October 1 and ending on
23 December 31 of the election year,

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

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

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

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

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

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

41 4. Except as otherwise provided in subsections 5 and 6 and
42 NRS 294A.223, every candidate for office at a special election to
43 determine whether a public officer will be recalled shall, not later
44 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 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 of the campaign expenses described in subsection 1 incurred 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 candidate for office at a special election to determine whether a public officer will be recalled 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 of the campaign expenses described in subsection 1 incurred during the period. The provisions of this subsection apply to the candidate for office at a special election 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.

6. If a district court determines that a petition for recall is legally insufficient pursuant to ~~subsection 6 of~~ NRS 306.040, every candidate for office at a special election to determine whether a public officer will be recalled shall, not later than 30 days after the district 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 of the campaign expenses described in subsection 1 incurred during the period.



7. In addition to complying with the applicable reporting requirements of subsections 1 to 6, inclusive, if a candidate is elected to office at a primary election, general election or special election, he or she must, not later than January 15 of each year, report each of the campaign expenses described in subsection 1 incurred during the period beginning January 1 of the previous year and ending on December 31 of the previous year. The provisions of this subsection apply to the candidate until the year immediately preceding the next election year for that office. Nothing in this section:

(a) Requires the candidate to report a campaign expense that has previously been reported in a timely manner pursuant to subsections 1 to 6, inclusive; or

(b) Authorizes the candidate to not comply with the applicable requirements of subsections 1 to 6, inclusive, if he or she becomes a candidate for another office at a primary election, general election or special election during his or her term of office.

8. ~~HH~~ *Except as otherwise provided in subsection 9, if a candidate disposes of contributions pursuant to NRS 294A.160 or 294A.286 in any calendar year for which the candidate is not required to file a report pursuant to other provisions of this section, the candidate shall on or before January 15 of the following year, for the period beginning January 1 and ending on December 31 of the calendar year, report:*

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

(b) The total of all amounts disposed of during the period pursuant to NRS 294A.160 or 294A.286 which are \$100 or less.

9. *If a candidate for office at a special election to determine whether a public officer will be recalled disposes of contributions pursuant to subsection 5 of NRS 294A.160, the candidate shall, on or before the 15th day of the second month following the last day for the candidate to receive a contribution pursuant to section 6 of this act, report:*

(a) *Each amount in excess of \$100 disposed of pursuant to subsection 5 of NRS 294A.160; and*

(b) *The total of all amounts disposed of during the period pursuant to subsection 5 of NRS 294A.160 which are \$100 or less.*

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

~~HH~~ 11. A report shall be deemed to be filed on the date that it was received by the Secretary of State.

Sec. 12. 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 the election year, for the period beginning January 1 of the previous year and ending on 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.

3. In addition to the requirements set forth in subsection 2, every person, committee and political party described in subsection 1 shall, not later than:

(a) April 15 of the election year, for the period beginning January 1 and ending on March 31 of the election year;

(b) July 15 of the election year, for the period beginning April 1 and ending on June 30 of the election year;

(c) October 15 of the election year, for the period beginning July 1 and ending on September 30 of the election year; and

(d) January 15 of the year immediately following the election year, for the period beginning October 1 and ending on December 31 of the election year,

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, 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; and



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

5. Except as otherwise provided in 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 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 date the notice of intent to circulate the petition for 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 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.

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 of the campaign expenses described in subsection 1 incurred during the



1 period. The provisions of this subsection apply to the person,
2 committee and political party if the petition for recall:

3 (a) Is not submitted to the filing officer as required by chapter
4 306 of NRS;

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

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

11 7. If a district court determines that the petition for recall is
12 legally insufficient pursuant to ~~subsection 6 of~~ NRS 306.040,
13 every person, committee and political party described in subsection
14 1 which makes an independent expenditure or other expenditure, as
15 applicable, for or against a candidate for office at a special election
16 to determine whether a public officer will be recalled or for or
17 against a group of such candidates shall, not later than 30 days after
18 the district court orders the officer with whom the petition is filed to
19 cease any further proceedings regarding the petition, for the period
20 from the filing of the notice of intent to circulate the petition for
21 recall through the date of the district court's order, report each
22 independent expenditure or other expenditure, as applicable, in
23 excess of \$1,000 made during the period and independent
24 expenditures or expenditures, as applicable, made during the period
25 to one recipient which cumulatively exceed \$1,000.

26 8. In addition to complying with the applicable requirements of
27 subsections 2 to 7, inclusive, a person, committee or political party
28 described in subsection 1 must, not later than January 15 of each
29 year that is not an election year, for the period beginning January 1
30 of the previous year and ending on December 31 of the previous
31 year, report each independent expenditure or other expenditure, as
32 applicable, made during the period in excess of \$1,000 and
33 independent expenditures or other expenditures, as applicable, made
34 during the period to one recipient which cumulatively exceed
35 \$1,000. Nothing in this subsection:

36 (a) Requires the person, committee or political party to report
37 information that has previously been reported in a timely manner
38 pursuant to subsections 2 to 7, inclusive; or

39 (b) Authorizes the person, committee or political party to not
40 comply with any applicable requirement set forth in subsections 2 to
41 7, inclusive.

42 9. Independent expenditures and other expenditures made
43 within the State or made elsewhere but for use within the State,
44 including independent expenditures and other expenditures made



1 outside the State for printing, television and radio broadcasting or
2 other production of the media, must be included in the report.

3 10. Except as otherwise provided in NRS 294A.3737, the
4 reports must be filed electronically with the Secretary of State.

5 11. If an independent expenditure or other expenditure, as
6 applicable, is made for or against a group of candidates, the reports
7 must be itemized by the candidate.

8 12. A report shall be deemed to be filed on the date that it was
9 received by the Secretary of State. Every person, committee or
10 political party described in subsection 1 shall file a report required
11 by this section even if the person, committee or political party
12 receives no contributions.

13 **Sec. 13.** NRS 294A.270 is hereby amended to read as follows:

14 294A.270 1. Except as otherwise provided in subsections 3
15 and 4, each committee for the recall of a public officer shall, not
16 later than:

17 (a) Four days before the beginning of early voting by personal
18 appearance for the special election to recall a public officer, for the
19 period from the date the notice of intent to circulate the petition for
20 recall is filed pursuant to NRS 306.015 through 5 days before the
21 beginning of early voting by personal appearance for the special
22 election;

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

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

29 ➔ report each contribution received or made by the committee for
30 the recall of a public officer during the period in excess of \$100 and
31 contributions received from a contributor or made to one recipient
32 which cumulatively exceed \$100.

33 2. Except as otherwise provided in subsection 3, if a petition
34 for the recall of a public officer is not submitted to the filing officer
35 before the expiration of the notice of intent pursuant to the
36 provisions of chapter 306 of NRS or is otherwise legally insufficient
37 when submitted to the filing officer pursuant to the provisions of
38 chapter 306 of NRS, the committee for the recall of a public officer
39 shall, not later than 30 days after the expiration of the notice of
40 intent, report each contribution received by the committee for the
41 recall of a public officer, and each contribution made by the
42 committee for the recall of a public officer in excess of \$100 and
43 contributions made to one recipient which cumulatively exceed
44 \$100. The provisions of this subsection apply to the committee for
45 the recall of a public officer if the committee:



1 (a) Fails to submit the petition to the filing officer as required by
2 chapter 306 of NRS;

3 (b) Submits the petition to the filing officer without any valid
4 signatures or with fewer than the necessary number of valid
5 signatures required by chapter 306 of NRS; or

6 (c) Otherwise submits a legally insufficient petition or suspends
7 or ceases its efforts to obtain the necessary number of valid
8 signatures required by chapter 306 of NRS.

9 3. If a district court determines that the petition for the recall of
10 the public officer is legally insufficient pursuant to ~~subsection 6 of~~
11 NRS 306.040, the committee for the recall of a public officer shall,
12 not later than 30 days after the district court orders the officer with
13 whom the petition is filed to cease any further proceedings
14 regarding the petition, for the period from the filing of the notice of
15 intent to circulate the petition for recall through the day of the
16 district court's order, report each contribution received or made by
17 the committee for the recall of a public officer in excess of \$100 and
18 contributions received from a contributor or made to one recipient
19 which cumulatively exceed \$100.

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

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

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

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

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

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

40 7. The name and address of the contributor or recipient and the
41 date on which the contribution was received must be included on the
42 report for each contribution, whether from or to a natural person,
43 association or corporation.



Sec. 14. NRS 294A.280 is hereby amended to read as follows:
294A.280 1. Except as otherwise provided in subsections 3 and 4, each committee for the recall of a public officer shall, not later than:

(a) Four days before the beginning of early voting by personal appearance for the special election to recall a public officer, for the period from the date the notice of intent to circulate the petition for 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 expenditure made by the committee for the recall of a public officer during the period in excess of \$100 and expenditures made to one recipient which cumulatively exceed \$100.

2. Except as otherwise provided in subsection 3, if a petition for the recall of a public officer 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 chapter 306 of NRS, the committee for the recall of a public officer shall, not later than 30 days after the expiration of the notice of intent, report each expenditure made by the committee for the recall of a public officer in excess of \$100 and expenditures made to one recipient which cumulatively exceed \$100. The provisions of this subsection apply to the committee for the recall of a public officer if the committee:

(a) Fails to submit the petition to the filing officer as required by chapter 306 of NRS;

(b) Submits the petition 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) Otherwise submits a legally insufficient petition or suspends or ceases its efforts to obtain the necessary number of valid signatures required by chapter 306 of NRS.

3. If a district court determines that a petition for the recall of the public officer is legally insufficient pursuant to ~~subsection 6 of~~ NRS 306.040, the committee for the recall of a public officer shall, not later than 30 days after the district court 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



1 intent to circulate the petition for recall through the day of the
2 district court's order, report each expenditure made by the
3 committee for the recall of a public officer in excess of \$100 and
4 expenditures made to one recipient which cumulatively exceed
5 \$100.

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

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

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

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

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

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

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

28 **Sec. 15.** NRS 294A.350 is hereby amended to read as follows:

29 294A.350 1. Except as otherwise provided in subsection 2,
30 every candidate for office shall file the reports required by NRS
31 294A.120, 294A.125, 294A.128, 294A.200, 294A.286 and
32 294A.362, even though the candidate:

33 (a) Withdraws his or her candidacy pursuant to NRS 293.202 or
34 293C.195;

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

37 (c) Receives no contributions;

38 (d) Has no campaign expenses;

39 (e) Is not opposed in the election by another candidate;

40 (f) Is defeated in the primary election;

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

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

44 2. A candidate described in paragraph (a), (b), (f) or (g) of
45 subsection 1 may simultaneously file all the reports required by



1 NRS 294A.120, 294A.125, 294A.128, 294A.200, 294A.286 and
2 294A.362 that are due after the candidate disposes of any unspent or
3 excess contributions as provided in subsections 4, ~~and~~ 5 and 6 of
4 NRS 294A.160, as applicable, if the candidate gives written notice
5 to the Secretary of State, on the form prescribed by the Secretary of
6 State, that the candidate is ending his or her campaign and will not
7 accept any additional contributions. If the candidate has submitted a
8 withdrawal of candidacy pursuant to NRS 293.202 or 293C.195 to
9 an officer other than the Secretary of State, the candidate must
10 enclose with the notice a copy of the withdrawal of candidacy. A
11 form submitted to the Secretary of State pursuant to this subsection
12 must be signed by the candidate under an oath to God or penalty of
13 perjury. A candidate who signs the form under an oath to God is
14 subject to the same penalties as if the candidate had signed the form
15 under penalty of perjury.

16 3. A candidate described in paragraph (b) of subsection 1 who
17 simultaneously files reports pursuant to subsection 2 but is elected
18 to office despite ending his or her campaign is subject to the
19 reporting requirements set forth in NRS 294A.120, 294A.125,
20 294A.128, 294A.200, 294A.286 and 294A.362, beginning with the
21 next report that is due pursuant to those sections after his or her
22 election to office.

23 **Sec. 16.** Chapter 306 of NRS is hereby amended by adding
24 thereto the provisions set forth as sections 17, 18 and 19 of this act.

25 **Sec. 17. 1.** *If a petition for the recall of a public officer is*
26 *submitted for signature verification pursuant to NRS 293.1276 to*
27 *293.1279, inclusive, the person who submits the petition must*
28 *deposit in advance the estimated costs of the signature verification*
29 *with the filing officer including, without limitation, the estimated*
30 *costs for the Secretary of State and the county clerk of each county*
31 *from which signatures on the petition were gathered to perform*
32 *the requirements set forth in NRS 293.1276 to 293.1279, inclusive.*

33 2. *Upon completion of the verification of signatures, the*
34 *Secretary of State and each county clerk who verified signatures*
35 *on a petition for the recall of a public officer shall submit to the*
36 *filing officer a statement of the actual costs incurred for carrying*
37 *out the provisions of NRS 293.1276 to 293.1279, inclusive.*

38 3. *If the sum deposited pursuant to subsection 1 is:*

39 (a) *In excess of the actual costs of the signature verification,*
40 *the excess must be refunded to the person who submitted the*
41 *petition for verification.*

42 (b) *Less than the actual costs of the signature verification, the*
43 *person who submitted the petition for verification shall, upon*
44 *demand, pay the deficiency to the filing officer who shall*



distribute the money to the Secretary of State and county clerks, as applicable.

Sec. 18. *1. It is unlawful for any person in connection with a petition for the recall of a public officer to knowingly or negligently obtain a false signature.*

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

Sec. 19. *1. In addition to any criminal penalty, a person who violates the provisions of this chapter is subject to a civil penalty in an amount not to exceed \$20,000 for each violation. This penalty must be recovered in a civil action brought in the name of the State of Nevada by the Attorney General or by any district attorney in a court of competent jurisdiction.*

2. Each person who signs a notice of intent to circulate a petition for the recall of a public officer is jointly and severally liable for any civil penalty imposed pursuant to this section in relation to the petition for recall.

3. Any civil penalty collected pursuant to this section must be deposited by the collecting agency for credit to the State General Fund in the bank designated by the State Treasurer.

Sec. 20. NRS 306.015 is hereby amended to read as follows:

306.015 1. Before a petition to recall a public officer is circulated, the persons proposing to circulate the petition must file a notice of intent with the filing officer.

2. The notice of intent:

(a) Must be signed by three registered voters who actually voted in this State or in the county, district or municipality electing the officer at the last preceding general election.

(b) Must be signed before a person authorized by law to administer oaths that the statements and signatures contained in the notice are true.

(c) Is valid until the date on which the call for a special election is issued, as set forth in NRS 306.040.

3. The petition may consist of more than one document. The persons filing the notice of intent shall submit the petition that was circulated for signatures to the filing officer within 90 days after the date on which the notice of intent was filed. The filing officer shall immediately submit the petition to the county clerk for verification pursuant to NRS 306.035. Any person who fails to submit the petition to the filing officer as required by this subsection is guilty of a misdemeanor. Copies of the petition are not valid for any subsequent petition.

4. The county clerk shall, upon completing the verification of the signatures on the petition, file the petition with the filing officer.



5. Any person who signs a petition to recall any public officer may request that the county clerk remove the person's name from the petition by submitting a request in writing to the county clerk at any time before ~~[the petition is submitted for]~~ the verification of the signatures thereon ~~[pursuant to NRS 306.035.~~

~~—6.— A person who signs a notice of intent pursuant to subsection 1 or a petition to recall a public officer is immune from civil liability for conduct related to the exercise of the person's right to participate in the recall of a public officer.~~

~~—7.— As used in this section, "filing officer" means the officer with whom the public officer to be recalled filed his or her declaration of candidacy or acceptance of candidacy pursuant to NRS 293.185, 293C.145 or 293C.175.] is completed.~~

Sec. 21. NRS 306.025 is hereby amended to read as follows:

306.025 1. A person shall not misrepresent the intent or content of a petition for the recall of a public officer which is circulated pursuant to the provisions of this chapter.

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

Sec. 22. NRS 306.035 is hereby amended to read as follows:

306.035 1. Before a petition to recall a state officer who is elected statewide is filed with the Secretary of State pursuant to subsection 4 of NRS 306.015, each county clerk must verify, pursuant to NRS 293.1276 to 293.1279, inclusive, *all signatures on* the document or documents which were circulated for signature within the clerk's county.

2. Before a petition to recall a State Senator, Assemblyman, Assemblywoman or a county, district or municipal officer is filed pursuant to subsection 4 of NRS 306.015, the county clerk must verify, pursuant to NRS 293.1276 to 293.1279, inclusive, *all signatures on* the document or documents which were circulated for signatures within the clerk's county.

3. If more than one document was circulated, all the documents must be submitted to the clerk at the same time.

Sec. 23. NRS 306.040 is hereby amended to read as follows:

306.040 1. Upon determining that the number of signatures on a petition to recall is sufficient pursuant to NRS 293.1276 to 293.1279, inclusive, the Secretary of State shall notify the county clerk, the *filing* officer ~~[with whom the petition is to be filed pursuant to subsection 4 of NRS 306.015]~~ and the public officer who is the subject of the petition.

2. ~~[After the verification of signatures is complete, but not later than the date a complaint is filed pursuant to subsection 5 or the date the call for a special election is issued, whichever is earlier, a] A~~



person who signs a petition to recall may request the ~~[Secretary of State]~~ *filing officer* to strike the person's name from the petition ~~[.]~~ *on or before the date that is the later of:*

(a) *Ten days, Saturdays, Sundays and holidays excluded, after the verification of signatures is complete; or*

(b) *The date a complaint is filed pursuant to subsection 6.*

3. If the ~~[person demonstrates good cause therefor and the number of such requests received by the Secretary of State could affect the sufficiency of the petition, the Secretary of State shall]~~ *filing officer receives a request pursuant to subsection 2, the filing officer must* strike the name of the person from the petition. *If the filing officer receives a sufficient number of requests to strike names from the petition such that the petition no longer contains enough valid signatures, no special election to recall a public officer may be held.*

~~[3.]~~ 4. Not sooner than ~~[10]~~ 20 days ~~[nor more]~~ *and not later than [20] 30 days, Saturdays, Sundays and holidays excluded,* after the Secretary of State completes the notification required by subsection 1, if a complaint is not filed pursuant to subsection ~~[5.]~~ 6, the officer with whom the petition is filed shall issue a call for a special election in the jurisdiction in which the public officer who is the subject of the petition was elected to determine whether the people will recall the public officer.

~~[4.]~~ 5. The call for a special election pursuant to subsection ~~[3 or 6]~~ 4 or 7 must include, without limitation:

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

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

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

~~[5.]~~ 6. The legal sufficiency of the petition, *including without limitation, the validity of signatures on the petition,* may be challenged by filing a complaint in district court not later than ~~[5]~~ 15 days, Saturdays, Sundays and holidays excluded, after the Secretary of State completes the notification required by subsection 1. All affidavits and documents in support of the challenge must be filed with the complaint. The court shall set the matter for hearing not later than 30 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings.

~~[6.]~~ 7. Upon the conclusion of the hearing, if the court determines that the petition is sufficient, it shall order the officer with whom the petition is filed to issue a call for a special election in the jurisdiction in which the public officer who is the subject of



1 the petition was elected to determine whether the people will recall
2 the public officer. If the court determines that the petition is not
3 sufficient, it shall order the officer with whom the petition is filed to
4 cease any further proceedings regarding the petition.

5 **Sec. 24.** The regulations adopted by the Secretary of State
6 which are codified as NAC 306.010, 306.012 and 306.014 are
7 hereby declared void. In preparing the supplements to the Nevada
8 Administrative Code on or after passage and approval of this bill,
9 the Legislative Counsel shall remove those regulations.

10 **Sec. 25.** The provisions of NRS 354.599 do not apply to any
11 additional expenses of a local government that are related to the
12 provisions of this act.

13 **Sec. 26.** 1. This section and sections 24 and 25 of this act
14 become effective upon passage and approval.

15 2. Sections 1 to 23, inclusive, of this act become effective:

16 (a) Upon passage and approval for the purpose of adopting any
17 regulations and performing any other preparatory administrative
18 tasks that are necessary to carry out the provisions of this act; and

19 (b) On January 1, 2020, for all other purposes.

