

ASSEMBLY BILL NO. 441—ASSEMBLYMAN FRIERSON

MARCH 29, 2021

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing legislators.
(BDR 17-922)

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

~

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

AN ACT relating to legislators; authorizing the allocation of the legislative measures requested by a legislator whose office becomes vacant during a certain period; revising provisions governing the purposes for which a Legislator may use unspent campaign contributions; authorizing a legislator who is appointed to the office of a legislator under certain circumstances to solicit or accept monetary contributions during certain periods; restricting the expenses for which such contributions may be used; requiring such contributions that remain unspent after a certain period to be returned or donated for certain purposes; providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes Legislators and the chairs of each standing committee to request the drafting of a certain number of legislative measures by certain deadlines. (NRS 218D.150, 218D.155, 218D.160) **Section 1** of this bill provides that if a vacancy occurs in the office of a Legislator after the general election and before the regular session of the Legislature is convened, the caucus leader of the house and party of which the Legislator was a member is authorized to allocate all, some or none of the requests for the drafting of legislative measures requested or available to be requested by the Legislator. **Section 1** also establishes a deadline for the submission of these requests and the details for the drafting of the request to the Legislative Counsel. Finally, **section 1** provides that a request for the drafting of a legislative measure: (1) that is allocated to a member of the Senate or Assembly is in addition to the number of requests authorized for that member by statute, joint rule or rule of either House; and (2) that is allocated to a standing committee of



either House must be approved by a majority of all of the members appointed to the committee before the request is submitted to the Legislative Counsel.

Existing law prohibits a candidate from using campaign contributions for a personal use, and authorizes a candidate who is elected to an office to use unspent campaign contributions for expenses related to the public office to which he or she was elected. (NRS 294A.160) Existing law also provides that Legislators are entitled to an allowance of: (1) \$10,000 for each regular session for expenses related to travel to and from Carson City and additional housing during the regular session; and (2) \$1,200 for each special session for travel to and from the Legislator's home or temporary residence or for traveling to and from legislative committee and subcommittee meetings or hearings or for individual travel within the State which relates to legislative business. (NRS 218A.645) **Section 4** of this bill excludes from the definition of "personal use" the use of unspent contributions by a Legislator to pay for expenses in excess of the amount of the allowance to which the Legislator is entitled under existing law and, thus, specifically authorizes a Legislator to use such unspent contributions for that purpose.

Existing law prohibits a member of the Legislature, the Lieutenant Governor, the Lieutenant Governor-Elect, the Governor or the Governor-Elect from soliciting or accepting a monetary contribution, or a commitment for such a contribution, for any political purpose during a period that begins a certain number of days before the beginning of a regular or special session of the Legislature and ends a certain number of days after the final adjournment of such a session. (NRS 294A.300) **Sections 2 and 7** of this bill: (1) authorizes a Legislator who was appointed to fill a vacancy in the office of a Legislator during this period to solicit or accept a monetary contribution during this period from another Legislator or from an organization whose primary purpose is to provide support for Legislators of a particular political party and house; (2) prohibits such a Legislator from soliciting or accept such monetary contributions in a total amount which exceeds \$10,000 for a regular session and \$1,200 for a special session; (3) limits the expenses for which the Legislator is authorized to use such contributions to those travel and housing expenses for which the Legislator receives an allowance under existing law; and (4) requires the Legislator to return or donate for certain purposes any contributions that remain unspent for an authorized purpose after a certain period. **Section 5** of this bill authorizes a Legislator to use unspent campaign contributions to make contributions to another Legislator pursuant to **section 2**. **Sections 3, 6, 8 and 9** of this bill make conforming changes to make unspent contributions received pursuant to **section 2** subject to the same reporting requirement as other unspent contributions.

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

Section 1. Chapter 218D of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 4, after the general election preceding a regular session and before that regular session has convened, a vacancy occurs for any reason in the office of a Legislator who is:

(a) A member of the Senate from the majority party, the Majority Leader of the Senate may allocate to a member of the Senate from the majority party or a Senate standing committee all,



1 *some or none of the requests for the drafting of legislative*
2 *measures requested or available to be requested by the Legislator*
3 *whose office became vacant.*

4 *(b) A member of the Assembly from the majority party, the*
5 *Speaker of the Assembly may allocate to a member of the*
6 *Assembly from the majority party or an Assembly standing*
7 *committee all, some or none of the requests for the drafting of*
8 *legislative measures requested or available to be requested by the*
9 *Legislator whose office became vacant.*

10 *(c) A member of the Senate from the minority party, the*
11 *Minority Leader of the Senate may allocate to a member of the*
12 *Senate from the minority party all, some or none of the requests*
13 *for the drafting of legislative measures requested or available to be*
14 *requested by the Legislator whose office became vacant.*

15 *(d) A member of the Assembly from the minority party, the*
16 *Minority Leader of the Assembly may allocate to a member of the*
17 *Assembly from the minority party all, some or none of the requests*
18 *for the drafting of legislative measures requested or available to be*
19 *requested by the Legislator whose office became vacant.*

20 *2. The Majority Leader of the Senate, Speaker of the*
21 *Assembly, Minority Leader of the Assembly and Minority Leader*
22 *of the Senate, respectively, shall, not later than the 8th calendar*
23 *day of a regular legislative session provide the Legislative Counsel*
24 *with a written list of the number of requests for the drafting of a*
25 *legislative measure that may be submitted by each member and*
26 *standing committee of the respective houses, within the limit*
27 *provided by subsection 1. The lists may be revised any time before*
28 *the 15th calendar day of the regular legislative session to*
29 *reallocate any unused requests or requests which were withdrawn*
30 *before drafting began on the request.*

31 *3. If, pursuant to this section, a request for the drafting of a*
32 *legislative measure is submitted to the Legislative Counsel by a*
33 *member of the Senate or Assembly, a standing committee of the*
34 *Senate or Assembly, the Majority Leader or Minority Leader of*
35 *the Senate, or the Speaker or Minority Leader of the Assembly on*
36 *or before the 15th calendar day of the regular legislative session*
37 *pursuant to this section, the member, chair of the standing*
38 *committee or his or her designee, Majority Leader or Minority*
39 *Leader of the Senate, and the Speaker and Minority Leader of the*
40 *Assembly, as applicable, shall, by the 22nd calendar day of the*
41 *regular legislative session, provide the Legislative Counsel with*
42 *information to draft the request which is sufficient in detail to*
43 *allow for complete drafting of the request.*

44 *4. A request for the drafting of a legislative measure that is*
45 *allocated to:*



(a) A member of the Senate or Assembly pursuant to this section is in addition to the number of requests authorized for that member by statute, joint rule or rule of either House.

(b) A standing committee of either House pursuant to this section must be approved by a majority of all of the members appointed to the committee before the request is submitted to the Legislative Counsel.

Sec. 2. Chapter 294A of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, a Legislator who was appointed to fill a vacancy in the office of a Legislator during a period described in subsection 1 of NRS 294A.300 may, during the period described in subsection 1 of NRS 294A.300 in which the Legislator was appointed, solicit or accept a monetary contribution, or solicit or accept a commitment to make such a contribution, from another Legislator or from an organization whose primary purpose is to provide support for Legislators of a particular party and house.

2. A Legislator shall not:

(a) Solicit or accept monetary contributions pursuant to subsection 1, or solicit or accept a commitment to make such contributions, in a total amount which exceeds \$10,000 for a regular session or \$1,200 for a special session.

(b) Use any monetary contribution solicited or accepted pursuant to subsection 1 to pay any expenses other than expenses described in subsection 3 of NRS 218A.645 which are in excess of the supplemental allowance to which the Legislator is entitled pursuant to that subsection.

3. A Legislator who has received contributions pursuant to subsection 1 that were not spent or committed for expenditure before the end of the period described in subsection 1 of NRS 294A.300 in which the contributions were received shall, not later than 30 days after the end of that period, dispose of the money through one or any combination of the following methods:

(a) Return the unspent money to the contributors;

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

(c) 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.

Sec. 3. NRS 294A.0035 is hereby amended to read as follows:
294A.0035 "Campaign expenses" means:

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

(a) Office expenses;



(b) Expenses related to volunteers;
(c) Expenses related to travel;
(d) Expenses related to advertising;
(e) Expenses related to paid staff;
(f) Expenses related to consultants;
(g) Expenses related to polling;
(h) Expenses related to special events;
(i) Expenses related to a legal defense fund;
(j) Contributions made to another candidate, a nonprofit corporation that is registered or required to be registered pursuant to NRS 294A.225, a committee for political action that is registered or required to be registered pursuant to NRS 294A.230 or a committee for the recall of a public officer that is registered or required to be registered pursuant to NRS 294A.250;

(k) Fees for filing declarations of candidacy; and

(l) Repayment or forgiveness of a loan.

2. Expenditures, as defined in NRS 294A.0075.

3. The disposal of any unspent contributions pursuant to NRS 294A.160 ~~or~~ *or section 2 of this act.*

Sec. 4. NRS 294A.011 is hereby amended to read as follows:

294A.011 *1. “Personal use” means any use of contributions to fulfill a commitment, obligation or expense of:*

~~111~~ *(a)* A candidate that would exist irrespective of his or her campaign.

~~121~~ *(b)* A public officer that would exist irrespective of the duties of his or her public office,

↪ as applicable.

2. The term does not include, without limitation, any use of contributions by a Legislator to pay any expenses described in subsection 3 of NRS 218A.645 which are in excess of the supplemental allowance to which the Legislator is entitled pursuant to that subsection.

Sec. 5. NRS 294A.160 is hereby amended to read as follows:

294A.160 1. It is unlawful for:

(a) A candidate to spend money received as a contribution:

(1) For the candidate’s personal use; or

(2) To pay himself or herself a salary.

(b) A public officer to spend unspent contributions:

(1) For the public officer’s personal use; or

(2) To pay himself or herself a salary.

2. Notwithstanding the provisions of NRS 294A.286, a candidate or public officer may use contributions to pay for any legal expenses that the candidate or public officer incurs in relation to a campaign or serving in public office without establishing a legal defense fund. Any such candidate or public officer shall report any



1 expenditure of contributions to pay for legal expenses in the same
2 manner and at the same time as the report filed pursuant to NRS
3 294A.120 or 294A.200. A candidate or public officer shall not use
4 contributions to satisfy a civil or criminal penalty imposed by law.

5 3. Except as otherwise provided in subsection 5, every
6 candidate for office at a primary election, general election or special
7 election who is elected to that office and received contributions that
8 were not spent or committed for expenditure before the primary
9 election, general election or special election shall dispose of the
10 money through one or any combination of the following methods:

11 (a) Return the unspent money to contributors;

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

16 (c) Contribute the money to:

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

19 (2) *If the candidate was elected to the office of a Legislator,*
20 *another member of the Legislature who is authorized to solicit or*
21 *accept contribution pursuant to section 2 of this act;*

22 (3) A political party; or

23 ~~[(3)]~~ (4) Any combination of persons or groups set forth in
24 subparagraphs (1), ~~and~~ (2) ~~and~~ (3);

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

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

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

40 (a) Return the unspent money to contributors;

41 (b) Contribute the money to:

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

44 (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 NRS 294A.115.

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

7. Except for a former public officer who is subject to the provisions of subsection 11, every person 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

(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.

8. Except as otherwise provided in subsection 9, every public officer who:

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

(b) Is not a candidate for any other office and does not qualify 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,

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

9. Every public officer who:

(a) Resigns from his or her office;



(b) Is not a candidate for any other office and does not qualify 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,
➤ shall, not later than the 15th day of the second month after the effective date of the resignation, dispose of those contributions in the manner provided in subsection 4.

10. Except as otherwise provided in subsection 11, every public officer who:

(a) Does not run for reelection to the office which he or she 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.

11. Every former public officer described in subsection 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

(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.

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.

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.

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.

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 3 of NRS 294A.005.

Sec. 6. 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 year, for the period beginning January 1 of the previous year and ending on December 31 of the previous year, report:

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

(b) Each amount in excess of \$100 disposed of pursuant to NRS 294A.160 or subsection 3 of NRS 294A.286 *or section 2 of this act* during the period;

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

(d) The total of all amounts disposed of during the period pursuant to NRS 294A.160 or subsection 3 of NRS 294A.286 *or section 2 of this act* which are \$100 or less.

2. In addition to the requirements set forth in subsection 1, every candidate for office at a primary election or general election 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 of the campaign expenses described in subsection 1 incurred during 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 of the campaign expenses described in subsection 1 incurred during 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 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 the legal sufficiency of a petition for recall is challenged and a district court determines that the petition is legally:

(a) Sufficient pursuant to chapter 306 of NRS and the order of the district court is appealed, every candidate for office at a special election to determine whether a public officer will be recalled shall:

(1) Not later than 30 days after the date on which the notice of appeal is filed, for the period from the filing of the notice of intent to circulate the petition for recall through the date on which the notice of appeal is filed, report each of the campaign expenses described in subsection 1 incurred during the period.

(2) Not later than 30 days after the date on which all appeals regarding the petition are exhausted, for the period from the day after the date on which the notice of appeal is filed through the date on which all appeals regarding the petition are exhausted, report each of the campaign expenses described in subsection 1 incurred during the period.

(b) Insufficient pursuant to chapter 306 of NRS, every candidate for office at a special election to determine whether a public officer will be recalled shall:

(1) Not later than 30 days after the date on which the district court orders the filing officer 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.

(2) Not later than 30 days after the date on which all appeals regarding the petition are exhausted, for the period from the day after the date of the district court's order through the date on which all appeals regarding the petition are exhausted, 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. Except as otherwise provided in subsection 9, if a candidate disposes of contributions pursuant to NRS 294A.160 or 294A.286 *or section 2 of this act* 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 *or section 2 of this act* during the period; and

(b) The total of all amounts disposed of during the period pursuant to NRS 294A.160 or 294A.286 *or section 2 of this act* 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 NRS 294A.115, 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.

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

Sec. 7. NRS 294A.300 is hereby amended to read as follows:

294A.300 1. Except as otherwise provided in this section, it is unlawful for a member of the Legislature, the Lieutenant Governor, the Lieutenant Governor-Elect, the Governor or the Governor-Elect to solicit or accept any monetary contribution, or solicit or accept a commitment to make such a contribution for any political purpose during the period beginning:

(a) Thirty days before a regular session of the Legislature and ending 30 days after the final adjournment of a regular session of the Legislature;



(b) Fifteen days before a special session of the Legislature is set to commence and ending 15 days after the final adjournment of a special session of the Legislature, if:

(1) The Governor sets a specific date for the commencement of the special session that is more than 15 days after the date on which the Governor issues the proclamation calling for the special session pursuant to Section 9 of Article 5 of the Nevada Constitution; or

(2) The members of the Legislature set a date on or before which the Legislature is to convene the special session that is more than 15 days after the date on which the Secretary of State receives one or more substantially similar petitions signed, in the aggregate, by the required number of members calling for the special session pursuant to Section 2A of Article 4 of the Nevada Constitution; or

(c) The day after:

(1) The date on which the Governor issues the proclamation calling for the special session and ending 15 days after the final adjournment of the special session if the Governor sets a specific date for the commencement of the special session that is 15 or fewer days after the date on which the Governor issues the proclamation calling for the special session; or

(2) The date on which the Secretary of State receives one or more substantially similar petitions signed, in the aggregate, by the required number of members of the Legislature calling for the special session and ending 15 days after the final adjournment of the special session if the members set a date on or before which the Legislature is to convene the special session that is 15 or fewer days after the date on which the Secretary of State receives the petitions.

2. Except as otherwise provided in this section, a person shall not make or commit to make a contribution or commitment prohibited by subsection 1.

3. This section does not prohibit the payment of a salary or other compensation or income to a member of the Legislature, the Lieutenant Governor or the Governor during the period set forth in subsection 1 if it is made for services provided as a part of his or her regular employment or is additional income to which he or she is entitled.

4. This section does not apply to any monetary contribution or commitment to make such a contribution that may be given to or accepted by a person pursuant to NRS 294A.115. The provisions of this subsection do not authorize:

(a) A person to accept or solicit a contribution, or solicit or accept a commitment to make such a contribution, other than a contribution authorized pursuant to NRS 294A.115.



(b) A person to make or commit to make a contribution other than a contribution authorized pursuant to NRS 294A.115.

5. *This section does not apply to any monetary contribution or commitment to make such a contribution that may be given to or accepted by a Legislator pursuant to section 2 of this act.*

6. As used in this section, "political purpose" includes, without limitation, the establishment of, or the addition of money to, a legal defense fund.

Sec. 8. NRS 294A.350 is hereby amended to read as follows:

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

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

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

(c) Receives no contributions;

(d) Has no campaign expenses;

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

(f) Is defeated in the primary election;

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

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

2. A candidate described in paragraph (a), (b), (f) or (g) of subsection 1 may simultaneously file all the reports required by NRS 294A.120, 294A.125, 294A.128, 294A.200, 294A.286 and 294A.362 that are due after the candidate disposes of any unspent or excess contributions as provided in subsections 4, 5 and 6 of NRS 294A.160 *or section 2 of this act*, as applicable, if the candidate gives written notice to the Secretary of State, on the form prescribed by the Secretary of State, that the candidate is ending his or her campaign and will not accept any additional contributions. If the candidate has submitted a withdrawal of candidacy pursuant to NRS 293.202 or 293C.195 to an officer other than the Secretary of State, the candidate must enclose with the notice a copy of the withdrawal of candidacy. A form submitted to the Secretary of State pursuant to this subsection must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.

3. A candidate described in paragraph (b) of subsection 1 who simultaneously files reports pursuant to subsection 2 but is elected to office despite ending his or her campaign is subject to the reporting requirements set forth in NRS 294A.120, 294A.125,



1 294A.128, 294A.200, 294A.286 and 294A.362, beginning with the
2 next report that is due pursuant to those sections after his or her
3 election to office.

4 **Sec. 9.** NRS 294A.365 is hereby amended to read as follows:

5 294A.365 1. Each report required pursuant to NRS
6 294A.210, 294A.220 and 294A.280 must consist of a list of each
7 expenditure in excess of \$100 or \$1,000, as is appropriate, that was
8 made during the periods for reporting. Each report required pursuant
9 to NRS 294A.125 and 294A.200 must consist of a list of each
10 campaign expense in excess of \$100 that was incurred during the
11 periods for reporting. The list in each report must state the category
12 and amount of the campaign expense or expenditure and the date on
13 which the campaign expense was incurred or the expenditure was
14 made.

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

- 17 (a) Office expenses;
18 (b) Expenses related to volunteers;
19 (c) Expenses related to travel;
20 (d) Expenses related to advertising;
21 (e) Expenses related to paid staff;
22 (f) Expenses related to consultants;
23 (g) Expenses related to polling;
24 (h) Expenses related to special events;
25 (i) Expenses related to a legal defense fund;
26 (j) Except as otherwise provided in NRS 294A.362, goods and
27 services provided in kind for which money would otherwise have
28 been paid;
29 (k) Contributions made to another candidate, a nonprofit
30 corporation that is registered or required to be registered pursuant to
31 NRS 294A.225, a committee for political action that is registered or
32 required to be registered pursuant to NRS 294A.230 or a committee
33 for the recall of a public officer that is registered or required to be
34 registered pursuant to NRS 294A.250;
35 (l) Fees for filing declarations of candidacy;
36 (m) Repayments or forgiveness of loans;
37 (n) The disposal of unspent contributions pursuant to NRS
38 294A.160 ~~or~~ **or section 2 of this act**; and
39 (o) Other miscellaneous expenses.

40 3. Each report of campaign expenses or expenditures described
41 in subsection 1 must:

- 42 (a) List the disposition of any unspent contributions using the
43 categories set forth in subsection 3 of NRS 294A.160 or subsection
44 3 of NRS 294A.286 ~~or~~ **or section 2 of this act**, as applicable; and



1 (b) For any campaign expense or expenditure that is paid for
2 using a credit card or debit card, itemize each transaction and
3 identify the business or other entity from whom the purchase of the
4 campaign expense or expenditure was made.

5 **Sec. 10.** This act becomes effective upon passage and
6 approval.

