

SENATE BILL NO. 326—SENATOR DALY

MARCH 20, 2023

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing elections.
(BDR 24-542)

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

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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 definition of “committee for political action”; revising the requirements for certain persons, committees for political action, political parties and committees sponsored by a political party to report contributions and expenditures; authorizing, under certain circumstances, a candidate who is defeated or otherwise not elected to office at a general election or certain special elections to use unspent contributions in a future election; revising the requirement for reporting certain campaign expenses or expenditures; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law: (1) requires a committee for political action to register with the Secretary of State and report certain contributions and expenditures; and (2) defines a committee for political action to mean certain entities that solicit or receive contributions and make or intend to make certain contributions or make or intend to make certain expenditures. (NRS 294A.0055, 294A.150, 294A.210, 294A.220, 294A.230, 294A.410) **Section 1** of this bill revises the definition of a “committee for political action” to: (1) mean certain organizations rather than entities; and (2) exclude from the definition any business or social organization, corporation, partnership, association, trust, unincorporated organization or labor union that limits its political actions to making contributions to a candidate or other committee for political action and the candidate or committee for political action that receives the contribution is required to report the contribution pursuant to the provisions of the Nevada Revised Statutes relating to campaign finance.

Existing law requires certain persons who make independent expenditures and certain committees for political action, political parties and committees sponsored by a political party which receive certain contributions or make certain expenditures to submit reports of such contributions. (NRS 294A.140, 294A.150)



* S B 3 2 6 R 1 *

Sections 1.5 and 2 of this bill require such persons and committees to also report: (1) the total amount of all contributions of \$1,000 or less received during the reporting period; and (2) the balance in the campaign account, if such person or committee is required to maintain such an account.

Existing law requires every candidate for office at a primary election, general election or special election who is defeated for or otherwise not elected to that office and who received contributions that were not spent or committed for expenditure to dispose of the money not later than the 15th day of the second month after the election. (NRS 294A.160) **Section 2.3** of this bill authorizes, under certain circumstances, such a candidate to use such money in a future election. Such a candidate is subject to reporting requirements for contributions and campaign expenses for as long as the person is a candidate. **Section 2.3** further provides that if such a candidate does not file a declaration of candidacy or appear on an official ballot at any election within 4 years, the candidate must dispose of the unspent contributions. **Sections 2.6 and 3.3** of this bill make conforming changes to amend existing internal references in existing law to account for the revisions made by **section 2.3**.

Existing law provides that when reporting contributions, a person who qualifies as a committee for political action is required to report only those contributions received for the purpose of affecting the outcome of any election or question on the ballot. (NRS 294A.230) **Section 3** of this bill provides similarly that such a person is required to report only those expenditures made for the purpose of affecting the outcome of any election or question on the ballot.

Existing law requires that each report of campaign expenses or expenditures state the category and amount of each campaign expense or expenditure. (NRS 294A.365) **Section 3.5** of this bill requires that each such report also state the name and address of the recipient of the campaign expense or expenditure.

Section 3.8 of this bill specifies that the new requirements set forth in this bill: (1) do not apply to any report of contributions or expenditures that is required to be filed by a committee for political action on or before January 15, 2024; and (2) apply to every report of contributions or expenditures that is required to be filed by a committee for political action after January 15, 2024.

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

Section 1. NRS 294A.0055 is hereby amended to read as follows:

294A.0055 1. “Committee for political action” means:

(a) Any group of natural persons or ~~[entities]~~ *organizations* that solicits or receives contributions from any other person, group or ~~[entity]~~ *organization* and:

(1) Makes or intends to make contributions to candidates ,
~~[or]~~ other persons ~~[:]~~ *or organizations*; or

(2) Makes or intends to make expenditures,
↪ designed to affect the outcome of any primary election, general election, special election or question on the ballot.

(b) ~~[Any]~~ *Except as otherwise provided in paragraph (i) of subsection 2, any* business or social organization, corporation,



partnership, association, trust, unincorporated organization or labor union:

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

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

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

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

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

(c) An individual natural person.

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

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

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

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

(h) A major or minor political party or any committee sponsored by a major or minor political party.

(i) Any business or social organization, corporation, partnership, association, trust, unincorporated organization or labor union that limits its political actions to making contributions to one or more candidates or other committees for political action that are required to report contributions pursuant to this chapter.

Sec. 1.5. 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~~ :

(a) *Each* contribution in excess of \$1,000 received during the period ~~and contributions~~ ;

(b) *Contributions* received during the period from a contributor which cumulatively exceed \$1,000 ~~and~~ ;

(c) *The total amount of all contributions of \$1,000 or less received during the period and which are not required to be reported pursuant to paragraph (b); and*

(d) *The balance in the account maintained pursuant to NRS 294A.130, if applicable.*

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 ~~and~~ , *the total amount of all contributions of \$1,000 or less received during the period and which are not received from a contributor which cumulatively exceed \$1,000 and, if applicable, the balance in the account maintained pursuant to NRS 294A.130.*

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



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

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

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

9 ➡ report each contribution in excess of \$1,000 received during the
10 period , ~~[and]~~ contributions received during the period from a
11 contributor which cumulatively exceed \$1,000 ~~[.]~~, *the total amount*
12 *of all contributions of \$1,000 or less received during the period*
13 *and which are not received from a contributor which cumulatively*
14 *exceed \$1,000 and, if applicable, the balance in the account*
15 *maintained pursuant to NRS 294A.130.*

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

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

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

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

34 ➡ report each contribution in excess of \$1,000 received during the
35 period , ~~[and]~~ contributions received during the period from a
36 contributor which cumulatively exceed \$1,000 ~~[.]~~, *the total amount*
37 *of all contributions of \$1,000 or less received during the period*
38 *and which are not received from a contributor which cumulatively*
39 *exceed \$1,000 and, if applicable, the balance in the account*
40 *maintained pursuant to NRS 294A.130.*

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



committee and political party described in subsection 1 which makes an independent expenditure or other expenditure, as applicable, for or against a candidate for office at a special election to determine whether a public officer will be recalled or for or against a group of such candidates shall, not later than 30 days after the expiration of the notice of intent, for the period from the filing of the notice of intent through the date that the notice of intent expires or the petition is determined to be legally insufficient, report each contribution in excess of \$1,000 received and contributions received which cumulatively exceed \$1,000. The provisions of this subsection apply to the person, committee and political party if the petition for recall:

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

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

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

7. If 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 person, committee and political party described in subsection 1 which makes an independent expenditure or other expenditure, as applicable, for or against a candidate for office at a special election to determine whether a public officer will be recalled or for or against a group of candidates for offices at such a special election shall:

(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 contribution in excess of \$1,000 received during the period and contributions received during the period which cumulatively exceed \$1,000.]; and~~

(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 contribution in excess of \$1,000 received during the period, ~~[and]~~ contributions received during the period *from a contributor* which cumulatively exceed \$1,000 ~~[-]~~, *the total amount of all contributions of \$1,000 or less received during the period and which are not received from a contributor which*



cumulatively exceed \$1,000 and, if applicable, the balance in the account maintained pursuant to NRS 294A.130.

(b) Insufficient pursuant to chapter 306 of NRS, every person, committee and political party described in subsection 1 which makes an independent expenditure or other expenditure, as applicable, for or against a candidate for office at a special election to determine whether a public officer will be recalled or for or against a group of candidates for offices at such a special election shall:

(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 contribution in excess of \$1,000 received during the period and contributions received during the period which cumulatively exceed \$1,000.] ; and~~

(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 contribution in excess of \$1,000 received during the period , ~~[and]~~ contributions received during the period *from a contributor* which cumulatively exceed \$1,000 ~~[,]~~ , *the total amount of all contributions of \$1,000 or less received during the period and which are not received from a contributor which cumulatively exceed \$1,000 and, if applicable, the balance in the account maintained pursuant to NRS 294A.130.*

8. In addition to complying with the applicable requirements of subsections 2 to 7, inclusive, a person, committee or political party described in subsection 1 must, not later than January 15 of each year that is not an 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. Nothing in this subsection:

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

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

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



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

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

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

Sec. 2. NRS 294A.150 is hereby amended to read as follows:

294A.150 1. Every committee for political action that advocates the passage or defeat of a question or group of questions on the ballot at a primary election 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 each contribution in excess of \$1,000 received during that period, ~~and~~ contributions received during the period from a contributor which cumulatively exceed \$1,000 ~~and~~ *and the balance in the account maintained pursuant to NRS 294A.130.*

2. In addition to the requirements set forth in subsection 1, the committee for political action 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 ~~and~~, *the total amount of all contributions of \$1,000 or less received during the period and which are not received from a contributor which cumulatively exceed \$1,000 and the balance in the account maintained pursuant to NRS 294A.130.*

3. Except as otherwise provided in NRS 294A.223, every committee for political action that advocates the passage or defeat of a question or group of questions on the ballot at a special election shall, not later than:

(a) Four days before the beginning of early voting by personal appearance for the special election, for the period from the date that the question qualified for the ballot through 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 ~~[.]~~, *the total amount of all contributions of \$1,000 or less received during the period and which are not received from a contributor which cumulatively exceed \$1,000 and the balance in the account maintained pursuant to NRS 294A.130.*

4. The provisions of this section apply to a committee for political action even if the question or group of questions that the committee for political action advocates the passage or defeat of is removed from the ballot by a court order or otherwise does not appear on the ballot at a primary, general or special election.

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

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

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

Sec. 2.3. 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 expenditure of contributions to pay for legal expenses in the same manner and at the same time as the report filed pursuant to NRS 294A.120 or 294A.200. A candidate or public officer shall not



1 use contributions to satisfy a civil or criminal penalty imposed by
2 law.

3 3. Except as otherwise provided in subsection ~~5.1~~ 6, every
4 candidate for office at a primary election, general election or special
5 election who is elected to that office and received contributions that
6 were not spent or committed for expenditure before the primary
7 election, general election or special election shall dispose of the
8 money through one or any combination of the following methods:

9 (a) Return the unspent money to contributors;

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

14 (c) Contribute the money to:

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

17 (2) If the candidate was elected to the office of a Legislator,
18 another member of the Legislature who is authorized to solicit or
19 accept contributions pursuant to NRS 294A.117;

20 (3) A political party; or

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

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

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

28 4. Except as otherwise provided in subsection 5 ~~4~~ or 6, every
29 candidate for office at a primary election, general election or special
30 election who withdraws pursuant to NRS 293.202 or 293C.195 after
31 filing a declaration of candidacy, is removed from the ballot by
32 court order or is defeated for or otherwise not elected to that office
33 and who received contributions that were not spent or committed for
34 expenditure before the primary election, general election or special
35 election shall, not later than the 15th day of the second month after
36 the election, dispose of the money through one or any combination
37 of the following methods:

38 (a) Return the unspent money to contributors;

39 (b) Contribute the money to:

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

42 (2) A political party; or

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

45 (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. *Except as otherwise provided in subsection 11, every candidate for office who is defeated for or otherwise not elected to that office at a general election or a special election other than a special election to recall a public officer and who, not later than the 15th day of the second month after the election, qualifies as a candidate by receiving one or more qualifying contributions in excess of \$100, may use the unspent contributions in a future election and is not required to dispose of contributions that were not spent or committed for expenditure before the general election or special election pursuant to subsection 4. Such candidate 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 person is a candidate for any office or qualifies as a candidate by receiving one or more qualifying contributions in excess of \$100.*

6. 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.]~~ 7. 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.]~~ 8. Except for a former public officer who is subject to the provisions of subsection ~~[11.]~~ 12, 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.]~~ 9. Except as otherwise provided in subsection ~~[9.]~~ 10, 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-]~~ **10.** 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-]~~ **11.** Except as otherwise provided in subsection ~~11-]~~ **12**, 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-]~~ **12.** Every *candidate described in subsection 5 or* former public officer described in subsection ~~10-]~~ **11** 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



1 or committed for expenditure through one or any combination of the
2 methods set forth in subsection 4.

3 ~~{12-}~~ 13. In addition to the methods for disposing of the
4 unspent money set forth in this section, a Legislator may donate not
5 more than \$500 of that money to the Nevada Silver Haired
6 Legislative Forum created pursuant to NRS 427A.320.

7 ~~{13-}~~ 14. Any contributions received before a candidate for
8 office at a primary election, general election or special election dies
9 that were not spent or committed for expenditure before the death of
10 the candidate must be disposed of in the manner provided in
11 subsection 4.

12 ~~{14-}~~ 15. The court shall, in addition to any penalty which may
13 be imposed pursuant to NRS 294A.420, order the candidate or
14 public officer to dispose of any remaining contributions in the
15 manner provided in this section.

16 ~~{15-}~~ 16. As used in this section:

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

19 (b) "Qualifying contribution" means the receipt of a contribution
20 that causes a person to qualify as a candidate pursuant to subsection
21 3 of NRS 294A.005.

22 **Sec. 2.6.** NRS 294A.200 is hereby amended to read as
23 follows:

24 294A.200 1. Every candidate for office at a primary election
25 or general election shall, not later than January 15 of the election
26 year, for the period beginning January 1 of the previous year and
27 ending on December 31 of the previous year, report:

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

30 (b) Each amount in excess of \$100 disposed of pursuant to NRS
31 294A.117, 294A.160 or subsection 3 of NRS 294A.286 during the
32 period;

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

35 (d) The total of all amounts disposed of during the period
36 pursuant to NRS 294A.117, 294A.160 or subsection 3 of NRS
37 294A.286 which are \$100 or less.

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

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

43 (b) July 15 of the election year, for the period beginning April 1
44 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.117, 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.117, 294A.160 or 294A.286 during the period; and

(b) The total of all amounts disposed of during the period pursuant to NRS 294A.117, 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~~ 6 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~~ 6 of NRS 294A.160; and

(b) The total of all amounts disposed of during the period pursuant to subsection ~~5~~ 6 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. 3. NRS 294A.230 is hereby amended to read as follows:

294A.230 1. Except as otherwise provided in subsection 2, each committee for political action shall, before it engages in any activity in this State, register with the Secretary of State on forms supplied by the Secretary of State.

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

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

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

➤ shall, not later than 7 calendar days after the qualifying event, register with the Secretary of State on forms supplied by the Secretary of State. When reporting contributions *or expenditures* as required by this chapter, a person who qualifies as a committee for political action in accordance with subparagraph (2) of paragraph (b) of subsection 1 of NRS 294A.0055 is required to report only those contributions received for *or expenditures made for* the purpose of affecting the outcome of any primary election, general election, special election or any question on the ballot.

3. The form must require:

(a) The name of the committee for political action;

(b) The purpose for which it was organized;

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

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

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

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

4. A committee for political action shall file with the Secretary of State:

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

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



5. The Secretary of State shall include on the Secretary of State's Internet website the information required pursuant to subsection 3.

6. For purposes of the civil penalty that the Secretary of State may impose pursuant to NRS 294A.420 for violating the provisions of subsection 1 or 2, if a committee for political action fails to register with the Secretary of State pursuant to subsection 1 or 2, each time the committee for political action engages in any activity in this State constitutes a separate violation of subsection 1 or 2 for which the Secretary of State may impose a civil penalty.

Sec. 3.3. 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 NRS 294A.117 or subsections 4, ~~5 and~~ 6 and 7 of NRS 294A.160, as applicable, if the candidate gives written notice to the Secretary of State, on the form prescribed by the Secretary of State, that the candidate is ending his or her campaign and will not accept any additional contributions. If the candidate has submitted a withdrawal of candidacy pursuant to NRS 293.202 or 293C.195 to an officer other than the Secretary of State, the candidate must enclose with the notice a copy of the withdrawal of candidacy. A form submitted to the Secretary of State pursuant to this subsection must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.



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

Sec. 3.5. NRS 294A.365 is hereby amended to read as follows:

294A.365 1. Each report required pursuant to NRS 294A.210, 294A.220 and 294A.280 must consist of a list of each expenditure in excess of \$100 or \$1,000, as is appropriate, that was made during the periods for reporting. Each report required pursuant to NRS 294A.125 and 294A.200 must consist of a list of each campaign expense in excess of \$100 that was incurred during the periods for reporting. The list in each report must state the category and amount of the campaign expense or expenditure, *the name and address of the recipient of the campaign expense or expenditure* and the date on which the campaign expense was incurred or the expenditure was made.

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

- (a) Office expenses;
- (b) Expenses related to volunteers;
- (c) Expenses related to travel;
- (d) Expenses related to advertising;
- (e) Expenses related to paid staff;
- (f) Expenses related to consultants;
- (g) Expenses related to polling;
- (h) Expenses related to special events;
- (i) Expenses related to a legal defense fund;
- (j) Except as otherwise provided in NRS 294A.362, goods and services provided in kind for which money would otherwise have been paid;
- (k) Contributions made to another candidate, a nonprofit corporation that is registered or required to be registered pursuant to NRS 294A.225, a committee for political action that is registered or required to be registered pursuant to NRS 294A.230 or a committee for the recall of a public officer that is registered or required to be registered pursuant to NRS 294A.250;
- (l) Fees for filing declarations of candidacy;
- (m) Repayments or forgiveness of loans;
- (n) The disposal of unspent contributions pursuant to NRS 294A.117 or 294A.160; and
- (o) Other miscellaneous expenses.



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

(a) List the disposition of any unspent contributions using the categories set forth in NRS 294A.117, subsection 3 of NRS 294A.160 or subsection 3 of NRS 294A.286, as applicable; and

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

Sec. 3.8. 1. The provisions of this act:

(a) Do not apply to any report of contributions or expenditures that is required to be filed on or before January 15, 2024.

(b) Apply to every report of contributions or expenditures that is required to be filed by a committee for political action after January 15, 2024.

2. As used in this section:

(a) “Committee for political action” has the meaning ascribed to it in NRS 294A.0055.

(b) “Contribution” has the meaning ascribed to it in NRS 294A.007.

(c) “Expenditures” has the meaning ascribed to it in NRS 294A.0075.

Sec. 4. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 3.8, inclusive, of this act become effective:

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

(b) On January 1, 2024, for all other purposes.

