

**PROPOSED REGULATION OF THE
SECRETARY OF STATE**

LCB FILE NO. R089-25I

**The following document is the initial draft regulation proposed
by the agency submitted on 11/07/2025**

Amendments to NAC 294A.097

Authority: NRS 293.124; NRS 293.247; NRS 29A.420

NAC 294A.097 Waiver or reduction of civil penalty for good cause. ([NRS 293.124](#), [294A.380](#), [294A.420](#))

1. The Secretary of State may waive a civil penalty for good cause pursuant to subsection 4 of [NRS 294A.420](#), if the person, committee for political action or entity that is subject to a civil penalty pursuant to [NRS 294A.420](#):

(a) Files a written request for a waiver setting forth the basis for the waiver; and

(b) Properly files the appropriate report pursuant to the applicable provisions of [chapter 294A](#) of NRS; *and*

(c) *Establishes that:*

(1) *There are no delinquent reports the person, committee for political action or entity should have filed in the prior 36 months but did not; and:*

(2) *Within a reasonable time before or on the date the applicable report was due, the candidate, person, or officers or representatives of the committee for political action or entity experienced unforeseen personal or medical emergencies; or*

(3) *The candidate is experiencing financial hardship; or*

(4) *The candidate or officer or representative of the committee for political action or entity is or was a member of the Armed Forces of the United States serving outside of the State or country within a reasonable period of time before or on the date the applicable report was due and the candidate or officer or representative of the committee for political action or entity executes an affidavit under penalty of perjury attesting to such facts; or*

(5) *The candidate, person, or officers or representatives of the committee for political action or entity experienced unforeseen circumstances or force major events including but not limited to damaging weather conditions, civil emergencies or power outages within a reasonable period of time before or on the date the applicable report was due and the candidate or officer or representative of the committee for political action or entity executes an affidavit under penalty of perjury attesting to such facts; or*

(6) *Within a reasonable time before or on the date the applicable report was due, the candidate experienced a threat to their personal safety that required such actions that the timely submission of the report was not reasonable and the candidate executes an affidavit under penalty of perjury attesting to such facts; or*

(7) *The candidate, person, or officers or representatives of the committee for political action or entity received incorrect written instructions by their filing officer or state election official contributing to a late filing; or*

(8) *There were administrative or technical errors in the online filing system that made timely submission of the report impossible; or*

(9) *Other causes not listed but that are agreed upon by the Secretary of State and Attorney General; or*

(10) *The entity is organized as a nonprofit under the laws of the State of Nevada, has no paid employees and is comprised only of volunteers and:*

(I) *The representative of the entity who is responsible for filing the appropriate report on behalf of the entity pursuant to the applicable provisions of chapter 294A of NRS, or*

a member of the family of such a representative, meets the conditions set forth in subparagraphs (2) through (9) of paragraph (c); or

(II) The representative of the entity who is responsible for filing the appropriate report on behalf of the entity pursuant to the applicable provisions of chapter 294A of NRS has severed his or her relationship with the entity within a reasonable time before or on the date that the applicable report was due.

2. The Secretary of State, with the approval of the Attorney General and for good cause, may reduce a civil penalty imposed pursuant to [NRS 294A.420](#) if:

(a) The penalty is being imposed for a failure to properly file a report or form for registration; and

(b) The person, committee for political action or entity that is subject to a civil penalty pursuant to [NRS 294A.420](#) first properly files the appropriate report or form.

3. *The Secretary of State, with the approval of the Attorney General and for good cause, may waive a civil penalty imposed pursuant to [NRS 294A.420](#) if:*

(a) The person, committee for political action or entity:

(1) did not receive contributions and made no expenditures during the reporting period; or

(2) was a first-time candidate or a committee for political action or entity within its first 12 months of existence; or

(3) made a good faith effort to comply.

~~34.~~ The Secretary of State will not waive or reduce a civil penalty imposed pursuant to [NRS 294A.420](#) for good cause on the basis that the Secretary of State did not send a reminder notice that a report or form for registration was due before the applicable deadline.

~~45.~~ If the Secretary of State waives *or reduces* a civil penalty imposed pursuant to subsection 4 of [NRS 294A.420](#), the Secretary of State will:

(a) Compile each record created pursuant to paragraph (a) of subsection 6 of [NRS 294A.420](#) into a quarterly report; and

(b) Post the quarterly report created pursuant to paragraph (a) on the Internet website of the Office of the Secretary of State not later than 15 business days after the last day of each calendar quarter.