

PROPOSED AMENDMENT TO ~~[REGULATION]~~ GUIDANCE ON LOBBYING

December 28, 2022

AUTHORITY: NRS 218H.400 and 218H.500

The Legislative Commission hereby adopts the following ~~[regulation]~~ guidance concerning lobbyists. This ~~[regulation]~~ guidance supersedes all previously adopted ~~[regulations]~~ guidance on the subject and should be read in conjunction with the provisions of chapter 218H of NRS.

Registration

1. Except as otherwise provided in this subsection, the Director of the Legislative Counsel Bureau shall provide for the registration of lobbyists before and during each legislative session or special session. If a special session occurs within 10 days after the adjournment of a legislative session or a special session for which lobbyist registration was required, the lobbyist registrations from the previous legislative session or special session remain valid and a new registration is not required.

2. The fees for registering as a lobbyist for a legislative session are:

- (a) For a paid lobbyist, \$300;
- (b) For a paid lobbyist representing only nonprofit organizations, \$100;
- (c) For a nonpaid lobbyist, \$20; and
- (d) For a nonpaid veteran lobbyist, \$0.

3. The fees for registering as a lobbyist for a special session for which lobbyist registration is required are:

- (a) For a paid lobbyist, \$50;
- (b) For a paid lobbyist representing only nonprofit organizations, \$20;
- (c) For a nonpaid lobbyist, \$20; and
- (d) For a nonpaid veteran lobbyist, \$0.

4. For the purposes of subsections 2 and 3 a paid lobbyist is a lobbyist as that term is defined in NRS 218H.080 who receives compensation for acting as a lobbyist. To be considered a paid lobbyist, the compensation paid need not be paid solely for the act of lobbying, but may be paid for other tasks in addition to lobbying. A paid lobbyist representing only nonprofit organizations must provide proof at the time of registration that any organizations represented are nonprofit organizations that are recognized as exempt under section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. § 501(c)(3). A nonpaid lobbyist is a lobbyist as that term is defined in NRS 218H.080 who receives no compensation for acting as a lobbyist.

5. A person who is required to register as a lobbyist during a regular or special legislative session of the Legislature is a lobbyist for the purposes of NRS 218H.930, as amended by section 12 of Senate Bill No. 307 (2015), ch. 320, Statutes of Nevada, 2015 at p. 1717, until the next regular session of the Legislature regardless of whether the person registered as a lobbyist and regardless of whether the person files a notice required pursuant to NRS 218H.230, unless the person is no longer employed to represent the interests of a client to the legislature.

6. The design of the photo identification badges for registered lobbyists must be as follows:

(a) For paid lobbyists, a white background and a dark blue colored stripe with the phrase “PAID LOBBYIST”;

(b) For paid lobbyists representing only nonprofit organizations, a white background and a teal colored stripe with the phrase “PAID LOBBYIST – Nonprofit”;

(c) For nonpaid lobbyists, a white background and a light blue colored stripe with the phrase “NONPAID LOBBYIST”; and

(d) For nonpaid lobbyists who are veterans, a white background and a light green colored stripe with the phrase “NONPAID LOBBYIST – Military Veteran”.

The fee for a second or subsequent photo identification badge is \$20 each.

7. While in the Legislative Building, a lobbyist must wear the photo identification badge in such a manner that the lobbyist’s name and classification is visible at all times.

8. The registration statements required pursuant to NRS 218H.200 and NRS 218H.220 must be submitted electronically at www.leg.state.nv.us.

Photo Identification for State Employees

An employee of state government who is not required to register as a lobbyist solely because of the exclusion specified in paragraph (c) of subsection 2 of NRS 218H.080 shall obtain a photo identification badge. The badge must be worn whenever the employee appears in the Legislative Building. The badges for state employees must be designed with a white and gray background with the phrase “STATE EMPLOYEE”.

There is no fee for a badge issued pursuant to this subsection.

Expenditure Reports

1. The reports of lobbying activities required pursuant to NRS 218H.400 must be submitted by each lobbyist electronically at www.leg.state.nv.us regardless of whether any expenditures were made during the reporting period. If expenditures in any month exceed \$50, each expenditure must be listed separately in the report. As used in this subsection, “expenditure” has the meaning ascribed to it in NRS 218H.050.

2. Nonpaid lobbyists, including veterans, are exempt from the late fees for filing an activity report after the time provided in NRS 218H.400. Paid and nonpaid lobbyists who do not file a report within the time provided in NRS 218H.400 are subject to suspension or revocation of their registrations and are prohibited from lobbying or registering as a lobbyist again until all delinquent reports are filed.

[Training

~~The Director for the Legislative Counsel Bureau shall provide training for lobbyists at the Legislative Building at least once before each legislative session. The Director shall provide access to an electronic copy of the training and a form for attesting completion of the training to any lobbyist who is unable to attend the training. All lobbyists must attend the training required pursuant to this section or must view the electronic copy of the training and submit the form attesting completion of the training.]~~