

## CHAPTER 218H - LOBBYING

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**GENERAL PROVISIONS**

**NRS 218H.010 Short title.** This chapter may be cited as the Nevada Lobbying Disclosure Act.

(Added to NRS by 1975, 1170; A 1977, 1528)—(Substituted in revision for NRS 218.900)

**NRS 218H.020 Legislative declaration.** The Legislature declares that the operation of responsible representative government requires that the fullest opportunity be afforded to the people to petition their government for the redress of grievances and to express freely to individual Legislators and to legislative committees their opinions on legislation.

(Added to NRS by 1975, 1170; A [2011, 3251](#))—(Substituted in revision for NRS 218.902)

**NRS 218H.030 Definitions.** As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 218H.050](#) to [218H.100](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by 1975, 1170; A 1979, 1322; [2003, 2530](#); [2011, 3251](#))—(Substituted in revision for NRS 218.904)

**NRS 218H.040 "Director" defined.** Repealed. (See chapter 498, [Statutes of Nevada 2011, at page 3258](#).)

**NRS 218H.050 "Expenditure" defined.** "Expenditure" means any advance, conveyance, deposit, distribution, transfer of funds, loan, payment, pledge or subscription of money or anything of value, including cost of entertainment, except the payment of a membership fee otherwise exempted pursuant to [NRS 218H.400](#), and any contract, agreement, promise or other obligation, whether or not legally enforceable, to make any expenditure while the Legislature is in a regular or special session.

(Added to NRS by 1975, 1170; A [2011, 3251](#))—(Substituted in revision for NRS 218.906)

**NRS 218H.060 "Gift" defined.**

1. "Gift" means a payment, subscription, advance, forbearance, rendering or deposit of money, services or anything of value unless consideration of equal or greater value is received.

2. "Gift" does not include:

- (a) A political contribution of money or services related to a political campaign;
- (b) A commercially reasonable loan made in the ordinary course of business;
- (c) The cost of entertainment, including the cost of food or beverages; or
- (d) Anything of value received from:

(1) A member of the recipient's immediate family; or

(2) A relative of the recipient or relative of the recipient's spouse within the third degree of consanguinity or from the spouse of any such relative.

(Added to NRS by 1975, 1171; A 1993, 2587)—(Substituted in revision for NRS 218.908)

**NRS 218H.070 "Legislative action" defined.** "Legislative action" means introduction, sponsorship, debate, voting and any other official action on any bill, resolution, amendment, nomination, appointment, report and any other matter pending or proposed in

a legislative committee or in either House, or on any matter which may be the subject of action by the Legislature.

(Added to NRS by 1975, 1171; A [2011, 3251](#))—(Substituted in revision for NRS 218.910)

**NRS 218H.080 “Lobbyist” defined.**

1. “Lobbyist” means, except as limited by subsection 2, a person who:

(a) Appears in person in the Legislative Building or any other building in which the Legislature or any of its standing committees hold meetings; and

(b) Communicates directly with a member of the Legislative Branch on behalf of someone other than himself or herself to influence legislative action whether or not any compensation is received for the communication.

2. “Lobbyist” does not include:

(a) Persons who confine their activities to formal appearances before legislative committees and who clearly identify themselves and the interest or interests for whom they are testifying.

(b) Employees of a bona fide news medium who meet the definition of “lobbyist” only in the course of their professional duties and who contact Legislators for the sole purpose of carrying out their news gathering function.

(c) Employees of departments, divisions or agencies of the state government who appear before legislative committees only to explain the effect of legislation related to their departments, divisions or agencies.

(d) Employees of the Legislature, Legislators, legislative agencies or legislative commissions.

(e) Elected officers of this State and its political subdivisions who confine their lobbying activities to issues directly related to the scope of the office to which they were elected.

(f) Persons who contact the Legislators who are elected from the district in which they reside.

(Added to NRS by 1975, 1171; A 1977, 1528; 1991, 2324; [2011, 3251](#))—(Substituted in revision for NRS 218.912)

**NRS 218H.090 “Member of the Legislative Branch” defined.** “Member of the Legislative Branch” means any Legislator, any member of the Legislator’s staff or any assistant, employee or other person employed with reference to the legislative duties of the Legislator.

(Added to NRS by 1975, 1171; A 1981, 1204; [2011, 3252](#))—(Substituted in revision for NRS 218.914)

**NRS 218H.100 “Person” defined.** “Person” includes a group of persons acting in concert, whether or not formally organized.

(Added to NRS by 1975, 1171; A 1981, 1204)—(Substituted in revision for NRS 218.916)

## **REGISTRATION**

**NRS 218H.200 Registration statement required; filing with Director.** Every person who acts as a lobbyist shall, not later than 2 days after the beginning of that activity, file a registration statement with the Director in such form as the Director prescribes.

(Added to NRS by 1975, 1171; A 1979, 1322)—(Substituted in revision for NRS 218.918)

**NRS 218H.210 Contents of registration statement.** The registration statement of a lobbyist must contain the following information:

1. The registrant’s full name, permanent address, place of business and temporary address while lobbying.

2. The full name and complete address of each person, if any, by whom the registrant is retained or employed or on whose behalf the registrant appears.

3. A listing of any direct business associations or partnerships involving any current Legislator and the registrant or any person by whom the registrant is retained or employed.

The listing must include any such association or partnership constituting a source of income or involving a debt or interest in real estate required to be disclosed in a statement of financial disclosure made by a candidate for public office or a public officer pursuant to [NRS 281.571](#).

4. The name of any current Legislator for whom:

(a) The registrant; or

(b) Any person by whom the registrant is retained or employed,

Ê has, in connection with a political campaign of the Legislator, provided consulting, advertising or other professional services since the beginning of the preceding regular session.

5. A description of the principal areas of interest on which the registrant expects to lobby.

6. If the registrant lobbies or purports to lobby on behalf of members, a statement of the number of members.

7. A declaration under penalty of perjury that none of the registrant's compensation or reimbursement is contingent, in whole or in part, upon the production of any legislative action.

(Added to NRS by 1975, 1171; A 1977, 1528; 1981, 1204; 1993, 2588; [2001, 1955](#); [2011, 3252](#))—(Substituted in revision for NRS 218.920)

#### **NRS 218H.220 Supplementary registration statement required upon change in registration information.**

1. Each person required to register shall file a supplementary registration statement with the Director no later than 5 days after any change in the registrant's last registration statement.

2. The supplementary registration statement must include complete details concerning the changes that have occurred.

(Added to NRS by 1975, 1172; A 1979, 1322)—(Substituted in revision for NRS 218.924)

**NRS 218H.230 Notice required upon termination of lobbying activities; duty to file report for final reporting period.** Each person required to register shall file a notice of termination within 30 days after the registrant ceases the activity that required registration, but this does not relieve the registrant of the reporting requirement for that reporting period.

(Added to NRS by 1975, 1172)—(Substituted in revision for NRS 218.922)

### **IDENTIFICATION BADGES**

**NRS 218H.300 Issuance by Director; different color for each classification; requirement to wear in Legislative Building.**

1. The Director shall furnish an appropriate identification badge to each lobbyist who files a registration statement under this chapter. The identification badge for each classification of lobbyist set forth in [NRS 218H.500](#) must be a different color.

2. The identification badge must be worn by the lobbyist whenever the lobbyist appears in the Legislative Building.

(Added to NRS by 1977, 1527; A 1979, 1323; [2011, 3673](#))—(Substituted in revision for NRS 218.929)

### **REPORTS OF LOBBYING ACTIVITIES**

**NRS 218H.400 Duty to file; form; contents; itemization of expenditures; audits and investigations.**

1. Each registrant shall file with the Director:

(a) Within 30 days after the close of a regular or special session, a final report signed under penalty of perjury concerning the registrant's lobbying activities; and

(b) Between the 1st and 10th day of the month after each month that the Legislature is in a regular or special session, a report concerning the registrant's lobbying activities during the previous month, whether or not any expenditures were made.

2. Each report must:

(a) Be on a form prescribed by the Director; and  
(b) Include the total of all expenditures, if any, made by the registrant on behalf of a Legislator or an organization whose primary purpose is to provide support for Legislators of a particular political party and House, including expenditures made by others on behalf of the registrant if the expenditures were made with the registrant's express or implied consent or were ratified by the registrant.

3. Except as otherwise provided in subsection 6, the report:

(a) Must identify each Legislator and each organization whose primary purpose is to provide support for Legislators of a particular political party and House on whose behalf expenditures were made;

(b) Must be itemized with respect to each such Legislator and organization; and

(c) Does not have to include any expenditure made on behalf of a person other than a Legislator or an organization whose primary purpose is to provide support for Legislators of a particular political party and House, unless the expenditure is made for the benefit of a Legislator or such an organization.

4. If expenditures made by or on behalf of a registrant during the previous month exceed \$50, the report must include a compilation of expenditures, itemized in the manner required by the regulations of the Legislative Commission, in the following categories:

(a) Entertainment;

(b) Expenditures made in connection with a party or similar event hosted by the organization represented by the registrant;

(c) Gifts and loans, including money, services and anything of value provided to a Legislator, to an organization whose primary purpose is to provide support for Legislators of a particular political party and House, or to any other person for the benefit of a Legislator or such an organization; and

(d) Other expenditures directly associated with legislative action, not including personal expenditures for food, lodging and travel expenses or membership dues.

5. The Legislative Commission may authorize an audit or investigation by the Legislative Auditor that is proper and necessary to verify compliance with the provisions of this section. If the Legislative Commission authorizes such an audit or investigation:

(a) A lobbyist shall make available to the Legislative Auditor all books, accounts, claims, reports, vouchers and other records requested by the Legislative Auditor in connection with any such audit or investigation.

(b) The Legislative Auditor shall confine requests for such records to those which specifically relate to the lobbyist's compliance with the reporting requirements of this section.

6. A report filed pursuant to this section must not itemize with respect to each Legislator an expenditure if the expenditure is the cost of a function to which every Legislator was invited. For the purposes of this subsection, "function" means a party, meal or other social event.

(Added to NRS by 1975, 1172; A 1977, 1529; 1979, 1322; 1987, 831; 1989, 1974; 1991, 2325; 1993, 2588; [1997, 3072](#); [1999, 930](#); [2011, 3252](#))—(Substituted in revision for NRS 218.926)

#### **NRS 218H.410 Fee for late filing; waivers and exemptions.**

1. Except as otherwise provided in this section, a registrant who files an activity report after the time provided in [NRS 218H.400](#) shall pay to the Director a fee for late filing of \$10 for each day that it was late, but the Director may reduce or waive this fee upon a finding of just cause.

2. Except as otherwise provided in this subsection, the Legislative Commission may by regulation exempt a classification of lobbyist from the fee for late filing. A veteran who does not receive compensation for the veteran's lobbying activities is exempt from the fee for late filing if the veteran provides proof of the veteran's discharge or release from the Armed Forces of the United States, a reserve component thereof or the National Guard under honorable conditions.

3. An activity report with respect to which a late filing fee has been paid by the registrant or waived by the Director shall be deemed timely filed, and the late filing is not a public offense.

(Added to NRS by 1975, 1173; A 1979, 1324; 1989, 1976; [2003, 2093](#); [2009, 374](#))—  
(Substituted in revision for NRS 218.940)

## **ADMINISTRATION AND ENFORCEMENT**

### **NRS 218H.500 Regulations; fees; classification of lobbyists; forms; accounting and reporting methods; filing system; public inspection; retention of records; list of registrants.**

1. The Legislative Commission shall adopt regulations to carry out the provisions of this chapter.

2. The Legislative Commission may, except as otherwise provided in this subsection, require fees for registration, payable into the Legislative Fund. For the purposes of fees for registration, the Legislative Commission shall classify lobbyists as follows:

(a) Except as otherwise provided in paragraph (c), a lobbyist who receives any compensation for his or her lobbying activities.

(b) Except as otherwise provided in paragraph (c) or (d), a lobbyist who does not receive any compensation for his or her lobbying activities.

(c) Except as otherwise provided in paragraph (d), a lobbyist whose lobbying activities are only on behalf of one or more nonprofit organizations that are recognized as exempt under section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. § 501(c)(3). Such a lobbyist is not required to pay a fee of more than \$100 for registration pursuant to this subsection.

(d) A veteran who does not receive compensation for the veteran's lobbying activities and who provides proof of his or her discharge or release from the Armed Forces of the United States, a reserve component thereof or the National Guard under honorable conditions. Such a lobbyist is not required to pay any fee for registration pursuant to this subsection.

3. The Director shall:

(a) Prepare and furnish forms for the statements and reports required to be filed.

(b) Prepare and publish uniform methods of accounting and reporting to be used by persons required to file such statements and reports, including guidelines for complying with the reporting requirements of this chapter.

(c) Accept and file any information voluntarily supplied that exceeds the requirements of this chapter.

(d) Develop a filing, coding and cross-indexing system consistent with the purposes of this chapter.

(e) Make the statements and reports available for public inspection during regular office hours.

(f) Preserve the statements and reports for a period of 5 years from the date of filing.

(g) Compile and keep current an alphabetical list of registrants, which must include each registrant's address, the name and address of each person for whom the registrant is lobbying and the principal areas of interest on which the registrant expects to lobby. A copy of the list must be furnished to each Legislator, to the clerks of the respective counties for preservation and public inspection, and to any person who requests a copy and pays the cost of reproduction.

(Added to NRS by 1975, 1173; A 1977, 1529; 1979, 1323; 1981, 1204; 1993, 2589; [2009, 373](#); [2010, 26th Special Session, 86](#); [2011, 3253, 3673](#))—(Substituted in revision for NRS 218.932)

### **NRS 218H.510 Inspection of registration statements and reports of lobbying activities; notice of noncompliance.**

1. The Director shall:

(a) Inspect each statement and report filed within 10 days after its filing.

(b) Immediately notify the person who has filed:

(1) If the information filed does not conform to law.

(2) If a written complaint has been filed with the Director by any person alleging an irregularity or lack of truth as to the information filed.

2. The Director may notify any person of the filing requirement who the Director has reason to believe has failed to file any statement or report as required.



(Added to NRS by 1975, 1172; A 1977, 1529; 1979, 1323; 1981, 1204)—(Substituted in revision for NRS 218.930)

**NRS 218H.520 Publication of reports regarding lobbying activities; release of name of noncomplying lobbyist; sanctions for noncompliance.** The Director may:

1. Prepare and publish such reports concerning lobbying activities as the Director deems appropriate.
2. Release to the public the name of any lobbyist who fails to file any activity report within 14 days after the date it is required to be filed.
3. Revoke the registration of any lobbyist who fails to file any activity report within 30 days after the date it is required to be filed or fails to file two or more activity reports within the time required.

(Added to NRS by 1975, 1173; A 1979, 1324; 1989, 1975; [2003, 2092](#))—(Substituted in revision for NRS 218.934)

**NRS 218H.530 Investigations of irregularities and noncompliance; grounds and procedure for suspension or revocation of registration; hearing and appeal; renewal of registration after suspension or revocation.**

1. The Director shall:
  - (a) Make investigations on the Director's own initiative with respect to any irregularities which the Director discovers in the statements and reports filed and with respect to the failure of any person to file a required statement or report and shall make an investigation upon the written complaint of any person alleging a violation of any provision of this chapter.
  - (b) Report suspected violations of law to the:
    - (1) Legislative Commission; and
    - (2) Attorney General, who shall investigate and take any action necessary to carry out the provisions of this chapter.
2. If an investigation by the Director reveals a violation of any provision of this chapter by a lobbyist, the Director may suspend the lobbyist's registration for a specified period or revoke the lobbyist's registration. The Director shall cause notice of such action to be given to each person who employs or uses the lobbyist.
3. A lobbyist whose registration is suspended or revoked by the Director may:
  - (a) Request a hearing on the matter before the Director;
  - (b) Appeal to the Legislative Commission from any adverse decision of the Director; and
  - (c) If the lobbyist's registration is suspended, renew the lobbyist's registration if the Legislature is still in a regular or special session following the period of suspension.
4. A lobbyist whose registration is revoked may, with the consent of the Director, renew the lobbyist's registration if the lobbyist:
  - (a) Files a registration statement in the form required by [NRS 218H.200](#);
  - (b) Pays any fee for late filing owed pursuant to [NRS 218H.410](#), plus the fee for registration prescribed by the Legislative Commission; and
  - (c) If the revocation occurred because of the lobbyist's failure to file an activity report, files that report.

(Added to NRS by 1975, 1173; A 1979, 1324; 1989, 1975; [2011, 3254](#))—(Substituted in revision for NRS 218.936)

**NRS 218H.540 Injunctive relief.** The district courts may issue injunctions to enforce the provisions of this chapter upon application by the Attorney General.

(Added to NRS by 1975, 1173)—(Substituted in revision for NRS 218.938)

## **UNLAWFUL ACTS; PENALTIES**

**NRS 218H.900 Unlawful for lobbyist to misrepresent Legislator's authorization to request professional services from Legislative Counsel Bureau.**

1. A lobbyist shall not:
  - (a) Indicate that the lobbyist has authorization from a Legislator to request professional services from an employee of the Legislative Counsel Bureau unless the lobbyist has such authority; or

(b) Misrepresent the scope of the authorization that the lobbyist has from a Legislator to request professional services from an employee of the Legislative Counsel Bureau.

2. As used in this section, "professional services" means conducting legal, fiscal or policy research or analysis, drafting a bill, resolution or amendment, or otherwise engaging in work for which an employee is professionally trained or qualified.

(Added to NRS by [2003, 2529](#))—(Substituted in revision for NRS 218.941)

**NRS 218H.930 Unlawful acts involving lobbyists and lobbying.**

1. A lobbyist shall not knowingly or willfully make any false statement or misrepresentation of facts:

(a) To any member of the Legislative Branch in an effort to persuade or influence the member in his or her official actions.

(b) In a registration statement or report concerning lobbying activities filed with the Director.

2. A lobbyist shall not give to a member of the Legislative Branch or a member of his or her staff or immediate family gifts that exceed \$100 in value in the aggregate in any calendar year.

3. A member of the Legislative Branch or a member of his or her staff or immediate family shall not solicit anything of value from a registrant or accept any gift that exceeds \$100 in aggregate value in any calendar year.

4. A person who employs or uses a lobbyist shall not make that lobbyist's compensation or reimbursement contingent in any manner upon the outcome of any legislative action.

5. Except during the period permitted by [NRS 218H.200](#), a person shall not knowingly act as a lobbyist without being registered as required by that section.

6. Except as otherwise provided in subsection 7, a member of the Legislative or Executive Branch of the State Government and an elected officer or employee of a political subdivision shall not receive compensation or reimbursement other than from the State or the political subdivision for personally engaging in lobbying.

7. An elected officer or employee of a political subdivision may receive compensation or reimbursement from any organization whose membership consists of elected or appointed public officers.

8. A lobbyist shall not instigate the introduction of any legislation for the purpose of obtaining employment to lobby in opposition to that legislation.

9. A lobbyist shall not make, commit to make or offer to make a monetary contribution to a Legislator, the Lieutenant Governor, the Lieutenant Governor-elect, the Governor or the Governor-elect during the period beginning:

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

(b) Fifteen days before a special session is set to commence and ending 15 days after the final adjournment of a special session, if the Governor sets a specific date for the commencement of the special session that is more than 15 days after the Governor issues the proclamation calling for the special session; or

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

(Added to NRS by 1975, 1173; A 1977, 1530; 1979, 1324; 1989, 1976; 1995, 824; [2003, 1727](#); [2011, 3255](#))—(Substituted in revision for NRS 218.942)

**NRS 218H.960 Criminal penalties.** A person who is subject to any provision in [NRS 218H.900](#) or [218H.930](#) and who violates or otherwise refuses or fails to comply with the provision is guilty of a misdemeanor.

(Added to NRS by 1975, 1174; A 1989, 1977; [2011, 3255](#))—(Substituted in revision for NRS 218.944)