

Amendment No. 779

Assembly Amendment to Senate Bill No. 49 First Reprint (BDR 24-382)
Proposed by: Assembly Committee on Legislative Operations and Elections
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date		SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) green bold italic underlining is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) green bold underlining is newly added transitory language.

KCP



Date: 5/23/2013

S.B. No. 49—Revises provisions relating to public officers. (BDR 24-382)



SENATE BILL NO. 49—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE SECRETARY OF STATE)

PREFILED DECEMBER 20, 2012

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to public officers. (BDR 24-382)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 public office; revising provisions relating to the personal use of campaign contributions by candidates; ~~for public office and public officers;~~ **for public office and public officers;** requiring ~~a candidate~~ **candidates** to report annually the balance in ~~this or her~~ **their** campaign ~~account;~~ **accounts;** making various changes regarding the reporting of campaign contributions and campaign expenses; ~~increasing the amount of a civil penalty that may be imposed for certain violations;~~ **revising provisions governing the enforcement** of laws relating to ~~campaign finance; authorizing~~ **campaigns, candidates and public officers administered by** the Secretary of State; ~~to request equitable relief as a remedy for a violation of laws relating to campaign finance;~~ making various other changes relating to ~~campaign finance;~~ **campaigns, candidates and public officers;** prohibiting public officers ~~and~~ **and** candidates ~~and certain persons related to or employed by public officers or candidates~~ from accepting or soliciting certain ~~gifts;~~ **items of value from certain restricted donors;** prohibiting certain ~~persons~~ **restricted donors** from giving or offering to give certain ~~gifts to~~ **items of value to** public officers ~~and~~ **and** candidates ~~and certain persons related to public officers or candidates or employed by public officers;~~ **revising the Nevada Lobbying Disclosure Act;** requiring the Director of the Legislative Counsel Bureau to forward certain reports relating to activities of lobbyists to the Secretary of State; authorizing the Secretary of State to enforce provisions relating to the giving and receiving of ~~gifts to public officers and candidates;~~ **items of value; providing penalties;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits a candidate for public office from spending money received as a campaign contribution for the candidate's personal use. (NRS 294A.160) **Section 3** of this bill moves the prohibition to a new section, **clarifies that the prohibition applies to public officers and** ~~sets forth what constitutes "personal use."~~ **The provisions setting forth what constitutes** ~~adds a definition of "personal use" here~~ **that is modeled after federal law. (2 U.S.C. § 439a; 11 C.F.R. § ~~(112.2)~~ 113.1) Sections 7 and 10 of this bill make conforming changes. (NRS 294A.007, 294A.160)**

Existing law requires every candidate for public office to open and maintain a bank account for the deposit of campaign contributions. (NRS 294A.130) **Section 4** of this bill requires a candidate to report annually the balance in his or her account. **Section 36.5** of this bill makes this requirement apply prospectively and provides that the balance of any account opened before January 1, 2014, shall be deemed \$0.

Under existing law, every candidate for public office must report to the Secretary of State contributions and campaign expenses greater than \$100 by statutorily scheduled dates during an election year. Existing law also requires candidates to file such a report annually during nonelection years. (NRS 294A.120, 294A.200) **Sections 8.5 and 10.5** of this bill **clarify the reporting requirements for contributions and expenses and** require each candidate to include in the required reports the amounts of unspent contributions disposed of pursuant to the provisions of existing law. **Sections 6.3 and 6.7** of this bill require each candidate to report contributions, campaign expenses and unspent contributions disposed of on a quarterly basis during nonelection years.

~~(Sections 5 and 6)~~ **Existing law provides for a period of early voting before election day for certain primary, general and special elections. (NRS 293.356-293.361, 293C.355, 293C.361) Section 5** of this bill ~~require~~ **requires** candidates who receive **monetary or in-kind** contributions ~~to incur campaign expenses or make certain expenditures~~ greater than \$2,000 during the period ~~for~~ **of** early voting to report those contributions ~~to~~ **campaign expenses or expenditures** to the Secretary of State not later than ~~72 hours~~ **11:59 p.m. on the third calendar day** after ~~receiving~~ **the day on which the monetary** contribution ~~to incurring the expense or making the expenditure~~ **is deposited in the candidate's account or the candidate knows or reasonably should know that the in-kind contribution has been made. (Chapter 294A of NRS)**

Existing law defines campaign expenditures that are required to be reported by candidates, committees and other entities as expenditures made to advocate expressly for or against a candidate, group of candidates or ballot question. The advocacy can be on television, radio, billboards or posters or in newspapers. (NRS 294A.0075) **Section 8** of this bill expands the definition of "expenditures" to include expenditures made for campaign advocacy on an Internet website or in periodicals other than newspapers or by mail.

~~Existing law requires certain persons who make expenditures that are not solicited or approved by a candidate or group of candidates to file contribution and expenditure reports and prohibits contributions from foreign nationals to such persons. (NRS 294A.140, 294A.210, 294A.225) Sections 7, 9 and 11 of this bill require contribution and expenditure reports from persons who make campaign expenditures that are not coordinated with a candidate or group of candidates, and section 12 of this bill prohibits contributions from foreign nationals to such persons.)~~ **Sections 11.5, 12.5 and 13-16 of this bill make conforming changes relating to campaign contributions and expenditures, campaign accounts and campaign reporting. (NRS 294A.286, 294A.360, 294A.365, 294A.373, 294A.390, 294A.400)**

Existing law authorizes the Secretary of State to bring an action in the First Judicial District Court seeking a civil penalty of not more than \$5,000 against a person, committee or entity that does not file a campaign contribution or expense report or fails to register with the Secretary of State as required pursuant to chapter 294A of NRS. (NRS 294A.420) **Section 17** of this bill authorizes the First Judicial District Court, on application by the Secretary of State, to issue an injunction or grant other appropriate equitable relief to ensure compliance with or enforce the provisions of chapter 294A of NRS. **Section 17** also provides that the maximum amount of civil penalty that may be imposed for those violations is the greater of \$5,000 or three times the amount at issue in the civil action.

Existing law requires certain public officers and candidates to report gifts received in excess of an aggregate value of \$200 from a donor during a calendar year on a statement of

59 financial disclosure that such public officers and candidates must file with the Secretary of
60 State. (NRS ~~281.559, 281.561, 281.571~~) Existing law also prohibits a member of the
61 Legislature or his or her staff or immediate family from accepting gifts that exceed an
62 aggregate value of \$100 from a lobbyist during a calendar year and prohibits a lobbyist from
63 giving more than \$100 worth of gifts to a member of the Legislature or his or her staff or
64 immediate family during a calendar year. (NRS 218H.930) Section 29 of this bill prohibits
65 public officers, candidates and persons related to public officers or candidates within the third
66 degree of consanguinity or affinity ~~281.558-281.581~~ Sections 23-36 and 36.7 of this bill
67 create a new chapter of NRS which is administered by the Secretary of State and which
68 contains the existing provisions governing statements of financial disclosure and new
69 provisions that prohibit, with certain exceptions: (1) a public officer or candidate from
70 willfully soliciting or accepting ~~for soliciting gifts~~, directly or indirectly, any item of
71 value from a restricted donor ~~;~~ ; and (2) a restricted donor from willfully giving or
72 offering to give, directly or indirectly, any item of value to a public officer or candidate.

73 Section 26 defines the type of items that are classified as an "item of value," and
74 section 28 ~~of this bill provides that~~ defines the type of person who is classified as a "
75 restricted donor," ~~is a person who: (1) is, or is seeking to be, a party to a contract with a~~
76 body of which the public officer is a member or to which a candidate is seeking election; (2) is
77 or may be, or is the agent of a person who is or may be, materially or financially affected by
78 the performance or nonperformance of an official duty of the public officer or of the office to
79 which a candidate is seeking election; (3) is, or is the agent of a person who is, the subject of
80 or a party to a matter pending before the body of which the public officer is a member or to
81 which a candidate is seeking election; or (4) is a lobbyist or client of a lobbyist. Section 29
82 also prohibits such a person from making or offering to make a gift to a public officer,
83 candidate or person related to a public officer or candidate. Section 29 contains the general
84 prohibitions, and section 30 ~~of this bill~~ sets forth ~~certain exclusions from the prohibition~~
85 on giving or accepting gifts ~~;~~ specific exceptions to those general prohibitions. Section 35
86 identifies which items of value accepted by a public officer or candidate must be
87 disclosed on each statement of financial disclosure. (NRS 281.571) Sections 7 ~~, 19, 20, 22,~~
88 25 ~~, 28, 32 and 34~~ ~~;~~ and 24- 36 ~~of this bill~~ also enact and revise various provisions to
89 implement the new chapter and to make conforming changes.

90 Existing law authorizes the Secretary of State to bring an action in the First Judicial
91 District Court seeking a civil penalty against a public officer or candidate for public office
92 who willfully fails to file a statement of financial disclosure or willfully files the statement
93 late. (NRS 281.581) ~~Section~~ Sections 28.9 and 36 ~~of this bill~~ provide that the Secretary
94 of State must bring such an action in the district court for the county where the
95 defendant resides or maintains a place of business or, if the defendant does not reside or
96 maintain a place of business in the State of Nevada, the First Judicial District Court. In
97 addition, section 36 authorizes the Secretary of State to bring such an action seeking a civil
98 penalty against ~~;~~ (1) a candidate for public office or public officer who willfully includes
99 inaccurate information or fails to include information in the statement of financial disclosure;
100 (2) a public officer ~~;~~ candidate or restricted donor who ~~accepts or solicits certain gifts;~~
101 and (3) a restricted donor. willfully violates the provisions of the new chapter relating to
102 items of value. Section 36 also authorizes the ~~First Judicial District Court,~~ district court,
103 on application by the Secretary of State, to issue an injunction or grant other appropriate
104 equitable relief to ensure compliance with or enforce the provisions ~~relating to statements of~~
105 financial disclosure and gifts to public officers and candidates. Section 31 of this bill
106 authorizes the Secretary of State to conduct investigations for the purpose of bringing actions
107 authorized pursuant to section 36. of the new chapter.

108 Finally, the Nevada Lobbying Disclosure Act requires lobbyists to register with the
109 Director of the Legislative Counsel Bureau and file certain reports regarding their
110 lobbying activities before the Legislature. (Chapter 218H of NRS) The Lobbying Act
111 also prohibits a lobbyist from giving a State Legislator or a member of his or her staff or
112 immediate family any gifts that exceed \$100 in value in the aggregate in any calendar
113 year and prohibits those persons from soliciting or accepting any such gifts. (NRS
114 218H.930)

115 Sections 17.2-22 of this bill amend the Lobbying Act to conform its provisions with
116 the provisions of the new chapter relating to items of value. Section 20 requires the
117 Director ~~of the Legislative Counsel Bureau~~ to forward to the Secretary of State the reports

118 that registered lobbyists are required to file ~~[with the Director]~~ regarding their lobbying
 119 activities. (NRS 218H.400) **Section 21** ~~[of this bill]~~ requires the Director to report suspected
 120 violations of **section 29** to the Secretary of State. **Section 21** also authorizes the Director to
 121 suspend the registration of a lobbyist ~~[at the Nevada Legislature]~~ against whom a civil penalty
 122 has been imposed for a violation of **section 29**. (NRS 218H.530) **Section 22 prohibits a**
 123 **lobbyist from willfully giving or offering to give, directly or indirectly, any item of value**
 124 **to a State Legislator in violation of section 29 and prohibits a State Legislator from**
 125 **willfully soliciting or accepting, directly or indirectly, any such item of value from a**
 126 **lobbyist. (NRS 218H.930)**

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

1 **Section 1.** NRS 293.4687 is hereby amended to read as follows:

2 293.4687 1. The Secretary of State shall maintain a website on the Internet
 3 for public information maintained, collected or compiled by the Secretary of State
 4 that relates to elections, which must include, without limitation:

5 (a) The Voters' Bill of Rights required to be posted on the Secretary of State's
 6 Internet website pursuant to the provisions of NRS 293.2549;

7 (b) The abstract of votes required to be posted on a website pursuant to the
 8 provisions of NRS 293.388;

9 (c) A current list of the registered voters in this State that also indicates the
 10 petition district in which each registered voter resides;

11 (d) A map or maps indicating the boundaries of each petition district; and

12 (e) All reports ~~[on campaign contributions and expenditures]~~ submitted to the
 13 Secretary of State pursuant to the provisions of *chapter 294A of NRS*, ~~[294A.120,~~
 14 ~~294A.125, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270,~~
 15 ~~294A.280, 294A.360 and 294A.362]~~ and all reports on contributions received by
 16 and expenditures made from a legal defense fund submitted to the Secretary of
 17 State pursuant to NRS 294A.286.]

18 2. The abstract of votes required to be maintained on the website pursuant to
 19 paragraph (b) of subsection 1 must be maintained in such a format as to permit the
 20 searching of the abstract of votes for specific information.

21 3. If the information required to be maintained by the Secretary of State
 22 pursuant to subsection 1 may be obtained by the public from a website on the
 23 Internet maintained by a county clerk or city clerk, the Secretary of State may
 24 provide a hyperlink to that website to comply with the provisions of subsection 1
 25 with regard to that information.

26 **Sec. 2.** Chapter 294A of NRS is hereby amended by adding thereto the
 27 provisions set forth as sections 3 to 6.7, inclusive, of this act.

28 **Sec. 3. 1. It is unlawful for a candidate or public officer to spend money**
 29 **received as a campaign contribution for** ~~[the candidate's]~~ **his or her personal use**
 30 **or for a purpose prohibited by NRS 294A.160.**

31 2. As used in this section, "personal use" means any use that fulfills a
 32 commitment, obligation or expense that would exist irrespective of the
 33 candidate's campaign or the public officer's duties as a public officer. ~~It~~
 34 ~~including, without limitation, use for:~~

35 ~~(a) Household items or supplies;~~

36 ~~(b) Mortgage, rent or utility payments related to;~~

37 ~~(1) Except as otherwise provided in subparagraph (2), any real or~~
 38 ~~personal property that is owned by the candidate or a member of the candidate's~~
 39 ~~family; or~~

~~(2) Real or personal property that is owned by the candidate or a member of the candidate's family and used for campaign purposes to the extent the payment exceeds the fair market value of the usage of that real or personal property;~~

~~(c) Admission to a sporting event, concert, theater event or any other form of entertainment unless the event is part of the candidate's campaign or related to his or her public office;~~

~~(d) Dues, fees or gratuities at a social club, country club, health club or recreational facility unless the dues, fees or gratuities are part of a fundraising event that takes place on the organization's premises;~~

~~(e) The payment of a salary or other economic benefit to a relative of the candidate within the third degree of consanguinity or affinity, unless the relative is providing bona fide services to the candidate's campaign;~~

~~(f) Clothing, except for items of clothing that are used in the candidate's campaign or, if the candidate is a public officer, in the ordinary and necessary execution of the duties of the public office; or~~

~~(g) Funeral, cremation or burial expenses.~~

~~3.f The term does not include:~~

~~(a) Campaign expenses; ~~for~~~~

~~(b) The ordinary and necessary expenses incurred in connection with holding the public office ~~for~~; or~~

~~(c) Any use or disposition of campaign contributions authorized or required by NRS 294A.160.~~

Sec. 4. 1. In addition to complying with the requirements set forth in NRS 294A.120, 294A.200 and 294A.360, every candidate shall report the balance in the account opened and maintained by the candidate pursuant to NRS 294A.130, as of the last calendar day of the reporting period for the report.

2. A report required pursuant to this section must be filed not later than the date on which the candidate must file his or her first report in a calendar year pursuant to NRS 294A.120, 294A.200 or 294A.360.

3. A report required pursuant to this section must be submitted on the form designed and made available by the Secretary of State pursuant to NRS 294A.373. Each form 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.

4. Except as otherwise provided in NRS 294A.3733, a report required pursuant to this section must be filed electronically with the Secretary of State.

5. A report shall be deemed filed on the date that it is received by the Secretary of State.

Sec. 5. 1. In addition to complying with the requirements set forth in NRS 294A.120, 294A.125, 294A.128 and 294A.360, a candidate whose name appears on the ballot at a primary election, primary city election, general election, general city election or special election shall report:

(a) Each contribution received during the period for early voting that is in excess of \$2,000; and

(b) Contributions received during the period for early voting from a contributor which cumulatively exceed \$2,000.

2. The candidate shall report each contribution described in subsection 1 not later than ~~172 hours~~ 11:59 p.m. on the third calendar day after:

(a) If the contribution is a contribution of money, the ~~time~~ day on which the contribution is deposited in the account opened and maintained by the candidate pursuant to NRS 294A.130; and

1 (b) If the contribution is a contribution of goods or services provided in kind
2 for which money would have otherwise been paid, the ~~time~~ day on which the
3 candidate knows or ~~should~~ reasonably should know that the contribution has
4 been made.

5 3. A report required pursuant to this section must be submitted on the form
6 designed and made available by the Secretary of State pursuant to NRS
7 294A.373. Each form must be signed by the candidate under an oath to God or
8 penalty of perjury. A candidate who signs the form under an oath to God is
9 subject to the same penalties as if the candidate had signed the form under
10 penalty of perjury.

11 4. The name and address of the contributor and the date on which the
12 contribution was received must be included on the report.

13 5. Except as otherwise provided in NRS 294A.3733, a report required
14 pursuant to this section must be filed electronically with the Secretary of State.

15 6. A report shall be deemed filed at the time that it is received by the
16 Secretary of State.

17 Sec. 6. ~~1. In addition to complying with the requirements set forth in~~
18 ~~NRS 294A.200, 294A.286 and 294A.360:~~

19 ~~(a) A candidate whose name appears on the ballot at a primary election,~~
20 ~~primary city election, general election, general city election or special election~~
21 ~~shall report:~~

22 ~~(1) Each campaign expense incurred during the period for early voting~~
23 ~~that is in excess of \$2,000; and~~

24 ~~(2) Campaign expenses incurred during the period for early voting which~~
25 ~~are payments to one recipient and cumulatively exceed \$2,000; and~~

26 ~~(b) A candidate whose name does not appear on the ballot at a primary~~
27 ~~election, primary city election, general election or general city election shall~~
28 ~~report:~~

29 ~~(1) Each expenditure made during the period for early voting on behalf~~
30 ~~of or against a candidate or group of candidates on the ballot at the election or~~
31 ~~question or group of questions on the ballot at the election which is in excess of~~
32 ~~\$2,000; and~~

33 ~~(2) Expenditures made during the period for early voting on behalf of or~~
34 ~~against a candidate or group of candidates for office at the election or question or~~
35 ~~group of questions on the ballot at the election which are made to one recipient~~
36 ~~and cumulatively exceed \$2,000.~~

37 ~~2. The candidate shall report expenses and expenditures described in~~
38 ~~subsection 1 not later than 72 hours after incurring the campaign expense or~~
39 ~~making the expenditure.~~

40 ~~3. A report required pursuant to this section must be submitted on the form~~
41 ~~designed and made available by the Secretary of State pursuant to NRS~~
42 ~~294A.373. Each form must be signed by the candidate under an oath to God or~~
43 ~~penalty of perjury. A candidate who signs the form under an oath to God is~~
44 ~~subject to the same penalties as if the candidate had signed the form under~~
45 ~~penalty of perjury.~~

46 ~~4. Except as otherwise provided in NRS 294A.3733, a report required~~
47 ~~pursuant to this section must be filed electronically with the Secretary of State.~~

48 ~~5. A report shall be deemed filed at the time that it is received by the~~
49 ~~Secretary of State. (Deleted by amendment.)~~

50 Sec. 6.3. 1. In addition to complying with the requirements set forth in
51 NRS 294A.120, 294A.125, 294A.128 and 294A.360, a candidate for state, district,
52 county, city or township office at a primary election, general election, primary
53 city election, general city election or special election who is elected to that office

1 shall, for the calendar year immediately following the general election, general
 2 city election or special election through the calendar year immediately preceding
 3 the next general or general city election for that office, not later than:

4 (a) April 15, for the period from January 1 through March 31;

5 (b) July 15, for the period from April 1 through June 30;

6 (c) October 15, for the period from July 1 through September 30; and

7 (d) January 15 of the next calendar year, for the period from October 1
 8 through December 31,

9 ↪ report each campaign contribution described in subsection 1 of NRS 294A.120
 10 received during the period.

11 2. A report required by this section must be submitted on the form designed
 12 and made available by the Secretary of State pursuant to NRS 294A.373. Each
 13 form must be signed by the candidate under an oath to God or penalty of perjury.
 14 A candidate who signs the form under an oath to God is subject to the same
 15 penalties as if the candidate had signed the form under penalty of perjury.

16 3. Except as otherwise provided in NRS 294A.3733, a report required by
 17 this section must be filed electronically with the Secretary of State.

18 4. A report shall be deemed to be filed on the date that it is received by the
 19 Secretary of State.

20 **Sec. 6.7.** 1. In addition to complying with the requirements set forth in
 21 NRS 294A.200, 294A.286 and 294A.360, a candidate for state, district, county,
 22 city or township office at a primary election, general election, primary city
 23 election, general city election or special election who is elected to the office shall,
 24 for the calendar year immediately following the general election, general city
 25 election or special election through the calendar year immediately preceding the
 26 next general or general city election for that office, not later than:

27 (a) April 15, for the period from January 1 through March 31;

28 (b) July 15, for the period from April 1 through June 30;

29 (c) October 15, for the period from July 1 through September 30; and

30 (d) January 15 of the next calendar year, for the period from October 1
 31 through December 31,

32 ↪ report each of the campaign expenses described in subsection 1 of NRS
 33 294A.200 incurred during the period, and the amounts disposed of as described
 34 in subsection 1 of NRS 294A.200 during the period.

35 2. A report required by this section must be submitted on the form designed
 36 and made available by the Secretary of State pursuant to NRS 294A.373. Each
 37 form must be signed by the candidate under an oath to God or penalty of perjury.
 38 A candidate who signs the form under an oath to God is subject to the same
 39 penalties as if the candidate had signed the form under penalty of perjury.

40 3. Except as otherwise provided in NRS 294A.3733, a report required by
 41 this section must be filed electronically with the Secretary of State.

42 4. A report shall be deemed to be filed on the date that it is received by the
 43 Secretary of State.

44 **Sec. 7.** NRS 294A.007 is hereby amended to read as follows:

45 294A.007 1. "Contribution" means a ~~gift,~~ loan, conveyance, deposit,
 46 payment, transfer or distribution of money, services or ~~to~~ anything of value,
 47 other than the services of a volunteer. ~~and~~

48 2. The term includes ~~to~~, without limitation:

49 (a) The payment by any person, other than a candidate, of compensation for the
 50 personal services of another person which are rendered to a:

51 (1) Candidate;

52 (2) Person who is not under the direction or control of a candidate or group
 53 of candidates or of any person involved in the campaign of the candidate or group

1 who makes an expenditure on behalf of the candidate or group which is not
2 ~~feordinated with or~~ solicited or approved by the candidate or group; or

3 (3) Committee for political action, political party or committee sponsored
4 by a political party which makes an expenditure on behalf of a candidate or group
5 of candidates,

6 ↪ without charge to the candidate, person, committee or political party.

7 (b) The value of services provided in kind for which money would have
8 otherwise been paid, such as paid polling and resulting data, paid direct mail, paid
9 solicitation by telephone, any paid paraphernalia that was printed or otherwise
10 produced to promote a campaign and the use of paid personnel to assist in a
11 campaign.

12 ~~2.3.~~ 3. For the purposes of section 3 of this act and NRS 294A.160, the term
13 also includes, without limitation, any interest or other income earned from a
14 contribution.

15 4. As used in this section, “volunteer” means a person who does not receive
16 compensation of any kind, directly or indirectly, for the services provided to a
17 campaign.

18 **Sec. 8.** NRS 294A.0075 is hereby amended to read as follows:

19 294A.0075 “Expenditures” means:

20 1. ~~{Those expenditures made}~~ **Money paid** for advertising **or communication**
21 on television, radio, billboards, posters ~~{and}~~ **or an Internet website**, in newspapers
22 ~~{or other periodicals or by mail}~~; and

23 2. All other ~~{expenditures made,}~~ **money paid**,
24 ↪ to advocate expressly the election or defeat of a clearly identified candidate or
25 group of candidates or the passage or defeat of a clearly identified question or
26 group of questions on the ballot, including any payments made to a candidate or
27 any person who is related to the candidate within the second degree of
28 consanguinity or affinity.

29 **Sec. 8.5.** NRS 294A.120 is hereby amended to read as follows:

30 294A.120 1. Every candidate for state, district, county or township office at
31 a primary, ~~{or}~~ general **or special** election shall, ~~{not later than January 15 of each~~
32 ~~year, for the period from January 1 of the previous year through December 31 of~~
33 ~~the previous year,}~~ **for each period described in subsections 2 to 5, inclusive,**
34 **report ~~{}~~ the following contributions pursuant to the provisions of this section:**

35 (a) Each campaign contribution in excess of \$100 received during the period;

36 (b) Contributions received during the period from a contributor which
37 cumulatively exceed \$100; and

38 (c) The total of all contributions received during the period which are \$100 or
39 less and which are not otherwise required to be reported pursuant to paragraph (b).

40 ~~{↪ The provisions of this subsection apply to the candidate beginning the year of~~
41 ~~the general election for that office through the year immediately preceding the next~~
42 ~~general election for that office.}~~

43 2. Every candidate for state, district, county or township office at a primary or
44 general election shall, if the general election for the office for which he or she is a
45 candidate is held on or after January 1 and before the July 1 immediately following
46 that January 1, not later than:

47 (a) Twenty-one days before the primary election for that office, for the period
48 from the January 1 immediately preceding the primary election through 25 days
49 before the primary election;

50 (b) Four days before the primary election for that office, for the period from 24
51 days before the primary election through 5 days before the primary election;

1 (c) Twenty-one days before the general election for that office, for the period
2 from 4 days before the primary election through 25 days before the general
3 election; ~~and~~

4 (d) Four days before the general election for that office, for the period from 24
5 days before the general election through 5 days before the general election ~~and~~; *and*

6 *(e) January 15 of the following calendar year, for the period from 4 days*
7 *before the general election through the December 31 immediately following the*
8 *general election,*

9 ↪ report each campaign contribution described in subsection 1 received during the
10 period. The report must be completed on the form designed and made available by
11 the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the
12 candidate under an oath to God or penalty of perjury. A candidate who signs the
13 form under an oath to God is subject to the same penalties as if the candidate had
14 signed the form under penalty of perjury.

15 3. Every candidate for state, district, county or township office at a primary or
16 general election shall, if the general election for the office for which he or she is a
17 candidate is held on or after July 1 and before the January 1 immediately following
18 that July 1, not later than:

19 (a) Twenty-one days before the primary election for that office, for the period
20 from the January 1 immediately preceding the primary election through 25 days
21 before the primary election;

22 (b) Four days before the primary election for that office, for the period from 24
23 days before the primary election through 5 days before the primary election;

24 (c) Twenty-one days before the general election for that office, for the period
25 from 4 days before the primary election through 25 days before the general
26 election; ~~and~~

27 (d) Four days before the general election for that office, for the period from 24
28 days before the general election through 5 days before the general election ~~and~~; *and*

29 *(e) January 15 of the following calendar year, for the period from 4 days*
30 *before the general election through the December 31 immediately following the*
31 *general election,*

32 ↪ report each campaign contribution described in subsection 1 received during the
33 period. The report must be completed on the form designed and made available by
34 the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the
35 candidate under an oath to God or penalty of perjury. A candidate who signs the
36 form under an oath to God is subject to the same penalties as if the candidate had
37 signed the form under penalty of perjury.

38 4. Except as otherwise provided in subsection 5, every candidate for a district
39 office at a special election shall, not later than:

40 (a) Seven days before the beginning of early voting by personal appearance for
41 the special election, for the period from the candidate's nomination through 12 days
42 before the beginning of early voting by personal appearance for the special election;
43 and

44 (b) Thirty days after the special election, for the remaining period through the
45 special election,

46 ↪ report each campaign contribution described in subsection 1 received during the
47 period. The report must be completed on the form designed and made available by
48 the Secretary of State pursuant to NRS 294A.373. Each form must be signed by the
49 candidate under an oath to God or penalty of perjury. A candidate who signs the
50 form under an oath to God is subject to the same penalties as if the candidate had
51 signed the form under penalty of perjury.

52 5. Every candidate for state, district, county, municipal or township office at a
53 special election to determine whether a public officer will be recalled shall list each

1 of the campaign contributions received on the form designed and made available by
2 the Secretary of State pursuant to NRS 294A.373 and signed by the candidate under
3 an oath to God or penalty of perjury, 30 days after:

4 (a) The special election, for the period from the filing of the notice of intent to
5 circulate the petition for recall through the special election; or

6 (b) A district court determines that the petition for recall is legally insufficient
7 pursuant to subsection 6 of NRS 306.040, for the period from the filing of the
8 notice of intent to circulate the petition for recall through the date of the district
9 court's decision.

10 ➤ A candidate who signs the form under an oath to God is subject to the same
11 penalties as if the candidate had signed the form under penalty of perjury.

12 6. Except as otherwise provided in NRS 294A.3733, reports of campaign
13 contributions must be filed electronically with the Secretary of State.

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

16 8. The name and address of the contributor and the date on which the
17 contribution was received must be included on the report for each contribution in
18 excess of \$100 and contributions which a contributor has made cumulatively in
19 excess of that amount since the beginning of the current reporting period.

20 **Sec. 9.** ~~NRS 294A.140 is hereby amended to read as follows:~~

21 ~~294A.140 1. Every person who is not under the direction or control of a~~
22 ~~candidate for office at a primary election, primary city election, general election or~~
23 ~~general city election, of a group of such candidates or of any person involved in the~~
24 ~~campaign of that candidate or group who makes an expenditure on behalf of the~~
25 ~~candidate or group which is not *coordinated with or* solicited or approved by the~~
26 ~~candidate or group, and every committee for political action, political party and~~
27 ~~committee sponsored by a political party which receives contributions in excess of~~
28 ~~\$100 or makes an expenditure on behalf of such a candidate or group of candidates~~
29 ~~shall, not later than January 15 of each year that the provisions of this subsection~~
30 ~~apply to the person, committee or political party, for the period from January 1 of~~
31 ~~the previous year through December 31 of the previous year, report each campaign~~
32 ~~contribution in excess of \$100 received during the period and contributions~~
33 ~~received during the period from a contributor which cumulatively exceed \$100. The~~
34 ~~provisions of this subsection apply to the person, committee or political party~~
35 ~~beginning the year of the general election or general city election for that office~~
36 ~~through the year immediately preceding the next general election or general city~~
37 ~~election for that office.~~

38 ~~2. Every person, committee or political party described in subsection 1 which~~
39 ~~makes an expenditure on behalf of the candidate for office at a primary election,~~
40 ~~primary city election, general election or general city election or on behalf of a~~
41 ~~group of such candidates shall, if the general election or general city election for the~~
42 ~~office for which the candidate or a candidate in the group of candidates seeks~~
43 ~~election is held on or after January 1 and before the July 1 immediately following~~
44 ~~that January 1, not later than:~~

45 ~~(a) Twenty one days before the primary election or primary city election for~~
46 ~~that office, for the period from the January 1 immediately preceding the primary~~
47 ~~election or primary city election through 25 days before the primary election or~~
48 ~~primary city election;~~

49 ~~(b) Four days before the primary election or primary city election for that~~
50 ~~office, for the period from 24 days before the primary election or primary city~~
51 ~~election through 5 days before the primary election or primary city election;~~

1 ~~— (c) Twenty one days before the general election or general city election for that~~
2 ~~office, for the period from 4 days before the primary election or primary city~~
3 ~~election through 25 days before the general election or general city election; and~~

4 ~~— (d) Four days before the general election or general city election for that office,~~
5 ~~for the period from 24 days before the general election or general city election~~
6 ~~through 5 days before the general election or general city election;~~

7 ~~— report each campaign contribution in excess of \$100 received during the period~~
8 ~~and contributions received during the period from a contributor which cumulatively~~
9 ~~exceed \$100. The report must be completed on the form designed and made~~
10 ~~available by the Secretary of State pursuant to NRS 294A.373. The form must be~~
11 ~~signed by the person or a representative of the committee or political party under an~~
12 ~~oath to God or penalty of perjury. A person who signs the form under an oath to~~
13 ~~God is subject to the same penalties as if the person had signed the form under~~
14 ~~penalty of perjury.~~

15 ~~— 2. The name and address of the contributor and the date on which the~~
16 ~~contribution was received must be included on the report for each contribution in~~
17 ~~excess of \$100 and contributions which a contributor has made cumulatively in~~
18 ~~excess of \$100 since the beginning of the current reporting period.~~

19 ~~— 4. Every person, committee or political party described in subsection 1 which~~
20 ~~makes an expenditure on behalf of a candidate for office at a primary election,~~
21 ~~primary city election, general election or general city election or on behalf of a~~
22 ~~group of such candidates shall, if the general election or general city election for the~~
23 ~~office for which the candidate or a candidate in the group of candidates seeks~~
24 ~~election is held on or after July 1 and before the January 1 immediately following~~
25 ~~that July 1, not later than:~~

26 ~~— (a) Twenty one days before the primary election or primary city election for~~
27 ~~that office, for the period from the January 1 immediately preceding the primary~~
28 ~~election or primary city election through 25 days before the primary election or~~
29 ~~primary city election;~~

30 ~~— (b) Four days before the primary election or primary city election for that~~
31 ~~office, for the period from 24 days before the primary election or primary city~~
32 ~~election through 5 days before the primary election or primary city election;~~

33 ~~— (c) Twenty one days before the general election or general city election for that~~
34 ~~office, for the period from 4 days before the primary election or primary city~~
35 ~~election through 25 days before the general election or general city election; and~~

36 ~~— (d) Four days before the general election or general city election for that office,~~
37 ~~for the period from 24 days before the general election or general city election~~
38 ~~through 5 days before the general election or general city election;~~

39 ~~— report each campaign contribution in excess of \$100 received during the period~~
40 ~~and contributions received during the period from a contributor which cumulatively~~
41 ~~exceed \$100. The report must be completed on the form designed and made~~
42 ~~available by the Secretary of State pursuant to NRS 294A.373. The form must be~~
43 ~~signed by the person or a representative of the committee or political party under an~~
44 ~~oath to God or penalty of perjury. A person who signs the form under an oath to~~
45 ~~God is subject to the same penalties as if the person had signed the form under~~
46 ~~penalty of perjury.~~

47 ~~— 5. Except as otherwise provided in subsection 6, every person, committee or~~
48 ~~political party described in subsection 1 which makes an expenditure on behalf of a~~
49 ~~candidate for office at a special election or on behalf of a group of such candidates~~
50 ~~shall, not later than:~~

51 ~~— (a) Seven days before the beginning of early voting by personal appearance for~~
52 ~~the special election for the office for which the candidate or a candidate in the~~
53 ~~group of candidates seeks election, for the period from the nomination of the~~

1 candidate through 12 days before the beginning of early voting by personal
2 appearance for the special election; and

3 ~~(b) Thirty days after the special election, for the remaining period through the
4 special election;~~

5 ~~report each campaign contribution in excess of \$100 received during the period
6 and contributions received during the period from a contributor which cumulatively
7 exceed \$100. The report must be completed on the form designed and made
8 available by the Secretary of State pursuant to NRS 294A.373. The form must be
9 signed by the person or a representative of the committee or political party under an
10 oath to God or penalty of perjury. A person who signs the form under an oath to
11 God is subject to the same penalties as if the person had signed the form under
12 penalty of perjury.~~

13 ~~6. Every person, committee or political party described in subsection 1 which
14 makes an expenditure on behalf of a candidate for office at a special election to
15 determine whether a public officer will be recalled or on behalf of a group of
16 candidates for offices at such special elections shall report each contribution in
17 excess of \$100 received during the period and contributions received during the
18 period from a contributor which cumulatively exceed \$100. The report must be
19 completed on the form designed and made available by the Secretary of State
20 pursuant to NRS 294A.373 and signed by the person or a representative of the
21 committee or political party under an oath to God or penalty of perjury, 30 days
22 after:~~

23 ~~(a) The special election, for the period from the filing of the notice of intent to
24 circulate the petition for recall through the special election; or~~

25 ~~(b) If the special election is not held because a district court determines that the
26 petition for recall is legally insufficient pursuant to subsection 6 of NRS 306.040,
27 for the period from the filing of the notice of intent to circulate the petition for
28 recall through the date of the district court's decision.~~

29 ~~A person who signs the form under an oath to God is subject to the same
30 penalties as if the person had signed the form under penalty of perjury.~~

31 ~~7. Except as otherwise provided in NRS 294A.373, the reports of
32 contributions required pursuant to this section must be filed electronically with the
33 Secretary of State.~~

34 ~~8. A report shall be deemed to be filed on the date that it was received by the
35 Secretary of State.~~

36 ~~9. Every person, committee or political party described in subsection 1 shall
37 file a report required by this section even if the person, committee or political party
38 receives no contributions. **(Deleted by amendment.)**~~

39 **Sec. 10.** NRS 294A.160 is hereby amended to read as follows:

40 294A.160 1. ~~It is unlawful for a candidate to spend money received as a
41 campaign contribution for the candidate's personal use.~~

42 ~~2.~~ Notwithstanding the provisions of NRS 294A.286, or section 3 of this act,
43 a candidate or public officer may use campaign contributions to pay for any legal
44 expenses that the candidate or public officer incurs in relation to a campaign or
45 serving in public office without establishing a legal defense fund. Any such
46 candidate or public officer shall report any expenditure of campaign contributions
47 to pay for legal expenses in the same manner and at the same time as the report
48 filed pursuant to NRS 294A.120, 294A.200 or 294A.360. ~~It~~ or section 6.7 of this
49 act.

50 2. A candidate or public officer shall not use campaign contributions to
51 satisfy a civil or criminal penalty imposed by law.

52 ~~3.~~ Every candidate for a state, district, county, city or township office at a
53 primary, general, primary city, general city or special election who is elected to that

1 office and received contributions that were not spent or committed for expenditure
2 before the primary, general, primary city, general city or special election shall
3 dispose of the money through one or any combination of the following methods:

4 (a) Return the unspent money to contributors;

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

8 (c) Contribute the money to:

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

11 (2) A political party; or

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

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

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

18 ~~4. 13.7~~ Every candidate for a state, district, county, city or township office at a
19 primary, general, primary city, general city or special election who withdraws after
20 filing a declaration of candidacy or an acceptance of candidacy or is defeated for
21 that office and who received contributions that were not spent or committed for
22 expenditure before the primary, general, primary city, general city or special
23 election shall, not later than the 15th day of the second month after the election,
24 dispose of the money through one or any combination of the following methods:

25 (a) Return the unspent money to contributors;

26 (b) Contribute the money to:

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

29 (2) A political party; or

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

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

33 (d) Donate the money to any governmental entity or fund of this State or a
34 political subdivision of this State. A candidate who donates money pursuant to this
35 paragraph may request that the money be used for a specific purpose.

36 ~~5. 14.7~~ Every candidate for a state, district, county, city or township office
37 who withdraws after filing a declaration of candidacy or an acceptance of
38 candidacy or is defeated for that office at a primary or primary city election and
39 received a contribution from a person in excess of \$5,000 shall, not later than the
40 15th day of the second month after the election, return any money in excess of
41 \$5,000 to the contributor.

42 ~~6. 15.7~~ Except as otherwise provided in subsection ~~7. 16.7~~ every public officer
43 who:

44 (a) Holds a state, district, county, city or township office;

45 (b) Does not run for reelection to that office and is not a candidate for any
46 other office; and

47 (c) Has contributions that are not spent or committed for expenditure
48 remaining from a previous election,

49 shall, not later than the 15th day of the second month after the expiration of the
50 public officer's term of office, dispose of those contributions in the manner
51 provided in subsection 3.

52 ~~7. 16.7~~ A public officer who:

53 (a) Holds a state, district, county, city or township office;

1 (b) Does not run for reelection to that office and is a candidate for any other
2 office; and

3 (c) Has contributions that are not spent or committed for expenditure
4 remaining from a previous election,

5 may use the unspent campaign contributions in a future election. Such a public
6 officer is subject to the reporting requirements set forth in NRS 294A.120,
7 294A.125, 294A.128, 294A.200, 294A.360 and 294A.362 *and sections 4 to 6.7,*
8 *inclusive, of this act* for as long as the public officer is a candidate for any office.

9 ~~8. ~~177~~~~ In addition to the methods for disposing the unspent money set forth in
10 subsections ~~127~~ 3, 4, ~~5~~ and ~~7. ~~167~~~~ a Legislator may donate not more than \$500 of
11 that money to the Nevada Silver Haired Legislative Forum created pursuant to NRS
12 427A.320.

13 ~~9. ~~187~~~~ Any contributions received before a candidate for a state, district,
14 county, city or township office at a primary, general, primary city, general city or
15 special election dies that were not spent or committed for expenditure before the
16 death of the candidate must be disposed of in the manner provided in subsection 3.

17 ~~10. ~~197~~~~ The court shall, in addition to any penalty which may be imposed
18 pursuant to NRS 294A.420, order the candidate or public officer to dispose of any
19 remaining contributions in the manner provided in this section.

20 ~~11.1 ~~110. As used in this section, "contributions" include any interest and~~~~
21 ~~other income earned thereon.]~~

22 **Sec. 10.5.** NRS 294A.200 is hereby amended to read as follows:

23 294A.200 1. Every candidate for state, district, county or township office at
24 a primary, ~~or~~ general *or special* election shall, ~~not later than January 15 of each~~
25 ~~year, for the period from January 1 of the previous year through December 31 of~~
26 ~~the previous year.] for each period described in subsections 2 to 5, inclusive,~~
27 report ~~the following expenses, and amounts disposed of, pursuant to the~~
28 *provisions of this section:*

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

31 (b) Each amount in excess of \$100 disposed of pursuant to NRS 294A.160 or
32 subsection 4 of NRS 294A.286 during the period;

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

35 (d) The total of all amounts disposed of during the period pursuant to NRS
36 294A.160 or subsection 4 of NRS 294A.286 which are \$100 or less. ~~;~~

37 ~~on the form designed and made available by the Secretary of State pursuant to~~
38 ~~NRS 294A.373. The form must be signed by the candidate under an oath to God or~~
39 ~~penalty of perjury. A candidate who signs the form under an oath to God is subject~~
40 ~~to the same penalties as if the candidate had signed the form under penalty of~~
41 ~~perjury.~~

42 ~~2. The provisions of subsection 1 apply to the candidate:~~

43 ~~(a) Beginning the year of the general election for that office, through the year~~
44 ~~immediately preceding the next general election for that office; and~~

45 ~~(b) Each year immediately succeeding a calendar year during which the~~
46 ~~candidate disposes of contributions pursuant to NRS 294A.160 or 294A.286.~~

47 ~~3.] 2.~~ Every candidate for state, district, county or township office at a
48 primary or general election shall, if the general election for the office for which he
49 or she is a candidate is held on or after January 1 and before the July 1 immediately
50 following that January 1, not later than:

51 (a) Twenty-one days before the primary election for that office, for the period
52 from the January 1 immediately preceding the primary election through 25 days
53 before the primary election;

1 (b) Four days before the primary election for that office, for the period from 24
2 days before the primary election through 5 days before the primary election;

3 (c) Twenty-one days before the general election for that office, for the period
4 from 4 days before the primary election through 25 days before the general
5 election; ~~and~~

6 (d) Four days before the general election for that office, for the period from 24
7 days before the general election through 5 days before the general election ~~and~~;

8 *(e) January 15 of the following calendar year, for the period from 4 days
9 before the general election through the December 31 immediately following the
10 general election,*

11 ↪ report each of the campaign expenses described in subsection 1 incurred during
12 the period , *and the amounts disposed of as described in subsection 1 during the
13 period,* on the form designed and made available by the Secretary of State pursuant
14 to NRS 294A.373. Each form must be signed by the candidate under an oath to God
15 or penalty of perjury. A candidate who signs the form under an oath to God is
16 subject to the same penalties as if the candidate had signed the form under penalty
17 of perjury.

18 ~~4.3.~~ 3. Every candidate for state, district, county or township office at a
19 primary or general election shall, if the general election for the office for which he
20 or she is a candidate is held on or after July 1 and before the January 1 immediately
21 following that July 1, not later than:

22 (a) Twenty-one days before the primary election for that office, for the period
23 from the January 1 immediately preceding the primary election through 25 days
24 before the primary election;

25 (b) Four days before the primary election for that office, for the period from 24
26 days before the primary election through 5 days before the primary election;

27 (c) Twenty-one days before the general election for that office, for the period
28 from 4 days before the primary election through 25 days before the general
29 election; ~~and~~

30 (d) Four days before the general election for that office, for the period from 24
31 days before the general election through 5 days before the general election ~~and~~;

32 *(e) January 15 of the following calendar year, for the period from 4 days
33 before the general election through the December 31 immediately following the
34 general election,*

35 ↪ report each of the campaign expenses described in subsection 1 incurred during
36 the period , *and the amounts disposed of as described in subsection 1 during the
37 period,* on the form designed and made available by the Secretary of State pursuant
38 to NRS 294A.373. The form must be signed by the candidate under an oath to God
39 or penalty of perjury. A candidate who signs the form under an oath to God is
40 subject to the same penalties as if the candidate had signed the form under penalty
41 of perjury.

42 ~~4.5.~~ 4. Except as otherwise provided in subsection ~~4.5.~~ 5, every candidate for
43 a district office at a special election shall, not later than:

44 (a) Seven days before the beginning of early voting by personal appearance for
45 the special election, for the period from the candidate's nomination through 12 days
46 before the beginning of early voting by personal appearance for the special election;
47 and

48 (b) Thirty days after the special election, for the remaining period through the
49 special election,

50 ↪ report each of the campaign expenses described in subsection 1 incurred during
51 the period , *and the amounts disposed of as described in subsection 1 during the
52 period,* on the form designed and made available by the Secretary of State pursuant
53 to NRS 294A.373. Each form must be signed by the candidate under an oath to God

1 or penalty of perjury. A candidate who signs the form under an oath to God is
2 subject to the same penalties as if the candidate had signed the form under penalty
3 of perjury.

4 ~~6+~~ 5. Every candidate for state, district, county, municipal or township
5 office at a special election to determine whether a public officer will be recalled
6 shall report each of the campaign expenses described in subsection 1 incurred, *and*
7 *the amounts disposed of as described in subsection 1*, on the form designed and
8 made available by the Secretary of State pursuant to NRS 294A.373 and signed by
9 the candidate under an oath to God or penalty of perjury, 30 days after:

10 (a) The special election, for the period from the filing of the notice of intent to
11 circulate the petition for recall through the special election; or

12 (b) If the special election is not held because a district court determines that the
13 petition for recall is legally insufficient pursuant to subsection 6 of NRS 306.040,
14 for the period from the filing of the notice of intent to circulate the petition for
15 recall through the date of the district court's decision.

16 ➤ A candidate who signs the form under an oath to God is subject to the same
17 penalties as if the candidate had signed the form under penalty of perjury.

18 ~~7+~~ 6. Except as otherwise provided in NRS 294A.3733, reports of campaign
19 expenses must be filed electronically with the Secretary of State.

20 ~~8+~~ 7. A report shall be deemed to be filed on the date that it was received by
21 the Secretary of State.

22 **Sec. 11.** ~~NRS 294A.210 is hereby amended to read as follows:~~

23 ~~294A.210 1. Every person who is not under the direction or control of a~~
24 ~~candidate for an office at a primary election, primary city election, general election~~
25 ~~or general city election, of a group of such candidates or of any person involved in~~
26 ~~the campaign of that candidate or group who makes an expenditure on behalf of the~~
27 ~~candidate or group which is not *coordinated with or* solicited or approved by the~~
28 ~~candidate or group, and every committee for political action, political party or~~
29 ~~committee sponsored by a political party which receives contributions in excess of~~
30 ~~\$100 or makes an expenditure on behalf of such a candidate or group of candidates~~
31 ~~shall, not later than January 15 of each year that the provisions of this subsection~~
32 ~~apply to the person, committee or political party, for the period from January 1 of~~
33 ~~the previous year through December 31 of the previous year, report each~~
34 ~~expenditure made during the period on behalf of the candidate, the group of~~
35 ~~candidates or a candidate in the group of candidates in excess of \$100 on the form~~
36 ~~designed and made available by the Secretary of State pursuant to NRS 294A.373.~~
37 ~~The form must be signed by the person or a representative of the committee or~~
38 ~~political party under an oath to God or penalty of perjury. A person who signs the~~
39 ~~form under an oath to God is subject to the same penalties as if the person had~~
40 ~~signed the form under penalty of perjury. The provisions of this subsection apply to~~
41 ~~the person, committee or political party beginning the year of the general election~~
42 ~~or general city election for that office through the year immediately preceding the~~
43 ~~next general election or general city election for that office.~~

44 ~~2. Every person, committee or political party described in subsection 1 which~~
45 ~~makes an expenditure on behalf of a candidate for office at a primary election,~~
46 ~~primary city election, general election or general city election or a group of such~~
47 ~~candidates shall, if the general election or general city election for the office for~~
48 ~~which the candidate or a candidate in the group of candidates seeks election is held~~
49 ~~on or after January 1 and before the July 1 immediately following that January 1,~~
50 ~~not later than:~~

51 ~~(a) Twenty one days before the primary election or primary city election for~~
52 ~~that office, for the period from the January 1 immediately preceding the primary~~

1 ~~election or primary city election through 25 days before the primary election or~~
2 ~~primary city election;~~

3 ~~—(b) Four days before the primary election or primary city election for that~~
4 ~~office, for the period from 24 days before the primary election or primary city~~
5 ~~election through 5 days before the primary election or primary city election;~~

6 ~~—(c) Twenty one days before the general election or general city election for that~~
7 ~~office, for the period from 4 days before the primary election or primary city~~
8 ~~election through 25 days before the general election or general city election; and~~

9 ~~—(d) Four days before the general election or general city election for that office,~~
10 ~~for the period from 24 days before the general election or general city election~~
11 ~~through 5 days before the general election or general city election;~~

12 ~~—report each expenditure made during the period on behalf of the candidate, the~~
13 ~~group of candidates or a candidate in the group of candidates in excess of \$100 on~~
14 ~~the form designed and made available by the Secretary of State pursuant to NRS~~
15 ~~294A.373. The form must be signed by the person or a representative of the~~
16 ~~committee or political party under an oath to God or penalty of perjury. A person~~
17 ~~who signs the form under an oath to God is subject to the same penalties as if the~~
18 ~~person had signed the form under penalty of perjury.~~

19 ~~3. Every person, committee or political party described in subsection 1 which~~
20 ~~makes an expenditure on behalf of a candidate for office at a primary election,~~
21 ~~primary city election, general election or general city election or on behalf of a~~
22 ~~group of such candidates shall, if the general election or general city election for the~~
23 ~~office for which the candidate or a candidate in the group of candidates seeks~~
24 ~~election is held on or after July 1 and before the January 1 immediately following~~
25 ~~that July 1, not later than:~~

26 ~~—(a) Twenty one days before the primary election or primary city election for~~
27 ~~that office, for the period from the January 1 immediately preceding the primary~~
28 ~~election or primary city election through 25 days before the primary election or~~
29 ~~primary city election;~~

30 ~~—(b) Four days before the primary election or primary city election for that~~
31 ~~office, for the period from 24 days before the primary election or primary city~~
32 ~~election through 5 days before the primary election or primary city election;~~

33 ~~—(c) Twenty one days before the general election or general city election for that~~
34 ~~office, for the period from 4 days before the primary election or primary city~~
35 ~~election through 25 days before the general election or general city election; and~~

36 ~~—(d) Four days before the general election or general city election for that office,~~
37 ~~for the period from 24 days before the general election or general city election~~
38 ~~through 5 days before the general election or general city election;~~

39 ~~—report each expenditure made during the period on behalf of the candidate, the~~
40 ~~group of candidates or a candidate in the group of candidates in excess of \$100 on~~
41 ~~the form designed and made available by the Secretary of State pursuant to NRS~~
42 ~~294A.373. The form must be signed by the person or a representative of the~~
43 ~~committee or political party under an oath to God or penalty of perjury. A person~~
44 ~~who signs the form under an oath to God is subject to the same penalties as if the~~
45 ~~person had signed the form under penalty of perjury.~~

46 ~~4. Except as otherwise provided in subsection 5, every person, committee or~~
47 ~~political party described in subsection 1 which makes an expenditure on behalf of a~~
48 ~~candidate for office at a special election or on behalf of a group of such candidates~~
49 ~~shall, not later than:~~

50 ~~—(a) Seven days before the beginning of early voting by personal appearance for~~
51 ~~the special election for the office for which the candidate or a candidate in the~~
52 ~~group of candidates seeks election, for the period from the nomination of the~~

1 ~~candidate through 12 days before the beginning of early voting by personal~~
2 ~~appearance for the special election; and~~

3 ~~(b) Thirty days after the special election, for the remaining period through the~~
4 ~~special election;~~

5 ~~report each expenditure made during the period on behalf of the candidate, the~~
6 ~~group of candidates or a candidate in the group of candidates in excess of \$100 on~~
7 ~~the form designed and made available by the Secretary of State pursuant to NRS~~
8 ~~294A.373. The form must be signed by the person or a representative of the~~
9 ~~committee or political party under an oath to God or penalty of perjury. A person~~
10 ~~who signs the form under an oath to God is subject to the same penalties as if the~~
11 ~~person had signed the form under penalty of perjury.~~

12 ~~5. Every person, committee or political party described in subsection 1 which~~
13 ~~makes an expenditure on behalf of a candidate for office at a special election to~~
14 ~~determine whether a public officer will be recalled or on behalf of a group of such~~
15 ~~candidates shall list each expenditure made on behalf of the candidate, the group of~~
16 ~~candidates or a candidate in the group of candidates in excess of \$100 on the form~~
17 ~~designed and made available by the Secretary of State pursuant to NRS 294A.373~~
18 ~~and signed by the person or a representative of the committee or political party~~
19 ~~under an oath to God or penalty of perjury, 30 days after:~~

20 ~~(a) The special election, for the period from the filing of the notice of intent to~~
21 ~~circulate the petition for recall through the special election; or~~

22 ~~(b) If the special election is not held because a district court determines that the~~
23 ~~petition for recall is legally insufficient pursuant to subsection 6 of NRS 206.040,~~
24 ~~for the period from the filing of the notice of intent to circulate the petition for~~
25 ~~recall through the date of the district court's decision.~~

26 ~~A person who signs the form under an oath to God is subject to the same~~
27 ~~penalties as if the person had signed the form under penalty of perjury.~~

28 ~~6. Expenditures made within the State or made elsewhere but for use within~~
29 ~~the State, including expenditures made outside the State for printing, television and~~
30 ~~radio broadcasting or other production of the media, must be included in the report.~~

31 ~~7. Except as otherwise provided in NRS 294A.3737, the reports must be filed~~
32 ~~electronically with the Secretary of State.~~

33 ~~8. If an expenditure is made on behalf of a group of candidates, the reports~~
34 ~~must be itemized by the candidate.~~

35 ~~9. A report shall be deemed to be filed on the date that it was received by the~~
36 ~~Secretary of State. Every person, committee or political party described in~~
37 ~~subsection 1 shall file a report required by this section even if the person,~~
38 ~~committee or political party receives no contributions.] **(Deleted by amendment.)**~~

39 **Sec. 11.5. NRS 294A.286 is hereby amended to read as follows:**

40 294A.286 1. Any candidate or public officer may establish a legal defense
41 fund. A person who administers a legal defense fund shall:

42 (a) Within 5 days after the creation of the legal defense fund, notify the
43 Secretary of State of the creation of the fund on a form provided by the Secretary of
44 State; and

45 (b) For the same period covered by the report filed pursuant to NRS 294A.120,
46 294A.200 or 294A.360, **or section 6.3 or 6.7 of this act,** report any contribution
47 received by or expenditure made from the legal defense fund.

48 2. The reports required by paragraph (b) of subsection 1 must be submitted on
49 the form designed and made available by the Secretary of State pursuant to NRS
50 294A.373. Each form must be signed by the administrator of the legal defense fund
51 under an oath to God or penalty of perjury. A person who signs the form under an
52 oath to God is subject to the same penalties as if the person had signed the form
53 under penalty of perjury.

1 3. Except as otherwise provided in NRS 294A.3733, the reports required by
2 paragraph (b) of subsection 1 must be filed in the same manner and at the same
3 time as the report filed pursuant to NRS 294A.120, 294A.200 or 294A.360. ~~It~~ or
4 section 6.3 or 6.7 of this act.

5 4. Not later than the 15th day of the second month after the conclusion of all
6 civil, criminal or administrative claims or proceedings for which a candidate or
7 public officer established a legal defense fund, the candidate or public officer shall
8 dispose of unspent money through one or any combination of the following
9 methods:

- 10 (a) Return the unspent money to contributors; or
11 (b) Donate the money to any tax-exempt nonprofit entity.

12 **Sec. 12.** ~~NRS 294A.225 is hereby amended to read as follows:~~

13 ~~294A.225 1. A foreign national shall not, directly or indirectly, make a~~
14 ~~contribution or a commitment to make a contribution to:~~

- 15 ~~(a) A candidate;~~
16 ~~(b) A committee for political action;~~
17 ~~(c) A committee for the recall of a public officer;~~
18 ~~(d) A person who is not under the direction or control of a candidate, of a group~~
19 ~~of candidates or of any person involved in the campaign of the candidate or group~~
20 ~~who makes an expenditure that is not coordinated with or solicited or approved by~~
21 ~~the candidate or group;~~
22 ~~(e) A political party or committee sponsored by a political party that makes an~~
23 ~~expenditure on behalf of a candidate or group of candidates;~~
24 ~~(f) An organization made up of legislative members of a political party whose~~
25 ~~primary purpose is to provide support for their political efforts;~~
26 ~~(g) A personal campaign committee or the personal representative of a~~
27 ~~candidate who receives contributions or makes expenditures that are reported as~~
28 ~~contributions or expenditures by the candidate; or~~
29 ~~(h) A nonprofit corporation that is registered or required to be registered~~
30 ~~pursuant to NRS 294A.225.~~

31 ~~2. Except as otherwise provided in subsection 3, a candidate, person, group,~~
32 ~~committee, political party, organization or nonprofit corporation described in~~
33 ~~subsection 1 shall not knowingly solicit, accept or receive a contribution or a~~
34 ~~commitment to make a contribution from a foreign national.~~

35 ~~3. For the purposes of subsection 2, if a candidate, person, group, committee,~~
36 ~~political party, organization or nonprofit corporation is aware of facts that would~~
37 ~~lead a reasonable person to inquire whether the source of a contribution is a foreign~~
38 ~~national, the candidate, person, group, committee, political party, organization or~~
39 ~~nonprofit corporation shall be deemed to have not knowingly solicited, accepted or~~
40 ~~received a contribution in violation of subsection 2 if the candidate, person, group,~~
41 ~~committee, political party, organization or nonprofit corporation requests and~~
42 ~~obtains from the source of the contribution a copy of current and valid United~~
43 ~~States passport papers. This subsection does not apply to any candidate, person,~~
44 ~~group, committee, political party, organization or nonprofit corporation if the~~
45 ~~candidate, person, group, committee, political party, organization or nonprofit~~
46 ~~corporation has actual knowledge that the source of the contribution solicited,~~
47 ~~accepted or received is a foreign national.~~

48 ~~4. If a candidate, person, group, committee, political party, organization or~~
49 ~~nonprofit corporation discovers that the candidate, person, group, committee,~~
50 ~~political party, organization or nonprofit corporation received a contribution in~~
51 ~~violation of this section, the candidate, person, group, committee, political party,~~
52 ~~organization or nonprofit corporation shall, if at the time of discovery of the~~
53 ~~violation:~~

1 ~~— (a) Sufficient money received as contributions is available, return the~~
2 ~~contribution received in violation of this section not later than 30 days after such~~
3 ~~discovery.~~

4 ~~— (b) Except as otherwise provided in paragraph (c), sufficient money received as~~
5 ~~contributions is not available, return the contribution received in violation of this~~
6 ~~section as contributions become available for this purpose.~~

7 ~~— (c) Sufficient money received as contributions is not available and~~
8 ~~contributions are no longer being solicited or accepted, not be required to return any~~
9 ~~amount of the contribution received in violation of this section that exceeds the~~
10 ~~amount of contributions available for this purpose.~~

11 ~~— 5. A violation of any provision of this section is a gross misdemeanor.~~

12 ~~— 6. As used in this section:~~

13 ~~— (a) “Foreign national” has the meaning ascribed to it in 2 U.S.C. § 441e.~~

14 ~~— (b) “Knowingly” means that a candidate, person, group, committee, political~~
15 ~~party, organization or nonprofit corporation:~~

16 ~~— (1) Has actual knowledge that the source of the contribution solicited,~~
17 ~~accepted or received is a foreign national;~~

18 ~~— (2) Is aware of facts which would lead a reasonable person to conclude that~~
19 ~~there is a substantial probability that the source of the contribution solicited,~~
20 ~~accepted or received is a foreign national; or~~

21 ~~— (3) Is aware of facts which would lead a reasonable person to inquire~~
22 ~~whether the source of the contribution solicited, accepted or received is a foreign~~
23 ~~national, but failed to conduct a reasonable inquiry. **(Deleted by amendment.)**~~

24 **Sec. 12.5.** NRS 294A.360 is hereby amended to read as follows:

25 294A.360 1. ~~Except as otherwise provided in NRS 294A.3733, every~~
26 ~~candidate for city office at a primary city election or general city election shall file~~
27 ~~the reports in the manner required by NRS 294A.120, 294A.128 and 294A.200 for~~
28 ~~other offices not later than January 15 of each year, for the period from January 1 of~~
29 ~~the previous year through December 31 of the previous year. The provisions of this~~
30 ~~subsection apply to the candidate:~~

31 ~~— (a) Beginning the year of the general city election for that office through the~~
32 ~~year immediately preceding the next general city election for that office; and~~

33 ~~— (b) Each year immediately succeeding a calendar year during which the~~
34 ~~candidate disposes of contributions pursuant to NRS 294A.160 or subsection 4 of~~
35 ~~NRS 294A.286.~~

36 ~~— 2. Except as otherwise provided in NRS 294A.3733, every candidate for city~~
37 ~~office at a primary city election or general city election, if the general city election~~
38 ~~for the office for which he or she is a candidate is held on or after January 1 and~~
39 ~~before the July 1 immediately following that January 1, shall file the reports in the~~
40 ~~manner required by NRS 294A.120, 294A.128 and 294A.200 for other offices not~~
41 ~~later than:~~

42 ~~(a) Twenty-one days before the primary city election for that office, for the~~
43 ~~period from the January 1 immediately preceding the primary city election through~~
44 ~~25 days before the primary city election;~~

45 ~~(b) Four days before the primary city election for that office, for the period~~
46 ~~from 24 days before the primary city election through 5 days before the primary~~
47 ~~city election;~~

48 ~~(c) Twenty-one days before the general city election for that office, for the~~
49 ~~period from 4 days before the primary city election through 25 days before the~~
50 ~~general city election; ~~and~~~~

51 ~~(d) Four days before the general city election for that office, for the period~~
52 ~~from 24 days before the general city election through 5 days before the general city~~
53 ~~election ~~†~~.~~

1 ~~3.1~~ ; and

2 (e) *January 15 of the following calendar year, for the period from 4 days*
3 *before the general city election through the December 31 immediately following*
4 *the general city election.*

5 2. Except as otherwise provided in NRS 294A.3733, every candidate for city
6 office at a primary city election or general city election, if the general city election
7 for the office for which he or she is a candidate is held on or after July 1 and before
8 the January 1 immediately following that July 1, shall file the reports in the manner
9 required by NRS 294A.120, 294A.128 and 294A.200 for other offices not later
10 than:

11 (a) Twenty-one days before the primary city election for that office, for the
12 period from the January 1 immediately preceding the primary city election through
13 25 days before the primary city election;

14 (b) Four days before the primary city election for that office, for the period
15 from 24 days before the primary city election through 5 days before the primary
16 city election;

17 (c) Twenty-one days before the general city election for that office, for the
18 period from 4 days before the primary city election through 25 days before the
19 general city election; ~~and~~

20 (d) Four days before the general city election for that office, for the period
21 from 24 days before the general city election through 5 days before the general city
22 election ~~;~~

23 ~~4.1~~ ; and

24 (e) *January 15 of the following calendar year, for the period from 4 days*
25 *before the general city election through the December 31 immediately following*
26 *the general city election.*

27 3. Except as otherwise provided in subsection ~~1.5~~ 4, every candidate for city
28 office at a special election shall so file those reports:

29 (a) Seven days before the beginning of early voting by personal appearance for
30 the special election, for the period from the candidate's nomination through 12 days
31 before the beginning of early voting by personal appearance for the special election;
32 and

33 (b) Thirty days after the special election, for the remaining period through the
34 special election.

35 ~~1.5~~ 4. Every candidate for city office at a special election to determine
36 whether a public officer will be recalled shall so file those reports 30 days after:

37 (a) The special election, for the period from the filing of the notice of intent to
38 circulate the petition for recall through the special election; or

39 (b) If the special election is not held because a district court determines that the
40 petition for recall is legally insufficient pursuant to subsection 6 of NRS 306.040,
41 for the period from the filing of the notice of intent to circulate the petition for
42 recall through the date of the district court's decision.

43 **Sec. 13.** NRS 294A.365 is hereby amended to read as follows:

44 294A.365 1. Each report of expenditures required pursuant to NRS
45 294A.210, 294A.220 and 294A.280 must consist of a list of each expenditure in
46 excess of \$100 or \$1,000, as is appropriate, that was made during the periods for
47 reporting. Each report of expenses required pursuant to NRS 294A.125 and
48 294A.200 must consist of a list of each expense in excess of \$100 that was incurred
49 during the periods for reporting. The list in each report must state the category and
50 amount of the expense or expenditure and the date on which the expense was
51 incurred or the expenditure was made.

52 2. ~~Each report of campaign expenses required pursuant to section 6 of this~~
53 ~~act must consist of a list of each campaign expense in excess of \$2,000 and a list~~

~~of all campaign expenses incurred during a reporting period which are payments to one recipient and cumulatively exceed \$2,000. The list in each report must state the category and amount of the campaign expense and the date on which the campaign expense was incurred.~~

~~3.1~~ The categories of expense or expenditure for use on the report of 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; ~~and~~
- (l) *Amounts disposed of pursuant to NRS 294A.160 or subsection 4 of NRS 294A.286; and*
- (m) Other miscellaneous expenses.

~~3.11~~ Each report of expenses or expenditures described in subsection 1 must list the disposition of any unspent campaign contributions using the categories set forth in subsection ~~3.11~~ of NRS 294A.160 or subsection 4 of NRS 294A.286.

Sec. 14. NRS 294A.373 is hereby amended to read as follows:

294A.373 1. The Secretary of State shall design forms to be used for all reports ~~[of campaign contributions and expenses or expenditures]~~ that are required to be filed pursuant to ~~[NRS 294A.120, 294A.125, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280, 294A.360 and 294A.362 and reports of contributions received by and expenditures made from a legal defense fund that are required to be filed pursuant to NRS 294A.286.] this chapter.~~

2. The forms designed by the Secretary of State pursuant to this section must only request information specifically required by statute.

3. The Secretary of State shall make available to each candidate, person, committee or political party that is required to file a report described in subsection 1:

(a) If the candidate, person, committee or political party has submitted an affidavit to the Secretary of State pursuant to NRS 294A.3733 or 294A.3737, as applicable, a copy of the form; or

(b) If the candidate, person, committee or political party is required to submit the report electronically to the Secretary of State, access through a secure website to the form.

4. If the candidate, person, committee or political party is required to submit electronically a report described in subsection 1, the form must be signed electronically under an oath to God or penalty of perjury. A person who signs the form under an oath to God is subject to the same penalties as if the person had signed the form under penalty of perjury.

5. The Secretary of State must obtain the advice and consent of the Legislative Commission before making a copy of, or access to, a form designed or

1 revised by the Secretary of State pursuant to this section available to a candidate,
 2 person, committee or political party.

3 **Sec. 15.** NRS 294A.390 is hereby amended to read as follows:

4 294A.390 *1.* The officer from whom a candidate or entity requests a form
 5 for:

6 ~~1-1~~ (a) A declaration of candidacy;

7 ~~2-1~~ (b) An acceptance of candidacy;

8 ~~3-1~~ (c) The registration of a committee for political action pursuant to NRS
 9 294A.230 or a committee for the recall of a public officer pursuant to NRS
 10 294A.250; or

11 ~~4-1~~ (d) The reporting of the creation of a legal defense fund pursuant to NRS
 12 294A.286,

13 ~~5~~ shall furnish the candidate or entity with the necessary forms for reporting and
 14 copies of the regulations adopted by the Secretary of State pursuant to this chapter.

15 *2.* An explanation of the applicable provisions of :

16 (a) *Section 4 of this act relating to the reporting of the balance in the*
 17 *separate account required by NRS 294A.130 and the penalties for a violation of*
 18 *those provisions as set forth in NRS 294A.420;*

19 (b) NRS 294A.100, 294A.120, 294A.128, 294A.140, 294A.150, 294A.200,
 20 294A.210, 294A.220, 294A.270, 294A.280 or 294A.360 *and sections 5 to 6.7,*
 21 *inclusive, of this act* relating to the making, accepting or reporting of campaign
 22 contributions, expenses or expenditures and the penalties for a violation of those
 23 provisions as set forth in NRS 294A.100 or 294A.420 ; ~~1-1~~ and ~~an explanation of~~

24 (c) NRS 294A.286 and 294A.287 relating to the accepting or reporting of
 25 contributions received by and expenditures made from a legal defense fund and the
 26 penalties for a violation of those provisions as set forth in NRS 294A.287 and
 27 294A.420,

28 ~~6~~ must be developed by the Secretary of State and provided upon request. The
 29 candidate or entity shall acknowledge receipt of the material.

30 **Sec. 16.** NRS 294A.400 is hereby amended to read as follows:

31 294A.400 The Secretary of State shall, within 30 days after receipt of the
 32 reports required by NRS 294A.120, 294A.125, 294A.128, 294A.140, 294A.150,
 33 294A.200, 294A.210, 294A.220, 294A.270, 294A.280, 294A.286, 294A.360 and
 34 294A.362, *and sections 6.3 and 6.7 of this act*, prepare and make available for
 35 public inspection a compilation of:

36 1. The total campaign contributions, the contributions which are in excess of
 37 \$100 and the total campaign expenses of each of the candidates from whom reports
 38 of those contributions and expenses are required.

39 2. The total amount of loans to a candidate guaranteed by a third party, the
 40 total amount of loans made to a candidate that have been forgiven and the total
 41 amount of written commitments for contributions received by a candidate.

42 3. The contributions made to a committee for the recall of a public officer in
 43 excess of \$100.

44 4. The expenditures exceeding \$100 made by a:

45 (a) Person on behalf of a candidate other than the person.

46 (b) Group of persons advocating the election or defeat of a candidate.

47 (c) Committee for the recall of a public officer.

48 5. The contributions in excess of \$100 made to:

49 (a) A person who is not under the direction or control of a candidate or group
 50 of candidates or of any person involved in the campaign of the candidate or group
 51 who makes an expenditure on behalf of the candidate or group which is not
 52 ~~1-1~~ solicited or approved by the candidate or group.

1 (b) A committee for political action, political party or committee sponsored by
2 a political party which makes an expenditure on behalf of a candidate or group of
3 candidates.

4 6. The total contributions received by and expenditures made from a legal
5 defense fund.

6 **Sec. 17.** NRS 294A.420 is hereby amended to read as follows:

7 294A.420 1. If the Secretary of State receives information that a person,
8 committee or entity that is subject to the provisions of NRS 294A.120, 294A.128,
9 294A.140, 294A.150, 294A.200, 294A.210, 294A.220, 294A.230, 294A.250,
10 294A.270, 294A.280, 294A.286 or 294A.360 *or section 4, 5, ~~6~~ 6.3 or 6.7 of this*
11 *act* has not filed a report or form for registration pursuant to the applicable
12 provisions of those sections, the Secretary of State may, after giving notice to that
13 person, committee or entity, cause the appropriate proceedings to be instituted in
14 the First Judicial District Court. *On application by the Secretary of State, the First*
15 *Judicial District Court may issue an injunction or grant other equitable relief*
16 *appropriate to ensure compliance with, or enforce, the provisions of this chapter.*

17 2. Except as otherwise provided in this section, a person, committee or entity
18 that violates an applicable provision of this chapter is subject *, for each violation,*
19 to a civil penalty of not more than ~~[\$5,000 for each violation]~~ *an amount equal to*
20 *the greater of:*

21 (a) *Five thousand dollars; or*

22 (b) *Three times the amount at issue in the civil action,*

23 *and payment of court costs and attorney's fees.*

24 3. The civil penalty must be recovered in a civil action brought in the name of
25 the State of Nevada by the Secretary of State in the First Judicial District Court and
26 deposited by the Secretary of State for credit to the State General Fund in the bank
27 designated by the State Treasurer.

28 ~~3.~~ ~~14~~

29 4. *Except as otherwise provided in this section, if* a civil penalty is imposed
30 because a person, committee or entity has reported its contributions, expenses or
31 expenditures after the date the report is due, ~~except as otherwise provided in this~~
32 ~~subsection,~~ the amount of the civil penalty is:

33 (a) If the report is not more than 7 days late, \$25 for each day the report is late.

34 (b) If the report is more than 7 days late but not more than 15 days late, \$50 for
35 each day the report is late.

36 (c) If the report is more than 15 days late, \$100 for each day the report is late.

37 *↪* A civil penalty imposed pursuant to this subsection against a public officer who
38 by law is not entitled to receive compensation for his or her office or a candidate for
39 such an office must not exceed a total of \$100 if the public officer or candidate
40 received no contributions and made no expenditures during the relevant reporting
41 periods.

42 ~~14~~ 5. For good cause shown, the Secretary of State may waive a civil
43 penalty that would otherwise be imposed pursuant to this section. If the Secretary of
44 State waives a civil penalty pursuant to this subsection, the Secretary of State shall:

45 (a) Create a record which sets forth that the civil penalty has been waived and
46 describes the circumstances that constitute the good cause shown; and

47 (b) Ensure that the record created pursuant to paragraph (a) is available for
48 review by the general public.

49 **Sec. 17.1.** Chapter 218H of NRS is hereby amended by adding thereto
50 the provisions set forth as sections 17.2 to 17.9, inclusive, of this act.

51 **Sec. 17.2.** "Domestic partner" has the meaning ascribed to it in section
52 25.2 of this act.

1 Sec. 17.3. "Domestic partnership" has the meaning ascribed to it in section
 2 25.4 of this act.

3 Sec. 17.4. "Item of value" has the meaning ascribed to it in section 26 of
 4 this act.

5 Sec. 17.5. "Knowingly" has the meaning ascribed to it in section 26.5 of
 6 this act.

7 Sec. 17.6. "Member of a Legislator's household" means a spouse, domestic
 8 partner, relative or person who is a member of the Legislator's household for the
 9 purposes of section 27.4 of this act.

10 Sec. 17.7. "Relative" has the meaning ascribed to it in section 27.8 of this
 11 act.

12 Sec. 17.8. "Willfully" has the meaning ascribed to it in section 28.8 of this
 13 act.

14 Sec. 17.9. 1. To the extent possible, the provisions of this chapter must be
 15 interpreted so as to impose duties and restrictions on Legislators and lobbyists
 16 that are consistent with the duties and restrictions imposed by the provisions of
 17 sections 24 to 33, inclusive, of this act and NRS 281.558 to 281.581, inclusive.

18 2. If there is a conflict between the provisions of this chapter and the
 19 provisions of sections 24 to 33, inclusive, of this act and NRS 281.558 to 281.581,
 20 inclusive, the provisions of sections 24 to 33, inclusive, of this act and NRS
 21 281.558 to 281.581, inclusive, control.

22 Sec. 17.95. NRS 218H.030 is hereby amended to read as follows:

23 218H.030 As used in this chapter, unless the context otherwise requires, the
 24 words and terms defined in NRS 218H.050 to 218H.100, inclusive, and sections
 25 17.2 to 17.8, inclusive, of this act have the meanings ascribed to them in those
 26 sections.

27 Sec. 18. NRS 218H.050 is hereby amended to read as follows:

28 218H.050 "Expenditure" means ~~any~~ :

29 1. Providing or making any advance, conveyance, ~~gift~~ deposit,
 30 distribution, transfer, ~~of funds~~ loan, payment, pledge or subscription of money or
 31 services or anything else of value, including , without limitation, the cost of
 32 entertainment, except food or beverages, but excluding the payment of ~~any~~
 33 membership ~~fee~~ dues otherwise exempted pursuant to NRS 218H.400 ~~, and any~~
 34 ;

35 2. Providing or giving any item of value pursuant to section 30 of this act;
 36 and

37 3. Providing or making any contract, agreement, promise or other obligation,
 38 whether or not legally enforceable, to make any expenditure while the Legislature
 39 is in a regular or special session.

40 Sec. 19. NRS 218H.060 is hereby amended to read as follows:

41 218H.060 1. "Gift" means ~~any~~ anything of value, including, without
 42 limitation, any payment, subscription, advance, forbearance, rendering or deposit
 43 of money, services or anything else of value, unless consideration of equal or
 44 greater value is given or received.

45 2. ~~"Gift"~~ The term includes, without limitation, any item of value provided
 46 or given to a Legislator pursuant to section 30 of this act.

47 3. The term does not include:

48 (a) A political contribution of money or services related to a political
 49 campaign;

50 (b) A commercially reasonable loan made in the ordinary course of business;

51 (c) The cost of entertainment, including the cost of food or beverages ~~;~~ ,
 52 unless it is an item of value provided or given to a Legislator pursuant to section
 53 30 of this act; or

1 (d) Anything of value received from:

2 (1) A member of the recipient's ~~immediate family;~~ **household or a**
 3 **relative of the recipient within the third degree of consanguinity or affinity;**

4 (2) A relative of the ~~recipient or relative of the~~ recipient's spouse or
 5 **domestic partner within the third degree of consanguinity or ~~from the~~ affinity; or**

6 (3) **The spouse or domestic partner of any such relative.** ~~It has the~~
 7 **meaning ascribed to it in section 26 of this act.**

8 **↳ unless it is an item of value provided or given to a Legislator pursuant to**
 9 **section 30 of this act.**

10 **Sec. 20.** NRS 218H.400 is hereby amended to read as follows:

11 218H.400 1. Each registrant shall file with the Director:

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

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

18 2. ***The Director shall forward to the Secretary of State each report filed with***
 19 ***the Director pursuant to subsection 1 not later than 7 days after receiving the***
 20 ***report.***

21 3. Each report must:

22 (a) Be on a form prescribed by the Director; and

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

28 ~~3.~~ 4. Except as otherwise provided in subsection ~~6.~~ 7, the report:

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

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

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

38 ~~4.~~ 5. If expenditures made by or on behalf of a registrant during the
 39 previous month exceed \$50, the report must include a compilation of expenditures,
 40 itemized in the manner required by the regulations of the Legislative Commission,
 41 in the following categories:

42 (a) Entertainment;

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

45 (c) Gifts and loans, including, ***without limitation, ~~gifts authorized~~ any items***
 46 ***of value provided or given to a Legislator pursuant to section 30 of this act and***
 47 ***any other*** money, services and anything ***else*** of value provided ***or given*** to a
 48 Legislator, to an organization whose primary purpose is to provide support for
 49 Legislators of a particular political party and House, or to any other person for the
 50 benefit of a Legislator or such an organization; and

51 (d) Other expenditures directly associated with legislative action, ***but*** not
 52 including ***the registrant's*** personal expenditures for food, lodging and travel
 53 expenses or membership dues.

1 ~~5+~~ 6. The Legislative Commission may authorize an audit or investigation
2 by the Legislative Auditor that is proper and necessary to verify compliance with
3 the provisions of this section. If the Legislative Commission authorizes such an
4 audit or investigation:

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

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

11 ~~6+~~ 7. A report filed pursuant to this section must not itemize with respect to
12 each Legislator an expenditure if the expenditure is the cost of a function to which
13 every Legislator was invited. For the purposes of this subsection, "function" means
14 a party, meal or other social event.

15 **Sec. 21.** NRS 218H.530 is hereby amended to read as follows:

16 218H.530 1. The Director shall:

17 (a) Make investigations on the Director's own initiative with respect to any
18 irregularities which the Director discovers in the statements and reports filed and
19 with respect to the failure of any person to file a required statement or report and
20 shall make an investigation upon the written complaint of any person alleging a
21 violation of any provision of this chapter.

22 (b) Report suspected violations of ~~Haw~~:

23 *(1) Section 29 of this act to the Secretary of State; and*

24 *(2) Any other provision of law to the:*

25 ~~(1)~~ (I) Legislative Commission; and

26 ~~(2)~~ (II) Attorney General, who shall investigate and take any action
27 necessary to carry out the provisions of this chapter.

28 2. If an investigation by the Director reveals a violation of any provision of
29 this chapter by a lobbyist, *or if the Director is notified by the Secretary of State*
30 *pursuant to subsection 5 of NRS 281.581 that a civil penalty has been imposed*
31 *against a lobbyist pursuant to subsection 2 of NRS 281.581*, the Director may
32 suspend the lobbyist's registration for a specified period or revoke the lobbyist's
33 registration. The Director shall cause notice of such action to be given to each
34 person who employs or uses the lobbyist.

35 3. A lobbyist whose registration is suspended or revoked by the Director may:

36 (a) Request a hearing on the matter before the Director;

37 (b) Appeal to the Legislative Commission from any adverse decision of the
38 Director; and

39 (c) If the lobbyist's registration is suspended, renew the lobbyist's registration
40 if the Legislature is still in a regular or special session following the period of
41 suspension.

42 4. A lobbyist whose registration is revoked may, with the consent of the
43 Director, renew the lobbyist's registration if the lobbyist:

44 (a) Files a registration statement in the form required by NRS 218H.200;

45 (b) Pays any fee for late filing owed pursuant to NRS 218H.410, plus the fee
46 for registration prescribed by the Legislative Commission; and

47 (c) If the revocation occurred because of the lobbyist's failure to file an activity
48 report, files that report.

49 **Sec. 22.** NRS 218H.930 is hereby amended to read as follows:

50 218H.930 1. A lobbyist shall not knowingly or willfully make any false
51 statement or misrepresentation of facts:

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

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

3 2. A lobbyist shall not willfully give or offer to give, directly or indirectly, to
4 ~~that~~ :

5 (a) A Legislator any item of value in violation of section 29 of this act, and a
6 Legislator shall not willfully solicit or accept, directly or indirectly, any item of
7 value from a lobbyist in violation of section 29 of this act.

8 (b) Any other member of the Legislative Branch [Legislature] or a member of
9 this or her staff or immediate family [person related to the member within the
10 third degree of consanguinity or affinity any gift in violation of section 29 of this
11 act. A member of the Legislature or a person related to the member within the
12 third degree of consanguinity or affinity shall not solicit or accept any such gift.

13 ~~3. A lobbyist shall not give to any member of the Legislative Branch, other~~
14 ~~than a member of the Legislature, a Legislator's household any~~ gifts that exceed
15 \$100 in value in the aggregate in any calendar year. ~~+~~

16 ~~3-1~~ ~~1-1~~ and such a member of the Legislative Branch or a member of this
17 or her staff or immediate family] a Legislator's household shall not willfully solicit
18 [anything of value from a registrant] or accept [any gift that exceeds \$100 in
19 aggregate value in any calendar year.] [, other than a member of the Legislature,
20 shall not solicit or accept gifts] , directly or indirectly, any such gifts from a
21 lobbyist ~~that exceed \$100 in value in the aggregate in any calendar year.]~~

22 ~~1-1~~ 3. A person who employs or uses a lobbyist shall not make that
23 lobbyist's compensation or reimbursement contingent in any manner upon the
24 outcome of any legislative action.

25 ~~1-5~~ 4. Except during the period permitted by NRS 218H.200, a person shall
26 not knowingly act as a lobbyist without being registered as required by that section.

27 ~~1-6~~ 5. Except as otherwise provided in subsection ~~1-7~~ 6, a member of the
28 Legislative or Executive Branch of the State Government and an elected officer or
29 employee of a political subdivision shall not receive compensation or
30 reimbursement other than from the State or the political subdivision for personally
31 engaging in lobbying.

32 ~~1-7~~ 6. An elected officer or employee of a political subdivision may receive
33 compensation or reimbursement from any organization whose membership consists
34 of elected or appointed public officers.

35 ~~1-8~~ 7. A lobbyist shall not instigate the introduction of any legislation for the
36 purpose of obtaining employment to lobby in opposition to that legislation.

37 ~~1-9~~ 8. A lobbyist shall not make, commit to make or offer to make a
38 monetary contribution to a Legislator, the Lieutenant Governor, the Lieutenant
39 Governor-elect, the Governor or the Governor-elect during the period beginning:

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

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

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

51 **Sec. 23.** ~~[Chapter 281]~~ Title 23 of NRS is hereby amended by adding thereto
52 a new chapter to consist of the provisions set forth as sections 24 to 33, inclusive,
53 of this act ~~+~~ and the provisions of NRS 281.558 to 281.581, inclusive, as

1 amended by sections 34 to 36, inclusive, of this act and moved and renumbered
 2 pursuant to section 36.7 of this act.

3 Sec. 24. As used in ~~NRS 281.558 to 281.591, inclusive, and sections 24 to~~
 4 ~~33, inclusive, of this act,~~ this chapter, unless the context otherwise requires, the
 5 words and terms defined in NRS 281.558 and sections ~~25 to 28,~~ 24.5 to 28.8,
 6 inclusive, of this act have the meanings ascribed to them in those sections.

7 Sec. 24.5. “Business entity” means any form of business or social
 8 organization or enterprise or any other nongovernmental legal entity, including,
 9 without limitation, any proprietorship, partnership, firm, business, company,
 10 trust, joint venture, syndicate, corporation or association.

11 Sec. 25. ~~“Contribution”~~ “Campaign contribution” has the meaning
 12 ascribed to ~~it~~ “contribution” in NRS 294A.007.

13 Sec. 25.2. “Domestic partner” means a person in a domestic partnership.

14 Sec. 25.4. “Domestic partnership” means:

- 15 1. A domestic partnership as defined in NRS 122A.040; or
- 16 2. A domestic partnership which was validly formed in another jurisdiction
 17 and which is substantially equivalent to a domestic partnership as defined in NRS
 18 122A.040, regardless of whether it bears the name of a domestic partnership or is
 19 registered in this State.

20 Sec. 25.6. “Household” means an association of persons who live in the
 21 same home or dwelling and who are related by blood, adoption, marriage or
 22 domestic partnership.

23 Sec. 25.7. 1. “Informational or educational meeting” means any meeting
 24 of two or more persons for the purpose of providing or receiving information or
 25 education on matters of public policy relating to the official duties or functions
 26 which are performed by a public officer or will be performed by a candidate if
 27 elected.

28 2. The term includes, without limitation, any meal, reception, social
 29 gathering, caucus, conference, convention, discussion, forum, roundtable,
 30 seminar, symposium, speaking engagement or other similar event, function or
 31 program with an informational or educational component.

32 3. The term does not include an informational or educational meeting
 33 attended by a public officer or candidate for personal reasons or for reasons
 34 relating to any professional or occupational license held by the public officer or
 35 candidate, unless the public officer or candidate participates as one of the
 36 primary speakers, instructors or presenters at the informational or educational
 37 meeting.

38 Sec. 25.8. “Intentionally” means voluntarily or deliberatively, rather than
 39 accidentally or inadvertently. The term does not require proof of bad faith, ill
 40 will, evil intent or malice.

41 Sec. 26. 1. ~~“Gift”~~ “Item of value” or “item” means ~~for~~ anything of
 42 value, including, without limitation, any payment, subscription, advance,
 43 forbearance, rendering or deposit of money, services or anything else of value ,
 44 unless consideration of equal or greater value is given or received.

45 2. ~~“Gift”~~ The term does not include:

- 46 (a) A campaign contribution. ~~for~~
- 47 (b) A commercially reasonable loan made to a public officer or candidate in
 48 the ordinary course of business. ~~for~~
- 49 (c) ~~Anything~~ If a public officer is authorized to engage in any business or
 50 employment other than his or her public office or if a candidate engages in any
 51 business or employment, any salary, wages, income, compensation or benefits
 52 earned by the public officer or candidate or any payment or reimbursement of

1 expenses incurred by the public officer or candidate in the ordinary course of
2 that business or employment and paid by or received from any:

3 (1) Employer, client, customer or patient; or

4 (2) Business entity for which the public officer or candidate is an owner,
5 director, officer, partner or member.

6 (d) Except as otherwise provided in subsection 1 of section 30 of this act,
7 anything of value received from:

8 (1) A member of the ~~recipient's immediate family~~ public officer's or
9 candidate's household or a relative of the public officer or candidate within the
10 third degree of consanguinity or affinity;

11 (2) A relative of the ~~recipient or relative of the recipient's~~ public
12 officer's or candidate's spouse or domestic partner within the third degree of
13 consanguinity or affinity; or ~~from the~~

14 (3) The spouse or domestic partner of any such relative.

15 Sec. 26.5. "Knowingly" imports a knowledge that the facts exist which
16 constitute the act or omission, and does not require knowledge of the prohibition
17 against the act or omission. Knowledge of any particular fact may be inferred
18 from the knowledge of such other facts as should put an ordinarily prudent
19 person upon inquiry.

20 Sec. 27. 1. "Lobbyist" means a person who, for any compensation or
21 other consideration, communicates directly with a public officer or candidate on
22 behalf of someone other than himself or herself to influence legislative or
23 executive action. ~~, whether or not any compensation is received for the~~
24 communication.

25 2. The term includes, without limitation, a person who is required to file a
26 registration statement with the Director of the Legislative Counsel Bureau
27 pursuant to NRS 218H.200 ~~++~~ in the classification of a lobbyist who receives any
28 compensation or other consideration for his or her lobbying activities.

29 Sec. 27.2. "Local body or agency" means any local governing body,
30 agency, bureau, board, commission, department, division, office or other unit of
31 any county, city or other political subdivision.

32 Sec. 27.4. "Member of a public officer's or candidate's household" means:

33 1. The spouse or domestic partner of the public officer or candidate;

34 2. A relative who lives in the household of the public officer or candidate;
35 or

36 3. A person, whether or not a relative, who:

37 (a) Lives in the household of the public officer or candidate and who is
38 dependent on and receiving substantial support from the public officer or
39 candidate;

40 (b) Does not live in the household of the public officer or candidate but who
41 is dependent on and receiving substantial support from the public officer or
42 candidate; or

43 (c) Lived in the household of the public officer or candidate for 6 months or
44 more in the year immediately preceding the year in which the public officer or
45 candidate files a statement of financial disclosure and who was dependent on and
46 receiving substantial support from the public officer or candidate during that
47 period.

48 Sec. 27.6. 1. "Public officer" has the meaning ascribed to it in NRS
49 281.005.

50 2. The term does not include a judicial officer who is subject to the
51 requirements of the Nevada Code of Judicial Conduct.

52 Sec. 27.8. "Relative" means a person who is related by blood, adoption,
53 marriage or domestic partnership.

1 Sec. 28. ~~“Restricted donor” means any person who.~~ A person is a
 2 “restricted donor” to a public officer or candidate if the person:

3 1. Is, or is seeking to be, a party to a contract with ~~for~~ any state or local
 4 body or agency of which ~~for~~ the public officer is a member or ~~to which~~ the
 5 candidate ~~is seeking election~~ will be a member if elected.

6 2. Is or may be, or is the agent of a person who is or may be, materially or
 7 financially affected by the performance or nonperformance of ~~a~~

8 ~~(a) An~~ an official duty ~~for~~ or function by the public officer ~~for~~ or

9 ~~(b) An~~ official duty of a public office for which ~~a~~ or by the candidate ~~is~~
 10 seeking election,

11 ~~if~~ if elected, in a manner that is distinguishable from the effect on the general
 12 public of the performance or nonperformance of the official duty ~~for~~ or function.

13 3. Is, or is the agent of a person who is, a party to or the subject of ~~for a~~
 14 party to a matter pending before ~~for~~ any state or local body or agency of which
 15 ~~for~~ the public officer is a member or ~~to which~~ the candidate ~~is seeking~~
 16 election, or will be a member if elected.

17 4. Is a lobbyist who lobbies any state or local body or agency of which the
 18 public officer is a member or the candidate will be a member if elected, or is a
 19 client of ~~for~~ the lobbyist ~~for~~ who employs or contracts with the lobbyist to lobby
 20 any state or local body or agency of which the public officer is a member or the
 21 candidate will be a member if elected.

22 Sec. 28.2. “State body or agency” means any body, agency, bureau, board,
 23 commission, department, division, office or other unit of the Legislative or
 24 Executive Department of the State Government.

25 Sec. 28.4. “State Legislator” or “Legislator” means a member of the
 26 Senate or Assembly of the State of Nevada.

27 Sec. 28.5. “State or local body or agency of which the public officer is a
 28 member” means any state body or agency or local body or agency on which the
 29 public officer serves as an elected or appointed member or for which the public
 30 officer serves in an elected or appointed position, whether or not the public
 31 officer receives any compensation for serving in the public office.

32 Sec. 28.6. “Tax-exempt nonprofit entity” means any charitable, fraternal
 33 or other nonprofit organization that qualifies as a tax-exempt organization
 34 pursuant to 26 U.S.C. § 501(c)(3) or is a corporation for public benefit, as defined
 35 in NRS 82.021.

36 Sec. 28.8. “Willfully” means intentionally and knowingly.

37 Sec. 28.9. For the purposes of any civil action brought against a defendant
 38 pursuant to this chapter, a court of competent jurisdiction is:

39 1. The district court for the county where the defendant resides or
 40 maintains a place of business; or

41 2. If the defendant does not reside or maintain a place of business in the
 42 State of Nevada, the First Judicial District Court.

43 Sec. 29. 1. Except as otherwise provided in subsection 2 and section 30 of
 44 this act:

45 (a) A public officer ~~for~~ or candidate ~~for a person related to a public officer~~
 46 ~~or candidate within the third degree of consanguinity or affinity~~ shall not
 47 willfully solicit or accept ~~for solicit a gift~~, directly or indirectly, any item of
 48 value from a restricted donor.

49 (b) A restricted donor shall not willfully give or offer to give ~~a gift~~, directly
 50 or indirectly, any item of value to a public officer ~~for~~ or candidate ~~for a person~~
 51 ~~related to a public officer or candidate within the third degree of consanguinity~~
 52 ~~or affinity~~.

1 2. ~~1. A public officer, a candidate or a person related to a~~ If a restricted
 2 donor gives or offers to give to a public officer or candidate any item of value that
 3 does not qualify for an exception in section 30 of this act, the public officer or
 4 candidate ~~within the third degree of consanguinity or affinity~~ may accept ~~a gift~~
 5 ~~other than a gift described in section 30 of this act~~ the item from ~~the~~
 6 restricted donor and the actions of the public officer or candidate and the
 7 restricted donor do not violate this section if the public officer ~~or~~ candidate ~~or~~
 8 ~~person related to the public officer or candidate, not~~ :

9 (a) Not later than 30 days after ~~receiving~~ the ~~gift~~ date on which the item
 10 is accepted, donates the ~~gift~~ item or, if the nature of the ~~gift~~ item is such that it
 11 cannot be donated after it has been accepted, donates an amount equal to the
 12 value of the ~~gift~~;

13 ~~(a) To any tax~~ item to any:

14 (1) Tax-exempt nonprofit entity; or

15 ~~(b) To any governmental;~~

16 (2) Governmental entity or fund of this State or a political subdivision of
 17 this State ~~or~~ ; and

18 (b) Reports the item and donation on his or her statement of financial
 19 disclosure if required by NRS 281.571.

20 Sec. 30. The offering, giving, soliciting or ~~receiving~~ accepting of any ~~of~~
 21 ~~the following items or services~~ item of value listed in this section does not violate
 22 the provisions of section 29 of this act ~~or~~ , but the item of value must be reported
 23 by the public officer or candidate on his or her statement of financial disclosure
 24 if required by NRS 281.571 and, if the restricted donor is subject to chapter 218H
 25 of NRS, it must be reported by the restricted donor on his or her lobbying report
 26 if required by NRS 218H.400:

27 1. Any ~~gift~~ item provided or given to the public officer or candidate from a
 28 restricted donor who is ~~related to a~~ a relative of the public officer ~~or~~ or
 29 candidate ~~for a person related to a public officer or candidate~~ within the third
 30 degree of consanguinity or affinity, unless the restricted donor is acting as an
 31 agent or intermediary for another restricted donor who is not ~~related to the~~
 32 ~~recipient~~ a relative of the public officer or candidate within the third degree of
 33 consanguinity or affinity.

34 2. ~~Materials~~ Any item provided or given to the public officer or candidate
 35 in any written, audio, visual or digital format that ~~provides~~ provides information
 36 or education relating to the official duties or functions of the state or local body
 37 or agency of which the public officer ~~or~~ is a member or the candidate will be a
 38 member if elected.

39 3. Any item provided or given to the public officer or candidate that is
 40 available or distributed free of charge to members of the general public.

41 4. Any item provided or given to the public officer or candidate from a bona
 42 fade charitable, professional, educational or business organization if:

43 (a) The public officer ~~or~~ the ~~or~~ candidate ~~for a person related to the public~~
 44 ~~officer or candidate within the third degree of consanguinity or affinity, as~~
 45 ~~applicable,~~ pays dues to be a member of the organization;

46 (b) The amount of the dues paid by the public officer ~~or~~ the ~~or~~ candidate ~~for~~
 47 ~~a person related to the public officer or candidate~~ is not inconsequential
 48 compared with the value of the item received; and

49 (c) The ~~items are~~ item is provided or given to all members of the
 50 organization without regard to the status of or position held by any member
 51 outside of the organization.

52 5. ~~Provision of~~ Any actual expenses for food, beverages, registration fees,
 53 travel ~~and~~ or lodging provided or given to or paid for the benefit of the public

1 ~~officer ~~or~~ the~~ or candidate, ~~for a person related to the public officer or candidate~~
2 ~~within the third degree of consanguinity or affinity,~~ or reimbursement for any
3 ~~actual expenses for food, beverages, registration fees, travel ~~and~~ or lodging paid~~
4 ~~by the public officer ~~or~~ the~~ or candidate, ~~for a person related to the public officer~~
5 ~~or candidate within the third degree of consanguinity or affinity,~~ for attendance
6 ~~or participation at ~~a meeting, panel discussion or other speaking engagement,~~~~
7 ~~including, without limitation, a meeting, panel discussion or speaking~~
8 ~~engagement with an educational component,~~ any informational or educational
9 meeting if the expenses are incurred on a day during which the public officer or
10 candidate attends or participates at the meeting ~~, panel discussion or speaking~~
11 engagement or during which the public officer or candidate travels to or from
12 the meeting ~~, panel discussion or speaking engagement.~~

13 6. ~~+~~ Any plaque or other similar commemorative item of de minimis
14 resale value ~~which is~~ provided or given to the public officer or candidate as
15 recognition for public service.

16 7. ~~Food or beverages provided at a meal or reception that is part of~~ Any
17 amount paid, on an individualized or apportioned basis, for the public officer or
18 candidate to attend or participate at an event, function or program:

19 (a) To raise money for or otherwise support ~~an organization that is~~
20 recognized as a tax-exempt ~~pursuant to 26 U.S.C. § 501(c)(3)~~ nonprofit entity;
21 or

22 (b) At which the public officer ~~or~~ the or candidate ~~for a person related to the~~
23 public officer or candidate within the third degree of consanguinity or affinity is
24 being recognized for public service, if the primary purpose of the event, function
25 or program is to recognize persons for public service.

26 8. ~~+~~ Any nonmonetary item ~~for service~~ with a value of \$8 or less ~~than~~
27 \$3, ~~provided or given to the public officer or candidate if the public officer ~~or~~ the~~
28 or candidate ~~for a person related to the public officer or candidate within the~~
29 third degree of consanguinity or affinity does not accept more than one such
30 item ~~for service~~ per calendar day from a restricted donor. For the purposes of
31 this subsection ~~the~~:

32 (a) The value of ~~any~~ a nonmonetary item ~~for service~~ is ~~the~~ its retail, resale
33 or market value ~~of the item or service provided,~~ whichever is greater,
34 excluding any fees, duties, imposts or taxes, regardless of the number of
35 restricted donors who contribute to the cost of the item ~~for service.~~

36 (b) A nonmonetary item does not include any item of value that may be
37 provided or given to the public officer or candidate pursuant to any other
38 provision of this section.

39 9. If the state or local body or agency of which the public officer is a
40 member belongs to a state, regional or national organization of governmental
41 bodies or agencies, ~~any~~ any item ~~for service accepted or~~ solicited or accepted by:

42 (a) The organization as part of ~~a conference, seminar or other meeting held~~
43 for business or ~~an informational or educational purposes~~ meeting; or

44 (b) The public officer at a scheduled event, function or program that is
45 organized or sponsored by the organization ~~if~~ if the item ~~for service~~ is offered to
46 every person who attends the event ~~if~~, function or program.

47 10. If the public officer belongs to a state, regional or national organization
48 of public officers, ~~any~~ any item ~~for service accepted or~~ solicited or accepted by:

49 (a) The organization as part of ~~a conference, seminar or other meeting held~~
50 for business or ~~an informational or educational purposes~~ meeting; or

51 (b) The public officer at a scheduled event, function or program that is
52 organized or sponsored by the organization ~~if~~ if the item ~~for service~~ is offered to
53 every person who attends the event ~~if~~, function or program.

1 11. ~~Funeral~~ Any funeral flowers or memorials ~~for~~ , or donations to any
2 tax-exempt nonprofit entity in lieu of funeral flowers or memorials, provided or
3 given because of the death of a relative or friend of the public officer or
4 candidate.

5 12. Any ceremonial gift provided or given to the public officer or candidate
6 for ~~a wedding, or~~ any birthday, wedding , anniversary ~~for~~ , holiday or other
7 ceremonial occasion.

8 13. ~~Salary or reimbursement of expenses, paid by the employer of the~~
9 public officer or the candidate, or by any firm, partnership, association or
10 corporation of which the public officer or candidate is a member or partner, for
11 any actual expenses for food, beverages, travel and lodging paid by the public
12 officer or candidate to attend a meeting or conference, if the public officer or
13 candidate is not entitled to receive a salary or the per diem allowance and travel
14 expenses provided for state officers and employees generally for attending the
15 meeting. Any amount paid, on an individualized or apportioned basis, for the
16 public officer or candidate to attend or participate at an event, function or
17 program involving any form of sports, recreation or entertainment, including,
18 without limitation, any actual expenses for food or beverages provided or given to
19 or paid for the benefit of the public officer or candidate at the event, function or
20 program.

21 14. ~~Gifts of~~ Any actual expenses for food, beverages, travel or lodging
22 provided or given to or paid for the benefit of the public officer, or
23 reimbursement ~~for~~ for any actual expenses for ~~for~~ food, beverages, travel ~~and~~ or
24 lodging paid by the public officer, if:

25 (a) The public officer is representing the state or local body or agency of
26 which the public officer is a member in a delegation whose sole purpose is to:

27 (1) Attract a specific business entity to this State;

28 (2) Encourage a business entity already existing in this State to expand
29 or retain operations in this State; or

30 (3) Develop markets for ~~businesses~~ business entities based in this State
31 or services or goods produced in this State;

32 (b) The public officer plays a significant role in a presentation to a business
33 entity being contacted by the delegation; and

34 (c) The restricted donor ~~providing the gift or reimbursement~~ is not an
35 employee, agent or owner of a business entity being contacted by the delegation,
36 except that a restricted donor who is an employee, agent or owner of a business
37 entity being contacted by the delegation may provide ~~a gift of~~ or give food or
38 beverages to the public officer or pay for the actual expenses of food or ~~beverage~~
39 ~~for~~ beverages provided or given to the public officer.

40 15. ~~Any~~ Any item of de minimis resale value provided or given to the public
41 officer or candidate by a resident of a country other than the United States if the
42 item is provided or given as part of a ceremonial presentation or the act of
43 providing or giving ~~for~~ the item is customary in that country.

44 16. ~~Reimbursement for registration fees for registration fees for a~~
45 conference or meeting, the purpose of which is to provide information that assists
46 the public officer in the performance of his or her public duties. As used in this
47 subsection, "conference or meeting" does not include a conference or meeting
48 attended by the public officer for personal reasons or for reasons relating to any
49 professional license held by the public officer.

50 17. A gift. Any item which the public officer is required to receive on behalf
51 of the state or local body or agency of which the public officer is a member as ~~for~~
52 an official duty or function of the office held by the public officer.

~~18. 17. If the public officer is a member of the Legislature, State Legislator or a guest of a State Legislator, any actual expenses for food or beverages and entertainment provided or given to or paid for the benefit of the public officer at an event, function or program;~~

~~(a) Which takes place during a regular or special session of the Legislature; and~~

~~(b) To which every if:~~

~~(a) Every member of the Legislature has been invited to the event, function or program; and~~

~~(b) The food or beverages are offered to every person who attends the event, function or program.~~

~~18. Any actual expenses for food or beverages provided or given to or paid for the benefit of the public officer or candidate at an event, function or program to raise money for or otherwise support:~~

~~(a) The candidacy of another person; or~~

~~(b) A political organization, including, without limitation, a political party, committee sponsored by a political party, political caucus or committee for political action.~~

~~Sec. 31. 1. If it appears that the provisions of NRS 281.558 to 281.581, inclusive, and sections 24 to 33, inclusive, of this act have been violated as described in subsection 2, the Secretary of State may:~~

~~(a) Conduct an investigation concerning the alleged violation and cause the appropriate proceedings to be instituted and prosecuted in the First Judicial District Court pursuant to NRS 281.581; or~~

~~(b) Refer the alleged violation to the Attorney General. The Attorney General shall investigate the alleged violation and institute and prosecute the appropriate proceedings in the First Judicial District Court without delay.~~

~~2. The Secretary of State may take action as described in subsection 1 if it appears that:~~

~~(a) A candidate for public office or a public officer:~~

~~(1) Has willfully failed to file a statement of financial disclosure;~~

~~(2) Has willfully failed to file a statement of financial disclosure in a timely manner pursuant to NRS 281.559, 281.561 or 281.572; or~~

~~(3) Has willfully included inaccurate information or failed to include complete information in a statement of financial disclosure;~~

~~(b) A public officer, a candidate or a person related to a public officer or candidate within the third degree of consanguinity or affinity has accepted or solicited a gift in violation of section 29 of this act; or~~

~~(c) A restricted donor has given or offered a gift in violation of section 29 of this act.~~

~~3. A person who believes that a violation as described in subsection 2 has occurred may notify the Secretary of State, in writing, of the alleged violation. The notice must be signed by the person alleging the violation and include:~~

~~(a) The full name and address of the person alleging the violation;~~

~~(b) A clear and concise statement of facts sufficient to establish that the alleged violation occurred;~~

~~(c) Any evidence substantiating the alleged violation;~~

~~(d) A certification by the person alleging the violation that the facts alleged in the notice are true to the best knowledge and belief of that person; and~~

~~(e) Any other information in support of the alleged violation.~~

~~4. As soon as practicable after receiving a notice of an alleged violation pursuant to subsection 3, the Secretary of State shall provide a copy of the notice and any accompanying information to the person, if any, alleged in the notice to~~

1 ~~have committed the violation. Any response submitted to the notice must be~~
 2 ~~accompanied by a short statement of the grounds, if any, for objecting to the~~
 3 ~~alleged violation and include any evidence substantiating the objection.~~

4 ~~5. If the Secretary of State determines, based on a notice of an alleged~~
 5 ~~violation received pursuant to subsection 3, that reasonable suspicion exists that~~
 6 ~~a violation of this chapter has occurred, the Secretary of State may conduct an~~
 7 ~~investigation of the alleged violation.~~

8 ~~6. If a notice of an alleged violation is received pursuant to subsection 3 not~~
 9 ~~later than 180 days after the date the violation is alleged to have taken place, the~~
 10 ~~Secretary of State, when conducting an investigation of the alleged violation~~
 11 ~~pursuant to subsection 5, may subpoena witnesses and require the production by~~
 12 ~~subpoena of any books, papers, correspondence, memoranda, agreements or~~
 13 ~~other documents or records that the Secretary of State or a designated officer or~~
 14 ~~employee of the Secretary of State determines are relevant or material to the~~
 15 ~~investigation and are in the possession of:~~

16 ~~(a) Any person alleged in the notice to have committed the violation; or~~
 17 ~~(b) If the notice does not include the name of a person alleged to have~~
 18 ~~committed the violation, any person whom the Secretary of State or a designated~~
 19 ~~officer or employee of the Secretary of State has reasonable cause to believe~~
 20 ~~produced or disseminated the materials that are the subject of the notice.~~

21 ~~7. If a person fails to testify or produce any documents or records in~~
 22 ~~accordance with a subpoena issued pursuant to subsection 6, the Secretary of~~
 23 ~~State or designated officer or employee may apply to the court for an order~~
 24 ~~compelling compliance. A request for an order of compliance may be addressed~~
 25 ~~to:~~

26 ~~(a) The district court in and for the county where service may be obtained on~~
 27 ~~the person refusing to testify or produce the documents or records, if the person~~
 28 ~~is subject to service of process in this State; or~~

29 ~~(b) A court of another state having jurisdiction over the person refusing to~~
 30 ~~testify or produce the documents or records, if the person is not subject to service~~
 31 ~~of process in this State.] (Deleted by amendment.)~~

32 **Sec. 32.** ~~[Nothing in the] The provisions of [NRS 281.558 to 281.581,~~
 33 ~~inclusive, and sections 24 to 33, inclusive, of this act shall be construed to~~
 34 ~~authorize] this chapter do not:~~

35 1. Authorize a public officer to solicit or accept [or solicit a gift] any item of
 36 value in violation of the [provisions of] code of ethical standards in NRS
 37 281A.400 [;] or the restrictions on the acceptance or receipt of an honorarium in
 38 NRS 281A.510;

39 2. Relieve a public officer of any duty to disclose the acceptance of any item
 40 of value if required by NRS 281A.420 or, because of that acceptance, abstain
 41 from voting upon or advocating the passage or failure of a matter if required by
 42 NRS 281A.420; or

43 3. Abrogate, alter or affect the application of any other provision of the
 44 Nevada Ethics in Government Law in chapter 281A of NRS.

45 **Sec. 33.** The Secretary of State may adopt regulations necessary to carry
 46 out the provisions of [NRS 281.558 to 281.581, inclusive, and sections 24 to 33,
 47 inclusive, of this act.] this chapter.

48 **Sec. 34.** NRS 281.558 is hereby amended to read as follows:

49 281.558 ~~[As used in NRS 281.558 to 281.581, inclusive, “candidate”]~~

50 1. “Candidate” means any person [;

51 ~~—] who seeks to be elected to a public office and;~~

52 ~~—(a) Who files a declaration of candidacy;~~

53 ~~—(b) Who files an acceptance of candidacy; or~~

1 ~~(b)~~ (c) Whose name appears on an official ballot at any election.

2 **2. The term does not include a candidate for judicial office who is subject to**
3 **the requirements of the Nevada Code of Judicial Conduct.**

4 **Sec. 34.3. NRS 281.559 is hereby amended to read as follows:**

5 281.559 1. Except as otherwise provided in subsections 2 and 3 and NRS
6 281.572, if a public officer who was appointed to the office for which the public
7 officer is serving is entitled to receive annual compensation of \$6,000 or more for
8 serving in that office or if the public officer was appointed to the office of
9 Legislator, the public officer shall file electronically with the Secretary of State a
10 statement of financial disclosure, as follows:

11 (a) A public officer appointed to fill the unexpired term of an elected or
12 appointed public officer shall file a statement of financial disclosure within 30 days
13 after the public officer's appointment.

14 (b) Each public officer appointed to fill an office shall file a statement of
15 financial disclosure on or before January 15 of:

16 (1) Each year of the term, including the year in which the public officer
17 leaves office; and

18 (2) The year immediately following the year in which the public officer
19 leaves office, unless the public officer leaves office before January 15 in the prior
20 year.

21 ~~↳~~ The statement must disclose the required information for the full calendar year
22 immediately preceding the date of filing.

23 2. If a person is serving in a public office for which the person is required to
24 file a statement pursuant to subsection 1, the person may use the statement the
25 person files for that initial office to satisfy the requirements of subsection 1 for
26 every other public office to which the person is appointed and in which the person
27 is also serving.

28 3. A judicial officer who is appointed to fill the unexpired term of a
29 predecessor or to fill a newly created judgeship shall file a statement of financial
30 disclosure pursuant to the requirements ~~of Canon 4H~~ of the Nevada Code of
31 Judicial Conduct. ~~Such~~ **To the extent practicable, such** a statement of financial
32 disclosure must include, without limitation, all information required to be included
33 in a statement of financial disclosure pursuant to NRS 281.571.

34 4. A statement of financial disclosure shall be deemed to be filed on the date
35 that it was received by the Secretary of State.

36 5. Except as otherwise provided in NRS 281.572, the Secretary of State shall
37 provide access through a secure website to the statement of financial disclosure to
38 each person who is required to file the statement with the Secretary of State
39 pursuant to this section.

40 ~~6. The Secretary of State may adopt regulations necessary to carry out the~~
41 ~~provisions of this section.~~

42 **Sec. 34.5. NRS 281.561 is hereby amended to read as follows:**

43 281.561 1. Except as otherwise provided in subsections 2 and 3 and NRS
44 281.572, each candidate ~~for public office~~ who will be entitled to receive annual
45 compensation of \$6,000 or more for serving in the office that the candidate is
46 seeking, each candidate for the office of Legislator and ~~except as otherwise~~
47 ~~provided in subsection 3,~~ each public officer who was elected to the office for
48 which the public officer is serving shall file electronically with the Secretary of
49 State a statement of financial disclosure, as follows:

50 (a) A candidate for nomination, election or reelection to public office shall file
51 a statement of financial disclosure ~~no~~ **not** later than the 10th day after the last day
52 to qualify as a candidate for the office. The statement must disclose the required
53 information for the full calendar year immediately preceding the date of filing and

1 for the period between January 1 of the year in which the election for the office will
2 be held and the last day to qualify as a candidate for the office. The filing of a
3 statement of financial disclosure for a portion of a calendar year pursuant to this
4 paragraph does not relieve the candidate of the requirement of filing a statement of
5 financial disclosure for the full calendar year pursuant to paragraph (b) in the
6 immediately succeeding year, if the candidate is elected to the office.

7 (b) Each public officer shall file a statement of financial disclosure on or
8 before January 15 of:

9 (1) Each year of the term, including the year in which the public officer
10 leaves office; and

11 (2) The year immediately following the year in which the public officer
12 leaves office, unless the public officer leaves office before January 15 in the prior
13 year.

14 ↪ The statement must disclose the required information for the full calendar year
15 immediately preceding the date of filing.

16 2. Except as otherwise provided in this subsection, if a candidate ~~{for public~~
17 ~~office}~~ is serving in a public office for which the candidate is required to file a
18 statement pursuant to paragraph (b) of subsection 1 or subsection 1 of NRS
19 281.559, the candidate need not file the statement required by subsection 1 for the
20 full calendar year for which the candidate previously filed a statement. The
21 provisions of this subsection do not relieve the candidate of the requirement
22 pursuant to paragraph (a) of subsection 1 to file a statement of financial disclosure
23 for the period between January 1 of the year in which the election for the office will
24 be held and the last day to qualify as a candidate for the office.

25 3. A person elected pursuant to NRS 548.285 to the office of supervisor of a
26 conservation district is not required to file a statement of financial disclosure
27 relative to that office pursuant to subsection 1.

28 4. A candidate for judicial office or a judicial officer shall file a statement of
29 financial disclosure pursuant to the requirements ~~{of Canon 4}~~ of the Nevada Code
30 of Judicial Conduct. ~~{Such}~~ *To the extent practicable, such* a statement of financial
31 disclosure must include, without limitation, all information required to be included
32 in a statement of financial disclosure pursuant to NRS 281.571.

33 5. A statement of financial disclosure shall be deemed to be filed on the date
34 that it was received by the Secretary of State.

35 6. Except as otherwise provided in NRS 281.572, the Secretary of State shall
36 provide access through a secure website to the statement of financial disclosure to
37 each person who is required to file the statement with the Secretary of State
38 pursuant to this section.

39 ~~{7. The Secretary of State may adopt regulations necessary to carry out the~~
40 ~~provisions of this section.}~~

41 **Sec. 35.** NRS 281.571 is hereby amended to read as follows:

42 281.571 1. Statements of financial disclosure, as approved pursuant to NRS
43 281A.470 or in such electronic form as the Secretary of State otherwise prescribes,
44 must contain the following information concerning the candidate ~~{for public office}~~
45 or public officer:

46 (a) The candidate's or public officer's length of residence in the State of
47 Nevada and the district in which the candidate ~~{for public office}~~ or public officer is
48 registered to vote.

49 (b) Each source of the candidate's or public officer's income, or that of any
50 member of the candidate's or public officer's household who is 18 years of age or
51 older. No listing of individual clients, customers or patients is required, but if that is
52 the case, a general source such as "professional services" must be disclosed.

1 (c) A list of the specific location and particular use of real estate, other than a
2 personal residence:

3 (1) In which the candidate ~~{for public office}~~ or public officer or a member
4 of the candidate's or public officer's household has a legal or beneficial interest;

5 (2) Whose fair market value is \$2,500 or more; and

6 (3) That is located in this State or an adjacent state.

7 (d) The name of each creditor to whom the candidate ~~{for public office}~~ or
8 public officer or a member of the candidate's or public officer's household owes
9 \$5,000 or more, except for:

10 (1) A debt secured by a mortgage or deed of trust of real property which is
11 not required to be listed pursuant to paragraph (c); and

12 (2) A debt for which a security interest in a motor vehicle for personal use
13 was retained by the seller.

14 (e) If the candidate or public officer has accepted any items of value
15 involving any form of sports, recreation or entertainment pursuant to subsection
16 13 of section 30 of this act in excess of an aggregate value of \$50 from a
17 restricted donor during the preceding taxable year, a list of all such items,
18 including the identity of the restricted donor and value of each such item.

19 ~~(f) If the candidate {for public office} or public officer has {received gifts}~~
20 ~~accepted any other items of value pursuant to section 30 of this act~~ in excess of an
21 aggregate value of \$200 from a ~~restricted~~ donor during the preceding taxable year,
22 a list of all such ~~{gifts,} items,~~ including the identity of the ~~restricted~~ donor and
23 value of each ~~{gift,} item,~~ except:

24 ~~(1) A gift received from a person who is related to the candidate for public~~
25 ~~office or public officer within the third degree of consanguinity or affinity;~~

26 ~~(2) Ceremonial gifts received for a birthday, wedding, anniversary, holiday~~
27 ~~or other ceremonial occasion if the donor does not have a substantial interest in the~~
28 ~~legislative, administrative or political action of~~ such item, except that the
29 candidate {for public office} or public officer {

30 ~~is not required to list;~~

31 (1) Any items accepted from a restricted donor pursuant to subsections 1,
32 9, 10, 17 or 18 of section 30 of this act; or

33 (2) Any items accepted from a restricted donor that consist of expenses
34 for food or beverages provided or given to or paid for the benefit of the candidate
35 or public officer who attends or participates at any informational or educational
36 meeting pursuant to subsection 5 of section 30 of this act if:

37 (I) The items are offered to every person who attends the
38 informational or educational meeting; and

39 (II) There is no reasonable or practicable means by which the
40 candidate or public officer can determine the individualized or itemized value of
41 the items.

42 ~~(g) A list of each business entity with which the candidate {for public office} or~~
43 ~~public officer or a member of the candidate's or public officer's household is~~
44 ~~involved as a trustee, beneficiary of a trust, director, officer, owner in whole or in~~
45 ~~part, limited or general partner, or holder of a class of stock or security representing~~
46 ~~1 percent or more of the total outstanding stock or securities issued by the business~~
47 ~~entity.~~

48 ~~(e) (h) A list of all public offices presently held by the candidate {for public~~
49 ~~office} or public officer for which this statement of financial disclosure is required.~~

50 2. ~~The {Secretary of State may adopt regulations necessary to carry out the~~
51 ~~provisions of this section.~~

52 ~~3.} {As used in this section, "member of the candidate's or public officer's~~
53 ~~household" includes:~~

~~(a) The spouse of the candidate for public office or public officer;~~
~~(b) A person who does not live in the same home or dwelling, but who is dependent on and receiving substantial support from the candidate for public office or public officer; and~~

~~(c) A person who lived in the home or dwelling of the candidate for public office or public officer for 6 months or more in the year immediately preceding the year in which the candidate for public office or public officer files the statement of financial disclosure. It must contain boxes for the candidate or public officer to check to indicate that an item of value was:~~

(a) Donated by the candidate or public officer pursuant to subsection 2 of section 29 of this act to a tax-exempt nonprofit entity or a governmental entity or fund of this State or a political subdivision of this State; or

(b) Accepted by the candidate or public officer pursuant to paragraph (a) of subsection 7 of section 30 of this act to attend or participate at an event, function or program to raise money for or otherwise support a tax-exempt nonprofit entity.

Sec. 35.3. NRS 281.572 is hereby amended to read as follows:

281.572 1. A candidate or public officer who is required to file a statement of financial disclosure with the Secretary of State pursuant to NRS 281.559 or 281.561 is not required to file the statement electronically if the candidate or public officer has on file with the Secretary of State an affidavit which satisfies the requirements set forth in subsection 2 and which states that:

(a) The candidate or public officer does not own or have the ability to access the technology necessary to file electronically the statement of financial disclosure; and

(b) The candidate or public officer does not have the financial ability to purchase or obtain access to the technology necessary to file electronically the statement of financial disclosure.

2. The affidavit described in subsection 1 must be:

(a) In the form prescribed by the Secretary of State and signed under an oath to God or penalty of perjury. A candidate or public officer who signs the affidavit under an oath to God is subject to the same penalties as if the candidate or public officer had signed the affidavit under penalty of perjury.

(b) Except as otherwise provided in subsection 4, filed not less than 15 days before the statement of financial disclosure is required to be filed.

3. A candidate or public officer who is not required to file the statement of financial disclosure electronically may file the statement of financial disclosure by transmitting the statement by regular mail, certified mail, facsimile machine or personal delivery. A statement of financial disclosure transmitted pursuant to this subsection shall be deemed to be filed on the date that it was received by the Secretary of State.

4. A person who is appointed to fill the unexpired term of an elected or appointed public officer must file the affidavit described in subsection 1 not later than 15 days after his or her appointment to be exempted from the requirement of filing a ~~report~~ statement of financial disclosure electronically.

Sec. 35.5. NRS 281.573 is hereby amended to read as follows:

281.573 1. Except as otherwise provided in subsection 2, ~~statements~~ each statement of financial disclosure required by the provisions of NRS 281.558 to 281.572, inclusive, must be retained by the Secretary of State for 6 years after the date of filing.

2. For public officers who serve more than one term in either the same public office or more than one public office, the period prescribed in subsection 1 begins on the date of the filing of the last statement of financial disclosure for the last public office held.

1 **Sec. 35.7. NRS 281.574 is hereby amended to read as follows:**

2 281.574 1. A list of each public officer who is required to file a statement of
3 financial disclosure must be submitted electronically to the Secretary of State, in a
4 form prescribed by the Secretary of State, on or before December 1 of each year by:

5 (a) Each county clerk for all public officers of the county and other local
6 governments within the county other than cities;

7 (b) Each city clerk for all public officers of the city;

8 (c) The Director of the Legislative Counsel Bureau for all public officers of the
9 Legislative Branch; and

10 (d) The Chief of the Budget Division of the Department of Administration for
11 all public officers of the Executive Branch.

12 2. Each county clerk, or the registrar of voters of the county if one was
13 appointed pursuant to NRS 244.164, and each city clerk shall submit electronically
14 to the Secretary of State, in a form prescribed by the Secretary of State, a list of
15 each candidate ~~for public office~~ who filed a declaration of candidacy or
16 acceptance of candidacy with that officer within 10 days after the last day to qualify
17 as a candidate for the applicable office.

18 **Sec. 36. NRS 281.581 is hereby amended to read as follows:**

19 281.581 1. If the Secretary of State receives information that a candidate,
20 ~~for public office or~~ public officer or restricted donor may have willfully fails to
21 ~~file a statement of financial disclosure or willfully fails to file a statement of~~
22 ~~financial disclosure in a timely manner pursuant to NRS 281.559, 281.561 or~~
23 ~~281.572.] violation of NRS 281.558 to 281.581, inclusive, and sections 24 to 33,~~
24 ~~inclusive, of this act has occurred.] violated the provisions of this chapter,~~ the
25 Secretary of State may, after giving notice to ~~that the person or entity~~ ~~]~~
26 ~~alleged to have committed the violation,]~~ the candidate, public officer or
27 restricted donor, cause the appropriate proceedings to be instituted in ~~the First~~
28 ~~Judicial District Court.] a court of competent jurisdiction. On application by the~~
29 Secretary of State, the ~~First Judicial District Court]~~ court may issue an
30 injunction or grant other equitable relief appropriate to ensure compliance with,
31 or enforce, any applicable provision of ~~NRS 281.558 to 281.581, inclusive, and~~
32 ~~sections 24 to 33, inclusive, of this act.] this chapter.~~

33 2. Except as otherwise provided in this section, a candidate, ~~for public~~
34 ~~office,]~~ ~~or~~ public officer or restricted donor who willfully fails to file a statement
35 of financial disclosure or willfully fails to file a statement of financial disclosure in
36 a timely manner pursuant to NRS 281.559, 281.561 or 281.572] commits a
37 violation described in section 29 of this act is subject, for each violation, to a civil
38 penalty ~~and payment of court costs and attorney's fees. The civil penalty must be~~
39 ~~recovered in a civil action brought in the name of the State of Nevada by the~~
40 ~~Secretary of State in the First Judicial District Court and deposited by the Secretary~~
41 ~~of State for credit to the State General Fund in the bank designated by the State~~
42 ~~Treasurer.] of not more than an amount equal to the greater of:~~

43 (a) Five thousand dollars; or

44 (b) Three times the amount at issue in the civil action.

45 3. ~~For~~ Except as otherwise provided in this section, a candidate ~~for public~~
46 ~~office or of~~ or public officer who willfully fails to file a statement of financial
47 disclosure or willfully fails to file a statement of financial disclosure in a timely
48 manner pursuant to NRS 281.559, 281.561 or 281.572 is subject to a civil penalty
49 as provided in this subsection. The amount of the civil penalty is:

50 (a) If the statement is filed not more than 10 days after the applicable deadline
51 set forth in subsection 1 of NRS 281.559, subsection 1 of NRS 281.561 or NRS
52 281.572, \$25.

1 (b) If the statement is filed more than 10 days but not more than 20 days after
2 the applicable deadline set forth in subsection 1 of NRS 281.559, subsection 1 of
3 NRS 281.561 or NRS 281.572, \$50.

4 (c) If the statement is filed more than 20 days but not more than 30 days after
5 the applicable deadline set forth in subsection 1 of NRS 281.559, subsection 1 of
6 NRS 281.561 or NRS 281.572, \$100.

7 (d) If the statement is filed more than 30 days but not more than 45 days after
8 the applicable deadline set forth in subsection 1 of NRS 281.559, subsection 1 of
9 NRS 281.561 or NRS 281.572, \$250.

10 (e) If the statement is not filed or is filed more than 45 days after the applicable
11 deadline set forth in subsection 1 of NRS 281.559, subsection 1 of NRS 281.561 or
12 NRS 281.572, \$2,000.

13 4. *A civil penalty imposed pursuant to this section must be recovered in a*
14 *civil action brought in the name of the State of Nevada by the Secretary of State*
15 *in ~~the First Judicial District Court~~ a court of competent jurisdiction and must*
16 *be deposited by the Secretary of State for credit to the State General Fund in the*
17 *bank designated by the State Treasurer. ~~†A person who is subject to a civil penalty~~*
18 *pursuant to this section is also subject to the payment of court costs and*
19 *attorney's fees.†*

20 5. *If a civil penalty is imposed pursuant to subsection 2 against a lobbyist*
21 *who is required to file a registration statement with the Director of the Legislative*
22 *Counsel Bureau pursuant to NRS 218H.200, the Secretary of State shall*
23 *immediately notify the Director of the Legislative Counsel Bureau.*

24 6. For good cause shown, the Secretary of State may waive a civil penalty that
25 would otherwise be imposed pursuant to this section. If the Secretary of State
26 waives a civil penalty pursuant to this subsection, the Secretary of State shall:

27 (a) Create a record which sets forth that the civil penalty has been waived and
28 describes the circumstances that constitute the good cause shown; and

29 (b) Ensure that the record created pursuant to paragraph (a) is available for
30 review by the general public.

31 ~~†S.† 17. As used in this section, "willfully" means intentionally and~~
32 ~~knowingly.†~~

33 **Sec. 36.5.** 1. The provisions of section 4 of this act apply only
34 prospectively.

35 2. Notwithstanding the provisions of subsection 1 of section 4 of this act, for
36 the purpose of the report required by section 4 of this act, the balance in an account
37 opened before January 1, 2014, by a candidate pursuant to NRS 294A.130 shall be
38 deemed to be \$0 on January 1, 2014.

39 **Sec. 36.6. The provisions of sections 24 to 33, inclusive, of this act and**
40 **NRS 281.558 to 281.581, inclusive, as amended by sections 34 to 36, inclusive,**
41 **of this act, do not apply to:**

42 **1. Any act, event or circumstance that occurs before January 1, 2014; or**

43 **2. Any statement of financial disclosure that is filed for calendar year**
44 **2013 or for any preceding calendar year, regardless of whether the statement**
45 **of financial disclosure is filed before, on or after January 1, 2014.**

46 **Sec. 36.7. The Legislative Counsel shall:**

47 **1. In preparing the reprint and supplements to the Nevada Revised**
48 **Statutes, move the provisions of NRS 281.558 to 281.581, inclusive, as amended**
49 **by sections 34 to 36, inclusive, of this act, to the new chapter added to title 23**
50 **of NRS by section 23 of this act and appropriately change any internal**
51 **references to reflect the change in location and numbering of those provisions.**

52 **2. In preparing the supplements to the Nevada Administrative Code,**
53 **appropriately change any references to the provisions of NRS 281.558 to**

1 281.581, inclusive, as amended by sections 34 to 36, inclusive, of this act, to
2 reflect the change in the location and numbering of those provisions.

3 **Sec. 37.** This act becomes effective upon passage and approval for the
4 purpose of adopting regulations and on January 1, 2014, for all other purposes.