
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; requiring a candidate to report annually the balance in his or her campaign account; requiring a candidate to report certain contributions and campaign expenses within 72 hours after receipt or expenditure; revising the definition of “expenditures”; increasing the amount of a civil penalty that may be imposed for certain violations of laws relating to campaign finance; authorizing 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; prohibiting public officers and certain persons related to or employed by public officers from accepting or soliciting certain gifts; prohibiting certain persons from giving or offering to give certain gifts to public officers and certain persons related to or employed by public officers; 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 providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law prohibits a candidate for public office from spending money
2 received as a campaign contribution for the candidate's personal use. (NRS
3 294A.160) **Section 3** of this bill moves the prohibition to a new section and sets
4 forth what constitutes "personal use." The provisions setting forth what constitutes
5 "personal use" are modeled after federal law. (2 U.S.C. § 439a; 11 C.F.R. § 113.2)

6 Existing law requires every candidate for public office to open and maintain a
7 bank account for the deposit of campaign contributions. (NRS 294A.130) **Section 4**
8 of this bill requires a candidate to report annually the balance in his or her account.

9 Under existing law, every candidate for public office must report to the
10 Secretary of State contributions and campaign expenses greater than \$100 by
11 statutorily scheduled dates. (NRS 294A.120, 294A.200) **Sections 5 and 6** of this
12 bill require candidates who receive contributions and incur campaign expenses
13 greater than \$1,000 to report those contributions and campaign expenses to the
14 Secretary of State not later than 72 hours after receiving the contribution or
15 incurring the expense.

16 Existing law defines campaign expenditures that are required to be reported by
17 candidates, committees and other entities as expenditures made to advocate
18 expressly for or against a candidate, group of candidates or ballot question. The
19 advocacy can be on television, radio, billboards or posters or in newspapers. (NRS
20 294A.0075) **Section 8** of this bill expands the definition of "expenditures" to
21 include expenditures made for campaign advocacy in periodicals other than
22 newspapers or by mail. **Section 8** also specifies certain payments of money that are
23 not considered campaign expenditures.

24 Existing law requires certain persons who make expenditures that are not
25 solicited or approved by a candidate or group of candidates to file contribution and
26 expenditure reports and prohibits contributions from foreign nationals to such
27 persons. (NRS 294A.140, 294A.210, 294A.325) **Sections 7, 9 and 11** of this bill
28 require contribution and expenditure reports from persons who make campaign
29 expenditures that are not coordinated with a candidate or group of candidates, and
30 **section 12** of this bill prohibits contributions from foreign nationals to such
31 persons.

32 Existing law authorizes the Secretary of State to bring an action in the First
33 Judicial District Court seeking a civil penalty of not more than \$5,000 against a
34 person, committee or entity that does not file a campaign contribution or expense
35 report or fails to register with the Secretary of State as required pursuant to chapter
36 294A of NRS. (NRS 294A.420) **Section 17** of this bill authorizes the First Judicial
37 District Court, on application by the Secretary of State, to issue an injunction or
38 grant other appropriate equitable relief to ensure compliance with or enforce the
39 provisions of chapter 294A of NRS. **Section 17** also provides that the maximum
40 amount of civil penalty that may be imposed for those violations is the greater of
41 \$5,000 or three times the amount at issue in the civil action.

42 Existing law requires certain public officers and candidates to report gifts
43 received in excess of an aggregate value of \$200 from a donor during a calendar
44 year on a statement of financial disclosure that such public officers and candidates
45 must file with the Secretary of State. (NRS 281.559, 281.561, 281.571) Existing
46 law also prohibits a member of the Legislature or his or her staff or immediate
47 family from accepting gifts that exceed an aggregate value of \$100 from a lobbyist
48 during a calendar year and prohibits a lobbyist from giving more than \$100 worth
49 of gifts to a member of the Legislature or his or her staff or immediate family
50 during a calendar year. (NRS 218H.930)

51 **Section 29** of this bill prohibits public officers and persons related to public
52 officers within the third degree of consanguinity or affinity from accepting or
53 soliciting gifts from a restricted donor. **Section 28** of this bill provides that a
54 restricted donor is a person who: (1) is, or is seeking to be, a party to a contract



55 with a body of which the public officer is a member; (2) is or may be, or is the
56 agent of a person who is or may be, materially or financially affected by the
57 performance or nonperformance of an official duty of the public officer; (3) is, or is
58 the agent of a person who is, the subject of or a party to a matter pending before the
59 body of which the public officer is a member; or (4) is a lobbyist or client of a
60 lobbyist. **Section 28** also prohibits such a person from making or offering to make a
61 gift to the public officer or person related to the public officer. **Section 30** of this
62 bill sets forth certain exclusions from the prohibition on giving or accepting gifts.
63 **Sections 7, 19, 20, 22, 25-28, 32 and 34-36** of this bill make conforming changes.

64 Existing law authorizes the Secretary of State to bring an action in the First
65 Judicial District Court seeking a civil penalty against a public officer or candidate
66 for public office who willfully fails to file a statement of financial disclosure or
67 willfully files the statement late. (NRS 281.581) **Section 36** of this bill authorizes
68 the Secretary of State to bring an action seeking a civil penalty against: (1) a
69 candidate for public office or public officer who willfully includes inaccurate
70 information or fails to include information in the statement of financial disclosure;
71 (2) a public officer who accepts or solicits certain gifts; and (3) a restricted donor.
72 **Section 36** also authorizes the First Judicial District Court, on application by the
73 Secretary of State, to issue an injunction or grant other appropriate equitable relief
74 to ensure compliance with or enforce the provisions relating to statements of
75 financial disclosure and gifts to public officers. **Section 31** of this bill authorizes
76 the Secretary of State to conduct investigations for the purpose of bringing actions
77 authorized pursuant to **section 36**.

78 **Section 20** requires the Director of the Legislative Counsel Bureau to forward
79 to the Secretary of State reports that registered lobbyists are required to file with the
80 Director regarding their lobbying activities. (NRS 218H.400) **Section 21** of this bill
81 requires the Director to report suspected violations of **section 29** to the Secretary of
82 State. **Section 21** also authorizes the Director to suspend the registration of a
83 lobbyist at the Nevada Legislature against whom a civil penalty has been imposed
84 for a violation of **section 29**. (NRS 218H.530)

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
2 follows:

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

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

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

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

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



1 (e) All reports ~~for campaign contributions and expenditures~~
2 submitted to the Secretary of State pursuant to the provisions of
3 *chapter 294A of NRS* . ~~[294A.120, 294A.125, 294A.140,~~
4 ~~294A.150, 294A.200, 294A.210, 294A.220, 294A.270, 294A.280,~~
5 ~~294A.360 and 294A.362 and all reports on contributions received by~~
6 ~~and expenditures made from a legal defense fund submitted to the~~
7 ~~Secretary of State pursuant to NRS 294A.286.]~~

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

12 3. If the information required to be maintained by the Secretary
13 of State pursuant to subsection 1 may be obtained by the public
14 from a website on the Internet maintained by a county clerk or city
15 clerk, the Secretary of State may provide a hyperlink to that website
16 to comply with the provisions of subsection 1 with regard to that
17 information.

18 **Sec. 2.** Chapter 294A of NRS is hereby amended by adding
19 thereto the provisions set forth as sections 3 to 6, inclusive, of this
20 act.

21 **Sec. 3. 1.** *It is unlawful for a candidate to spend money*
22 *received as a campaign contribution for the candidate's personal*
23 *use.*

24 2. *As used in this section, "personal use" means any use that*
25 *fulfills a commitment, obligation or expense that would exist*
26 *irrespective of the candidate's campaign or duties as a public*
27 *officer, including, without limitation, use for:*

28 (a) *Household items or supplies;*

29 (b) *Mortgage, rent or utility payments related to:*

30 (1) *Except as otherwise provided in subparagraph (2), any*
31 *real or personal property that is owned by the candidate or a*
32 *member of the candidate's family; or*

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

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

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

44 (e) *The payment of a salary or other economic benefit to a*
45 *relative of the candidate within the third degree of consanguinity*



1 or affinity, unless the relative is providing bona fide services to the
2 candidate's campaign;

3 (f) Clothing, except for items of clothing that are used in the
4 candidate's campaign and are of de minimis value; or

5 (g) Funeral, cremation or burial expenses.

6 3. The term does not include:

7 (a) Campaign expenses; or

8 (b) The ordinary and necessary expenses incurred in
9 connection with holding public office.

10 **Sec. 4.** 1. In addition to complying with the requirements
11 set forth in NRS 294A.120, 294A.200 and 294A.360, every
12 candidate shall report the balance in the account opened and
13 maintained by the candidate pursuant to NRS 294A.130.

14 2. A report required pursuant to this section must be filed not
15 later than the date on which the candidate must file his or her first
16 report of contributions or campaign expenses pursuant to NRS
17 294A.120, 294A.200 or 294A.360.

18 3. A report required pursuant to this section must be
19 submitted on the form designed and made available by the
20 Secretary of State pursuant to NRS 294A.373. Each form must be
21 signed by the candidate under an oath to God or penalty of
22 perjury. A candidate who signs the form under an oath to God is
23 subject to the same penalties as if the candidate had signed the
24 form under penalty of perjury.

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

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

30 **Sec. 5.** 1. In addition to complying with the requirements
31 set forth in NRS 294A.120, 294A.125, 294A.128 and 294A.360, a
32 candidate shall report each contribution received in excess of
33 \$1,000 not later than 72 hours after receiving the contribution.

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

41 3. The name and address of the contributor and the date on
42 which the contribution was received must be included on the
43 report.



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

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

6 **Sec. 6. 1.** *In addition to complying with the requirements*
7 *set forth in NRS 294A.200, 294A.286 and 294A.360, a candidate*
8 *shall report each campaign expense incurred that is in excess of*
9 *\$1,000 not later than 72 hours after incurring the campaign*
10 *expense.*

11 2. *A report required pursuant to this section must be*
12 *submitted on the form designed and made available by the*
13 *Secretary of State pursuant to NRS 294A.373. Each form must be*
14 *signed by the candidate under an oath to God or penalty of*
15 *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*
17 *form under penalty of perjury.*

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

21 4. *A report shall be deemed filed on the date that it is received*
22 *by the Secretary of State.*

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

24 294A.007 1. "Contribution" means a ~~gift,~~ loan,
25 conveyance, deposit, payment, transfer or distribution of money or
26 of anything of value other than the services of a volunteer, and
27 includes:

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

31 (1) Candidate;

32 (2) Person who is not under the direction or control of a
33 candidate or group of candidates or of any person involved in the
34 campaign of the candidate or group who makes an expenditure on
35 behalf of the candidate or group which is not *coordinated with or*
36 *solicited or approved by the candidate or group;* or

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

40 ↳ without charge to the candidate, person, committee or political
41 party.

42 (b) The value of services provided in kind for which money
43 would have otherwise been paid, such as paid polling and resulting
44 data, paid direct mail, paid solicitation by telephone, any paid



1 paraphernalia that was printed or otherwise produced to promote a
2 campaign and the use of paid personnel to assist in a campaign.

3 2. As used in this section, "volunteer" means a person who
4 does not receive compensation of any kind, directly or indirectly, for
5 the services provided to a campaign.

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

7 294A.0075 1. "Expenditures" means:

8 ~~1. Those expenditures made~~

9 (a) Money paid for advertising *or communication* on television,
10 radio, billboards ~~and~~ posters, ~~and~~ in newspapers ~~and~~ *or other*
11 *periodicals or by mail*; and

12 ~~2. (b) All other expenditures made,~~ money paid,

13 ~~to~~ to advocate expressly the election or defeat of a clearly identified
14 candidate or group of candidates or the passage or defeat of a clearly
15 identified question or group of questions on the ballot, including any
16 payments made to a candidate or any person who is related to the
17 candidate within the second degree of consanguinity or affinity.

18 2. *The term does not include payment of money for any*
19 *communication:*

20 (a) *Appearing in a news story, commentary or editorial*
21 *distributed through the facilities of any television or radio*
22 *broadcasting station, unless the facilities are owned or controlled*
23 *by a political party, committee for political action or candidate; or*

24 (b) *Made during a candidate debate or forum or promoting a*
25 *candidate debate or forum.*

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

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



1 year immediately preceding the next general election or general city election for that office.

2
3 2. Every person, committee or political party described in
4 subsection 1 which makes an expenditure on behalf of the candidate
5 for office at a primary election, primary city election, general
6 election or general city election or on behalf of a group of such
7 candidates shall, if the general election or general city election for
8 the office for which the candidate or a candidate in the group of
9 candidates seeks election is held on or after January 1 and before the
10 July 1 immediately following that January 1, not later than:

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

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

19 (c) Twenty-one days before the general election or general city
20 election for that office, for the period from 4 days before the
21 primary election or primary city election through 25 days before the
22 general election or general city election; and

23 (d) Four days before the general election or general city election
24 for that office, for the period from 24 days before the general
25 election or general city election through 5 days before the general
26 election or general city election,

27 ➤ report each campaign contribution in excess of \$100 received
28 during the period and contributions received during the period from
29 a contributor which cumulatively exceed \$100. The report must be
30 completed on the form designed and made available by the
31 Secretary of State pursuant to NRS 294A.373. The form must be
32 signed by the person or a representative of the committee or political
33 party under an oath to God or penalty of perjury. A person who
34 signs the form under an oath to God is subject to the same penalties
35 as if the person had signed the form under penalty of perjury.

36 3. The name and address of the contributor and the date on
37 which the contribution was received must be included on the report
38 for each contribution in excess of \$100 and contributions which a
39 contributor has made cumulatively in excess of \$100 since the
40 beginning of the current reporting period.

41 4. Every person, committee or political party described in
42 subsection 1 which makes an expenditure on behalf of a candidate
43 for office at a primary election, primary city election, general
44 election or general city election or on behalf of a group of such
45 candidates shall, if the general election or general city election for



1 the office for which the candidate or a candidate in the group of
2 candidates seeks election is held on or after July 1 and before the
3 January 1 immediately following that July 1, not later than:

4 (a) Twenty-one days before the primary election or primary city
5 election for that office, for the period from the January 1
6 immediately preceding the primary election or primary city election
7 through 25 days before the primary election or primary city election;

8 (b) Four days before the primary election or primary city
9 election for that office, for the period from 24 days before the
10 primary election or primary city election through 5 days before the
11 primary election or primary city election;

12 (c) Twenty-one days before the general election or general city
13 election for that office, for the period from 4 days before the
14 primary election or primary city election through 25 days before the
15 general election or general city election; and

16 (d) Four days before the general election or general city election
17 for that office, for the period from 24 days before the general
18 election or general city election through 5 days before the general
19 election or general city election,

20 ➤ report each campaign contribution in excess of \$100 received
21 during the period and contributions received during the period from
22 a contributor which cumulatively exceed \$100. The report must be
23 completed on the form designed and made available by the
24 Secretary of State pursuant to NRS 294A.373. The form must be
25 signed by the person or a representative of the committee or political
26 party under an oath to God or penalty of perjury. A person who
27 signs the form under an oath to God is subject to the same penalties
28 as if the person had signed the form under penalty of perjury.

29 5. Except as otherwise provided in subsection 6, every person,
30 committee or political party described in subsection 1 which makes
31 an expenditure on behalf of a candidate for office at a special
32 election or on behalf of a group of such candidates shall, not later
33 than:

34 (a) Seven days before the beginning of early voting by personal
35 appearance for the special election for the office for which the
36 candidate or a candidate in the group of candidates seeks election,
37 for the period from the nomination of the candidate through 12 days
38 before the beginning of early voting by personal appearance for the
39 special election; and

40 (b) Thirty days after the special election, for the remaining
41 period through the special election,

42 ➤ report each campaign contribution in excess of \$100 received
43 during the period and contributions received during the period from
44 a contributor which cumulatively exceed \$100. The report must be
45 completed on the form designed and made available by the



1 Secretary of State pursuant to NRS 294A.373. The form must be
2 signed by the person or a representative of the committee or political
3 party under an oath to God or penalty of perjury. A person who
4 signs the form under an oath to God is subject to the same penalties
5 as if the person had signed the form under penalty of perjury.

6 6. Every person, committee or political party described in
7 subsection 1 which makes an expenditure on behalf of a candidate
8 for office at a special election to determine whether a public officer
9 will be recalled or on behalf of a group of candidates for offices at
10 such special elections shall report each contribution in excess of
11 \$100 received during the period and contributions received during
12 the period from a contributor which cumulatively exceed \$100. The
13 report must be completed on the form designed and made available
14 by the Secretary of State pursuant to NRS 294A.373 and signed by
15 the person or a representative of the committee or political party
16 under an oath to God or penalty of perjury, 30 days after:

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

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

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

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

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

33 9. Every person, committee or political party described in
34 subsection 1 shall file a report required by this section even if the
35 person, committee or political party receives no contributions.

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

37 294A.160 1. ~~It is unlawful for a candidate to spend money~~
38 ~~received as a campaign contribution for the candidate's personal~~
39 ~~use.~~

40 ~~—2.1~~ Notwithstanding the provisions of NRS 294A.286, a
41 candidate or public officer may use campaign contributions to pay
42 for any legal expenses that the candidate or public officer incurs in
43 relation to a campaign or serving in public office without
44 establishing a legal defense fund. Any such candidate or public
45 officer shall report any expenditure of campaign contributions to



1 pay for legal expenses in the same manner and at the same time as
2 the report filed pursuant to NRS 294A.120, 294A.200 or 294A.360.
3 A candidate or public officer shall not use campaign contributions to
4 satisfy a civil or criminal penalty imposed by law.

5 ~~13-1~~ 2. Every candidate for a state, district, county, city or
6 township office at a primary, general, primary city, general city or
7 special election who is elected to that office and received
8 contributions that were not spent or committed for expenditure
9 before the primary, general, primary city, general city or special
10 election shall dispose of the money through one or any combination
11 of the following methods:

12 (a) Return the unspent money to contributors;

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

17 (c) Contribute the money to:

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

20 (2) A political party; or

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

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

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

28 ~~14-1~~ 3. Every candidate for a state, district, county, city or
29 township office at a primary, general, primary city, general city or
30 special election who withdraws after filing a declaration of
31 candidacy or an acceptance of candidacy or is defeated for that
32 office and who received contributions that were not spent or
33 committed for expenditure before the primary, general, primary city,
34 general city or special election shall, not later than the 15th day of
35 the second month after the election, dispose of the money through
36 one or any combination of the following methods:

37 (a) Return the unspent money to contributors;

38 (b) Contribute the money to:

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

41 (2) A political party; or

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

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



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

5 ~~15-1~~ 4. Every candidate for a state, district, county, city or
6 township office who withdraws after filing a declaration of
7 candidacy or an acceptance of candidacy or is defeated for that
8 office at a primary or primary city election and received a
9 contribution from a person in excess of \$5,000 shall, not later than
10 the 15th day of the second month after the election, return any
11 money in excess of \$5,000 to the contributor.

12 ~~16-1~~ 5. Except as otherwise provided in subsection ~~17-1~~ 6, every
13 public officer who:

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

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

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

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

22 ~~17-1~~ 6. A public officer who:

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

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

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

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

33 ~~18-1~~ 7. In addition to the methods for disposing the unspent
34 money set forth in subsections 2, 3, 4 ~~15-1~~ and ~~17-1~~ 6, a Legislator
35 may donate not more than \$500 of that money to the Nevada Silver
36 Haired Legislative Forum created pursuant to NRS 427A.320.

37 ~~19-1~~ 8. Any contributions received before a candidate for a
38 state, district, county, city or township office at a primary, general,
39 primary city, general city or special election dies that were not spent
40 or committed for expenditure before the death of the candidate must
41 be disposed of in the manner provided in subsection 3.

42 ~~10-1~~ 9. The court shall, in addition to any penalty which may
43 be imposed pursuant to NRS 294A.420, order the candidate or
44 public officer to dispose of any remaining contributions in the
45 manner provided in this section.



1 ~~111~~ 10. As used in this section, “contributions” include any
2 interest and other income earned thereon.

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

4 294A.210 1. Every person who is not under the direction or
5 control of a candidate for an office at a primary election, primary
6 city election, general election or general city election, of a group of
7 such candidates or of any person involved in the campaign of that
8 candidate or group who makes an expenditure on behalf of the
9 candidate or group which is not *coordinated with or* solicited or
10 approved by the candidate or group, and every committee for
11 political action, political party or committee sponsored by a political
12 party which receives contributions in excess of \$100 or makes an
13 expenditure on behalf of such a candidate or group of candidates
14 shall, not later than January 15 of each year that the provisions of
15 this subsection apply to the person, committee or political party, for
16 the period from January 1 of the previous year through December 31
17 of the previous year, report each expenditure made during the period
18 on behalf of the candidate, the group of candidates or a candidate in
19 the group of candidates in excess of \$100 on the form designed and
20 made available by the Secretary of State pursuant to NRS 294A.373.
21 The form must be signed by the person or a representative of the
22 committee or political party under an oath to God or penalty of
23 perjury. A person who signs the form under an oath to God is
24 subject to the same penalties as if the person had signed the form
25 under penalty of perjury. The provisions of this subsection apply to
26 the person, committee or political party beginning the year of the
27 general election or general city election for that office through the
28 year immediately preceding the next general election or general city
29 election for that office.

30 2. Every person, committee or political party described in
31 subsection 1 which makes an expenditure on behalf of a candidate
32 for office at a primary election, primary city election, general
33 election or general city election or a group of such candidates shall,
34 if the general election or general city election for the office for
35 which the candidate or a candidate in the group of candidates seeks
36 election is held on or after January 1 and before the July 1
37 immediately following that January 1, not later than:

38 (a) Twenty-one days before the primary election or primary city
39 election for that office, for the period from the January 1
40 immediately preceding the primary election or primary city election
41 through 25 days before the primary election or primary city election;

42 (b) Four days before the primary election or primary city
43 election for that office, for the period from 24 days before the
44 primary election or primary city election through 5 days before the
45 primary election or primary city election;



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

5 (d) Four days before the general election or general city election
6 for that office, for the period from 24 days before the general
7 election or general city election through 5 days before the general
8 election or general city election,

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

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

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

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

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

38 (d) Four days before the general election or general city election
39 for that office, for the period from 24 days before the general
40 election or general city election through 5 days before the general
41 election or general city election,

42 ↪ report each expenditure made during the period on behalf of the
43 candidate, the group of candidates or a candidate in the group of
44 candidates in excess of \$100 on the form designed and made
45 available by the Secretary of State pursuant to NRS 294A.373. The



1 form must be signed by the person or a representative of the
2 committee or political party under an oath to God or penalty of
3 perjury. A person who signs the form under an oath to God is
4 subject to the same penalties as if the person had signed the form
5 under penalty of perjury.

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

11 (a) Seven days before the beginning of early voting by personal
12 appearance for the special election for the office for which the
13 candidate or a candidate in the group of candidates seeks election,
14 for the period from the nomination of the candidate through 12 days
15 before the beginning of early voting by personal appearance for the
16 special election; and

17 (b) Thirty days after the special election, for the remaining
18 period through the special election,

19 → report each expenditure made during the period on behalf of the
20 candidate, the group of candidates or a candidate in the group of
21 candidates in excess of \$100 on the form designed and made
22 available by the Secretary of State pursuant to NRS 294A.373. The
23 form must be signed by the person or a representative of the
24 committee or political party under an oath to God or penalty of
25 perjury. A person who signs the form under an oath to God is
26 subject to the same penalties as if the person had signed the form
27 under penalty of perjury.

28 5. Every person, committee or political party described in
29 subsection 1 which makes an expenditure on behalf of a candidate
30 for office at a special election to determine whether a public officer
31 will be recalled or on behalf of a group of such candidates shall list
32 each expenditure made on behalf of the candidate, the group of
33 candidates or a candidate in the group of candidates in excess of
34 \$100 on the form designed and made available by the Secretary
35 of State pursuant to NRS 294A.373 and signed by the person or a
36 representative of the committee or political party under an oath to
37 God or penalty of perjury, 30 days after:

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

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



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

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

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

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

12 9. A report shall be deemed to be filed on the date that it was
13 received by the Secretary of State. Every person, committee or
14 political party described in subsection 1 shall file a report required
15 by this section even if the person, committee or political party
16 receives no contributions.

17 **Sec. 12.** NRS 294A.325 is hereby amended to read as follows:

18 294A.325 1. A foreign national shall not, directly or
19 indirectly, make a contribution or a commitment to make a
20 contribution to:

21 (a) A candidate;

22 (b) A committee for political action;

23 (c) A committee for the recall of a public officer;

24 (d) A person who is not under the direction or control of a
25 candidate, of a group of candidates or of any person involved in the
26 campaign of the candidate or group who makes an expenditure that
27 is not *coordinated with or* solicited or approved by the candidate or
28 group;

29 (e) A political party or committee sponsored by a political party
30 that makes an expenditure on behalf of a candidate or group of
31 candidates;

32 (f) An organization made up of legislative members of a political
33 party whose primary purpose is to provide support for their political
34 efforts;

35 (g) A personal campaign committee or the personal
36 representative of a candidate who receives contributions or makes
37 expenditures that are reported as contributions or expenditures by
38 the candidate; or

39 (h) A nonprofit corporation that is registered or required to be
40 registered pursuant to NRS 294A.225.

41 2. Except as otherwise provided in subsection 3, a candidate,
42 person, group, committee, political party, organization or nonprofit
43 corporation described in subsection 1 shall not knowingly solicit,
44 accept or receive a contribution or a commitment to make a
45 contribution from a foreign national.



1 3. For the purposes of subsection 2, if a candidate, person,
2 group, committee, political party, organization or nonprofit
3 corporation is aware of facts that would lead a reasonable person to
4 inquire whether the source of a contribution is a foreign national, the
5 candidate, person, group, committee, political party, organization or
6 nonprofit corporation shall be deemed to have not knowingly
7 solicited, accepted or received a contribution in violation of
8 subsection 2 if the candidate, person, group, committee, political
9 party, organization or nonprofit corporation requests and obtains
10 from the source of the contribution a copy of current and valid
11 United States passport papers. This subsection does not apply to any
12 candidate, person, group, committee, political party, organization or
13 nonprofit corporation if the candidate, person, group, committee,
14 political party, organization or nonprofit corporation has actual
15 knowledge that the source of the contribution solicited, accepted or
16 received is a foreign national.

17 4. If a candidate, person, group, committee, political party,
18 organization or nonprofit corporation discovers that the candidate,
19 person, group, committee, political party, organization or nonprofit
20 corporation received a contribution in violation of this section, the
21 candidate, person, group, committee, political party, organization or
22 nonprofit corporation shall, if at the time of discovery of the
23 violation:

24 (a) Sufficient money received as contributions is available,
25 return the contribution received in violation of this section not later
26 than 30 days after such discovery.

27 (b) Except as otherwise provided in paragraph (c), sufficient
28 money received as contributions is not available, return the
29 contribution received in violation of this section as contributions
30 become available for this purpose.

31 (c) Sufficient money received as contributions is not available
32 and contributions are no longer being solicited or accepted, not be
33 required to return any amount of the contribution received in
34 violation of this section that exceeds the amount of contributions
35 available for this purpose.

36 5. A violation of any provision of this section is a gross
37 misdemeanor.

38 6. As used in this section:

39 (a) "Foreign national" has the meaning ascribed to it in 2 U.S.C.
40 § 441e.

41 (b) "Knowingly" means that a candidate, person, group,
42 committee, political party, organization or nonprofit corporation:

43 (1) Has actual knowledge that the source of the contribution
44 solicited, accepted or received is a foreign national;



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

4 (3) Is aware of facts which would lead a reasonable person to
5 inquire whether the source of the contribution solicited, accepted or
6 received is a foreign national, but failed to conduct a reasonable
7 inquiry.

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

9 294A.365 1. Each report of expenditures required pursuant to
10 NRS 294A.210, 294A.220 and 294A.280 must consist of a list of
11 each expenditure in excess of \$100 or \$1,000, as is appropriate, that
12 was made during the periods for reporting. Each report of expenses
13 required pursuant to NRS 294A.125 and 294A.200 must consist of a
14 list of each expense in excess of \$100 that was incurred during the
15 periods for reporting. The list in each report must state the category
16 and amount of the expense or expenditure and the date on which the
17 expense was incurred or the expenditure was made.

18 2. *Each report of campaign expenses required pursuant to*
19 *section 5 of this act must consist of a list of each campaign*
20 *expense in excess of \$1,000. The list in each report must state the*
21 *category and amount of the campaign expense and the date on*
22 *which the campaign expense was incurred.*

23 3. The categories of expense or expenditure for use on the
24 report of expenses or expenditures are:

- 25 (a) Office expenses;
- 26 (b) Expenses related to volunteers;
- 27 (c) Expenses related to travel;
- 28 (d) Expenses related to advertising;
- 29 (e) Expenses related to paid staff;
- 30 (f) Expenses related to consultants;
- 31 (g) Expenses related to polling;
- 32 (h) Expenses related to special events;
- 33 (i) Expenses related to a legal defense fund;
- 34 (j) Except as otherwise provided in NRS 294A.362, goods and
35 services provided in kind for which money would otherwise have
36 been paid;
- 37 (k) Contributions made to another candidate, a nonprofit
38 corporation that is registered or required to be registered pursuant to
39 NRS 294A.225, a committee for political action that is registered or
40 required to be registered pursuant to NRS 294A.230 or a committee
41 for the recall of a public officer that is registered or required to be
42 registered pursuant to NRS 294A.250; and
- 43 (l) Other miscellaneous expenses.

44 ~~3-~~ 4. Each report of expenses or expenditures described in
45 subsection 1 must list the disposition of any unspent campaign



1 contributions using the categories set forth in subsection ~~3~~ 2 of
2 NRS 294A.160 or subsection 4 of NRS 294A.286.

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

4 294A.373 1. The Secretary of State shall design forms to be
5 used for all reports of campaign contributions and expenses or
6 expenditures that are required to be filed pursuant to NRS
7 294A.120, 294A.125, 294A.128, 294A.140, 294A.150, 294A.200,
8 294A.210, 294A.220, 294A.270, 294A.280, 294A.360 and
9 294A.362 and *sections 5 and 6 of this act*, reports of contributions
10 received by and expenditures made from a legal defense fund that
11 are required to be filed pursuant to NRS 294A.286 ~~1~~ and reports of
12 *account balances required to be filed pursuant to section 4 of this*
13 *act*.

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

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

20 (a) If the candidate, person, committee or political party has
21 submitted an affidavit to the Secretary of State pursuant to NRS
22 294A.3733 or 294A.3737, as applicable, a copy of the form; or

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

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

32 5. The Secretary of State must obtain the advice and consent of
33 the Legislative Commission before making a copy of, or access to, a
34 form designed or revised by the Secretary of State pursuant to this
35 section available to a candidate, person, committee or political
36 party.

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

38 294A.390 1. The officer from whom a candidate or entity
39 requests a form for:

40 ~~1~~ (a) A declaration of candidacy;

41 ~~2~~ (b) An acceptance of candidacy;

42 ~~3~~ (c) The registration of a committee for political action
43 pursuant to NRS 294A.230 or a committee for the recall of a public
44 officer pursuant to NRS 294A.250; or



1 ~~{4}~~ (d) The reporting of the creation of a legal defense fund
2 pursuant to NRS 294A.286,
3 ↪ shall furnish the candidate or entity with the necessary forms for
4 reporting and copies of the regulations adopted by the Secretary of
5 State pursuant to this chapter.

6 2. An explanation of the applicable provisions of :

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

11 (b) NRS 294A.100, 294A.120, 294A.128, 294A.140, 294A.150,
12 294A.200, 294A.210, 294A.220, 294A.270, 294A.280 or 294A.360
13 *and sections 5 and 6 of this act* relating to the making, accepting or
14 reporting of campaign contributions, expenses or expenditures and
15 the penalties for a violation of those provisions as set forth in NRS
16 294A.100 or 294A.420 ; ~~{4}~~ and ~~{an explanation of}~~

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

21 ↪ must be developed by the Secretary of State and provided upon
22 request. The candidate or entity shall acknowledge receipt of the
23 material.

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

25 294A.400 The Secretary of State shall, within 30 days after
26 receipt of the reports required by NRS 294A.120, 294A.125,
27 294A.128, 294A.140, 294A.150, 294A.200, 294A.210, 294A.220,
28 294A.270, 294A.280, 294A.286, 294A.360 and 294A.362, prepare
29 and make available for public inspection a compilation of:

30 1. The total campaign contributions, the contributions which
31 are in excess of \$100 and the total campaign expenses of each of the
32 candidates from whom reports of those contributions and expenses
33 are required.

34 2. The total amount of loans to a candidate guaranteed by a
35 third party, the total amount of loans made to a candidate that have
36 been forgiven and the total amount of written commitments for
37 contributions received by a candidate.

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

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

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

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

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

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



1 (a) A person who is not under the direction or control of a
2 candidate or group of candidates or of any person involved in the
3 campaign of the candidate or group who makes an expenditure on
4 behalf of the candidate or group which is not *coordinated with or*
5 *solicited or approved by the candidate or group.*

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

9 6. The total contributions received by and expenditures made
10 from a legal defense fund.

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

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

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

29 (a) *Five thousand dollars; or*

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

31 *and payment of court costs and attorney's fees.* The civil penalty
32 must be recovered in a civil action brought in the name of the State
33 of Nevada by the Secretary of State in the First Judicial District
34 Court and deposited by the Secretary of State for credit to the State
35 General Fund in the bank designated by the State Treasurer.

36 3. If a civil penalty is imposed because a person, committee or
37 entity has reported its contributions, expenses or expenditures after
38 the date the report is due, except as otherwise provided in this
39 subsection, the amount of the civil penalty is:

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

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

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



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

7 4. For good cause shown, the Secretary of State may waive a
8 civil penalty that would otherwise be imposed pursuant to this
9 section. If the Secretary of State waives a civil penalty pursuant to
10 this subsection, the Secretary of State shall:

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

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

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

17 218H.050 “Expenditure” means any advance, conveyance, *gift*,
18 deposit, distribution, transfer of funds, loan, payment, pledge or
19 subscription of money or anything of value, including cost of
20 entertainment, except the payment of a membership fee otherwise
21 exempted pursuant to NRS 218H.400, and any contract, agreement,
22 promise or other obligation, whether or not legally enforceable, to
23 make any expenditure while the Legislature is in a regular or special
24 session.

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

26 218H.060 ~~H-} “Gift” means a payment, subscription,~~
27 ~~advance, forbearance, rendering or deposit of money, services or~~
28 ~~anything of value unless consideration of equal or greater value is~~
29 ~~received.~~

30 ~~2. “Gift” does not include:~~

31 ~~—(a) A political contribution of money or services related to a~~
32 ~~political campaign;~~

33 ~~—(b) A commercially reasonable loan made in the ordinary course~~
34 ~~of business;~~

35 ~~—(c) The cost of entertainment, including the cost of food or~~
36 ~~beverages; or~~

37 ~~—(d) Anything of value received from:~~

38 ~~—(1) A member of the recipient’s immediate family; or~~

39 ~~—(2) A relative of the recipient or relative of the recipient’s~~
40 ~~spouse within the third degree of consanguinity or from the spouse~~
41 ~~of any such relative.} *has the meaning ascribed to it in section 26*~~
42 ~~*of this act.*~~

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

44 218H.400 1. Each registrant shall file with the Director:



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

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

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

11 3. Each report must:

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

13 (b) Include the total of all expenditures, if any, made by the
14 registrant on behalf of a Legislator or an organization whose
15 primary purpose is to provide support for Legislators of a particular
16 political party and House, including expenditures made by others on
17 behalf of the registrant if the expenditures were made with the
18 registrant's express or implied consent or were ratified by the
19 registrant.

20 ~~13~~ 4. Except as otherwise provided in subsection ~~16~~ 7, the
21 report:

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

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

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

32 ~~14~~ 5. If expenditures made by or on behalf of a registrant
33 during the previous month exceed \$50, the report must include a
34 compilation of expenditures, itemized in the manner required by the
35 regulations of the Legislative Commission, in the following
36 categories:

37 (a) Entertainment;

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

40 (c) Gifts and loans, including, *without limitation, gifts*
41 *authorized pursuant to section 30 of this act and any other* money,
42 services and anything of value provided to a Legislator, to an
43 organization whose primary purpose is to provide support for
44 Legislators of a particular political party and House, or to any other
45 person for the benefit of a Legislator or such an organization; and



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

4 ~~15-1~~ 6. The Legislative Commission may authorize an audit or
5 investigation by the Legislative Auditor that is proper and necessary
6 to verify compliance with the provisions of this section. If the
7 Legislative Commission authorizes such an audit or investigation:

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

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

15 ~~16-1~~ 7. A report filed pursuant to this section must not itemize
16 with respect to each Legislator an expenditure if the expenditure is
17 the cost of a function to which every Legislator was invited. For the
18 purposes of this subsection, "function" means a party, meal or other
19 social event.

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

21 218H.530 1. The Director shall:

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

28 (b) Report suspected violations of ~~law~~ :

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

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

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

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

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

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

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



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

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

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

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

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

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

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

17 218H.930 1. A lobbyist shall not knowingly or willfully
18 make any false statement or misrepresentation of facts:

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

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

23 2. A lobbyist shall not give to a member of the ~~Legislative~~
24 ~~Branch~~ *Legislature* or a ~~member of his or her staff or immediate~~
25 ~~family~~ *person related to the member within the third degree of*
26 *consanguinity or affinity any gift in violation of section 29 of this*
27 *act. A member of the Legislature or a person related to the*
28 *member within the third degree of consanguinity or affinity shall*
29 *not solicit or accept any such gift.*

30 3. *A lobbyist shall not give to any member of the Legislative*
31 *Branch, other than a member of the Legislature,* gifts that exceed
32 \$100 in value in the aggregate in any calendar year.

33 ~~{3}~~ A member of the Legislative Branch ~~for a member of his~~
34 ~~or her staff or immediate family shall not solicit anything of value~~
35 ~~from a registrant or accept any gift that exceeds \$100 in aggregate~~
36 ~~value in any calendar year.~~ *, other than a member of the*
37 *Legislature, shall not solicit or accept gifts from a lobbyist that*
38 *exceed \$100 in value in the aggregate in any calendar year.*

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

42 5. Except during the period permitted by NRS 218H.200, a
43 person shall not knowingly act as a lobbyist without being registered
44 as required by that section.



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

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

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

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

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

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

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

28 **Sec. 23.** Chapter 281 of NRS is hereby amended by adding
29 thereto the provisions set forth as sections 24 to 33, inclusive, of this
30 act.

31 **Sec. 24.** *As used in NRS 281.558 to 281.581, inclusive, and*
32 *sections 24 to 33, inclusive, of this act, unless the context*
33 *otherwise requires, the words and terms defined in NRS 281.558*
34 *and sections 25 to 28, inclusive, of this act have the meanings*
35 *ascribed to them in those sections.*

36 **Sec. 25.** *“Contribution” has the meaning ascribed to it in*
37 *NRS 294A.007.*

38 **Sec. 26. 1.** *“Gift” means a payment, subscription, advance,*
39 *forbearance, rendering or deposit of money, services or anything*
40 *of value unless consideration of equal or greater value is received.*

41 **2.** *“Gift” does not include:*

42 (a) *A contribution;*

43 (b) *A commercially reasonable loan made in the ordinary*
44 *course of business; or*

45 (c) *Anything of value received from:*



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

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

5 **Sec. 27.** 1. *"Lobbyist" means a person who communicates*
6 *directly with a public officer on behalf of someone other than*
7 *himself or herself to influence legislative or executive action,*
8 *whether or not any compensation is received for the*
9 *communication.*

10 2. *The term includes, without limitation, a person who is*
11 *required to file a registration statement with the Director of the*
12 *Legislative Counsel Bureau pursuant to NRS 218H.200.*

13 **Sec. 28.** *"Restricted donor" means any person who:*

14 1. *Is, or is seeking to be, a party to a contract with a body of*
15 *which a public officer is a member;*

16 2. *Is or may be, or is the agent of a person who is or may be,*
17 *materially or financially affected by the performance or*
18 *nonperformance of an official duty of the public officer in a*
19 *manner that is distinguishable from the effect on the general*
20 *public of the performance or nonperformance of the duty;*

21 3. *Is, or is the agent of a person who is, the subject of or a*
22 *party to a matter pending before the body of which the public*
23 *officer is a member; or*

24 4. *Is a lobbyist or a client of a lobbyist.*

25 **Sec. 29.** 1. *Except as otherwise provided in subsection 2*
26 *and section 30 of this act:*

27 (a) *A public officer or a person related to a public officer*
28 *within the third degree of consanguinity or affinity shall not*
29 *accept or solicit a gift, directly or indirectly, from a restricted*
30 *donor.*

31 (b) *A restricted donor shall not give or offer to give a gift,*
32 *directly or indirectly, to a public officer or a person related to the*
33 *public officer within the third degree of consanguinity or affinity.*

34 2. *A public officer or a person related to a public officer*
35 *within the third degree of consanguinity or affinity may accept a*
36 *gift other than a gift described in section 30 of this act from a*
37 *restricted donor if the public officer or person related to the public*
38 *officer, not later than 30 days after receiving the gift, donates the*
39 *gift or, if the nature of the gift is such that it cannot be donated*
40 *after it has been accepted, donates an amount equal to the value of*
41 *the gift:*

42 (a) *To any tax-exempt nonprofit entity; or*

43 (b) *To any governmental entity or fund of this State or a*
44 *political subdivision of this State.*



1 **Sec. 30.** *The giving or receiving of any of the following items*
2 *or services does not violate the provisions of section 29 of this act:*

3 1. *Any gift from a restricted donor who is related to the public*
4 *officer or a person related to the public officer within the third*
5 *degree of consanguinity or affinity, unless the restricted donor is*
6 *acting as an agent or intermediary for another restricted donor*
7 *who is not related to the recipient within the third degree of*
8 *consanguinity or affinity.*

9 2. *Materials in any written, audio, visual or digital format*
10 *that provide information relating to the official duties or functions*
11 *of the public officer.*

12 3. *Any item available or distributed free of charge to*
13 *members of the general public.*

14 4. *Any item from a bona fide charitable, professional,*
15 *educational or business organization if:*

16 (a) *The public officer or a person related to the public officer*
17 *within the third degree of consanguinity or affinity, as applicable,*
18 *pays dues to be a member of the organization;*

19 (b) *The amount of the dues paid by the public officer or a*
20 *person related to the public officer is not inconsequential*
21 *compared with the value of the item received; and*

22 (c) *The items are given to all members of the organization*
23 *without regard to the status of or position held by any member*
24 *outside of the organization.*

25 5. *Reimbursement for any actual expenses for food,*
26 *beverages, registration fees, travel and lodging paid by the public*
27 *officer or a person related to the public officer within the third*
28 *degree of consanguinity or affinity, for participation at a meeting,*
29 *panel discussion or other speaking engagement, if the expenses*
30 *are incurred on a day during which the public officer participates*
31 *at the meeting, panel discussion or speaking engagement or*
32 *during which the public officer travels to or from the meeting,*
33 *panel discussion or speaking engagement.*

34 6. *A plaque or other similar commemorative item of de*
35 *minimis resale value which is provided as recognition for public*
36 *service.*

37 7. *Food or beverages provided at a meal or reception that is*
38 *part of an event or program at which the public officer or a person*
39 *related to the public officer within the third degree of*
40 *consanguinity or affinity is being recognized for public service, if*
41 *the primary purpose of the event or program is to recognize*
42 *persons for public service.*

43 8. *A nonmonetary item or service with a value of less than \$3,*
44 *if the public officer or a person related to the public officer within*
45 *the third degree of consanguinity or affinity does not accept more*



1 *than one such item or service per calendar day from a restricted*
2 *donor. For the purposes of this subsection, the value of an item or*
3 *service is the value of the item or service provided, regardless of*
4 *the number of restricted donors who contribute to the cost of the*
5 *item or service.*

6 *9. If the body of which the public officer is a member belongs*
7 *to a state, regional or national organization of governmental*
8 *agencies, an item or service accepted or solicited by:*

9 *(a) The organization as part of a conference, seminar or other*
10 *meeting held for business or educational purposes; or*

11 *(b) The public officer at a scheduled event that is organized or*
12 *sponsored by the organization, if the item or service is offered to*
13 *every person who attends the event.*

14 *10. If the public officer belongs to a state, regional or*
15 *national organization of public officers, an item or service*
16 *accepted or solicited by:*

17 *(a) The organization as part of a conference, seminar or other*
18 *meeting held for business or educational purposes; or*

19 *(b) The public officer at a scheduled event that is organized or*
20 *sponsored by the organization, if the item or service is offered to*
21 *every person who attends the event.*

22 *11. Funeral flowers or memorials provided to a church or*
23 *nonprofit organization.*

24 *12. Any gift for a wedding or wedding anniversary.*

25 *13. Salary or reimbursement of expenses, paid by the*
26 *employer of the public officer or by any firm, partnership,*
27 *association or corporation of which the public officer is a member*
28 *or partner, for any actual expenses for food, beverages, travel and*
29 *lodging paid by the public officer to attend a meeting or*
30 *conference, if the public officer is not entitled to receive a salary*
31 *or the per diem allowance and travel expenses provided for state*
32 *officers and employees generally for attending the meeting.*

33 *14. Gifts of, or reimbursement of actual expenses for, food,*
34 *beverages, travel and lodging if:*

35 *(a) The public officer is representing the body of which the*
36 *public officer is a member in a delegation whose sole purpose is*
37 *to:*

38 *(1) Attract a specific business to this State;*

39 *(2) Encourage a business already existing in this State to*
40 *expand or retain operations in this State; or*

41 *(3) Develop markets for businesses based in this State or*
42 *services or goods produced in this State;*

43 *(b) The public officer plays a significant role in a presentation*
44 *to a business being contacted by the delegation; and*



1 (c) *The restricted donor providing the gift or reimbursement is*
2 *not an employee, agent or owner of a business being contacted by*
3 *the delegation, except that a restricted donor who is an employee,*
4 *agent or owner of a business being contacted by the delegation*
5 *may provide a gift of food or beverage to the public officer.*

6 15. *An item of de minimis resale value given by a resident of*
7 *a country other than the United States if the item is given as part*
8 *of a ceremonial presentation or the giving of the item is customary*
9 *in that country.*

10 16. *Reimbursement for registration fees for a conference or*
11 *meeting, the purpose of which is to provide information that*
12 *assists the public officer in the performance of his or her public*
13 *duties. As used in this subsection, "conference or meeting" does*
14 *not include a conference or meeting attended by the public officer*
15 *for personal reasons or for reasons relating to any professional*
16 *license held by the public officer.*

17 17. *A gift which the public officer is required to receive on*
18 *behalf of the body of which the public officer is a member as a*
19 *duty or function of the office held by the public officer.*

20 18. *If the public officer is a member of the Legislature, food,*
21 *beverages and entertainment provided at an event or program:*

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

24 (b) *To which every member of the Legislature has been*
25 *invited.*

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

30 (a) *Conduct an investigation concerning the alleged violation*
31 *and cause the appropriate proceedings to be instituted and*
32 *prosecuted in the First Judicial District Court pursuant to NRS*
33 *281.581; or*

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

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

40 (a) *A candidate for public office or a public officer:*

41 (1) *Has willfully failed to file a statement of financial*
42 *disclosure;*

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



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

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

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

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

13 (a) *The full name and address of the person alleging the*
14 *violation;*

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

17 (c) *Any evidence substantiating the alleged violation;*

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

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

22 4. *As soon as practicable after receiving a notice of an*
23 *alleged violation pursuant to subsection 3, the Secretary of State*
24 *shall provide a copy of the notice and any accompanying*
25 *information to the person, if any, alleged in the notice to have*
26 *committed the violation. Any response submitted to the notice must*
27 *be accompanied by a short statement of the grounds, if any, for*
28 *objecting to the alleged violation and include any evidence*
29 *substantiating the objection.*

30 5. *If the Secretary of State determines, based on a notice of*
31 *an alleged violation received pursuant to subsection 3, that*
32 *reasonable suspicion exists that a violation of this chapter has*
33 *occurred, the Secretary of State may conduct an investigation of*
34 *the alleged violation.*

35 6. *If a notice of an alleged violation is received pursuant to*
36 *subsection 3 not later than 180 days after the date the violation is*
37 *alleged to have taken place, the Secretary of State, when*
38 *conducting an investigation of the alleged violation pursuant to*
39 *subsection 5, may subpoena witnesses and require the production*
40 *by subpoena of any books, papers, correspondence, memoranda,*
41 *agreements or other documents or records that the Secretary of*
42 *State or a designated officer or employee of the Secretary of State*
43 *determines are relevant or material to the investigation and are in*
44 *the possession of:*



1 (a) Any person alleged in the notice to have committed the
2 violation; or

3 (b) If the notice does not include the name of a person alleged
4 to have committed the violation, any person whom the Secretary of
5 State or a designated officer or employee of the Secretary of State
6 has reasonable cause to believe produced or disseminated the
7 materials that are the subject of the notice.

8 7. If a person fails to testify or produce any documents or
9 records in accordance with a subpoena issued pursuant to
10 subsection 6, the Secretary of State or designated officer or
11 employee may apply to the court for an order compelling
12 compliance. A request for an order of compliance may be
13 addressed to:

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

18 (b) A court of another state having jurisdiction over the person
19 refusing to testify or produce the documents or records, if the
20 person is not subject to service of process in this State.

21 **Sec. 32.** Nothing in the provisions of NRS 281.558 to
22 281.581, inclusive, and sections 24 to 33, inclusive, of this act shall
23 be construed to authorize a public officer to accept or solicit a gift
24 in violation of the provisions of NRS 281A.400.

25 **Sec. 33.** The Secretary of State may adopt regulations
26 necessary to carry out the provisions of NRS 281.558 to 281.581,
27 inclusive, and sections 24 to 33, inclusive, of this act.

28 **Sec. 34.** NRS 281.558 is hereby amended to read as follows:
29 281.558 ~~[As used in NRS 281.558 to 281.581, inclusive,~~
30 ~~“candidate”]~~ **“Candidate”** means any person:

- 31 1. Who files a declaration of candidacy;
- 32 2. Who files an acceptance of candidacy; or
- 33 3. Whose name appears on an official ballot at any election.

34 **Sec. 35.** NRS 281.571 is hereby amended to read as follows:
35 281.571 1. Statements of financial disclosure, as approved
36 pursuant to NRS 281A.470 or in such electronic form as the
37 Secretary of State otherwise prescribes, must contain the following
38 information concerning the candidate for public office or public
39 officer:

40 (a) The candidate’s or public officer’s length of residence in the
41 State of Nevada and the district in which the candidate for public
42 office or public officer is registered to vote.

43 (b) Each source of the candidate’s or public officer’s income, or
44 that of any member of the candidate’s or public officer’s household
45 who is 18 years of age or older. No listing of individual clients,



1 customers or patients is required, but if that is the case, a general
2 source such as “professional services” must be disclosed.

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

5 (1) In which the candidate for public office or public officer
6 or a member of the candidate’s or public officer’s household has a
7 legal or beneficial interest;

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

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

10 (d) The name of each creditor to whom the candidate for public
11 office or public officer or a member of the candidate’s or public
12 officer’s household owes \$5,000 or more, except for:

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

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

18 (e) If the candidate for public office or public officer has
19 received gifts in excess of an aggregate value of \$200 from a
20 *restricted* donor during the preceding taxable year, a list of all such
21 gifts, including the identity of the donor and value of each gift. †
22 *except:*

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

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

30 (f) A list of each business entity with which the candidate for
31 public office or public officer or a member of the candidate’s or
32 public officer’s household is involved as a trustee, beneficiary of a
33 trust, director, officer, owner in whole or in part, limited or general
34 partner, or holder of a class of stock or security representing 1
35 percent or more of the total outstanding stock or securities issued by
36 the business entity.

37 (g) A list of all public offices presently held by the candidate for
38 public office or public officer for which this statement of financial
39 disclosure is required.

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

42 ~~—3.†~~ As used in this section, “member of the candidate’s or
43 public officer’s household” includes:

44 (a) The spouse of the candidate for public office or public
45 officer;



1 (b) A person who does not live in the same home or dwelling,
2 but who is dependent on and receiving substantial support from the
3 candidate for public office or public officer; and

4 (c) A person who lived in the home or dwelling of the candidate
5 for public office or public officer for 6 months or more in the year
6 immediately preceding the year in which the candidate for public
7 office or public officer files the statement of financial disclosure.

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

9 281.581 1. If the Secretary of State receives information that
10 a ~~candidate for public office or public officer willfully fails to file a~~
11 ~~statement of financial disclosure or willfully fails to file a statement~~
12 ~~of financial disclosure in a timely manner pursuant to NRS 281.559,~~
13 ~~281.561 or 281.572,] violation of NRS 281.558 to 281.581,~~
14 *inclusive, and sections 24 to 33, inclusive, of this act has occurred,*
15 the Secretary of State may, after giving notice to ~~that~~ *the* person or
16 entity ~~that~~ *alleged to have committed the violation,* cause the
17 appropriate proceedings to be instituted in the First Judicial District
18 Court. *On application by the Secretary of State, the First Judicial*
19 *District Court may issue an injunction or grant other equitable*
20 *relief appropriate to ensure compliance with, or enforce, any*
21 *applicable provision of NRS 281.558 to 281.581, inclusive, and*
22 *sections 24 to 33, inclusive, of this act.*

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

35 (a) *Five thousand dollars; or*

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

37 3. *A candidate for public office or a public officer who*
38 *willfully fails to file a statement of financial disclosure or willfully*
39 *fails to file a statement of financial disclosure in a timely manner*
40 *pursuant to NRS 281.559, 281.561 or 281.572 is subject to a civil*
41 *penalty as provided in this subsection.* The amount of the civil
42 penalty is:

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



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

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

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

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

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

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

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

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

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

35 ~~15-1~~ 7. As used in this section, "willfully" means intentionally
36 and knowingly.

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

