

Assembly Bill No. 63—Committee on
Legislative Operations and Elections

CHAPTER.....

AN ACT relating to campaign practices; clarifying that certain candidates who are elected despite ending their campaigns must file with the Secretary of State certain campaign finance reports; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, each candidate for elected office must report to the Secretary of State contributions and campaign expenses, certain loans to the candidate and loans previously made to the candidate that have been forgiven, and contributions to and expenditures made from a legal defense fund. Existing law specifies the dates, both before and after an election, by which the reports must be filed. (NRS 294A.120, 294A.125, 294A.128, 294A.200, 294A.286, 294A.362) A candidate for office who ends his or her campaign without officially withdrawing may simultaneously file all of the reports that are still due from the candidate, once the candidate has disposed of any unspent or excess contributions and has notified the Secretary of State that he or she is ending the campaign and will no longer accept contributions. (NRS 294A.350) This bill clarifies that if such a candidate is elected to office, despite ending his or her campaign, the candidate must begin filing campaign finance reports again, starting with the next report that is due after his or her election to office.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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

Section 1. NRS 294A.350 is hereby amended to read as follows:

294A.350 1. Except as otherwise provided in subsection 2, every candidate for office shall file the reports required by NRS 294A.120, 294A.125, 294A.128, 294A.200 , ~~and~~ 294A.286 ~~and~~ *294A.362*, even though the candidate:

- (a) Withdraws his or her candidacy pursuant to NRS 293.202 or 293C.195;
- (b) Ends his or her campaign without withdrawing his or her candidacy pursuant to NRS 293.202 or 293C.195;
- (c) Receives no contributions;
- (d) Has no campaign expenses;
- (e) Is not opposed in the election by another candidate;
- (f) Is defeated in the primary election;
- (g) Is removed from the ballot by court order; or
- (h) Is the subject of a petition to recall and the special election is not held.



2. ~~Except as otherwise provided in subsection 3, a~~ A candidate described in paragraph (a), (b), (f) or (g) of subsection 1 may simultaneously file all the reports required by NRS 294A.120, 294A.125, 294A.128, 294A.200 , ~~and~~ 294A.286 *and 294A.362* that are due after the candidate disposes of any unspent or excess contributions as provided in subsections 4 and 5 of NRS 294A.160, as applicable, if the candidate gives written notice to the Secretary of State, on the form prescribed by the Secretary of State, that the candidate is ending his or her campaign and will not accept any additional contributions. If the candidate has submitted a withdrawal of candidacy pursuant to NRS 293.202 or 293C.195 to an officer other than the Secretary of State, the candidate must enclose with the notice a copy of the withdrawal of candidacy. A form submitted to the Secretary of State pursuant to this subsection must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.

3. ~~This section does not exempt a person whose name appears on the ballot and who~~ *A candidate described in paragraph (b) of subsection 1 who simultaneously files reports pursuant to subsection 2 but* is elected to office ~~from any reporting requirement of this chapter.~~ *despite ending his or her campaign is subject to the reporting requirements set forth in NRS 294A.120, 294A.125, 294A.128, 294A.200, 294A.286 and 294A.362, beginning with the next report that is due pursuant to those sections after his or her election to office.*

Sec. 2. This act becomes effective on July 1, 2015.

