

SENATE BILL NO. 450—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 25, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to recall elections.
(BDR 24-71)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 2)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 elections; revising the provisions relating to the verification of signatures on a petition for recall of a public officer; establishing a limit on contributions to the campaign of a candidate in a recall election; requiring the disposal of unspent contributions to a candidate at a recall election; revising provisions relating to a request to remove a signature from a petition to recall a public officer; amending the deadline for filing a legal challenge to the sufficiency of a petition to recall a public officer; imposing civil and criminal penalties for violations of provisions governing recall elections; making various other changes relating to petitions for the recall of a public officer; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 The Nevada Constitution provides for the right of the registered voters of the
2 State of Nevada to recall a public officer and sets forth a procedure for exercising
3 that right, including a requirement to file a petition to demand the recall and a
4 formula for determining the number of signatures of registered voters that is
5 required to appear on the petition to force the recall election. The Constitution also
6 provides that “[s]uch additional legislation as may aid the operation of this section
7 shall be provided by law.” (Nev. Const. Art. 2, § 9) The Legislature has enacted
8 provisions to aid the operation of the registered voters’ right to recall a public
9 officer. (Chapter 306 of NRS) This bill makes various changes to such provisions.



10 Under existing law, if the Secretary of State finds that the total number of
11 signatures submitted to all county clerks on a petition to recall a public officer is
12 100 percent or more of the number of registered voters needed to declare the
13 petition sufficient, with limited exception, each of the county clerks is required to
14 examine the signatures by sampling them at random for verification. The random
15 sampling must include an examination of at least 500 or 5 percent of the signatures,
16 whichever is greater. Upon completion of the random sampling, each county clerk
17 is required to file a certificate with the Secretary of State that includes the tally of
18 signatures. (NRS 293.1277) If the Secretary of State determines based on the
19 certificates from all of the relevant county clerks that the petition to recall a public
20 officer contains a number of valid signatures equal to 90 percent or more but less
21 than 100 percent of the number of registered voters needed to make the petition
22 sufficient, the Secretary of State is required to order the county clerks to verify all
23 signatures. (NRS 293.1278, 293.1279)

24 **Sections 2-4** of this bill: (1) eliminate the random sampling of a petition for the
25 recall of a public officer who holds a district, county or municipal office; (2)
26 require, instead, that each county clerk examine every signature for verification on
27 a petition for the recall of a public officer who holds a district, county or municipal
28 office; and (3) give the county clerks 20 days, excluding weekends and holidays, to
29 conduct such verification.

30 **Sections 2-5** of this bill: (1) increase to at least 25 percent the random sampling
31 requirement for a petition for the recall of a public officer who holds state office;
32 and (2) give the county clerks 20 days, excluding weekends and holidays, to
33 conduct such verification.

34 **Section 17** of this bill requires a person who submits a petition for the recall of
35 a public officer to pay the costs for the Secretary of State and county clerks to
36 verify signatures on the petition unless the person submits a written declaration
37 under penalty of perjury that paying the costs will cause the person an undue
38 burden.

39 Existing law sets forth limitations on making, soliciting and accepting a
40 campaign contribution for a primary or general election. (Nev. Const. Art. 2, §10;
41 NRS 294A.100) **Section 6** of this bill: (1) establishes a contribution limitation of
42 \$5,000 for a special election to recall a public officer; and (2) sets forth the period
43 during which such contributions may be made, solicited or accepted. **Section 7** of
44 this bill provides that a contribution for a special election to recall a public officer
45 does not affect the limitations on contributions to candidates for a primary or
46 general election. **Sections 14.5 and 23.5** of this bill provide that the period during
47 which a Legislator, the Lieutenant Governor, Lieutenant Governor-Elect, Governor
48 and Governor-Elect are prohibited from accepting contributions for a political
49 purpose before and after a session of the Legislature does not prohibit a candidate
50 in a special election to recall a public officer from soliciting or accepting
51 contributions for the special election.

52 Existing law sets forth requirements for reporting certain contributions,
53 campaign expenses and expenditures relating to a special election to recall a public
54 officer. If a district court determines that a petition for the recall of a public officer
55 is legally insufficient, certain persons, political parties, committees sponsored by
56 political parties, committees for political action and committees for the recall of a
57 public officer are required to report such contributions, campaign expenses and
58 expenditures not later than 30 days after the district court orders the filing officer to
59 cease proceedings regarding the petition. (NRS 294A.120, 294A.140, 294A.200,
60 294A.210, 294A.270, 294A.280) **Sections 8, 9 and 11-14** of this bill require an
61 additional report if the district court's decision is appealed that is due not later than
62 30 days after the date on which all appeals regarding the petition for the recall of a
63 public officer are exhausted.



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64 **Sections 13 and 14** of this bill add requirements for a committee for the recall
65 of a public officer to file additional campaign finance reports of contributions and
66 expenditures during the time that a petition for the recall of a public officer is
67 circulated for signatures.

68 Existing law requires a candidate who is elected to office to dispose of unspent
69 contributions in various ways, including using the money in the candidate's next
70 election. A candidate who is not elected to office must dispose of unspent
71 contributions and is not allowed to use the money in a future election. (NRS
72 294A.160) **Section 10** of this bill requires every candidate for office at a special
73 election to recall a public officer to dispose of unspent contributions and prohibits
74 any such candidate from using the money in a future election. **Section 11** of this
75 bill requires such a candidate to submit a report to the Secretary of State setting
76 forth how he or she disposed of unspent contributions.

77 Existing law authorizes a person who signs a petition for the recall of a public
78 officer to submit: (1) a request to the county clerk to remove the person's name
79 from the petition before the petition is submitted for verification; and (2) a request
80 to the Secretary of State to remove the person's name from the petition after the
81 completion of signature verification. (NRS 306.015, 306.040) **Section 20** of this
82 bill authorizes a person to submit a request to the county clerk to remove the
83 person's name from the petition at any time before the signature verification is
84 completed. **Section 23** of this bill authorizes a person to submit to the filing officer
85 a request to remove the person's name from the petition after the signature
86 verification is completed.

87 Existing law requires the persons filing the notice of intent to submit the
88 petition that was circulated for signatures within 90 days after the date on which the
89 notice of intent was filed. (NRS 306.015) **Section 20** requires the persons to submit
90 the signatures collected during the first 45 days of circulating the petition on or
91 before the 48th day after the date on which the notice of intent was filed. **Section**
92 **20** also requires the remaining signatures collected to be submitted to the filing
93 officer on or before the 90th day after the notice of intent was filed.

94 Existing law authorizes a person to file a complaint challenging the legal
95 sufficiency of a petition to recall a public officer not more than 5 days after the
96 Secretary of State notifies the county clerk, filing officer and public officer who is
97 the subject of the petition that the petition contains a sufficient number of
98 signatures. (NRS 306.040) **Section 23** amends the deadline for filing such a
99 complaint to not later than 15 days, Saturdays, Sundays and holidays excluded,
100 after such notification.

101 Existing law provides that a person is guilty of a misdemeanor for
102 misrepresenting the intent or content of a petition for the recall of a public officer.
103 (NRS 306.025) **Section 21** of this bill increases the penalty to a category E felony,
104 punishable by a minimum term of not less than 1 year and a maximum term of not
105 more than 4 years in prison. **Section 18** of this bill provides that it is also a category
106 E felony for a person to knowingly or negligently obtain a false signature on a
107 petition for the recall of a public officer. **Section 19** of this bill sets forth certain
108 civil penalties for violations of the provisions of law relating to a petition for the
109 recall of a public officer.

110 **Section 24** of this bill declares void certain regulations that would conflict with
111 the amendatory provisions of this bill.



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

1 **Section 1.** NRS 293.127565 is hereby amended to read as
2 follows:

3 293.127565 1. At each building that is open to the general
4 public and occupied by the government of this State or a political
5 subdivision of this State or an agency thereof, other than a building
6 of a public elementary or secondary school, an area must be
7 designated for the use of any person to gather signatures on a
8 petition at any time that the building is open to the public. The area
9 must be reasonable and may be inside or outside of the building.
10 Each public officer or employee in control of the operation of a
11 building governed by this subsection shall:

12 (a) Designate the area at the building for the gathering of
13 signatures; and

14 (b) On an annual basis, submit to the Secretary of State and the
15 county clerk for the county in which the building is located a notice
16 of the area at the building designated for the gathering of signatures
17 on a petition. The Secretary of State and the county clerks shall
18 make available to the public a list of the areas at public buildings
19 designated for the gathering of signatures on a petition.

20 2. Before a person may use an area designated pursuant to
21 subsection 1, the person must notify the public officer or employee
22 in control of the operation of the building governed by subsection 1
23 of the dates and times that the person intends to use the area to
24 gather signatures on a petition. The public officer or employee may
25 not deny the person the use of the area.

26 3. Not later than 3 working days after the date of the decision
27 that aggrieved the person, a person aggrieved by a decision made by
28 a public officer or employee pursuant to subsection 1 or 2 may
29 appeal the decision to the Secretary of State. The Secretary of State
30 shall review the decision to determine whether the public officer or
31 employee violated subsection 1 or 2. If the Secretary of State
32 determines a public officer or employee violated subsection 1 or 2
33 and that a person was denied the use of a public building for the
34 purpose of gathering signatures on a petition, the Secretary of State
35 shall order that the deadline for filing the petition provided pursuant
36 to NRS 293.128, 293.172, 293.200, 295.056, 298.109, ~~306.035~~
37 **306.015** or 306.110 must be extended for a period equal to the time
38 that the person was denied the use of a public building for the
39 purpose of gathering signatures on a petition, but in no event may
40 the deadline be extended for a period of more than 5 days.

41 4. The decision of the Secretary of State is a final decision for
42 the purposes of judicial review. Not later than 7 days after the date



1 of the decision by the Secretary of State, the decision of the
2 Secretary of State may only be appealed in the First Judicial District
3 Court. If the First Judicial District Court determines that the public
4 officer or employee violated subsection 1 or 2 and that a person was
5 denied the use of a public building for the purpose of gathering
6 signatures on a petition, the Court shall order that the deadline for
7 filing the petition provided pursuant to NRS 293.128, 293.172,
8 293.200, 295.056, 298.109, ~~306.035~~ **306.015** or 306.110 must be
9 extended for a period equal to the time that the person was denied
10 the use of a public building for the purpose of gathering signatures
11 on a petition, but in no event may the deadline be extended for a
12 period of more than 5 days.

13 5. The Secretary of State may adopt regulations to carry out the
14 provisions of subsection 3.

15 **Sec. 2.** NRS 293.1277 is hereby amended to read as follows:

16 293.1277 1. If the Secretary of State finds that the total
17 number of signatures submitted to all the county clerks is 100
18 percent or more of the number of registered voters needed to declare
19 the petition sufficient, the Secretary of State shall immediately so
20 notify the county clerks. After the notification, each of the county
21 clerks shall determine the number of registered voters who have
22 signed the documents submitted in the county clerk's county and, in
23 the case of a petition for initiative or referendum proposing a
24 constitutional amendment or statewide measure, shall tally the
25 number of signatures for each petition district contained or fully
26 contained within the county clerk's county. This determination must
27 be completed within 9 days, excluding Saturdays, Sundays and
28 holidays, after the notification pursuant to this subsection regarding
29 a petition containing signatures which are required to be verified
30 pursuant to NRS 293.128, 295.056, 298.109 ~~306.035~~ or 306.110,
31 *within 20 days, excluding Saturdays, Sundays and holidays, after*
32 *the notification pursuant to this subsection regarding a petition*
33 *containing signatures which are required to be verified pursuant*
34 *to NRS 306.035, and within 3 days, excluding Saturdays, Sundays*
35 *and holidays, after the notification pursuant to this subsection*
36 *regarding a petition containing signatures which are required to be*
37 *verified pursuant to NRS 293.172 or 293.200. For the purpose of*
38 *verification pursuant to this section, the county clerk shall not*
39 *include in his or her tally of total signatures any signature included*
40 *in the incorrect petition district.*

41 2. Except as otherwise provided in ~~subsection~~ *subsections* 3
42 ~~and~~ *and* 4, if more than 500 names have been signed on the
43 documents submitted to a county clerk, the county clerk shall
44 examine the signatures by sampling them at random for verification.
45 The random sample of signatures to be verified must be drawn in



1 such a manner that every signature which has been submitted to the
2 county clerk is given an equal opportunity to be included in the
3 sample. The sample must include an examination of :

4 *(a) Except as otherwise provided in paragraph (b), at least 500*
5 *or 5 percent of the signatures, whichever is greater.*

6 *(b) If the petition is for the recall of a public officer that holds*
7 *a statewide office, at least 25 percent of the signatures.*

8 ↪ If documents were submitted to the county clerk for more than
9 one petition district wholly contained within that county, a separate
10 random sample must be performed for each petition district.

11 3. If a petition district comprises more than one county and the
12 petition is for an initiative or referendum proposing a constitutional
13 amendment or a statewide measure, and if more than 500 names
14 have been signed on the documents submitted for that petition
15 district, the appropriate county clerks shall examine the signatures
16 by sampling them at random for verification. The random sample of
17 signatures to be verified must be drawn in such a manner that every
18 signature which has been submitted to the county clerks within the
19 petition district is given an equal opportunity to be included in the
20 sample. The sample must include an examination of at least 500 or 5
21 percent of the signatures presented in the petition district, whichever
22 is greater. The Secretary of State shall determine the number of
23 signatures that must be verified by each county clerk within the
24 petition district.

25 4. *If a petition is for the recall of a public officer that holds a*
26 *district, county or municipal office, each county clerk :*

27 *(a) Shall not examine the signatures by sampling them at*
28 *random for verification;*

29 *(b) Shall examine for verification every signature on the*
30 *documents submitted to the county clerk; and*

31 *(c) When determining the total number of valid signatures on*
32 *the documents, shall remove each name of a registered voter who*
33 *submitted a request to have his or her name removed from the*
34 *petition pursuant to NRS 306.015.*

35 5. In determining from the records of registration the number
36 of registered voters who signed the documents, the county clerk may
37 use the signatures contained in the file of applications to register to
38 vote. If the county clerk uses that file, the county clerk shall ensure
39 that every application in the file is examined, including any
40 application in his or her possession which may not yet be entered
41 into the county clerk's records. Except as otherwise provided in
42 subsection ~~5.1~~ 6, the county clerk shall rely only on the appearance
43 of the signature and the address and date included with each
44 signature in making his or her determination.

45 ~~5.1~~ 6. If:



1 (a) Pursuant to NRS 293.506, a county clerk establishes a
2 system to allow persons to register to vote by computer; or

3 (b) A person registers to vote pursuant to NRS 293D.230 and
4 signs his or her application to register to vote using a digital
5 signature or an electronic signature,

6 ↪ the county clerk may rely on such other indicia as prescribed by
7 the Secretary of State in making his or her determination.

8 ~~6.] 7.~~ In the case of a petition for initiative or referendum
9 proposing a constitutional amendment or statewide measure, when
10 the county clerk is determining the number of registered voters who
11 signed the documents from each petition district contained fully or
12 partially within the county clerk's county, he or she must use the
13 statewide voter registration list available pursuant to NRS 293.675.

14 ~~7.] 8.~~ Except as otherwise provided in subsection ~~9.] 10,~~
15 upon completing the examination, the county clerk shall
16 immediately attach to the documents a certificate properly dated,
17 showing the result of the examination, including the tally of
18 signatures by petition district, if required, and transmit the
19 documents with the certificate to the Secretary of State. In the case
20 of a petition for initiative or referendum proposing a constitutional
21 amendment or statewide measure, if a petition district comprises
22 more than one county, the appropriate county clerks shall comply
23 with the regulations adopted by the Secretary of State pursuant to
24 this section to complete the certificate. A copy of this certificate
25 must be filed in the clerk's office. When the county clerk transmits
26 the certificate to the Secretary of State, the county clerk shall notify
27 the Secretary of State of the number of requests to remove a name
28 received by the county clerk pursuant to NRS 295.055 or *pursuant*
29 *to NRS 306.015 [.] for a petition to recall a public officer that*
30 *holds a state office, if applicable.*

31 ~~8.] 9.~~ A person who submits a petition to the county clerk
32 which is required to be verified pursuant to NRS 293.128, 293.172,
33 293.200, 295.056, 298.109, 306.035 or 306.110 must be allowed to
34 witness the verification of the signatures. A public officer who is the
35 subject of a recall petition must also be allowed to witness the
36 verification of the signatures on the petition.

37 ~~9.] 10.~~ For any petition containing signatures which are
38 required to be verified pursuant to the provisions of NRS 293.200,
39 306.035 or 306.110 for any county, district or municipal office
40 within one county, the county clerk shall not transmit to the
41 Secretary of State the documents containing the signatures of the
42 registered voters.

43 ~~10.] 11.~~ The Secretary of State shall by regulation establish
44 further procedures for carrying out the provisions of this section.



1 **Sec. 3.** NRS 293.1278 is hereby amended to read as follows:

2 293.1278 1. If the certificates received by the Secretary of
3 State from all the county clerks establish that the number of valid
4 signatures is less than 90 percent of the required number of
5 registered voters, the petition shall be deemed to have failed to
6 qualify, and the Secretary of State shall immediately so notify the
7 petitioners and the county clerks.

8 2. If those certificates establish that the number of valid
9 signatures is equal to or more than the sum of 100 percent of the
10 number of registered voters needed to make the petition sufficient
11 plus the total number of requests to remove a name received by the
12 county clerks pursuant to NRS 295.055 or *pursuant to NRS*
13 *306.015 for a petition to recall a public officer that holds a*
14 *statewide office, if applicable*, and, in the case of a petition for
15 initiative or referendum proposing a constitutional amendment or
16 statewide measure, that the petition has the minimum number of
17 signatures required for each petition district, the petition shall be
18 deemed to qualify as of the date of receipt by the Secretary of State
19 of those certificates, and the Secretary of State shall immediately so
20 notify the petitioners and the county clerks.

21 3. If the certificates establish that the petitioners have 100
22 percent or more of the number of registered voters needed to make
23 the petition sufficient but the petition fails to qualify pursuant to
24 subsection 2, each county clerk who received a request to remove a
25 name pursuant to NRS 295.055 or *pursuant to NRS 306.015 for a*
26 *petition to recall a public officer that holds a state office, if*
27 *applicable*, shall remove each name as requested, amend the
28 certificate and transmit the amended certificate to the Secretary of
29 State. If the amended certificates establish that the petitioners have
30 100 percent or more of the number of registered voters needed to
31 make the petition sufficient and, in the case of a petition for
32 initiative or referendum proposing a constitutional amendment or
33 statewide measure, that the petition has the minimum number of
34 signatures required for each petition district, the petition shall be
35 deemed to qualify as of the date of receipt by the Secretary of State
36 of the amended certificates, and the Secretary of State shall
37 immediately so notify the petitioners and the county clerks.

38 **Sec. 4.** NRS 293.1279 is hereby amended to read as follows:

39 293.1279 1. If the statistical sampling shows that the number
40 of valid signatures filed is 90 percent or more, but less than the sum
41 of 100 percent of the number of signatures of registered voters
42 needed to declare the petition sufficient plus the total number of
43 requests to remove a name received by the county clerks pursuant to
44 NRS 295.055 or *pursuant to NRS 306.015* ~~for a petition to~~
45 *recall a public officer that holds a state office, if applicable*, the



1 Secretary of State shall order the county clerks to examine the
2 signatures for verification. The county clerks shall examine the
3 signatures for verification until they determine that 100 percent of
4 the number of signatures of registered voters needed to declare the
5 petition sufficient are valid. If the county clerks received a request
6 to remove a name pursuant to NRS 295.055 ~~§~~ or *pursuant to NRS*
7 *306.015 ~~§~~ for a petition to recall a public officer that holds a state*
8 *office, if applicable*, the county clerks may not determine that 100
9 percent of the number of signatures of registered voters needed to
10 declare the petition sufficient are valid until they have removed each
11 name as requested pursuant to NRS 295.055 or 306.015.

12 2. Except as otherwise provided in this subsection, if the
13 statistical sampling shows that the number of valid signatures filed
14 in any county is 90 percent or more but less than the sum of 100
15 percent of the number of signatures of registered voters needed to
16 constitute 10 percent of the number of voters who voted at the last
17 preceding general election in that county plus the total number of
18 requests to remove a name received by the county clerk in that
19 county pursuant to NRS 295.055 or *pursuant to NRS 306.015 ~~§~~*
20 *for a petition to recall a public officer that holds a state office, if*
21 *applicable*, the Secretary of State may order the county clerk in that
22 county to examine every signature for verification. If the county
23 clerk received a request to remove a name pursuant to NRS 295.055
24 or *pursuant to NRS 306.015 ~~§~~ for a petition to recall a public*
25 *officer that holds a state office, if applicable*, the county clerk may
26 not determine that 100 percent or more of the number of signatures
27 of registered voters needed to constitute 10 percent of the number of
28 voters who voted at the last preceding general election in that county
29 are valid until the county clerk has removed each name as requested
30 pursuant to NRS 295.055 or 306.015. In the case of a petition for
31 initiative or referendum that proposes a constitutional amendment or
32 statewide measure, if the statistical sampling shows that the number
33 of valid signatures in any petition district is 90 percent or more but
34 less than the sum of 100 percent of the number of signatures of
35 registered voters required for that petition district pursuant to NRS
36 295.012 plus the total number of requests to remove a name
37 received by the county clerk or county clerks, if the petition district
38 comprises more than one county, pursuant to NRS 295.055, the
39 Secretary of State may order a county clerk to examine every
40 signature for verification.

41 3. After the receipt of such an order, the county clerk or county
42 clerks shall determine from the records of registration what number
43 of registered voters have signed the petition and, if appropriate, tally
44 those signatures by petition district. This determination must be
45 completed within 12 days, excluding Saturdays, Sundays and



1 holidays, after the receipt of an order regarding a petition containing
2 signatures which are required to be verified pursuant to NRS
3 293.128, 295.056, 298.109 ~~[-, 306.035]~~ or 306.110, *or pursuant to*
4 *NRS 306.035 for a petition for the recall of a public officer who*
5 *holds statewide office*, and within 5 days, excluding Saturdays,
6 Sundays and holidays, after the receipt of an order regarding a
7 petition containing signatures which are required to be verified
8 pursuant to NRS 293.172 or 293.200. If necessary, the board of
9 county commissioners shall allow the county clerk additional
10 assistants for examining the signatures and provide for their
11 compensation. In determining from the records of registration what
12 number of registered voters have signed the petition and in
13 determining in which petition district the voters reside, the county
14 clerk must use the statewide voter registration list. The county clerk
15 may rely on the appearance of the signature and the address and date
16 included with each signature in determining the number of
17 registered voters that signed the petition.

18 4. Except as otherwise provided in subsection 5, upon
19 completing the examination, the county clerk or county clerks shall
20 immediately attach to the documents of the petition an amended
21 certificate, properly dated, showing the result of the examination
22 and shall immediately forward the documents with the amended
23 certificate to the Secretary of State. A copy of the amended
24 certificate must be filed in the county clerk's office. In the case of a
25 petition for initiative or referendum to propose a constitutional
26 amendment or statewide measure, if a petition district comprises
27 more than one county, the county clerks shall comply with the
28 regulations adopted by the Secretary of State pursuant to this section
29 to complete the amended certificate.

30 5. For any petition containing signatures which are required to
31 be verified pursuant to the provisions of NRS 293.200, 306.035 or
32 306.110 for any county, district or municipal office within one
33 county, the county clerk shall not forward to the Secretary of State
34 the documents containing the signatures of the registered voters.

35 6. Except for a petition to recall a county, district or municipal
36 officer, the petition shall be deemed filed with the Secretary of State
37 as of the date on which the Secretary of State receives certificates
38 from the county clerks showing the petition to be signed by the
39 requisite number of voters of the State.

40 7. If the amended certificates received from all county clerks
41 by the Secretary of State establish that the petition is still
42 insufficient, the Secretary of State shall immediately so notify the
43 petitioners and the county clerks. If the petition is a petition to recall
44 a county, district or municipal officer, the Secretary of State shall
45 also notify the officer with whom the petition is to be filed.



1 8. The Secretary of State shall adopt regulations to carry out
2 the provisions of this section.

3 **Sec. 5.** NRS 293.12795 is hereby amended to read as follows:

4 293.12795 1. If an appeal is based upon the results of the
5 verification of signatures on a petition performed pursuant to NRS
6 293.1277 or 293.1279, the Secretary of State shall:

7 (a) If the Secretary of State finds for the appellant, order the
8 county clerk to recertify the petition, including as verified signatures
9 all contested signatures which the Secretary of State determines are
10 valid. If the county clerk has not yet removed each name as
11 requested pursuant to NRS 295.055 or *pursuant to NRS 306.015* ~~§~~
12 *for a petition for the recall of a public officer who holds statewide*
13 *office*, the county clerk shall do so before recertifying the petition.

14 (b) If the Secretary of State does not find for the appellant,
15 notify the appellant and the county clerk that the petition remains
16 insufficient.

17 2. If the Secretary of State is unable to make a decision on the
18 appeal based upon the documents submitted, the Secretary of State
19 may order the county clerk to reverify the signatures.

20 3. The decision of the Secretary of State is a final decision for
21 the purposes of judicial review. The decision of the Secretary of
22 State may only be appealed in the First Judicial District Court.

23 **Sec. 6.** Chapter 294A of NRS is hereby amended by adding
24 thereto a new section to read as follows:

25 *1. A person shall not make or commit to make a contribution*
26 *or contributions to a candidate in a special election to recall a*
27 *public officer, in an amount which exceeds \$5,000, regardless of*
28 *the number of candidates for the office.*

29 *2. No contribution to a candidate in a recall election may be*
30 *given or received except during the period:*

31 *(a) Beginning on the date that a notice of intent to recall a*
32 *public officer is filed pursuant to NRS 306.015; and*

33 *(b) Ending:*

34 *(1) If a petition for recall is not submitted to the filing*
35 *officer before the expiration of the notice of intent pursuant to the*
36 *provisions of chapter 306 of NRS or is otherwise legally*
37 *insufficient when submitted to the filing officer pursuant to the*
38 *provisions of that chapter, on the date that the notice of intent*
39 *expires or the petition is determined to be legally insufficient, as*
40 *applicable.*

41 *(2) If a district court determines that a petition for recall is*
42 *legally insufficient pursuant to chapter 306 of NRS:*

43 *(I) Except as otherwise provided in sub-subparagraph*
44 *(II) and subparagraph (3), on the date of the order of the district*
45 *court.*



1 *(II) If the order of the district court is appealed, on the*
2 *date on which all appeals regarding the petition are exhausted.*

3 *(3) If a recall election is held, on the date of the special*
4 *election to recall a public officer.*

5 *3. No contribution made, committed to be made or accepted*
6 *pursuant to this section for a special election to recall a public*
7 *officer affects the limitations on the amount of contributions that*
8 *may be committed, contributed or accepted pursuant to NRS*
9 *294A.100 for a primary election or general election.*

10 *4. A candidate shall not accept a contribution or commitment*
11 *to make a contribution made in violation of this section.*

12 *5. A person who willfully violates any provision of this*
13 *section is guilty of a category E felony and shall be punished as*
14 *provided in NRS 193.130.*

15 **Sec. 7.** NRS 294A.100 is hereby amended to read as follows:

16 294A.100 1. A person shall not make or commit to make a
17 contribution or contributions to a candidate for any office, except a
18 federal office, in an amount which exceeds \$5,000 for the primary
19 election, regardless of the number of candidates for the office, and
20 \$5,000 for the general election, regardless of the number of
21 candidates for the office, during the period:

22 (a) Beginning January 1 of the year immediately following the
23 last general election for the office and ending December 31
24 immediately following the next general election for the office, if that
25 office is a state, district, county or township office; or

26 (b) Beginning from 30 days after the last election for the office
27 and ending 30 days after the next general city election for the office,
28 if that office is a city office.

29 2. A candidate shall not accept a contribution or commitment
30 to make a contribution made in violation of subsection 1.

31 *3. No contribution made, committed to be made or accepted*
32 *pursuant to this section to a candidate for a primary election or*
33 *general election affects the limitations on the amount of*
34 *contributions that may be committed, contributed or accepted*
35 *pursuant to section 6 of this act for a special election to recall a*
36 *public officer.*

37 *4. A person who willfully violates any provision of this section*
38 *is guilty of a category E felony and shall be punished as provided in*
39 *NRS 193.130.*

40 **Sec. 8.** NRS 294A.120 is hereby amended to read as follows:

41 294A.120 1. Every candidate for office at a primary election
42 or general election shall, not later than January 15 of the election
43 year, for the period beginning January 1 of the previous year and
44 ending on December 31 of the previous year, report:



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

3 (b) Contributions received during the period from a contributor
4 which cumulatively exceed \$100;

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

8 (d) The balance in the account maintained by the candidate
9 pursuant to NRS 294A.130 on the ending date of the period.

10 2. In addition to the requirements set forth in subsection 1,
11 every candidate for office at a primary election or general election
12 shall, not later than:

13 (a) April 15 of the election year, for the period beginning
14 January 1 and ending on March 31 of the election year;

15 (b) July 15 of the election year, for the period beginning April 1
16 and ending on June 30 of the election year;

17 (c) October 15 of the election year, for the period beginning
18 July 1 and ending on September 30 of the election year; and

19 (d) January 15 of the year immediately following the election
20 year, for the period beginning October 1 and ending on
21 December 31 of the election year,

22 ↪ report each contribution described in paragraphs (a), (b) and (c)
23 of subsection 1 received during the period and the balance in the
24 account maintained by the candidate pursuant to NRS 294A.130 on
25 the ending date of the period.

26 3. Except as otherwise provided in subsections 4, 5 and 6 and
27 NRS 294A.223, every candidate for office at a special election shall,
28 not later than:

29 (a) Four days before the beginning of early voting by personal
30 appearance for the special election, for the period from the
31 candidate's nomination through 5 days before the beginning of early
32 voting by personal appearance for the special election;

33 (b) Four days before the special election, for the period from 4
34 days before the beginning of early voting by personal appearance
35 for the special election through 5 days before the special election;
36 and

37 (c) Thirty days after the special election, for the remaining
38 period through the date of the special election,

39 ↪ report each contribution described in paragraphs (a), (b) and (c)
40 of subsection 1 received during the period and the balance in the
41 account maintained by the candidate pursuant to NRS 294A.130 on
42 the ending date of the period.

43 4. Except as otherwise provided in subsections 5 and 6 and
44 NRS 294A.223, every candidate for office at a special election to



1 determine whether a public officer will be recalled shall, not later
2 than:

3 (a) Four days before the beginning of early voting by personal
4 appearance for the special election, for the period from the date the
5 notice of intent to circulate the petition for recall is filed pursuant to
6 NRS 306.015 through the 5 days before the beginning of early
7 voting by personal appearance for the special election;

8 (b) Four days before the special election, for the period from 4
9 days before the beginning of early voting by personal appearance
10 for the special election through 5 days before the special election;
11 and

12 (c) Thirty days after the special election, for the remaining
13 period through the date of the special election,

14 ➤ report each contribution described in paragraphs (a), (b) and (c)
15 of subsection 1 received during the period and the balance in the
16 account maintained by the candidate pursuant to NRS 294A.130 on
17 the ending date of the period.

18 5. Except as otherwise provided in subsection 6, if a petition
19 for recall is not submitted to the filing officer before the expiration
20 of the notice of intent pursuant to the provisions of chapter 306 of
21 NRS or is otherwise legally insufficient when submitted to the filing
22 officer pursuant to the provisions of that chapter, every candidate for
23 office at a special election to determine whether a public officer will
24 be recalled shall, not later than 30 days after the expiration of the
25 notice of intent, for the period from the filing of the notice of intent
26 through the date that the notice of intent expires or the petition is
27 determined to be legally insufficient, report each contribution
28 described in paragraphs (a), (b) and (c) of subsection 1 received
29 during the period and the balance in the account maintained by the
30 candidate pursuant to NRS 294A.130 on the ending date of the
31 period. The provisions of this subsection apply to the candidate for
32 office at a special election if the petition for recall:

33 (a) Is not submitted to the filing officer as required by chapter
34 306 of NRS;

35 (b) Is submitted to the filing officer without any valid signatures
36 or with fewer than the necessary number of valid signatures required
37 by chapter 306 of NRS; or

38 (c) Is otherwise legally insufficient or efforts to obtain the
39 necessary number of valid signatures required by chapter 306 of
40 NRS are suspended or discontinued.

41 6. If a district court determines that a petition for recall is
42 legally insufficient pursuant to ~~subsection 6 of~~ NRS 306.040,
43 every candidate for office at a special election to determine whether
44 a public officer will be recalled shall ~~not~~:



1 (a) *Not* later than 30 days after the district court orders the
2 officer with whom the petition is filed to cease any further
3 proceedings regarding the petition, for the period from the filing of
4 the notice of intent to circulate the petition for recall through the
5 date of the district court's order, report each contribution described
6 in paragraphs (a), (b) and (c) of subsection 1 received during the
7 period and the balance in the account maintained by the candidate
8 pursuant to NRS 294A.130 on the ending date of the period.

9 (b) *Not later than 30 days after the date on which all appeals*
10 *regarding the petition are exhausted, for the period from the day*
11 *after the date of the district court's order through the date on*
12 *which all appeals regarding the petition are exhausted, report*
13 *each contribution described in paragraphs (a), (b) and (c) of*
14 *subsection 1 received during the period and the balance in the*
15 *account maintained by the candidate pursuant to NRS 294A.130*
16 *on the ending date of the period.*

17 7. In addition to complying with the applicable requirements of
18 subsections 1 to 6, inclusive, if a candidate is elected to office at a
19 primary election, general election or special election, he or she must,
20 not later than January 15 of each year, report the information
21 described in paragraphs (a) to (d), inclusive, of subsection 1 for the
22 period beginning January 1 of the previous year and ending on
23 December 31 of the previous year. The provisions of this subsection
24 apply to the candidate until the year immediately preceding the next
25 election year for that office. Nothing in this subsection:

26 (a) Requires the candidate to report information described in
27 paragraphs (a) to (d), inclusive, of subsection 1 that has previously
28 been reported in a timely manner pursuant to subsections 1 to 6,
29 inclusive; or

30 (b) Authorizes the candidate to not comply with the applicable
31 requirements of subsections 1 to 6, inclusive, if he or she becomes a
32 candidate for another office at a primary election, general election or
33 special election during his or her term of office.

34 8. Except as otherwise provided in NRS 294A.3733, reports of
35 contributions must be filed electronically with the Secretary of
36 State.

37 9. A report shall be deemed to be filed on the date that it was
38 received by the Secretary of State.

39 10. The name and address of the contributor and the date on
40 which the contribution was received must be included on the report
41 for each contribution in excess of \$100 and contributions which a
42 contributor has made cumulatively in excess of that amount since
43 the beginning of the current reporting period.

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

45 294A.140 1. The provisions of this section apply to:



1 (a) Every person who makes an independent expenditure in
2 excess of \$1,000; and

3 (b) Every committee for political action, political party and
4 committee sponsored by a political party which receives
5 contributions in excess of \$1,000 or makes an expenditure for or
6 against a candidate for office or a group of such candidates.

7 2. Every person, committee and political party described in
8 subsection 1 shall, not later than January 15 of the election year, for
9 the period beginning January 1 of the previous year and ending on
10 December 31 of the previous year, report each contribution in
11 excess of \$1,000 received during the period and contributions
12 received during the period from a contributor which cumulatively
13 exceed \$1,000.

14 3. In addition to the requirements set forth in subsection 2,
15 every person, committee and political party described in subsection
16 1 shall, not later than:

17 (a) April 15 of the election year, for the period beginning
18 January 1 and ending on March 31 of the election year;

19 (b) July 15 of the election year, for the period beginning April 1
20 and ending on June 30 of the election year;

21 (c) October 15 of the election year, for the period beginning
22 July 1 and ending on September 30 of the election year; and

23 (d) January 15 of the year immediately following the election
24 year, for the period beginning October 1 and ending on
25 December 31 of the election year,

26 ↪ report each contribution in excess of \$1,000 received during the
27 period and contributions received during the period from a
28 contributor which cumulatively exceed \$1,000.

29 4. Except as otherwise provided in subsections 5, 6 and 7 and
30 NRS 294A.223, every person, committee and political party
31 described in subsection 1 which makes an independent expenditure
32 or other expenditure, as applicable, for or against a candidate for
33 office at a special election or for or against a group of such
34 candidates shall, not later than:

35 (a) Four days before the beginning of early voting by personal
36 appearance for the special election, for the period from the
37 nomination of the candidate through 5 days before the beginning of
38 early voting by personal appearance for the special election;

39 (b) Four days before the special election, for the period from 4
40 days before the beginning of early voting by personal appearance
41 for the special election through 5 days before the special election;
42 and

43 (c) Thirty days after the special election, for the remaining
44 period through the date of the special election,



1 ↪ report each contribution in excess of \$1,000 received during the
2 period and contributions received during the period from a
3 contributor which cumulatively exceed \$1,000.

4 5. Except as otherwise provided in subsections 6 and 7 and
5 NRS 294A.223, every person, committee and political party
6 described in subsection 1 which makes an independent expenditure
7 or other expenditure, as applicable, for or against a candidate for
8 office at a special election to determine whether a public officer will
9 be recalled or for or against a group of candidates for offices at such
10 special elections shall, not later than:

11 (a) Four days before the beginning of early voting by personal
12 appearance for the special election, for the period from the date the
13 notice of intent to circulate a petition to recall is filed pursuant to
14 NRS 306.015 through 5 days before the beginning of early voting
15 by personal appearance for the special election;

16 (b) Four days before the special election, for the period from 4
17 days before the beginning of early voting by personal appearance
18 for the special election through 5 days before the special election;
19 and

20 (c) Thirty days after the special election, for the remaining
21 period through the date of the special election,

22 ↪ report each contribution in excess of \$1,000 received during the
23 period and contributions received during the period from a
24 contributor which cumulatively exceed \$1,000.

25 6. Except as otherwise provided in subsection 7, if a petition
26 for recall is not submitted to the filing officer before the expiration
27 of the notice of intent pursuant to the provisions of chapter 306 of
28 NRS or is otherwise legally insufficient when submitted to the filing
29 officer pursuant to the provisions of that chapter, every person,
30 committee and political party described in subsection 1 which
31 makes an independent expenditure or other expenditure, as
32 applicable, for or against a candidate for office at a special election
33 to determine whether a public officer will be recalled or for or
34 against a group of such candidates shall, not later than 30 days after
35 the expiration of the notice of intent, for the period from the filing of
36 the notice of intent through the date that the notice of intent expires
37 or the petition is determined to be legally insufficient, report each
38 contribution in excess of \$1,000 received and contributions received
39 which cumulatively exceed \$1,000. The provisions of this
40 subsection apply to the person, committee and political party if the
41 petition for recall:

42 (a) Is not submitted to the filing officer as required by chapter
43 306 of NRS;



1 (b) Is submitted to the filing officer without any valid signatures
2 or with fewer than the necessary number of valid signatures required
3 by chapter 306 of NRS; or

4 (c) Is otherwise legally insufficient or efforts to obtain the
5 necessary number of valid signatures required by chapter 306 of
6 NRS are suspended or discontinued.

7 7. If a district court determines that a petition for recall is
8 legally insufficient pursuant to ~~subsection 6 of~~ NRS 306.040,
9 every person, committee and political party described in subsection
10 1 which makes an independent expenditure or other expenditure, as
11 applicable, for or against a candidate for office at a special election
12 to determine whether a public officer will be recalled or for or
13 against a group of candidates for offices at such a special election
14 shall ~~not~~:

15 (a) *Not* later than 30 days after the district court orders the
16 officer with whom the petition is filed to cease any further
17 proceedings regarding the petition, for the period from the filing of
18 the notice of intent to circulate the petition for recall through the
19 date of the district court's order, report each contribution in excess
20 of \$1,000 received during the period and contributions received
21 during the period which cumulatively exceed \$1,000.

22 (b) *Not later than 30 days after the date on which all appeals*
23 *regarding the petition are exhausted, for the period from the day*
24 *after the date of the district court's order through the date on*
25 *which all appeals regarding the petition are exhausted, report*
26 *each contribution in excess of \$1,000 received during the period*
27 *and contributions received during the period which cumulatively*
28 *exceed \$1,000.*

29 8. In addition to complying with the applicable requirements of
30 subsections 2 to 7, inclusive, a person, committee or political party
31 described in subsection 1 must, not later than January 15 of each
32 year that is not an election year, for the period beginning January 1
33 of the previous year and ending on December 31 of the previous
34 year, report each contribution in excess of \$1,000 received during
35 the period and contributions received during the period from a
36 contributor which cumulatively exceed \$1,000. Nothing in this
37 subsection:

38 (a) Requires the person, committee or political party to report
39 information that has previously been reported in a timely manner
40 pursuant to subsections 2 to 7, inclusive; or

41 (b) Authorizes the person, committee or political party to not
42 comply with any applicable requirement set forth in subsections 2 to
43 7, inclusive.



1 9. Except as otherwise provided in NRS 294A.3737, the
2 reports of contributions required pursuant to this section must be
3 filed electronically with the Secretary of State.

4 10. A report shall be deemed to be filed on the date that it was
5 received by the Secretary of State.

6 11. Every person, committee and political party described in
7 this section shall file a report required by this section even if the
8 person, committee or political party receives no contributions.

9 12. The name and address of the contributor and the date on
10 which the contribution was received must be included on the report
11 for each contribution in excess of \$1,000 and contributions which a
12 contributor has made cumulatively in excess of \$1,000 since the
13 beginning of the current reporting period.

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

15 294A.160 1. It is unlawful for a candidate to spend money
16 received as a contribution for the candidate's personal use.

17 2. Notwithstanding the provisions of NRS 294A.286, a
18 candidate or public officer may use contributions to pay for any
19 legal expenses that the candidate or public officer incurs in relation
20 to a campaign or serving in public office without establishing a legal
21 defense fund. Any such candidate or public officer shall report any
22 expenditure of contributions to pay for legal expenses in the same
23 manner and at the same time as the report filed pursuant to NRS
24 294A.120 or 294A.200. A candidate or public officer shall not use
25 contributions to satisfy a civil or criminal penalty imposed by law.

26 3. ~~Every~~ *Except as otherwise provided in subsection 5, every*
27 candidate for office at a primary election, general election or special
28 election who is elected to that office and received contributions that
29 were not spent or committed for expenditure before the primary
30 election, general election or special election shall dispose of the
31 money through one or any combination of the following methods:

32 (a) Return the unspent money to contributors;

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

37 (c) Contribute the money to:

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

40 (2) A political party; or

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

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

44 (e) Donate the money to any governmental entity or fund of this
45 State or a political subdivision of this State. A candidate who



1 donates money pursuant to this paragraph may request that the
2 money be used for a specific purpose.

3 4. ~~Every~~ *Except as otherwise provided in subsection 5, every*
4 candidate for office at a primary election, general election or special
5 election who withdraws pursuant to NRS 293.202 or 293C.195 after
6 filing a declaration of candidacy or an acceptance of candidacy, is
7 removed from the ballot by court order or is defeated for or
8 otherwise not elected to that office and who received contributions
9 that were not spent or committed for expenditure before the primary
10 election, general election or special election shall, not later than the
11 15th day of the second month after the election, dispose of the
12 money through one or any combination of the following methods:

13 (a) Return the unspent money to contributors;

14 (b) Contribute the money to:

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

17 (2) A political party; or

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

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

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

25 5. *Every candidate for office at a special election to recall a*
26 *public officer shall dispose of the unspent contributions through*
27 *one or any combination of the methods set forth in subsection 4*
28 *not later than the 15th day of the second month following the last*
29 *day for the candidate to receive a contribution pursuant to section*
30 *6 of this act.*

31 6. Every candidate for office who withdraws after filing a
32 declaration of candidacy or an acceptance of candidacy, is defeated
33 for that office at a primary election or is removed from the ballot by
34 court order before a primary election or general election and who
35 received a contribution from a person in excess of \$5,000 shall, not
36 later than the 15th day of the second month after the primary
37 election or general election, as applicable, return any money in
38 excess of \$5,000 to the contributor.

39 ~~6.~~ 7. Except for a former public officer who is subject to the
40 provisions of subsection ~~10.~~ 11, every person who qualifies as a
41 candidate by receiving one or more qualifying contributions in
42 excess of \$100 but who, within 4 years after the date of receiving
43 the first of those qualifying contributions, does not:

44 (a) File a declaration of candidacy or an acceptance of
45 candidacy; or



1 (b) Appear on an official ballot at any election,
2 ↪ shall, not later than the 15th day of the month after the end of the
3 4-year period, dispose of all contributions that have not been spent
4 or committed for expenditure through one or any combination of the
5 methods set forth in subsection 4.

6 ~~[7.]~~ 8. Except as otherwise provided in subsection ~~[8.]~~ 9, every
7 public officer who:

8 (a) Does not run for reelection to the office which he or she
9 holds;

10 (b) Is not a candidate for any other office and does not qualify as
11 a candidate by receiving one or more qualifying contributions in
12 excess of \$100; and

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

15 ↪ shall, not later than the 15th day of the second month after the
16 expiration of the public officer's term of office, dispose of those
17 contributions in the manner provided in subsection 4.

18 ~~[8.]~~ 9. Every public officer who:

19 (a) Resigns from his or her office;

20 (b) Is not a candidate for any other office and does not qualify as
21 a candidate by receiving one or more qualifying contributions in
22 excess of \$100; and

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

25 ↪ shall, not later than the 15th day of the second month after the
26 effective date of the resignation, dispose of those contributions in
27 the manner provided in subsection 4.

28 ~~[9.]~~ 10. Except as otherwise provided in subsection ~~[10.]~~ 11,
29 every public officer who:

30 (a) Does not run for reelection to the office which he or she
31 holds or who resigns from his or her office;

32 (b) Is a candidate for any other office or qualifies as a candidate
33 by receiving one or more qualifying contributions in excess of \$100;
34 and

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

37 ↪ may use the unspent contributions in a future election. Such a
38 public officer is subject to the reporting requirements set forth in
39 NRS 294A.120, 294A.125, 294A.128, 294A.200 and 294A.362 for
40 as long as the public officer is a candidate for any office or qualifies
41 as a candidate by receiving one or more qualifying contributions in
42 excess of \$100.

43 ~~[10.]~~ 11. Every former public officer described in subsection
44 ~~[9.]~~ 10 who qualifies as a candidate by receiving one or more
45 qualifying contributions in excess of \$100 but who, within 4 years



1 after the date of receiving the first of those qualifying contributions,
2 does not:

3 (a) File a declaration of candidacy or an acceptance of
4 candidacy; or

5 (b) Appear on an official ballot at any election,

6 ↪ shall, not later than the 15th day of the month after the end of the
7 4-year period, dispose of all contributions that have not been spent
8 or committed for expenditure through one or any combination of the
9 methods set forth in subsection 4.

10 ~~{11}~~ 12. In addition to the methods for disposing of the
11 unspent money set forth in this section, a Legislator may donate not
12 more than \$500 of that money to the Nevada Silver Haired
13 Legislative Forum created pursuant to NRS 427A.320.

14 ~~{12}~~ 13. Any contributions received before a candidate for
15 office at a primary election, general election or special election dies
16 that were not spent or committed for expenditure before the death of
17 the candidate must be disposed of in the manner provided in
18 subsection 4.

19 ~~{13}~~ 14. The court shall, in addition to any penalty which may
20 be imposed pursuant to NRS 294A.420, order the candidate or
21 public officer to dispose of any remaining contributions in the
22 manner provided in this section.

23 ~~{14}~~ 15. As used in this section:

24 (a) "Contribution" includes, without limitation, any interest and
25 other income earned on a contribution.

26 (b) "Qualifying contribution" means the receipt of a contribution
27 that causes a person to qualify as a candidate pursuant to subsection
28 4 of NRS 294A.005.

29 **Sec. 11.** NRS 294A.200 is hereby amended to read as follows:

30 294A.200 1. Every candidate for office at a primary election
31 or general election shall, not later than January 15 of the election
32 year, for the period beginning January 1 of the previous year and
33 ending on December 31 of the previous year, report:

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

36 (b) Each amount in excess of \$100 disposed of pursuant to NRS
37 294A.160 or subsection 3 of NRS 294A.286 during the period;

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

40 (d) The total of all amounts disposed of during the period
41 pursuant to NRS 294A.160 or subsection 3 of NRS 294A.286 which
42 are \$100 or less.

43 2. In addition to the requirements set forth in subsection 1,
44 every candidate for office at a primary election or general election
45 shall, not later than:



1 (a) April 15 of the election year, for the period beginning
2 January 1 and ending on March 31 of the election year;

3 (b) July 15 of the election year, for the period beginning April 1
4 and ending on June 30 of the election year;

5 (c) October 15 of the election year, for the period beginning
6 July 1 and ending on September 30 of the election year; and

7 (d) January 15 of the year immediately following the election
8 year, for the period beginning October 1 and ending on
9 December 31 of the election year,

10 ↪ report each of the campaign expenses described in subsection 1
11 incurred during the period.

12 3. Except as otherwise provided in subsections 4, 5 and 6 and
13 NRS 294A.223, every candidate for office at a special election shall,
14 not later than:

15 (a) Four days before the beginning of early voting by personal
16 appearance for the special election, for the period from the
17 candidate's nomination through 5 days before the beginning of early
18 voting by personal appearance for the special election;

19 (b) Four days before the special election, for the period from 4
20 days before the beginning of early voting by personal appearance
21 for the special election through 5 days before the special election;
22 and

23 (c) Thirty days after the special election, for the remaining
24 period through the date of the special election,

25 ↪ report each of the campaign expenses described in subsection 1
26 incurred during the period.

27 4. Except as otherwise provided in subsections 5 and 6 and
28 NRS 294A.223, every candidate for office at a special election to
29 determine whether a public officer will be recalled shall, not later
30 than:

31 (a) Four days before the beginning of early voting by personal
32 appearance for the special election, for the period from the date the
33 notice of intent to circulate the petition for recall is filed pursuant to
34 NRS 306.015 through 5 days before the beginning of early voting
35 by personal appearance for the special election;

36 (b) Four days before the special election, for the period from 4
37 days before the beginning of early voting by personal appearance
38 for the special election through 5 days before the special election;
39 and

40 (c) Thirty days after the special election, for the remaining
41 period through the date of the special election,

42 ↪ report each of the campaign expenses described in subsection 1
43 incurred during the period.

44 5. Except as otherwise provided in subsection 6, if a petition
45 for recall is not submitted to the filing officer before the expiration



1 of the notice of intent pursuant to the provisions of chapter 306 of
2 NRS or is otherwise legally insufficient when submitted to the filing
3 officer pursuant to the provisions of that chapter, every candidate for
4 office at a special election to determine whether a public officer will
5 be recalled shall, not later than 30 days after the expiration of the
6 notice of intent, for the period from the filing of the notice of intent
7 through the date that the notice of intent expires or the petition is
8 determined to be legally insufficient, report each of the campaign
9 expenses described in subsection 1 incurred during the period. The
10 provisions of this subsection apply to the candidate for office at a
11 special election if the petition for recall:

12 (a) Is not submitted to the filing officer as required by chapter
13 306 of NRS;

14 (b) Is submitted to the filing officer without any valid signatures
15 or with fewer than the necessary number of valid signatures required
16 by chapter 306 of NRS; or

17 (c) Is otherwise legally insufficient or efforts to obtain the
18 necessary number of valid signatures required by chapter 306 of
19 NRS are suspended or discontinued.

20 6. If a district court determines that a petition for recall is
21 legally insufficient pursuant to ~~subsection 6 of~~ NRS 306.040,
22 every candidate for office at a special election to determine whether
23 a public officer will be recalled shall ~~[, not]~~ :

24 (a) *Not* later than 30 days after the district *court* orders the
25 officer with whom the petition is filed to cease any further
26 proceedings regarding the petition, for the period from the filing of
27 the notice of intent to circulate the petition for recall through the
28 date of the district court's order, report each of the campaign
29 expenses described in subsection 1 incurred during the period.

30 (b) *Not later than 30 days after the date on which all appeals*
31 *regarding the petition are exhausted, for the period from the day*
32 *after the date of the district court's order through the date on*
33 *which all appeals regarding the petition are exhausted, report*
34 *each of the campaign expenses described in subsection 1 incurred*
35 *during the period.*

36 7. In addition to complying with the applicable reporting
37 requirements of subsections 1 to 6, inclusive, if a candidate is
38 elected to office at a primary election, general election or special
39 election, he or she must, not later than January 15 of each year,
40 report each of the campaign expenses described in subsection 1
41 incurred during the period beginning January 1 of the previous year
42 and ending on December 31 of the previous year. The provisions of
43 this subsection apply to the candidate until the year immediately
44 preceding the next election year for that office. Nothing in this
45 section:



1 (a) Requires the candidate to report a campaign expense that has
2 previously been reported in a timely manner pursuant to subsections
3 1 to 6, inclusive; or

4 (b) Authorizes the candidate to not comply with the applicable
5 requirements of subsections 1 to 6, inclusive, if he or she becomes a
6 candidate for another office at a primary election, general election or
7 special election during his or her term of office.

8 8. ~~HH~~ *Except as otherwise provided in subsection 9, if a*
9 *candidate disposes of contributions pursuant to NRS 294A.160 or*
10 *294A.286 in any calendar year for which the candidate is not*
11 *required to file a report pursuant to other provisions of this section,*
12 *the candidate shall on or before January 15 of the following year, for*
13 *the period beginning January 1 and ending on December 31 of the*
14 *calendar year, report:*

15 (a) Each amount in excess of \$100 disposed of pursuant to NRS
16 294A.160 or 294A.286 during the period; and

17 (b) The total of all amounts disposed of during the period
18 pursuant to NRS 294A.160 or 294A.286 which are \$100 or less.

19 9. *If a candidate for office at a special election to determine*
20 *whether a public officer will be recalled disposes of contributions*
21 *pursuant to subsection 5 of NRS 294A.160, the candidate shall, on*
22 *or before the 15th day of the second month following the last day*
23 *for the candidate to receive a contribution pursuant to section 6 of*
24 *this act, report:*

25 (a) *Each amount in excess of \$100 disposed of pursuant to*
26 *subsection 5 of NRS 294A.160; and*

27 (b) *The total of all amounts disposed of during the period*
28 *pursuant to subsection 5 of NRS 294A.160 which are \$100 or less.*

29 10. Except as otherwise provided in NRS 294A.3733, reports
30 of campaign expenses must be filed electronically with the Secretary
31 of State.

32 ~~HH~~ 11. A report shall be deemed to be filed on the date that
33 it was received by the Secretary of State.

34 **Sec. 12.** NRS 294A.210 is hereby amended to read as follows:

35 294A.210 1. The provisions of this section apply to:

36 (a) Every person who makes an independent expenditure in
37 excess of \$1,000; and

38 (b) Every committee for political action, political party and
39 committee sponsored by a political party which receives
40 contributions in excess of \$1,000 or makes an expenditure for or
41 against a candidate for office or a group of such candidates.

42 2. Every person, committee and political party described in
43 subsection 1 shall, not later than January 15 of the election year, for
44 the period beginning January 1 of the previous year and ending on
45 December 31 of the previous year, report each independent



1 expenditure or other expenditure, as applicable, made during the
2 period in excess of \$1,000 and independent expenditures or other
3 expenditures, as applicable, made during the period to one recipient
4 which cumulatively exceed \$1,000.

5 3. In addition to the requirements set forth in subsection 2,
6 every person, committee and political party described in subsection
7 1 shall, not later than:

8 (a) April 15 of the election year, for the period beginning
9 January 1 and ending on March 31 of the election year;

10 (b) July 15 of the election year, for the period beginning April 1
11 and ending on June 30 of the election year;

12 (c) October 15 of the election year, for the period beginning
13 July 1 and ending on September 30 of the election year; and

14 (d) January 15 of the year immediately following the election
15 year, for the period beginning October 1 and ending on
16 December 31 of the election year,

17 ↪ report each independent expenditure or other expenditure, as
18 applicable, in excess of \$1,000 made during the period and
19 independent expenditures or other expenditures, as applicable, made
20 during the period to one recipient which cumulatively exceed
21 \$1,000.

22 4. Except as otherwise provided in subsections 5, 6 and 7 and
23 NRS 294A.223, every person, committee and political party
24 described in subsection 1 which makes an independent expenditure
25 or other expenditure, as applicable, for or against a candidate for
26 office at a special election or for or against a group of such
27 candidates shall, not later than:

28 (a) Four days before the beginning of early voting by personal
29 appearance for the special election, for the period from the
30 nomination of the candidate through 5 days before the beginning of
31 early voting by personal appearance for the special election;

32 (b) Four days before the special election, for the period from 4
33 days before the beginning of early voting by personal appearance
34 for the special election through 5 days before the special election;
35 and

36 (c) Thirty days after the special election, for the remaining
37 period through the date of the special election,

38 ↪ report each independent expenditure or other expenditure, as
39 applicable, in excess of \$1,000 made during the period and
40 independent expenditures or other expenditures, as applicable, made
41 during the period to one recipient which cumulatively exceed
42 \$1,000.

43 5. Except as otherwise provided in subsections 6 and 7 and
44 NRS 294A.223, every person, committee and political party
45 described in subsection 1 which makes an independent expenditure



1 or other expenditure, as applicable, for or against a candidate for
2 office at a special election to determine whether a public officer will
3 be recalled or for or against a group of such candidates shall, not
4 later than:

5 (a) Four days before the beginning of early voting by personal
6 appearance for the special election, for the period from the date the
7 notice of intent to circulate the petition for recall is filed pursuant to
8 NRS 306.015 through 5 days before the beginning of early voting
9 by personal appearance for the special election;

10 (b) Four days before the special election, for the period from 4
11 days before the beginning of early voting by personal appearance
12 for the special election through 5 days before the special election;
13 and

14 (c) Thirty days after the special election, for the remaining
15 period through the date of the special election,

16 ↪ report each independent expenditure or other expenditure, as
17 applicable, in excess of \$1,000 made during the period and
18 independent expenditures or other expenditures, as applicable, made
19 during the period to one recipient which cumulatively exceed
20 \$1,000.

21 6. Except as otherwise provided in subsection 7, if a petition
22 for recall is not submitted to the filing officer before the expiration
23 of the notice of intent pursuant to the provisions of chapter 306 of
24 NRS or is otherwise legally insufficient when submitted to the filing
25 officer pursuant to the provisions of that chapter, every person,
26 committee and political party described in subsection 1 which
27 makes an independent expenditure or other expenditure, as
28 applicable, for or against a candidate for office at a special election
29 to determine whether a public officer will be recalled or for or
30 against a group of such candidates shall, not later than 30 days after
31 the expiration of the notice of intent, for the period from the filing of
32 the notice of intent through the date that the notice of intent expires
33 or the petition is determined to be legally insufficient, report each of
34 the campaign expenses described in subsection 1 incurred during the
35 period. The provisions of this subsection apply to the person,
36 committee and political party if the petition for recall:

37 (a) Is not submitted to the filing officer as required by chapter
38 306 of NRS;

39 (b) Is submitted to the filing officer without any valid signatures
40 or with fewer than the necessary number of valid signatures required
41 by chapter 306 of NRS; or

42 (c) Is otherwise legally insufficient or efforts to obtain the
43 necessary number of valid signatures required by chapter 306 of
44 NRS are suspended or discontinued.



1 7. If a district court determines that the petition for recall is
2 legally insufficient pursuant to ~~subsection 6 of~~ NRS 306.040,
3 every person, committee and political party described in subsection
4 1 which makes an independent expenditure or other expenditure, as
5 applicable, for or against a candidate for office at a special election
6 to determine whether a public officer will be recalled or for or
7 against a group of such candidates shall ~~not~~ :

8 (a) *Not* later than 30 days after the district court orders the
9 officer with whom the petition is filed to cease any further
10 proceedings regarding the petition, for the period from the filing of
11 the notice of intent to circulate the petition for recall through the
12 date of the district court's order, report each independent
13 expenditure or other expenditure, as applicable, in excess of \$1,000
14 made during the period and independent expenditures or
15 expenditures, as applicable, made during the period to one recipient
16 which cumulatively exceed \$1,000.

17 (b) *Not later than 30 days after the date on which all appeals*
18 *regarding the petition are exhausted, for the period from the day*
19 *after the date of the district court's order through the date on*
20 *which all appeals regarding the petition are exhausted, report*
21 *each independent expenditure or other expenditure, as applicable,*
22 *in excess of \$1,000 made during the period and independent*
23 *expenditures or expenditures, as applicable, made during the*
24 *period to one recipient which cumulatively exceed \$1,000.*

25 8. In addition to complying with the applicable requirements of
26 subsections 2 to 7, inclusive, a person, committee or political party
27 described in subsection 1 must, not later than January 15 of each
28 year that is not an election year, for the period beginning January 1
29 of the previous year and ending on December 31 of the previous
30 year, report each independent expenditure or other expenditure, as
31 applicable, made during the period in excess of \$1,000 and
32 independent expenditures or other expenditures, as applicable, made
33 during the period to one recipient which cumulatively exceed
34 \$1,000. Nothing in this subsection:

35 (a) Requires the person, committee or political party to report
36 information that has previously been reported in a timely manner
37 pursuant to subsections 2 to 7, inclusive; or

38 (b) Authorizes the person, committee or political party to not
39 comply with any applicable requirement set forth in subsections 2 to
40 7, inclusive.

41 9. Independent expenditures and other expenditures made
42 within the State or made elsewhere but for use within the State,
43 including independent expenditures and other expenditures made
44 outside the State for printing, television and radio broadcasting or
45 other production of the media, must be included in the report.



1 10. Except as otherwise provided in NRS 294A.3737, the
2 reports must be filed electronically with the Secretary of State.

3 11. If an independent expenditure or other expenditure, as
4 applicable, is made for or against a group of candidates, the reports
5 must be itemized by the candidate.

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

11 **Sec. 13.** NRS 294A.270 is hereby amended to read as follows:

12 294A.270 1. Except as otherwise provided in ~~subsections~~
13 *subsection 3*, ~~and 4,~~ each committee for the recall of a public
14 officer shall, not later than:

15 (a) *The 48th day after the date on which the notice of intent to*
16 *circulate the recall petition was filed pursuant to NRS 306.015, for*
17 *the period:*

18 (1) *From the earlier of:*

19 (I) *The date on which the notice of intent to circulate*
20 *the recall petition was filed pursuant to NRS 306.015; or*

21 (II) *The date on which the committee first received any*
22 *contribution, made any contribution or made any expenditure;*
23 *and*

24 (2) *Ending on the 45th day after the date on which the*
25 *notice of intent to circulate the recall petition was filed pursuant to*
26 *NRS 306.015.*

27 (b) *The 93rd day after the date on which the notice of intent to*
28 *circulate the recall petition was filed pursuant to NRS 306.015, for*
29 *the period:*

30 (1) *From the 46th day after the date on which the notice of*
31 *intent to circulate the recall petition was filed pursuant to NRS*
32 *306.015; and*

33 (2) *Ending on the 90th day after the notice of intent to*
34 *circulate the recall petition was filed pursuant to NRS 306.015.*

35 (c) Four days before the beginning of early voting by personal
36 appearance for the special election to recall a public officer, for the
37 period from *91st day after* the date *on which* the notice of intent to
38 circulate the petition for recall is filed pursuant to NRS 306.015
39 through 5 days before the beginning of early voting by personal
40 appearance for the special election;

41 ~~(b)~~ (d) Four days before the special election, for the period
42 from 4 days before the beginning of early voting by personal
43 appearance for the special election through 5 days before the special
44 election; and



1 ~~[(e)]~~ (e) Thirty days after the special election, for the remaining
2 period through the date of the special election,
3 report each contribution received or made by the committee for
4 the recall of a public officer during the period in excess of \$100 and
5 contributions received from a contributor or made to one recipient
6 which cumulatively exceed \$100.

7 2. Except as otherwise provided in subsection 3, if a petition
8 for the recall of a public officer is not submitted to the filing officer
9 before the expiration of the notice of intent pursuant to the
10 provisions of chapter 306 of NRS or is otherwise legally insufficient
11 when submitted to the filing officer pursuant to the provisions of
12 chapter 306 of NRS, the committee for the recall of a public officer
13 shall, not later than 30 days after the expiration of the notice of
14 intent, report each contribution received by the committee for the
15 recall of a public officer, and each contribution made by the
16 committee for the recall of a public officer in excess of \$100 and
17 contributions made to one recipient which cumulatively exceed
18 \$100 ~~[(f)]~~ *that has not otherwise been reported pursuant to*
19 *subsection 1.* The provisions of this subsection apply to the
20 committee for the recall of a public officer if the committee:

21 (a) Fails to submit the petition to the filing officer as required by
22 chapter 306 of NRS;

23 (b) Submits the petition to the filing officer without any valid
24 signatures or with fewer than the necessary number of valid
25 signatures required by chapter 306 of NRS; or

26 (c) Otherwise submits a legally insufficient petition or suspends
27 or ceases its efforts to obtain the necessary number of valid
28 signatures required by chapter 306 of NRS.

29 3. If a district court determines that the petition for the recall of
30 the public officer is legally insufficient pursuant to ~~[(subsection 6 of)]~~
31 NRS 306.040, the committee for the recall of a public officer shall ~~[(~~
32 ~~not)]~~ :

33 (a) *Not* later than 30 days after the district court orders the
34 officer with whom the petition is filed to cease any further
35 proceedings regarding the petition, for the period from the filing of
36 the notice of intent to circulate the petition for recall through the day
37 of the district court's order, report each contribution received or
38 made by the committee for the recall of a public officer in excess of
39 \$100 and contributions received from a contributor or made to one
40 recipient which cumulatively exceed \$100.

41 (b) *Not later than 30 days after the date on which all appeals*
42 *regarding the district court order are exhausted, for the period*
43 *from the day after the date of the district court's order through the*
44 *date on which all appeals regarding the district court's are*
45 *exhausted, report each contribution received or made by the*



1 *committee for the recall of a public officer in excess of \$100 and*
2 *contributions received from a contributor or made to one recipient*
3 *which cumulatively exceed \$100.*

4 ~~4. If the special election is held on the same day as a primary~~
5 ~~election or general election, the committee for the recall of a public~~
6 ~~officer shall, not later than:~~

7 ~~—(a) Twenty one days before the special election, for the period~~
8 ~~from the filing of the notice of intent to circulate the petition for~~
9 ~~recall through 25 days before the special election;~~

10 ~~—(b) Four days before the special election, for the period from 24~~
11 ~~days before the special election through 5 days before the special~~
12 ~~election; and~~

13 ~~—(c) The 15th day of the second month after the special election,~~
14 ~~for the remaining period through the date of the special election,~~

15 ~~→ report each contribution received or made by the committee for~~
16 ~~the recall of a public officer in excess of \$100 and contributions~~
17 ~~received from a contributor or made to one recipient which~~
18 ~~cumulatively exceed \$100.~~

19 ~~—5.] Except as otherwise provided in NRS 294A.3737, each~~
20 ~~report of contributions must be filed electronically with the~~
21 ~~Secretary of State.~~

22 ~~[6.] 5.~~ A report shall be deemed to be filed on the date that it
23 was received by the Secretary of State.

24 ~~[7.] 6.~~ The name and address of the contributor or recipient
25 and the date on which the contribution was received must be
26 included on the report for each contribution, whether from or to a
27 natural person, association or corporation.

28 **Sec. 14.** NRS 294A.280 is hereby amended to read as follows:

29 294A.280 1. Except as otherwise provided in ~~[subsections]~~
30 *subsection 3* , ~~[and 4.]~~ each committee for the recall of a public
31 officer shall, not later than:

32 (a) *The 48th day after the date on which the notice of intent to*
33 *circulate the recall petition was filed pursuant to NRS 306.015, for*
34 *the period:*

35 (1) *From the earlier of:*

36 (I) *The date on which the notice of intent to circulate*
37 *the recall petition was filed pursuant to NRS 306.015; or*

38 (II) *The date on which the committee first received any*
39 *contribution, made any contribution or made any expenditure;*
40 *and*

41 (2) *Ending on the 45th day after the date on which the*
42 *notice of intent to circulate the recall petition was filed pursuant to*
43 *NRS 306.015.*



1 ***(b) The 93rd day after the date on which the notice of intent to***
2 ***circulate the recall petition was filed pursuant to NRS 306.015, for***
3 ***the period:***

4 ***(1) From the 46th day after the date on which the notice of***
5 ***intent to circulate the recall petition was filed pursuant to NRS***
6 ***306.015; and***

7 ***(2) Ending on the 90th day after the notice of intent to***
8 ***circulate the recall petition was filed pursuant to NRS 306.015.***

9 ***(c)*** Four days before the beginning of early voting by personal
10 appearance for the special election to recall a public officer, for the
11 period from ***91st day after*** the date ***on which*** the notice of intent to
12 circulate the petition for recall is filed pursuant to NRS 306.015
13 through 5 days before the beginning of early voting by personal
14 appearance for the special election;

15 ~~***(b)***~~ ***(d)*** Four days before the special election, for the period
16 from 4 days before the beginning of early voting by personal
17 appearance for the special election through 5 days before the special
18 election; and

19 ~~***(e)***~~ ***(e)*** Thirty days after the special election, for the remaining
20 period through the date of the special election,

21 ↪ report each expenditure made by the committee for the recall of a
22 public officer during the period in excess of \$100 and expenditures
23 made to one recipient which cumulatively exceed \$100.

24 2. Except as otherwise provided in subsection 3, if a petition
25 for the recall of a public officer is not submitted to the filing officer
26 before the expiration of the notice of intent pursuant to the
27 provisions of chapter 306 of NRS or is otherwise legally insufficient
28 when submitted to the filing officer pursuant to the provisions of
29 chapter 306 of NRS, the committee for the recall of a public officer
30 shall, not later than 30 days after the expiration of the notice of
31 intent, report each expenditure made by the committee for the recall
32 of a public officer in excess of \$100 and expenditures made to one
33 recipient which cumulatively exceed \$100 ~~***and***~~ ***and has not otherwise***
34 ***been reported pursuant to subsection 1.*** The provisions of this
35 subsection apply to the committee for the recall of a public officer if
36 the committee:

37 ***(a)*** Fails to submit the petition to the filing officer as required by
38 chapter 306 of NRS;

39 ***(b)*** Submits the petition to the filing officer without any valid
40 signatures or with fewer than the necessary number of valid
41 signatures required by chapter 306 of NRS; or

42 ***(c)*** Otherwise submits a legally insufficient petition or suspends
43 or ceases its efforts to obtain the necessary number of valid
44 signatures required by chapter 306 of NRS.



1 3. If a district court determines that a petition for the recall of
2 the public officer is legally insufficient pursuant to ~~subsection 6 of~~
3 NRS 306.040, the committee for the recall of a public officer shall ~~be~~
4 ~~not~~:

5 (a) *Not* later than 30 days after the district court orders the
6 officer with whom the petition is filed to cease any further
7 proceedings regarding the petition, for the period from the filing of
8 the notice of intent to circulate the petition for recall through the day
9 of the district court's order, report each expenditure made by the
10 committee for the recall of a public officer in excess of \$100 and
11 expenditures made to one recipient which cumulatively exceed \$100
12 ~~and has not otherwise been reported pursuant to subsection 1.~~

13 (b) *Not later than 30 days after the date on which all appeals*
14 *regarding the district court order are exhausted, for the period*
15 *from the day after the date of the district court's order through the*
16 *date on which all appeals regarding the district court's are*
17 *exhausted, report each expenditure made by the committee for the*
18 *recall of a public officer in excess of \$100 and expenditures made*
19 *to one recipient which cumulatively exceed \$100.*

20 4. ~~If the special election is held on the same day as a primary~~
21 ~~election or general election, the committee for the recall of a public~~
22 ~~officer shall, not later than:~~

23 ~~—(a) Twenty one days before the special election, for the period~~
24 ~~from the filing of the notice of intent to circulate the petition for~~
25 ~~recall through 25 days before the special election;~~

26 ~~—(b) Four days before the special election, for the period from 24~~
27 ~~days before the special election through 5 days before the special~~
28 ~~election; and~~

29 ~~—(c) The 15th of the second month after the special election, for~~
30 ~~the remaining period through the date of the special election;~~

31 ~~report each expenditure made by the committee for the recall of a~~
32 ~~public officer in excess of \$100 and expenditures made to one~~
33 ~~recipient which cumulatively exceed \$100.~~

34 ~~5.]~~ Except as otherwise provided in NRS 294A.3737, each
35 report of expenditures must be filed electronically with the Secretary
36 of State.

37 ~~6.]~~ 5. A report shall be deemed to be filed on the date that it
38 was received by the Secretary of State.

39 ~~7.]~~ 6. The name and address of the recipient and the date on
40 which the expenditure was made must be included on the report for
41 each expenditure, whether to a natural person, association or
42 corporation.



1 **Sec. 14.5.** NRS 294A.300 is hereby amended to read as
2 follows:

3 294A.300 1. ~~It~~ *Except as otherwise provided in subsection*
4 *4, it* is unlawful for a member of the Legislature, the Lieutenant
5 Governor, the Lieutenant Governor-Elect, the Governor or the
6 Governor-Elect to solicit or accept any monetary contribution, or
7 solicit or accept a commitment to make such a contribution for any
8 political purpose during the period beginning:

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

12 (b) Fifteen days before a special session of the Legislature is set
13 to commence and ending 15 days after the final adjournment of a
14 special session of the Legislature, if:

15 (1) The Governor sets a specific date for the commencement
16 of the special session that is more than 15 days after the date on
17 which the Governor issues the proclamation calling for the special
18 session pursuant to Section 9 of Article 5 of the Nevada
19 Constitution; or

20 (2) The members of the Legislature set a date on or before
21 which the Legislature is to convene the special session that is more
22 than 15 days after the date on which the Secretary of State receives
23 one or more substantially similar petitions signed, in the aggregate,
24 by the required number of members calling for the special session
25 pursuant to Section 2A of Article 4 of the Nevada Constitution; or

26 (c) The day after:

27 (1) The date on which the Governor issues the proclamation
28 calling for the special session and ending 15 days after the final
29 adjournment of the special session if the Governor sets a specific
30 date for the commencement of the special session that is 15 or fewer
31 days after the date on which the Governor issues the proclamation
32 calling for the special session; or

33 (2) The date on which the Secretary of State receives one or
34 more substantially similar petitions signed, in the aggregate, by the
35 required number of members of the Legislature calling for the
36 special session and ending 15 days after the final adjournment of the
37 special session if the members set a date on or before which the
38 Legislature is to convene the special session that is 15 or fewer days
39 after the date on which the Secretary of State receives the petitions.

40 2. ~~It~~ *Except as otherwise provided in subsection 3, a* person
41 shall not make or commit to make a contribution or commitment
42 prohibited by subsection 1.

43 3. This section does not prohibit the payment of a salary or
44 other compensation or income to a member of the Legislature, the
45 Lieutenant Governor or the Governor during ~~a session of the~~



1 ~~Legislature~~ *the period set forth in subsection 1* if it is made for
2 services provided as a part of his or her regular employment or is
3 additional income to which he or she is entitled.

4 4. *This section does not apply to any monetary contribution*
5 *or commitment to make such a contribution that may be given to*
6 *or accepted by a person pursuant to section 6 of this act. The*
7 *provisions of this subsection do not authorize:*

8 (a) *A person to accept or solicit a contribution, or solicit or*
9 *accept a commitment to make such a contribution, other than a*
10 *contribution authorized pursuant to section 6 of this act.*

11 (b) *A person to make or commit to make a contribution other*
12 *than a contribution authorized pursuant to section 6 of this act.*

13 5. As used in this section, "political purpose" includes, without
14 limitation, the establishment of, or the addition of money to, a legal
15 defense fund.

16 **Sec. 15.** NRS 294A.350 is hereby amended to read as follows:

17 294A.350 1. Except as otherwise provided in subsection 2,
18 every candidate for office shall file the reports required by NRS
19 294A.120, 294A.125, 294A.128, 294A.200, 294A.286 and
20 294A.362, even though the candidate:

21 (a) Withdraws his or her candidacy pursuant to NRS 293.202 or
22 293C.195;

23 (b) Ends his or her campaign without withdrawing his or her
24 candidacy pursuant to NRS 293.202 or 293C.195;

25 (c) Receives no contributions;

26 (d) Has no campaign expenses;

27 (e) Is not opposed in the election by another candidate;

28 (f) Is defeated in the primary election;

29 (g) Is removed from the ballot by court order; or

30 (h) Is the subject of a petition to recall and the special election is
31 not held.

32 2. A candidate described in paragraph (a), (b), (f) or (g) of
33 subsection 1 may simultaneously file all the reports required by
34 NRS 294A.120, 294A.125, 294A.128, 294A.200, 294A.286 and
35 294A.362 that are due after the candidate disposes of any unspent or
36 excess contributions as provided in subsections 4, ~~and~~ 5 and 6 of
37 NRS 294A.160, as applicable, if the candidate gives written notice
38 to the Secretary of State, on the form prescribed by the Secretary of
39 State, that the candidate is ending his or her campaign and will not
40 accept any additional contributions. If the candidate has submitted a
41 withdrawal of candidacy pursuant to NRS 293.202 or 293C.195 to
42 an officer other than the Secretary of State, the candidate must
43 enclose with the notice a copy of the withdrawal of candidacy. A
44 form submitted to the Secretary of State pursuant to this subsection
45 must be signed by the candidate under an oath to God or penalty of



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

4 3. A candidate described in paragraph (b) of subsection 1 who
5 simultaneously files reports pursuant to subsection 2 but is elected
6 to office despite ending his or her campaign is subject to the
7 reporting requirements set forth in NRS 294A.120, 294A.125,
8 294A.128, 294A.200, 294A.286 and 294A.362, beginning with the
9 next report that is due pursuant to those sections after his or her
10 election to office.

11 **Sec. 16.** Chapter 306 of NRS is hereby amended by adding
12 thereto the provisions set forth as sections 17, 18 and 19 of this act.

13 **Sec. 17. 1. Except as otherwise provided in subsection 2:**

14 (a) *If a petition for the recall of a public officer is submitted*
15 *for signature verification pursuant to NRS 293.1276 to 293.1279,*
16 *inclusive, the person who submits the petition must deposit in*
17 *advance the estimated costs of the signature verification with the*
18 *filing officer including, without limitation, the estimated costs for*
19 *the Secretary of State and the county clerk of each county from*
20 *which signatures on the petition were gathered to perform the*
21 *requirements set forth in NRS 293.1276 to 293.1279, inclusive.*

22 (b) *Upon completion of the verification of signatures, the*
23 *Secretary of State and each county clerk who verified signatures*
24 *on a petition for the recall of a public officer shall submit to the*
25 *filing officer a statement of the actual costs incurred for carrying*
26 *out the provisions of NRS 293.1276 to 293.1279, inclusive.*

27 (c) *If the sum deposited pursuant to paragraph (a) is:*

28 (1) *In excess of the actual costs of the signature verification,*
29 *the excess must be refunded to the person who submitted the*
30 *petition for verification.*

31 (2) *Less than the actual costs of the signature verification, the*
32 *person who submitted the petition for verification shall, upon*
33 *demand, pay the deficiency to the filing officer who shall*
34 *distribute the money to the Secretary of State and county clerks, as*
35 *applicable.*

36 2. *The provisions of subsection 1 do not apply if the person*
37 *who submits a petition for the recall of a public officer also*
38 *submits to the filing officer a written declaration, signed under*
39 *penalty of perjury, that:*

40 (a) *Paying the costs of signature verification would cause the*
41 *person an undue burden; and*

42 (b) *No person will be paid to circulate the petition for*
43 *signatures.*

44 *↳ If a written declaration submitted pursuant to this subsection*
45 *contains any false statement, the Secretary of State and county*



1 *clerks may bring an action to recover the actual costs of the*
2 *signature verification against each person who signed the notice*
3 *of intent pursuant to NRS 306.015. Each person who signed the*
4 *notice of intent is jointly and severally liable for the actual costs of*
5 *the signature verification.*

6 3. *The Secretary of State shall adopt regulations necessary to*
7 *carry out the provisions of this section, including, without*
8 *limitation, defining the term "costs" for purposes of this section.*

9 **Sec. 18.** 1. *It is unlawful for any person in connection with*
10 *a petition for the recall of a public officer to knowingly or*
11 *negligently obtain a false signature.*

12 2. *A person who violates a provision of this section is guilty of*
13 *a category E felony and shall be punished as provided in*
14 *NRS 193.130.*

15 **Sec. 19.** 1. *In addition to any criminal penalty, a person*
16 *who violates the provisions of this chapter is subject to a civil*
17 *penalty in an amount not to exceed \$20,000 for each violation.*
18 *This penalty must be recovered in a civil action brought in the*
19 *name of the State of Nevada by the Attorney General or by any*
20 *district attorney in a court of competent jurisdiction.*

21 2. *Each person who signs a notice of intent to circulate a*
22 *petition for the recall of a public officer is jointly and severally*
23 *liable for any civil penalty imposed pursuant to this section in*
24 *relation to the petition for recall.*

25 3. *Any civil penalty collected pursuant to this section must be*
26 *deposited by the collecting agency for credit to the State General*
27 *Fund in the bank designated by the State Treasurer.*

28 **Sec. 20.** NRS 306.015 is hereby amended to read as follows:

29 306.015 1. *Before a petition to recall a public officer is*
30 *circulated, the persons proposing to circulate the petition must file a*
31 *notice of intent with the filing officer.*

32 2. *The notice of intent:*

33 (a) *Must be signed by :*

34 (I) *If the public officer was elected to a statewide office,*
35 *three registered voters who actually ~~voted~~ :*

36 (I) *Voted in this State ~~for in the county, district or~~*
37 *~~municipality electing the officer~~ at the ~~[last preceding]~~ general*
38 *election ~~[]~~ at which the public officer was elected; and*

39 (II) *Reside in this State on the date that the notice of*
40 *intent is filed with the filing officer.*

41 (2) *If the public officer was elected to a county, district or*
42 *municipal office, three registered voters who actually:*

43 (I) *Voted in the county, district or municipality at the*
44 *general election at which the public officer was elected; and*



1 ***(II) Reside in the county, district or municipality on the***
2 ***date that the notice of intent is filed with the filing officer.***

3 (b) Must be signed before a person authorized by law to
4 administer oaths that the statements and signatures contained in the
5 notice are true.

6 (c) Is valid until the date on which the call for a special election
7 is issued, as set forth in NRS 306.040.

8 3. The petition may consist of more than one document. The
9 persons filing the notice of intent shall submit ***to the filing officer:***

10 ***(a) On or before the 48th day after the date on which the***
11 ***notice of intent was filed, all signatures that were collected on the***
12 ***petition [that was circulated for signatures to the filing officer within***
13 ***90 days] during the period beginning on the date on which the***
14 ***notice of intent was filed and ending on the 45th day after the date***
15 ***on which the notice of intent was filed. If such signatures are not***
16 ***submitted to the filing officer, it shall be deemed that any***
17 ***signature collected on or before the 45th day after the date on***
18 ***which the notice of intent is filed is not a valid signature.***

19 ***(b) On or before the 90th day after the date on which the notice***
20 ***of intent was filed [], all signatures that were collected beginning***
21 ***on the 46th day after the date after the date on which the notice of***
22 ***intent was filed and ending on the date of submission of the***
23 ***petition to the filing officer.*** The filing officer shall immediately
24 submit the petition to the county clerk for verification pursuant to
25 NRS 306.035.

26 ***↳ Any person who fails to submit the petition to the filing officer as***
27 ***required by this subsection is guilty of a misdemeanor. Copies of the***
28 ***petition are not valid for any subsequent petition.***

29 4. The county clerk shall, upon completing the verification of
30 the signatures on the petition, file the petition with the filing officer.

31 5. Any person who signs a petition to recall any public officer
32 may request that the county clerk remove the person's name from
33 the petition by submitting a request in writing to the county clerk at
34 any time before ~~[the petition is submitted for]~~ the verification of the
35 signatures thereon ~~[pursuant to NRS 306.035.~~

36 ~~—6.— A person who signs a notice of intent pursuant to subsection~~
37 ~~1 or a petition to recall a public officer is immune from civil liability~~
38 ~~for conduct related to the exercise of the person's right to participate~~
39 ~~in the recall of a public officer.~~

40 ~~—7.— As used in this section, "filing officer" means the officer~~
41 ~~with whom the public officer to be recalled filed his or her~~
42 ~~declaration of candidacy or acceptance of candidacy pursuant to~~
43 ~~NRS 293.185, 293C.145 or 293C.175.] is completed.~~



1 **Sec. 20.5.** NRS 306.020 is hereby amended to read as follows:
2 306.020 1. Every public officer in the State of Nevada is
3 subject to recall from office by the registered voters of the State or
4 of the county, district or municipality that the public officer
5 represents, as provided in this chapter and Section 9 of Article 2 of
6 the Constitution of the State of Nevada. A public officer who is
7 appointed to an elective office is subject to recall in the same
8 manner as provided for an officer who is elected to that office.

9 2. The petition to recall a public officer may be signed by any
10 registered voter of the State or of the county, district, municipality
11 or portion thereof that the public officer represents who actually
12 voted in the election at which the public officer was elected.

13 3. The petition must ~~[, in addition to setting]~~ :
14 (a) ~~Set~~ forth the reason why the recall is demanded ~~;~~
15 ~~—(a)] , which must appear on each signature page of the~~
16 ~~petition;~~

17 (b) Contain the residence addresses of the signers and the date
18 that the petition was signed;

19 ~~[(b)]~~ (c) Contain a statement of the minimum number of
20 signatures necessary to the validity of the petition;

21 ~~[(e)]~~ (d) Contain at the top of each page and immediately above
22 the signature line, in at least 10-point bold type, the words “Recall
23 Petition”;

24 ~~[(d)]~~ (e) Include the date that a notice of intent was filed; and

25 ~~[(e)]~~ (f) Have the designation: “Signatures of registered voters
26 seeking the recall of (name of public officer for whom
27 recall is sought)” on each page if the petition contains more than one
28 page.

29 **Sec. 21.** NRS 306.025 is hereby amended to read as follows:
30 306.025 1. A person shall not misrepresent the intent or
31 content of a petition for the recall of a public officer which is
32 circulated pursuant to the provisions of this chapter.

33 2. Any person who violates the provisions of subsection 1 is
34 guilty of a ~~[misdemeanor.]~~ *category E felony and shall be punished*
35 *as provided in NRS 193.130.*

36 **Sec. 22.** (Deleted by amendment.)

37 **Sec. 23.** NRS 306.040 is hereby amended to read as follows:

38 306.040 1. Upon determining that the number of signatures
39 on a petition to recall is sufficient pursuant to NRS 293.1276 to
40 293.1279, inclusive, the Secretary of State shall notify the county
41 clerk, the *filing* officer ~~[with whom the petition is to be filed~~
42 ~~pursuant to subsection 4 of NRS 306.015]~~ and the public officer
43 who is the subject of the petition.

44 2. ~~[After the verification of signatures is complete, but not later~~
45 ~~than the date a complaint is filed pursuant to subsection 5 or the date~~



~~the call for a special election is issued, whichever is earlier, a~~ **A**
person who signs a petition to recall may request the ~~Secretary of~~
~~State~~ **filing officer** to strike the person's name from the petition ~~]~~
on or before the date that is the later of:

(a) Ten days, Saturdays, Sundays and holidays excluded, after the verification of signatures is complete; or

(b) The date a complaint is filed pursuant to subsection 6.

~~3. If the person demonstrates good cause therefor and the number of such requests received by the Secretary of State could affect the sufficiency of the petition, the Secretary of State shall]~~
filing officer receives a request pursuant to subsection 2, the filing officer must strike the name of the person from the petition. If the filing officer receives a sufficient number of requests to strike names from the petition such that the petition no longer contains enough valid signatures, no special election to recall a public officer may be held.

~~3.]~~ **4.** Not sooner than ~~10]~~ **20** days ~~nor more]~~ **and not later than 20] 30** days , **Saturdays, Sundays and holidays excluded**, after the Secretary of State completes the notification required by subsection 1, if a complaint is not filed pursuant to subsection ~~5.]~~ **6**, the officer with whom the petition is filed shall issue a call for a special election in the jurisdiction in which the public officer who is the subject of the petition was elected to determine whether the people will recall the public officer.

~~4.]~~ **5.** The call for a special election pursuant to subsection ~~3 or 6]~~ **4 or 7** must include, without limitation:

(a) The last day on which a person may register to vote to qualify to vote in the special election;

(b) The last day on which a petition to nominate other candidates for the office may be filed; and

(c) Whether any person is entitled to vote in the special election pursuant to NRS 293.343 to 293.355, inclusive.

~~5.]~~ **6.** The legal sufficiency of the petition , **including without limitation, the validity of signatures on the petition**, may be challenged by filing a complaint in district court not later than ~~5]~~ **15** days, Saturdays, Sundays and holidays excluded, after the Secretary of State completes the notification required by subsection 1. All affidavits and documents in support of the challenge must be filed with the complaint. The court shall set the matter for hearing not later than 30 days after the complaint is filed and shall give priority to such a complaint over all other matters pending with the court, except for criminal proceedings.

~~6.]~~ **7.** Upon the conclusion of the hearing, if the court determines that the petition is sufficient, it shall order the officer with whom the petition is filed to issue a call for a special election



1 in the jurisdiction in which the public officer who is the subject of
2 the petition was elected to determine whether the people will recall
3 the public officer. If the court determines that the petition is not
4 sufficient, it shall order the officer with whom the petition is filed to
5 cease any further proceedings regarding the petition.

6 **Sec. 23.5.** NRS 218H.930 is hereby amended to read as
7 follows:

8 218H.930 1. A lobbyist shall not knowingly or willfully
9 make any false statement or misrepresentation of facts:

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

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

14 2. A lobbyist shall not knowingly or willfully give any gift to a
15 member of the Legislative Branch or a member of his or her
16 immediate family, whether or not the Legislature is in a regular or
17 special session.

18 3. A member of the Legislative Branch or a member of his or
19 her immediate family shall not knowingly or willfully solicit or
20 accept any gift from a lobbyist, whether or not the Legislature is in a
21 regular or special session.

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

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

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

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

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

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

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



1 —(b) Fifteen days before a special session is set to commence and
2 ending 15 days after the final adjournment of a special session, if:

3 ———(1) The Governor sets a specific date for the commencement
4 of the special session that is more than 15 days after the date on
5 which the Governor issues the proclamation calling for the special
6 session pursuant to Section 9 of Article 5 of the Nevada
7 Constitution; or

8 ———(2) The members of the Legislature set a date on or before
9 which the Legislature is to convene the special session that is more
10 than 15 days after the date on which the Secretary of State receives
11 one or more substantially similar petitions signed, in the aggregate,
12 by the required number of members calling for the special session
13 pursuant to Section 2A of Article 4 of the Nevada Constitution; or

14 —(c) The day after:

15 ———(1) The date on which the Governor issues the proclamation
16 calling for the special session and ending 15 days after the final
17 adjournment of the special session if the Governor sets a specific
18 date for the commencement of the special session that is 15 or fewer
19 days after the date on which the Governor issues the proclamation
20 calling for the special session; or

21 ———(2) The date on which the Secretary of State receives one or
22 more substantially similar petitions signed, in the aggregate, by the
23 required number of members of the Legislature calling for the
24 special session and ending 15 days after the final adjournment of the
25 special session if the members set a date on or before which the
26 Legislature is to convene the special session that is 15 or fewer days
27 after the date on which the Secretary of State receives the petitions.]
28 *set forth in subsection 1 of NRS 294A.300 unless such act is*
29 *otherwise authorized pursuant to subsection 4 of NRS 294A.300.*

30 **Sec. 24.** The regulations adopted by the Secretary of State
31 which are codified as NAC 306.010, 306.012 and 306.014 are
32 hereby declared void. In preparing the supplements to the Nevada
33 Administrative Code on or after passage and approval of this bill,
34 the Legislative Counsel shall remove those regulations.

35 **Sec. 25.** The provisions of NRS 354.599 do not apply to any
36 additional expenses of a local government that are related to the
37 provisions of this act.

38 **Sec. 26.** This act becomes effective upon passage and
39 approval.



