

Senate Bill No. 450–Committee on
Legislative Operations and Elections

CHAPTER.....

AN ACT relating to elections; revising the provisions relating to recall elections and the circulation and submission of a petition to recall a public officer; 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:

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

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

Sections 2-5 of this bill revise the verification process for a petition to recall a public officer depending on whether the public officer who is the subject of the petition holds a statewide office. **Section 1** of this bill defines the term “statewide office” to mean an elected state office voted upon in the general election by the registered voters of the entire State.



With regard to a petition for the recall of a public officer who does not hold such a statewide office, **sections 2-5** of this bill: (1) eliminate the random sampling of a petition for the recall of such a public officer; (2) require, instead, that each county clerk examine every signature for verification on a petition for the recall of such a public officer; and (3) give the county clerks 20 days, excluding weekends and holidays, to conduct such verification.

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

Section 17 of this bill requires the persons filing the notice of intent to circulate a petition for the recall of a public officer to pay the costs for the Secretary of State and county clerks to verify signatures on the petition, unless those persons submit a written declaration, signed by each of them under penalty of perjury, that: (1) paying the costs will cause an undue burden on the monetary resources reasonably available to them; and (2) no persons were paid to circulate the petition for signatures, either by the persons filing the notice of intent or, to the best of their knowledge and belief, by any other person. If the persons filing the notice of intent submit such a written declaration, they are not liable for paying the costs of signature verification, unless it is proven in a civil action brought by the Secretary of State and county clerks that the written declaration contains any false statement of material fact.

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

Existing law sets forth requirements for reporting certain contributions, campaign expenses and expenditures relating to a special election to recall a public officer. If the legal sufficiency of a petition for the recall of a public officer is challenged and a district court determines that the petition is legally insufficient, certain persons, political parties, committees sponsored by political parties, committees for political action and committees for the recall of a public officer are required to report such contributions, campaign expenses and expenditures not later than 30 days after the district court orders the filing officer to cease proceedings regarding the petition. However, existing law does not set forth specific reporting requirements for situations when the district court's decision is appealed or when the district court determines that the petition is legally sufficient and that decision is appealed. (NRS 294A.120, 294A.140, 294A.200, 294A.210, 294A.270, 294A.280) **Sections 8, 9 and 11-14** of this bill: (1) specify reporting requirements for those situations when the district court's decision is appealed; and (2) require reports to be filed not later than 30 days after the date on which all appeals regarding the petition for the recall of a public officer are exhausted.



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

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

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

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

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

Existing law provides that a person is guilty of a misdemeanor for misrepresenting the intent or content of a petition for the recall of a public officer. (NRS 306.025) **Section 21** of this bill revises this existing criminal offense to provide that a person shall not knowingly or under circumstances amounting to criminal negligence engage in certain criminal offenses relating to: (1) misrepresenting the intent or content of a petition for the recall of a public officer; or (2) obtaining a false, forged or unauthorized signature on such a petition. **Section 21** also increases the penalty for these criminal offenses to a category E felony, punishable by a minimum term of not less than 1 year and a maximum term of not more than 4 years in prison. With regard to the standard of criminal negligence used in **section 21**, the Nevada Supreme Court has stated that "[s]imilar to our definition of gross negligence, criminal negligence has been described as 'a gross deviation from the standard of care that a reasonable person would observe in the actor's situation.'" (*Cornella v. Churchill Cnty., Justice Ct. of New River Twp.*, 132 Nev. 587, 594 (2016) (quoting *Model Penal Code* § 2.02(2)(d) (Am. Law Inst., Official Draft & Revised Comments 1980)))



In addition to the criminal penalties established by this bill, **section 19** of this bill sets forth certain civil penalties for violations of the provisions of law relating to a petition for the recall of a public officer.

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

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

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

Section 1. Chapter 293 of NRS is hereby amended by adding thereto a new section to read as follows:

“Statewide office” means an elected state office whose candidates are voted upon in the general election by the registered voters of the entire State.

Sec. 1.3. NRS 293.010 is hereby amended to read as follows:

293.010 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 293.013 to 293.121, inclusive, *and section 1 of this act* have the meanings ascribed to them in those sections.

Sec. 1.7. NRS 293.127565 is hereby amended to read as follows:

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

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

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

2. Before a person may use an area designated pursuant to subsection 1, the person must notify the public officer or employee in control of the operation of the building governed by subsection 1 of the dates and times that the person intends to use the area to



gather signatures on a petition. The public officer or employee may not deny the person the use of the area.

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

4. The decision of the Secretary of State is a final decision for the purposes of judicial review. Not later than 7 days after the date of the decision by the Secretary of State, the decision of the Secretary of State may only be appealed in the First Judicial District Court. If the First Judicial District Court determines that the public officer or employee violated subsection 1 or 2 and that a person was denied the use of a public building for the purpose of gathering signatures on a petition, the Court shall order that the deadline for filing the petition provided pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, ~~306.035~~ **306.015** or 306.110 must be extended for a period equal to the time that the person was denied the use of a public building for the purpose of gathering signatures on a petition, but in no event may the deadline be extended for a period of more than 5 days.

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

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

293.1277 1. If the Secretary of State finds that the total number of signatures submitted to all the county clerks is 100 percent or more of the number of registered voters needed to declare the petition sufficient, the Secretary of State shall immediately so notify the county clerks. After the notification, each of the county clerks shall determine the number of registered voters who have signed the documents submitted in the county clerk's county and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, shall tally the



number of signatures for each petition district contained or fully contained within the county clerk's county. This determination must be completed within 9 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 293.128, 295.056, 298.109 ~~[, 306.035]~~ or 306.110, *within 20 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 306.035*, and within 3 days, excluding Saturdays, Sundays and holidays, after the notification pursuant to this subsection regarding a petition containing signatures which are required to be verified pursuant to NRS 293.172 or 293.200. For the purpose of verification pursuant to this section, the county clerk shall not include in his or her tally of total signatures any signature included in the incorrect petition district.

2. Except as otherwise provided in ~~[subsection]~~ *subsections 3 and 4*, if more than 500 names have been signed on the documents submitted to a county clerk, the county clerk shall examine the signatures by sampling them at random for verification. The random sample of signatures to be verified must be drawn in such a manner that every signature which has been submitted to the county clerk is given an equal opportunity to be included in the sample. The sample must include an examination of :

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

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

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

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



signatures that must be verified by each county clerk within the petition district.

4. *If a petition is for the recall of a public officer who does not hold a statewide office, each county clerk:*

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

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

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

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

~~5.1~~ 6. If:

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

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

(c) A person registers to vote pursuant to section 4 of the 2018 Ballot Question No. 5, the Automatic Voter Registration Initiative, ↪ the county clerk may rely on such other indicia as prescribed by the Secretary of State in making his or her determination.

~~6.1~~ 7. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, when the county clerk is determining the number of registered voters who signed the documents from each petition district contained fully or partially within the county clerk's county, he or she must use the statewide voter registration list available pursuant to NRS 293.675.

~~7.1~~ 8. Except as otherwise provided in subsection ~~9.1~~ 10, upon completing the examination, the county clerk shall immediately attach to the documents a certificate properly dated, showing the result of the examination, including the tally of signatures by petition district, if required, and transmit the



documents with the certificate to the Secretary of State. In the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, if a petition district comprises more than one county, the appropriate county clerks shall comply with the regulations adopted by the Secretary of State pursuant to this section to complete the certificate. A copy of this certificate must be filed in the clerk's office. When the county clerk transmits the certificate to the Secretary of State, the county clerk shall notify the Secretary of State of the number of requests to remove a name received by the county clerk pursuant to NRS 295.055 or *pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable.*

~~8.7~~ **9.** A person who submits a petition to the county clerk which is required to be verified pursuant to NRS 293.128, 293.172, 293.200, 295.056, 298.109, 306.035 or 306.110 must be allowed to witness the verification of the signatures. A public officer who is the subject of a recall petition must also be allowed to witness the verification of the signatures on the petition.

~~9.7~~ **10.** For any petition containing signatures which are required to be verified pursuant to the provisions of NRS 293.200, 306.035 or 306.110 for any county, district or municipal office within one county, the county clerk shall not transmit to the Secretary of State the documents containing the signatures of the registered voters.

~~10.7~~ **11.** The Secretary of State shall by regulation establish further procedures for carrying out the provisions of this section.

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

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

2. If those certificates establish that the number of valid signatures is equal to or more than the sum of 100 percent of the number of registered voters needed to make the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or *pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable,* and, in the case of a petition for initiative or referendum proposing a constitutional amendment or statewide measure, that the petition has the minimum number of signatures required for each petition district, the petition shall be



deemed to qualify as of the date of receipt by the Secretary of State of those certificates, and the Secretary of State shall immediately so notify the petitioners and the county clerks.

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

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

293.1279 1. If the statistical sampling shows that the number of valid signatures filed is 90 percent or more, but less than the sum of 100 percent of the number of signatures of registered voters needed to declare the petition sufficient plus the total number of requests to remove a name received by the county clerks pursuant to NRS 295.055 or *pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable*, the Secretary of State shall order the county clerks to examine the signatures for verification. The county clerks shall examine the signatures for verification until they determine that 100 percent of the number of signatures of registered voters needed to declare the petition sufficient are valid. If the county clerks received a request to remove a name pursuant to NRS 295.055 or *pursuant to NRS 306.015 for a petition to recall a public officer who holds a statewide office, if applicable*, the county clerks may not determine that 100 percent of the number of signatures of registered voters needed to declare the petition sufficient are valid until they have removed each name as requested pursuant to NRS 295.055 or 306.015.

2. Except as otherwise provided in this subsection, if the statistical sampling shows that the number of valid signatures filed in any county is 90 percent or more but less than the sum of 100



percent of the number of signatures of registered voters needed to constitute 10 percent of the number of voters who voted at the last preceding general election in that county plus the total number of requests to remove a name received by the county clerk in that county pursuant to NRS 295.055 or *pursuant to NRS 306.015 [§] for a petition to recall a public officer who holds a statewide office, if applicable*, the Secretary of State may order the county clerk in that county to examine every signature for verification. If the county clerk received a request to remove a name pursuant to NRS 295.055 or *pursuant to NRS 306.015 [§] for a petition to recall a public officer who holds a statewide office, if applicable*, the county clerk may not determine that 100 percent or more of the number of signatures of registered voters needed to constitute 10 percent of the number of voters who voted at the last preceding general election in that county are valid until the county clerk has removed each name as requested pursuant to NRS 295.055 or 306.015. In the case of a petition for initiative or referendum that proposes a constitutional amendment or statewide measure, if the statistical sampling shows that the number of valid signatures in any petition district is 90 percent or more but less than the sum of 100 percent of the number of signatures of registered voters required for that petition district pursuant to NRS 295.012 plus the total number of requests to remove a name received by the county clerk or county clerks, if the petition district comprises more than one county, pursuant to NRS 295.055, the Secretary of State may order a county clerk to examine every signature for verification.

3. After the receipt of such an order, the county clerk or county clerks shall determine from the records of registration what number of registered voters have signed the petition and, if appropriate, tally those signatures by petition district. This determination must be completed within 12 days, excluding Saturdays, Sundays and holidays, after the receipt of an order regarding a petition containing signatures which are required to be verified pursuant to NRS 293.128, 295.056, 298.109 ~~[, 306.035]~~ or 306.110, *or pursuant to NRS 306.035 for a petition to recall a public officer who holds a statewide office*, and within 5 days, excluding Saturdays, Sundays and holidays, after the receipt of an order regarding a petition containing signatures which are required to be verified pursuant to NRS 293.172 or 293.200. If necessary, the board of county commissioners shall allow the county clerk additional assistants for examining the signatures and provide for their compensation. In determining from the records of registration what number of registered voters have signed the petition and in determining in



which petition district the voters reside, the county clerk must use the statewide voter registration list. The county clerk may rely on the appearance of the signature and the address and date included with each signature in determining the number of registered voters that signed the petition.

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

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

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

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


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

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

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

(a) If the Secretary of State finds for the appellant, order the county clerk to recertify the petition, including as verified signatures all contested signatures which the Secretary of State determines are valid. If the county clerk has not yet removed each name as



requested pursuant to NRS 295.055 or *pursuant to NRS 306.015*  *for a petition to recall a public officer who holds a statewide office*, the county clerk shall do so before recertifying the petition.

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

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

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

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

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

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

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

(b) Ending on the latest of the following dates:

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

(2) If the legal sufficiency of a petition for recall is challenged and a district court determines that the petition is legally:

(I) Sufficient pursuant to chapter 306 of NRS and the order of the district court is appealed, on the date on which all appeals regarding the petition are exhausted.

(II) Insufficient pursuant to chapter 306 of NRS, on the date on which the period to appeal the order of the district court expires or, if the order of the district court is appealed, on the date on which all appeals regarding the petition are exhausted.

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



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

6. If *the legal sufficiency of a petition for recall is challenged and* a district court determines that ~~[a] the~~ petition ~~[for recall]~~ is legally ~~[insufficient]~~ :



(a) Sufficient pursuant to chapter 306 of NRS and the order of the district court is appealed, every candidate for office at a special election to determine whether a public officer will be recalled shall:

(1) Not later than 30 days after the date on which the notice of appeal is filed, for the period from the filing of the notice of intent to circulate the petition for recall through the date on which the notice of appeal is filed, report each contribution described in paragraphs (a), (b) and (c) of subsection 1 received during the period and the balance in the account maintained by the candidate pursuant to NRS 294A.130 on the ending date of the period.

(2) Not later than 30 days after the date on which all appeals regarding the petition are exhausted, for the period from the day after the date on which the notice of appeal is filed through the date on which all appeals regarding the petition are exhausted, report each contribution described in paragraphs (a), (b) and (c) of subsection 1 received during the period and the balance in the account maintained by the candidate pursuant to NRS 294A.130 on the ending date of the period.

(b) Insufficient pursuant to ~~subsection 6 of NRS 306.040,~~ chapter 306 of NRS, every candidate for office at a special election to determine whether a public officer will be recalled shall ~~[-not]~~ :

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

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

7. In addition to complying with the applicable requirements of subsections 1 to 6, inclusive, if a candidate is elected to office at a primary election, general election or special election, he or she must, not later than January 15 of each year, report the information



described in paragraphs (a) to (d), inclusive, of subsection 1 for the period beginning January 1 of the previous year and ending on December 31 of the previous year. The provisions of this subsection apply to the candidate until the year immediately preceding the next election year for that office. Nothing in this subsection:

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

(b) Four days before the special election, for the period from 4 days before the beginning of early voting by personal appearance



for the special election through 5 days before the special election; and

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

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

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

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

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

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

7. *If the legal sufficiency of a petition for recall is challenged and* a district court determines that ~~the~~ petition ~~for recall~~ is legally ~~insufficient~~ :

(a) Sufficient pursuant to chapter 306 of NRS and the order of the district court is appealed, every person, committee and political party described in subsection 1 which makes an independent expenditure or other expenditure, as applicable, for or against a candidate for office at a special election to determine whether a public officer will be recalled or for or against a group of candidates for offices at such a special election shall:



(1) Not later than 30 days after the date on which the notice of appeal is filed, for the period from the filing of the notice of intent to circulate the petition for recall through the date on which the notice of appeal is filed, report each contribution in excess of \$1,000 received during the period and contributions received during the period which cumulatively exceed \$1,000.

(2) Not later than 30 days after the date on which all appeals regarding the petition are exhausted, for the period from the day after the date on which the notice of appeal is filed through the date on which all appeals regarding the petition are exhausted, report each contribution in excess of \$1,000 received during the period and contributions received during the period which cumulatively exceed \$1,000.

(b) Insufficient pursuant to ~~[subsection 6 of NRS 306.040,]~~ *chapter 306 of NRS*, every person, committee and political party described in subsection 1 which makes an independent expenditure or other expenditure, as applicable, for or against a candidate for office at a special election to determine whether a public officer will be recalled or for or against a group of candidates for offices at such a special election shall ~~[not]~~ :

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

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

8. In addition to complying with the applicable requirements of subsections 2 to 7, inclusive, a person, committee or political party described in subsection 1 must, not later than January 15 of each year that is not an election year, for the period beginning January 1 of the previous year and ending on December 31 of the previous year, report each contribution in excess of \$1,000 received during the period and contributions received during the period from a



contributor which cumulatively exceed \$1,000. Nothing in this subsection:

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

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

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

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

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

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

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

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

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

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

(a) Return the unspent money to contributors;

(b) Use the money in the candidate's next election or for the payment of other expenses related to public office or his or her



campaign, regardless of whether he or she is a candidate for a different office in the candidate's next election;

(c) Contribute the money to:

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

(2) A political party; or

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

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

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

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

(a) Return the unspent money to contributors;

(b) Contribute the money to:

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

(2) A political party; or

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

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

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

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

6. Every candidate for office who withdraws after filing a declaration of candidacy or an acceptance of candidacy, is defeated



for that office at a primary election or is removed from the ballot by court order before a primary election or general election and who received a contribution from a person in excess of \$5,000 shall, not later than the 15th day of the second month after the primary election or general election, as applicable, return any money in excess of \$5,000 to the contributor.

~~6.1~~ 7. Except for a former public officer who is subject to the provisions of subsection ~~10.1~~ 11, every person who qualifies as a candidate by receiving one or more qualifying contributions in excess of \$100 but who, within 4 years after the date of receiving the first of those qualifying contributions, does not:

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

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

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

~~7.1~~ 8. Except as otherwise provided in subsection ~~8.1~~ 9, every public officer who:

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

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

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

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

~~8.1~~ 9. Every public officer who:

(a) Resigns from his or her office;

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

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

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

~~9.1~~ 10. Except as otherwise provided in subsection ~~10.1~~ 11, every public officer who:



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

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

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

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

~~10.~~ **11.** Every former public officer described in subsection ~~9.~~ **10** who qualifies as a candidate by receiving one or more qualifying contributions in excess of \$100 but who, within 4 years after the date of receiving the first of those qualifying contributions, does not:

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

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

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

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

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

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

~~14.~~ **15.** As used in this section:

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



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

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

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

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

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

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

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

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

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

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

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

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

↳ report each of the campaign expenses described in subsection 1 incurred during the period.

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

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

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



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

↳ report each of the campaign expenses described in subsection 1 incurred during the period.

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

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

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

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

↳ report each of the campaign expenses described in subsection 1 incurred during the period.

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

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

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

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



6. If *the legal sufficiency of a petition for recall is challenged and* a district court determines that ~~[a]~~ the petition ~~[for recall]~~ is legally ~~[insufficient]~~ :

(a) Sufficient pursuant to chapter 306 of NRS and the order of the district court is appealed, every candidate for office at a special election to determine whether a public officer will be recalled shall:

(1) Not later than 30 days after the date on which the notice of appeal is filed, for the period from the filing of the notice of intent to circulate the petition for recall through the date on which the notice of appeal is filed, report each of the campaign expenses described in subsection 1 incurred during the period.

(2) Not later than 30 days after the date on which all appeals regarding the petition are exhausted, for the period from the day after the date on which the notice of appeal is filed through the date on which all appeals regarding the petition are exhausted, report each of the campaign expenses described in subsection 1 incurred during the period.

(b) Insufficient pursuant to ~~[subsection 6 of NRS 306.040,]~~ *chapter 306 of NRS*, every candidate for office at a special election to determine whether a public officer will be recalled shall ~~[,not]~~ :

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

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

7. In addition to complying with the applicable reporting requirements of subsections 1 to 6, inclusive, if a candidate is elected to office at a primary election, general election or special election, he or she must, not later than January 15 of each year, report each of the campaign expenses described in subsection 1 incurred during the period beginning January 1 of the previous year and ending on December 31 of the previous year. The provisions of this subsection apply to the candidate until the year immediately



preceding the next election year for that office. Nothing in this section:

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

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

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

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

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

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

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

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

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

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

Sec. 12. NRS 294A.210 is hereby amended to read as follows:
294A.210 1. The provisions of this section apply to:

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

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



2. Every person, committee and political party described in subsection 1 shall, not later than January 15 of the election year, for the period beginning January 1 of the previous year and ending on December 31 of the previous year, report each independent expenditure or other expenditure, as applicable, made during the period in excess of \$1,000 and independent expenditures or other expenditures, as applicable, made during the period to one recipient which cumulatively exceed \$1,000.

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

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

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

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

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

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

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

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

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

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

↳ report each independent expenditure or other expenditure, as applicable, in excess of \$1,000 made during the period and



independent expenditures or other expenditures, as applicable, made during the period to one recipient which cumulatively exceed \$1,000.

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

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

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

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

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

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



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

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

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

7. If *the legal sufficiency of a petition for recall is challenged and* a district court determines that the petition ~~[for recall]~~ is legally ~~[insufficient]~~ :

(a) Sufficient pursuant to chapter 306 of NRS and the order of the district court is appealed, every person, committee and political party described in subsection 1 which makes an independent expenditure or other expenditure, as applicable, for or against a candidate for office at a special election to determine whether a public officer will be recalled or for or against a group of such candidates shall:

(1) Not later than 30 days after the date on which the notice of appeal is filed, for the period from the filing of the notice of intent to circulate the petition for recall through the date on which the notice of appeal is filed, report each independent expenditure or other expenditure, as applicable, in excess of \$1,000 made during the period and independent expenditures or expenditures, as applicable, made during the period to one recipient which cumulatively exceed \$1,000.

(2) Not later than 30 days after the date on which all appeals regarding the petition are exhausted, for the period from the day after the date on which the notice of appeal is filed through the date on which all appeals regarding the petition are exhausted, report each independent expenditure or other expenditure, as applicable, in excess of \$1,000 made during the period and independent expenditures or expenditures, as applicable, made during the period to one recipient which cumulatively exceed \$1,000.

(b) Insufficient pursuant to ~~[subsection 6 of NRS 306.040,]~~ chapter 306 of NRS, every person, committee and political party described in subsection 1 which makes an independent expenditure or other expenditure, as applicable, for or against a candidate for office at a special election to determine whether a public officer will be recalled or for or against a group of such candidates shall ~~[,not]~~ :

*(1) Not later than 30 days after *the date on which* the district court orders the *filing* officer ~~[with whom the petition is filed]~~ to*



cease any further proceedings regarding the petition, for the period from the filing of the notice of intent to circulate the petition for recall through the date of the district court's order, report each independent expenditure or other expenditure, as applicable, in excess of \$1,000 made during the period and independent expenditures or expenditures, as applicable, made during the period to one recipient which cumulatively exceed \$1,000.

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

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

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

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

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

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

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

12. A report shall be deemed to be filed on the date that it was received by the Secretary of State. Every person, committee or



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

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

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

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

(1) *From the earlier of:*

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

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

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

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

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

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

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

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

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

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



2. Except as otherwise provided in subsection 3, if a petition for the recall of a public officer is not submitted to the filing officer before the expiration of the notice of intent pursuant to the provisions of chapter 306 of NRS or is otherwise legally insufficient when submitted to the filing officer pursuant to the provisions of chapter 306 of NRS, the committee for the recall of a public officer shall, not later than 30 days after the expiration of the notice of intent, report each contribution received by the committee for the recall of a public officer, and each contribution made by the committee for the recall of a public officer in excess of \$100 and contributions made to one recipient which cumulatively exceed \$100 ~~]~~, *except for contributions that already have been reported pursuant to paragraph (a) of subsection 1.* The provisions of this subsection apply to the committee for the recall of a public officer if the committee:

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

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

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

3. If *the legal sufficiency of a petition for recall is challenged and* a district court determines that the petition ~~[for the recall of the public officer]~~ is legally ~~[insufficient]~~:

(a) Sufficient pursuant to chapter 306 of NRS and the order of the district court is appealed, the committee for the recall of a public officer shall:

(1) Not later than 30 days after the date on which the notice of appeal is filed, for the period from the filing of the notice of intent to circulate the petition for recall through the date on which the notice of appeal is filed, report each contribution received or made by the committee for the recall of a public officer in excess of \$100 and contributions received from a contributor or made to one recipient which cumulatively exceed \$100, except for contributions that already have been reported pursuant to paragraph (a) of subsection 1.

(2) Not later than 30 days after the date on which all appeals regarding the petition are exhausted, for the period from the day after the date on which the notice of appeal is filed through the date on which all appeals regarding the petition are exhausted, report each contribution received or made by the



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

(b) *Insufficient* pursuant to ~~[subsection 6 of NRS 306.040,] chapter 306 of NRS~~, the committee for the recall of a public officer shall ~~[, not] :~~

(1) *Not* later than 30 days after *the date on which* the district court orders the *filing* officer ~~[with whom the petition is filed]~~ to cease any further proceedings regarding the petition, for the period from the filing of the notice of intent to circulate the petition for recall through the day of the district court's order, report each contribution received or made by the committee for the recall of a public officer in excess of \$100 and contributions received from a contributor or made to one recipient which cumulatively exceed \$100 ~~[]~~, *except for contributions that already have been reported pursuant to paragraph (a) of subsection 1.*

(2) *Not* later than 30 days after *the date on which all appeals regarding the petition are exhausted*, for the period from the day after the date of the district court's order through the date on which all appeals regarding the petition are exhausted, report each contribution received or made by the committee for the recall of a public officer in excess of \$100 and contributions received from a contributor or made to one recipient which cumulatively exceed \$100.

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

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

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

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

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

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



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

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

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

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

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

(1) *From the earlier of:*

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

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

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

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

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

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

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

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

~~[(e)]~~ (e) Thirty days after the special election, for the remaining period through the date of the special election,



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

2. Except as otherwise provided in subsection 3, if a petition for the recall of a public officer is not submitted to the filing officer before the expiration of the notice of intent pursuant to the provisions of chapter 306 of NRS or is otherwise legally insufficient when submitted to the filing officer pursuant to the provisions of chapter 306 of NRS, the committee for the recall of a public officer shall, not later than 30 days after the expiration of the notice of intent, report each expenditure made by the committee for the recall of a public officer in excess of \$100 and expenditures made to one recipient which cumulatively exceed \$100 ~~§~~, *except for expenditures that already have been reported pursuant to paragraph (a) of subsection 1.* The provisions of this subsection apply to the committee for the recall of a public officer if the committee:

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

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

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

3. *If the legal sufficiency of a petition for recall is challenged and a district court determines that ~~the~~ petition ~~for the recall of the public officer~~ is legally ~~insufficient~~:*

(a) Sufficient pursuant to chapter 306 of NRS and the order of the district court is appealed, the committee for the recall of a public officer shall:

(1) Not later than 30 days after the date on which the notice of appeal is filed, for the period from the filing of the notice of intent to circulate the petition for recall through the date on which the notice of appeal is filed, report each expenditure made by the committee for the recall of a public officer in excess of \$100 and expenditures made to one recipient which cumulatively exceed \$100, except for expenditures that already have been reported pursuant to paragraph (a) of subsection 1.

(2) Not later than 30 days after the date on which all appeals regarding the petition are exhausted, for the period from the day after the date on which the notice of appeal is filed through the date on which all appeals regarding the petition are



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

(b) Insufficient pursuant to ~~[subsection 6 of NRS 306.040,] chapter 306 of NRS~~, the committee for the recall of a public officer shall ~~[, not]~~:

*(1) Not later than 30 days after **the date on which** the district court orders the **filing** officer ~~[with whom the petition is filed]~~ to cease any further proceedings regarding the petition, for the period from the filing of the notice of intent to circulate the petition for recall through the day of the district court's order, report each expenditure made by the committee for the recall of a public officer in excess of \$100 and expenditures made to one recipient which cumulatively exceed \$100 ~~[,]~~, **except for expenditures that already have been reported pursuant to paragraph (a) of subsection 1.***

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

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

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

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

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

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

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

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

~~[7.] 6. The name and address of the recipient and the date on which the expenditure was made must be included on the report for~~



each expenditure, whether to a natural person, association or corporation.

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

294A.300 1. ~~##~~ *Except as otherwise provided in this section, it* is unlawful for a member of the Legislature, the Lieutenant Governor, the Lieutenant Governor-Elect, the Governor or the Governor-Elect to solicit or accept any monetary contribution, or solicit or accept a commitment to make such a contribution for any political purpose during the period beginning:

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

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

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

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

(c) The day after:

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

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



2. ~~[A]~~ *Except as otherwise provided in this section, a* person shall not make or commit to make a contribution or commitment prohibited by subsection 1.

3. This section does not prohibit the payment of a salary or other compensation or income to a member of the Legislature, the Lieutenant Governor or the Governor during ~~[a session of the Legislature]~~ *the period set forth in subsection 1* if it is made for services provided as a part of his or her regular employment or is additional income to which he or she is entitled.

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

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

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

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

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

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

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

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

(c) Receives no contributions;

(d) Has no campaign expenses;

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

(f) Is defeated in the primary election;

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

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

2. A candidate described in paragraph (a), (b), (f) or (g) of subsection 1 may simultaneously file all the reports required by NRS 294A.120, 294A.125, 294A.128, 294A.200, 294A.286 and 294A.362 that are due after the candidate disposes of any unspent or excess contributions as provided in subsections 4, ~~[and]~~ 5 and 6 of NRS 294A.160, as applicable, if the candidate gives written notice



to the Secretary of State, on the form prescribed by the Secretary of State, that the candidate is ending his or her campaign and will not accept any additional contributions. If the candidate has submitted a withdrawal of candidacy pursuant to NRS 293.202 or 293C.195 to an officer other than the Secretary of State, the candidate must enclose with the notice a copy of the withdrawal of candidacy. A form submitted to the Secretary of State pursuant to this subsection must be signed by the candidate under an oath to God or penalty of perjury. A candidate who signs the form under an oath to God is subject to the same penalties as if the candidate had signed the form under penalty of perjury.

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

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

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

(a) If the persons filing a notice of intent to circulate a petition for the recall of a public officer submit the petition to the filing officer for signature verification pursuant to paragraph (b) of subsection 3 of NRS 306.015, the filing officer shall not submit the petition to the county clerk for signature verification pursuant to NRS 306.035, unless the persons filing the notice of intent deposit in advance the estimated costs of the signature verification with the filing officer, including, without limitation, the estimated costs for the Secretary of State and the county clerk of each county from which signatures on the petition were gathered to perform the requirements set forth in NRS 293.1276 to 293.1279, inclusive.

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

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

(1) In excess of the actual costs of the signature verification, the excess must be refunded to the persons filing the notice of intent who submitted the petition for signature verification.



(2) Less than the actual costs of the signature verification, the persons filing the notice of intent who submitted the petition for signature verification shall, upon demand, pay the deficiency to the filing officer who shall distribute the money to the Secretary of State and county clerks, as applicable.

2. The provisions of subsection 1 do not apply if, at the time of submitting the petition to the filing officer for signature verification, the persons filing the notice of intent also submit to the filing officer a written declaration, signed by each person under penalty of perjury, that:

(a) Paying the costs of the signature verification would cause the persons filing the notice of intent an undue burden on the monetary resources reasonably available to them; and

(b) No person was paid to circulate the petition for signatures, or was promised to be paid or will be paid for having circulated the petition for signatures, by the persons filing the notice of intent or, to the best of their knowledge and belief, by any other person, including, without limitation, any committee for the recall of a public officer as defined in NRS 294A.006.

3. Except as otherwise provided in subsection 4, if the persons filing the notice of intent sign and submit a written declaration pursuant to subsection 2, the filing officer shall submit the petition to the county clerk for signature verification pursuant to NRS 306.035, and the persons filing the notice of intent must not be held liable for paying the costs of the signature verification.

4. In addition to any criminal or civil penalty, if the persons filing the notice of intent sign and submit a written declaration pursuant to subsection 2 and the written declaration contains any false statement of material fact, the Secretary of State and county clerks may bring a civil action to recover the actual costs of the signature verification against each person who signed the written declaration, and each person who signed the written declaration is jointly and severally liable for the actual costs of the signature verification.

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

Sec. 18. (Deleted by amendment.)

Sec. 19. *1. In addition to any criminal penalty, a person who violates the provisions of this chapter is subject to a civil penalty in an amount not to exceed \$20,000 for each violation. This penalty must be recovered in a civil action brought in the*



name of the State of Nevada by the Attorney General or by any district attorney in a court of competent jurisdiction.

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

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

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

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

2. The notice of intent:

(a) Must be signed by :

(I) If the public officer holds a statewide office, three registered voters who actually ~~voted~~ :

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

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

(2) If the public officer does not hold a statewide office, three registered voters who actually:

(I) Voted in the county, district or municipality that the public officer represents at the election at which the public officer was elected; and

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

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

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

3. The petition may consist of more than one document ~~and~~ *and must be circulated for signatures and submitted to the filing officer in accordance with this subsection.* The persons filing the notice of intent shall submit *to the filing officer:*

(a) On or before the 48th day after the date on which the notice of intent was filed, all signatures that were collected on the petition ~~that was circulated for signatures to the filing officer within 90 days~~ during the period beginning on the date on which the



notice of intent was filed and ending on the 45th day after the date on which the notice of intent was filed. If any such signature is not timely submitted to the filing officer pursuant to this paragraph, it shall be deemed that the signature is not a valid signature.

(b) On or before the 90th day after the date on which the notice of intent was filed ~~4~~, all signatures that were collected on the petition during the period beginning on the 46th day after the date on which the notice of intent was filed and ending on the date of submission of the petition to the filing officer for signature verification pursuant to this paragraph. The circulation of the petition must cease on the date of submission of the petition to the filing officer for signature verification pursuant to this paragraph or on the 90th day after the date on which the notice of intent was filed, whichever occurs first. If the persons filing the notice of intent timely submit the petition to the filing officer for signature verification pursuant to this paragraph and comply with the provisions of section 17 of this act, the filing officer shall immediately submit the petition to the county clerk for the verification pursuant to NRS 306.035 ~~4~~ of the signatures that were collected on the petition and timely submitted to the filing officer pursuant to this subsection.

4. Any person who fails to submit the petition to the filing officer as required by ~~this~~ subsection 3 is guilty of a misdemeanor. Copies of the petition are not valid for any subsequent petition.

~~4~~ 5. The county clerk shall, upon completing the verification of the signatures on the petition ~~4~~ pursuant to NRS 306.035, file the petition with the filing officer.

~~5~~ 6. Any person who signs a petition to recall any public officer may request that the county clerk remove the person's name from the petition by submitting a request in writing to the county clerk at any time before ~~the petition is submitted for~~ the verification of the signatures thereon ~~pursuant to NRS 306.035.~~

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

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

Sec. 20.5. NRS 306.020 is hereby amended to read as follows:
306.020 1. Every public officer in the State of Nevada is subject to recall from office by the registered voters of the State or



of the county, district or municipality that the public officer represents, as provided in this chapter and Section 9 of Article 2 of the Constitution of the State of Nevada.

2. A public officer who is appointed to *serve the remainder of the unexpired term of* an elective office ~~is~~ :

(a) *Is* subject to recall in the same manner as provided for ~~an~~ a public officer ~~who is~~ elected to that office ~~;~~ —2.; and

(b) *For the purposes of recall, shall be deemed to have been elected to that office at the same election at which the former elected officeholder or candidate was elected before the vacancy in that office.*

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

~~3.~~ 4. The petition must ~~;~~ ~~in addition to setting~~ :

(a) *Set* forth the reason why the recall is demanded ~~;~~ —(a) , *which must appear on each signature page of the petition;*

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

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

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

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

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

Sec. 21. NRS 306.025 is hereby amended to read as follows:

306.025 1. A person shall not *knowingly or under circumstances amounting to criminal negligence:*

(a) *Misrepresent, attempt to misrepresent or assist or conspire with another person to misrepresent or attempt to* misrepresent the intent or content of a petition for the recall of a public officer which is circulated pursuant to the provisions of this chapter ~~;~~ ; or

(b) *Obtain, attempt to obtain or assist or conspire with another person to obtain or attempt to obtain a false, forged or unauthorized signature on a petition for the recall of a public*



officer which is circulated pursuant to the provisions of this chapter.

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

Sec. 22. (Deleted by amendment.)

Sec. 22.5. NRS 306.035 is hereby amended to read as follows:

306.035 1. Before a petition to recall a ~~[state]~~ *public* officer who ~~[is elected]~~ *holds a* statewide *office* is filed with the Secretary of State *as the filing officer* pursuant to subsection ~~[4]~~ *5* of NRS 306.015, each county clerk must verify, pursuant to NRS 293.1276 to 293.1279, inclusive, the document or documents which were circulated for signature within the clerk's county.

2. Before a petition to recall a ~~[State Senator, Assemblyman, Assemblywoman or a county, district or municipal]~~ *public* officer *who does not hold a statewide office* is filed *with the filing officer* pursuant to subsection ~~[4]~~ *5* of NRS 306.015, the county clerk must verify, pursuant to NRS 293.1276 to 293.1279, inclusive, the document or documents which were circulated for signatures within the clerk's county.

3. If more than one document was circulated, all the documents must be submitted to the clerk at the same time.

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

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

2. ~~[After the verification of signatures is complete, but not later 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, the filing officer shall not issue a call for a special election, and a special election must not be held to recall the public officer who is the subject of the petition.

~~{3.} Not~~

4. *Except as otherwise provided in subsection 3, 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 *filing* 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 *legally* sufficient, it shall order the *filing* officer ~~{with whom the petition is filed}~~ to 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. If the court determines that the petition is not *legally* sufficient, it shall order the *filing* officer ~~{with whom the petition is filed}~~ to cease any further proceedings regarding the petition.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~—(1) The Governor sets a specific date for the commencement of the special session that is more than 15 days after the date on~~



~~which the Governor issues the proclamation calling for the special session pursuant to Section 9 of Article 5 of the Nevada Constitution; or~~

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

~~—(c) The day after:~~

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

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

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

Sec. 24.5. The amendatory provisions of this act do not apply to a petition for the recall of a public officer if the notice of intent to circulate the petition was filed pursuant to NRS 306.015 before the effective date of this act.

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

Sec. 26. This act becomes effective upon passage and approval.



