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PROPOSED AMENDMENT TO A.B. 529
OFFERED BY SECRETARY OF STATE DEAN HELLER
AND
THE NEVADA COMMISSION ON ETHICS

May 7, 2003

Amend Section 2, page 2, lines 1 and 2 to delete [~~and each statement of financial disclosure filed pursuant to NRS 281.561~~]

Amend Section 2 by deleting the form on page 8

Amend Section 19, page 38, subsection 4 at line 40 by adding after the word "include" *the name of each public officer who failed to file or failed to timely file his statement of financial disclosure, the date on which the statement of financial disclosure was due and the date on which the public officer filed the statement, if applicable.*

Amend the bill as a whole by deleting subsections 4(a), 4(b), 4(c), and 4(d) of Section 19 at page 38, lines 41-43 and page 39, lines 1 -11.

Amend Section 19, page 39, subsection 5 at line 16 by deleting [~~paragraphs (c) and (d) of~~]

Amend Section 23, page 43, subsection 4, at line 2, by adding after the words "on the form" *prescribed by the Nevada Commission on Ethics pursuant to NRS 281.571* and deleting the remainder of that sentence [~~set forth in section 2 of this act provided by the filing officer~~]

Amend the bill as a whole by deleting Section 25.

AB 529 Campaign Finance Reform Bill

SoS SUGGESTED CHANGES

LEGISLATURE CHANGES

One form containing:

- *C&E Report
- * Disposition of Unspent Contribution
- * Excess of \$10,000
- * Ethics Financial Disclosure

Amended:

Excess of \$10,000 not triggered until election year.

Audit Authority to determine accuracy of report(s)

Killed

Reports filed electronically

Killed

All reports filed with the SoS office
REASON: more timely filings;
less chance of fine accumulating

Amended: File with both
PROBLEM: if filed with local only, would be deemed filed "timely." Info not readily available to public/media.

Report electronically all contributions of \$1,000 or more within 24 hours

Killed

CURRENT STATUTE: Report all expenditures made or contracted during reporting time period

Deleted the "or contracted for"

* PROBLEM: Candidate can contract for work but have billing not appear as expense until third reporting period (January), which falls after the election.

CURRENT STATUTE: A candidate who received contributions for one elected office and is now seeking a different office must get permission from contributors to use that money for the new campaign

AMENDED: Candidate MAY use contributions without receiving permission from contributors.

PROPOSED AMENDMENT TO A.B. 529
OFFERED BY SECRETARY OF STATE DEAN HELLER

May 7, 2003

Amend the bill as a whole by adding a new section that: *(1) requires electronic filing of contribution and expenditure reports be mandated for all filers; and (2) requires contributions of \$1,000 or more to be electronically reported to the Secretary of State within 24 hours of receipt of the same.*

Amend the bill as a whole by adding a new section that provides the Secretary of State with audit authority over the campaign contribution and expense reports as follows:

Sec. X. 1. *The Secretary of State may audit any document required to be filed pursuant to this chapter, NRS 281.561 or section 19 of this act to determine if the document includes incomplete or untrue information.*

2. *If the Secretary of State reasonably believes that a document required to be filed pursuant to this chapter, NRS 281.561 or section 19 of this act includes incomplete or untrue information, the Secretary of State may conduct an investigation to determine whether the document includes incomplete or untrue information.*

3. *For the purposes of an investigation conducted pursuant to this section, the Secretary of State may take evidence and require the production, by subpoena or otherwise, of books, papers, correspondence, memoranda, agreements or other documents or records which the Secretary of State determines to be relevant or material to the investigation.*

4. *After examining the evidence obtained pursuant to this section, if the Secretary of State determines that a person or entity has violated a provision of this chapter he shall proceed as authorized by NRS 294A.410.*

5. *Any person or entity that provides incomplete or untrue information in a document filed pursuant to this chapter, NRS 281.561 or section 21 of this act, is subject to a civil penalty of not more than \$5,000 for each violation and payment of court costs and attorney's fees.*

Amend Section 2, page 2 in the summary sheet of the form at line 11 to indicate that the expense for filing fee paid is only reported in the first reporting period. JAS

Amend Section 2, page 9, subsection 3 to delete lines 7 through 19. R

Amend the bill as a whole by deleting Section 3.5, page 9, lines 28 through 38.

Amend Section 4, page 10, subsection 1, at line 3 by adding after the word "office" *or the year in which the candidate receives contributions in excess of \$10,000.*

Amend Section 4, page 11, subsection 6 at lines 34 through 38 to provide that reports of campaign contributions are filed with the Secretary of State only, and that the Secretary of State will forward a copy to the filing officer.

Amend Section 4, page 12, subsection 6 at line 4 to delete the following language: : [~~the filing officer~~].

Amend Section 4, page 12, subsection 6(b) at line 7 to delete the following language: [~~by the filing officer or~~].

Amend Section 4, page 12, to delete subsection 7 at lines 11 through 13.

Amend Section 4, page 12 by adding a new section that provides: *every candidate described in the section shall file a report required by this section even if he receives no contributions.*

Amend Section 5, page 15, subsection 8 at lines 28 through 31 to provide that reports of campaign contributions are filed with the Secretary of State only, and that the Secretary of State will forward a copy to the filing officer.

Amend Section 5, page 15, subsection 8 at line 36 to delete the following language: : [~~the filing officer or~~].

Amend Section 5, page 15, subsection 8(b) at line 39 to delete the following language: [~~by the filing officer or~~].

Amend Section 5, page 15, to delete subsection 9 at lines 43 through 45

Amend Section 6, page 19, subsection 7 to provide that reports of campaign contributions are filed with the Secretary of State only, and that the Secretary of State will forward a copy to the filing officer.

Amend Section 6, page 19, subsection 8 at line 19 to delete the following language: [~~appropriate filing officer and the~~].

Amend Section 6, page 19, subsection 8 at line 21 to delete the following language: [~~the filing officer or~~].

Amend Section 6, page 19, subsection 8(b) at line 25 to delete the following language: [~~filing officer or the~~].

Amend Section 7, page 19, subsection 2(b) at lines 40 and 41 to delete the new language [~~regardless of whether he is a candidate for a different office in his next election;~~]

Amend Section 8, page 21, subsection 1(a), at line 22 by adding after the word "office" *or the year in which the candidate receives contributions in excess of \$10,000.*

Amend Section 8, page 23, subsection 6 at lines 11 through 17 to provide that reports of campaign expenses are filed with the Secretary of State only, and that the Secretary of State will forward a copy to the filing officer.

Amend Section 8, page 23, subsection 6 at line 26 to delete the following language: [~~the filing officer or~~].

Amend Section 8, page 23, subsection 6(b) at line 30 to delete the following language: [~~filing officer or the~~].

Amend Section 8, page 23, to delete subsection 7 at lines 34 through 36.

Amend Section 8, page 23 by adding a new section that provides: *every candidate described in the section shall file a report required by this section even if he incurs no expenses.*

Amend Section 9, page 26, subsection 7 to provide that reports of campaign expenses are filed with the Secretary of State only, and that the Secretary of State will forward a copy to the filing officer.

Amend Section 9, page 26, subsection 8 at line 39 to delete the following language: [~~appropriate filing officer and the~~].

Amend Section 9, page 27, subsection 8 at line 7 to delete the following language: [~~the filing officer or~~].

Amend Section 9, page 27, subsection 8(b) at line 10 to delete the following language: [~~filing officer or the~~].

Amend Section 9, page 27, subsection 10 at line 19 to delete [~~receives no contributions~~] and replace the same with *incurs no expenses.*

Amend Section 10, page 30, subsection 7 to provide that reports of campaign expenses are filed with the Secretary of State only, and that the Secretary of State will forward a copy to the filing officer.

Amend Section 10, page 30, subsection 8 at line 28 to delete the following language: [~~appropriate filing officer or the~~].

Amend Section 10, page 30, subsection 8 at line 40 to delete the following language: [~~the filing officer or~~].

Amend Section 10, page 30, subsection 8(b) at line 43 to delete the following language: [~~filing officer or the~~].

Amend Section 13, page 33, subsection 1(a), at line 16 by adding after the word "office" *or the year in which the candidate receives contributions in excess of \$10,000.*