

ASSEMBLY BILL NO. 298—ASSEMBLYMAN PARKS

MARCH 13, 2003

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Prohibits state and local governments from paying for certain publications, advertisements and television programming that are reasonably likely to affect outcome of election. (BDR 24-408)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

AN ACT relating to campaign practices; prohibiting state and local governments under certain circumstances from paying for publications, advertisements and television programming that are reasonably likely to affect public opinion on a contested matter of public policy; prohibiting state and local governments under certain circumstances from paying for publications, advertisements and television programming that prominently feature current public officers who are candidates for elective office; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 293.725 is hereby amended to read as follows:
- 2 293.725 *1.* The government of this state or a political
- 3 subdivision of this state or an agency thereof shall not incur an
- 4 expense or make an expenditure to support or oppose:
- 5 ~~(1)~~ *(a)* A ballot question.
- 6 ~~(2)~~ *(b)* A candidate.
- 7 *2. For the purposes of paragraph (a) of subsection 1, an*
- 8 *expense incurred or an expenditure made by an entity specified in*
- 9 *subsection 1 shall be considered an expense incurred or an*
- 10 *expenditure made in support of a ballot question if:*



- 1       (a) *The expense is incurred or the expenditure is made for the*  
2 *creation or dissemination of a publication, advertisement or*  
3 *television programming that is reasonably likely to affect public*  
4 *opinion on a matter of public policy that is currently contested;*  
5 *and*  
6       (b) *The publication, advertisement or television programming*  
7 *described in paragraph (a) is created or disseminated within 90*  
8 *days before a special election, general city election or general*  
9 *election to be conducted within the jurisdiction of the entity.*  
10      3. *For the purposes of paragraph (b) of subsection 1, an*  
11 *expense incurred or an expenditure made by an entity specified in*  
12 *subsection 1 shall be considered an expense incurred or an*  
13 *expenditure made in support of a candidate if:*  
14       (a) *The expense is incurred or the expenditure is made for the*  
15 *creation or dissemination of a publication, advertisement or*  
16 *television programming that prominently features the activities of*  
17 *a current public officer of the entity who is a candidate for a state,*  
18 *local or federal elective office; and*  
19       (b) *The publication, advertisement or television programming*  
20 *described in paragraph (a) is created or disseminated during the*  
21 *period specified in subsection 4.*  
22      4. *The period during which the provisions of subsection 3*  
23 *apply to a particular entity specified in subsection 1 begins when a*  
24 *current public officer of that entity files a declaration of candidacy*  
25 *or acceptance of candidacy and ends on the date of the general*  
26 *election, general city election or special election for the office for*  
27 *which the current public officer of the entity is a candidate.*  
28      5. *As used in this section, a “publication, advertisement or*  
29 *television programming” includes, without limitation, a pamphlet,*  
30 *brochure, public service announcement, and programming on a*  
31 *television station created to provide community access to cable*  
32 *television. The term does not include:*  
33       (a) *A press release issued to the media by an entity specified in*  
34 *subsection 1; or*  
35       (b) *The official website of an entity specified in subsection 1.*

