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SENATE BILL NO. 140—SENATORS CARE AND TITUS

FEBRUARY 25, 2005

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Referred to Committee on Legislative Operations and Elections

**SUMMARY**—Revises provisions governing financial disclosure statements of candidates for certain public offices and certain public officers. (BDR 23-1178)

**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.

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AN ACT relating to ethics in government; revising provisions governing the financial disclosure statements of candidates for certain public offices and certain public officers; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires certain candidates and public officers to file a financial  
2 disclosure statement. (NRS 281.561) The statement must include a list of gifts  
3 received in excess of an aggregate value of \$200, other than ceremonial gifts and  
4 gifts from relatives. (NRS 281.571)  
5 This bill requires a financial disclosure statement to include a list of items,  
6 regardless of value, received by a candidate or public officer in connection with a  
7 party, meal or other social event hosted by a lobbyist or special interest group. The  
8 list must include the identity of the donor and the value of each gift. This bill  
9 defines a lobbyist as a person who communicates directly with a candidate or  
10 public officer on behalf of someone other than himself to influence a decision  
11 whether or not for compensation. The term does not include a relative of the  
12 candidate or public officer. This bill defines a special interest group as a group of  
13 persons or a person who represents such a group that acts in concert to influence  
14 official action. The term does not include a relative of the candidate or public  
15 officer.

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

1       **Section 1.** NRS 281.571 is hereby amended to read as follows:  
2       281.571 1. Statements of financial disclosure, as approved  
3 pursuant to NRS 281.541 or in such form as the Commission  
4 otherwise prescribes, must contain the following information  
5 concerning the candidate for public office or public officer:

6       (a) His length of residence in the State of Nevada and the district  
7 in which he is registered to vote.

8       (b) Each source of his income, or that of any member of his  
9 household who is 18 years of age or older. No listing of individual  
10 clients, customers or patients is required, but if that is the case, a  
11 general source such as "professional services" must be disclosed.

12       (c) A list of the specific location and particular use of real estate,  
13 other than a personal residence:

14           (1) In which he or a member of his household has a legal or  
15 beneficial interest;

16           (2) Whose fair market value is \$2,500 or more; and

17           (3) That is located in this State or an adjacent state.

18       (d) The name of each creditor to whom he or a member of his  
19 household owes \$5,000 or more, except for:

20           (1) A debt secured by a mortgage or deed of trust of real  
21 property which is not required to be listed pursuant to paragraph (c);  
22 and

23           (2) A debt for which a security interest in a motor vehicle for  
24 personal use was retained by the seller.

25       (e) ~~##~~ *Except as otherwise provided in paragraph (f), if* the  
26 candidate for public office or public officer has received gifts in  
27 excess of an aggregate value of \$200 from a donor during the  
28 preceding taxable year, a list of all such gifts, including the identity  
29 of the donor and value of each gift, except:

30           (1) A gift received from a person who is related to the  
31 candidate for public office or public officer within the third degree  
32 of consanguinity or affinity.

33           (2) Ceremonial gifts received for a birthday, wedding,  
34 anniversary, holiday or other ceremonial occasion if the donor does  
35 not have a substantial interest in the legislative, administrative or  
36 political action of the candidate for public office or public officer.

37       (f) *If the candidate for public office or public officer has*  
38 *received anything of value in connection with a party, meal or*  
39 *other social event hosted by a lobbyist or a special interest group*  
40 *during the preceding taxable year, a list of all such items of value*  
41 *including the identity of the donor and the value of each item.*



1 (g) A list of each business entity with which he or a member of  
2 his household is involved as a trustee, beneficiary of a trust,  
3 director, officer, owner in whole or in part, limited or general  
4 partner, or holder of a class of stock or security representing 1  
5 percent or more of the total outstanding stock or securities issued by  
6 the business entity.

7 ~~(g)~~ (h) A list of all public offices presently held by him for  
8 which this statement of financial disclosure is required.

9 2. The Commission shall distribute or cause to be distributed  
10 the forms required for such a statement to each candidate for public  
11 office and public officer who is required to file one. The  
12 Commission is not responsible for the costs of producing or  
13 distributing a form for filing statements of financial disclosure  
14 which is prescribed pursuant to subsection 1 of NRS 281.541.

15 3. As used in this section:

16 (a) "Business entity" means an organization or enterprise  
17 operated for economic gain, including a proprietorship, partnership,  
18 firm, business, trust, joint venture, syndicate, corporation or  
19 association.

20 (b) "Household" includes:

21 (1) The spouse of a candidate for public office or public  
22 officer;

23 (2) A person who does not live in the same home or  
24 dwelling, but who is dependent on and receiving substantial support  
25 from the candidate for public office or public officer; and

26 (3) A person who lived in the home or dwelling of the  
27 candidate for public office or public officer for 6 months or more in  
28 the year immediately preceding the year in which the candidate for  
29 public office or public officer files the statement of financial  
30 disclosure.

31 (c) *"Lobbyist" means a person who communicates directly*  
32 *with a candidate for public office or a public officer on behalf of*  
33 *someone other than himself to influence a decision whether or not*  
34 *any compensation is received for the communication.*

35 *↪ The term does not include a person who is related to the*  
36 *candidate for public office or public officer within the third degree*  
37 *of consanguinity or affinity.*

38 (d) "Special interest group" means:

39 (1) *A group of persons, whether or not formally organized,*  
40 *acting in concert to influence a decision; and*

41 (2) *A person who represents such a group of persons.*



- 1   ↪ *The term does not include a person who is related to the*
- 2   *candidate for public office or public officer within the third degree*
- 3   *of consanguinity or affinity.*

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